



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON PLANNING AND
ENVIRONMENT**

**(Reference: Draft variation to the territory plan No 281:
Molonglo and North Weston)**

Members:

**MR M GENTLEMAN (The Chair)
MS M PORTER (The Deputy Chair)
MRS V DUNNE**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 29 JULY 2008

**Secretary to the committee:
Ms N Derigo (Ph: 6205 0435)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry that have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

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The committee met at 2.04 pm.

BARR, MR ANDREW, Minister for Planning

SAVERY, MR NEIL, Chief Planning Executive, Australian Capital Territory Planning and Land Authority

LEWIS, MR PAUL, General Manager, Metropolitan Development and Land Supply, Australian Capital Territory Planning and Land Authority

THE CHAIR: Good afternoon, minister and officials from ACTPLA and members. Welcome to the planning and environment committee's inquiry into Molonglo and North Weston. Before we begin, can I ask you to acknowledge that you understand the conditions in the privilege statement?

Mr Barr: Yes.

Mr Savery: Yes.

THE CHAIR: I ask that the statement be incorporated in *Hansard*.

The statement read as follows—

The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the Resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings. Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it.

Parliamentary privilege means special rights and immunities attach to parliament, its members and others, necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing

THE CHAIR: This afternoon we have a presentation from Mr Savery and ACTPLA officials on the Molonglo and North Weston program. Minister, is there anything you would like to say before the presentation?

Mr Barr: I apologise; I am a bit under the weather. I thank the committee for the opportunity to appear and note that you have had to reschedule. It is important that you hear this presentation. I hope that the committee will appreciate the amount of effort that the Planning and Land Authority has gone to in making numerous revisions to the proposals during the consultation. I will now throw it over to Mr Savery to commence the presentation.

Mr Savery: Thank you, minister. This is a very comprehensive and methodical presentation. We are going to take you back to the origins of Molonglo. I think one of the difficulties that the planning authority has is providing the continuity of what has taken place over the course of four or five years. People tend to focus only on the present, as opposed to the origins of a piece of work like this, which makes it very difficult for us when questions are asked about how did you get to this point and we try to talk about how the planning started back here and there have been a number of milestones where changes have occurred and that is why we have arrived where we are.

Today we want to go back as far as the Canberra spatial plan and ask people to recall that back in 2004 the Canberra spatial plan was the first document that identified Molonglo as a potential development area. I use the word “potential” very carefully because there was at that point no commitment on the part of the National Capital Authority as a result of the national capital plan not envisaging this area being part of the development front for the future of Canberra.

The other thing that I think is worth stressing with the development of the Canberra spatial plan is the significant amount of public consultation that occurred throughout its development. Over the course of something like 18 months, there were over 6,000 submissions made through three or four iterations of the development of that document.

I do not believe it is fair for anyone to suggest that, at the end of that exercise, it is a surprise that Molonglo is being investigated for development. That is not to suggest that everyone supports it. It is just to say that, through that consultation exercise and the ultimate adoption of the Canberra spatial plan, it was made quite clear that the government intended to consider this area for development. As you can see from that slide, it comprised at the time approximately 3,000 hectares of land that was considered urban capable.

As a result of having gone through that process and the government adopting the plan, the next task was to satisfy the National Capital Authority that the metropolitan structure plan within the national capital plan should be changed in order to enable development in this corridor, this valley, to proceed. In order to do that, we committed to a joint exercise with the National Capital Authority which was to investigate the suitability of the land. We determined that it was urban capable, through the spatial plan.

Then it was necessary to determine that it was suitable, and suitable particularly in this sense: did it offend any of the principles of national significance in the national capital plan? In order to do that, it was appropriate that we join with the National Capital Authority rather than undertake two separate exercises. So we jointly funded, project-managed and ultimately shared in the outcomes of that particular piece of work.

Whilst it may be difficult for you to pick this up easily, you can see that there is a significant change in—I will describe them as blobs that are potentially suitable for development on this plan, compared to the pink areas or the pink blobs that were

identified on the other plan. There was a significant reduction in the amount of area that was determined as suitable for development, taking into account one of the filters, the first filter being the principles or matters of national significance under the national capital plan. They automatically reduced or refined the amount of area that could be considered appropriate for development.

In the first instance we proceeded with the next stage of developing the structure planning for this area and then, subsequently, the variation to the territory plan and the amendment to the national capital plan. That slide identifies for you some of the key elements that were taken into consideration as part of that work.

DR FOSKEY: What amount of hectares was deemed suitable by the authority?

Mr Savery: I think you come down to approximately 2,500. We started with 3,100.

MRS DUNNE: There was a blob that essentially disappeared. Why has that essentially disappeared?

Mr Savery: It would have been determined through that work that there was a matter of national significance. It could have been landscape value; it could have been something of environmental value; it could have been of visual value.

Mr Lewis: The Cox report talks about that area being visible, in the long view sense, from the central national area. So the view was—

Mr Savery: Because it is elevated.

Mr Lewis: You could see it in the distance.

MRS DUNNE: Mr Lewis, that bit of land is essentially the green ridges, hills and buffers?

Mr Lewis: Yes, that is right.

MRS DUNNE: It is the ANU block?

Mr Lewis: The ANU land is in there. Most of it is—

MRS DUNNE: Is it a rural lease?

Mr Lewis: Most of it is a rural lease.

MS PORTER: The pink blob directly opposite, on the other side of the river, has gone too, hasn't it?

Mr Savery: This is essentially the central Molonglo blob.

MS PORTER: It has become a different shape?

Mr Savery: Yes. It has been revised.

THE CHAIR: I would ask members to hold their questions until the end. It is going to be quite a long presentation. Some of the questions may be answered during the presentation.

Mr Savery: Through the course of the development of the structure planning exercise, which is the next step we undertook after the suitability study, there was a raft of community consultations undertaken. We had newsletters distributed; information disclosing the key locations; community and government workshops; individual briefings with key interest groups. This is phase 2 of the public consultation, phase 1 having been the spatial plan. Phase 2 was the structure plan.

Of course what we wanted to do at the time that we got to the structure plan was not mislead the community into thinking that we were looking at all those areas that have been identified in the spatial plan. We had actually narrowed it down to the areas that we knew we were capable of considering, having regard to the principles of national significance.

You will have seen versions of this drawing from time to time. It has changed and it continues to change as a result of responding to community contributions and responding to National Capital Authority issues. Fundamentally, the structure plan goes from the strategic overview of where development could be considered into what form and shape it would actually take, where you would locate group centres and local centres, where you would put your major infrastructure corridors, where you would refrain from development for significant environmental reasons. Those issues helped shape the form of the structure plan that was being consulted on at the time.

You should understand that we were also, as is always the case, looking at what sorts of development yields could occur on the land, the provision of affordable housing and community needs. There was an understanding of where schools might be located—not definitively saying where they would be but understanding what their proximity might be to future residential populations and proximity to commercial services and other facilities.

This slide shows the detail of what we would roughly call east Molonglo, as opposed to central Molonglo, understanding the relationship here to the arboretum, to the lake and to Stromlo, which is on the bottom left-hand corner of that diagram.

You then plot that out on a broader scale in terms of the connectivity into established suburbs. That is very important, for instance, inasmuch as we determined at an early stage that we would not be looking to establish a new town centre as part of Molonglo. In fact, one of the key advantages of this location was its proximity to Belconnen, Woden and the city centre town centres. In that respect, Molonglo also responds to the compact city form principle contained within the spatial plan, which is to locate a greater proportion of our population to established centres and, where possible, within 7½ kilometres of the city centre. East Molonglo is within 7½ kilometres of the city centre. Central Molonglo has greater proximity and relevance to Belconnen.

One of the other key issues at this stage is optimising the established infrastructure. Whilst there are other areas in Canberra that could be contemplated for

development—in the spatial plan Kowen is nominated as one of those—you are basically having to do headwork infrastructure from the moment you start turning blocks of land at Kowen; whereas in Molonglo the first suburbs have some services already available to them, which reduces the cost of development of the land and makes better use of the infrastructure that is in that location. In other words, it is operating under capacity in some cases.

As this slide identifies, there were refinements through the process to the river corridor, group centre location and road alignment, so it is an iterative process. As we went through several rounds of consultation, workshopping with government agencies and the National Capital Authority, there were refinements made to this particular diagram or structure plan.

I would like to establish very early in the piece that, whilst this diagram shows the treatment for the river corridor, there has been no commitment to how the river corridor will be treated. That is also the case in terms of the territory plan variation.

Whilst there has been a lot of conjecture and debate about a dam and a lake in this location, that results from some work that was undertaken in conjunction with the structure plan. We did engineering work. We have done hydraulic work, heritage work and environmental work. In fact, we have got a slide that identifies all the various studies that we have done.

One of the early pieces of work for stormwater management identified that a lake was an appropriate option. It did not say it was the only option. In fact, there were several options investigated. But we understood that, if we were to pursue one of those options at some point in the future, because it is not required for the immediate land release and development, it would be the subject of an EIS in its own right. Therefore, it is not the subject of the territory plan variation. The variation does not lock any solution into how we treat the river corridor. There are some other aspects to that which I want to come back and revisit.

At the end of the structure plan process, in order for the government to implement this, it needs a variation to the territory plan and it needs an amendment to the national capital plan. In order to vary the territory plan, it needed a preliminary assessment prepared. Bear in mind that all of this has progressed under the land act, not under the Planning and Development Act.

Draft variation 281 to the territory plan and the preliminary assessment that accompanied it are the matters that are before you. You are all familiar with the document and the diagrams associated with it. You can see again how we moved from the origins of this work into the refined areas that are proposed for future development.

Understand that a preliminary assessment is not of itself an environmental impact statement. It is part of the pathway to determining whether or not further environmental assessment is required at a higher level. There are two higher levels of environmental assessment under the land act; that is, an EIS or a public environment report. The minister determined, on the basis of the information provided in the PA, that, for those areas that were being investigated as part of the PA—not the lake; even though the lake is referenced it was not part of the investigation of the PA—an EIS

and a PER were not warranted. If we do, at some later point, wish to pursue other aspects of the Molonglo development, including stormwater management via a lake, then an EIS will be required but it will be under the Planning and Development Act, not under the land act.

Dr Foskey: Did you say what PER stood for?

Mr Savery: Public environment report. It is a lesser level of environmental assessment. The point is that neither of those have been triggered for the variation process.

A public consultation exercise, which is the more formal public consultation, was established for the draft amendment and the draft variation. As best as possible, we coordinated that work with the National Capital Authority. The consultation period occurred between August and November last year, for 12 weeks. You can see in the slide that there are a number of locations where we invited members of the community to come along to meetings.

I will make the general observation, because I know consultation is topical at the moment, that, despite the best endeavours of ourselves and the community councils whom we engaged and who letterbox-dropped all residents in their locations, it was not uncommon that we would outnumber the number of residents at those workshops or public information evenings. It is very difficult to get people engaged at the formative stages of planning. They tend to come along when something concrete has been determined and they are responding out of concern as to what it might mean for their personal circumstances.

Nevertheless, as a result of the formal public notification, we did elicit 158 written submissions, which is not an unreasonable number of submissions for something as significant as this. There were also a further 73 online surveys received, of which 36 made specific comments on the proposal. Part of the public notification or public consultation was also undertaken online, through a web capacity in the agency.

A number of key issues arose from the community consultation, many of which have been the subject of media commentary and other forms of discussion, sometimes within the Assembly. I am going to go through each of these, so you do not need to capture all of those in your mind now. There is a slide on just about each one of these. By the way, we are more than happy to make a hard copy of this available to you so that you do not have to write all of this down.

We had undertaken a number of studies. That slide shows the amount of study that has been undertaken. It covers a wide variety of aspects of planning. Again, I think one of the difficulties we have is exposing to the community the breadth of investigative work that goes into such a significant exercise.

Whilst the community may have a different view on certain aspects of this, we are bound to take into consideration our expert consultants' work as well as the material that comes in from the community. It is building an understanding of all the material that we have built up over a period of time in order to determine what we ultimately recommend to the government and, obviously, what appears in any variation to the

territory plan. We will discuss some of these key topics, right the way through to the light impact.

