

Open Access Information release outcome decision: **Partial access granted**

Document Category: Ministerial briefs

Title of documents:

- Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal Question Time Briefs February 2018
- Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal Question Time Briefs March 2018

Description of the information:

The documents are question time briefs prepared for the Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal for the February and March 2018 sittings of the Legislative Assembly, which relate to the functions of the Environment, Planning and Sustainable Development Directorate and its portfolio agencies.

These Question Time Briefs contains some information the release of which would be contrary to the public interest. This information has been deleted from this publicly available copy of the documents for the reasons outlined below.

Decision

I am an Information Officer appointed under section 18 of the *Freedom of Information Act 2016* (the FOI Act).

I have decided to grant full access to 29 documents and partial access to 6 documents. This decision has been made under sections 24(2)(b) and (c) of the FOI Act on the basis that the information refused is contrary to the public interest to disclose.

Reasons for decision

The FOI Act recognises the right of every person to obtain access, under its provisions, to government information (see section 7, the FOI Act). As an Information Officer, I am required to allow access to information subject to the FOI Act, unless, on balance, disclosure would be contrary to the public interest.

In reaching my access decision, I have taken the FOI Act into account:

- Sections 24(2)(b), which allows for the information to be withheld when it is taken to be contrary to the public under schedule 1 of the FOI Act.
- Section 24(2)(c), which allow for the information to be withheld on the basis that the disclosure would, on balance, be contrary to the public interest under the test set out in section 17 of the FOI Act.

Information Disclosure – Contrary to the Public Interest under Schedule 1 of the FOI Act

Schedule 1 of the FOI Act recognises a range of information that is taken to be contrary to the public interest to disclose unless the information identifies:

- corruption or the commission of an offence by a public official; or
- that the scope of a law enforcement investigation has exceeded the limits imposed by law.

Schedule 1, section 1.2 provides that disclosure of information is taken to be contrary to the public interest if the information would be privileged from production or admission into evidence in a legal proceeding on the ground of legal professional privilege. One document contains legal opinion from the ACT Government Solicitor's Office and disclosure of the information is taken to be contrary to the public interest.

Information Disclosure – Schedule 2 of the FOI Act

In assessing whether disclosure of the remaining information identified in the briefs would, on balance be contrary to the public interest, I must apply the test outlined under section 17 of the FOI Act.

This requires consideration of factors favouring disclosure, any favouring nondisclosure and the balancing of those factors when considered cumulatively. Unless, on balance, disclosure would be contrary to the public interest, access to the information must be allowed. These factors are found in subsection 7(2) and schedule 2 of the Act. In applying the public interest test to the briefs, I have determined that disclosure of the information could reasonably be expected to do the following:

- Schedule 2, item 2.1(a)(i) – promote open discussion of public affairs and enhance the government’s accountability; and
- Schedule 2, item 2.1(a)(ii) – contribute to positive and informed debate on important issues or matter of public interest.

I consider that release of the briefs may contribute to open discussion of public affairs and enhance the government’s accountability and contribute to informed debate on matters of public interest. I consider there is a public interest in the subject of these briefs, and I am satisfied that disclosure would increase transparency and accountability of the government. Noting the pro disclosure intent of the FOI Act, I have given substantial weight to the factors favouring disclosure.

I have however, also determined that there is one factors favouring nondisclosure:

- Schedule 2, item 2.2(a)(xi) – disclosure of the information could reasonably be expected to prejudice trade secrets, business affairs or research of an agency or person.

Five documents contain business information about third parties that if released could reasonably be expected to prejudice trade secrets, business affairs or research of service providers engaged by the Directorate. On balance, I am satisfied that the factors favouring disclosure of this business information does not outweigh the factor favouring nondisclosure.

Document 61 and 118 contains the name of a member of the community. I have considered how the public interest would be advanced by releasing this information in part or in whole. It is my view that the information if disclosed, could reasonably be expected to prejudice the protection of an individual’s right to privacy under section 12 of the *Human Rights Act 2004*. I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individual involved.

I am satisfied that redacting from the documents the information that is contrary to the public interest will ensure that the intent of the FOI Act is met and will provide access to the majority of the information within the documents.

Review rights

Ombudsman review

The decision to withhold information is a reviewable decision as identified in schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this decision. Under section 74 of the FOI Act, an application for Ombudsman review must be made within 20 working days from the day this decision was published on the agency’s website, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the ACT Ombudsman at:

The ACT Ombudsman
Attention: ACT Strategy and FOI Section
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the FOI Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
CANBERRA ACT 2601
Telephone: (02) 6207 1740
<https://www.acat.act.gov.au/>



Bren Burkevics
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Executive Group Manager, Environment, Heritage and Water Division



June 2023

FREEDOM OF INFORMATION OPEN ACCESS INFORMATION SCHEDULE

This information is released under section 23(a)(i) of the *Freedom of Information Act 2016* which requires the release of specified documents over five years old. Due to the age of the information being released it may not reflect current legislation or Government policy and phone numbers and webpages mentioned may not still be current.

| Ref No | Page Numbers | No of pages | Description | Date | Status | Reason for non-release or deferral | Open Access release status |
|---|--------------|-------------|--|---------------|-----------------|------------------------------------|----------------------------|
| Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Urban Renewal (February 2018) | | | | | | | |
| 1. | 1-4 | 4 | Question Time Brief Index list | February 2018 | Full release | - | Yes |
| 2. | 5-6 | 2 | Bushfire Season Update | February 2018 | Full release | - | Yes |
| 3. | 7 | 1 | Railway Historical Society 1210 Locomotive | February 2018 | Partial release | Schedule 2, 2.2(a)(xi) | Yes |
| 4. | 8 | 1 | Manuka Oval, proposed Media and Broadcast facility | February 2018 | Full release | - | Yes |
| 5. | 9-10 | 2 | Eastlake, Canberra Railway Station and ARHS | February 2018 | Partial release | Schedule 2, 2.2(a)(xi) | Yes |
| 6. | 11-12 | 2 | Mountain Biking in Pine Forests | February 2018 | Full release | - | Yes |
| 7. | 13-14 | 2 | Supporting Environment Volunteers | February 2018 | Full release | - | Yes |
| 8. | 15 | 1 | Weed Management | February 2018 | Full release | - | Yes |
| 9. | 16-20 | 5 | Healthy Waterways (Basin project) | February 2018 | Full release | - | Yes |
| 10. | 21 | 1 | Cat management | February 2018 | Full release | - | Yes |
| 11. | 22-23 | 2 | National Landcare Program | February 2018 | Full release | - | Yes |
| 12. | 24-25 | 2 | Carp Biocontrol | February 2018 | Full release | - | Yes |
| 13. | 26 | 1 | Migratory Species Action Plan | February 2018 | Full release | - | Yes |
| 14. | 27 | 1 | Fisheries Act Review | February 2018 | Full release | - | Yes |

| Ref No | Page Numbers | No of pages | Description | Date | Status | Reason for non-release or deferral | Open Access release status |
|--|--------------|-------------|---|---------------|-----------------|------------------------------------|----------------------------|
| 15. | 28-30 | 3 | Heritage Nomination List | February 2018 | Full release | - | Yes |
| 16. | 31 | 1 | Haig Park, Braddon and Turner | February 2018 | Full release | - | Yes |
| 17. | 32-33 | 2 | Wanniassa 'Spook Tree' unauthorised removal | February 2018 | Partial release | Schedule 2, 2.2(a)(xi) | Yes |
| 18. | 34 | 1 | Ginninderra Blacksmiths Workshop | February 2018 | Partial release | Schedule 1, 1.2 | Yes |
| 19. | 35 | 1 | Ottoclyffe, 8 Palmer Street, Hall (Block 2, Section 1) | February 2018 | Full release | - | Yes |
| 20. | 36 | 1 | Heritage Council Meeting decisions from 8 February 2018 | February 2018 | Full release | - | Yes |
| Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Urban Renewal (March 2018) | | | | | | | |
| 21. | 1-3 | 3 | Question Time Brief Index list | March 2018 | Full release | - | Yes |
| 22. | 4-5 | 2 | Molonglo River Reserve | March 2018 | Full release | - | Yes |
| 23. | 6-7 | 2 | Funding for Catchment Groups | March 2018 | Full release | - | Yes |
| 24. | 8-9 | 2 | Bushfire Season Update | March 2018 | Full release | - | Yes |
| 25. | 10-11 | 2 | Railway Historical Society 1210 Locomotive | March 2018 | Partial release | Schedule 2, 2.2(a)(xi) | Yes |
| 26. | 12-14 | 3 | Eastlake, Canberra Railway Station and ARHS | March 2018 | Partial release | Schedule 2, 2.2(a)(xi) | Yes |
| 27. | 15-18 | 3 | Mountain Biking in Pine Forests | March 2018 | Full release | - | Yes |
| 28. | 19-21 | 3 | Weed Management | March 2018 | Full release | - | Yes |
| 29. | 22-27 | 6 | Healthy Waterways (Basin project) | March 2018 | Full release | - | Yes |
| 30. | 28-30 | 3 | National Landcare Program | March 2018 | Full release | - | Yes |
| 31. | 31 | 1 | Fisheries Act Review | March 2018 | Full release | - | Yes |
| 32. | 32-34 | 3 | Heritage Nomination List | March 2018 | Full release | - | Yes |

| Ref No | Page Numbers | No of pages | Description | Date | Status | Reason for non-release or deferral | Open Access release status |
|--------|--------------|-------------|---|------------|--------------|------------------------------------|----------------------------|
| 33. | 35-36 | 2 | Cat Management | March 2018 | Full release | - | Yes |
| 34. | 37-38 | 2 | Kingston Hotel and 40 Donaldson St Heritage nominations | March 2018 | Full release | - | Yes |
| 35. | 39-40 | 2 | Heritage Council Meeting decisions | March 2018 | Full release | - | Yes |

Total No of Documents: 35

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: **Bushfire Preparedness - Parks and Conservation**

Context

- The Bushfire Operations Plan (BOP) is prepared each year in consultation with the ACT Rural Fire Service, the ACT Bush Fire Council and the Emergency Services Agency.
 - Activities completed in the 2016-17 BOP included:
 - Twelve prescribed burns covering approximately 516 hectares focusing on grasslands and the urban edge area
 - 6,041 hectares of strategic grazing across the outer edge of residential areas
 - 4,733 hectares of slashing in urban areas
 - 542 hectares of physical removal of fire fuels
 - 437 kilometres of fire trail maintenance
 - The ACT Parks and Conservation Service has approximately 180 trained firefighters and has recently employed 18 seasonal staff to assist with all the Bushfire Operations Plan work, including planned burns.
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Talking Points

- Proposed activities approved in the 2017-18 BOP included:
 - Forty-five prescribed burns covering over 8,000 hectares including 12 ecological burns and 3 cultural burns
 - 6,041 hectares of strategic grazing across the outer edge of residential areas
 - 4,705 hectares of slashing in urban areas
 - 312 hectares of physical removal of fire fuels
 - 206 kilometres of fire trail maintenance
- Most of the planned burns in and around the ACT are undertaken in Autumn. Little burning is usually planned for or undertaken in Winter as the weather conditions (frost, short days, moist conditions) mean that the burning windows are extremely short or non-existent.

2017-18 BOP Progress

- The table below summarises progress against the current year's BOP.
- The majority of prescribed burns listed in the table below are scheduled for the Autumn period in 2018. Progress shown relates to pre-burn works including ensuring control lines would be effective.

| Item | Number of jobs | Scheduled | Progress |
|-----------------------|--|-----------------------------------|---|
| Prescribed Burns | 30 prescribed 12 ecological 3 cultural | 8006 ha 224 ha 29 ha | Not started - 10 burns – 142 ha 0-25% - 15 burns – 1298 ha 25-50% - 6 burns – 225 ha 50-75% - 14 burns – 6594 ha 75-100% - 0 burns – 0 ha |
| Slashing | 245 | 4705 ha | 50-75% - 245 jobs – 4705 ha |
| Grazing | 73 | 6041 ha | 50-75% - 73 jobs – 6041 ha |
| Physical Fuel Removal | 33 | 312 ha | Not started - 2 jobs – 29 ha 0-25% - 0 jobs – 0 ha 25-50% - 12 jobs – 135 ha 50-75% - 0 jobs – 0 ha >75% - 9 jobs – 96 ha Completed - 11 jobs – 52 ha |
| Chemical | 33 | 372 ha | Not started - 33 jobs – 372 ha |
| Management Trails | 1 construction 5 upgrade 85 maintenance 24 vegetation control | 1 km 35 km 206 km 273 km | Not started - 54 jobs – 222 km 0-25% - 4 jobs – 78 km 25-50% - 1 job – 15 km 50-75% - 17 jobs – 11km >75% - 38 jobs – 160 km Completed - 1 job – 29 km |

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Railway Historical Society 1210 Locomotive

Context

A series of thefts of parts belonging to the heritage listed Locomotive 1210 occurred between 26 December 2017 and 28 December 2017.

Talking Points

- Brass and copper boiler, smokebox and cab fittings were stolen from the premises of the Canberra Railway Museum where Locomotive 1210 is stored.
- Since the theft, an overnight security guard has been employed to patrol the Canberra Railway Museum yards.
- Locomotive 1210 is listed on the ACT Heritage Register.
- ACT Policing is investigating the theft.
- The locomotive was owned by the former Department of the Interior, and subsequently became the property of the ACT Government when self-government was introduced.
- The locomotive is on loan to the Australian Railway Historical Society (ARHS, ACT Division) who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017.
- The brass and copper parts had remained in locked shipping containers since that time.
- ARHS is currently reforming, following the 2017 liquidation.
- The Environment, Planning, and Sustainable Development Directorate (EPSDD) is exploring options for formalising the loan agreement between the ACT Government and the newly formed ARHS.
- Although ARHS is in the process of reforming, liquidator [REDACTED] is currently managing the Canberra Railway Museum yards.
- To increase security measures at the premises, volunteers from the ARHS occupy the museum yards during the week to perform general maintenance tasks such as mowing and cleaning.

Background

Locomotive 1210 is significant for its role in opening the new rail branch line into the Federal Territory when it hauled the first train into the construction site of the national capital on 24 May 1914.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Manuka Oval, proposed Media and Broadcast facility

Context

The Chief Minister, Treasury and Economic Development Directorate (CMTEDD) proposes to construct a media and broadcast centre within Manuka Oval, in accordance with the ACT Government's agreement with Cricket Australia.

