

**REPORT ON CONSULTATION**

**DRAFT AMENDMENT 80 – YARRAMUNDI REACH**

**FEBRUARY 2013** Contents

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# Introduction

## Purpose and background

This report summarises the issues raised during the public consultation process undertaken by the National Capital Authority (NCA) on Draft Amendment 80 – Yarramundi Reach (DA80) to the National Capital Plan (the Plan). The statutory requirements of the Plan amendment process are described in the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act).

The purpose of DA80 is to remove the notation from *Figure 17 The Central National Area (Lake Burley Griffin & Foreshores)* of the Plan stating that the needs of the National Museum of Australia (NMA) must be taken into account prior to a decision being made about the use of the site, and change the land use policy to more adequately reflect the capacity of the site for development. DA80 will also assist in protecting the natural and cultural heritage values of Yarramundi Reach.

Yarramundi Reach is a large undeveloped parcel of National Land on the western side of Lake Burley Griffin, off Lady Denman Drive between Acacia Inlet and Barrenjoey Drive. The Burringiri Cultural Centre is also located on the site, occupying a small parcel of land off Lady Denman Drive.

In the early 1980s, Yarramundi Reach was identified as the preferred site for the National Museum of Australia (NMA) by the National Capital Development Commission. In 1997, site was set aside in favour of Acton Peninsula. A development reservation was then put on the northern foreshore at Yarramundi Reach for the future use of the NMA and is reflected in the Plan.

Parts of Yarramundi Reach have significant environmental and cultural values, including important endangered native grassland supporting threatened species. The development reservation of the NMA at Yarramundi Reach did not take into account natural and cultural environmental values as they are understood today. Having regard for these values, in August 2012 the Authority agreed to propose an amendment that reduced the area of land available for development and remove the development reservation for the NMA on Yarramundi Reach.

## Existing National Capital Plan provisions

*Figure 17 The Central National Area (Lake Burley Griffin & Foreshores)* currently identifies Yarramundi Reach as having a land use policy of primarily National Capital Use, with a land use policy of Open Space around the edge of Lake Burley Griffin. Figure 17 also states:

*Prior to a decision to use the northern foreshore at Yarramundi Reach for a National Capital Use in accordance with this* *Plan, the future needs of the National Museum of Australia must be taken into consideration.*

## Effect of the Draft Amendment to the National Capital Plan

It is proposed that Figure 17 be changed to amend the land use policy for the ‘Yarramundi grasslands’ from National Capital Use to Open Space. The annotation stating that the needs of the NMA must be taken into account before a decision is made on the use of the northern foreshore of Yarramundi Reach will also be removed.

Amending Figure 17 of the Plan has the potential to:

* Protect natural heritage items located at Yarramundi Reach; natural temperate grassland and the habitat of the striped legless lizard, Golden Sun Moth, Perunga grasshopper and, a number of Indigenous heritage sites.
* Reduce the likelihood of important aesthetic values with significant views to and from Lake Burley Griffin and its foreshores being detrimentally affected.

If approved, DA80 would not change or diminish the role and responsibilities of the NCA in future planning and land management of Yarramundi Reach.

# Consultation

On 3 November 2012, the NCA released DA80 for public comment. On this day, a notice was published in *The Canberra Times* (Attachment 1). On 7 November 2012, a notice was published in the *Commonwealth Notices Gazette* (Attachment 2). A media release was provided to national media outlets advising DA80 was open for public comment.

In accordance with the NCA’s ‘Commitment to Community Engagement (August 2011)’ the period for public comment ran for 30 business days, concluding on 14 December 2012. Hard copies of DA80 were made available to the public at the National Capital Exhibition, as well as the NCA offices. DA80 and supporting documentation were available on the NCA’s ‘Have Your Say’ website.

Key activities during the consultation period of DA80 included:

* On 6 November 2012, the NCA referred DA80 to the ACT Government Environment and Sustainable Development Directorate.
* On 6 November 2012, a request for an exemption to undertake a Regulation Impact Statement was sought from the Office of Best Practice Regulation.
* On 9 November 2012, the Office of Best Practice Regulation advised no Regulation Impact Statement would be required for DA80.
* On 7 November 2012, the NCA held a public information session at the NCA offices. One member of the public attended the session.
* On 13 December 2012, the Environment and Sustainable Development Directorate provided a submission on behalf of the ACT Government. This submission incorporated comments from several ACT Government agencies, including the Conservator of Flora and Fauna and the ACT Heritage Unit.

