



**CONSERVATION
COUNCIL** ACT REGION

Submission to Environment Planning and Sustainable Development Directorate (Planning): DA-202341900

August 2023

The Conservation Council ACT Region is the peak non-government environment organisation for the Canberra region. Since 1981, we have spoken up for a healthy environment and a sustainable future for our region. We harness the collective energy, expertise and experience of our more than 40 member groups to promote sound policy and action on the environment.

We campaign for a safe climate, to protect biodiversity in our urban and natural areas, to protect and enhance our waterways, reduce waste, and promote sustainable transport and planning for our city. Working in the ACT and region to influence governments and build widespread support within the community and business, we put forward evidence-based solutions and innovative ideas for how we can live sustainably.

At a time when we need to reimagine a better future, we understand that the changes we need will only happen with the collective support of our community.

Introduction

The Conservation Council ACT Region, Canberra Ornithological Group, Friends of Grasslands and Friends of Bluetts Block welcome the opportunity to provide feedback on DA 202341900 the proposed development at Denman Prospect Block 12, otherwise known as the deferred area. While the Council recognises improvements from the draft, the Council does not support the DA 202341900. This site is noteworthy as it is considered part of the ecologically significant area known as “Bluetts Block” (extending across Stromlo Block 402/403 and Denman Prospect Block 12, Section 1). Furthermore, we do not support any development in ecologically sensitive areas without the provision of an Environmental Impact Statement (EIS).

Since 2021 the Conservation Council and Friends of Bluetts Block have been advocating to have the whole of Bluetts Block placed into reserve owing to its extraordinarily high environmental values. The site is home to over 100 different species of plants and supports over

130 species of birds, including the endangered Painted Button-quail, and vulnerable Superb Parrot. The area also supports rare marsupial populations of Slender-tailed Dunnart and Yellow-footed Antechinus and provides important landscape connectivity from the Murrumbidgee River Corridor to Black Mountain.¹

Below we summarise our key concerns and recommendations regarding the proposed development, with specific attention to its impact on the environmental values of Bluetts Block. The Council recommends the Government declare its intention to establish Bluetts Block as a Nature Reserve, and commence the appropriate processes to ensure this happens.

Ecological significance and connectivity

The area, known as Bluetts Block (consisting of, Stromlo Blocks 402 and 403, and Denman Prospect Section 1, Block 12) has high environmental conservation values, and the community has called for it to be granted reserve status.² Bluetts Block is an area of high-value, remnant dry forest and Box-Gum Grassy Woodland. It has significant biodiversity and also plays an important role in landscape connectivity from the Murrumbidgee corridor, through to the Molonglo River and north to Black Mountain.

The DA does not fully assess the impacts of urban development on high biodiversity areas, nor has there been any consideration of the merits of establishing a buffer between the urban edge and medium-high biodiversity areas.

The environmental values of Block 12 in a landscape context are ignored in the application as evident from the fact that the Environmental Impact Assessment (EIA) studied only Block 12 and a buffer ranging between 40m and 90m around its southern and eastern sides.³ This is significant because Block 12 exists within an area of high ecological value that stands to be negatively impacted by its development.

Two ecological communities are found at Bluetts Block: Dry Forest with a shrubby-healthy-grassy ground layer, and Box-Gum Woodland.⁴ The latter is of particular importance as it is critically endangered under the EPBC Act and ACT legislation,⁵ meaning that it is not only locally significant but also significant nationally.

These ecological communities are important for the same reasons that all natural areas are important: they provide habitat for threatened and rare species, store carbon,⁶ increase soil, air,

¹ R. Rehwinkel, *Vegetation Survey of Bluetts Block*, 2019.

² Craig Allan, *Calls grow to spare historic 'Blewitt's Block' from development in Canberra's Molonglo Valley*, 2021.

³ Capital Ecology (2022). Denman Prospect 'Deferred Area' – Ecological Impact Assessment. Final 03 – November 2022. Prepared for Capital Estate Developments. Authors: C. Ross and R. Speirs. Project no. 3072.

⁴ R. Rehwinkel, *Vegetation Survey of Bluetts Block*, 2019.

⁵ Nature Conservation (Yellow Box – Blakely's Red Gum Grassy Woodland) Conservation Advice 2020; Natural Temperate Grassland of the South Eastern Highlands; White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland National Recovery Plan.