Manuka Oval is registered on the ACT Heritage Register, and for development to proceed, a *Heritage Act 2004* (the Act) approval is required. To this end, CMTEDD made a Statement of Heritage Effect (SHE) application to the ACT Heritage Council (the Council) on 12 April 2017. This application was approved with conditions on 15 June 2017, with conditions relating to the proposed tree replanting program. In providing this advice, the Council identified that the proposed development would have only a minimal effect on the heritage significance of the Manuka Oval, resulting from the removal of one tree.

The Development Application for the media and broadcast centre (DA201731693) was approved with conditions by the Minister for Planning and Land Management on 11 December 2017.

Talking Points

- 'Manuka Oval and Caretakers Cottage' is registered on the ACT Heritage Register, and subject to the provisions of the Act.
- The Council is the independent statutory body responsible for administering the Act, and for the development to proceed, the Council will need to approve a 'Statement of Heritage Effect' (SHE) under the Act.
- CMTEDD submitted a SHE application to the Council on 12 April 2017.
- Formal Council advice on the application was provided on 15 June 2017, approving the SHE application subject to conditions.
- SHE approval conditions included measures to protect the landscape setting of Manuka Oval, and included requirements for tree cages for new plantings, tree guards for existing plantings, and limitations on mass planting beds beneath trees.

Background

Features of Manuka Oval protected under the Act include the playing field, the sporting function of the venue, the mature landscaping setting and the Jack Fingleton Scoreboard. The proposed facility only impacts one of these features, being the mature landscape setting - as the proposal includes the removal of one tree, and the replanting of 17 trees.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: East Lake, Canberra Railway Station and Australian Railway Historic Society

Context

East Lake is on the ACT Indicative Land Release Program for delivery of a sustainable transit-oriented urban renewal project. The site includes the Canberra Railway Station, a section of the NSW-ACT railway and the Australian Railway Historic Society Incorporated ACT Division (ARHS).

Talking Points

A great urban renewal opportunity

- It is anticipated East Lake could be developed in stages to deliver up to 5,000 new dwellings in a mixed density sustainable development on the site of a former landfill, disused railyards and aging public housing precinct over time in response to land supply requirements.
- The ACT Indicative Land Release Program indicates residential land releases in East Lake commencing in 2019-20 subject to a Territory Plan Variation.
- East Lake is expected to deliver many economic, social and environmental benefits to the current and future community, who will be closely engaged in the shaping of the development.
- Sustainability, diversity and transport will be key features of this unique urban intensification, which will also include replacement public housing.
- East Lake remains subject to a range of financial, governance, planning and environmental considerations by Government.

No current plans for station relocation

- The station building, railway line and railyards are unleased land licensed to NSW Government to provide this important regional transport link for cross-border tourism, commuting and future economic growth.
- The future location of Canberra Railway Station was identified in previous East Lake Urban Renewal planning studies (2008, 2010) as an issue requiring further investigation. The ACT Railway Master Plan (2009) identified options for consolidation and relocation of the railway facilities for a more efficient use of the current Kingston site.
- East Lake could be delivered in stages without requiring changes to the station or railway line.
- If the Canberra Railway Station land is required for development in the future, options for relocation would be considered in consultation with the community and key stakeholders including NSW Government as the operators of the interstate railway service.

Railway museum future uncertain

- The ARHS has a short term lease on Block 10 Section 47 Fyshwick (total area around 10 hectares) to operate a railway museum.
 - In November 2016 [REDACTED] were appointed provisional liquidators of ARHS to restructure the organisation and sell assets to pay creditors. Despite speculation of the ARHS being 'bailed out,' the Government has not been advised of the outcome and has previously stated it does not intend to provide financial assistance.
 - In December 2017 the Canberra Times reported the theft of significant railway museum assets including key parts from the heritage listed Locomotive 1210 (*subject of the separate [Brief B](#)*).
 - If ARHS or an equivalent entity intend to operate a railway museum into the future, a suitable alternative site will need to be identified by the proponent.
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Background

East Lake

East Lake is located between Kingston Foreshore, Jerrabomberra Wetlands and Fyshwick. East Lake has been a key feature of Canberra's planning since the Canberra Spatial Plan (2004), with master plans presented to the Canberra community in 2007 and 2010.

East Lake is shown in the 2012 ACT Planning Strategy as an exemplar sustainable development for urban growth and intensification, and is on the ACT Indicative Land Release Program for releases commencing in 2019-20.

The planning for the adjacent East Lake future urban investigation area has been developed in consultation with the community and key stakeholders since 2004. A range of studies have been undertaken that demonstrate the suitability of East Lake for future development.

Canberra Railway Station

The East Lake future urban investigation area includes the Canberra Railway Station and disused rail freight infrastructure. Residential land can be released in the East Lake precinct while the Canberra Railway Station remains operating in its current location.

The current location of the Canberra Railway Station is important in supporting heavy rail passenger connections for the foreseeable future. Any proposal to upgrade, relocate or alter the Canberra Railway Station would be integrated with the future planning of East Lake, and coordinated with a rapid public transport service along Canberra and Wentworth Avenues.

Australian Railway Historic Society

Subject to the outcome of the liquidation process the ARHS would need to identify and secure an alternate long-term site for their operations that is not inconsistent with the Territory's land use and development objectives.

The Beyer-Garrett 6029 locomotive – the 'City of Canberra' is a coal train from the Hunter Valley, purchased by the National Museum of Australia in 1974 and gifted to the ARHS. The locomotive was restored by the volunteers of the ARHS with financial support from ACT Government, and renamed the 'City of Canberra' in 2015. According to online sources, the 6029 was until recently on display at the NSW Rail Museum at Thirlmere (operated by Transport Heritage NSW) but has since been sold by [REDACTED] through an expression of interest process to a private buyer.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Mountain Biking in Pine Forests

Context

- The ACT Government manages approximately 8 000 hectares of commercial softwood plantation with Kowen Forest (4 500Ha) being the largest plantation.
 - This sustainable and renewable resource returns around \$5 million per annum in timber sales to the Territory.
 - Pine plantations are also managed to offer a valuable recreational destination, this is in contrast to surrounding NSW, where commercial pine plantations are generally closed to recreational access.
 - Some mountain bike groups have made representations to Government to delay or cancel forestry operations in order to preserve public access to mountain bike trails.
 - Commercial Forestry in the ACT has shown that it can co-exist with recreational enjoyment for many years. During 2016-17, in Kowen Forest alone, more than 30 groups organised over 100 activities ranging from bushwalking, orienteering, equestrian activities, athletics and dog sledding, as well as mountain biking.
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Talking Points

- Our capacity to offer pine forest areas as a recreational destination depends on our ability to manage the site as a safe destination; this, in turn, is consistent with a management model that delivers a sustainable return to the Territory from softwood timber harvesting.
- Pine forests are managed to ensure a diversity of age classes, providing a steady stream of harvestable timber. It is important to note that once plantation trees have passed a certain age, their commercial value begins to decay. Additionally, older trees become more susceptible to disease and to collapse.
- Managers have an ongoing relationship with key user groups and every effort is made to accommodate user activities.
- In the case of mountain biking, modified forestry operations allow for constructed mountain bike trails to be left undamaged after trees are thinned (one in 5 rows of trees cleared only).
- Where harvesting becomes necessary, schedules are modified or delayed wherever possible.
- Every effort is made to restrict the run of harvested areas, so that mountain bikers are able to traverse trails that wind back into areas protected by a canopy of trees.

Kowen Forest - Kowalski Brothers Track Builders Concerns

- This group has undertaken a large amount of mountain bike track construction at East Kowen. For some time now, forest managers have engaged with the group and highlighted the need for trees in this area to be harvested in the near future.
- The area supports some of the oldest trees in Kowen and their value to the Territory has already started to diminish – harvesting can no longer be delayed.
- However, harvesting work will look to minimise impact on trails and they will be immediately available for use after areas have been planted.
- Within 4-5years, replanted pines will once again have reached sufficient height to once again be able to create a canopy above mountain bike trails
- PCS will work with the track builders to identify other opportunities for trail building in other areas of Kowen Forest.

Majura Pines Alliance Concerns

- In 2014, the ACT Government partnered with the Majura Pines Alliance to build new mountain bike tracks amongst the Majura Pines area, west of the Majura Parkway, whilst noting that harvesting would be likely to commence from 2017-2019. This fact was expressly outlined in the operational plan for the area.
 - Recent discussions with the Alliance has clarified a harvesting schedule that will preserve canopy cover over some of the trail network. Furthermore, the harvesting schedule will be stretched over a 15 year period, limiting the loss of canopy cover at any one time.
 - PCS delayed the commencement of harvesting which allowed the area to host the 2017 Australian National Solo 24 HR MTB Championships, organised by CORC on 7-8 October 2017.
 - PCS will continue to investigate harvest scheduling and harvesting methodologies that consider and account for potential effects on recreation opportunities.
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ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Supporting Environment Volunteers

Context

ACT Parks and Conservation Service (PCS) has recently undertaken some changes to the ParkCare Initiative with the following objectives:

- increasing the diversity of ParkCare volunteers;
- improving the accessibility of volunteering to the broader ACT community; and
- ensuring the safety of volunteers working with and for ACT Parks.

Talking Points

- Volunteering with PCS is now more accessible to the general public and there is a clear pathway for members of the community to get involved with ParkCare and volunteering with PCS via the newly created online 'ParkCare Hub'.
- The ParkCare Hub is an online registration system and means of promoting and scheduling volunteering activities for existing and new volunteers. A total of 215 volunteer have registered since September 2017, including over 60 who are new to the ParkCare Initiative.
- The ParkCare Hub also allows PCS to promote, measure and record volunteer activities, incidents and feedback.
- PCS staff and Rangers are now inviting volunteers to join in their activities through the RangerAssist section of the ParkCare Hub.
- Volunteers are getting involved with activities such as caring for wildlife, river restoration, track clearing and fauna surveys.
- The demographic of ParkCare volunteers is beginning to change with 61% of new registered volunteers under the age of 35. Many of these are university students and young adults who aspire to a career in environmental management.
- PCS has also undertaken a thorough review of the PCS Volunteer Policy in consultation with the volunteer community and has introduced a Volunteer Code of Conduct.
- The reviewed Volunteer Policy has also been through a voluntary audit with Volunteer and Contact ACT and is found to meet the National Standards for Volunteer Involvement.

Background

ACT Parks and Conservation Service works closely with volunteers through the ParkCare Initiative which has been operating for over 26 years. There is some resistance to change among long term volunteers within this program.

There is strong interest from the community to work with PCS to improve the ACT environment. There is also significant potential for volunteers to add value to the work of PCS.

Prior to the introduction of the ParkCare Hub there was no clear structure or system which was capable of bringing PCS and the community together on project based work.

Correct and accurate as at: February 2018

There was strong resistance from the existing volunteer community and associated catchment groups regarding the review of the Volunteer Policy and the introduction of a Volunteer Code of Conduct. This has been largely overcome through information sharing and engagement.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Weeds: Invasive Plant Management on Public Land

Talking Points

- Invasive plants are introduced plants whose introduction and spread threaten biological diversity. They spread a considerable distance, often in large numbers, and impact on the natural environment, rural lands, infrastructure and recreation. They are a subset of weeds. Weeds is a very broad term defined as plants that grow in sites where they are not wanted. So the term weeds cover everything from amenity weeds to invasive plants.
- The 2017-18 invasive plant control budget will total \$2.07M to be allocated as follows;
 - \$1.3M: Canberra Nature Park, Murrumbidgee River Corridor, Tidbinbilla Nature Reserve, Namadgi National Park, Googong Foreshores, rural roadsides (an increase in funding from last year).
 - \$0.07M for Kowen forest and former pine plantations (an increase in funding from last year).
 - \$0.7M tied to offsets reserves, Lower Cotter Catchment, and Molonglo River Reserve (a decrease in funding from last year). The decrease in Offsets is due to the rate of invasive plant control being revised so that it matches the ability to restore the controlled sites.
- Invasive plant control is essential to maintain healthy native ecosystems, which are resilient to disturbance and climate change. The invasive plant control program for nature reserves, national parks and rural roadsides focuses on the highest risks to the environment and neighbouring farms.
- Each financial year the Parks and Conservation Service coordinates the Invasive Weeds (Invasive Plants) Operations Plan (IWOP), which includes a prioritised list of invasive plant control projects. The focus is on the highest risk to environmental, economic and social assets on government owned land in the ACT. The IWOP is on the EPSDD website.
- The IWOP is the second largest land management program in the ACT; fire management being the largest. The highest invasive plant priorities include serrated tussock, African lovegrass, Chilean needle grass, blackberry, broom species, fireweed, Mexican feather grass, Spanish heath, crack willow, St John's wort, pine wildings, nodding thistle and alligator weed.
- Summary statistics for the 6 months to end of December 2017: \$0.8m of expenditure (40% of total budgets), this allowed 6,967ha of search and destroy of invasive plants in conservation reserves and along rural roadsides.
- Current control work is focussing on: St John's wort, African lovegrass, and blackberry. All three of these invasive species are widespread in the ACT so the focus is on protecting Namadgi National Park, Tidbinbilla Nature Reserve and other high conservation value areas such as wildflower hot spots in Canberra nature Park.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: ACT Healthy Waterways

Context

ACT Healthy Waterways is a \$93.5 million joint initiative of the Australian Government and the ACT Government to protect and improve long-term water quality in the ACT and the Murrumbidgee River system by reducing the level of sediment and nutrients entering ACT lakes and waterways. The project is now in the implementation phase.

Under the Agreement with the Australian Government the project must be completed by June 30 2019.

Site Selection

- A short list of priority and reserve sites including new wetlands, rain-gardens and channel naturalisation, were chosen from 188 options tested with the community, across six priority catchments across the ACT for detailed evaluation including detailed design, and development approvals.
- The selection of the balance of projects for construction within the fixed budget and timeframe will be based on thorough site investigation and planning, community engagement, and comprehensive cost assessment.
- While the final scope and number of projects is subject to the ongoing detailed design phase, the latest estimate is that in addition to the Isabella Pond Wetlands, 18 water quality infrastructure projects, and 2 water quality research projects will proceed (see table 1). I will have more to say on this soon as the detail is locked in.

