

Gungahlin Strategic Assessment Annual Report 2013-2014

*Annual report for the Gungahlin Strategic Assessment and Biodiversity
plan for the period of 1 July 2013 to 30 June 2014*

Chief Minister, Treasury and Economic Development Directorate, ACT Government
November 2014

Acknowledgements

The Plan Implementation Team would like to extend appreciation to the contributions made to the Annual Report by the Office of the Coordinator General, Economic Development, Chief Minister, Treasury and Economic Development Directorate, representatives of the Territory and Municipal Services Directorate, Environment and Planning Directorate, the Land Development Agency.

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List of Abbreviations

ACT	Australian Capital Territory
APZ	Asset Protection Zone (includes both inner and outer APZ)
CEMP	Construction Environment Management Plan (interchangeable with EMP)
CPR	Conservation Planning and Research unit (under EPD)
CMTEDD	Chief Minister, Treasury and Economic Development Directorate
DA	Development Application
DoE	Department of the Environment (Commonwealth) previously SEWPaC
ED	Economic Development (Part of CMTEDD)
EDP	Estate Development Plan
EIS	Environmental Impact Statement
EP Act	<i>Environment Protection Act 1997 (ACT)</i>
EPA	Environment Protection Agency
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</i>
EPIP Act	<i>Environment Protection (Impact of Proposals) Act 1974 (Cwth, repealed)</i>
EMP	Environment Management Plan (interchangeable with CEMP)
ESA	Emergency Services Authority
EPD	Environment and Planning Directorate (Previously Environment and Sustainable Development Directorate)
ILRP	Indicative Land Release Program
LDA	Land Development Agency (under CMTEDD)
LMA	Land Management Agreement
MNES	Matters of National Environmental Significance
NC Act	<i>Nature Conservation Act 1980 (ACT)</i>
NCA	National Capital Authority
NCP	National Capital Plan
NSW	New South Wales
PA	Preliminary Assessment
PALM Act	<i>Australian Capital Territory (Planning and Land Management) Act 1988 (Cwth)</i>
PCG	Project Control Group
PD Act	<i>Planning and Development Act 2007 (ACT)</i>
PDF	Planning and Design Framework
PIT	Plan Implementation Team
SBMP	Strategic Bushfire Management Plan (Version 3, 2014)
SEWPaC	Commonwealth Department of Sustainability, Environment, Water, Population and Communities (currently Commonwealth Department of the Environment)
TaMS	Territory and Municipal Services Directorate

Executive summary

Plan Implementation Team chair person statement

The Gungahlin Strategic assessment was approved by the Commonwealth Minister for the Environment approved the Gungahlin Strategic Assessment Biodiversity Plan (the Plan) in July 2013. The Australian Capital Territory (ACT) Minister for the Environment and Sustainable Development granted an exemption from requiring an Environmental Impact Statement (EIS) in November 2013.

The ACT Government Directorates have worked together to form a Plan Implementation Team (PIT) made up of representatives from directorates that are key contributors to the success of the Plan. The PIT has developed a Charter under which the PIT operates and discharges its duties. The key output of the PIT is an assurance and decision making role that assists to prioritise and facilitate the commitments.

2013 - 2014 Financial year has been exciting for the PIT, and I am pleased to report on the progress and activities undertaken by the ACT Government in the Gungahlin Strategic Assessment area.

In a Territory context, the Plan achieved the required Commonwealth and ACT environmental clearances for the remaining development areas in Gungahlin, being the Gungahlin Town Centre, Moncrieff, Jacka, Taylor, Throsby and Kenny. Conservation areas include new reserve areas in Kinlyside and Kenny, additional areas to the Mulligan's Flat – Gorooyarroo Nature Reserve, and protection of non-urban areas in Jacka, Taylor and Horse Park North.

The plan will contribute to the release of over 3000 dwelling sites in the greater Gungahlin area between 2014 and 2018 with significant land releases in Franklin, Harrison and the first land release area from the Plan, Moncrieff. In 2015, the Land Development Agency anticipated the releases of Throsby, and later in the year, Taylor.

The Territory Plan variation (DV319) is currently under preparation. DV319 will enable the majority of land identified for conservation purposes to be included in the Territory's land management regime. Protection will be provided through Nature Reserves or through Land Management agreements with rural land holders.

Research projects are being designed that will build on the existing knowledge base on Matters of National Environmental Significance (MNES) as well as species and communities that have significance under ACT legislation. The PIT has consulted with conservation groups on Habitat Improvement Plans for the MNES that occur in the proposed protected areas.

Dan Stewart

Chair – Plan Implementation Team

Deputy Director General, Land Development and Corporate, Economic Development, Chief Minister, Treasury and Economic Development Directorate

Background

In October 2012, the ACT and Commonwealth governments commenced a Strategic Assessment under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The focus of the strategic assessment was to assess the potential impacts from development of the remaining identified green-field sites in Gungahlin, the northern-most district in the ACT, on MNES protected under the EPBC Act.

The Plan was endorsed on 20 June 2013 and the actions associated with the development were approved on 17 July 2013. As a result of the approval, the Plan has streamlined the development process by removing the need for site by site assessment of MNES.

The Plan outlines the activities required to complete the urban development of the Gungahlin district. Accordingly, the Plan is defined by the establishment and implementation of measures to effect urban development and biodiversity conservation within the District of Gungahlin. The Plan is relevant to the following areas as they appear in the Territory Plan:

- Urban development areas:
 - Kenny;
 - Throsby;
 - Moncrieff;
 - Jacka (north);
 - Taylor; and
- Urban development areas (currently zoned Commercial (CZ2) and Mixed Use (CZ5)):
 - Gungahlin Town Centre (east);
- Conservation areas, including broad acre areas:
 - Additions to Gorooyarroo and Mulligan's Flat Nature Reserve;
 - Kenny Nature Reserve
 - Horse Park north broad acre;
 - Kenny broad acre; and
 - Kinlyside.

The assessment area and Plan in summary is presented as **Figure 1**.

