



Australian Government
National Capital Authority

CONSULTATION REPORT

DRAFT AMENDMENT 96

Monaro Highway and Hume Industrial Estate

February 2024

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1. Introduction

1.1 Purpose and Background

This report summarises the issues raised during the public consultation process undertaken by the National Capital Authority (NCA) on National Capital Plan Draft Amendment 96 – Monaro Highway Approach Route and Block 1563 Tuggeranong (DA96).

Key changes to the National Capital Plan (the Plan) proposed by Draft Amendment 96 include:

- variation to the extent of the Designated Areas around the Monaro Highway Approach Route (notably the intersection of the highway and Isabella Drive)
- change to the general land use policy for Blocks 1469, 1488, 1670 and part of 1563 Tuggeranong from Broadacre Areas to Urban Areas to facilitate industrial land uses.

In August 2023, the NCA Board agreed to release DA96 for public consultation.

1.2 Draft Amendment 96

DA96 proposes to adjust the Designated Area boundary for an updated Monaro Highway alignment planned by the ACT Government's Transport Canberra & City Services (TCCS). The updated alignment includes a widened carriageway for the Monaro Highway along with a new intersection structure, which will form part of a revised road reserve. TCCS has identified the road as requiring improvements to safety, capacity and travel times.

This proposed amendment addresses the Isabella Drive Interchange works, which are a subset of the overall program. Through review of the Designated and non-Designated Land over the subject site, it has been identified that the proposed realignment of the Monaro Highway and intersection works will be out of alignment with the intended Approach Route corridor specified in the Plan.

In order for proposed development to progress, an amendment to the Plan is required to retain the NCA's interest in accordance with the Plan for the Monaro Highway Approach Route into the Nation's Capital. The proposal will simplify the jurisdictional pattern associated with the Approach Route, providing clarity to the public and relevant entities as the proposal moves into the planning approval stage in 2024.

Blocks 1469, 1488, 1670 and 1563 Tuggeranong are irregularly shaped parcels of land on the southern edge of the Hume Industrial Estate. There currently exists a discrepancy in land use policy between the National Capital Plan and the Territory Plan for these blocks.

Blocks 1469, 1488, 1670 and the northern portion of Block 1563 Tuggeranong are within Broadacre Areas under the Plan. The southern 'tail' of Block 1563 is within Hills, Ridges and Buffer Spaces of the Plan. Industrial uses are not permitted in either of these land use policy areas.

Under the Territory Plan, the zoning of the 'tail' of Block 1563 Tuggeranong aligns with the land use policy under the Plan. Blocks 1469, 1488, 1670 and the northern portion of Block 1563, are zoned CZ6 – Leisure and Accommodation, and IZ1 – General Industry. Both zones allow for uses not permitted under the Broadacre Areas land use policies from the Plan.

The effect of DA96 as proposed will result in the land being able to be utilised for industrial (or other urban) land uses. The land will provide a small number of sites that will contribute to a much-needed increase in industrial land in the ACT.

2. Consultation

2.1 Consultation Activities

On 11 November 2023, the NCA released DA96 for public comment. The consultation period ran for a period of 4 weeks, concluding on 8 December 2023. DA96 and supporting material was available on the NCA website during the consultation period.

Key activities during the consultation period of DA96 included:

- On 11 November 2023, a notice was published in *The Canberra Times* ([Attachment A](#)).
- On 11 November 2023, content was published on the NCA's website.
- On 13 November 2023, the NCA referred DA96 to the ACT Government's Environment, Planning and Sustainable Development Directorate (EPSDD) in accordance with section 15(1) of the *Australian Capital Territory (Planning and Land Management) Act 1988*.
- On 14 November 2023, a notice was published on the Federal Register of Legislation ([Attachment B](#)).
- On 16 November 2023, the NCA referred DA96 to the following stakeholders:
 - Tuggeranong Community Council
 - Queanbeyan Palerang Regional Council
 - Jerrabomberra Residents Association
 - Department of Regional NSW
 - Hume Businesses
- On 17 November 2023, the Office of Impact Analysis advised that no Regulation Impact Statement would be required for DA96.
- On 14 December 2023, EPSDD responded to the draft amendment and did not object to DA96 proceeding.