Consultation Outcomes

- Over 3 000 people took part in the Project's community consultation process in August and September 2016, with most visiting the ACT Government's new Your Say website to view the plans or make a comment. More than 80 submissions were received.
- The consultation report flagged that the proposed rain garden, Reynolds Street, Curtin (YA012) would not be progressed. This decision takes into account the concerns of residents and the relatively close proximity of the proposed rain garden to homes.
- A potential risk of obstruction to airport flight paths was another key issue arising from consultation. The project team has worked through these issues in consultation with Canberra Airport.
- To complement the construction projects, a comprehensive regional education program, known as H2OK: Keeping our waterways healthy, was launched earlier this year.

Construction

Construction of projects will be rolled out in packages (see table 2) primarily based on catchment location.

Construction of Isabella Wetlands (TG011) is well progressed. Construction for Package 1

(LM013) and one asset in Package 2 (TG010) has commenced. Proximate community has been notified on works commencing. Civil construction of the second asset in Package 2 (TG012) is scheduled to commence in early February 2018.

Table 1: ACT Healthy Waterways Priority Projects

| Priority Asset | Asset Description |
|---|--|
| Tuggeranong Catchment Works* | <i>*Note that the construction of two new wetlands in Isabella Pond (TG011) is also proceeding as an ACT funding co-contribution, as is the in-lake research project in Lake Tuggeranong.</i> |
| Creek Works: Part of the concrete channel between Corlette Street, Monash and Isabella Pond (TG012) | Part of the concrete channel will be converted to a swale. Vegetation in the swale will help treat stormwater before it enters the pond and increase the diversity of the area's natural habitat. The swale will occupy a wider area compared to the current concrete channel. |
| Rain garden: Fadden Pines Reserve, Fadden (TG029) | The area will be landscaped to incorporate vegetation and filtering media to remove nutrients and sediment. The design minimises the removal of existing trees and leaves a large landscaped area as a recreational space for the local community. |
| Rain garden: upstream from Upper Stranger Pond (TG010) | Rain garden: Located upstream from Upper Stranger Pond the system will help remove sediments and nutrients from stormwater. The area will be landscaped to incorporate vegetation and planting beneath existing trees. |
| Pond between Kett Street and Drakeford Drive, Tuggeranong (TG030) | A new pond, in open space near the Burns Club, will capture stormwater that could be used to irrigate the adjacent Kambah East District Playing Fields. The site will be landscaped to enhance the existing open space. |
| Rain garden, Athllon Drive between Langdon Avenue and Fincham Crescent, Wanniasa (TG008) | Rain garden systems will be established adjacent to St Anthony's Primary School near Athllon Drive. |
| Upper Molonglo Catchment Works | |

| | |
|---|--|
| Rain garden, Alanbar Street and Kenneth Place, Queanbeyan (UM004) | Twin rain gardens - one within a roundabout and the other in open space - will slow run-off, with plants helping to remove sediments and nutrients. |
| Upstream of the confluence of the Queanbeyan and Molonglo Rivers, Oaks Estate (UM001) | Riparian Revegetation (Molonglo River Corridor), Stock fencing re-vegetation and weed control |
| Yarralumla Creek Catchment Works | |
| Pond, Athllon Drive, Mawson (YA020) | A new pond will be constructed opposite Marist College to capture stormwater. The project will include landscaping which will improve the existing open space. |
| Rain garden, Flood Memorial site near Service Street, Curtin (YA016) | The highly visible open area in the Yarra Glen arterial corridor near Service Street in Curtin will be the site for a rain garden system. |
| Creek Works: Yarralumla Creek, Lady Denman Drive, Yarralumla (YA001) | The project will involve stabilising and revegetating the banks of Yarralumla Creek before it enters the Molonglo River just downstream of Scrivener Dam. |
| Creek Works: McCulloch Street and Cotter Road, Curtin (YA002) | Channel naturalisation will slow water velocities, trapping the uptake of sediment and nutrients in vegetation. |
| Lower Molonglo Catchment Works | |
| Wetland: open space between Dixon Drive and Cotter Road (LM013) | Wetlands will be established in the open space between Dixon Drive and Cotter Road. |
| Fyshwick Catchment Works | |
| Wetland: open space between Matina Street and the Monaro Highway, Fishwick (FW019) | Low flows from Jerrabomberra Creek will be diverted into the wetland before returning to the waterway. High flows will bypass the wetland and continue along the existing creekline. |
| Wetland: Eyre Street, Kingston (FW012) | Water from Jerrabomberra Creek will be diverted to a new wetland before returning to the creek. |
| Wetland, Jerrabomberra Creek, Fishwick (FW025) | A channel on Jerrabomberra Creek will be rehabilitated to create a new wetland. This will help improve water quality in the creek and add to the amenity and ecology of what is a highly modified part of the Jerrabomberra Wetlands |

| West Belconnen Catchment Works | |
|---|--|
| Creek Works: Tattersalls Crescent, Florey (WB010) | The existing concrete-lined open channel that forms part of the floodway to the east of Page Neighbourhood Oval will be selectively naturalised. Plantings in and beside the channel will slow stormwater run-off and improve water quality and will enhance the environment around existing paths. |
| Wetland: corner of Ginninderra Drive and Copland Drive, Evatt (WB004) | Low-flow stormwater will be diverted from Ginninderra Creek into a coarse filter and then into a new wetland before it is returned to the creek. High flows will bypass directly into Ginninderra Creek to the south of the wetland. |
| Wetland, Croke Place, McKellar (WB009) | A new wetland will be constructed in the open space next to Ginninderra Creek near William Webb Drive, immediately downstream of Lake Ginninderra. Flows from residential areas will move through the wetland for treatment. |
| Water Quality Research Projects | |
| In-lake research Lake Tuggeranong | This research will be carried out in Lake Tuggeranong. The objective of this research project is to improve understanding of the physical, chemical and biological processes affecting water quality within ACT lake systems and trial potential engineered interventions to inform management options to improve water quality, lake performance and usability. |
| Urban Stormwater Ponds Research | This research will be carried out in 6 ponds across Coombs, Dunlop and Lyneham/Dickson. The objective of this research is to quantify the response of water quality and processes driving water quality when shifted from permanently inundated to fluctuating water level and to quantify the change in nutrient processing capacity of urban ponds. Information gained from this research program will inform management options for current and future ponds and wetlands in the ACT. |

Table 2 below summarises each of the packages and the proposed civil construction program.

Correct and accurate as at: February 2018

| Package | Assets | Tender issue | Civil Construction Start | Civil Construction Handover |
|---------|----------------------------|--------------|--------------------------|-----------------------------|
| 1 | LM013 | Sep 2017 | Nov 2017 | Jun 2018 |
| 2a | TG010 | Sep 2017 | Nov 2017 | Jul 2018 |
| 2b | TG012 | Sep 2017 | Feb 2018 | May 2018 |
| 3 | TG008, TG029, TG030 | Jan 2018 | Feb 2018 | Nov 2018 |
| 4 | UM001, UM004 | Mar 2018 | Apr 2018 | Jan 2019 |
| 5 | YA016, YA020, YA001, YA002 | Apr 2018 | May 2018 | Mar 2019 |
| 6 | WB004, WB009, WB010 | Apr 2018 | May 2018 | Apr 2019 |
| 7 | FW012, FW019, FW025 | Apr 2018 | Jun 2018 | Mar 2019 |

Note: LM = Lower Molonglo, TG =Tuggeranong, UM = Upper Molonglo, YA = Yarralumla, WB = West Belconnen, and FW = Fyshwick

Sites Not Progressing

As a result of community consultation and further investigation during detailed design, five projects will not progress:

- A project close to homes in the Yarralumla Creek catchment will not progress because of community concerns (YA012)
- Three in the Fyshwick catchment and one in Upper Molonglo pose significant risks for bird-strike at Canberra Airport (UM015, FW021, FW020 and FW001).

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Cat management

Context

- The management of cats is a cross portfolio responsibility.
 - The Minister for Transport and City Services – is responsible for animal welfare as prescribed under the *Animal Welfare Act 1992*.
 - the *Domestic Animals Act 2000* provides for the declaration of cat containment areas and includes requirements for de-sexing and microchipping cats) and urban amenity.
 - The Minister for the Environment and Heritage – is responsible for pest animal control (management of feral cats) and protecting the environment (reducing harm from introduced species).
- The Parliamentary Agreement (13. 2, Animal Welfare) commits to “expand and ensure the effectiveness of cat containment, and increase funding for cat de-sexing”.
- The Animal Welfare and Management Strategy (AWMS) has been finalised by government. EPSDD and TCCS are working together on an ACT Cat Plan to progress implementation of the Animal Welfare and Management Strategy and the commitment within the Parliamentary Agreement.
- The Environment, Planning and Sustainable Development Directorate is funding (\$12,500 including \$10,000 from the Australian Government’s National Landcare Program) ACT participation in a national Cat Tracker Project, that will survey cat owners and track up to 100 cats as part of the national research project being conducted by University of South Australia.

Talking Points

- The Government is committed to improving animal welfare and management including by expanding cat containment and encouraging cat de-sexing, as stated in the Parliamentary Agreement.
- The Government’s Animal Welfare and Management Strategy identifies the need to develop and implement policies and management plans to promote responsible pet ownership and reduce the impact of domestic species on the environment and the community.
- In developing approaches, we will be seeking community views on how we can better manage cats — that is all cats, owned and unowned (stray and feral), in the ACT. It will be important to approach cat management as equally important for animal welfare and the natural environment.
- Cats are an integral part of ACT society and there is significant interest in the community on issues such as cat containment, increasing de-sexing rates and reducing the number of cats and kittens in rescue centres, and controlling feral cats.
- To inform future cat policy, the ACT will also be participating in a national research project being conducted by University of South Australia that will survey cat owners and track movement patterns of up to 100 cats in the ACT in 2018. There has been significant interest in the ACT with over 500 people completing the survey since the project was announced in December 2017.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: National Landcare Program

Context

The National Landcare Program is the Australian Government's flagship environmental program and is delivered in five yearly funding cycles. In the last Federal Budget, the Commonwealth announced one billion dollars to extend the National Landcare Program (NLP1, 2013-18) for another 5 years ('NLP2', 1 July 2018 – 30 June 2023). This announcement was welcome while noting it was with reduced funding (20 percent reduction compared with NLP1).

The Commonwealth Government has changed its approach to funding regional delivery (now called 'Regional Land Partnerships'), moving from a devolved grants model, to a competitive procurement model. This approach allows anyone to bid to become the service provider for any of the 56 regional management units across Australia, including the ACT (the entirety of the ACT is one regional management unit).

The ACT's regional body, ACT NRM (a section within the Environment Planning and Sustainable Development Directorate, with expert advice from the NRM Council) has developed an Investment Plan in consultation with the community. This Plan provides direction for ACT NRM to submit a Regional Land Partnerships tender proposal to the Commonwealth Government by 28 February 2018.

ACT NRM circulated an open expression of interest to potential NLP2 partners in November/December 2017. 26 project proposals were received from 7 organisations. Tender guidelines were released by the Commonwealth in late December 2017.

Talking Points

- The National Landcare Program is very important in supporting the landcare movement, rural landholders, community groups and volunteers and our Aboriginal community to improve our natural environment, agriculture and outcomes for Aboriginal people.
 - The ACT received almost \$6 million (\$5,978,280) from the Australian Government between July 2013 and June 2018.
 - Under NLP2 (2018-23), the Australian Government has made funding available to deliver Commonwealth priorities at the regional scale, based around six main outcomes: Ramsar sites; World Heritage sites; threatened species; threatened ecological communities; soil, biodiversity and water; and adapting to change.
 - The ACT's regional body, is currently developing a tender for submission to the Commonwealth by 28 February 2018, which will propose delivery of funding and activities through both ACT Government and community groups.
-

Background

The National Landcare Programme is an Australian Government initiative. The ACT received \$5,978,280 from the Australian Government over 5 years (2013-18) for Regional Delivery under the National Landcare Program. In 2013, the Australian Government supported the ACT Government proposal to fund the following 8 projects to be delivered by Greening Australia, Catchment Groups and the ACT Government.

- Communities and Connections for Conservation (Greening Australia) - \$1,260,448

Correct and accurate as at: January 2018

- Restoring Ecological Resilience in the Southern ACT (Southern ACT Catchment group) - \$719,042
 - Healthy and Resilient Landscapes in the Molonglo (Molonglo Catchment group) - \$719,042
 - Improving Ecological Resilience in the Ginninderra Catchment (Ginninderra Catchment Group) - \$809,397
 - ACT Rural Grants Program (ACT Government, EPSDD administered) – \$447,739
 - Regional Landcare Facilitator (ACT Government, EPSDD) - \$792,082
 - Aboriginal Natural Resource Management Facilitator (ACT Government , EPSDD) - \$686,871
 - Monitoring Evaluation Reporting and Improvement Officer (ACT Government, EPSDD) - \$543,478
-

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Carp Biocontrol

Talking Points

- The ACT Government is a participant in a national effort to produce a National Carp Control Plan (the national plan).
 - Governance in the ACT will be provided by the Directors-General Water Group.
 - The Environment, Planning and Sustainable Development Directorate (EPSDD) has convened an ACT and Region Carp Biocontrol Taskforce to focus on planning logistics that would be required should a final decision be taken nationally to release a carp virus for biocontrol.
 - The taskforce includes representation from the ACT, NSW and Commonwealth Governments, the National Carp Coordinator, Icon Water and other selected organisations.
 - An important role of the taskforce will be planning for and undertaking consultation with ACT community and industry stakeholders on the proposed release of the virus in the ACT.
 - An open community briefing session will be held from 6-8 pm on Monday 19 February 2018 at the Ainslie Football Club and has been advertised through the Your Say website.
 - An invitation-only workshop is also being held for key government and non-government stakeholders on 19 February 2018.
 - EPSDD has reviewed ACT legislation to identify potential barriers to, and regulatory requirements for, release of the virus in the ACT.
 - Changes would be required under the ACT *Animal Diseases Act 2005* and regulatory approvals are likely to be required under the ACT *Fisheries Act 2000* and other legislation prior to any release of the virus.
 - Estimates of carp biomass by EPSDD in the recently-drained Isabella and Upper Stranger Ponds in Tuggeranong will assist ACT planning for clean up should the proposed release go ahead.
 - EPSDD will also engage in national research projects to provide existing data on carp in the ACT region, ensure results of projects are relevant to the ACT and undertake critical research on carp biomass identified for upland environments.
 - There is a real risk the virus could be accidentally or deliberately introduced into Australia through importation of infected Koi carp, or contaminated water or fishing equipment. This has been raised at a national level and an ACT contingency plan for the early release of the carp virus will be developed under the ACT and Region taskforce.
 - A budget Business Case has been prepared for an ACT Carp Coordinator to support coordination, research and planning for the release of the carp virus in the ACT.
-

Context

Australian, state and territory governments are considering a biological control (or biocontrol) program for carp through the Agriculture Ministers' Forum (AGMIN) and the development of the national plan.