⁶ D. Lindenmayer and M Vardon, *Ecosystem accounts in box gum grassy woodlands*, 2021.

and water quality;⁷ support pollination,⁸ control diseases,⁹ and increase the livability of the city.¹⁰ However, Bluetts Block has a heightened importance and conservation value due to its high quality habitat and high biodiversity.¹¹ Indeed, it supports many threatened and rare species, most notably, rare marsupial populations of Slender-tailed Dunnart and Yellow-footed Antechinus, Superb Parrots, and other threatened and rare woodland birds, including the:

- Painted Button-quail (*Turnix varius*)
- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Chestnut-rumped Heathwren (*Hylacola pyrrhopygia*)
- Speckled Warbler (*Pyrrholaemus sagittatus*)
- Southern Whiteface (*Aphelocephala leucopsis*)
- White-winged Triller (*Lalage tricolor*)
- Varied Sittella (*Daphoenositta chrysoptera*)
- Rufous Whistler (*Pachycephala rufiventris*)
- Dusky Woodswallow (*Artamus cyanopterus*)
- Scarlet Robin (*Petroica boodang*)
- Flame Robin (*Petroica phoenicea*)
- Eastern Yellow Robin (*Eopsaltria australis*)
- Diamond Firetail (*Stagonopleura guttata*)
- Double-barred Finch (*Stizoptera bichenovii*)

The site also plays an important role in connectivity, a conservation principle that recognises that habitats and species survive and adapt better when they form part of a protected network.¹² Bluetts Block - Piney Ridge plays a critical role in connecting the Murrumbidgee Corridor, Molonglo River reserve, Kama Nature Reserve, Pinnacle Nature Reserve, Stoney Creek Reserves, and beyond.

Urban development at Block 12 will have both direct and indirect impacts on the ecological values across Bluetts Block. Notably, Block 12 will suffer a direct loss of habitat from the proposed development. Bluetts Block as a landscape will also suffer indirect effects such as urban edge effects, augmenting exotic plant and animal infestations, noise and light pollution, habitat fragmentation, and increased bushfire risk.¹³

The DA fails to identify the value of Block 12 within the landscape context of Bluetts Block. Further research must be conducted to determine these values, including a review of all ACT Government assessments of Stromlo Blocks 402, 403, and Denman Prospect Block 12; and consultation with the Conservator of Flora and Fauna.

⁷ P. Smith et al, *The role of ecosystems and their management in regulating climate, and soil, water and air quality*, 2012.

⁸ A. Vanbergen *Threats to an ecosystem service: pressures on pollinators*, 2013.

⁹ K Zimmer, *Deforestation is leading to more infectious diseases in humans*, 2019

¹⁰ Jacobs et al. *Livability: Natural environment*, 2014

¹¹ R. Rehwinkel, *Vegetation Survey of Bluetts Block*, 2019.

¹² Sharp, S and Bulling, P. *Building a Biodiversity Network across the ACT*, 2022.

¹³ Smith, Peter & Smith, Judy. (2010). *Urban edge effects in the Blue Mountains, New South Wales: implications for design of buffers to protect significant habitats*. Pacific Conservation Biology. 16. 92-100. 10.1071/PC100092.

Recommendations

- Place Blocks 402 and 403 into the Molonglo River Reserve to preserve landscape connectivity. Waiting for the completion of the Western Edge Investigation Area assessment simply maintains the threats to this area.
- Exact alignment of trails within Block 12 needs consultation with the community and adequate assessment of ecological impacts.
- Assessment of urban edge effects including mitigation measures.
- Further assessment should be undertaken to investigate:
 - Superb Parrot breeding;
 - Woodland bird populations across Bluetts Block, especially in low-lying areas.
 - The impacts of development within a landscape context.
- Prevent impact to burrowing animals including but not limited to wombats and echidnas: A detailed site assessment must be undertaken to identify active burrows that will be impacted by the proposed development. Following on from the site assessment, a detailed burrow management plan should be developed and implemented.

Direct and indirect impacts to Bluetts Block and buffer requirements

It is appreciated that the revised Estate Development Plan somewhat reduces the direct impact compared to the original plan, but does not appear to have incorporated any of the comments made in the recent consultation process. Therefore, considering the site's incredibly high environmental values, the Council is unable to support the development unless further modifications are made. We are specifically concerned about the proposed habitat loss to the Pink-Tailed Worm Lizard. The need for a bushfire protection buffer (and inevitable resident concerns about bushfires) will effectively mean that much of Block 12 (even where no development is proposed) will be significantly degraded to provide bushfire protection. This degradation will be particularly pronounced towards the eastern end of Stromlo Reach, where the proposed development intrudes into Block 12, and is very close to moderate to high density native vegetation. We do not accept the notion that as the habitat at Block 12 is of "poor quality" it can be destroyed without offset. It is maintained that all habitat for threatened species is worth maintaining on the backdrop of the "poor and declining" state of Australia's environment.¹⁴ Furthermore, we remain concerned about potential habitat loss and degradation for the endangered Painted Button-quail as there is little analysis of how the proposed development will affect it.