2.2 Submissions received

Two submissions were received in response to DA 96, with submissions raising heritage and ecological matters. The key issues raised in the public consultation period are summarised in Section 3 of this report. Details of submissions are available in [Attachment C](#).

3. Key Issues

3.1 Heritage

Comments

The ACT Heritage Council provided advice regarding Aboriginal places within the subject area and made comments regarding the heritage reports (Jacobs Consulting 2021) referenced in the draft amendment. In summary, the following advice was provided by the ACT Heritage Council:

- The heritage reports (Jacobs Consulting 2021) have not yet been endorsed by the ACT Heritage Council.
- Other heritage assessments have been completed in the subject area since 2021.
- It was considered that systematic survey of the entire subject area has not been undertaken.
- A number of Aboriginal places have been recorded in the subject area and it is considered likely that there are unrecorded Aboriginal places and objects in the study area.
- A Cultural Heritage Assessment of the subject area prepared by a qualified archaeologist and Representative Aboriginal Organisations (RAOs) in accordance with relevant Council policy would be required prior to any proposed development.

- *Heritage Act 2004* approvals have been issued to allow archaeological excavation of several Aboriginal sites in the subject area.
- The *Heritage Act 2004* applies to the subject area for any current and future development, regardless of the land zoning. (unless development is undertaken by a Commonwealth Agency). This will likely affect future developments as conservation, management and mitigation of Aboriginal places will be required.

Friends of Grasslands, a community group that advocates for conservation, particularly of native grassy ecosystems also provided some comments on heritage matters in the subject area. Friends of Grasslands considered the draft amendment did not adequately address heritage matters in and adjacent to the subject area.

This includes the TSR (Travelling Stock Route) which has been nominated for provisional registration to the ACT Heritage Register and areas of heritage significance identified in archaeological surveys. Friends of Grasslands recommended that impacts to areas of heritage significance be avoided if possible, by reconsidering the road alignment while impacts to the Travelling Stock Route should be avoided entirely, including any for construction work. Friends of Grasslands recommended that a draft plan of mitigation measures be circulated for comment to key stakeholders including Friends of Grasslands and members of the heritage community.

NCA response

The NCA notes the comments from the ACT Heritage Council and the Friends of Grasslands. As has been noted by the ACT Heritage Council, any current or future development such as the Monaro Highway Upgrade would remain subject to the requirements of the *Heritage Act 2004* even with the proposed changes to land zoning of DA96. Current and future developments would be required to seek endorsement from the ACT Heritage Council before proceeding and consultation with the Registered Aboriginal Organisations would also need undertaken as appropriate.

The proponent has confirmed to the NCA that the Jacobs Consulting (2021) reports, which detail a cultural heritage assessment of the project area including field survey with the Representative Aboriginal Organisations, have not been endorsed by the ACT Heritage Council and plan to submit a combined Cultural Heritage Assessment and Statement of Heritage Effect for the Monaro Highway Upgrade – Isabella Drive and Hume Interchanges in February 2024. This will provide assessment of all locations within the development footprint which will include allowance of adequate footprint for safe construction. The results from recent archaeological surveys carried out would also be included. The discovery of Aboriginal heritage during the construction phase will be managed in accordance with the provisions of the *Heritage Act 2004* and unexpected finds protocol will be developed and provided to the ACT Heritage Council for endorsement.

The Travelling Stock Route which has been nominated for provisional registration to the ACT Heritage Register in Hume Block 6 Section 8 (noted by Friends of Grasslands as Block 3 Section 8) is not included in the subject area for DA96. The Travelling Stock Route will not be affected by the Monaro Highway Upgrade development. There is an Icon Water asset in the most northwestern section of Hume Block 6 Section 8 adjacent to the intersection of the Monaro Highway with Tralee Street which includes vehicular access to allow for regular maintenance. The Monaro Highway Upgrade will include alterations to this access but only within the existing footprint of this Icon Water asset and not the adjacent woodland and Travelling Stock Route.