In regard to sustainable development and the compact city, I have already made reference to the Canberra spatial plan. I will not expand on that too much. There are a couple of points there that I have not spelt out.

We were initially looking at a population of 73,000 people in the Molonglo area. As a result of the government's decision to put a moratorium over the development or the planning for central Molonglo, if that was never to occur, then we are probably looking at a figure of closer to 50,000 or 55,000 people in the areas that remain. I will come back and discuss that briefly.

I mentioned that Kowen is the next identified area but it is actually outside the 7.5, and much of it is outside the 15-kilometre radius which is considered the most optimal development outcome for Canberra's future.

Sustainable development and climate change: we're obviously cognisant and, in many cases, responsible for a number of key actions under the Weathering the Change climate change strategy and its various action plans. One of the key elements of that is how we use resources. Appropriately, but often something that is underplayed, is the use of land. Land is a resource. The spatial plan, I think, was the first document that said we are not necessarily using land as effectively as we can; we are wasteful in the way that we use land.

I know that it is contentious but, clearly, what that is promoting is a compact city that means denser development in the future. The government's policy is currently to concentrate a large part of that density not only within 7.5 kilometres of the city centre but close to local centres, group centres and town centres and along transport corridors to ensure that we can also support other services that are located in those areas.

The design and plan for our city to be more sustainable means that we are looking at improved subdivision design; improved road orientation; how to improve access for public transport to various suburbs, certainly in the new design of Molonglo; and then individual building blocks, whether it is the local centre, the proximity of schools and the way in which people can easily access those facilities, and then the individual building blocks themselves. Whilst the variation does not deal with every aspect of that, because some of it is subject to other policy within the territory plan where it is subject to what is in the Building Code of Australia, the building blocks will be determined by the structure planning processes that we have undertaken as part of the development in Molonglo. In other words, if you do not get that right it is harder to get the next stages right.

We have been looking to build our capacity to adapt and manage the changes to climate change that we will face; so it is not just a case of building suburbs and buildings that mitigate greenhouse gas emissions but also suburbs and buildings that can better respond to future changes in our climate and improve our understanding of climate change. I have said in other forums before that it is a moving feast for us; the science is constantly changing and we are constantly having to update our

understanding of how planning the built form can both mitigate greenhouse gas emissions as well as respond to the impacts of climate change.

Affordable housing is a key component of the work that the government has instilled in us in Molonglo. So you would understand that much of the planning has been to identify where we can promote housing choice and the proximity of smaller-lot housing and multiunit development close to established services which are, typically, development types that can provide affordable housing. But that is not to say that detached housing cannot be provided. Compact-block housing is one form that the government has put in place. That has been built into the design of the suburbs.

We have done two draft concept plans, some of which is illustrated on this drawing. Typically, concept planning flows after the variation process has been completed. The precinct codes will again elaborate on the fact that the government has an expectation that the developer of these suburbs will be required to provide a certain proportion of affordable housing.

Bushfire risk, understandably, is something that needs to be considered very seriously. This development on the western flank of Canberra will be the predominant source of any bushfire risk to the ACT, as was evident from the 2001 and 2003 bushfires. Molonglo from the outset and the work in the spatial plan identified that development in this area assists in reducing the bushfire threat, in part because of the treatment of the urban edge—of course the removal of the forestry practices close to the urban area is part of that process—but also because of the way in which we can set up infrastructure for fire-fighting closer to the urban edge than is currently the case. The fact is that this area is essentially a funnel between Woden, Weston Creek and Belconnen, and development in this area again provides us with additional resources from a fire-fighting capability point of view.

This is not to suggest that a decision has been made, but one of the reasons, again, why a large water body was considered a favourable option in this location was the ability to assist in bushfire management and any bushfire risk. Understand that not only does it provide a water body from which you can draw water for bushfire-fighting purposes but, without some form of water containment in this area—and it could be a series of ponds, a large pond or a large lake; this is a very incised valley, this river corridor, going right through the middle of a new suburb—it is very difficult to manage the bushfire risk in terms of debris and build-up of material over time.

If a fire were to come through and you had a large wind behind it—and of course the bushfire generates its own wind—then that incision in the form of the river corridor does present a potential risk. That issue is part of the bushfire assessment that has been undertaken. So it is not to say that you have to have a lake; it can be dealt with in other ways. It is one of the reasons, again, why that was seen as a favourable option.

Ecological implications are far and away the ones that have attracted the most interest, and understandably so. There are key habitats throughout this area. That is one of the reasons why, even in the work we did with the National Capital Authority on suitability, some of the areas were initially eliminated. We went through some more detailed work. I outlined some of those detailed studies.

We are in an area where we are looking at habitat types—woodland, grassland, riparian and aquatic zones. Most of those are covered by ACT government action plans and policies. We engaged with the custodians of those policies within TAMS to help write the briefs and help in the oversight of the reports that came through on that work. There are impacts upon most of those habitat types, inevitably, as a result of development. Again, that led to the refinement of some of the development areas so that we limited development in areas that quite clearly would not be able to withstand some of the development pressures that would occur. That has been addressed through the preliminary assessment.

The proposal retains important areas of environmental and landscape significance. Again, it is obviously part of the committee's terms of reference to look at the extent to which those have been accommodated and whether or not they are appropriate. Our work has taken us to this point: we think there is a reasonable balance between those environmentally significant issues and the desire and the need for government to continue to provide development opportunities, in particular development opportunities to the south and to the west of the city. Otherwise, we only have Gungahlin to the north of the city.

The development does provide the impetus for further improvements to the Molonglo River corridor. It is our view that the development provides the opportunity to repair damaged habitat. In some cases, we believe that we will be able to create new habitat connections as a result of this, in particular the river corridor.

With the exception of the little eagle, the raptor assemblage in the Molonglo Valley is among the most widespread and abundant in the ACT region. This is not just me giving you a spiel; this is derived from the work that has been undertaken, the consultancies that have been undertaken and what is in the PA. We have simply drawn this from the documentation. I would invite you to examine that material more closely, if this is something that is of critical interest to you.

We understand that the little eagle is listed as a threatened species in the ACT. Our view, and the view in the work that was undertaken for us, is that one breeding pair would be impacted by the development.

Habitat requirements of the brown treecreeper are included in the ongoing Kama investigation. Despite the fact that the government has determined that there will be a moratorium on the consideration of development in central Molonglo, we are already undertaking further investigations on the treecreeper habitat associated with Kama.

The most significant community of raptors in the Molonglo Valley occurs well downstream of the development, in the gorge to the left on this particular slide.

I should have mentioned at the start that I will come back and talk about the evidence that was given by the National Capital Authority because there are some things there that I think need to be clarified, one of which is the EPBC strategic assessment. From the outset of the Molonglo structure planning exercise, we have been in consultation with the commonwealth government. Obviously, it was before the federal election. It is now DEWHA that we have been dealing with. We identified an opportunity to do

a strategic assessment of this area.

Whilst that work has not been undertaken yet, we are well down the path of entering into an agreement with the department in order to undertake that work. That will essentially remove the need for us to undertake individual bodies of strategic environmental work for the purposes of the EPBC act as we progress through Molonglo and do a broad, overarching strategic assessment which, if we get sign-off to it, means we have essentially satisfied the needs of EPBC in that area—anything that is relating to an environmental impact statement down the track, whether it is a lake, whether it is central Molonglo or something else. Because we are about to enter into a bilateral agreement with the commonwealth, we would be covered under our own EIS processes because there is mutual recognition under that exercise.

The strategic assessment plan, importantly, does not affect the immediate releases of land in North Weston and is not a prerequisite to the approval of the variation or the approval of the draft amendment because it is essentially associated with the development process—the approval of development applications for concept plans and those sorts of things.

On road alignments, road infrastructure is critical to, obviously, being able to service this area as well as connecting it back to Belconnen, Woden and, ultimately, into the city centre. These are the main arterial roads that have been identified, connecting Belconnen through to Woden, with another arterial road connecting, approximately mid-point through the new suburb of east Molonglo to the Tuggeranong Parkway. This road, obviously, also channels vehicles onto Tuggeranong Parkway and along William Hovell Drive onto Tuggeranong Parkway at Glenloch interchange. There are a number of opportunities for people to go to work opportunities in three key locations within Canberra.

This area is also designed for light rail. The next slide talks about public transport. The road reserve has been designed specifically to take light rail that could operate at some future point between Belconnen, Woden and, ultimately, Tuggeranong.

Neighbourhood transport planning, at the more detailed level, tends to respond to the more contemporary transport planning practices, making it extremely legible and flexible so that people are not all channelled onto one road. There are a number of opportunities as they move towards local centres or away from local centres, in more of a grid pattern of transport and with a clear road hierarchy being in place. There is also significant work involved, as shown in these later slides, that will illustrate how these corridors provide off-road access for bicycles, pedestrians and horses to move freely between Stromlo and the arboretum as well as within the new suburb.

In regard to public transport, I mentioned the main corridor through the suburb. We are also looking at express routes through the suburb and, importantly, we are wanting to establish these as early as possible. Obviously, at the initial development fronts, you are not going to build all this infrastructure when the first land releases are in that area. We are keen to ensure public transport is a feature of development from the outset of Molonglo's future expansion.

We have got the inter-town route for public transport. That is the one I mentioned

before. What that really does is set up the prospect of, in addition to connecting Belconnen to Woden and on to Tuggeranong or Molonglo to the city centre, creating a public transport loop to all those major destinations.

In regard to urban space provision, it is worth highlighting the amount of public open space that will be in this area. Understandably, the community sees all of Molonglo as open space. That is not the case. A large part of this area, until the bushfires, was obviously set aside for forestry practice. Since the bushfire, a large part of the land is degraded and is not being maintained in any significant way and certainly is not being maintained as a recreational facility.

We obviously understand what is happening with Stromlo. We understand what is happening with the arboretum. This land is largely established. What this proposes is improved connectivity between Belconnen, with its relationship to this base, and this part of east Molonglo in the future. Kama woodlands and its connectivity, as well as across to the south side of the river corridor, another connection.

Whilst these may appear narrow on this plan, these corridors are all at least 80 metres, if not wider, across. We are talking something much wider than Northbourne Avenue. Certainly it is as wide as Northbourne. It is about 60. We are talking about something that has got another 20 metres width in these corridors which connect these key established areas with new recreational opportunities along the river corridor and with the Kama woodlands. These trails can provide both passive and active recreational opportunities for horse riders, cyclists and pedestrians.

There are some figures cited on this slide. Eight hundred hectares of open space is planned in the immediate north-western east Molonglo surrounds, which equates to one hectare of open space to every two hectares of urban area. That does not include things like pocket parks that will emerge through detailed design of the estates that will be provided by developers. An additional 600 hectares exist to the north of William Hovell Drive. There is an additional 1,000 hectares of open space in Stromlo, which of course is subject to its own restoration and development, including the bicycle facilities. Then there are the 250 hectares planned as part of the arboretum. In total, there are over 2,500 hectares of open space within a three-kilometre radius, for use by Molonglo residents for a raft of purposes.

The Stromlo Forest Park is shown on this diagram. It has been updated somewhat from what is shown on this diagram. What it tries to illustrate is a seamless integration of the work around Stromlo with the western flank of this emerging suburb. There is a commercial hub that has been identified that could also provide recreational facilities and commercial facilities linked to the whole development of recreation in the ACT as a tourism facility as well as, obviously, promoting health benefits for the community of the ACT. All the road design has purposely taken into consideration pedestrian movement between Stromlo back into the suburbs and, again, out towards the arboretum.

One of the things we have specifically taken into account is equestrian trails. I know it is hard to read from the slide, but there are equestrian trails where you do not have to get off your horse or get off your bike to cross the road. There are underpasses. The underpasses will be designed sufficiently that you do not have to duck your head.

There will be head space. These corridors that I was talking about before are sufficiently wide that a cyclist, a horse or a pedestrian can pass without having to give way to each other and there are still large areas of grass and trees in all of those corridors.