The proposed release of the carp virus is expected to have transformational benefits for Australia's freshwater environments, but the potential for large numbers of dead carp in waterways in summer presents significant environmental, social and economic risks.

The carp virus will not be released unless there is a comprehensive national plan to manage the release, clean up of dead carp and ecosystem recovery. National, state and territory legislative approvals also need to be obtained. National agreement on implementation of the biocontrol program and funding arrangements is mandatory before any release occurs.

A decision is due to be made by AGMIN at the end of 2018 on whether the virus will be released.

Background

- Carp is an introduced fish that dominates the waterways of the Murray-Darling Basin.
 - Carp muddy waters through their bottom-feeding behaviour, which has flow-on effects for water users, water quality, plants, invertebrates, other fish and birds.
 - The carp virus, found in many other countries, can quickly reduce carp populations when water temperatures are 18-28°C.
 - The carp virus affects ornamental Koi carp as well as wild carp, but does not affect native Australian fish, any other animal tested by CSIRO, or humans.
 - A workshop held by EPSDD in September 2016 identified potential risks from the release of the carp virus in the ACT.
 - These risks include:
 - loss of water quality;
 - impacts on native plants, fish and other animals;
 - increases in other pest fish;
 - altered nutrient cycles and food webs; and
 - bad aesthetics, odours and exposure to high secondary pathogen loads for people living, working, conducting business or undertaking recreational activities on or near the ACT's lakes, rivers, ponds and dams.
 - The national plan will undertake research and development to mitigate these and other risks, support community consultation, and develop detailed strategies for the release of the virus and clean up of dead carp.
-

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Migratory Species Action Plan

Context

- Under international agreements, Australian governments have a responsibility to protect the habitats of listed migratory species within their jurisdictions.

Talking Points

- The Conservator of Flora and Fauna released the draft Action Plan for Migratory Species for public consultation on 12 July 2017. Written submissions closed on 25 August 2017. Six written submissions were received in addition to four online submissions.
- There is an international responsibility to maintain preferred habitat and contribute to international research on up to 27 listed migratory birds that are known to visit the ACT.
- Some of these birds have travelled half way across the world to reach Australia from as far away as northern Siberia, China and Japan. For example, the Latham's Snipe breeds in Hokkaido (Japan) during the northern summer then flies the 8,000 kilometres south along the East Asian–Australasian Flyway to south-eastern Australia.
- The birds' favourite places to spend the summer include the Jerrabomberra Wetlands, urban wetlands as well as wetlands such as Lake George and Lake Bathurst outside the ACT.
- The draft plan outlines the need to protect, restore and enhance important wetlands and wildlife corridors in the ACT. It will manage identified threats to important sites and habitat and improve our knowledge about the occurrence and management of listed migratory species.
- We also hope to raise community awareness, knowledge, and engagement in initiatives to survey and conserve listed migratory species.
- I'd like to thank the Canberra Ornithologists Group and other citizen scientists for their ongoing voluntary work, excellent reporting of sightings and input to the draft action plan.

Background

- Preparation of an Action Plan for Migratory Species which regularly occur in the ACT and are listed under s. 209 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth.) became a mandatory requirement under the *Nature Conservation Act 2014* when it commenced on 11 June 2015.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Fisheries Act Review

Context

A review of the Act will allow modern issues to be considered, such as cultural fishing and will allow us to make sure the ACT's fisheries legislation aligns with other jurisdictions, where appropriate, and that the offences and penalties are still relevant and appropriate.

Talking Points

- A discussion paper has been developed as part of the review process. Public consultation on the discussion paper will allow the views and needs of the community to be considered in regards to fisheries management.
- Consultation commenced on 4 December 2017 and runs until 5 February 2018.
 - Public information sessions were held on the review at Belconnen and Tuggeranong.
 - The Belconnen session was held on 11 January 2018, four people attended.
 - The Tuggeranong session was held on 16 January 2018, 9 people attended.
 - Staff also spoke at a meeting of the Canberra Fisherman's Club with around 20 people in attendance and met with a representative from the Canberra District Aquarium Society.
- The discussion paper details the matters that the review is considering, including outlining additions and changes to the legislation.
- This includes assessment of the current penalties and offences:
 - to ensure they are relevant and appropriate
 - align with other jurisdictions, and
 - to streamline fishing regulations across the border in NSW.
- It also addresses how the Act ensures appropriate protection to our native aquatic species and their habitat while allowing recreational fishing to continue.
 - This includes provision for the identification of important fish habitat, which might inform provisions relating to prohibitions and closures, including emergency provisions to close recreational fisheries, if needed.
 - The paper also discusses the potential for development of guidelines or policy around fish passage, similar to NSW policy, which enables the Minister to require the provision or maintenance of fishways when works are carried out on dams or weirs.
- The paper considers the addition of Aboriginal cultural fishing provisions to the Fisheries Act.
 - In line with provisions in other jurisdictions, the review will help to identify the best way for the Fisheries Act to support cultural fishing practices while retaining sustainable fisheries management.

Background

The *Fisheries Act 2000* has not been comprehensively reviewed since it began in 2000.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Heritage Nomination List

Context

The ACT, as with all jurisdictions, has a list of places and objects nominated to the Heritage Register (the Register) that require further assessment against heritage significance criteria in order for the ACT Heritage Council (the Council), to make decisions on registration.

Talking Points

- Assessing nominations and making heritage decisions on nominated places and objects is one of the core business responsibilities of the ACT Heritage Council.
- ACT Heritage, ESPDD provides administrative support to the Council. 1.6 FTE are allocated to assessing nominations.
- The Council decides on its priority list of nominated places and objects to be assessed at its first meeting of the financial year.
- The Council bases its priority list on development pressures, internal resourcing, community and political expectation, and thematic research synergies and efficiencies.
- The Council's priority list for the 2017-2018 financial year established 22 places which required decisions (see Attachment 10.i). As of January 2018, the priority list has been reduced by 11 decisions, with 11 decisions remaining for the duration of the financial year.
- Overall, the Council has substantially reduced the nominations list. Since reaching a peak of 320 in 2008, the list of nominations is currently 102.
- In 2016-17, the Council reduced the nomination list by 32 nominations (a single decision can combine multiple nominations)
- Any member of the community can nominate a place or object to the Register, so the long nomination list reflects community interest in heritage matters.
- In some cases, nominations may be straightforward and can be easily and quickly assessed. In others – such as with precincts – a single nomination may take many months to assess, due to increased complexities involved.
- Although they still require assessment, nominated places and objects are protected under the *Heritage Act 2004* (the Act). Provisions of both heritage and planning legislation establish a process where development at nominated heritage places is referred to the Council.
- Under the Act, applications can be made for the Council to urgently assess nomination applications, as well as applications to amend an existing register listing.
- For urgent nomination applications, once the application is made and the fee paid, the Council must, as far as practicable, make a decision within 30 days for an individual place and within 60 working days for a Precinct.

Background

Throughout 2017 the Council received media attention concerning the current list of heritage register nominations, and how the Council intends prioritising assessing these nominations.

Registration Decisions

| | 2015-16 | 2016-17 |
|--|---------|---------|
| Nominations accepted | 9 | 7 |
| Nominations rejected | 2 | |
| Provisional registration decision (including decisions to not provisionally register) | 16 | 10 |
| Registration decision (including further registration decision) | 14 | 6 |

| Assessment priorities 2017/18 | | | | | |
|--|---------------------|-------------|------------------|--|--------------------------|
| KEY THEMES | | | | | |
| Aboriginal | | | | | |
| Precincts | | | | | |
| Built | | | | | |
| Natural | | | | | |
| Place/Object | Assessment Priority | Appeal Risk | Category | Issues | Status |
| Pine Island Agglomerate | High | Low | Geological | Political expectation for decision is high | Decision made 2018 |
| Barton Highway Road Cut | High | Low | Geological | Political expectation for decision is high | Decision made 2017 |
| Molonglo River to Barton Highway Woodland | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Allocasuarina (Bull-Oak) stands near Molonglo Gorge | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Mulligans Flat | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Pomaderris Pallida habitats across the ACT | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Thesium australe habitat near Kambah Pool | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Conder 4A Grassy Woodland | High | Low | Natural | Political expectation for decision is high | Nominated |
| Natural Temperate Grassland - Barton Grassland | High | Low | Natural | Political expectation for decision is high | Nominated |
| Grassland Earless Dragon Habitat (Jerrabomberra and Majura Valley) | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Red Hill Rutidosis Site | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Red Hill Plantings | Low | Low | Natural | | Nominated |
| Glenburn Precinct, Kowen | High | Low | Precinct | | Decision to be made 2018 |
| Tharwa Village Precinct | High | Medium | Precinct | Masterplan underway | Decision made 2017 |
| Tharwa Primary School | Medium | Unknown | Historic | Long term nomination: Political expectation for decision is high | Decision made 2017 |
| Churchill House | High | High | Architectural | Long term nomination: Political expectation for decision is high | Nominated |
| Royalla Woolshed | Low | Low | Woolshed | Long term nomination: Political expectation for decision is high | Nominated |
| 11 Northcote Crescent, Deakin | Medium | Unknown | Private Dwelling | Long term nomination: Political expectation for decision is high | Nominated |
| BPAD1, Bonner | High | Low | Aboriginal | | Nominated |
| Hume 5, Hume | High | Low | Aboriginal | | Nominated |
| Hume Sites - HAC2 | High | Low | Aboriginal | | Nominated |
| Red Hill Campsite | Low | Low | Aboriginal | | Nominated |

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT ASSEMBLY BRIEF

ISSUE: Haig Park, Braddon and Turner

Context

The City Renewal Authority (CRA) is currently preparing a Masterplan (MP) for heritage registered Haig Park. To inform the MP, a draft Conservation Management Plan (CMP) has also been prepared; which was submitted to the ACT Heritage Council (the Council) on 26 September 2017.

The role of a CMP is to describe the heritage values of a place, and how those values will be conserved and responsibly managed. Once prepared, CMPs are submitted to the Council for approval under Section 61KJ of the *Heritage Act 2004* (the Act).

ACT Heritage has been providing ongoing advice to CRA and their consultants since early 2017, on heritage requirements for the Haig Park CMP; and outcomes which are likely to be approved by the Council as part of the CMP.

The draft CMP recommends that the existing ACT Heritage Register entry be amended, to reflect key outcomes of their assessment, including that:

- Haig Park is significant as both the original windbreak and also as a post-1950s urban area used for recreation;
- Tree Rows 1 and 14 are not of heritage significance, not being associated with the original 1920s windbreak; and therefore can be removed; and
- The spacing of trees within the rows is not of heritage significance, and can be varied.

The draft CMP also seeks Council approval to undertake a range of works within Haig Park, such as tree removal and the installation of new recreational facilities; without the need to seek further *Heritage Act 2004* approvals.

The Council provided advice to the CRA on 17 November 2017; requesting further information and amendments to the Haig Park CMP in accordance with requirements of the Act and Council policy. The CRA is expected to meet with Council representatives in February 2018 to discuss the revised CMP.

Talking Points

- The CRA is currently preparing a Masterplan for heritage registered Haig Park.
- To inform this, a draft CMP has also been prepared; which was formally submitted to the Council on 26 September 2017.
- Initial Council advice on the draft CMP was provided on 11 November 2017, which requested further information and amendments to the CMP.
- The draft CMP presents an assessment of heritage significance and management framework that varies from that described in the existing ACT Heritage Register entry; which the Council will consider as part of the application made.
- Any proposed changes to Haig Park will be subject to heritage approvals being obtained.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT ASSEMBLY BRIEF

ISSUE: Wanniasa 'Spook Tree' unauthorised removal

Context

An Aboriginal scarred tree within the Wanniasa Hills Primary School grounds, known publically as the 'Wanniasa Spook Tree', was removed in 2017. The removal was unauthorised, and may be an offence under the *Heritage Act 2004* (the Act).

The tree removal is currently being investigated by Access Canberra, the outcomes of which will be reported to the Environment, Planning and Sustainable Development Directorate (EPSDD) and the ACT Heritage Council (the Council); to inform any further compliance action.

Talking Points

- The Wanniasa Spook Tree (the tree) was formerly located within Block 1, Section 253, Wanniasa; within the grounds of the Wanniasa Hills Primary School.
- The tree, containing a cultural scar, is afforded protection under Section 75 of the Act, being an Aboriginal place.
- On 6 April 2017, the Education Directorate reported that the tree may have been inadvertently removed in tree clearance works, undertaken by a contractor [REDACTED].
- On 6 April 2017, ACT Heritage undertook an immediate review of the matter, and confirmed that the tree had been removed, with only a stump remaining.
- On 12 April 2017, the Education Directorate further advised that the tree was mulched on the day it was removed, and that no part of the cultural scar remains.
- Between 13 and 19 April 2017, all Representative Aboriginal Organisations (RAOs) were notified of the tree removal, as they have a formal statutory role in Aboriginal heritage matters under the Act.
- It is understood that a prior tree removal application was made in relation to the tree, which was refused by the ACT Conservator of Flora and Fauna on 17 February 2017. TCCS Urban Treescapes has also been notified of the unauthorised tree removal.
- On 5 June 2017, ACT Heritage provided the Access Canberra Investigations team with all documents and background information relating to the matter.
- The Access Canberra Investigations team is to collect statements and ascertain facts on the tree removal, as part of the investigation; the outcomes of which will inform decision making by EPSDD and the Council on any further compliance actions to be undertaken.
- On 28 November 2017, the Access Canberra Investigations team provided a response to EPSDD on the outcomes of their review, identifying that [REDACTED] have admitted liability for the unauthorised removal, but as there was no deliberate intent to remove the tree, they have not shown blatant disregard for the law.
- EPSDD is considering the information provided by the Access Canberra Investigations team, before further liaison with the Council on any further compliance actions considered warranted.