3.2 Fauna Connectivity

Comments

Comments were received from the office of the Conservator of Flora and Fauna, EPSDD and Friends of Grasslands regarding the importance of fauna connectivity across the Monaro Highway and the broader landscape. All parties noted that the existing Monaro Highway intersects an essential wildlife corridor between the Wanniasa Hill (and adjacent reserves) to the north and NSW habitats to the south of Hume and that the Monaro Highway Upgrade could further impact on fauna connectivity.

All parties who provided comments recommended that fauna connectivity should be retained or enhanced and that this would need to be considered on a broader landscape scale rather than a site-by-site basis as other future developments are also planned in the area which could reduce fauna connectivity. It was recommended that this could be achieved by retention of existing vegetation within the subject area and creation of suitable fauna connectivity measures.

EPSDD recommended any existing or proposed connectivity values are supported by suitable road crossing structures, to be installed as part of the Monaro Highway redevelopment works and that improvement of habitat could be undertaken for the development to improve connectivity. EPSDD also recommended as a minimum, retention of green buffers around future developments (as nominated on a figure provided with comments) and nominated specific areas for retention including a creek line immediately west of the Hume Industrial Estate, several areas of treed vegetation including in Tuggeranong Blocks 1469, 1563 and 1670. EPSDD also noted that the Biodiversity Sensitive Urban Design (BSUD) guide also be applied at the earliest stage.

NCA response

The NCA notes the comments from the Conservator of Flora and Fauna, EPSDD and Friends of Grasslands in regard to fauna connectivity. Any current and future development in the subject area would remain subject to the *Nature Conservation Act 2014* and *Environment Protection and Biodiversity Conservation (EPBC) Act 1999* with changes proposed in DA96. Any development would still require approval under other processes and the land zoning change proposed in DA96 does not prejudice any future approvals.

The NCA understands that the proponent is currently undergoing discussions regarding fauna connectivity with the Parks and Conservation Service and the office of the Conservator of Flora and Fauna, and that these discussions will need to be finalised before the approval of any current or future development.

The proponent has advised the NCA that no dedicated fauna connectivity structures currently exist in the subject area however as a part of the project fauna connectivity options and viability will be discussed as necessary. The proponent, during the design process will consider improving fauna connectivity for the development of the Monaro Highway Upgrade as per the options discussed with the Parks and Conservation Service and the office of the Conservator of Flora and Fauna.

3.3 Biodiversity

Comments

The Conservator of Flora and Fauna, EPSDD and Friends of Grasslands requested that retention of woodlands in the subject area be considered due to their higher inherent ecological value and to support fauna connectivity. The areas nominated to be considered for retention included:

- Potential threatened Woodland within Tuggeranong Block 1563
- A creek line immediately west of the Hume Industrial Estate

- Woodlands adjacent to the Monaro Highway within Tuggeranong Blocks 1670, 1469, 1563

The Friends of Grasslands requested that the project generally should avoid the loss of mature trees (citing the Key Threatening Process under the *Nature Conservation Act 2014*) and recommended that in general impacts to potentially threatened woodlands be avoided and provided a figure (taken from ACTmapi) which showed potentially threatened woodlands in the area. It was recommended that the works areas (for construction) must be identified and be contained only within the areas that are to be destroyed for development.

Friends of Grasslands also commented that compensatory management and vegetation for the losses of other vegetation could be undertaken within the TSR (Hume Block 6 Section 8) and within other areas where feasible.

NCA response

The NCA notes the comments from the Conservator of Flora and Fauna, EPSDD and Friends of Grasslands regarding retention of woodlands. Current and future development in the subject area would remain subject to the *Nature Conservation Act 2014* and the *Urban Forest Act 2023* with changes proposed in DA96. This includes the key threatening process of the loss of mature trees. Any development requires approval under planning approval processes, and the land zoning change proposed in DA96 does not prejudice any future approvals. The amendment does not provide approval for physical works to be undertaken.

