

Representation for Current Development Application - Submission confirmation

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Thank you for your representation regarding development application number: 202240629

The issues raised in your submission will be taken into consideration during the assessment of the development application and you will be notified in writing once a decision has been made.

Section 156(2) of the Planning and Development Act 2007 states that a representation about a development application must be made during the public consultation period for the application. If your representation was made outside the public consultation period it cannot be considered during the assessment of the application.

Please Note: A copy of your representation will be forwarded to the development application applicant and can be released to the public only on request, unless you have requested and been granted an exemption.

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Development details

Development application number *

DA

202240629

Suburb *

Section *

Block *

Unit

WHITLAM

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Representation

Provide the details of your representation *

This representation is submitted on behalf of the Canberra Ornithologists Group, by Conservation Officer, Jennifer Bounds.

The Canberra Ornithologists Group (COG) has a long-time interest in the Kama Nature Reserve (which is now part of the Molonglo River Reserve), including through a program of regular woodland bird monitoring surveys, and has engaged in the public consultation planning processes over some years as the Molonglo Valley has been urbanised.

A critical issue for COG is retention of a buffer of appropriate size to effectively mitigate urban edge effects and indirect impacts on the high-quality grassy woodland and natural temperate grassland habitats of the Kama Nature Reserve, both of which are endangered ecological communities, and their component fauna.

COG) opposes DA 202240629, on the grounds that the indirect impacts and urban edge effects of the proposed Whitlam Stage 4 urban development will impact significantly and detrimentally on the adjacent Kama Nature Reserve and its woodland birds. The Estate Plan puts forward an inadequate buffer area, of insufficient width to protect the environmental values of the reserve and its birds and other fauna.

- COG argues that the proposed buffer width therefore does not meet conditions written in the Molonglo Valley Plan for the Protection of Matters of National Environmental Significance – NES Plan – September 2011 under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Specifically, Condition 27 in the agreed Molonglo Valley Plan creates the following requirement:

“Establish a buffer outside Kama Nature Reserve between the reserve and the proposed development area, and allow for appropriate uses consistent with nature conservation uses of the reserve. The buffer will be developed to ensure that fire management is undertaken outside of the Kama Nature Reserve and will provide protection against urban edge effects as part of the final Planning and Design Framework for stage 3.”

Buffer extent

In its submissions to various planning stages, COG has consistently argued that the Kama Nature Reserve buffer needs to be sufficient and effective.

- An effective buffer is important because Kama Nature Reserve is a narrow reserve with little core resilience and therefore will be impacted significantly by urban edge effects.
- The shape of the Kama Nature Reserve is of importance when considering the width of the buffer area. Where a nature reserve shape is much longer than wide (as is Kama NR), then the buffer zone must be wider along the longer boundary to compensate for the increase in length in relation to width. A narrow width buffer in these circumstances would provide less protection against interface effects, and is of particular importance where the interface involves urban effects.
- The adjacent urban environment and its associated resources will advantage greater numbers of large, dominant, urban-adapted bird species (e.g. Noisy Miner, Pied Currawong, Common Myna), which will penetrate into the Kama Nature Reserve and suppress small woodland bird species. The bird community of Kama will change permanently, especially to the detriment of woodland bird species which rely on undisturbed core habitat.
- The evidence for this trend is COG's monitoring and analysis through bird surveys across twenty-one years at ACT grassy woodland sites, many in ACT reserves within the urban framework (including the Kama Nature Reserve). These surveys show a decline in the small bird community and increase in large, urban-adapted bird species.
(<https://canberrabirds.org.au/wp-content/uploads/2022/05/21507-ACT-Gov-Long-term-Trends-in-ACT-Woodlands-Birds-FF-WEB-3.pdf>)

- Other impacts derive from large numbers of people living in very close proximity to the Kama Nature Reserve. Experience with other Canberra Nature Park areas is that the indirect impacts from human-related pressures, high levels of usage by people, weed invasion, removal of rocks and fallen timber, roaming dogs etc, degrade the conservation values of reserves.

COG's consistent position has been that the buffer for Kama Nature Reserve should extend from the boundary of Kama Nature Reserve downhill to the Deep Creek drainage line, and run the length of the block. That creek line forms a natural geographical barrier and is a sufficient distance from the urban edge to mitigate the effects and impacts on Kama.

A key document informing the size and nature of the buffer for the Kama Nature Reserve, as provided in the Whitlam Stage 4 DA documentation, is the December 2016 Kama Interface Management Strategy (Capital Ecology). This recommends a minimum buffer option of 200 metres tapering to 70 metres on the southern grassland edge (pp.48-49, option 6), and the Estate design appears to be based on this.

- It is COG's view that, in determining the size of the buffer, the urban edge effects on the ecological values of the Kama Nature Reserve have been underestimated and underemphasized, environmental considerations have not been given proper weight or priority, and economic considerations (to yield more developable land) have been given precedence. For example, a wider buffer option (230 metres along the length of the reserve) was considered in the Capital Ecology report, but was rejected due to economic costs.

- The Capital Ecology report goes into some detail about the level of and significance of threats to woodland birds with different buffer options/widths. The threat-sensitivity matrix in Table 3 (pp.39-40) indicates very high/significant threats on 'urban-avoiding' woodland birds from proximity to the urban edge and from 'urban-adapted' native fauna and exotic pest animals. And the report (p.29) supports COG's view that the proximity of the proposed urban development is likely to permanently change the bird species composition in the Kama Nature Reserve, by reducing the abundance and diversity of woodland-dependent birds, many of which are declining and/or threatened.

- These conclusions concerning the significance of the threats/impacts are inconsistent with the preferred minimum buffer option recommended by Capital Ecology, 'needed to minimise/balance the economic costs' (Section 6 & Table 5).

Given the above, it is COG's contention that the proposed buffer for the Kama Nature Reserve is not

consistent with the MNES Plan September 2011 conditions, as environmental considerations and protections have not been given proper weight or precedence.

Buffer management

COG wishes to make some additional comments on the management of the Kama Nature Reserve buffer/interface. It has been problematic to ascertain details on how this area and the urban interface are to be managed, as there are a very large number of documents to peruse, daunting for a community group in the limited time available. It is COG's view that management of the Kama Nature Reserve buffer and interface, including fire management in the IAPZ, should be primarily informed by the ACT Parks and Conservation Service with advice of expert ecologists.

- The same conservation management principles should apply to the buffer interface and the reserve, to conserve environmental values, native ground cover and existing trees, and to control weeds.
- There should be no ornamental plantings in the buffer area, only necessary restoration with native species on ecological grounds. This is especially important to assist in minimising the potential intrusion of large or aggressive bird species.
- Pedestrian access points to the Kama Nature Reserve should be located to take account of the sensitivity of the endangered ecological communities and their associated fauna species.

Heritage listing

Lastly, the current proposed urban footprint encroaches on 'Kama Woodland/Grassland, Belconnen', land listed as significant heritage value under Heritage (Decision about Registration of Kama Woodland/Grassland, Belconnen) Notice 2012 (<https://www.legislation.act.gov.au/ni/2012-541>). No urban development, or infrastructure or Inner Asset Bushfire Zones (IAPZ), should occur in this listed Natural Heritage area. Likewise, urban open space should be created outside the natural heritage listing area, as it may compromise biodiversity conservation management (such as through pressure to remove old trees from a proposed picnic area).

You may upload any additional supporting documentation or photos.

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