Background

Aboriginal scarred trees are relatively rare Aboriginal heritage sites in the ACT. The Wanniasa Spook Tree was one of the few Aboriginal scarred trees whose location is publically known. Public interest and media attention in relation the authorised removal of the tree has not occurred to date.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT ASSEMBLY BRIEF

ISSUE: Ginninderra Blacksmiths Workshop - Heritage

Context

In 2017, a member of the public raised concerns with the ACT Government over the condition of the Ginninderra Blacksmith's Workshop in Nicholls.

Talking Points

- The Ginninderra Blacksmith's Workshop is registered on the ACT Heritage Register.
 - The Ginninderra Blacksmith's Workshop is owned by the Konstantinou Group (KGROUP), and leased by Gungahlin Golf Investments Pty Limited.
 - In 2017, a member of the public raised concerns over the condition of the Ginninderra Blacksmith's Workshop.
 - Specific concerns raised were loose iron roof panels and overgrown vegetation.
 - In relation to heritage conservation management matters, there is an obligation under the *Heritage Act 2004* on all persons including the relevant land owner to not engage in conduct that would diminish the heritage significance of a heritage listed place.
 - In 2011, KGROUP allowed the ACT Government access to the site to complete interpretive and archaeological works.
- █ [REDACTED]
- █ [REDACTED]
- These works were completed in December 2017.
 - EPSDD also arranged for removal of vegetation adjacent to the structure that posed a fire hazard. These works were completed in December 2017 with the assistance of Transport Canberra and City Services Directorate.
 - In 2018 EPSDD and ACTGS will enter into discussions with KGROUP about terminating the Territory's obligations at the site.

Background

The Ginninderra Blacksmith's workshop is significant as it is the only known village blacksmith's workshop remaining in the ACT. It presents an opportunity to study nineteenth century vernacular construction and metal working techniques in the ACT. The place comprises a timber framed, earthen floored shed clad in corrugated galvanised iron.

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT ASSEMBLY BRIEF

ISSUE: Ottoccliffe, 8 Palmer Street, Hall (Block 2, Section 1) - Heritage

Context

In October 2017, demolition works were undertaken within 8 Palmer Street, Hall; and included the removal of a stone cottage, the removal of a stone fence, and the removal of a metal and timber outbuilding.

8 Palmer Street is located within the Hall Village Heritage Precinct, which is registered on the ACT Heritage Register. 8 Palmer Street is also identified as a place of individual heritage value in the register entry, for the 'Ottoccliffe' property.

No *Heritage Act 2004* approval for demolition works was sought or obtained prior to works being undertaken, and demolition works may be an offence under the *Heritage Act 2004* (the Act).

The matter has been referred to the Access Canberra complaints management team for investigation, the outcomes of which will be reported to the Environment, Planning and Sustainable Development Directorate (EPSDD) and the ACT Heritage Council (the Council); to inform any further compliance action.

Talking Points

- Demolition works at 8 Palmer Street, Hall, were reported to ACT Heritage between 4 and 6 October 2017. Demolition works are understood to have taken place on 3 October 2017.
 - 8 Palmer Street is subject to *Heritage Act 2004* provisions, being located within the 'Hall Village Heritage Precinct' and also being a place of specific value within the Precinct.
 - The main residence at 8 Palmer Street was demolished as part of the ACT Government's Loose Fill Asbestos Insulation Eradication Scheme; following a *Heritage Act 2004* approval being issued on 20 April 2016.
 - This heritage approval did not include demolition of other buildings or the stone fence.
 - The Asbestos Response Taskforce has advised that the sales contract annexed the Retained Improvements Schedule which clearly discloses that the property was subject to heritage requirements.
 - ACT Heritage has referred the matter to the Access Canberra complaints management team for investigation.
 - Following review, Access Canberra will provide a response to EPSDD and the ACT Heritage Council on the outcomes, to inform decision making on any further compliance actions to be undertaken.
-

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT

ASSEMBLY BRIEF

ISSUE: Heritage Council Meeting 9 - 8 February 2018

Context

The ACT Heritage Council (the Council) will meet on 8 February 2018.

Talking Points

At its meeting, the Council intends to make decisions on the following places:

- Decisions on Registration:
 - Glenburn Precinct Further Registration, Kowen
 - Decisions not to provisionally register:
 - Pine Island Agglomerate, Greenway
 - Decisions on nominations:
 - 40 Donaldson Street, Braddon
 - Kingston Hotel, Griffith
-

Background

Glenburn Precinct further registration

The Council has previously registered the Glenburn Precinct, Kowen, as it met one or more of the heritage significance criteria at s10 of the Act. This further registration decision adds archaeological potential and the Atkinson Trigonometrical Station to the significance of the place as well as several minor changes and corrections in the interests of maintaining up-to-date, comprehensive and accurate information

Decision not to provisionally register Pine Island Agglomerate, Greenway

Pine Island Agglomerate consists of exposed agglomerate rock within and on the banks of the Murrumbidgee River. The Agglomerate represents a very minor process during the formation of the Laidlaw Volcanics and, while interesting, is not considered to be important in the course of pattern of the ACT's natural history. Further it is not considered uncommon, rare or an endangered aspect of the ACT's natural history.

Nomination for 40 Donaldson Street, Braddon

At its meeting of 8 February 2018, the Council must decide whether to accept or dismiss a nomination for 40 Donaldson Street, Braddon. The nomination application was received on 2 January 2018. The nominator claims that the place is significant to the ACT community as it was the principle residence of Francis Charles Patrick Keane, first stipendiary magistrate of Canberra 1949-1971. ACT Heritage has contacted the owner with regard to the nomination, who has not expressed a view on the matter. Consultation with interested persons will be ongoing, particularly after the Council makes a decision on the nomination on 8 February 2018.

Nomination for Kingston Hotel, Griffith

At its meeting of 8 February 2018, the Council must decide whether to accept or dismiss a nomination for the Kingston Hotel, Griffith. The nomination application was received on 17 January 2018. The Canberra and District Historical Society nominated the place, and claims that it was the first 'traditional' pub built in the ACT by private enterprise (Tooheys brewery). ACT Heritage has contacted the owner and lessees with regard to the nomination, who have not expressed views on the matter. Consultation with interested persons will be ongoing, particularly after the Council makes a decision on the nomination on 8 February 2018.

ISSUE: MOLONGLO RIVER RESERVE

Talking points:

- The Molonglo River Reserve Draft Reserve Management Plan (the draft Plan) was released for public consultation on 8 February for 6 weeks until 23 March 2018.
- The draft Plan has been prepared by the ACT Parks and Conservation Service, as required under the provisions of Chapter 8 of the *Nature Conservation Act 2014*.
- The Molonglo River Reserve is a new reserve comprising approximately 1,280 hectares that follows the Molonglo River from Scrivener Dam downstream to the intersection with the Murrumbidgee River Corridor Reserve.
- The draft Plan describes the values of the Molonglo River Reserve and defines objectives, policies and actions to protect the values and guide management and use of the area over a ten year time frame.
- The Parks and Conservation Service will be hosting information sessions over the coming weeks. These include drop in sessions, Ranger guided walks of the new reserve and engagement with key community and business stakeholders. An online engagement tool has been launched that provides an opportunity for the community to express any concerns and ideas.
- The community is also invited to provide comment via e-mail, phone or mail.

Key Information

- The draft Plan was prepared by Dr Sarah Ryan with extensive input from ACT Parks and Conservation staff, the Conservator for Fauna and Flora and the Planning and Land Authority as required under the *Nature Conservation Act 2004*.
- A Community Reference Group was established to review a series of issue papers on the draft Plan and attend facilitated workshops. Identified key stakeholders have been consulted including the local Aboriginal community, National Capital Authority, Natural Resource Management Advisory Committee, the ACT Conservation Council, various environmental groups such as Friends of Grasslands, and recreation groups. All comments have been considered and there is general support for the draft Plan.

- The Draft Reserve Management Plan aims to:
 1. Protect the significant attributes of the reserve such as the river itself, diverse habitats, wildlife corridors, trails and tracks for bushwalking, recreation opportunities, heritage, and research and education opportunities.
 2. Define the boundaries and management zones to include the nature reserve, a special purpose reserve, fire management buffers, wildlife corridors, and to protect against the urban edge effects and invasive pests and animals.
 3. Conserve the natural environment, which includes a variety of vegetation, aquatic and riparian communities and a rich diversity of species that includes 92 species of birds, five species of native fish and crayfish and more than 200 plant species. The threatened Pink-tailed Worm-lizard, Swift and Superb Parrots, high value Box-Gum Grassy Woodland, and grasslands will be protected.
 4. Conserve the geology, landforms, soils, and scenery to avoid damage and disturbance, protect heritage values and allow for recreation and education.
 5. Manage for bushfire by reducing the risk of wildfire for people, homes and ecological communities.

Background Information – may not be suitable for public disclosure

- The Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan) was approved by the Australian Government Department of the Environment in December 2011. In accordance with this agreement, the reserve management plan was to be finalised by 7 April 2014. A draft plan was prepared meeting this timeframe.
- The draft plan was not released for public consultation in 2014 as the new Strategic Bushfire Management Plan for the ACT was being released the same year and consequential changes to the draft plan were required to ensure consistency with the Strategic Bushfire Management Plan. Following revision of the draft Plan, further consultation was required with key stakeholders to ensure that the proposed revised policy adequately addressed relevant fire management issues.
- Additional consultation was also required to resolve whether the Kama Nature Reserve Buffer zone, required under the NES Plan, was a matter to be determined in the draft Plan.
- As a consequence of this consultation, an additional section was added to the draft Plan providing functional criteria to guide the design and management of the Kama Nature Reserve buffer zone for the mitigation of urban development edge effects.

ISSUE: Funding for Catchment Groups

Talking points:

- Many community groups in the ACT are supported by one of three umbrella Catchment Groups which are structured in a similar fashion to District Landcare Networks in NSW. The three Catchment Groups - Southern ACT Catchment Group, Ginninderra Catchment Group and Molonglo Catchment Group strengthen Landcare by:
 - raising awareness of the environment and the impact we have on it;
 - coordinating on-ground action through 'sub-catchment planning'; and
 - providing a support network for smaller community environment groups.
- Catchment Groups help engage the community and volunteers in:
 - the Upper Murrumbidgee Waterwatch Program;
 - Frogwatch;
 - ACT Environment Grants; and
 - Landcare.
- Catchment Groups are funded through numerous sources including ACT and Australian Government programs. Catchment groups are concerned about uncertainty of funding from competitive grants processes and changing government programs, particularly to enable employment of staff.
 - I understand this dilemma and am aware that the Federal Government's flagship environment program, the National Landcare Program, has moved from a devolved grants model (2013-18) to a competitive procurement model (2018-23).
- I have had recent discussions with Peter Bridgewater, Chair of Landcare ACT, to explore options for supporting Urban Landcare, Waterwatch and Frogwatch to engage the community in improved catchment management.

Key Information

ACT Budget Process

- The Ginninderra and Southern ACT Catchment Groups have submitted an investment proposal “Healthy environments through engaged communities” as part of community consultation for the 2018-19 Budget process. \$200,000 per year for each group, which equates to \$1,600,000 over four years is requested for core capacity. An additional \$360,000 is requested by Ginninderra Catchment group for the Frogwatch program.
 - In a meeting with Minister Gentleman on 7 March 2018, Peter Bridgewater requested consideration of transitional funding for one year.
- There are a large number of budget bids requiring careful consideration in the ACT Budget.
 - A proposed budget bid “Tradeable water entitlements for improved catchment management” is seeking funding for catchment and water management in accordance with the ACT Water Strategy – *Striking the Balance*, including the Upper Murrumbidgee Waterwatch program delivered in partnership with the Catchment Groups.
 - A further bid for ‘transitional funding for catchment groups’ for one year, proposed to be funded by revenue collected through the Water Abstraction Charge is being developed.

Commonwealth and ACT Programs

- In developing the tender for the National Landcare Program 2018-23 procurement process, there has been significant consultation with catchment groups, Landcare ACT and many other groups and organisations.
 - The ACT’s regional body, ACT NRM, submitted a tender to the Commonwealth on 27 February 2018 (tender closed 28 February).
 - Depending on the success of the tender and negotiations with the Commonwealth, there may be some projects delivered through catchment groups (although funding less than current levels of funding to catchment groups (\$127,000 each in 2017-18) is expected).
- ACT Environment Grants provide opportunities for small environmental grants each year. In the 2017-18 round of grants
 - Southern ACT Catchment Group received \$53,635.
 - Ginninderra Catchment Group received \$22,000.

ISSUE: BUSHFIRE SEASON UPDATE







Talking points:

- The Bushfire Operations Plan (BOP) is prepared each year in consultation with the ACT Rural Fire Service, the ACT Bush Fire Council and the Emergency Services Agency.
- Proposed activities approved in the 2017-18 BOP included:
 - Forty-five prescribed burns covering over 8,000 hectares including 12 ecological burns and 3 cultural burns
 - 6,041 hectares of strategic grazing across the outer edge of residential areas
 - 4,705 hectares of slashing in urban areas
 - 312 hectares of physical removal of fire fuels
 - 206 kilometres of fire trail maintenance
- Most of the planned burns in and around the ACT are undertaken in Autumn. Little burning is usually planned for or undertaken in Winter as the weather conditions (frost, short days, moist conditions) mean that the burning windows are extremely short or non-existent.
- The ACT Parks and Conservation Service has approximately 180 trained firefighters and has recently employed 18 seasonal staff to assist with all the Bushfire Operations Plan work, including planned burns.