Water sensitive urban design will be a key feature of this development. The whole suburb must demonstrate that it can reduce mains water use by 40 per cent, in accordance with the government's water sensitive urban design code. As well, individual buildings will be required to do that. Stormwater management is looking at pollution targets. One of the key aspects of Molonglo of course is that there are parts of North Weston and Woden where stormwater currently is not treated or there is no management of the stormwater. There are no gross pollutant traps. The work for Molonglo provides the opportunity for us to improve the quality of water entering the lower Molonglo.

There are proposals to undertake waste water reuse. One of the projects that Ms Lavis and I are involved in is the national water initiative, in looking at harvesting stormwater in the ACT. Molonglo is potentially a candidate for where we may use some of that harvested stormwater.

This starts to relate back to the earlier commentary I gave on the water body. The three slides here show the three key options. There are any number of variations of this. This is a dam with a lake; this is a dam with a smaller lake and other associated water bodies as you move back up the corridor. This is a series of ponds within the river corridor.

The evaluation of the stormwater that we have undertaken to date determined that that would be the preferable option. I will not labour this point because it is actually not subject to the variation. It is just that I know you have received a lot of evidence on it and that a lot of the submissions talk about the lake. This is just to explain why there has been a discussion around it. With respect to why it was talked about, we get accused of not telling people what we are up to. Well, we are telling people what we are thinking, but we are not saying this is what has been committed to. If we did not tell people this, they would probably accuse us down the track and say, "Well, why didn't you tell us that was what you were thinking?" So that is the coverage of that issue.

We also undertook a Mount Stromlo light impact analysis. The National Capital Authority was heavily involved in this because there are potential risks to the Mount Stromlo Observatory as a result of light spill from the new suburbs that have been designed. The light impact study did result in some refinements to the design of the suburbs or the areas that we have identified in the territory plan in order to reduce light spill. It also identified for us standards that we might use in the application of light practices in the future, as well as the strategic location of tree plantations.

We are now appearing before you with the variation, and it is important for us to quickly bring you up to speed on some matters that have been asked of us by the government. So you have been presented with a variation by us. Since that time, the government has publicly announced that it has placed a moratorium on central Molonglo. For the ACT government, that means we will not move towards further

elaboration of that area for development in the foreseeable future, within 20 years. In fact, during that 20-year period we would undertake a significant amount of further environmental investigation and come back to a future government to determine whether or not that area should be developed. In other words, are the environmental issues so significant that it is inappropriate to develop? It may come back and propose that this area should be added to the Kama woodlands, and that other pockets of yellow box woodland and grasslands should also be removed. But it might say that the area closest to Belconnen is actually still appropriate for development. I think you will find that, in 15 or 20 years, whenever that planning process kicks off, this shape would not remain and it will be a question of whether it remains at all in the future.

With respect to the western Molonglo area that was also identified and has been earmarked for broadacre, there is no intention that this area be developed for residential purposes. In fact, as part of that broadacre development, those areas of significant yellow box woodland would most likely also be identified as not for development. So anything that is left of that area that is not set aside for additional conservation purposes would be broadacre.

THE CHAIR: Just to clear that up, that was west—

Mr Lewis: West Molonglo.

Mr Savery: It has got no title; we just call it west Molonglo. It is the third of the three areas identified after the suitability study: west Molonglo, central Molonglo and east Molonglo. Of course, east Molonglo is now starting to be divided into a series of suburbs. We have started to name the suburbs within east Molonglo.

Mr Lewis: West Molonglo has no residential; it is for broadacre land use purposes.

MRS DUNNE: It currently says it is for a future urban area?

Mr Lewis: Future urban area, but the underlying land use policy intention is for broadacre land use policy, which does not include broad-scale use for residential purposes. You could still have a manager's residence there, if you have got a farm, a vineyard or horse stables and you need to have a land manager there. You can still have a caretaker, as long as it is ancillary to the principal use of the land.

Mr Savery: For the purposes of the first three areas of land release, we have already commenced the process of concept planning. The government is very keen to ensure that it can meet its land release program for early 2009 in this area. North Weston, Coombs and Wright are the first three areas. The concept planning that is reflected on this diagram—and I will put up a couple of slides for you—probably goes a bit further than we would normally do at this stage of the process, but it was in order to better communicate with the community what the intentions were.

As a result of the public notification of the territory plan variation, the community came back and raised a number of questions. Some of them were to this effect: "We're not sure what you're proposing; it's not clear to us." That caused us to drill down into a level of detail that we would not normally do.

Again, it is not the purpose of the draft variation to approve those specific concept plans, but in approving the variation it is the precursor for concept plans to be prepared. What the government, in addition to the moratorium on central Molonglo, has asked us to do is to communicate to the planning and environment committee those changes that it supports, as a result of that additional level of consultation that has occurred.

Broadly speaking, the concept plans deal with those sorts of issues identified there—higher density, relationship with Stromlo Forest Park and street design. These are some of the more detailed issues that have been raised. That is the additional consultation that has been undertaken. As a result of the release of the variation and the commentary that the government got back, it requested that we then do much more detailed consultation with the Weston Creek Community Council and the Baha'i and Sikh communities. The minister has met with those groups and has been out on site. As recently as 24 June, the Chief Minister also met with those groups on site.

Mr Lewis: 24 July.

Mr Savery: 24 July, last week. Also, we met with the Equestrian Association, who have presented to you. We have provided a significant response to the issues they have raised, through some of the more detailed planning that has been undertaken. Broadly speaking, this is the more detailed analysis that we have undertaken for the area of North Weston, Coombs and Wright. We have divided it into those three boxes and there are overlap issues. With respect to the issues that have been raised by the community, there is a different emphasis depending on which of those three areas we are dealing with.

What I am presenting to you here is something that the minister—and the minister may wish to comment on this—has agreed to and has asked us to present to you. So the major pond, which is shown here, is currently being planned and designed. We have a budget for this. This relates not only to creating a major recreation opportunity but also to stormwater management in the area. It creates an aesthetic opportunity for that area. It is also part of the process of dealing with odours coming from sewerage. So there will be odour treatment for the sewerage stacks that exist along this corridor.

There will be landscaping along Cotter Road to enhance its status as a gateway into the suburb. There will be a relocated Kirkpatrick Street and Cotter Road intersection. This has been a major discussion point with the community in terms of its treatment. We believe that what has been proposed there has now satisfied the majority of concerns—it is impossible to say you have satisfied every one—in that area.

The caretaker's cottage is the subject of considerable contention. It has the potential to be included in the parkland for public use, tearooms, a community centre—those sorts of things. They are being actively investigated now. We have commenced or are about to commission the heritage assessment of that site for its listing on the ACT Heritage Register. I mentioned the Actew odour issues that are to be addressed as well.

MRS DUNNE: So there are breather pipes there; what will happen with them?

Mr Lewis: There is a sort of heritage stack that has been capped off. Actew have now

put measures in place to scrub the odours that are in that area. They are looking at alternatives for the major venting to happen through other piping further to the south or further to the north of this North Weston area. In terms of the odour impact in the North Weston area, ActewAGL have taken on board the odour issues and have either capped or put scrubbers, which are mechanical and chemical scrubbers, on top of venting to reduce the odours to normal residential type standards, in anticipation that it will be a residential area. It is similar to what they have done in other parts of the ACT residential area.

Mr Savery: This is the next slide down in terms of those boxes: south of Cotter Road, new access. I should make the point that these plans have changed significantly over the last two, three or four weeks as a result of the ongoing dialogue that we have had and the minister has had. We have removed residential hard up against the Sikh community in this area. Likewise, we have removed other areas of residential adjacent to the Baha'i. It is proposed that this area will be set aside as public open space. Currently, in the national capital plan and the territory plan, this is all broadacre land.

It is one of those things; the community sees open space and therefore thinks it is open space. In the territory plan and the national capital plan, it is broadacre. There is a range of uses that the government could put on that land now. But what the minister has discussed with the local community is to remove this land altogether from being broadacre, residential or anything else and commit it to open space.

We have also widened the buffer between Orana school. This has almost doubled in width, from that little residential enclave here. There are improvements to Streeton Drive and its connection into Cotter Road in terms of intersection treatments. So there are wide road verges; there is significant landscape treatment proposed in this area.

Mr Lewis: I will just clarify that this diagram here is the latest version of where we have got to in the planning outcomes for North Weston and suburbs 1 and 2. This one is probably about a week old, and the reason it is a week old is because we recently got advice from the National Capital Authority about their views in relation to the North Weston area. So this plan here needs to be updated, which we will provide in our final copies. That area and this area here are now removed.

So the area to the east, the Baha'i area here, is now broadacre land use—hills, ridges and buffer in the national capital plan. That area through there is hills, ridges and buffer as well, in the national capital plan. So that area is now all open space for the purposes of that area of North Weston. I just wanted it to be clear that everything else that Mr Savery said is correct, but that plan just needs to be updated to reflect the latest outcomes.

MRS DUNNE: What number of dwellings is now proposed for North Weston?

Mr Lewis: For North Weston, which is north of Cotter Road and south of Cotter Road, the original broad plan was for about 800 dwellings. That included land that currently has leases on it, like the current AFP site, and it included the potential redevelopment of the CIT and the land around the defence services college—

Mr Savery: This land around here.

Mr Lewis: Yes, a whole lot of land, all the way through here. In terms of unleased territory land that the government has available to it, it is probably half of that. We are looking at 290, maybe 350—something in that order.

MRS DUNNE: Could you take on notice an assessment of what was proposed at the time that we received draft variation 281 and what the quantum of housing is?

Mr Savery: What the yield could have been and what it potentially is now?

MRS DUNNE: Yes.

Mr Lewis: Including central?

MRS DUNNE: No, just in this area here.

Mr Lewis: It is 18 hectares less than what was in the original 281. In broad terms, you would get about 15 dwellings a hectare. So it is 18 times 15—

MRS DUNNE: That is standard residential?

Mr Lewis: It gives you a range.

Mr Savery: That is if you average it out. We are proposing some medium density development in some of these locations. In some cases it will be between two and four storeys; in others it will be four to six.

Mr Lewis: So that 15 dwellings a hectare gives you from smaller to larger.

Mr Savery: We will come back with the more detailed information. I will need to move through this fairly quickly. There are a few slides to go. This is the southern end of that series of boxes. This highlights, for instance, medium density development—

MRS DUNNE: So all of that is only up to Unwin Place?

Mr Savery: Yes, we are moving south. The Streeton Drive, Unwin Place and Dixon Drive intersection: again, this has been the subject of considerable conversation about its treatment. This is detail which really is not the purpose of the variation. You do not get into how you would design an intersection in a variation. But it is understandable that people want to know what the outcome of development is in this area. This also is on that land that I identified before as broadacre. So this is a continuation of that development, not too far from the Tuggeranong Parkway. There are the remnants of the CIT arboretum, which the government had previously committed to retaining. It will actually be enhanced and public access maintained as a result of the consultation that has occurred with the various groups.

To put that into some broader perspective, as Mr Lewis indicated before, those three slides have taken you roughly down through this area here, which is the area about which most of the conversation has taken place. There has been conversation about the broader treatment of this area. It is fair to say there are some people who just do

not want that developed at all. That is not what the government is proposing. The government feels that it is appropriate and necessary to develop this area. We have gone through all of that preliminary work and identified that it is both capable of and suitable for development.

THE CHAIR: For the transcript, you are indicating—

Mr Savery: Coombs and Wright are the next two suburbs. So this is North Weston. Coombs and Wright are the areas that the government will move to next.

DR FOSKEY: Is that the former Deeks forest?

Mr Lewis: Deeks forest wasn't a forest; it was "Deeks Drive". It was more of a running track or trail through the forest.

MRS DUNNE: Where the pine forest was.

Mr Savery: Where the pine plantation was, yes.

Mr Lewis: It has moved a couple of times. "Deeks Drive" started here and had a toilet facility and a dirt parking area. It was the start of a series of running trails throughout the forest. The trails were forest management trails for access for logging. It then moved from that location—the toilet facilities and car park are over here. Once again, it is a starting point for runners and other activities. With respect to the broad-scale recreation activities which Mr de Castella has been involved with, I note his mention on the website regarding Stromlo Forest Park—improving the facilities for runners in the Stromlo Forest Park facility, along with the other activities such as cycling, cross-country, BMX, mountain biking and equestrian activities in Stromlo Forest Park.