Proposing a development so close to a site of such significant environmental values carries significant risk of indirect effects. Mitigation strategies should be planned to address matters including,

- Light and sound pollution
- Invasive species management
- Increased human recreation and interference with Bluetts Block, including from clearing for firewood and perceived fire risk.

¹⁴ Australian Government, State of Environment Report 2021.

- Construction impacts including the intrusion of vehicles, people, and the introduction of litter into Bluetts Block.

Recommendation

The starting point in addressing these indirect effects is the provision of a buffer. Any neighbouring development must have a substantial buffer from areas of woodland or grassland as is consistent with other sites of high environmental value in the ACT.¹⁵ It is recommended a buffer for Blocks 402 and 403 should be within the Block 11 footprint.

Invasive species

Several exotic species are proposed on the planting list that are considered ‘sleepers’ and would be unsuitable for planting at a site so close to Bluetts Block-Piney Ridge. Notable among these are *Ulmus* (elm) and *Pyrus* (Pear) species. We recommend that alternatives be used to avoid having the ‘sleepers’ invade Bluetts Block and the remaining bush- and grassland areas of Block 12, altering their environmental values. Furthermore, there are a few red-flowering native shrub species on the list. Despite being native these have been shown to encourage Red Wattlebirds and Noisy Miners to the detriment to other species and should be reconsidered. For the native species, using trees with local provenance is crucial to avoid altering the genetic stock of the species in Bluetts Block. Using individuals adapted to other environmental conditions could result in reduced resilience to local conditions within Bluetts Block.

Furthermore, we are very concerned that horse movements along the proposed horse trail will inevitably introduce weed seeds from their droppings into the centre of Bluetts Block effectively through the middle of high value native forest and woodland. Any development proposal should therefore allow for alternative paths that do not provide for horses to travel through Bluetts Block.

Unless there are substantial barrier fences between the development and Bluetts Block, it is highly likely that domestic animals will enter the area (cat containment rules notwithstanding), to the detriment of wildlife. We therefore propose that effective barrier fencing be provided with gates that limit animal access.

Free-roaming cats, both feral and pet, are highly efficient predators. Since colonisation, they have pushed over 30 native species to extinction, including the Eastern hare-wallaby that was once local to our region. Today, cats imperil another 123 species,¹⁶ which is a palpable impact on the backdrop of the extinction crisis that we are already facing.¹⁷ Cat containment is a positive step towards minimising the negative impact that cats have on the environment, yet without education or enforcement it has limited impact.

Recommendations

- Effective barrier fencing be provided with gates that limit animal access.

¹⁵ See for example the Kama Interface Management Strategy (2016).

¹⁶ <https://invasives.org.au/our-work/feral-animals/cats-in-australia/>

¹⁷ cite,

- The proponent should provide a baseline weed survey and detailed Initial Weed Control Plan.
- Exotic plantings including trees must not be used within the development streetscape.
- Alternative paths that do not provide for horses to travel through Bluetts Block.
- In addition to a blanket cat containment policy: Community education and engagement be conducted to promote responsible pet ownership. Citizen science is considered to raise awareness of cat behaviour. Policies be implemented to improve cat desexing rates.

Loss of mature native trees

The Council is pleased that consideration has been given to minimising risks to mature native trees. However, we remain concerned that no guarantees are provided that works will avoid damage to them. Mature native trees have been accidentally damaged at development sites across Canberra and measures should be taken to avoid impacts.

Recommendations

- Adequate barriers to protect mature native trees on and near the development site. This could include sturdy protective fencing, being appropriately signed, and clear instructions and a briefing to all workers on site.
- Significant financial penalties on the developer for any damage to mature native trees.

Road safety

As Bluetts Block is a wildlife corridor there is a significant amount of wildlife movement in the area. As such proposed roads carry increased risk and will have to be managed for both human and animal safety.

Recommendation

- Barrier fence to increase road safety, with studies to ensure the movement of wildlife across the landscape is still accessible via alternative routes.