Key Information

2017-18 BOP Progress

- The table below summarises progress against the current year's BOP.
- The majority of prescribed burns listed in the table below are scheduled for the Autumn period in 2018. Progress shown relates to pre-burn works including ensuring control lines would be effective.

| BOP Activity | How Much Needs to be Done | Headline | Progress To Date |
|----------------------------------|-----------------------------|---|---|
| Prescribed Burns | 45 burns to treat 8 259 Ha |  | <ul style="list-style-type: none"> • Pre-planning on all burns completed. • Awaiting suitable weather window to commence burns. |
| Grass Slashing | 245 sites covering 4 705 Ha |  | <ul style="list-style-type: none"> • All sites slashed prior to the commencement of the peak fire season in December • Some sites to be slashed again if grass heights reach required threshold |
| Stock Grazing | 73 sites covering 6 041 Ha |  | <ul style="list-style-type: none"> • All sites to continue under grazing until grass height targets are met. |
| Fuel Removal Using machinery | 33 sites covering 312 Ha |  | <ul style="list-style-type: none"> • 11 sites completed • 21 sites in progress |
| Chemical Control of Fuel | 33 sites covering 372 Ha |  | <ul style="list-style-type: none"> • Programmed to commence over Mar-May period. |
| Maintenance of Management Trails | 115 sites covering 515km |  | <ul style="list-style-type: none"> • Work commenced on 61 of the 115 sites. |

Background Information

- Activities completed in the **2016-17 BOP** included:
 - Twelve prescribed burns covering approximately 516 hectares focusing on grasslands and the urban edge area
 - 6,041 hectares of strategic grazing across the outer edge of residential areas
 - 4,733 hectares of slashing in urban areas
 - 542 hectares of physical removal of fire fuels
 - 437 kilometres of fire trail maintenance

ISSUE: RAILWAY HISTORICAL SOCIETY 1210 LOCOMOTIVE

Talking points:

- Brass and copper boiler, smokebox and cab fittings were stolen from the premises of the Canberra Railway Museum where Locomotive 1210 is stored.
- Since the theft, an overnight security guard has been employed to patrol the Canberra Railway Museum yards.
- Locomotive 1210 is listed on the ACT Heritage Register.
- ACT Policing is investigating the theft.
- At this stage, the files indicate that the locomotive is on loan from the Commonwealth to the Australian Railway Historical Society (ARHS, ACT Division) who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017. EPSDD Law Reform are currently confirming the accuracy of the (former) ACT Government Attorney General Department advice from 1993.
- With agreement from the Commonwealth, it is proposed that an instrument is notified transferring the asset to the ACT Government.
- AHRS is currently reforming, following the 2017 liquidation.
- EPSDD is exploring options for formalising a loan agreement between the ACT Government and the newly formed ARHS.
- Although AHRS is in the process of reforming, liquidator [REDACTED] is currently managing the Canberra Railway Museum yards.
- To increase security measures at the premises, volunteers from the AHRS occupy the museum yards during the week to perform general maintenance tasks such as mowing and cleaning

Key Information

- A series of thefts of parts belonging to the heritage listed Locomotive 1210 occurred between 26 December 2017 and 28 December 2017.
- In 1984 the Commonwealth loaned the locomotive to the Australian Railway Historical Society (ARHS, ACT Division) who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017.

- As of 2018, the Commonwealth still owns the Locomotive, as there is no reference either particularly or by class to the locomotive in the instruments of transfer under section 5 of the *ACT (Self Government) Consequential Provisions Act 1988*. This position is confirmed by EPSDD Law Reform.
- With the aid of Law Reform and ACT Government Solicitor (ACTGS), EPSDD will contact the Commonwealth with regard to processes and documents required to transfer the Locomotive to the Territory.
- After transfer, unless an alternative Directorate is able to assume ownership of the Locomotive, it is likely the Locomotive will be placed on the EPSDD asset register.
- Following this, EPSDD will draft a Deed of Agreement formalising the loan arrangement between the newly formed AHRS and the Territory.

Background Information – may not be suitable for public disclosure

Locomotive 1210 is significant for its role in opening the new rail branch line into the Federal Territory when it hauled the first train into the construction site of the national capital on 24 May 1914.

Portfolio/s Environment & Heritage

Urban Renewal

ISSUE: EAST LAKE, CANBERRA RAILWAY STATION AND AUSTRALIAN RAILWAY HISTORIC SOCIETY

Talking points:

A great urban renewal opportunity

- It is anticipated East Lake could be developed in stages to deliver up to 5,000 new dwellings in a mixed density sustainable development on the site of a former landfill, disused railyards and aging public housing precinct over time in response to land supply requirements.
- The *ACT Indicative Land Release Program* indicates residential land releases in East Lake commencing in 2019-20 subject to a Territory Plan Variation.
- East Lake is expected to deliver many economic, social and environmental benefits to the current and future community, who will be closely engaged in the shaping of the development.
- Sustainability, diversity and transport will be key features of this unique urban intensification, which will also include replacement public housing.
- East Lake remains subject to a range of financial, governance, planning and environmental considerations by Government.

No current plans for station relocation

- The station building, railway line and railyards are unleased land licensed to NSW Government to provide this important regional transport link for cross-border tourism, commuting and future economic growth.
- The future location of Canberra Railway Station was identified in previous East Lake Urban Renewal planning studies (2007, 2010) as an issue requiring further investigation. The ACT Railway Master Plan (2009) identified options for consolidation and relocation of the railway facilities for a more efficient use of the current Kingston site.
- The initial stages of East Lake could be delivered without changes to the existing station or railway line.
- If the Canberra Railway Station land is required for development in the future, options for relocation would be considered in consultation with the community and key stakeholders including NSW Government as the operators of the interstate railway service.

Railway museum future uncertain

- The Australian Railway Historic Society ACT Division (ARHS) has a short term lease on Block 10 Section 47 Fyshwick (total area approximately 10 hectares) to operate a railway museum.
- In November 2016 [REDACTED] were appointed provisional liquidators of ARHS to restructure the organisation and sell assets to pay creditors. Despite speculation of the ARHS being ‘bailed out,’ the Government has not been advised of the outcome and has previously stated it does not intend to provide financial assistance.
- In December 2017 the Canberra Times reported the theft of significant railway museum assets including key parts from the heritage listed Locomotive 1210, more details on this can be found in the separate [Brief C: Railway Historical Society 1210 Locomotive – Heritage](#). There is no immediate requirement for the railway museum to vacate the site. If however the ARHS or an equivalent entity proposes to operate a railway museum in the long term, a suitable alternative site will need to be identified by the proponent(s).

Key Information

East Lake is on the ACT Indicative Land Release Program for delivery of a sustainable transit-oriented urban renewal project. The site includes the Canberra Railway Station, a section of the NSW-ACT railway and the Australian Railway Historic Society Incorporated ACT Division (ARHS).

Background Information – may not be suitable for public disclosure

East Lake

East Lake is located between Kingston Foreshore, Jerrabomberra Wetlands and Fyshwick. East Lake has been a key feature of Canberra’s planning since the Canberra Spatial Plan (2004), with master plans presented to the Canberra community in 2007 and 2010.

East Lake is shown in the 2012 ACT Planning Strategy as an exemplar sustainable development for urban growth and intensification. Environment, Planning and Sustainable Development Directorate (EPSDD) is preparing to deliver the project in accordance with the ACT Indicative Land Release Program in conjunction with the Suburban Land Agency and private development partners.

The planning for the adjacent East Lake future urban investigation area has been developed in consultation with the community and key stakeholders since 2004. A range of studies have been undertaken that demonstrate the suitability of East Lake for future development.

Canberra Railway Station

The East Lake future urban investigation area includes the Canberra Railway Station and disused rail freight infrastructure. Residential land can be released in the East Lake precinct while the Canberra Railway Station remains operating in its current location.

The current location of the Canberra Railway Station is important in supporting heavy rail passenger connections for the foreseeable future. Any proposal to upgrade, relocate or alter the Canberra Railway Station would be integrated with the future planning of East Lake, and coordinated with a rapid public transport service along Canberra and Wentworth Avenues.

Australian Railway Historic Society

EPSDD has provided information to proponents seeking advice on the future planning for the railway precinct, and general leasing and licensing information. It is anticipated that at the expiry of the current lease, applications could be received to operate the railway museum in the period before the area is redeveloped.

Proponents would need to identify and secure an alternate long-term site for the railway museum operations that is not inconsistent with the Territory's future land use and development objectives.

The Beyer-Garrett 6029 locomotive – the 'City of Canberra' is a coal train from the Hunter Valley, purchased by the National Museum of Australia in 1974 and gifted to the ARHS. The locomotive was restored by the volunteers of the ARHS with financial support from ACT Government, and renamed the 'City of Canberra' in 2015. According to online sources, the 6029 was until recently on display at the NSW Rail Museum at Thirlmere (operated by Transport Heritage NSW) but has since been sold by [REDACTED] through an expression of interest process to a private buyer.

ISSUE: MOUNTAIN BIKING IN PINE FORESTS

Talking points:

- Our forest managers have an enduring and strong relationship with key user groups and have successfully and safely accommodated recreation and timber harvesting in the ACT for decades.
- Pine forests are managed to ensure a diversity of age classes, providing a steady rotation of harvestable areas and variety of recreation opportunity.
- Each crop rotation is nominally a 30 year period from planting followed by one or two thinnings before harvesting.
- Thinning is where the forest is not completely harvested, but a proportion of trees are harvested for timber and to improve the health and vigour of the remaining trees.
- In recent years during thinning, we have modified forest machinery practices to minimise damage to temporary mountain bike tracks.
- At the end of each rotation When harvesting takes place, invariably temporary mountain bike trails cannot be retained due to practical limitations with heavy machinery and safe work practices.
- Every effort is made to restrict the run of harvested areas, so that mountain bikers are able to traverse trails that wind back into areas protected by a canopy of trees.

Kowen Forest - Kowalski Brothers Track Builders Concerns

- This group has undertaken a large amount of mountain bike track construction at East Kowen. For some time now, forest managers have engaged with the group and highlighted the need for trees in this area to be harvested in the near future.
- The area had some of the oldest trees in Kowen and their value to the Territory was decreasing – alternative harvest blocks were not available and harvesting could not be further delayed.
- Recent harvests at East Kowen had already been delayed up to 13 years past the optimal rotation length of 30 years.
- However, foresters were able to retain a section of trail called the *Kowalski's Beer Garden* switchback trail during harvesting operations at

East Kowen. This is part of a trial to find a cost effective method to integrate new mountain bike tracks when each rotation is replanted.

- As part of this year's planting program at East Kowen, forest managers have provided machinery and operators to assist volunteer track builders to construct new mountain bike tracks at no cost to track builders.
- Within 4-5years, replanted pines will have reached sufficient height to create shade for mountain bike riders, though full canopy cover will take several more years.
- In addition to assisting with building new track after harvesting, PCS is working with track builders to identify opportunities for volunteer trail building in other areas of Kowen Forest and the PCS estate.

Majura Pines Alliance Concerns

- In 2014, the ACT Government partnered with the Majura Pines Alliance to build new mountain bike tracks amongst the Majura Pines area, west of the Majura Parkway, whilst noting that harvesting would be likely to commence from 2017-2019. This fact was expressly outlined in the operational plan for the area.
- Recent discussions with the Alliance has clarified a harvesting schedule that will preserve canopy cover over some of the trail network. Furthermore, the harvesting schedule will be stretched over a 10 year period (3 block harvests 2018,2023 and 2028), limiting the loss of canopy cover at any one time.
- PCS delayed the commencement of harvesting which allowed the area to host the 2017 Australian National Solo 24 HR MTB Championships, organised by CORC on 7-8 October 2017.
- PCS are expecting to complete the first stage of the Majura Pine harvest before June 2018 and are consulting with contractors and the Majura Pines Alliance to set a mutually acceptable start date.
- PCS will continue to investigate harvest scheduling and harvesting methodologies that consider and account for potential effects on recreation amenity at Majura Pines.

Key Information

- The ACT Government manages approximately 8 000 hectares of commercial softwood plantation with Kowen Forest (4 500Ha) being the largest plantation.
- This sustainable and renewable resource returns around \$5 million per annum in timber sales to the Territory.
- Pine plantations are also managed to offer a valuable recreational destination, this is in contrast to surrounding NSW, where commercial pine plantations are generally closed to recreational access.
- Some mountain bike groups have made representations to Government to delay or cancel forestry operations in order to preserve public access to mountain bike trails.
- Commercial Forestry in the ACT has shown that it can co-exist with recreational enjoyment for many years. During 2016-17, in Kowen Forest alone, more than 30 groups organised over 100 activities ranging from bushwalking, orienteering, equestrian activities, athletics and dog sledding, as well as mountain biking.

Background Information – may not be suitable for public disclosure

ISSUE: Weeds: Invasive plant control by PCS**Talking points:**

- The invasive plant control program is the second largest land management program undertaken by the ACT Parks and Conservation Service (PCS); fire management being the largest.
- Invasive plants are introduced plants that spread across the landscape and threaten biological diversity, agricultural values and social amenity.
 - Introduced plants include exotics and non-indigenous native plants. Fortunately only a minority of introduced plants become invasive plants due to barriers to reproduction and dispersal and environmental barriers.
- Invasive plants are a subset of weeds. Weeds is a very broad term defined as plants that grow in sites where they are not wanted. So the term weeds covers everything from nuisance plants (amenity impact) to invasive plants (biodiversity & socio-economic impacts).
- Invasive plants impact on the natural environment, rural lands, infrastructure and recreation. Two significant impacts of invasive plants is smothering native plants and preventing native plant regeneration after fire or other disturbance.
- The invasive plant control program is available on the biosecurity section of the EPSDD web site at the link titled: The 2017-18 Invasive Weeds (Invasive Plants) Operations Plan.
- The highest invasive plant priorities include serrated tussock, African lovegrass, Chilean needle grass, blackberry, broom species, fireweed, Mexican feather grass, Coolatai grass, Spanish heath, crack willow, St John's wort, pine wildings, nodding thistle and alligator weed.
- The 2017-18 invasive plant control budget of \$2.07M is allocated as follows;
 - \$1.3M: Canberra Nature Park, Murrumbidgee River Corridor, Tidbinbilla Nature Reserve, Namadgi National Park, Googong Foreshores, rural roadsides (an increase in funding from last year).
 - \$0.07M for Kowen forest and former pine plantations (an increase in funding from last year).
 - \$0.7M tied to offsets reserves, Lower Cotter Catchment, and Molonglo River Reserve (a decrease in funding from last year). The decrease in Offsets is due to the rate of invasive plant control being revised so that it matches the ability to restore the controlled sites.