DR FOSKEY: So it is a shared local centre between the two suburbs; is that the intention? There are two major roads going through?

Mr Savery: Yes, that is the local centre there.

DR FOSKEY: Does it have two major roads going through it?

Mr Savery: There is a major connection through here. This is the main—

MRS DUNNE: That is arterial—

Mr Savery: That is the main north-south arterial.

Mr Lewis: In terms of off-road activities, there are three key activities. Equestrian is all off-road, so you can ride a horse under roads to get to the river corridor here and through to the international arboretum. You can ride a horse off-road here. You can ride a horse off-road along there, and then through to the river corridor. So there are three major open space corridors.

Mr Savery: And you have got the fourth one, the pond.

Mr Lewis: You may have to get off your horse for that one but you can still get underneath it with a horse, through to the river corridor.

MRS DUNNE: How high will these underpasses be?

Mr Lewis: With respect to the ones that are designed specifically for equestrian, a lot of government investment has gone into the infrastructure, the feasibility, forward design and ultimately in the capital works—

MRS DUNNE: How high will they be?

Mr Lewis: They will be 3½ metres. That is the Australian standard. There has been discussion with the Equestrian Association with regard to the design.

MRS DUNNE: How many of them are there?

Mr Savery: There are three where you do not have to bend over. You can sit on a horse and ride through, and there is another one that you have to get off and walk through.

Mr Lewis: Just to finish off with regarded to “Deeks Drive”, there is a large range of wide open space connections through the urban areas, connecting Stromlo Forest Park through to the river corridor and through to the arboretum, which convey a range of off-road recreational activities, including bikes, equestrian and runners.

Mr Savery: This is a level of detail well in advance of anything that is required for a territory plan variation. Again, it is to respond to concerns from the community as to how this would operate as a suburb. This is a cross-section of the road, which shows the width of the road with the significant buffers that will be established between the road, in this case Cotter Road, and the nearest residence. They are quite substantial setbacks—in this case, the design of the bicentennial trail. So that is a very significant width—400 metres in dimension there.

Before I go to questions, I think it is appropriate that I deal with the evidence you were given from the National Capital Authority, which also is relevant to some of that material that has been presented. Under the federal legislation, the National Capital Authority has to consult with the ACT government through the planning agency and ensure that there is no objection to the draft amendment. On the surface, given that we have been working collaboratively together on this exercise for close to four years, you would expect that there would be no objection at the end of it. However, after the draft amendment had been put out, which was essentially entirely consistent with the territory plan variation, the National Capital Authority came back to us with some proposed changes. As a result of that, I communicated to the National Capital Authority that I did not necessarily support all of the changes they were making. The two most significant of those were their position in relation to central Molonglo and their position in relation to the shaded area here on North Weston.

I will deal with central Molonglo first because it is the simplest. The proposal from the National Capital Authority was to remove all reference to central Molonglo as an area which may be the subject of further investigation. This was the original draft

amendment put on exhibition, showing the same as what we showed in the draft variation.

Mr Lewis: That was the draft amendment that was exhibited to the public late last year. We were in absolute agreement with the National Capital Authority with regard to central Molonglo and the area in North Weston.

Mr Savery: The plan that they came back to us with for our final endorsement, as you can see, showed central Molonglo's removal. As far as I was concerned, that was not consistent with the ACT government's intentions. A few days earlier a moratorium had been announced. I indicated back to my colleague at the National Capital Authority that my preference was that central Molonglo be retained or shown in some way on the national capital plan as an area that would be the subject of future investigation.

My basis for doing that not only was to reflect the ACT government's position but also to ensure that the community was left under no illusion in the future about the fact that a future administration may still come back and investigate that area. In other words, it is like the signs that the government put up recently that said, "This is a future development site." It is a matter of alerting people. We have got this problem where the Weston Creek community think that land that is currently broadacre is open space. That is because no-one has told them; there is no sign there to tell them that this is actually broadacre. We want to alert people to the fact that this area is potentially the subject of future investigation.

The National Capital Authority declined that and has continued to decline it. It has potentially been an obstacle to our supporting the national capital plan amendment. I can say to you, however, that last week I wrote to the National Capital Authority and advised them that in respect of that matter I had no objection; that I would support its removal as shown on this diagram, but I put them on notice that it would still be my recommendation to the government—and, in fact, I am putting it to this committee—that this area will, on the territory plan, have some form of shading or lines across it that denote it as an area of investigation.-

In my view, that does not make it inconsistent with the national capital plan because the underlying zoning of hills, ridges and buffers is still there. We are adding an additional piece of information in the territory plan to let people know that the government has not ruled out the potential for this area to be developed in the future. That is one aspect of this.

The other aspect is North Weston. In this area here, the vast majority of which is currently broadacre, in both the national capital plan and the territory plan, the National Capital Authority proposed to remove it in the draft amendment. Again, it is different from what was exhibited. What was exhibited was consistent with the territory plan. This came back to us with all of the area down this corridor removed for urban development. Again, I advised my colleague at the National Capital Authority that I did not support that.

The difficulty for the ACT Planning and Land Authority was that that position potentially puts in jeopardy the territory plan variation because, if I hold a position

that objects to the draft amendment, it puts it through a series of additional processes that might extend the length of time for this process to be concluded and impact on the government's desire for the land to be released. So there has been a significant amount of negotiation between the two agencies since the first letter.

We have arrived at a position where, again last week, I was able to communicate in the same letter to the chief executive of the National Capital Authority that I would not oppose the changes here, on the basis that they have made some further modifications, essentially in this area. They retained some of the residential in this area.

Mr Lewis: It is in the southern extension. It is this area that they have agreed should remain as urban areas. It is the southern tail. To go back, you will see that what was proposed in May or June of this year goes all the way down to Heysen Street and that area. The current version of the plan—

Mr Savery: That is the shaded area.

Mr Lewis: That is the original one that was advertised in November. It is all urban areas there. They have removed all the 27 hectares that was in central. The latest proposition is that central also remains removed but these urban areas are now back in. It was broadacre, then it was urban areas in the draft amendment, then it was removed altogether, now it is back to urban areas.

Mr Savery: Just for your information, when it was proposed to remove all of this, that represented something like 400 dwellings in an area that is already easily serviced, is already zoned urban and, quite clearly, we have done a significant amount of planning for. There was no advice to us that this was going to change. That is the background to why there has been some conversation between the NCA and ourselves. I have not yet heard back from the National Capital Authority in response to my letter of last week as to whether or not they intend to proceed, on the basis that I supported the changes.

The other thing that I wanted to put on the record was some comments about the evidence presented by Mr Todd Rohl last week in regard to a report by a company called nghenvironmental. My concern is twofold. One is that that report is portrayed as having been undertaken jointly by us and the National Capital Authority. The second is that that report is a credible report.

I will advise you that, firstly, we did not participate in the conduct of that report. We were approached when the NCA decided that it would like to undertake some additional environmental assessment. We agreed to participate, including funding the project 50-50. After that point, we had no involvement. The consultants did not consult with us. We had limited access to the brief. We had limited access to the report until it was essentially committed and finalised. We have not funded that report.

I understand that Mr Rohl indicated to you in his evidence that he would seek my support for the release of that document. I have indicated to him since that he does not need my support; it is not a document that I have any ownership of. If he determines that he wants to release it, that is a matter for the National Capital Authority, not the

ACT Planning and Land Authority.

The other element of this, in terms of its content, is that we have serious reservations about the way that the report was pulled together and its final recommendations. The ACT Planning and Land Authority is subject to an enormous amount of scrutiny about the competency and quality of the work that it undertakes, and we often have reports presented that are not subject to the same level of scrutiny that our work is and that are presented as high-calibre pieces of work that we should all have absolute faith in.

I have serious concerns, which I conveyed to my colleague at the National Capital Authority, about this particular report. I urged them not to rely on it for the purposes of making any decisions on the draft amendment. However, it has been finalised and I understand it was used to quite a significant extent in the consideration of the draft amendment. But we have highlighted the areas of concern that we have with this particular report.

Between us seeing the draft and the final report, some issues that we raised were addressed, but I will just give you a flavour of some of our concerns, and I expressed this in quite strong terms.

MRS DUNNE: Before you go further—Mr Chairman, I am concerned that we are getting to the stage of ACTPLA running a critique of the NCA's report, which we have not seen. Rather than running the risk of it becoming a critique of the consultants who compiled it, can I ask Mr Savery, through you, chair, to bear in mind that we do not run the risk of defaming an organisation that does not have the capacity to have recourse. We have been down this path before.

Mr Savery: I am very cognisant of that. I do not want to and it is certainly not my intention to defame the consultants. I am concerned about the methodology and the recommendations and how they were arrived at. One of my concerns is—and I fully anticipated the report to be released to you because you have requested it; I have not opposed it; I have said it is not mine to oppose—that you will have that, and this is my only opportunity, unless you are going to subsequently ask me to respond, to put in evidence my concerns about that particular report.

MRS DUNNE: I understand the point. I am just asking you to be careful about how you phrase that, because we then get into the issue of whether someone has a right of reply.

Mr Savery: Can I suggest to you that, as an alternative to my reading this out, I am more than happy to submit my letter because it highlighted to the National Capital Authority my concerns with the report.

THE CHAIR: That would be appropriate.

MRS DUNNE: Yes, that would be appropriate.

Mr Savery: I will also draw to your attention those parts of my initial concerns that have in fact been addressed between the draft report and the final report. Unless I have missed anything—no?

MRS DUNNE: How do we come up with the suburb names?

Mr Barr: The Place Names Committee recommended them to me, as minister, and I approved them.

MRS DUNNE: Did you get a short list?

Mr Savery: They had a short list. There were a number of names presented to them and then they put forward a final recommendation to the minister. I could be wrong here, but I actually think there was some consultation on the names. I think there was a call for nominations of names, but I could be wrong.

MRS DUNNE: Have we got as far as themes for street names?

Mr Savery: No.

Mr Barr: That is with the Place Names Committee.

DR FOSKEY: Are all the studies that you indicated on one of the slides available publicly, or will they be?

Mr Savery: I will ask Mr Lewis to answer that because I think there are a couple that feed into—

Mr Lewis: There are—

Mr Savery: I think they are all background reports.

MRS DUNNE: They are all referenced in the—

Mr Lewis: The only information that we tend to withhold is the information related to particular sites like some of the raptor sites, the nesting sites. We do GPS-ing in our consultants' reports. We tend to withhold that information so that the general public cannot go and have a look.

Mr Savery: Aboriginal heritage sites.

Mr Lewis: We identify archaeological heritage and GPS information in some of the environmental reports. We withhold that, but generally we release the information.

THE CHAIR: We have got quite a few.

MRS DUNNE: All of those are referenced in the—

Mr Lewis: The preliminary assessment has an index at the back which is available to the public. Some of those reports are ongoing; they are still underway. They will not be released until they are available.

THE CHAIR: The committee has made requests for certain documents and studies.

We have got quite a few; we are waiting for a few more.

Mr Lewis: All the information that you have requested has been made available. The expectation is that that will be available to the public. We have noted, on the ones that related to heritage, that, if you do want to release the GPS locations, you go to the heritage unit and get their support for that.

DR FOSKEY: I notice that you have changed the urban street design from other suburbs, and that is of interest to me. It is more of a modified grid, I suppose. I am interested in the long blocks, which I saw in the north-western area. Are you going to have footpaths, cycle paths, through them, to shorten the trips around the corners? I note that a lot of them aren't, perhaps for topographical reasons, really conducive to solar orientation.

Mr Savery: Topography will always play a part in how we design but one of the things about the street layout here, apart from connectivity, is to maximise the opportunity for solar orientation of blocks. Mr Lewis has been more involved in the detailed design; he may want to respond.

With the bicycle paths, there are a series of off-road dedicated bicycle paths. One of the things you will find with a road design such as this is that, by interrupting traffic more frequently through regular intersections, as opposed to the long, circuitous roads that you find in some suburbs such as Palmerston and Nicholls, vehicle speeds are reduced in those circumstances because they are stopping and giving way, which enhances cycle movement. You would not typically find a dedicated bicycle path on a local road.