Annual Reporting under the Plan

This annual report is a comprehensive report on the activities related to the Gungahlin Strategic Assessment throughout the preceding year, being 17 July 2013 (the date of the approval of the actions associated with the development) and 30 June 2014. The annual reports will give interested people information about the ACT Government activities and performance against the commitments of the approved Gungahlin Strategic Assessment.

Commitments

The Plan identifies a range of commitments to be undertaken by the ACT Government targeting the MNES affected by urban development in the Gungahlin district on the basis of analysis presented in the Gungahlin Strategic Assessment - Assessment Report. Commitments in the Plan build upon the long history of forward and strategic environmental planning in the ACT around the avoidance and mitigation of environmental impacts resulting from development.

In summary, the commitments include:

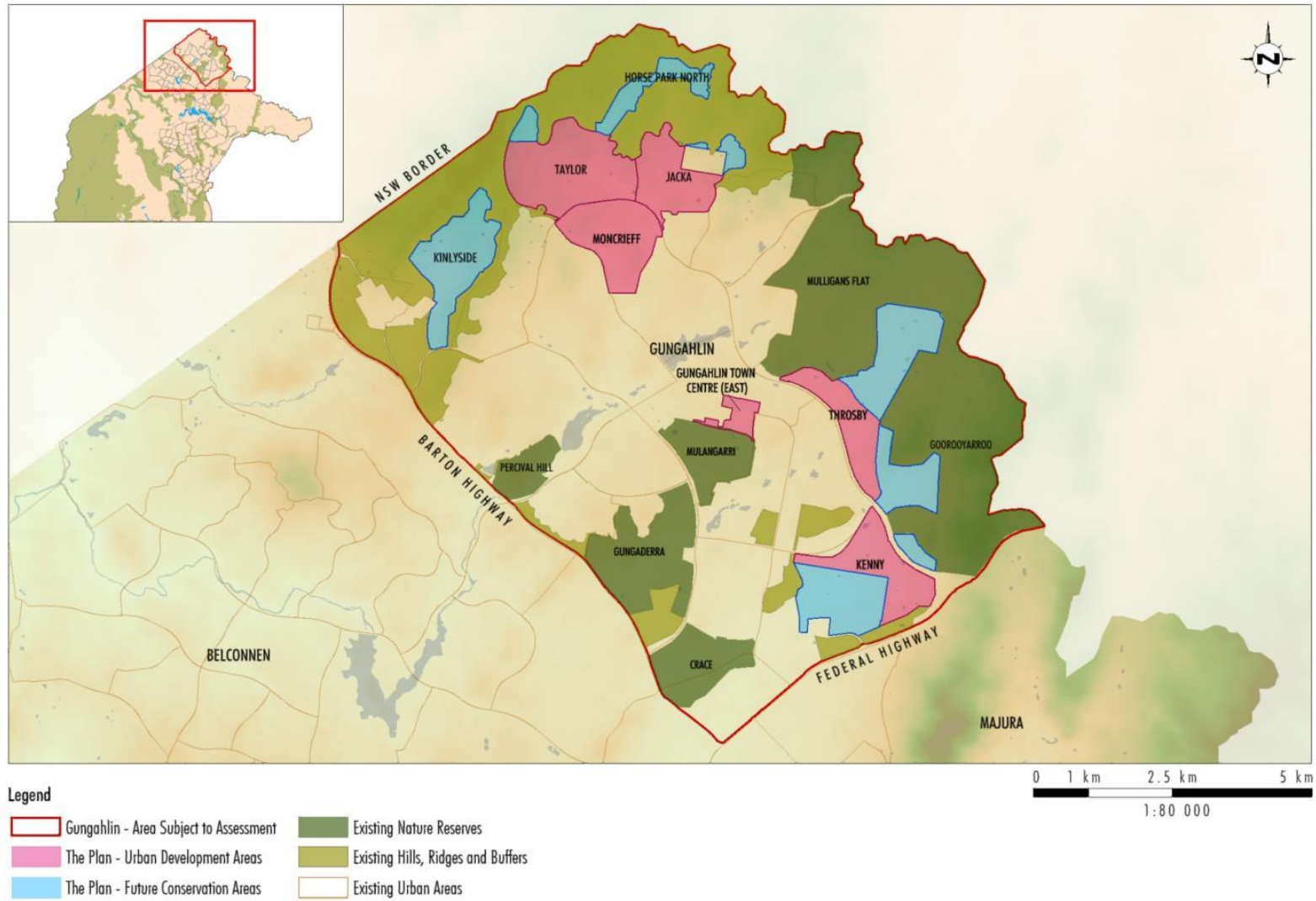
- Avoidance of areas that support habitat for MNES on land presently designated as developable (either RZ1 – Suburban (including Future Urban Area) or NUZ1 - broadacre);
- Increased investment in habitat enhancement beyond the minimum level required under the ACT's statutory obligation; and
- Increased investment in research targeted at the affected MNES and guided by action planning objectives.

Direct impacts on MNES have either been avoided (pink-tailed worm-lizard, superb parrot breeding sites, important migratory bird habitat) or minimised through protecting core, well connected endangered woodland or habitat (Box-Gum woodland golden sun moth or striped legless lizard habitat).

Plan Implementation Team

The PIT will be responsible for implementing the Plan in addition to ensuring accurate records are maintained of all activities that are conducted in relation to implementation of the Plan. PIT activities are described in the PIT Charter. Further information on the PIT is described in the relevant section of this report.

Figure 1 Overview of the Plan



Corporate outcome: Organisational effectiveness

The Strategic Assessment approvals monitoring and implementation is the responsibility of the PIT, which is lead by Economic Development, CMTEDD. Membership was established prior to the charter being finalised and as such the members were able to shape the charter to one that was operationally suitable to the ACT Government Structure. To ensure the PIT members are informed on matters for consideration, members of each Directorate have formed an informal working group to discuss issues and make recommendation to the PIT. This model has been well received by the PIT and the working group members and will be continued into the future.