The NCA understands that the proponent has retained vegetation where possible and retention has been considered during the design process for the Monaro Highway Upgrade. Notably this includes vegetation identified during environmental investigations as being of higher ecological value such as hollow bearing trees.

A Landscape Management and Protection Plan has been developed and endorsed in-principle by TCCS Urban Treescaping to document the tree removals and protections. The project design has aimed to retain as much of the existing infrastructure as possible to minimise project footprint and the vegetation that will be impacted.

Whilst detailed planning is subject to other processes, the proponent has advised the NCA of the following in regard to the Monaro Highway Upgrade project:

- Potential threatened Woodland within Tuggeranong Block 1563 is outside of the subject area and will be retained.
- A creek line immediately west of the Hume Industrial Estate will largely be retained while additional landscape planting has been included in the project design. Stormwater infrastructure will be included in the creek line adjacent to the Monaro Highway and at Tralee Street to allow conveyance of overland flows.
- Woodlands adjacent to the Monaro Highway within Tuggeranong Blocks 1670, 1469, 1563 will be impacted. The road speed of the Monaro Highway will increase from 80km/h to 100km/h. Due to the higher speed road network design a wider road curve alignment is required compared to existing road network to be compliant with Australian Road Safety standards. Some impacts to these woodlands are also due to new proposed infrastructure including the on and off ramps of the Monaro Highway. Impacts have been addressed by minimising the development footprint and retaining existing infrastructure. Compensatory landscape planting will be undertaken within the development area for the loss of trees and vegetation.

A biodiversity assessment carried out for the Monaro Highway Upgrade concluded that the condition of native vegetation in the study area varied and was not commensurate with any threatened ecological community listed under the *Nature Conservation Act 2014* and/or the *EPBC Act 1999*.

Compensatory planting will be undertaken in accordance with landscaping plans which have also endorsed in-principle by TCCS Urban Treescapes. Compensatory tree planting will be undertaken at an increased replacement rate and will lead to an increase in canopy cover at maturity. Hollow bearing trees that will be impacted by the development will be removed, kept, cleaned and re-erected on site.

The suggested green buffer for retention mostly sits outside the NCA's Designated Area. EPSDD has planning authority for most of this proposed buffer. Development of additional industrial land in Hume would be subject to an Estate Development Plan and subdivision application that would require approval from EPSDD.

4. Conclusion

On 11 November 2023, DA96 was released for public consultation. The public consultation period ran for 4 weeks, concluding on 8 December 2023.

Two submissions were received in response to DA96. The submissions raised heritage and ecological matters.

NCA officers are of the view that matters raised in submissions are outside the scope of the draft amendment and will be addressed as part of other processes required to enable the Monaro Highway project to proceed, or for new industrial blocks to be developed.

The amendment will provide the following:

- Facilitate required upgrade works to a key piece of infrastructure located near the ACT and NSW border and will enable better connection to Canberra's south and beyond.
- simplify the jurisdictional patterns associated with the Monaro Highway approach route in order to facilitate proposed infrastructure upgrade works.
- provide additional urban areas in the Hume Industrial Estate.

No changes are recommended to DA96 as result of the public notification process.

5. Attachments

- A. Notice of release of Draft Amendment 96 for public comment published in *The Canberra Times*.
- B. Notice of release of Draft Amendment 96 for public comment published in the *Commonwealth Notices Gazette*.
- C. Full submissions received in response to Draft Amendment 96.



Australian Government
National Capital Authority

NATIONAL CAPITAL PLAN DRAFT AMENDMENT 96

Open for Public Consultation Monaro Highway and Hume Industrial Estate

The National Capital Authority (NCA) has released National Capital Plan Draft Amendment 96 - Monaro Highway and Hume Industrial Estate (DA96) for public consultation. The draft amendment can be viewed on the NCA's public consultation webpage.

DA96 proposes to vary the extent of the NCA's Designated Areas along the Monaro Highway Approach Route and change the general land use policy for Blocks 1469, 1488, 1670 and part of 1563 Tuggeranong from Broadacre Areas to Urban Areas to facilitate industrial land uses.