- Summary statistics for the 8 months to end of February 2018: \$1.2m of expenditure (60% of total budgets), this allowed 10,093ha of invasive plant infestations to be controlled in conservation reserves and along rural roadsides. The infestation densities before treatment varied from scattered (1-10%) to dense (>50%).
- January-March control work is focussing on: African lovegrass, blackberry, sweet brier, hawthorn, serrated tussock, Coolatai grass, alligator weed, crack willow, black willow and box elder.
- Coolatai grass, native to North Africa and the Mediterranean, was recently discovered for the first time in the ACT on a Brindabella Rd reserve in the Lower Cotter Catchment. This has triggered a biosecurity rapid response because of the massive impact (loss of biodiversity & grazing carrying capacity) of this invasive plant. The infestation (3,000sqm) has been contained by removing seed heads and spot spraying with herbicide.

Key Information

- Invasive plants are introduced plants that spread across the landscape and threaten biological diversity. They also impact on the economy and human health.
- PCS is spending \$2.1m in 2017-18 reducing the impact of widespread invasive plants (eg. serrated tussock, blackberry) and containing the spread of new incursion invasive plants (eg. fireweed, Coolatai grass).
- In the first 8 months of 2017-18 there were 10,093ha of invasive plant infestations controlled costing \$1.2m. Densities within the infestations before treatment varied from scattered to dense.

Background Information – may not be suitable for public disclosure

Concerns about African lovegrass

- There is increasing concern among environmental and rural stakeholders about the spread and impact of African lovegrass in the ACT region.
- African lovegrass is out of control in the ACT and the area it occupies continues to grow.
- Mowing and slashing are the main ways it has spread in the ACT. Once large infestations occur it is easily spread by vehicles, people and animals. It also spreads readily along river corridors.
- The impact of African lovegrass is massive: it reduces native plant populations and reduces livestock carrying capacity on grazing lands. The tall form increases fire danger.
- Considerable effort is now being made to protect urban nature reserves, Tidbinbilla Nature Reserve and Namadgi National Park from African lovegrass.

- Collector app mapping data (provided to Treasury for the 2018-19 invasive species control funding business case) shows how rapidly African lovegrass spreads if it is not controlled. The business case also shows that if resourcing is adequate and ongoing then infestations can be brought under control.

Concerns about invasive plants education and plant nursery compliance

- Some stakeholders have been concerned about the demise of the bush friendly garden at Floriade and lack of plant nursery compliance checks.
- Resourcing constraints are the main reason for these activities no longer being undertaken.
- PCS is addressing the matter by participating in the development of the PlantSure program. This is a program being established by the Nursery and Garden Industry Association of NSW/ACT and the NSW National Parks and Wildlife Service. Its aim is to assess what ornamental plants currently being sold are actually high risk invasive plants. Nurseries and landscapers that have PlantSure accreditation will agree not to sell those high risk species.

ISSUE: HEALTHY WATERWAYS

Talking points:

Site Selection

- A short list of priority and reserve sites including new wetlands, rain-gardens and channel naturalisation, were chosen from 188 options tested with the community, across six priority catchments across the ACT for detailed evaluation including detailed design, and development approvals.
- The selection of the balance of projects for construction within the fixed budget and timeframe will be based on thorough site investigation and planning, community engagement, and comprehensive cost assessment.
- While the final scope and number of projects is subject to the ongoing detailed design phase, the latest estimate is that in addition to the Isabella Pond Wetlands, 18 water quality infrastructure projects, and 2 water quality research projects will proceed (see table 1). I will have more to say on this soon as the detail is locked in.

Consultation Outcomes

- Over 3 000 people took part in the Project's community consultation process in August and September 2016, with most visiting the ACT Government's new Your Say website to view the plans or make a comment. More than 80 submissions were received.
- The consultation report flagged that the proposed rain garden, Reynolds Street, Curtin (YA012) would not be progressed. This decision takes into account the concerns of residents and the relatively close proximity of the proposed rain garden to homes.
- A potential risk of obstruction to airport flight paths by waterbirds was another key issue arising from consultation. The project team has worked through these issues in consultation with Canberra Airport.
- To complement the construction projects, a comprehensive regional education program, known as H2OK: Keeping our waterways healthy, was launched last year year.

Key Information

ACT Healthy Waterways is a \$93.5 million joint initiative of the Australian Government and the ACT Government to protect and improve long-term water quality in the ACT and the Murrumbidgee River system by reducing the level of sediment and nutrients entering ACT lakes and waterways. The project is now in the implementation phase.

Under the Agreement with the Australian Government the project must be completed by June 30 2019.

Background Information – may not be suitable for public disclosure

Construction

Construction of projects will be rolled out in packages (see table 2) primarily based on catchment location.

Construction of Isabella Wetlands (TG011) is well progressed. Construction for Package 1 (LM013) and one asset in Package 2 (TG010) has commenced. Proximate community has been notified on works commencing. Civil construction of the second asset in Package 2 (TG012) is scheduled to commence in early February 2018.

Table 1: ACT Healthy Waterways Priority Projects

| Priority Asset | Asset Description |
|---|--|
| Tuggeranong Catchment Works* | <i>*Note that the construction of two new wetlands in Isabella Pond (TG011) is also proceeding as an ACT funding co-contribution, as is the in-lake research project in Lake Tuggeranong.</i> |
| Creek Works: Part of the concrete channel between Corlette Street, Monash and Isabella Pond (TG012) | Part of the concrete channel will be converted to a swale. Vegetation in the swale will help treat stormwater before it enters the pond and increase the diversity of the area's natural habitat. The swale will occupy a wider area compared to the current concrete channel. |
| Rain garden: Fadden Pines Reserve, Fadden (TG029) | The area will be landscaped to incorporate vegetation and filtering media to remove nutrients and sediment. The design minimises the removal of existing trees and leaves a large landscaped area as a recreational space for the local community. |

| | |
|---|--|
| <p>Rain garden: upstream from Upper Stranger Pond (TG010)</p> | <p>Rain garden: Located upstream from Upper Stranger Pond the system will help remove sediments and nutrients from stormwater. The area will be landscaped to incorporate vegetation and planting beneath existing trees.</p> |
| <p>Pond between Kett Street and Drakeford Drive, Tuggeranong (TG030)</p> | <p>A new pond, in open space near the Burns Club, will capture stormwater that could be used to irrigate the adjacent Kambah East District Playing Fields. The site will be landscaped to enhance the existing open space.</p> |
| <p>Rain garden, Athllon Drive between Langdon Avenue and Fincham Crescent, Wanniasa (TG008)</p> | <p>Rain garden systems will be established adjacent to St Anthony's Primary School near Athllon Drive.</p> |
| <p>Upper Molonglo Catchment Works</p> | |
| <p>Rain garden, Alanbar Street and Kenneth Place, Queanbeyan (UM004)</p> | <p>Twin rain gardens - one within a roundabout and the other in open space - will slow run-off, with plants helping to remove sediments and nutrients.</p> |
| <p>Upstream of the confluence of the Queanbeyan and Molonglo Rivers, Oaks Estate (UM001)</p> | <p>Riparian Revegetation (Molonglo River Corridor), Stock fencing re-vegetation and weed control</p> |
| <p>Yarralumla Creek Catchment Works</p> | |
| <p>Pond, Athllon Drive, Mawson (YA020)</p> | <p>A new pond will be constructed opposite Marist College to capture stormwater. The project will include landscaping which will improve the existing open space.</p> |
| <p>Rain garden, Flood Memorial site near Service Street, Curtin (YA016)</p> | <p>The highly visible open area in the Yarra Glen arterial corridor near Service Street in Curtin will be the site for a rain garden system.</p> |

| | |
|---|--|
| <p>Creek Works: Yarralumla Creek, Lady Denman Drive, Yarralumla (YA001)</p> | <p>The project will involve stabilising and revegetating the banks of Yarralumla Creek before it enters the Molonglo River just downstream of Scrivener Dam.</p> |
| <p>Creek Works: McCulloch Street and Cotter Road, Curtin (YA002)</p> | <p>Channel naturalisation will slow water velocities, trapping the uptake of sediment and nutrients in vegetation.</p> |
| <p>Lower Molonglo Catchment Works</p> | |
| <p>Wetland: open space between Dixon Drive and Cotter Road (LM013)</p> | <p>Wetlands will be established in the open space between Dixon Drive and Cotter Road.</p> |
| <p>Fyshwick Catchment Works</p> | |
| <p>Wetland: open space between Matina Street and the Monaro Highway, Fyshwick (FW019)</p> | <p>Low flows from Jerrabomberra Creek will be diverted into the wetland before returning to the waterway. High flows will bypass the wetland and continue along the existing creekline.</p> |
| <p>Wetland: Eyre Street, Kingston (FW012)</p> | <p>Water from Jerrabomberra Creek will be diverted to a new wetland before returning to the creek.</p> |
| <p>Wetland, Jerrabomberra Creek, Fyshwick (FW025)</p> | <p>A channel on Jerrabomberra Creek will be rehabilitated to create a new wetland. This will help improve water quality in the creek and add to the amenity and ecology of what is a highly modified part of the Jerrabomberra Wetlands</p> |
| <p>West Belconnen Catchment Works</p> | |
| <p>Creek Works: Tattersalls Crescent, Florey (WB010)</p> | <p>The existing concrete-lined open channel that forms part of the floodway to the east of Page Neighbourhood Oval will be selectively naturalised. Plantings in and beside the channel will slow stormwater run-off and improve water quality and will enhance the environment around existing paths.</p> |
| <p>Wetland: corner of Ginninderra Drive and Copland Drive, Evatt</p> | <p>Low-flow stormwater will be diverted from Ginninderra Creek into a coarse filter and then into a new wetland before</p> |

| | |
|---|---|
| (WB004) | it is returned to the creek. High flows will bypass directly into Ginninderra Creek to the south of the wetland. |
| Wetland, Croke Place, McKellar (WB009) | A new wetland will be constructed in the open space next to Ginninderra Creek near William Webb Drive, immediately downstream of Lake Ginninderra. Flows from residential areas will move through the wetland for treatment. |
| Water Quality Research Projects | |
| In-lake research Lake Tuggeranong | This research will be carried out in Lake Tuggeranong. The objective of this research project is to improve understanding of the physical, chemical and biological processes affecting water quality within ACT lake systems and trial potential engineered interventions to inform management options to improve water quality, lake performance and usability. |
| Urban Stormwater Ponds Research | <p>This research will be carried out in 6 ponds across Coombs, Dunlop and Lyneham/Dickson.</p> <p>The objective of this research is to quantify the response of water quality and processes driving water quality when shifted from permanently inundated to fluctuating water level and to quantify the change in nutrient processing capacity of urban ponds.</p> <p>Information gained from this research program will inform management options for current and future ponds and wetlands in the ACT.</p> |

Table 2 below summarises each of the packages and the proposed civil construction program.

| Package | Assets | Tender issue | Civil Construction Start | Civil Construction Handover |
|---------|----------------------------|--------------|--------------------------|-----------------------------|
| 1 | LM013 | Sep 2017 | Nov 2017 | Jun 2018 |
| 2a | TG010 | Sep 2017 | Nov 2017 | Jul 2018 |
| 2b | TG012 | Sep 2017 | Feb 2018 | May 2018 |
| 3 | TG008, TG029, TG030 | Jan 2018 | Feb 2018 | Nov 2018 |
| 4 | UM001, UM004 | Mar 2018 | Apr 2018 | Jan 2019 |
| 5 | YA016, YA020, YA001, YA002 | Apr 2018 | May 2018 | Mar 2019 |
| 6 | WB004, WB009, WB010 | Apr 2018 | May 2018 | Apr 2019 |
| 7 | FW012, FW019, FW025 | Apr 2018 | Jun 2018 | Mar 2019 |

Note: LM = Lower Molonglo, TG =Tuggeranong, UM = Upper Molonglo, YA = Yarralumla, WB = West Belconnen, and FW = Fyshwick

Sites Not Progressing

As a result of community consultation and further investigation during detailed design, five projects will not progress:

- A project close to homes in the Yarralumla Creek catchment will not progress because of community concerns (YA012)
- Three sites in the Fyshwick catchment and one in Upper Molonglo pose significant risks for bird-strike at Canberra Airport (UM015, FW021, FW020 and FW001).

ISSUE: NATIONAL LANDCARE PROGRAM

Talking points:

- The National Landcare Program is very important in engaging rural landholders, community groups and volunteers and our Aboriginal community to improve our natural environment, agriculture and outcomes for Aboriginal people.
- The ACT received almost \$6 million (\$5,978,280) from the Australian Government between July 2013 and June 2018.
- Under NLP2 (2018-23), the Australian Government has made funding available to deliver Commonwealth priorities at the regional scale, based around six main outcomes: Ramsar sites; World Heritage sites; threatened species; threatened ecological communities; soil, biodiversity and water; and adapting to change.
- The ACT's regional body, ACT NRM, submitted a tender to the Commonwealth on 27 February 2018 (tender closed 28 February) seeking over \$4 million for priority projects that will:
 - Enhance and connect Box Gum woodlands
 - Engage the community in managing natural temperate grasslands
 - Support rural landholders through a Regional Agriculture Landcare Facilitator
 - Provide safe havens for native animals and reduce threats to critically important habitat
 - Support Aboriginal engagement in caring for country.
- ACT NRM has worked closely with the community in developing the tender, including organisations that will lead delivery of projects on the ground, if the tender is successful.
- We are awaiting a, hopefully positive, response from the Commonwealth to beginning implementing projects from 1 July 2018.

Key Information

The National Landcare Program (NLP) is the Australian Government's flagship environmental program and is delivered in five yearly funding cycles. In the last Federal Budget, the Commonwealth announced one billion dollars to extend the NLP (NLP1, 2013-18) for another 5 years ('NLP2', 1 July 2018 – 30 June 2023). This announcement was welcome while noting it was with reduced funding (20 percent reduction compared with NLP1).

A key component of the NLP is regional delivery (\$450 million). The Commonwealth changed its approach to funding regional delivery (now called 'Regional Land Partnerships'), moving from a devolved grants model, to a competitive procurement model.

The ACT's regional body, ACT NRM (a section within the Environment Planning and Sustainable Development Directorate, with expert advice from the NRM Council) developed a tender in consultation with the community. Key processes were:

- Development of an on-line Investment Plan for the ACT and region during 2017, including through community workshops and stakeholder meetings.
- an open expression of interest (EOI) to potential NLP2 partners in November/December 2017. 26 project proposals were received from 7 organisations.
- Tender guidelines released by the Commonwealth in late December 2017.
- ACT NRM Council reviewed EOIs and provided recommendations to the Directorate
- Co-design of project proposals to incorporate in tender in Jan/Feb 2018.
- Tender for Regional Land Partnerships submitted to the Commonwealth Government by 28 February 2018 (closing date).