Updates, changes and corrections

Updates to nomenclature

Since the approval of the Gungahlin Strategic Assessment in July 2013, several updates and changes have been made to the terminology and nomenclature used within technical documents, reports and guidelines. These have been included in table 2.

Table 1 Changes to terms/titles

Original term/title	Revised term/title	Comment
Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC)	Commonwealth Department of the Environment (DoE)	Organisational change.
Concept Plans (PIT to provide guidance on concept plans as described in the commitments)	Planning guides	Due to the status of planning in Gungahlin concept plans may not be applicable for all suburbs. Some suburbs already have this or a similar planning instrument in place therefore the PIT will provide guidance through alternative planning instruments such as Planning and Design Frameworks (PDF), Project Control Groups (PCG) or Estate Development Plans (EDP).
Economic Development Directorate (EDD)	Economic Development, Chief Minister, Treasury and Economic Development Directorate	ACT Government organisation change as a result of Administrative Arrangements.
Environment and Sustainable Development Directorate (ESDD)	Environment and Planning Directorate (EPD)	ACT Government organisation change as a result of Administrative Arrangements.
Nesting tree – a tree where Superb Parrots exhibiting breeding behaviour have been observed and assumed to contain nests	Breeding behaviour observation – an observation of a bird exhibiting breeding behaviour	Change as a result of research program and need to better define methodology for records and monitoring.

Original term/title	Revised term/title	Comment
Reserve Management Plan	Offset Management Plan	This term has been changed to reflect the fact that only targeted areas of the Mulligan's Flat and Goorooyarroo Nature Reserves will be managed to offset the impacts on MNES.

Correction to information and data

In December 2013 the Land Development Agency (LDA) determined that there were trees within the urban development area and close to the proposed estate boundary of Throsby that did not exist. This was determined to be a data error caused by a misreporting of GPS location. This error was discussed with DoE, the author of the report that recorded the data and the PIT and is under consideration with DoE

Updates to urban development timing and land management

Land Release Program

The Indicative Land Release Program (ILRP), prepared by ED, CMTEDD with contributions from other ACT Government agencies. The ILRP is a four year program that sets out the ACT Government intended program for residential, commercial, industrial and community land releases. The program is indicative and subject to change as market conditions alters or as Government priorities are adjusted.

Since the 2013 – 2014 to 2016 – 2017 ILRP was released in June 2013, a number of factors have impacted on housing demand resulting in a review of the housing demand assumptions and modelling. As a result of the analysis used to inform the ILRP some areas within Gungahlin identified for development at particular times have been revised. In particular, the development of Kenny has been delayed, and the progression of Throsby and Taylor accelerated. Further information on the residential sector can be found in the ILRP. The ILRP can be found on the ED website:

http://www.economicdevelopment.act.gov.au/buy-land-and-build/land/land_supply_strategy

Kenny

The development of Kenny has been delayed due to development constraints identified on the site. Further work is being undertaken by the LDA to determine the most suitable outcomes and development options for this suburb. The Territory Plan Variation did not include Kenny due to the planning uncertainties in this suburb.

Kinlyside

The Nature Reserve originally proposed for Kinlyside has increased in land area. The area of land previously zoned residential has been included in the Territory Plan Variation for conversion to Hills, Ridges and Buffer Zone to be managed by the existing rural leases. TAMSD will provide land management assistance where required, including providing direction on habitat protection and improvement as well as bush fire management and protection activities.

The Kinlyside Nature Reserve will be created once the Territory Plan Variation is completed and will include a large section of land adjacent to Casey. Some areas will remain being managed for agricultural purposes due to their low conservation value and contribution to the successful farming requirements of the rural leases. The area of the Kinlyside Nature Reserve will be in excess of the original proposed 201ha and include a greater opportunity to protect and enhance ecological values of the area.

Plan Implementation Team

Background

The PIT will be responsible for all aspects of implementation of the Plan in addition to ensuring accurate records are maintained of all activities that are conducted in relation to implementation of the Plan.

Commitment 6 of the Plan describes the requirement of the ACT Government in establishing a PIT.

Commitment 6
Establishment of the 'Plan Implementation Team' (PIT) and submission of initial / indicative team membership and charter to DoE for approval. This will also include a description of the governance arrangements pertaining to the operation of the team that will guide it in the discharge of its duties.
Status
The PIT was established on Complete 17 January 2014 with the nomination of executive representatives from each relevant Directorate. The charter was completed on 5 May 2014.

The PIT has been established and is be a multi-agency group either drawn from executive within TaMS, ESDD, CMTEDD and lead by ED, CMTEDD. The team will be guided by expert input from relevant agencies across the government to ensure consistency and efficiency in implementation and investment (e.g. coordination of weed management activities across reserve / offset areas).

The PIT will operate for the 20 year life of the Plan. Upon conclusion, the ongoing management responsibilities will be divulged to the appropriate ACT Government directorate (or equivalent department, agency, etc.). The PIT will be responsible for ensuring full knowledge transfer and accessibility of information gathered over the life of the Plan. The PIT will operate with a mandate to ensure a whole-of-government approach to implementation of the Plan.

Membership

The PIT is currently made up of representatives from:

- Land Development and Corporate, ED, CMTEDD, (Lead Directorate)
- Treasury, CMTEDD,
- Planning Delivery, EPD and
- Parks and City Services, TAMSD

Membership has been amended once in the reporting period, where the member from CMTEDD was replaced by another suitable representative. TAMSD provided one proxy member during their representatives' leave in the reporting period. This was a temporary replacement.

Charter

The charter was drafted and approved by the PIT. The final draft was submitted to DoE on 13 May 2014. The charter was made final upon acceptance by the DoE representative on 3 June 2014.