DR FOSKEY: I am not thinking just of the cyclist; I am also thinking of the elderly person.

Mr Barr: I think Dr Foskey is talking about being able to have pedestrian access through the middle of each of those, which is a level of detail beyond what you have.

DR FOSKEY: Like we have in some of the older suburbs where they have laneways through and people with their little walkers—because they are going to have walkers in 50 years time—

Mr Savery: I understand that.

Mr Barr: That is a level of planning detail beyond your concept plan.

Mr Lewis: Absolutely. What you see here is the level of detail, particularly in this area south of Cotter Road. If you like, there are a lot of constraints; there are the Sikhs, the Baha'i, the Orana school. There have been a lot of negotiations about outcomes in that area. What we have shown, in essence, is that, for the land that is left over from those negotiations, following the variation process and subject to it being supported, the next level of detail would be estate development planning for those areas. They would look at maximising the benefit as far as solar orientation is concerned.

In terms of getting mid-block access for cycle paths, generally it works at a maximum

of about every 100 metres but preferably about every 70 metres it has a break in the section. What that means is that, mid block, you would have a footpath that would break up those sections to allow permeability of the estate.

In this area there would be a lot of access for pedestrians and underpasses for cycling. There would be trunk cycle paths and pedestrian paths on that side, on this side of the pond and also along the river corridor. There would be pedestrian access across here. In terms of a lot of the trunk access, footpaths and cycle paths, there is a lot of north-south access through. Internally in this estate the next layer of planning will look at the local planning network as far as pedestrians are concerned.

THE CHAIR: I have a question on open space. You indicated that there are some 3,000 hectares of open space being provided. How does that compare with previous suburbs in the ACT?

Mr Lewis: We have a map here which gives a fair indication in terms of open space. There is Molonglo, and in this area here there is about one hectare of open space for every two hectares of urban. That does not include the open space that you get within the estate. So it is very generous in terms of its internal open space provision. It has the benefit of a river corridor running through the middle of it. And that does not include, right on its doorstep and abutting it, the international arboretum and all the open space which will be publicly accessible to that community in a walking sense. On the other side you have Stromlo Forest Park and all the first-class recreational facilities that are available there.

In addition, there is the buffer that was established by this government post the 2003 bushfires. That was originally identified in North Duffy and Holder for urban purposes. It has now been set aside for open space purposes, as a buffer between the Molonglo and Weston Creek area. In addition, there is the retention of the hills, ridges and buffer with Belconnen. Kama is here; and then you have the rural lands here. So in terms of it being surrounded, it is surrounded by a lot of open space. On a per capita basis, it would probably be one of the best served in terms of open space and ranges of open space of any population in the ACT.

DR FOSKEY: Neil, you talked about integrated transport from the beginning, and maybe with light rail. Does that mean we are going to have dedicated bus lanes on those arterial roads so that we can have it from the beginning?

Mr Savery: The cross-section that we have prepared has a dedicated lane that could take buses or light rail. In the early stages of developing this suburb, it is unlikely that the government is going to build that piece of infrastructure. It is more likely that buses would operate on the road. But as the suburb reaches a critical point, the road within the reserve would be expanded so that those vehicles would be able to compete effectively with cars. The purpose of my statement was to say that public transport has to be here at the very outset. We have designed the infrastructure in such a way that, as the suburb matures, we can continue to ensure that public transport enjoys a competitive advantage over alternative forms of transport. In addition, as we have mentioned, bicycles will be well catered for along the main transport corridors.

Mr Lewis: One of the issues with the Y plan is that it is all line haul. It is line haul

from Belconnen to the city to Woden and Tuggeranong. That is a backwards and forwards type of network in terms of public transport. The opportunity that comes with Molonglo is for multiple options in terms of a loop system, variations within the loop, in connecting major town centres, the city, Belconnen, Woden, group centres in Weston Creek and Jamison, not to mention the Molonglo group centre. So in terms of a more efficient use of the public transport assets that are available, Molonglo provides a great opportunity to hook up Belconnen and Weston Creek. If you have ever experienced trying to catch a bus from Weston Creek to Belconnen—

MRS DUNNE: Yes.

Mr Lewis: And I live in Weston Creek. This is a real boon.

DR FOSKEY: At what point, though?

Mr Lewis: The planning for this north-south arterial road has been designed explicitly to accommodate public transport—the buses. There is a limitation with public transport; it is a gearing thing. They only like certain grades, in order to maintain certain speeds. So the alignment for the north-south arterial road has been specifically designed to accommodate public transport—buses, as the fleet is now. So we are working with a seven per cent, eight per cent maximum, but generally around six to seven per cent grade. Having said that, light rail can take steeper grades, but we are not designing for that; we are designing for buses at this stage because that is what we want to—

MRS DUNNE: Does that mean there has to be a bridge somewhere at Coppins Crossing?

Mr Lewis: There will be a bridge across the Molonglo River in around here and another one east-west to get to the Tuggeranong Parkway. In terms of construction, we are looking at the feasibility and forward design of the first three kilometres, which takes us, in terms of that north-south arterial road, to about here. So we are looking at the construction of that, and the forward design will include the potential for light rail but it will be for bus access along that over the next few years.

Mr Savery: Timing is ultimately a decision for government.

Mr Lewis: That north-south road is certainly part of the capital works program, and its construction.

MRS DUNNE: What are the government's plans for land management in the area which is now called central Molonglo?

Mr Barr: The current plans?

MRS DUNNE: Yes.

Mr Barr: I understand there are currently some rural leaseholders in part of—

MRS DUNNE: There is some unleased land as well.

Mr Barr: Yes. Mr Lewis may be able to comment on the detail of that. Land management is outside my portfolio responsibilities at this point.

Mr Lewis: In terms of land management, in the ACT government it comes under the responsibility of Territory and Municipal Services. All the land management functions have been consolidated within that department. In broad terms, lands that were previously forestry sit within parks and conservation, in TAMS. There were some areas within east Molonglo that were with rural lessees. They have been resumed over the last few months.

MRS DUNNE: Not all of them.

Mr Lewis: In the process, the ones that related principally to the main areas of—

MRS DUNNE: I am talking about central Molonglo—the area around Kama. Kama was unleased land.

Mr Barr: Kama is with environment.

Mr Lewis: It is currently with environment.

Mr Savery: We are having conversations with TAMS because they are the land management authority. On the basis that the government has announced the 20-year moratorium, the rural lessees that are established there will continue to operate their rural leases. They have land management agreements in place. For the land that is unleased territory land, irrespective of whether central Molonglo proceeds tomorrow, in 20 years time or whether it never happens, TAMS will be responsible for ensuring the proper management of that area.

What we are doing, however, with some ongoing environmental investigations, is ensuring that the environmental arm of TAMS is involved in that, so that they can establish whether or not information derived from those investigations needs to be fed into their ongoing land management, which, in the case of a lessee, would be reflected in their land management agreement. In the case of unleased territory land, it would be reflected in their own land management arrangements.

DR FOSKEY: Is it coincidental that the NCA's concerns reflected the Weston Creek Community Council's concerns?

Mr Savery: No, I don't think it is a coincidence.

DR FOSKEY: So it was as a result of conversations between them?

Mr Savery: Yes. I do not think it is any secret that they have been talking to the Weston Creek community.

Mr Barr: All very political, Dr Foskey.

MRS DUNNE: On the subject of rural leases, where are we with the conciliation and

arbitration regarding the 55-year leases?

Mr Savery: Arbitration has concluded. The determination of valuation was made. All parties agreed to the determination of valuation, so we know what the actual amounts are. The one remaining issue, which is subject to legal conversation, is the awarding of costs. We are currently working through a legal process of how money should be paid and what money should be held onto whilst those costs are being arbitrated. It is a question of whether we are going to be awarded costs or they are going to be awarded costs; or whether we are both responsible for our own costs. That has not been determined.

MRS DUNNE: Is the outcome of that arbitration publicly available?

Mr Savery: I would have to take that on notice and come back to you.

THE CHAIR: Thanks very much for your time this afternoon and thanks for your availability, coming along after the cancellation of the last meeting. Minister and ACTPLA officials, it has been a very good presentation. It has given us a lot more information than we had before.

Meeting adjourned from to 3.39 to 3.58 pm.

DAVEY, MR CHRISTOPHER, President, Canberra Ornithologists Group

THE CHAIR: Welcome to the inquiry by the ACT Legislative Assembly's planning and environment committee into Molonglo and North Weston. I will read the privilege statement to you. The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings.

Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it. Parliamentary privilege means special rights and immunities attach to parliament, its members and others, necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing.

Thank you, Mr Davey, for coming along this afternoon. Would you like to make any opening comments regarding your submission to the committee?

Mr Davey: Yes, I would like to read something that I have prepared. I have been a member of the Canberra Ornithologists Group for over 30 years, although I have been president for only nine months. I have in the past worked as a professional ornithologist with the CSIRO and have worked on many aspects of avian ecology, including threatened species research. In particular, I have worked with water fowl and with wedge-tailed eagles.

I very much welcome the opportunity to address the committee on the concerns of the Canberra Ornithologists Group that have been expressed in our submission to this committee on 23 June 2008 in relation to the draft variation to territory plan No 281. At the outset, may I make it clear that we do not object to the development in Molonglo and North Weston on degraded land that has either been extensively cleared or used for pine plantations. COG is pleased with the 20-year moratorium on development in the central Molonglo, but the area should not be allowed to degrade. It should be set aside under a conservation lease to become a focus of research and rehabilitation.

COG is not happy with the little attention paid to the many submissions from community groups on the draft variation, with virtually no attention being paid, in particular, to the recommendations of the report by Biosis produced in 2006. We feel that the preliminary assessment inadequately assesses ecologically sustainable development in favour of social and economic criteria. We urge that consideration be

given to the importance of urban planning on a landscape scale, which must incorporate the restoration and conservation of existing native vegetation patches and the linking of these patches by buffer zones with new and existing river and movement corridors and nature reserves.

I will now comment specifically on east Molonglo. The Molonglo River corridor must be made as wide as possible. We are particularly concerned about the remaining wedge-tailed eagle breeding territory that has, to our knowledge, been in the area for the past 30 years. If the corridor is wide enough and there is no development within central Molonglo, and the prey density remains similar to what it is today, there is a chance that the breeding territory will survive.

We oppose the proposed dam because of its impact on the river function and on the river corridor and its riverine habitat and the possible drowning of the wedge-tailed eagle nest. No good reason has been given for the lake. If the report recently in the *Canberra Times* is correct, we find it impossible to support such an impact on the river corridor in order to elevate land prices within the area. In fact, the clearing of any native vegetation in east Molonglo or North Weston must be offset by rehabilitating those degraded areas within the Molonglo corridor.

There has been much written about the rich raptor community within the Molonglo Valley. This is due to the variety of habitats and to the richness of prey species within the area. For this raptor community to survive, it is not only essential to conserve and improve the Molonglo River corridor and central Molonglo, but within east Molonglo it will be critical to retain significant patches of endangered grassy woodland and the prey species they contain. In other words, any development must take into account the whole-of-landscape approach.

Two areas of particular importance will be the areas around the existing wedge-tailed eagle nest and the large patch north of the arboretum site abutting William Hovell Drive, which also happens to contain a brown goshawk breeding site.

I will now raise issues concerning the impact that the proposed east Molonglo development will have on the Kama woodland. This area of endangered grassy box woodland and temperate grassland is at present under agistment. The area stretches from William Hovell Drive to the Molonglo River. It is approximately one kilometre wide and serves as an important corridor between Black Mountain, the Pinnacle ridgeline and the Molonglo River.

Of concern to us is the issue of development up to the present Kama boundary. We are particularly concerned about the lack of buffer zone around Kama and suggest that development in east Molonglo should go no further than the area that I believe is known as Deep Creek. This would leave an area of approximately 300 metres suitable for some form of broadacre development, with a small development footprint. In fact, this boundary area and the urban interface needs to be delineated by a major road that will define the urban area.