The purpose of DA96 is to simplify the approval processes for improvements to the Monaro Highway and address a historical land use inaccuracy in the National Capital Plan.

**Feedback welcome by close of business Friday 8
December 2023:**

Email draft.amendment@nca.gov.au; mail to GPO Box 373, Canberra ACT 2601; or hand deliver to Treasury Building, King Edward Terrace, Parkes ACT 2600.

All enquiries regarding DA96 can be directed to draft.amendment@nca.gov.au

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 [nca.gov](https://www.facebook.com/nca.gov) [nca_gov_au](https://www.instagram.com/nca_gov_au) [@nca_media](https://twitter.com/nca_media)

www.nca.gov.au

Attachment B: Notice of release of Draft Amendment 96 for public comment published as a Gazette Notice on the Federal Register of Legislation

	Commonwealth of Australia	Gazette
Published by the Commonwealth of Australia		GOVERNMENT NOTICES

National Capital Plan Draft Amendment 96 – Monaro Highway and Hume Industrial Estate

The National Capital Authority (NCA) has released National Capital Plan Draft Amendment 96 – Monaro Highway and Hume Industrial Estate (DA96) for public consultation. The draft amendment can be viewed on the NCA's public consultation webpage.

DA96 proposes to vary the extent of the NCA's Designated Areas along the Monaro Highway Approach Route and change the general land use policy for Blocks 1469, 1488, 1670 and part of 1563 Tuggeranong from Broadacre Areas to Urban Areas to facilitate industrial land uses.

The purpose of DA96 is to simplify the approval processes for improvements to the Monaro Highway and address a historical land use inaccuracy in the National Capital Plan.

The NCA welcomes feedback on DA96 by close of business Friday 8 December 2023. Submissions can be made via email to Draft.Amendment@nca.gov.au, by mail to GPO Box 373, Canberra ACT 2600, or hand delivered to the Treasury Building, King Edward Terrace, Parkes ACT 2600.

Please visit the NCA's website at www.nca.gov.au for further information about DA96, the consultation process and how to have your say.

Enquiries regarding DA96 can be directed to Draft.Amendment@nca.gov.au.

Government Notices Gazette C2023001192 14/11/2023

Attachment C: Summary of submissions

No	Name	Comments
1	Friends of Grasslands	<p>Friends of Grasslands (FOG) is a community group dedicated to the conservation of natural temperate grassy ecosystems in south-eastern Australia. FOG advocates, educates and advises on matters to do with the conservation of native grassy ecosystems, and carries out surveys and other on-ground work. FOG is based in Canberra and its members include professional scientists, landowners, land managers and interested members of the public.</p> <p>In 2020 FOG submitted comments on the proposed changes to the road alignment (attached). FOG supported the alignment as long as mitigation recommendations were adhered to. The changes to the alignment outlined in Amendment 96 significantly increase the impact of the road and road works on natural values identified under the Environmental Protection and Biodiversity Conservation and Nature Conservation Acts.</p> <p>FOG understands that realignment is recommended for safety reasons, but the draft amendment is inadequate as it does not address the known biodiversity and heritage matters, as follows:</p> <ol style="list-style-type: none"> 1. Loss of mature native trees in the horse paddocks and along the edges of the road (a key threatening process under the ACT's Nature Conservation Act). 2. Fragmentation (a key threatening process under the ACT's Nature Conservation Act): the woodland is part of an important local wildlife connection linking the woodlands of the Red Kill/Mugga Mugga/Callum Brae/Wanniassa Hills/Farrer Ridge complex with woodland south of Tralee in NSW. 3. Other areas of critically endangered White Box – Yellow Box – Blakely's Red Gum woodland within the proposed alignment are not mentioned (see Figure 1, the map of woodland from ACTMapi, in which the darker green indicates higher value woodland). 4. Potential threatened species habitat is not identified. 5. It is not admissible to dismiss the nomination of the TSR (Hume Block 3 Section 8, opposite Mugga Lane) to the Heritage Act even though it is not yet assessed, given the backlog of matters to be addressed and the dissolution of the Heritage Council. This area is CEEC bgw. It is unclear/ambiguous as to whether this area will be impacted. 6. In addition, the archaeological survey has identified areas of heritage significance that will be impacted. <p>We recommend, therefore, that the following mitigation actions are undertaken, according to best practice:</p>