ACT NRM is unaware of any other organisation submitting a tender for the ACT Region (although allowed under the Commonwealth's new competitive procurement model).

Background Information – may not be suitable for public disclosure

The National Landcare Programme is an Australian Government initiative. The ACT received \$5,978,280 from the Australian Government over 5 years (2013-18) for Regional Delivery under the National Landcare Program. In 2013, the Australian Government supported the ACT Government proposal to fund the following 8 projects to be delivered by Greening Australia, Catchment Groups and the ACT Government.

- Communities and Connections for Conservation (Greening Australia) - \$1,260,448
- Restoring Ecological Resilience in the Southern ACT (Southern ACT Catchment group) - \$719,042
- Healthy and Resilient Landscapes in the Molonglo (Molonglo Catchment group) - \$719,042

- Improving Ecological Resilience in the Ginninderra Catchment (Ginninderra Catchment Group) - \$809,397
- ACT Rural Grants Program (ACT Government, EPSDD administered) – \$447,739
- Regional Landcare Facilitator (ACT Government, EPSDD) - \$792,082
- Aboriginal Natural Resource Management Facilitator (ACT Government , EPSDD) - \$686,871
- Monitoring Evaluation Reporting and Improvement Officer (ACT Government, EPSDD) - \$543,478

ISSUE: FISHERIES ACT REVIEW

Talking points:

- To assist in reviewing the ACT's Fisheries Act, a discussion paper was released for public consultation from 4 December 2017 to 5 February 2018.
 - Public information sessions were held in January at Belconnen and Tuggeranong;
 - Directorate staff also spoke at a meeting of the Canberra Fisherman's Club and met with the Canberra District Aquarium Society;
 - Seven written submissions and 53 responses to the online survey on Your Say were received.
- Key matters raised during the public consultation period included:
 - protection of native fish;
 - the perceived benefits of a licencing scheme for recreational fishing;
 - access to fishing spots; and
 - compliance with and enforcement of the current fishing rules.
 - Many respondents felt that the current laws were adequate but that compliance was an issue; and
 - More enforcement of and education /access to information on the rules was required.
- Consultation with the Ngunnawal community has begun on how to best facilitate Aboriginal cultural fishing in the ACT.
- A consultation report is currently being prepared.

Key Information

A review of the *Fisheries Act 2000* will allow modern issues to be considered, such as cultural fishing, and aims to improve alignment of the ACT's fisheries legislation with other jurisdictions and improve compliance and enforcement.

ISSUE: HERITAGE NOMINATION LIST

Talking points:

- Assessing nominations and making heritage decisions on nominated places and objects is one of the core business responsibilities of the ACT Heritage Council (the Council).
- ACT Heritage, ESPDD provides administrative support to the Council. 1.6 FTE are allocated to assessing nominations.
- The Council decides on its priority list of nominated places and objects to be assessed at its first meeting of the financial year.
- The Council bases its priority list on development pressures, internal resourcing, community and political expectation, and thematic research synergies and efficiencies.
- The Council's priority list for the 2017-2018 financial year established 22 places which required decisions (see Attachment 6.i).
- As of March 2018, the priority list has been reduced by 12 decisions, with 10 decisions remaining for the duration of the financial year. This means that the priority list has been reduced by 55%.
- Overall, the Council has substantially reduced the nominations list. Since reaching a peak of 320 in 2008, the list of nominations is currently 102.
- In 2016-17, the Council reduced the nomination list by 32 nominations (a single decision can combine multiple nominations).
- Any member of the community can nominate a place or object to the ACT Heritage Register (the Register), so the long nomination list reflects community interest in heritage matters.
- In some cases, nominations may be straightforward and can be easily and quickly assessed. In others – such as with precincts – a single nomination may take many months to assess, due to increased complexities involved.
- Although they still require assessment, provisions of both heritage and planning legislation establish a process where development at nominated heritage places is referred to the Council for conservation advice.

- Under the Act, applications can be made for the Council to urgently assess nomination applications, as well as applications to amend an existing register listing.
- For urgent nomination applications, once the application is made and the fee paid, the Council must, as far as practicable, make a decision within 30 days for an individual place and within 60 working days for a Precinct.

Key Information

The ACT, as with some jurisdictions, has a list of places and objects nominated to the Register that require further assessment against heritage significance criteria in order for the ACT Heritage Council (the Council), to make decisions on registration.

In the 2014 amendments to the Heritage Act, the decision by the ACT Government not to place annual limits or statutory timeframes on nominations, and as such have a longer nomination list, greatly improves heritage conservation outcomes for nominated places.

Provisions of both heritage and planning legislation establish a process where the Council provides advice to the planning and land authority on a development application about the effect of the development on the heritage significance of the place.

Additionally, the Council may also give certain parties a Heritage Direction (to do or not do something to conserve the place) if immediate protection of the place is justified because a serious and imminent threat exists that would harmfully affect the heritage significance of the place.

Background Information – may not be suitable for public disclosure

Throughout 2017 the Council received media attention concerning the current list of heritage register nominations, and how the Council intends prioritising assessing these nominations.

Registration Decisions

| | 2015-16 | 2016-17 | 2017 to date |
|---|---------|---------|--------------|
| Nominations accepted | 9 | 7 | 5 |
| Nominations rejected | 2 | | |
| Provisional registration decision (including decisions to not provisionally register) | 16 | 10 | 11 |
| Registration decision (including further registration decision) | 14 | 6 | 3 |

| Assessment priorities 2017/18 | | | | | |
|--|---------------------|-------------|------------------|--|--------------------|
| KEY THEMES | | | | | |
| Aboriginal | | | | | |
| Precincts | | | | | |
| Built | | | | | |
| Natural | | | | | |
| Place/Object | Assessment Priority | Appeal Risk | Category | Issues | Status |
| Pine Island Agglomerate | High | Low | Geological | Political expectation for decision is high | Decision made 2018 |
| Barton Highway Road Cut | High | Low | Geological | Political expectation for decision is high | Decision made 2017 |
| Molonglo River to Barton Highway Woodland | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Allocasuarina (Bull-Oak) stands near Molonglo Gorge | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Mulligans Flat | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Pomaderris Pallida habitats across the ACT | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Thesium australe habitat near Kambah Pool | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Conder 4A Grassy Woodland | High | Low | Natural | Political expectation for decision is high | Nominated |
| Natural Temperate Grassland - Barton Grassland | High | Low | Natural | Political expectation for decision is high | Nominated |
| Grassland Earless Dragon Habitat (Jerrabomberra and Majura Valley) | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Red Hill Rutidosis Site | High | Low | Natural | Political expectation for decision is high | Decision made 2017 |
| Red Hill Plantings | Low | Low | Natural | | Nominated |
| Glenburn Precinct, Kowen | High | Low | Precinct | | Decision made 2018 |
| Tharwa Village Precinct | High | Medium | Precinct | Masterplan underway | Decision made 2017 |
| Tharwa Primary School | Medium | Unknown | Historic | Long term nomination: Political expectation for decision is high | Decision made 2017 |
| Churchill House | High | High | Architectural | Long term nomination: Political expectation for decision is high | Nominated |
| Royalla Woolshed | Low | Low | Woolshed | Long term nomination: Political expectation for decision is high | Nominated |
| 11 Northcote Crescent, Deakin | Medium | Unknown | Private Dwelling | Long term nomination: Political expectation for decision is high | Nominated |
| BPAD1, Bonner | High | Low | Aboriginal | | Nominated |
| Hume 5, Hume | High | Low | Aboriginal | | Nominated |
| Hume Sites - HAC2 | High | Low | Aboriginal | | Nominated |
| Red Hill Campsite | Low | Low | Aboriginal | | Nominated |

ISSUE: CAT MANAGEMENT

Talking points:

- The Government is committed to improving cat management.
 - The Government's *Animal Welfare and Management Strategy*, finalised in September 2017, emphasised the importance of responsible pet ownership to improve animal welfare and reduce the impact of domestic species on the environment.
 - Development of a cat management plan was foreshadowed.
- During 2018, the Government will be seeking community views on how we can better manage cats — that is all cats, owned and unowned (stray and feral), in the ACT.
- Work has already begun with the ACT participating in **Cat Tracker** - a national research project being conducted by University of South Australia.
 - We would like to know more about cats in the ACT and encourage all cat owners to participate in the Cat Tracker survey. As part of the research project, 100 cats in the ACT will be tracked using a GPS tracker.
 - There has been significant interest in the ACT with over 500 people completing the survey since the project was announced in December 2017.
- Cats are an integral part of society and there is significant interest in the community on cat containment, increasing de-sexing rates and reducing the number of cats and kittens in rescue centres, and controlling feral cats.
 - Development and public consultation on a draft cat management plan will enable community consultation on these issues (consultation planned in late 2018).

Key Information

- The management of cats is a cross portfolio responsibility.
 - The Minister for Transport and City Services – is responsible for the *Animal Welfare Act 1992* and *Domestic Animals Act 2000*
 - The Minister for the Environment and Heritage – is responsible for pest animal control (management of feral cats) and protecting the environment (reducing harm from introduced species).
- The Parliamentary Agreement (13. 2, Animal Welfare) commits to “expand and ensure the effectiveness of cat containment, and increase funding for cat de-sexing”.
- The *Whole of Government Communications and Engagement Strategy 2017-19* identified Cat Management as a priority engagement for the Environment.
- EPSDD and TCCS are working together on an ACT Cat Plan to progress implementation of the Animal Welfare and Management Strategy and the commitment within the Parliamentary Agreement.
- The Environment, Planning and Sustainable Development Directorate is funding (\$12,500 including \$10,000 from the Australian Government’s National Landcare Program) ACT participation in a national Cat Tracker Project, that will survey cat owners and track up to 100 cats as part of the national research project being conducted by University of South Australia.

ISSUE: Heritage Nominations – 40 Donaldson Street and Kingston Hotel

40 Donaldson Street – Talking Points

- At its meeting of 8 February 2018, the ACT Heritage Council (the Council) accepted a nomination for 40 Donaldson Street, Braddon.
- The house was demolished on 9 February 2018, under a lawful Building Application (BA) that was lodged on 31 January 2018, before the Council accepted the nomination.
- Under the *Planning and Development Regulation 2008*, a single dwelling can be demolished without the need for development approval (DA), provided the demolition proposal complies with general exemption criteria, which the dwelling did at the time of lodgement of the BA.
- The provisions of the *Heritage Act 2004* (the Act) were not applicable to the place at the time the building approval for demolition was issued.
- The place was the principal residence of Francis Charles Patrick Keane, first stipendiary magistrate of Canberra 1949-1971.
- The Council had not formed a view on the heritage significance of the place.

Kingston Hotel – Talking Points

- At its meeting of 8 February 2018, the Council accepted a nomination for the Kingston Hotel.
- The place was nominated by the Canberra and District Historical Society, who assert the place is significant for its social values and for its association with 20th century espionage.
- The Council has not formed a view on the significance of the place.
- ACT Heritage has been in contact with the owner and lessees of the place, who have not expressed a view on the nomination.
- The nomination has attracted some media attention, but this has been generally positive.

Key Information:

- Under the Act, anyone may nominate a place or object to be included in the ACT Heritage Register.
- Once the Council accepts a nomination, some provisions of the Heritage Act are applicable to the nominated place, for example:
 - the Council gives advice to the planning and land authority about the effect of a development on the likely heritage significance of a place if the development application is referred to the council; and
 - the Council may also give certain parties a Heritage Direction (to do or not do something to conserve the place) if immediate protection of the place is justified because a serious and imminent threat exists that would harmfully affect the heritage significance of the place.
- EPSDD and the Heritage Council have agreed that the Manager, ACT Heritage will make the decision (under delegation) whether or not to accept or dismiss a nomination application. This will ensure provisions of the Heritage Act for nominations are activated without delay.

ISSUE: HERITAGE COUNCIL MEETING DECISIONS**Talking points:**

At its meeting of 8 February 2018, the Heritage Council made decisions on the following places:

- Decisions on Registration:
 - Glenburn Precinct Further Registration, Kowen
- Decisions not to provisionally register:
 - Pine Island Agglomerate, Greenway
- Decisions on nominations:
 - 40 Donaldson Street, Braddon
 - Kingston Hotel, Griffith

Key Information

The ACT Heritage Council (the Council) met on 8 February 2018 and made the following decisions:

Glenburn Precinct further registration

This further registration decision adds archaeological potential and the Atkinson Trigonometrical Station to the significance of the place as well as several minor changes and corrections in the interests of maintaining up-to-date, comprehensive and accurate information.

Decision not to provisionally register Pine Island Agglomerate, Greenway

Pine Island Agglomerate consists of exposed agglomerate rock within and on the banks of the Murrumbidgee River. While interesting, is not considered to be important in the course of pattern of the ACT's natural history, and is not considered uncommon, rare or an endangered aspect of the ACT's natural history.

Nomination for 40 Donaldson Street, Braddon

The nomination application was received on 2 January 2018. The nominator claimed that the place was significant to the ACT community as it was the principle residence of Francis Charles Patrick Keane, first stipendiary magistrate of Canberra 1949-1971. The Council has not formed a view on the heritage significance of the place. Further issues later arose with regard to the place, which was demolished on 9 February 2018, under a lawful Building Application (BA) that was lodged on 31 January 2018, before the Council accepted the nomination. The demolition is the subject of a separate Brief.

Nomination for Kingston Hotel, Griffith

The nomination application was received on 17 January 2018. The Canberra and District Historical Society nominated the place, and claims that it was the first 'traditional' pub built in the ACT by private enterprise (Tooheys brewery). The place was also nominated for its role in 20th century espionage including associations to the 'Petrov Affair' in 1954, a defining cold war event in Australia and the 1963 'faceless men' incident, both of which had major impacts on the results of federal elections.

ACT Heritage has contacted the owner and lessees with regard to the nomination, who have not expressed views on the matter. Consultation with interested persons will be ongoing. The nomination has attracted some positive media attention, which is the subject of a separate brief.