We are disappointed to note that the critical management zone, in which prescribed burning, slashing and the clearing of ground vegetation and litter will occur, is contained within the Kama woodland. If this occurs on both the east and west side,

there will be a strip of approximately 300 metres down the middle of the area remaining undisturbed. The critical management zone must therefore be contained within the buffer area, not within the woodland.

The creation of buffer zones around the area will also help in reducing disturbance within the woodland. An example of what can happen is illustrated from my experience of Bruce Ridge and Black Mountain, where I have a bird study in progress. Since the development of the Gungahlin Drive extension on Black Mountain, on the Black Mountain side of Belconnen Way, there is no easy access. Over the three years of the study, there has been no increase in the number of paths in the area. On the Bruce Ridge side, though, where there is now easy access under the Gungahlin Drive extension, the number of paths in the area has increased from three to 24—an eightfold increase.

Much has been written about the Kama woodlands and its population of brown treecreepers. Kama is important not only for these birds but also for the other nine of 13 threatened, or near-threatened, bird species recorded from the area. Kama is important for the large number of old trees containing many hollows used for nesting, for the amount of coarse, woody debris on the ground and for its varied habitat which, most unusually, is not to be found on stony, dry, shallow ridges but rather on well-drained, deep, rich soils.

I have been examining the treecreepers at Kama and have data for the past three breeding seasons. I am interested in treecreepers not only for their own sake but because they represent a group of ground-feeding woodland birds that appear to be on the decline for reasons that we do not fully understand. The welfare of the treecreeper should be regarded as a representative other species within the woodlands. I do not have time today to relate in any detail what the population is up to, but I would be happy to keep you here all afternoon if you require.

The importance of this to the hearing today is that, over the period of my study, there have been four groups that are quite distinct and spend some time ensuring that they maintain their respective territories. The groups are not confined to the Kama woodlands and have been observed feeding and nesting outside in the surrounding areas, up to a distance of 600 metres from the Kama boundary fence. For the past three years, I was convinced that the population was closed to outsiders, for I had never observed any immigration. But last year a lone female appeared and has now been integrated into one of the territories.

I cannot emphasise how important this observation is for the welfare of this population of brown treecreepers, for it means that the existing fragmented landscape has not yet reached a state where the small existing population is isolated, therefore allowing the important flow of genetic material to continue. There is no doubt that any development in central Molonglo will cause the isolation of the Kama population, which in my view will lead to their eventual extinction.

I wish to draw to the attention of the committee that there has never been a comprehensive survey of the birds of the Molonglo Valley. The last survey that I am aware of was in 1987, and that survey was confined to the riverine habitat of the Molonglo River corridor.

Thank you for your attention, and I will now be happy to provide any further details that you require.

THE CHAIR: Thanks, Mr Davey. We have received some evidence from ACTPLA regarding birds in the area—in particular, goshawks, wedge tails, brown falcon, little eagle and sea eagle. But they did not include the treecreeper on the map and in their evidence to us. You indicated in your statement that you found goshawks on the north side of the arboretum area?

Mr Davey: Yes, that is right. There has been a breeding site there.

THE CHAIR: Is that above the intersection?

Mr Davey: This area is on the city side of the intersection between Coppins Crossing and William Hovell Drive.

THE CHAIR: Not near the arboretum site?

Mr Davey: No, it is north of the arboretum.

MRS DUNNE: That is the brown goshawk?

Mr Davey: Yes.

MRS DUNNE: Where else in that area does the brown treecreeper occur, apart from the Kama woodland?

Mr Davey: There has been no comprehensive survey within the Molonglo Valley, so we are not really sure. But, to our knowledge, the nearest population is somewhere near the Cotter Reserve. There were populations at Mulligans Flat, at Gorooyarroo, but since the time of our surveys they have now become extinct. There are other populations further down in the Naas Valley. I have looked at records on our database and, in comparing information from 1986 to 1989 and from 2003 to 2007, and that includes all of the ACT data, there has been a statistically significant decline in all of those areas.

MRS DUNNE: Mr Chairman, I am not quite sure whether this is regular and whether we can ask Mr Davey to do some homework for us, but we have a map which has been provided and which has habitats marked on it. I was wondering whether the resources of the ornithologists group could be brought to bear on advising us as to whether that is accurate, because it does not have the brown treecreeper on it, and whether there are other species that perhaps we should be mindful of in considering this matter.

Mr Davey: We could certainly look through our database to provide any data that you require, but I could not guarantee that it is accurate. There has been no survey of the area.

MS PORTER: We have had a map given to us by ACTPLA showing raptors in the

Molonglo Valley—the areas where they are located.

Mr Davey: Did they give a reference as to where they got that data from?

MS PORTER: I can't recall—

DR FOSKEY: When they put up their list of studies, there was a study of raptors. Presumably, it was there—

Mr Davey: If I am correct, it was the Stephen Debus report. It was a three-day study. In three days, he did not have time to examine this in any detail. He readily admits this in his report. He did not have any time to comprehensively search the area for raptors.

Talking about raptors, there are diurnal raptors, which are the daytime ones, and there are also nocturnal raptors, which we know as owls. There has been nothing done at all on nocturnal raptors in the area. We have no idea at all what is there. Intuitively, I would expect there to be about four or five species, but I am guessing.

DR FOSKEY: Neil Savery pointed out that there would be a little eagle nest breeding site that would be affected by central Molonglo—

MS PORTER: Which obviously is on a moratorium, of course.

DR FOSKEY: Yes. Do you have any idea how many breeding sites there might be? How significant is one?

Mr Davey: Between 1986 and 1989 there was a survey done of birds within the whole of the ACT. The data was published. During that survey there were 13 territories found of little eagles. I would not in any way say that represents the total population. I might use 13 as an index of what might be going on. In 2007, 11 of these 13 territories were found to be abandoned by the breeding pairs. But in the process, three new breeding territories were found. The one at Molonglo is one of those territories—

MRS DUNNE: One of the two or one of the three?

Mr Davey: One of the 13.

DR FOSKEY: You said we are down to four; we are down to five?

MRS DUNNE: That we know of.

Mr Davey: We now know of three breeding territories: one in Dunlop, one near Lions Youth Haven, and one near the Jerrabomberra Wetlands at Fyshwick. I would like to use that as an example because, as I say, I would not regard that, and Dr Gerry Olsen who did the survey would not regard that, as a complete survey. We are looking at having gone from 13 breeding territories to three. The one at Molonglo is a little difficult to see because they do move nesting sites. The one at Dunlop is relatively new. There is a possibility that the little eagle that is now breeding at Dunlop is the

one that was breeding in the Molonglo. There is also the chance that it might go back again. We just do not know. But they typically do this. I am sorry; it is confusing.

MRS DUNNE: What is involved in what would be considered to be a comprehensive bird survey? You are saying there has not been one; what would we need to do?

Mr Davey: What I would regard as a comprehensive bird survey would be one that was done in the four seasons of the year. Canberra is well known for its migrant and changing bird populations through the year. We can have completely different bird populations here in the winter than we do in the springtime and in the summer. We have altitudinal movements—in other words, birds come down from the Brindabellas to some of these areas. The flame robin is a very good example. It only appears in the winter months, whereas in the summer months it is up in the Brindabellas. Some species appear from northern Queensland—things like rainbow bee-eaters. To get a full account of what is going on, you really need to do a survey over the course of a year. At a minimum, you need two seasons.

It really depends on whether you want some idea of numbers or whether you just want a tick list. If you just want a tick list of species, you need two short surveys, as a minimum, over two different periods. But if you want to get some idea of abundance—for instance, if you were to ask me how many kestrels are nesting within the Molonglo Valley—that would require a rather more detailed study. It actually requires inspecting all the trees, for instance, that are in the Molonglo Valley. The kestrel happens to be a hollow nester, so you would have to go out and scrape trees as well, or very carefully observe to see if they are going into tree hollows. I was doing a survey at Kama last year and I was scraping a tree hollow while looking for superb parrots, and to my surprise out came a kestrel. I had no idea it was there. So to get that sort of information requires rather more detail.

THE CHAIR: There is some information available already, isn't there? I remember that at the NPA conference last year there was a woman who gave a thesis on the dusky woodswallow in Namadgi. So there are other ways we can gain that—

Mr Davey: Certainly. As I say, we have a reasonably comprehensive database. One can intuitively make a list. The difficulty will be to get some idea of numbers. The other difficulty would be to know whether they are breeding in the area. You can appreciate that birds breeding in an area are rather different from those that are using it for other resources. It really depends on what it is—

MRS DUNNE: Some of those birds that you mentioned, because of their migratory habits, may just be passing through. They may not ever breed there.

Mr Davey: Indeed, yet others might very well be. For instance, a rainbow bee-eater is a bird that breeds in sandy banks along the rivers. There is every chance that they could be nesting. I know they nest on the Murrumbidgee; I am not quite sure whether they nest on the Molonglo. There is every chance they could. But unless one actually surveys at the right time of year, you are not going to know.

MRS DUNNE: On top of that, you have to do diurnal surveying—

Mr Davey: The owl ones, the nocturnal surveys, will be particularly difficult. One could do that by putting out tape recorders. That would be possible. One is really after getting some idea of numbers. If I were asked how many nests there are of a particular raptor species in the Molonglo, I could not answer. If you then asked me, "What would the impact be of east Molonglo on that population—"

MRS DUNNE: You can't say because you don't know?

Mr Davey: Exactly, but I can tell you that that species is there.

DR FOSKEY: Is there any way that Molonglo could be designed and built to enhance the native bird population? Is development always bad for bird populations?

Mr Davey: There are two species of raptors which I suspect might not be severely affected by development as long as the nesting sites were left well alone—and that is the problem. That could well be the peregrine falcon and the hobby, the little falcon. These are birds that actually feed off starlings—Indian mynas. Plenty of other species actually live in suburbia. Little falcons are often found flying over suburbs. So that could well be an example of benefiting them.

DR FOSKEY: But they also go for chooks.

THE CHAIR: I was concerned to hear that we have lost the brown treecreeper from Mulligans and Goorooyaroo. Do you know why they have left that area?

Mr Davey: Yes, the area was put in a reserve. They were there in small numbers when the area was reserved, but it is telling us that it is not good enough to put areas in reserve. That is the first step. The second step has to be restoration. This is the work that has now been going on by the ANU people from the Fenner school who were doing this large research project at Mulligans Flat.

Central Molonglo, for instance, would be a grand place to try out some of the restoration that is being suggested. I refer, for instance, to the replacement of logs on the ground. Weeds are a difficult one. Some species really use the weeds, like briars and things. Some of the restoration principles that are coming out of the work that has been done by the Fenner school could easily be implemented, certainly around the buffer zones. I think that is the answer: in the case of the brown treecreeper at Mulligans Flat and Goorooyaroo, making it into a nature reserve was not good enough; there had to be restoration work as well.

We also note the impact of eastern grey kangaroos. They have severely affected the understorey and the herb layer at Mulligans Flat and Goorooyaroo. This has to have an impact on birds like the brown treecreeper, which, as I said, is merely a representative of other ground-feeding birds that seem to be in decline. There needs to be better management of grazing and restoration of some of the litter could well go a long way towards improving not only central Molonglo but Kama as well. Kama happens to be very good for some species but there are a lot of species that are missing from there. Again, it would be a good place in which some of the work could be done.

DR FOSKEY: What about cat management? Do you feel it is very important to have cat curfews and cat-free land?

Mr Davey: The cat one is a difficult one, isn't it? I would go with the precautionary principle, quite frankly. I am really not quite sure of the data that is out there. Of course, cats take wild birds, but being an ecologist, that is not really my concern. My concern is about whether cats affect a population, whether they have an effect on the population level. That is a difficult one. We know they take starlings; we know they take mynas, sparrows and so on. The only work that I am really aware of was done out of the University of Canberra and showed that the majority of bird species taken in Canberra were introduced species. I am not quite sure of the data; I would prefer to come down on the side of precaution. We really do not have the information on the impact, at a population level. I would not say, for instance, that cats were threatening brown treecreepers. At the same time, one of the major impacts for them is fragmentation.

DR FOSKEY: What about the corridors that are designed for the suburbs?