1. The alignment should be reconsidered where possible to remove impacts to the six matters above.
2. The realignment should be subject to an EIS and mitigation measures identified. This should include:
 - a) The works areas must be identified and be contained only within the areas that are to be destroyed for development.
 - b) Entry to the TSR must not be allowed for any construction work.
 - c) Compensatory management and revegetation for losses of other vegetation may be undertaken within the TSR and within other areas where feasible.
3. A draft plan of the mitigation measures to be circulated for comment to key stakeholders, including the ACT Government, FOG and members of the heritage community.

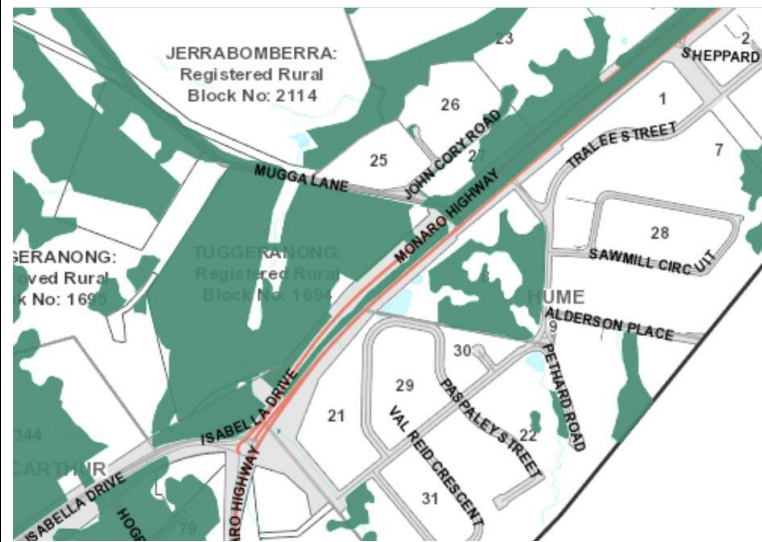


Figure 1. Woodland within the Hume area including areas that will be impacted or destroyed by the road alignment.

FOG would be pleased to discuss this matter further.

2	<p>Environment Planning Sustainable Development Directorate (ACT Government)</p>	<p>Thank you for your letter dated 13 November 2023 providing the ACT Government with the opportunity to comment on changes to the National Capital Plan in DA96 for the Monaro Highway and Hume Industrial Estate.</p> <p>The proposal has been circulated to ACT Government agencies for feedback and a summary of the key comments provided during circulation are provided below:</p> <p><u>ACT Heritage Council</u></p> <ul style="list-style-type: none"> • The Draft Amendment includes commentary that the project would result in no direct impacts to (registered) heritage places in the study area. • The Jacobs Consulting (2021) heritage assessments did not include assessment of the entire subject area as included in the Draft Amendment and these reports have not been endorsed by the Council. These reports included Aboriginal places which are outside the subject area and additional heritage assessments have also been completed in this area since 2021. • The subject area is considered likely to have unrecorded Aboriginal objects and places noting the landscape context and the results of nearby heritage surveys. • A number of Aboriginal places are located in land proposed to become Designated Areas and in areas where a change of land use policy is proposed. It is understood that the <i>Heritage Act 2004</i> would continue to apply to these Aboriginal places if future development is not undertaken by a Commonwealth agency. • The Aboriginal places in the land proposed to be changed from Broadacre Areas to Urban Areas to facilitate industrial land uses in the National Capital Plan are protected under the <i>Heritage Act 2004</i>. Specific requirements under the <i>Heritage Act 2004</i> relating to the conservation, management and mitigation of Aboriginal places will be required and this will affect future development outcomes; and • Prior to any proposed development, a Cultural Heritage Assessment of the subject area, prepared by a qualified archaeologist and Representative Aboriginal Organisations (RAOs) in accordance with relevant Council policy, would be required. This investigation may result in additional <i>Heritage Act 2004</i> conservation or management requirements and affect future development outcomes. <p><u>Conservator of Flora and Fauna</u></p> <p>The proposed changes need:</p> <ul style="list-style-type: none"> • To make sure that ecological connectivity values in the area are identified at an early stage and suitably retained and enhanced and not be overlooked by looking at individual projects in this area on a site-by-site basis; • To make sure that any existing or proposed connectivity values are supported by suitable fauna road crossing structures at crossing points, to be installed as part of the Monaro Highway redevelopment works;
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- To retain the ecological value of the creek and potential threatened woodland located within the proposed expanded urban development area of Block 1563; and
- To consider retention of woodland area (eastern side of Monaro Highway) for its inherent ecological and connectivity value.