Meetings

The PIT was officially formed in January 2014. The following meetings were held during the reporting period:

Table 2: PIT meeting items

No.	Date and location	Items on agenda
1	28 October 2013	<ol style="list-style-type: none"> 1. PIT charter update 2. Territory Plan Variation process 3. Determining a funding mechanism to ensure the financial component is available 4. Determining the priority of the commitments 5. Administrative arrangements of the PIT (frequency of meetings, circulation of documents and delegations).
2.	10 December 2013 Out of session agreement and update	<ol style="list-style-type: none"> 1. Territory Plan Variation – staged approach 2. Update – status of the Gungahlin Strategic Assessment 3. Correcting the Known Superb Parrot trees in Throsby. 4. Next meeting – February 2014 5. Out of session decision: Guidance document for the preparation of CEMPs.
3	11 March 2014 Out of session agreement and update	<ol style="list-style-type: none"> 1. Correction to known Superb Parrot nesting trees. Agreement is sought to refer the attached letter to the Commonwealth informing them of this error. 2. Throsby Planning Guide (Concept Plan Guide – Throsby). Agreement is sought that this document be referred to the Commonwealth in response to Commitment 3. 3. PIT Charter Agreement is sought that the final version be referred to the Commonwealth. 4. Draft framework for the investments. A draft framework is being prepared that identifies: <ol style="list-style-type: none"> a) indicative monitoring; b) reporting requirements and frequency; c) process for review (as part of an adaptive management strategy); and d) compliance and enforcement procedures. 5. Updates (for noting only) <ol style="list-style-type: none"> a) Territory Plan and National Capital Plan b) Superb Parrot research is underway and first reports will be available end of March 2014. c) Land Management Agreements The Canberra Nature Park Plan of Management, Reserve Operation Plans and Ecological guidelines are being prepared.
4	18 June 2014	<ol style="list-style-type: none"> 1. Throsby Planning update 2. Commonwealth endorsement of plans and commitments, and responses to queries 3. Update on Throsby Superb Parrot trees – correction to the Plan 4. Engagement with consultative groups 5. Status of commitments

Working groups

Representative meetings

19 August 2014: (outside annual reporting period) A site visit to Gungahlin to show DoE assessment team some of the key areas for conservation, in particular the location of the recorded Superb Parrot nesting trees in Throsby, Gorooyaroo Nature Reserve, Kenny and Taylor/Kinlyside.

29 May 2014: A meeting was held with representatives from the ACT Government, Umwelt Australia (author of the Strategic Assessment Report and Biodiversity Plan) and DoE to discuss the request to correct the Strategic Assessment and related documents in regards to the location of Superb Parrot nesting trees.

13 May 2014: a teleconference was held between representatives of the ACT Government and DoE regarding the request to correct the Strategic Assessment and related documents in regards to the location of Superb Parrot nesting trees.

Internal working group

The working group has met at an ad-hoc basis to discuss issues, clarifications and seek advice as required. Where required, recommendations, outcomes and decisions are referred to the PIT.

Consultative groups

On 24 October 2013, members of the PIT working group met with representatives from the Conservation Council. Items discussed were:

- Questions / clarification re parts of the final Biodiversity Plan;
- the PIT structure and membership;
- Charter for the PIT;
- Throsby and Superb Parrot; and
- Kinlyside Nature Reserve.

On 2 June 2014, the PIT working group met with representatives from the Conservation Council and the following items were discussed:

- Update on the implementation of the Biodiversity Plan including status of the following:
 - National Capital Plan amendment and Territory Plan variation;
 - Framework for investment in offsets;
 - Framework for CEMPs;
 - Coordination of efforts for information gathering, research projects and the development of management plans;
- PIT charter; and
- Planning for Throsby.

Report on performance by outcome/commitment

Table 3 describes the commitments from the Biodiversity Plan and the status of each commitment.

Table 3 Commitments, delivery and timing

Item	Commitment	Responsibility	Comment	Timing and Date
1	Variation to the Territory Plan and amendment to the National Capital Plan for all proposed land use changes (including creation of Nature Reserves) in accordance with the Plan.	ESDD/NCA	Commenced 10 December 2013. Evidence is included in the appendices.	Commence prior to construction of any new urban areas.
2	Develop and submit to the Department of the Environment (DoE) for approval, the framework for investment in offsets, monitoring, reporting, adaptive management, compliance and enforcement. This will identify: <ul style="list-style-type: none"> a) indicative monitoring program for: <ul style="list-style-type: none"> i. all MNES affected by the Plan; ii. newly created nature reserves; iii. Land Management Agreements for avoidance areas on NUZ3 – Hills Ridges and Buffers; b) reporting requirements and frequency for: <ul style="list-style-type: none"> i. standard activities including monitoring, financial performance, measured outcomes; ii. reporting requirements for unanticipated or unapproved incidents. c) process for review, improvement, approval and incorporation of new procedures within an adaptive management framework; d) compliance and enforcement procedures associated with design, construction and operation phase activities. 	PIT	This was drafted and submitted to DoE on 4 August 2014. Comments on this framework have been provided from DoE to the ACT and are being incorporated into the framework.	Pending completion.
3	Provide documented guidance on the development of concept plans to ensure appropriate land use planning for areas adjacent to MNES habitat and associated buffers for all urban development including specific consideration of the estate design/layout. This is inclusive of requirements for Asset Protection Zones (APZ) between the buffer zone and any residential development.	PIT	Concept plans or a similar planning document (structure plans or planning and design frameworks) may not be required for all suburbs. Guidance documents have been prepared for Throsby. The PIT provided direct comment on the EDPs for Moncrieff to ensure all commitments were met. Guidance documents are under preparation for Taylor. Guidance documents for Jacka and Kenny will be prepared as required.	Ongoing. Prior to lodgement of EDP for each suburb. The specific timing will be determined as required by each development area.
4	Review and update Land Management Agreements (LMA) or management plans for all avoided areas of NUZ3 – Hills, Ridges and Buffers to ensure consistency with, and application of commitments of the Plan. As a part of this action, baseline condition assessment of all avoided areas including NUZ3 will be undertaken and LMAs will include conditions for compliance and enforcement.	TaMS	The template for LMAs is currently being updated by TAMS and EPD. These will be negotiated with the relevant rural lessees.	Review and update of LMAs has commenced with TAMS undertaking negotiations with rural lease holders.
5	Implement cat containment policy in all urban development areas.	TaMS	TaMS, Parks and City Service Division	During detailed planning of each suburb.
6	Establishment of the 'Plan Implementation Team' (PIT) and Submission of initial / indicative team membership and charter to DoE for approval.	Whole of ACT Government	Complete 17 January 2014 Complete 5 May 2014	Establishment of PIT within 3 months of Plan endorsement Submission of Charter to DoE within 12 months of Plan endorsement.
7	Establishment of a suitable mechanism to enable management of funds provided to the PIT for implementation of the Plan.	ACT Government	Funding will be provided through the ACT capital works budget process. The final budget bid is due 3 September 2015.	Complete.
8	Develop and submit to DoE for approval a program of implementation of all of the commitments in the Plan.	PIT	This is being negotiated and reviewed annually with the PIT.	This is ongoing.
9	Develop a Reserve Management Plan for all new nature reserves in order to provide for adaptive management and condition improvement of the reserve in accordance with the objectives and commitments of the Plan.	TaMS	Each Offset Management Plan (see table 1 for details on nomenclature) will address management actions appropriate for MNES that occur in that particular reserve. These will be developed in conjunction with the Habitat Improvement Plans for each MNES.	This is currently underway by TaMS. Within 6 months of reserve creation.
10	Develop amended Reserve Management Plans for existing reserves into which additional land is included as a result of the Plan in order to provide for adaptive management and condition improvement of the reserve in accordance with the objectives and commitments of the Plan.	TaMS and EPD	Each Offset Management Plan will address management actions appropriate for MNES that occur in that particular reserve. These will be developed in conjunction with the Habitat Improvement Plans for each MNES.	This is currently underway by TaMS. Within 6 months of transfer of land into existing reserve.