MS PORTER: They are not drawn on this map, though, so it is hard to show you. But there are some quite significant corridors put in.

DR FOSKEY: They are 80 metres in width.

THE CHAIR: That was a minimum.

MS PORTER: A minimum of 80 metres in width, several of them coming down through—

Mr Davey: To use the example of the groups of brown treecreepers, I have been following them for about two or three years and in that period they have covered an area of about 500 metres by 500 metres. If, in the course of the day, as I did just recently, you follow them all day, they will cover that sort of area. A strip 80 metres wide is of no consequence at all to them. It might be fine as a movement corridor—

MS PORTER: I think that is what it is. It is connecting the other big space. It is between Stromlo, the arboretum and the pinnacles area.

Mr Davey: Of course, we have to realise that movement is all very well, but there has to be a habitat somewhere along there for them to breed in; otherwise they would be moving forever.

DR FOSKEY: Could people be encouraged to grow particular species, for instance? Is there something that we could do a little more vigorously so that the suburbs could be an increased habitat?

Mr Davey: Of course, the growing of native species is very good for honeyeaters. Again, it does not necessarily provide a breeding habitat. It would provide a survival habitat, but a lot of these species that we are looking at are hollow nesters, and growing a few trees in your garden is really not going to help. Sure, it will allow them to survive over winter.

We had a request from Forde the other day to make some comments about putting nest boxes up in a public park that they were interested in. I suggested that that was probably not a good idea. If people are going to put up nest boxes, they need to be in your garden where you can keep an eye on them. If not, they would just be taken over by mynas and starlings—non-native species. They will not be looked after and they will just degrade. So enhancing habitat by putting up nesting boxes in a public place, to me, is not productive.

MRS DUNNE: You have talked about conservation reserves or leases. Can you expand on what you envisage by a conservation lease?

Mr Davey: We are worried that, say, the area of central Molonglo will be allowed to deteriorate. We all know that with short-term leases a farmer knows that it is going to be taken over and he is not going to do very much with it. By putting on a conservation lease it would ensure that timber that is left on the ground would remain so and that it would be illegal to remove certain trees. A conservation lease would not only ensure that the habitat remains the way it was rather than becoming degraded but hopefully it would also allow it to be improved. So the farmer would be given some incentives to do some tree planting, under the guidance of the sort of work that has now been coming out of the ANU. That is what I would like to see.

MRS DUNNE: You are not envisaging putting it into a reserve but keeping it managed for low-impact agriculture with an overlay of conservation?

Mr Davey: Yes. There might also be, within the conservation lease, certain density requirements, stocking capacities and so on. In other words, it should be looked at as a farming enterprise that is not just producing cattle and sheep but is actually producing birds as well, and habitat for birds and other wildlife.

THE CHAIR: Thanks very much for your time this afternoon, Mr Davey. We will get a copy of the transcript to you as soon as it is available. If members have any further questions, we will get them to you as soon as we can.

Mr Davey: Thank you.

DALTON, MR TIMOTHY B, Chairman, Weston Creek Community Council
BURKE, MR JOHN, Treasurer, Weston Creek Community Council

THE CHAIR: Welcome to the Assembly and its planning committee's inquiry into Molonglo and North Weston. Before we begin, I will read out the privileges statement.

The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings. Before the committee commences taking evidence, let me place on the record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it.

Parliamentary privilege means special rights and immunities attach to parliament, its members and others, necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing. Mr Burke and Mr Dalton, do you understand the privileges statement?

Mr Burke: Yes.

Mr Dalton: Yes.

THE CHAIR: Thanks for coming in this afternoon. Would you like to make any opening comments? We have your submission, of course.

Mr Burke: We made submissions to ACTPLA, as you would be aware, on both Molonglo and North Weston. They are on our website. It is not our proposal to go over what is in those submissions. It would waste your time, I think. That is the first point.

Our interest in Molonglo is because it is against the border of eight suburbs that we represent and are funded by the ACT government to represent. Our interest in Molonglo is primarily because of the impact on those residents in terms of their recreational space and the impact of Molonglo on the town centre, if you like, around Coleman Court.

We are not putting a submission in about Molonglo per se. It is its impact on our constituents, if you like. We might have our views on Molonglo and whether it should go ahead but that is not the thrust of where we are at.

Mr Dalton: I was at home and I followed the link that was provided. I had a bit of

a look and a listen to ACTPLA before when they were putting their views forward. I did notice that some of the things raised were things like the substantial setbacks. We had lobbied for larger verges. I did not see the point in street verges being compared to Ngunnawal and Gungahlin. These are Weston Creek verges and they should be the same as the current street verges.

In regard to the equestrian trail, they call it substantial setbacks. To us in Weston Creek, it is a substantial setback. We do not have a lake. We do not have that kind of amenity. We did have a forest. That looks like it might be lost. That forest was used for walking dogs, cycling—not at a million miles an hour; just cruising along—for having a barbeque and that kind of thing. It was pointed out to us that that was never our recreation area, although barbeques, toilet blocks and seats were provided and paths were made. Some streets were even termed “Deeks Drive”. There is a loss to the Weston Creek community there.

We have been lobbying to maintain some of that amenity. We do not expect to keep everything like it is. We are definitely not against construction or housing people. I think I have been fairly blunt in my media statements. I am in fact a real estate agent, but I am against this style of housing.

Particularly when you look at North Weston, you have got very sensitive areas like a school that works very well with nature and educates in water conservation and that kind of thing. You have got the Baha’i temple. You have got the Sikh temple. That area in North Weston, particularly, is a very sensitive area. If there was construction close to these amenities, it would probably clash.

It is interesting to note that, when the Sikh community were applying for land in Mawson, most of Shackleton Circuit rose up against that application. There were some very strongly worded documents created. Some of them are possibly quite shameful.

The purpose of the grant and the spirit of the grant to those three organisations might be affected. I really think there should be a buffer zone around them. I think the people on Heysen Street deserve a say in what happens across the road from them. The arboretum definitely deserve to be saved. Although there was a lack of consultation with ACTPLA earlier, that has improved. There is still a bit of a way to go.

We did openly speak with the NCA right from the beginning. We do believe that they have a role with hills, ridges and buffers, particularly on North Weston ridge. Their comments were welcome.

There is also a particular piece of land between the Cotter Road and a larger road called Dixon Drive. When we look at that area, it is a buffer zone but it is not the kind of buffer zone that we would be entirely happy with. We were looking for more in Deeks forest.

Mr Burke: The benefits for the suburbs in the planned Molonglo are, largely, not going to facilitate any of our suburb but they will impact, we believe, on Cooleman Court, parking for Cooleman Court and the amount of shopping available in

Coleman Court because the new suburbs in Molonglo, especially the first three or four or maybe even more, do not have a comparable shopping centre. Those people will clearly start to use Coleman Court. I am not convinced that ACTPLA has taken that into account.

I think they have taken into account the requirements of the new residents of Molonglo but not the residents of the nearby suburbs. Their whole rejection, if you like, of our requests in our submission is almost as if they are not addressing our concerns; they are just addressing the residents of Molonglo and the benefits to them. We are concerned about the disadvantages and problems that are going to arise with our constituents.

There are several issues involved in this. There is the issue in North Weston of the smaller blocks of 250 square metres. It is unclear whom they are going to particularly service. They will not service the low-income groups because it is the location of the blocks that is going to determine the values. The values are still going to be high in that location. Even if the government sold the blocks off cheaply, their market values will still reflect the location. On the other hand, if they sold enough of those small sized blocks off, they probably would create an area for low-income groups. Then they would have a problem with slum areas and the like.

In terms of the consultation process, we have found that it has been a jerky operation. Initially we would talk to ACTPLA. We would be giving but nothing would be coming back at all—no give and take.

Mr Dalton: I think it is important to note that our detailed submissions were put in last November. Then, from early February, I think the first week in February, we had to nag for a response. We had to do that on a regular basis. It was after we really could not get a response that we elected to use the media to try to draw a response. The ACT Planning and Land Authority have improved in leaps and bounds but we probably would not be sitting here today if we had that consultation earlier.

Mr Burke: One point that ACTPLA did make to us was: “We cannot consult with the Weston Creek Community Council because we would have to consult with everyone. There are 100 people making a submission, and that is beyond us.” Our response to that was and still is that, as the Weston Creek Community Council, we were the prime body that they should have been consulting with and they did not have to keep it going with everybody all the time. That was our purpose. To put in these consultants here and there is partially pointless because a lot of what the consultants are doing we could facilitate ourselves.

Mr Dalton: I think it is important to note that that submission is a joint submission from the Weston Creek Community Council, the Baha’i community, the Sikh community and the Orana school. It is not just one group of people thinking the same thing; it is a whole body of community.

At our council meetings, we are quite consultative. We will take the microphone around. Especially during the ACTPLA meetings, there were 160 people in the room. Everybody would get a say. We are not trying to put across our personal views. We truly believe they are community views.

Mr Burke: We ran a campaign using the word “consultation”. Where we have an interest in something, we would rather have participation; that is, to be able to say to them, “What are the options that you are considering?” We get involved in those options. This is with the issues that crop up. There are a lot of issues that we are not interested in. What ACTPLA tends to do or seems to have done is go off and do what it thinks is right and then give it to us almost as a fait accompli. We are coming from behind: “Why are you doing this? Why are you doing that? What about this?”

Mr Dalton: Could I make the comment that they say they have gone to all this trouble, as was said earlier today, unless I misheard, and possibly expense of preparing these plans and how ungrateful are we. We would have liked some earlier consultation and maybe that would have saved us all some time and money.

MRS DUNNE: Can I bring us forward a bit? ACTPLA was here today and said that over the past few weeks, until the last week, there had been a walk over the site with the Weston Creek Community Council and officers from ACTPLA and, progressively, the minister and then the Chief Minister. Then we were shown some concept plans which are quite different from the concept plans that came to us with the draft variation to the territory plan. Have you seen those latest concept plans?

Mr Burke: We have seen them fleetingly. They are not put in front of us for a great deal of time. To keep a copy of those would be great when we are talking to community groups. I was talking to Weston Creek Rotary last night and they wanted to know just what was going on—a mixture of retired people, local business people and community-spirited people—and I was able to talk in general terms. But I would have loved to have pointed to a wall chart and said, “We have had some progress. ACTPLA have worked with us to a point. We are still not, overall, happy about the situation.” I would have liked to have been able to show them that.

MRS DUNNE: You have seen them but you do not have a copy of them?

Mr Burke: We have seen them but we do not have a copy. We have primarily seen them in relation to North Weston, not for Molonglo.

Mr Dalton: The concept plan that is on the website at the moment is not really a detailed enough map. Basically, we cut it down to several areas. We had the height of the apartments that they are proposing, the zone around the arboretum and the Federal Police installation. Some of these will probably enter the school playgrounds; so we have grave concerns over that, as do local residents and the Orana school.

The housing along Heysen Street would be one to two storeys. That is what we have been told. Many of the local residents of Weston are happy with that because that will be in keeping with what is there. We have got assurances that the treescape along that street will be maintained and enhanced. In some aspects, that will improve, toward the bottom of Heysen Street.

We also have that ridge known as North Weston ridge. From the outset, we did say that we would like that as a community amenity. It would give security to the Orana school, the preschool. It would stop that noise situation with the Baha’i community,

who are a very peaceful and religious group. Also, it is a massive amenity for local Weston residents who go up and use that ridge.

MRS DUNNE: That is the top of the ridge that overlooks the parkway?

Mr Dalton: That is right. The other part of the ridge is basically the parkway. It does not extend up. That is a zone for them to go to. People in Fisher have an area. They have Canberra Nature Park. In Chapman, they have the ridge there; they have Canberra Nature Park. All around Canberra, when you look between the zones—say, Woden into Tuggeranong, Woden into Weston Creek—there are nature parks and there is a buffer. Why weren't we going to get a buffer at that edge of Weston Creek? We were just going to start into a new thing called Molonglo, and we could never get our head around there being so much precedent for the buffer zone. It is about our sense of identity, too, as Weston Creek residents. We come into our little valley. Many of those residents are very proud people and they value that identity.