# Key issues

The NCA received four written submissions, one from the ACT Government and three from members of the public in response to DA80. Each submission was acknowledged by the NCA.

A summary of the key issues raised during the public consultation process and the NCA’s response is outlined below. A summary of each submission is included in Attachment 3, together with an NCA response.

## Ecological communities

**Comments received**

All submissions noted the biodiversity and heritage conservation values of Yarramundi Reach and supported the intent of DA80 to help better protect the natural and cultural features of the site. It was noted that the grasslands of Yarramundi Reach complement other endangered grasslands nearby.

One submitter suggested that the grasslands be rezoned as ‘natural temperate grassland’ in an attempt to further increase the protection of the site. Another submitter requested that the grasslands be given a formal title in the Plan, such as ‘Yarramundi Reach Nature Park.’

The ACT Government Conservator of Flora and Fauna noted that recent surveys have not been carried out to map striped legless lizard and golden sun moth habitat in the area. Recent work undertaken for the ACT Government suggests the golden sun moth may no longer be present at the site. The current extent of the striped legless lizard is unknown. The Conservator of Flora and Fauna recommended that if the major purpose of DA80 is to protect the golden sun moth and the striped legless lizard, then the Draft Amendment should not be adopted until mapping occurs to identify population numbers.

**NCA response**

The purpose of DA80 is to remove the notation from Figure 17 *The Central National Area (Lake Burley Griffin & Foreshores)* of the Plan stating that the needs of the National Museum of Australia must be taken into account prior to a decision being made about the use of the site. DA80 also proposes to change the land use policy to more adequately reflect the capacity of the site for development.

Benefits of removing the development reservation and changing the land use policy include protecting natural and cultural features of the site, including sites of Aboriginal heritage, endangered natural temperate grasslands and the recorded presence of endangered species. The draft Amendment also has the potential to reduce the likelihood of important aesthetic values of Lake Burley Griffin and its foreshores being detrimentally affected by removing the ability for larger scale buildings to be constructed on the lake foreshore.

The land use policy (or ‘zoning’) of a site indicates what type of development uses are permitted on the land. The proposed Open Space land use policy will allow the Yarramundi grasslands site only to be used for such purposes as public recreation, conservation or amenity, or small conveniences for the public (such as refreshments kiosks). The naming of public places occurs under separate processes established under the *National Memorials Ordinance 1928*.

No change to DA80 is recommended.

## Heritage

**Comments received**

The ACT Heritage Unit advised that there are a number of identified Aboriginal heritage sites on the land, however are of the opinion that the proposed ‘Open Space’ land use policy is unlikely to impact on these sites.

**NCA response**

The NCA notes the comments from the ACT Heritage Unit. No change to DA80 is recommended.

## Community use

**Comments received**

Two submitters noted the values of the natural lakeside landscape for learning opportunities in conservation, rehabilitation and biodiversity and also recreation activities for all members of the community.

**NCA response**

The changes proposed as part of DA80 support the use of the grasslands for conservation and recreation activities. No change to DA80 is recommended.

# Recommended changes

No changes to DA80 as released for public consultation are recommended.

# Conclusion

On 3 November 2012, DA80 was released for public consultation. The public consultation period ran for six weeks in accordance with the NCA’s ‘Commitment to Community Engagement (August 2011)’, concluding on 14 December 2012.

Four written submissions were received in response to DA80. In response to submissions, no changes have been recommended to DA80.

# Attachments

1. Notice of release of Draft Amendment 80 for public comment published in *The Canberra Times*.
2. Notice of release of Draft Amendment 80 for public comment published in the *Commonwealth Notices Gazette*.
3. Summary of submissions and NCA response.