Item	Commitment	Responsibility	Comment	Timing and Date
11	Develop and submit to DoE for approval, the framework for CEMPs for areas directly or indirectly affecting MNES. This shall include the monitoring, reporting and compliance requirements of: <ul style="list-style-type: none"> contractors undertaking physical works; and ACT Government officers or its representatives in auditing performance under the CEMP. 	PIT	Within 3 months of establishment of the PIT	Completed 20 December 2013
11a	Review and approve (subject to compliance with the Plan) CEMPs submitted for all new construction projects within the area subject to the Plan.	PIT	This is required to occur prior to the commencement of construction in areas identified for conservation in the Plan.	Ongoing.
12	Coordinate with TaMS – Asset Acceptance to ensure all obligations of contractors with respect to management of MNES in accordance with the Plan have been implemented prior to hand-over of assets to the Territory.	PIT	Prior to practical completion of each development contract. TAMS will engage with the appropriate persons within their Directorate to ensure this requirement is achieved.	Ongoing.
13	Collection of baseline ecological information for all new reserve areas.	PIT	Prior to dedication as nature reserve. The majority of areas that have been defined for conservation have been adequately surveyed and the baseline ecological condition is considered to be that which was included in the Strategic Assessment Report and Biodiversity Plan	Complete. Baseline information has been collated and used to inform the Habitat/Condition Improvement Plans and Offset Management Plans.
14	Ongoing collection of key ecological information for monitoring and reporting requirements.	TaMS and EPD	As required to inform annual report.	Ongoing and required prior to July 30 each year.
15	Any action that results in a breach of commitments of the Plan and adversely affects MNES values will be investigated and reported to DoE with identified recommendations for rectification, remediation or additional compensation. Remedial actions or additional compensation will be undertaken for controllable or avoidable actions which lead to a decline in MNES values with respect to the stated outcomes of the Plan.	PIT	Decline in MNES values as determined by trend analysis to be investigated upon identification of the decline in the annual report. Report to DoE with recommended course of action to be submitted within 2 months.	Breaches to be investigated and the Commonwealth notified immediately. Investigation report to be finalised and submitted to DoE within 2 weeks of the incident coming to the attention of the PIT;
16	Prepare and submit Annual Reports (n=20). Highlighting the implementation of the actions and relevant conservation outcomes for MNES. All reports, in addition to any research related to the Plan will be published on the internet in a central location.	PIT	This is the responsibility of the lead Directorate for the PIT (CMTEDD at present).	Ongoing. Every financial year (within 2 months of the end of the financial year) 30 August each year until 2033
17	Prepare and submit Plan Review Report (n=5). The final Plan Review Report will include a summarised synthesis of all knowledge gained over the life of the Plan in order that it represent a complete description of actions taken under the Plan, requirements for ongoing management and opportunities for future enhancement beyond the life of the Plan.	PIT	Every fourth year from endorsement of the Plan (within 6 months of the end of financial year)	30 December 2017, 2021, 2025, 2029, 2033
18	Engage a third party (outside of the PIT membership or working group) to undertake an annual audit of financial management under the Plan. Findings of the audit are to be included in the annual report.	PIT	To coincide with annual reporting. This will be undertaken by an officer from Treasury or ED Finance. As all costs to date have been absorbed by existing and internal arrangements this activity was not undertaken.	30 August each year until 2033
19	Engage a third party to undertake an Independent Audit of the Plan's implementation (n=4).	PIT	Every fifth year from endorsement of the Plan	20 June 2018, 2023, 2028, 2033
20	Creation of new nature reserves in Kinlyside, Goorooyaroo and Mulligan's Flat	EPD	This has been completed through the Territory Plan variation.	The variation to Territory Plan has been completed. See NI2014-501
21	Creation of nature reserve in Kenny	EPD	This will be undertaken as required and relevant	Prior to commencement of construction in Kenny
22	Commence management of a nature reserve in Kenny (160 hectares). Created by the excision of rural Block 775 Gungahlin from future development potential.	TaMS	As above.	Prior to commencement of construction in Kenny
23	Commence management of a nature reserve in Kinlyside (201 hectares) from the current extent of land in the RZ1 – Suburban zone under the Territory Plan in the location known as Kinlyside.	TaMS	This is currently being negotiated with the rural landholders and TaMS. The proposed Reserve Area exceeds the stated 201ha and the area managed as a Reserve will be approximately 226ha.	Within 2 years of Plan endorsement. 20 June 2015
24	Commence management of additional 300 hectares to the Mulligan's Flat – Goorooyaroo nature reserve complex. Land to be excised from the future urban area of Throsby and the 'Kenny broad acre' area and managed for the protection of MNES.	TaMS	The process is currently underway given the timing of the Territory Plan Variation and Estate Development Process for Throsby.	Prior to commencement of construction in Throsby
25	Commence management of additional 120 hectares to the north-western Hills, Ridges and buffers zone from the urban areas of Taylor and Jacka in addition to the entire area of the north Horse Park broad acre area.	TaMS/EPD	This is currently being negotiated with the rural landholders and TaMS.	Prior to commencement of construction in Taylor.

