



CONSERVATION COUNCIL

ACT REGION

## Comments on Development Application 2015-28681 Watson Section 64, Block 9 Watson Estate Development Plan

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If you have any queries regarding this submission please contact: Clare Henderson Executive Director on 02 6229 3202 or [director@conservationcouncil.org.au](mailto:director@conservationcouncil.org.au).

The Conservation Council ACT region is the peak non-government environment organisation for the Canberra Region. We have been the community's voice for the environment in the Canberra region since 1979.

Our mission is to achieve an ecologically sustainable and zero net carbon society through advocacy, education, research and engagement with community, the private sector and with government.

We represent more than 40 member groups who in turn represent over 15,000 supporters. We harness the collective expertise and experience of our member groups and networks. We work collaboratively with Government, business and the community to achieve the highest quality environment for Canberra and its region.

The Conservation Council is active in a number of campaign areas. Our current focus includes:

- **Biodiversity Conservation** – protecting our unique ecological communities and the Bush Capital
- **Climate Change** – a regional, national and global challenge
- **Planning** – the right things in the right places
- **Transport** – connecting people and places
- **Waste** – being efficient through closed-loop systems
- **Water** – smart use of a scarce resource
- **Governance** – for a Smarter, Sustainable Canberra

### 1. Overview

The Conservation Council welcomes the opportunity to comment on **Development Application 201528681, Watson Section 64 Block 9 Watson Estate Development Plan.**

**The proposal is an** estate development plan including creation of 21 single dwelling blocks and 3 multi-unit development blocks for a maximum of 89 dwellings. Extension of Negus Crescent and associated utilities and verge works. Extension of the pedestrian path network and stormwater management network. We note that

the proposal would involve the potential removal of all box-gum woodland within the 4 hectare development envelope.

It is located next to Justice Robert Hope Park – an 18 hectare patch of Yellow-Box Red-Gum Grassy woodland.

In July 2002, after a sustained 10 year community campaign against a housing development in north Watson, the Watson Community Association was successful in protecting a 5 hectare native grassy woodland. Watson Woodlands Working Group was then established to care for this woodland which is now called Justice Robert Hope Park. The Park was expanded on 2 August 2005. The Group has achieved a great deal by removing weeds and planting local natives.

We note that in July 2013 we made [comment](#) on the Preliminary Assessment (EPBC referral 2012/6418). We do not feel the issues raised at the time have been adequately addressed. At that time we recommended that:

1. Justice Robert Hope Nature Reserve cannot be used as an 'advanced offset' and another offset site is required if the development proceeds;
2. The Outer Asset Zone must not intrude into Justice Robert Hope Nature Reserve;
3. There is a need for domestic animal controls such as cat containment, a designated dog-off leash area and / or dog park in the North Watson area and consideration of declaring the local reserves as no dog areas.
4. These measures need to be actively accompanied by community education and enforcement;  
Measures need to be built into the process to ensure all new residents are informed of the ecological values of their nearby reserves, including receiving a copy of Mt Majura Treasures (forthcoming) as well as information on why certain measures such as domestic animal controls are necessary to protect ecological values;
5. Other Living on the Urban Edge principles are actively applied (see Attachment One).

## **2. Protecting our precious natural environment**

The ACT's natural environment is facing a death by a thousand cuts. Currently, each project in the ACT is assessed within its own perimeters with reference to other previous assessments and previous practices to allow for its own 'small' impacts on the environment. This allows for a gradual chipping away of ecological values. In this case we are losing 4 hectares of a nationally critically endangered ecological community.

The site contains a number of mature trees. These are an important link to Justice Robert Hope Park and Mount Majura Nature Reserve. Hollow-bearing mature trees cannot be offset.

***Recommendation 1.***  
***All mature trees with significant hollows be retained.***

### **3. Biodiversity Offsets**

The Commonwealth Offsets Policy (2012) at section 7.6 acknowledges the concept of advanced offsets. The policy states (at page 11): Proponents or offset providers looking to establish advanced offsets should discuss these with the department at the earliest possible opportunity. Proponents should monitor and record baseline data associated with the establishment of the offset and improvements over time...Advanced offsets must satisfy all requirements in this policy, including those relating to offsets being additional to other legislation and schemes. It is of great concern to the Conservation Council that this proposal seeks to use past conservation activities as "advanced offsets" – i.e. the reservation of Justice Robert Hope Park as an advanced offset. The Conservation Council only supports advanced offsets in the context of these being publicly declared at the time the decision is made for these to be considered as offsets in order for transparency and baseline data is put in place in order to ensure conservation outcomes can be verified. Advanced offsets cannot be applied retrospectively. At the time of declaring an advanced offsets baseline data needs to be publicly available to ensure capacity to monitor and verify conservation outcomes. We are not satisfied this has occurred in the case of Justice Robert Hope Park. Using Justice Robert Hope Park as an offset does not meet the criteria of "net gain". In essence we will be losing another 4 hectares of Yellow-Box Red-Gum grassy woodland.

***Recommendation 2.***  
***An alternative Offset site other than Justice Robert Hope Park be used.***

The Commonwealth approval (EPBC 2012/6418) requires the proponent to develop a Justice Robert Hope Park Environmental Management Plan. This plan should be subject to public consultation. The Plan must be finalised before any works commence.

***Recommendation 3.***  
***The Justice Robert Hope Park Environmental Management Plan should be subject to public consultation.***

### **4. Fire Buffer Zone**

Bushfire Asset Protection Zones must be located outside of areas deemed to be protected due to their ecological values. This is in accordance with the Strategic Bushfire Management Plan Version Three.

It needs to be clarified that the Inner Asset Zone is not within Robert Justice Hope Park.

***Recommendation 4.***

***The Inner Asset Zone be located within the urban footprint not within Robert Justice Hope Park.***

## **5. Domestic Animal Management**

There is a need to ensure appropriate measures are in place to minimise the impacts of domestic animals on nearby nature reserves.

***Recommendation 5.***

***The Development site should be declared cat containment***

***Recommendation 6.***

***A condition of approval be that an area be designated in the nearby area as a designated dog-off leash area or dog park.***

***Recommendation 7.***

***Consideration be given to ensuring the local reserves (Robert Justice Hope Park and Mt Majura be declared no dogs.***

***Recommendation 8.***

***There is a need for ongoing community education and enforcement of cat containment measures. A condition of approval should be an annual contribution to the cost of such measures whether undertaken by the ACT Government or community organisations.***

## **6. Water Management**

The existing dam in Justice Robert Hope Park is a good frog breeding habitat and supports a wide variety of invertebrate fauna. In addition to divert stormwater to this dam will require considerable construction disturbance to plants and grasses in the reserve.

***Recommendation 9.***

***The existing "dam" in Justice Robert Hope Park not be used as a discharge control pond.***

## **7. Solar Access**

The design offers poor solar access. Very few of the dwellings have good northerly frontage and a number will be overshadowed by next door dwellings.

***Recommendation 10.***

***The lay-out be changed to provide greater solar access noting this may require a reduction in number of dwellings.***

## **8. Community Education**

As outlined in our previous submission there is a need for a strong and ongoing community engagement program.

***Recommendation 11.***

***A condition of approval should be a requirement for a community engagement program to be funded which includes all residents being provided with a copy of Mt Majura Treasures, information on the significance of Justice Robert Hope Park and the Conservation Council "Being a good neighbor to the Bush: Living next to Nature" publication.***