## Attachment 1 – *Canberra Times* notice

## Description: Attachment 1 – Canberra Times notice **Attachment 2 – Commonwealth Notices Gazette notice**

Description: Attachment 2 – Commonwealth Notices Gazette notice


Description: Attachment 2 – Commonwealth Notices Gazette notice


### Attachment 3 – Summary of submissions

Note: Details of each submitter have only been reproduced in this table where a submitter has granted permission for their name and/or address to be used by the National Capital Authority for the purposes of the Report on Consultation for Draft Amendment 79.

| **No.** | **Details of submitter** | **Key points raised in submission** | **NCA consideration** |
| --- | --- | --- | --- |
| **1** | Matthew Frawley (Kambah, ACT) | Supports proposal to change land use policy from “National Capital Use” to “Open Space”. Considers this will help ongoing conservation of endangered native temperate grassland. Requests grasslands given formal title on Plan, such as Yarramundi Reach Nature Park. | Support for the draft Amendment is noted. The naming of public places occurs under separate processes established under the *National Memorials Ordinance 1928*. |
| **2** | ACT Government Environment and Sustainable Development Directorate  GPO Box 158 Canberra ACT 2601 | The ACT Government Environment and Sustainable Development Directorate has nil comment. Comments were received from other ACT Government agencies, including:  **Conservator of Flora and Fauna**  Supports intention of draft Amendment to help better protect natural and cultural features of the site.  Considers wording misleading regarding species present on site. The Striped Legless Lizard and Golden Sun Moth may both be extinct at the site. If these species still occur at the site, the proposed land use boundaries have not been informed by recent surveys. Recent work for the ACT Government suggests that the moth is extinct at the site, while the extent of the lizard is unknown.  Potential habitat for both the Striped Legless Lizard and Golden Sun Moth lies outside the proposed open space zoning (within current National Capital Use areas).  Recommends if the major purpose of DA80 is to protect striped legless lizard and golden sun month then the draft amendment should not be adopted until it has been informed by recent mapping of habitat.  **ACT Heritage Unit**  Notes that there are a number of identified Aboriginal Heritage sites on the subject land. Notes the use of the area as ‘Open Space’ is not expected to impact on these sites. | The purpose of DA80 is to remove the notation from Figure 17 *The Central National Area (Lake Burley Griffin and Foreshores)* of the Plan stating that the needs of the National Museum of Australia must be taken into account prior to a decision being made about the use of the site. DA80 also proposes to change the land use policy to more adequately reflect the capacity of the site for development.  Benefits of removing the development reservation and changing the land use policy include protecting natural and cultural features of the site, including sites of Aboriginal heritage, endangered natural temperate grasslands and the recorded presence of endangered species. The draft Amendment also has the potential to reduce the likelihood of important aesthetic values of Lake Burley Griffin and its foreshores being detrimentally affected by removing the ability for larger scale buildings to be constructed on the lake foreshore. |
| **3** | Lisa Cliff (O’Connor, ACT) | Considers Yarramundi Reach to hold biodiversity and heritage conservation values.  Supports Friends of the Grasslands wish to rezone all of the area as a Natural Temperate Grassland, and to ensure endangered species are identified accurately.  Considers Yarramundi Reach an ideal site for volunteering, conservation and learning opportunities and recreation. | The land use policy (or ‘zoning’) of a site indicates the type of development uses permitted on the land. The proposed Open Space land use policy will allow the Yarramundi grasslands site only to be used for such purposes as public recreation, conservation or amenity, or small conveniences for the public (such as refreshments kiosks). |
| **4** | Jean Geue (Aranda, ACT) | Supports move which appears to protect endangered natural grassland.  Notes the natural temperate grasslands listed as endangered. Considers Yarramundi Reach to complement nearby endangered grasslands (Aranda Snow Gums reserve and within the Glenloch interchange).  Regular work parties involving the NCA, Friends of Grasslands and ANU Fenner School have remove highly invasive weed species and undertaken remdial plantings of native species occurring on the site. Considers this approach an excellent solution as Yarramundi Reach belongs to everyone and no one and lacks a nearby suburb to take ownership to protect conservation values.  Considers Yarramundi Reach worth of conservation protection under the National Capital Plan and the Territory Plan to ensure biodiversity vales and the natural lakeside landscapes maintained in perpetuity. | Support for the draft Amendment is noted. |