Item	Commitment	Responsibility	Comment	Timing and Date
26	Improvement in the under-storey diversity of 104 hectares of box gum woodlands that presently do not meet the definition of the listed community. Areas subject to this action will include those that are presently in nature reserves in addition to areas that will become nature reserve as a result of implementing the Plan.	TaMS/EPD in consultation with the PIT	This is described in the relevant Habitat Improvement Plan and is required to be completed within 20 years of endorsement of the Plan	20 June 2033
27	Habitat improvement plans for: <ul style="list-style-type: none"> • box gum woodland (approx. 104 hectares of habitat) • golden sun moth (up to 140 hectares of habitat) • striped legless lizard (up to 111 hectares of habitat) • superb parrot 	EPD with input from TaMS	ED are currently finalising this task and the documents are on circulation with consultative groups for comment.	12 months of endorsement of the Plan/ 20 June 2014.
28	Fire hazard management strategies that include specific considerations for: <ul style="list-style-type: none"> • box gum woodland • golden sun moth • striped legless lizard • superb parrot 	TaMS and EPD	These are being developed for each suburb as ecological considerations are provided in the Strategic Bushfire Management Plan (ACT Govt).	Prior to any construction in areas adjoining the target MNES.
29	Protect known superb parrot nesting trees including exclusion fencing of the interface between Throsby East Reserve and the future urban area to limit pedestrian access points.	TaMS and LDA, CMTEDD	Prior to construction commencing in Throsby. PIT and TAMS will review EDP for this estate to ensure trees are adequately protected.	Approximately mid 2015
30	Establish educational resources including signage and guidelines for residents of east Throsby, including: <ul style="list-style-type: none"> • Description of ecological values and significance of the Mulligan's Flat – Goorooyaroo nature reserve complex; • No domestic animals in reserves; • Management of pest species along the urban edge. 	TaMS and LDA, CMTEDD	Signs to be placed at the entrances to the reserve.	Prior to sale of land to prospective residents.
31	Commence planning for implementation of focused research on superb parrot habitat requirements: <ul style="list-style-type: none"> • Research focusing on nest site selection, nest site fidelity, fecundity, population dynamics and methods of reducing or eliminating nest hollow competition from aggressive native species or exotic pests such as common myna and European honeybee. • Assisted natural regeneration to facilitate future hollow formation will be undertaken in areas likely to be suitable as future nesting sites. • Removal of stock leading to a reduction in localised compaction and concentration of nutrients, improving long term tree survival. 	EPD (CPR) and CMTEDD	12 months of endorsement of Plan. EPD and CMTEDD to facilitate design of projects. TaMS will provide input. This is underway with a research project proposed that describes a repeatable and robust methodology for observing and recording Superb Parrots in an unobtrusive way. This will inform future studies and research projects.	20 June 2014
32	Research golden sun moth habitat requirements: <ul style="list-style-type: none"> • may include research into translocation of golden sun moths • fragmentation and proximity to urban areas 	EPD (CPR)	This is described in the Habitat Improvement Plan for this MNES	As described in the Habitat Improvement Plans
33	Undertake control programs of ruderal species.	TaMS	This will be undertaken by TaMS operational staff.	As required indicated by monitoring program.
34	Undertake salvage and relocation of structural habitat elements such as rocks and logs.	Contractors	To be undertaken in consultation with TaMS.	During construction, as specified in CEMPs or directed by the Conservator of Flora and Fauna.
35	Undertake plantings to improve connectivity and wildlife movement along Gungaharra and Sullivan's creeks, targeting in particular superb parrot movement corridors.	LDA, ED and TaMS	LDA to assist in design, TaMS to coordinate where it will occur on Government land.	As part of the EDP process for Throsby and as determined by TaMS
36	Undertake all bushfire management activities in line with ACT Government's Ecological Guidelines for Fuel and Fire Management Operations	TaMS	As required	Ongoing.
37	The formula for funding set out in Table 5.3 over the 20 year life of the Plan will be implemented	PIT	Upon endorsement of the Plan and approval of the class of actions permitting urban development of Gungahlin	Ongoing.
38	Review the funding arrangements to ensure the Plan commitments are being met in the event of total expenditure variations of more than 5 per cent over the 20 year period (+/- \$1.325 million).	PIT	As part of the Plan Review Report process	See Item 17: 30 December 2017, 2021, 2025, 2029, 2033

Financial Reporting

The majority of work during the 2013 - 2014 financial year has been undertaken by ACT Government employees and is not a reportable expense. One survey/report was commissioned to the Canberra Ornithologists Group, on the Superb Parrot in Throsby and was funded by the LDA at a cost of \$8 000. This report has been used for ground truthing the location of Superb Parrot trees against the edge of residential uses in the Suburb.

ED, CMTEDD is providing funding for a dedicated resource to undertake specific duties related to achieving the Commitments. This funding will be provided to TAMS in the 2014-2015 year.

The commencement of management of Nature Reserves is under preparation and will commence once the Territory Plan Variation has been completed. A summary of indicative costs is included at Table 2.