Mr Burke: And those leases being surrounded by houses is really not a good idea. It changes the whole nature of the area. Would the standing committee be disposed as a group to have a look at that North Weston ridge area?

THE CHAIR: I cannot speak for the committee until we have a private meeting. We will take that on board.

Mr Burke: We could arrange with the three major leaseholders—the Baha'i, the Sikhs and the Orana school, which are three main groups there, and either Tim or I would be there, just to walk over it. It would take 30 minutes, I suppose. We are not talking about a very huge lump of land in North Weston. That is one of the issues: in terms of the overall development, this is almost nothing.

Mr Dalton: This is sensitive because there are current stakeholders. The other areas are not quite as sensitive. Environmentally, they are sensitive; I will give you that. But you have probably seen more localised comment on North Weston because there are people living there and there are three major institutions there as well.

THE CHAIR: We can certainly have a discussion when we go to our private meeting after this. I can tell you that in the past the committee has normally physically visited the sites.

Mr Burke: If you did, we would like to be with you and make sure you saw what we had in mind. You may not agree with us but at least you would see it.

MRS DUNNE: I have done a drive-around of most of that area on a couple of occasions with the—

MS PORTER: I have, too.

THE CHAIR: I have a couple of questions on Mr Dalton's presentation. You mentioned that you are not against development and you made a statement about being a real estate agent. I was a salesperson myself once. But in your submission to ACTPLA, in the second paragraph in part 1, you said that the Weston Creek

Community Council has concerns about population levels for Canberra itself and that perhaps there should be a study into whether we should have growth at all.

Mr Dalton: That does not mean we are against the development of Molonglo.

Mr Burke: There is a need for development. There are houses sitting around Woden Valley and Weston Creek, and lots of people termed “empty nesters”, my father included. Things like knees start to go; I am 38 and I have already got a dodgy knee. People want level surfaces; they want less garden space. There is a need for a different style of housing that is better equipped to accommodate us for climate change and our changing age and lifestyles. That could be accommodated in North Weston. It could be accommodated in Molonglo. Yes, there will be some development in Molonglo but whether it should be to the extent that has been proposed is what we are floating the question about.

Mr Dalton: And the question of population is a possible solution for the future. Population is something that cannot be turned off that quickly. That would take a while.

Mr Burke: The main gist of our submissions has been on that North Weston precinct around those stakeholders, close to the residents. The residents of Weston really do genuinely use those areas. That is part of their identity. That is why a lot of them, when questioned, when surveys have been done at shopping centres, “What do you value in Weston Creek?”, say, “Deeks forest.” It is always one of the early answers, and one of the most emotive things too. They actually did not realise that it was in jeopardy. When doing surveys as to what they valued most, and then they saw this picture, they said, “Are we going to lose Deeks forest? That’s outrageous.” They do not always read the *Canberra Times*; they do not always read the *Chronicle*. We do; we presume everybody else does. Communication is not like that. I was a publicist for seven years, and you really have to try different methods because you have a whole lot of different interest groups that you are trying to reach.

THE CHAIR: With respect to your submission to ACTPLA, Mr Burke, you mentioned that ACTPLA did not look into your request for studies on the impact on Cooleman Court?

Mr Burke: Yes.

THE CHAIR: I could not find it in your submission.

Mr Burke: I am raising that today. It is something that I realised had been omitted.

MRS DUNNE: I would like to go back to the plans you have seen but do not have. Given the limitations of that, what is your feeling as a community group about the extent to which your concerns have been taken into consideration with those changed plans?

Mr Dalton: I understand that the nature of planning is such that there is always an evolving plan. Something can be put in front of me and I can be asked, “What do you think of this, this and this?” It is very easy to miss something.

MRS DUNNE: I understand; with those things in mind—

Mr Burke: Let us take North Weston first. In the case of the arboretum, the government has given some ground there. At one stage it was going to bulldoze the lot; I think that was the original position.

Mr Dalton: Just to make this clear, John is not talking about the national arboretum—

MRS DUNNE: No, I know. It is the planting at the horticulture school.

Mr Dalton: The arboretum within the school of horticulture, which is the CIT. There were some concerns. Not everybody can agree on significant plantings of trees and woodlands, and there is still concern that, although that arboretum will be saved, there were several arboretums within the arboretum, if you know what I mean. A few of the locals have gone in and taken photos and video documentation because they are quite passionate about this. They want it to be an area that is useable.

They do not want to be overshadowed by six-storey buildings, as could happen under that zoning. I do not see the point in having six-storey buildings when you are not in a town centre or a group centre, and not in the local shopping centre. There is a good height for any facilities or amenities. The transport links are not strong through there; there will be some loop bus. But to have up to six storeys—

DR FOSKEY: What makes you think there will be six storeys?

Mr Dalton: This is what was said.

MS PORTER: About that particular site? They actually said there would be six storeys at that particular site?

Mr Dalton: Yes.

Mr Burke: What they have said as a planning thing to us is that around community centres they are going to have much more build-up than in other areas. Then, they turn to North Weston, which is three or four kilometres away from the centre and they are looking at going up.

Mr Dalton: It was my view and that of a few of my colleagues that because we are losing land there, we are going to go up here. I just felt that was a bit narrow-sighted, considering the size of the Molonglo and North Weston development. We are a minute part of it.

Mr Burke: They have this principle that, if it is within 7.5 kilometres of Civic, it should be medium to high density.

Mr Dalton: It is interesting to note that the only thing I can see in Canberra that I can compare that style of development to is Leahy Close in Narrabundah, and that is a bit of a traffic nightmare to get into and out of. It is not what I call easy suburban commuting. The kind of people that might be using that area might well think it is

a quick jump to the city; it is about a 12 to 15-minute drive. That will change when you have a major arterial road coming out of Molonglo onto the Cotter Road which we use for access.

In the morning there is also a large bank-up of traffic coming out of Cotter Road, turning left onto the Tuggeranong Parkway. More often, there are accidents there as well. That is a concern. It might not be in our submission but it is a genuine concern that we have.

Mr Burke: Getting back to the fundamental question of where we stand with what they have offered, with the CIT arboretum area, there are people in the community who are still not happy about what has been granted there. They are certainly not happy about, as Tim was saying, the high-rise overlooking what is left. There are not that many blocks of land involved there. One wonders why they are hanging on.

We have noticed in talks with ACTPLA that every time they conceded something, we would say, “With this little strip here, why don’t you leave that for open space?” They would say, “We don’t want it to be open space but we would agree to broadacre.” Broadacre still means development. It is a misnomer.

Mr Dalton: I understand what was said earlier about the community feeling they had access to all of this open land. Neil mentioned signage. There is one in front of Chapman primary school that residents are quite horrified about—a very small triangle. Some of this signage is educational; some of it is actually stressful for the community. So this has to be weighed up. There is a block like this going down to the Chapman primary school parking lot. They just can’t work out why anybody would want to build there. In the community’s opinion, that probably should be open space.

Going back to Deeks forest again, because I really feel that we have not said enough about Deeks forest, that amenity was broadacre. In fact, it was even more than broadacre; it was a government pine plantation, really.

THE CHAIR: It was not broadacre; it was zoned for commercial pine plantations.

Mr Dalton: There were barbeque spots and all that kind of thing in there. Although it was termed a government pine plantation, there was, in spirit, this gesture by government saying, “Come and use this land.” The community really feel now they are going to lose a good part of what they feel Weston Creek was. They are not saying they need the same depth as there was before. They are quite upset about that. They are more passionate about that and are turning out now on that than on some of the other aspects about it. This has come to us just through talking with people.

Mr Burke: The holding of that Deeks forest area that we identified is only a portion. Although ACTPLA would say it is a huge portion; it is almost equivalent, they say, to a small suburb. Then they are prepared to concede this other area that has been put aside for 20 years; so there seems to be a conflict there. That area, if left or turned back into some kind of bush or forest, or even if it were returned to commercial in some way and still kept safe in terms of fire—if that area were retained in any way whatsoever—it would make a fantastic sweep of land. It would run right around and back down to the lake and could really be made to work in terms of wildlife and

people. Wildlife used to be there.

Mr Dalton: It is interesting that most of the nature corridors or nature parks around suburban areas seem to be only on hills in Canberra. If this section of Deeks forest were a hill, we would not be here talking about that today. I do not see any difference in terms of usage and community usage between this as a hill and Mount Ainslie or whatever. It is still a significant parcel of land which borders and can be used by Molonglo people too.

Mr Burke: Can I just say in conclusion, reverting briefly to North Weston and the area that is left as open space by the government at the moment, we still feel as though they may as well give up the last couple of blocks and call it a day there. When I say “couple of blocks”, it is 50 blocks of land or something, I suppose, all over. It is probably not even that many.

THE CHAIR: Are you talking about the eastern part of North Weston?

Mr Burke: Yes, mainly the top. There are still a few blocks along the top, above the arboretum. There is the arboretum itself.

Mr Dalton: I think John might be talking about a series of cul-de-sacs which are proposed at the top, near the arboretum. There is still some angst. I had a phone call about an hour ago about those and how closely they are going to infringe on that arboretum. It is something that we are trying to look at as a whole picture thing. We feel that sometimes there has to be some give and take in these situations. But there is definitely a good chunk of the community, especially local Weston residents, that are concerned that, sure, they will get their North Weston ridge, but they want true access to that ridge, otherwise it is a half-hearted gesture. They need to be able to get through to that ridge top to use it and they do not want to be built out. They would ask that this be thought of when this is being decided.

Mr Burke: Once you get down towards to Streeton Drive, there is not so much feeling; the feeling is not so strong. Where we seem to mainly have been losing out, as Tim says, is the Deeks forest area. That is between Cotter Road and the river. It is a confined space.

Mr Dalton: If we had not had the fires ravaging through that area, there would be a lot more of that area left, possibly, as space now.

Mr Burke: It would still be a forest.

THE CHAIR: The government made a decision not to go ahead with any more forestry in that area.

Mr Burke: I am not necessarily saying a pine forest. An extension of the arboretum of some kind would be great. They could plant different trees there. That would be right in the ballpark of what the council is on about.

Mr Dalton: We are talking about open space buffer zones. We do not think that this proposed Stromlo forest park is going to be good for the ageing population of Weston

Creek. It is not going to be good for kids who are in strollers, kids who are cycling with their parents. We want enough space for our local residents to enjoy outside and remain fit and healthy.

I did talk to the Chief Minister during the week, when he did visit the Weston site, and explained about the NCA ramifications for that ridge top and that area of land between Dixon Drive and Cotter Road. I said there would be a great expectation that that area of land would be improved and enhanced with cycle ways and walking tracks and with a lot of watering of those trees that are currently in there. I do not think the attention on the area has been as significant as it could have been. I know the government have a lot of distractions and a lot of things to operate with. I particularly pointed that out to him and he said that he would investigate that.

Mr Burke: Stromlo forest park is a totally different kind of facility. That is a sporting facility. We are not talking about a sporting facility; we are talking about something for ordinary people, not the people who have got all the hormones rushing.

Mr Dalton: It is heavily geared towards equestrian and mountain bike riding and sporting events.

Mr Burke: That is what the signposts say.

Mr Dalton: It is a developing area. There was even a proposal mentioned that maybe even a swimming pool might go in there.

In some ways this whole North Weston thing has been through our council. It is a huge distraction from things that we were trying to push and lobby for, like our community centre, our district park and those kinds of things.

Mr Burke: Our resources are limited.

Mr Dalton: Our resources are limited. We feel this is still a significant thing but we do not want to let go until we get a final outcome which is a little more suitable. We do not expect to be entirely happy. We just think it could be tweaked a little more.

THE CHAIR: Thanks very much for your time this afternoon. We were given some more information from ACTPLA today about that ridge area that you have been talking about. In fact, we have been given some maps. Until we have our private meeting we cannot authorise those for publication. If the meeting decides to authorise those for publication, we will get a copy to you.

Mr Burke: They may be the ones we got a glimpse of the other day.

THE CHAIR: We will also send you a copy of the *Hansard* for today. If there are any further questions that our members have, we will get those to you as soon as we can as well. Thanks very much for your time.

The committee adjourned at 5.06 pm.