Environmental impacts of loss of water sources

The dams on Block 11 will be lost in the proposed development. These dams constitute a significant source of water for fauna for Bluetts Block-Piney Ridge, particularly now that river access is impeded. This will be exacerbated as longer dry periods eventuate due to climate change. The single small dam on Block 403, is likely to run dry in low rainfall years. While we recognise that Block 11 development is inevitable, we point out that this will be an additional stressor for wildlife in the area, and a matter that warrants attention.

Recommendation

- Creation of a reliable water source in a mutually suitable location.

Placement of high density housing

It is appreciated that affordable high-density housing is required. However, the Council does not support the current placement of the high-density dwellings being immediately adjacent to a wooded area of Bluetts Block, particularly considering that the proposed Holborow Avenue extension remains controversial.

This placement is not supported as high-density development will have high levels of noise, light and sound pollution that will greatly disturb the neighbouring woodland¹⁸. Furthermore, the location poses a significant fire risk to residents as there seems to be limited egress in the event of a major fire. The 60 metre Asset Protection Zone around the development may also be of limited value in a major fire where embers from fires in the wooded hills could easily carry down to properties in Block 11.

In addition to the conservation values outlined above, the location of the Western Edge Investigation Area, specifically Bluett's Block, is likely unsuitable for future development due to high fire risk. Deep gorges such as those throughout the Western Edge Investigation Area can generate extreme bushfire effects.¹⁹ Indeed, the area slightly downstream of Bluett's Block was severely burnt in 2003. The 2019-2020 bushfires suggest that present-day and future bushfires are not fightable. Ember attacks negate the usual preparations made by authorities and individual landholders.²⁰ This must be considered before any development proceeds as human lives and livelihoods could be put in severe danger.

Recommendation

- Relocate high density housing further away from the woodland.
- Adequately and fully consider the impacts of bushfires in a changing climate for any proposed development in the WEIA .

Homes of the future need to be resilient

The construction sector needs to pivot more quickly towards energy-efficient, climate-resilient, all-electric developments, instead of continuing with business as usual. We are facing a climate emergency and everyone has a responsibility to step up. The science of climate change and the ACT's policy direction are clear – all buildings must become gas-free by 2045 or sooner.

Urban greenspace will help to build resilience against the impacts of climate change, enhance connectivity across the urban landscape, and deliver quality-of-life benefits to the community. Green space, trees and shrubs offer physical and mental well being benefits for our community. Importantly they also cool the urban environment, slow urban water flows and provide vital refuge for wildlife and pollinators across the urban landscape.

Buildings should incorporate passive energy solutions such as north-facing solar access, double-glazing, high quality insulation and air-tight wrapping.

¹⁸ 26 Smith, Smith, Urban edge effects in the Blue Mountains, New South Wales: implications for design of buffers to protect significant habitats, 2010.

¹⁹ J Sharples, *Risk Implications of Dynamic Fire Propagation*, 2017.

²⁰ M Roberts, et al, *Incorporating ember attack in bushfire risk assessment*, 2017.

Recommendations

- The proposed development should be built as all-electric and not connect to the gas network
- Constructions should have a minimum energy efficiency rating of 8 stars.
- Construction should have pale roofs.
- Construction must optimise solar access in winter and shade in summer.
- EV charging stations available to the community including in all multi-unit developments.
- Utilise a variety of native plantings including shrubs and grasses to reach the tree canopy target.
- Set a permeable surfaces target for public space that aligns with the city-wide 30% permeable surfaces target.

Accessibility of Development Application Representation

Documentation for major projects such as this actively discourages the public from connecting with and commenting about the respective proposal. The document package on the EPSDD website comprised over 100 documents, very few of them with names that indicate what detail is contained within. This limits the ability of the community to decode and engage fully with the Development Application and thus be able to provide representation.

Recommendation

- Proponent to prepare a 1-2 page executive summary in simple language with appropriate indexes and cross references, with the potential to include hyperlinks to specific documents.

Summary Recommendations

- Include Bluett's Block (Stromlo blocks 402, 403, and Denman Block 12) in the Molonglo River Reserve in recognition of their high conservation values
- The developer to revise the DA in recognition of the risks and issues raised in this submission, and in particular to maintain a buffer between areas of ecological value and the proposed urban development, to protect the high biodiversity values at Bluett's Block
- Build a barrier fence to limit edge effects, protect wildlife and increase road safety.

We would be pleased to discuss this submission with you further.

Sincerely,

Conservation Council ACT Region
Canberra Ornithological Group
Friends of Bluett's Block
Friends of Grasslands