Areas of Non-Compliance

The ACT notes the following areas of non-compliance with the commitments of the Plan. There are no recorded incidences of impacts on MNES that are protected by the Plan as a result of these non-compliances.

No.	Commitment	Non-Compliance matter
2	Develop and submit to the Department of the Environment (DoE) for approval, the framework for investment in offsets, monitoring, reporting, adaptive management, compliance and enforcement. This will identify: <ul style="list-style-type: none"> a) indicative monitoring program for: <ul style="list-style-type: none"> i. all MNES affected by the Plan; ii. newly created nature reserves; iii. Land Management Agreements for avoidance areas on NUZ3 – Hills Ridges and Buffers; b) reporting requirements and frequency for: <ul style="list-style-type: none"> i. standard activities including monitoring, financial performance, measured outcomes; ii. reporting requirements for unanticipated or unapproved incidents. c) process for review, improvement, approval and incorporation of new procedures within an adaptive management framework; d) compliance and enforcement procedures associated with design, construction and operation phase activities. 	Delayed reporting due to ACT Government negotiations on stewardship responsibilities.
8	Develop and submit to DoE for approval a program of implementation of all of the commitments in	Due to changing Government priorities this commitment will be reported against in the

No.	Commitment	Non-Compliance matter
	the Plan.	annual reports.
16	Prepare and submit Annual Reports (n=20). Highlighting the implementation of the actions and relevant conservation outcomes for MNES. All reports, in addition to any research related to the Plan will be published on the internet in a central location.	Due to delays in internal review and administrative changes within ACT Government, the annual report was not prepared and submitted within the timeframes described in the commitment.
18	Engage a third party (outside of the PIT membership or working group) to undertake an annual audit of financial management under the Plan. Findings of the audit are to be included in the annual report.	As no funding was specifically allocated to the commitments this activity was not required in the 2013 – 2014 reporting period.
27	Habitat improvement plans for: <ul style="list-style-type: none"> • box gum woodland • golden sun moth • striped legless lizard • superb parrot 	These plans were delayed due to consultation and negotiations outside the expected project timeframes.

Table 4 Overview of costs for reserve requirements

Cost of managing new Nature Reserves and conservation areas				Average cost per hectare		Timing
Reserve area	Year 1 – 3 (Per annum, start up)	Year 4-17 (per annum, ongoing maintenance)	Total (20 years)	Year 1 – 3 (per annum)	Year 4 – 17 (per annum)	Commencement of management as nature Reserve
Throsby North (172ha)	\$279,466	\$130,100	\$3,050,100	\$1,624.81	\$756.40	Prior to construction in Throsby
Throsby East (105ha)	\$543,916	\$151,750	\$4,211,500	\$5,180.16	\$1,445.24	Prior to construction in Throsby
Kenny Broadacre (23ha)	\$32,466	\$15,000	\$352,400	\$1,411.59	\$652.17	Prior to construction in Throsby
Kenny central (160ha)	\$610,827	\$169,950	\$4,721,633	\$3,817.67	\$1,062.19	Prior to construction in Kenny
Northern Hills, Ridges and Buffers (118ha)	\$204,300	\$110,300	\$2,488,000	\$1,731.36	\$934.75	Prior to construction in Taylor
<i>Kinlyside (201ha)*</i>	<i>Nil.</i>	<i>1,403,490</i>	<i>\$1,403,490*</i>	<i>Nil</i>	<i>Nil</i>	<i>Within 2 years of plan endorsement</i>
Other (779ha) (Consultations, staffing, machinery, fencing, signage, monitoring MNES)	\$670,333	\$451,250	\$9,682,250	\$860.50	\$579.27	Prior to construction in Throsby
Research (779ha)	\$100,000	\$100,000	\$2,000,000	\$128	\$128	Determined by PIT (2013-14 Superb Parrot)
Totals (779ha)**	\$2,441,311	\$1,128,350	\$26,505,883**	\$3,133.90	\$1,448.46	To be completed by 2034

*Only required if the land is withdrawn from the current rural lease holder. The lessee is required to manage the land in a way that is consistent with the management requirements for a Nature Reserve.

** 5% variable to the total amount. This allows for some changes to the timing of commencement of management of Nature Reserves.

References

ACT Government (2013) *Environmental guidelines for preparation of an Environment Management Plan* Environment Protection Authority, Environment and Sustainable Development Directorate (May 2013)

ACT Government (2008) *Territory Plan – Current Version*, ACT Government, Canberra (September, 2013)

ACT Government (2012d) *ACTMAPi: ACT Government Online Interactive Maps ‘Significant Plants and Animals Mapping’*, Environment and Sustainable Development Directorate, Canberra

<http://parkweb.vic.gov.au/park-management/environment/research-and-scientific-management>

Umwelt (2013a) *Gungahlin Strategic Assessment Biodiversity Plan: Final*, prepared for ACT Economic Development Directorate and ACT Environment and Sustainable Development Directorate, Canberra (June, 2013)

Umwelt (2013a) *Gungahlin Strategic Assessment Report: Final*, prepared for ACT Economic Development Directorate and ACT Environment and Sustainable Development Directorate, Canberra (May, 2013)

Umwelt (2013b) *Preliminary Risk Assessment, Gungahlin Strategic Assessment: Final*, prepared for ACT Economic Development Directorate and ACT Environment and Sustainable Development Directorate, Canberra (May, 2013)

Appendices

1. Approval of the Framework for Construction Environment Management Plans and approval of the Plan Implementation Team Charter



Australian Government
Department of the Environment



Our reference: 2013/9861

Contact Officer: Panna Patel
Telephone: (02) 6275 9299 Facsimile: (02) 6274 1878
Email: post.approvals@environment.gov.au

Dan Stewart
Deputy Director-General
Land Development, Strategy and Finance
Economic Development Directorate ACT Government
Level 6, TransACT House,
470 Northbourne Avenue
Dickson ACT 2601

Dear Mr Stewart

**Gungahlin Strategic Assessment Biodiversity Plan (the Plan)
Approval of the Framework for Construction Environment Management Plans and
Plan Implementation Team Charter**

I refer to your emails dated 20 December 2013 and 5 May 2014 to the Department seeking approval of the following documents in accordance with commitments under the Gungahlin Strategic Assessment Biodiversity Plan dated June 2013 (the Plan) endorsed under section 46B of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act):

- Framework for Construction Environment Management Plans for areas of Gungahlin subject to the Gungahlin Strategic Assessment, Rev 0 of 19 December 2013 (CEMP Framework) in accordance with commitment 11 (and conservation action 9); and
- The Gungahlin Strategic Assessment: Plan Implementation Team Charter, Rev1.0 of 22 May 2014 (PIT Charter) in accordance with commitment 6 (and conservation action 6) of the Plan.

I understand that the above documents have been endorsed by the Plan Implementation Team. Officers of Approvals Monitoring North Section (AMN) have considered the documents and provided their advice to me. In considering this advice and as delegate of the Minister for the Environment, I have decided to approve your request in accordance with the provisions of the national environment law. The approved CEMP Framework and PIT Charter must be implemented.

Please ensure that you maintain accurate records of all activities associated with, or relevant to the commitments under the Plan, so that they can be made available to the department on request. Such documents may be subject to audit and used to verify compliance. Summaries of results of audits may be published by the department. Information about the monitoring and audit program can be found on the department's website at www.environment.gov.au/epbc/compliance/auditing.html.



GPO Box 787 Canberra ACT 2601 Telephone 02 6274 1111 Facsimile 02 6274 1666
www.environment.gov.au





If you have any enquiries please contact Panna Patel on 02 6275 9299.

Yours sincerely

S. Gaddes

Shane Gaddes
Assistant Secretary
Compliance & Enforcement Branch
Environment Assessment and Compliance Division

3 June 2014

CC: Jonathan Teasdale, Environment and Sustainable Development Directorate, ACT
Government

Note: Under s 491 of the *Environment Protection and Biodiversity Conservation Act 1999* it is an offence to knowingly provide false and/or misleading information to a departmental officer.

2.

2. Request to vary to Territory Plan: DV319 - Zone and Overlay changes to Public Land in the Gungahlin District

http://www.actpla.act.gov.au/tools_resources/legislation_plans_registers/plans/territory_plan/draft_variations_to_the_territory_plan

Draft Variation to the Territory Plan Number 319 (DV319) proposes to make changes to public land in the Gungahlin District as a result of the Gungahlin Strategic Assessment Biodiversity Plan. DV319 proposes to:

- update the East Gungahlin Structure Plan
- introduce a concept plan for the suburb of Throsby
- include areas of Throsby as 'nature reserve' in the NUZ3 Hills, Ridges and Buffer Zone
- include Kinlyside as 'nature reserve' in the NUZ3 Hills, Ridges and Buffer Zone
- include Horse Park north and parts of Jacka and Taylor in the NUZ3 Hills, Ridges and Buffer Zone

The variation was tabled in the Legislative Assembly on Tuesday 21 October 2014. The approved plan variation is on the ACT Legislation Register Notifiable Instrument NI2014-501.

3. Request to vary the National Capital Plan



Australian Government
National Capital Authority

File No: 13/234
Our Ref: 166825

Mr Dan Stewart
Deputy Director-General
Economic Development Directorate
GPO Box 158
Canberra ACT 2601

Dear Mr Stewart 

I refer to your letter dated 10 December 2013 requesting an amendment to the National Capital Plan (the Plan) based on the outcomes of the Gungahlin Strategic Assessment. The National Capital Authority (NCA) understands that the effect of such an amendment would be to:

1. include additional conservation areas in Throsby in the Hills, Ridges and Buffer Spaces land use policy area
2. include the proposed Kinleyside Nature Reserve, and the Horse Park Drive, Jacka and Taylor conservation areas in the Hills, Ridges and Buffer Spaces land use policy area
3. include the proposed Kenny Nature Reserve in the Hills, Ridges and Buffer Spaces land use policy area.

The National Capital Authority (NCA) has recently completed its review of the National Capital Open Space System (NCOSS). The Authority has endorsed the recommendations of the NCOSS review and the report will be released publicly in early 2014. One of the recommendations arising from the NCOSS review is to:

Amend the General Policy Plan within the National Capital Plan to incorporate:

- a. *existing sections of Canberra Nature Park that are adjacent to and/or function as part of NCOSS landscapes, but are currently within Urban Areas, into the NCOSS.*
- b. *New sections of Canberra Nature Park or areas declared by the Territory Plan to form part of hills, ridges and buffer areas to be part of the NCOSS.*

The proposed land use policy changes to the Gungahlin district would be consistent with the above recommendation. The Territory and Municipal Services Directorate has provided 'in-principle' support for the proposal.

The NCA is currently undertaking a comprehensive review of the Plan. It is anticipated that an 'exposure draft' of a revised National Capital Plan would be ready for public comment in mid-2014. The NCA proposes that the changes you have requested be incorporated into this exposure draft.

Building the National Capital in the hearts of all Australians

T 02 6271 2888 | F 02 6273 4427 | www.nationalcapital.gov.au | email natcap@natcap.gov.au

Couriers & deliveries: Treasury Building, King Edward Terrace, Parkes ACT 2600 | Mailing: GPO Box 373 Canberra ACT 2601

ABN 75 149 374 427

Should any changes be proposed to the Territory Plan to reflect new conservation areas or Nature Parks (for example, changing zoning from urban zones to non-urban zones), the NCA considers that these changes would not be inconsistent with the existing principles and policies of the Plan. A variation to the Territory Plan could still be progressed.

The NCA would be happy to meet with relevant ACT Government representatives to discuss this approach in further detail. Please contact Rebecca Sorensen on 02 6271 2851 or email rebecca.sorensen@natcap.gov.au to arrange a meeting or if you have any questions on the above.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Andrew Smith', written over a horizontal line.

Andrew Smith
Chief Planner

24 January 2014