Development Impact Assessment considerations

- There may be potential pink tailed worm lizard habitat, threatened woodland and rare and other important plants including, Hoary Sunray and Small Purple Pea, within and in close proximity of Block 1563, Tuggeranong. However, consideration of these protect matters do not appear to have been addressed in the supporting documentation. Further investigation may be required to confirm if any of the proposed works would result in significant adverse environmental impacts to any protected matters.
- It is also noted that the supporting documentation for DA96 does not identify part of Block 1563 and the southern tip of Block 1469 being located within a Special Purpose Reserve under the Territory Plan.

Other government stakeholders either had no comment, no objection, feedback that related to matters at development application or works approval stage or indicated support for the proposed draft amendment.

The full comments from the Conservator of Flora and Fauna and ACT Heritage are provided at Attachment A.

Thank you for your consideration of these comments in finalising DA96.

Attachment A

ACT Government agency comments on NCP Draft Amendment 96 Monaro Highway and Hume Industrial Estate

ACT Heritage Council

The Draft Amendment document references heritage assessments prepared by Jacobs Consulting (2021) in relation to the Monaro Highway upgrade. The Draft Amendment includes commentary that the project (understood to be the Monaro Highway upgrade project) would result in no direct impacts to (registered) heritage places in the study area. The Draft Amendment document notes that Jacobs Consulting (2021) recorded five Aboriginal places and two areas of potential archaeological deposit. The Draft Amendment document also states that “...the change in land use does not automatically

infer development rights on the land. Studies addressing matters such as environment, heritage, access, etc will need to be undertaken prior to development occurring on the land.”

While the Draft Amendment document references the Jacobs Consulting (2021) reports, these did not include assessment of the entire subject area as included in the Draft Amendment and these reports have not been endorsed by the Council. These reports included Aboriginal places which are outside the subject area and additional heritage assessments have also been completed in this area since 2021.

Review of the ACT Heritage Register and various Council records indicates that the following Aboriginal places have been recorded in the subject area (including both the varied extent of Designated Areas and the land use policy changes area).

The following Aboriginal places are in this area:

- MI004 (small surface artefact scatter)
- MI005 (small surface artefact scatter)
- Monaro Isabella PAD 001 (potential archaeological deposit)
- Monaro Isabella PAD 002 (potential archaeological deposit)
- FCA3 (isolated find)
- FCA4 (potentially modified tree)
- FCA5 (potentially modified tree)
- FCA6 PAD (potential archaeological deposit)
- OS4 & PAD (surface artefact scatter and potential archaeological deposit)

Additionally, while a number of Aboriginal places are in the subject area, there has been no systematic heritage survey, with prior assessments focussed on impact footprints specific to their related project. The subject area is considered likely to have unrecorded Aboriginal objects and places noting the landscape context and the results of nearby heritage surveys.

Accordingly, as a delegate of the Council, I advise the following:

- a number of Aboriginal places are located in land proposed to become Designated Areas and in areas where a change in land use policy is proposed. The additional Designated Areas would include all the above Aboriginal places with the exception of OS4 & PAD. It is understood that the *Heritage Act 2004* would continue to apply to these Aboriginal places if future development is not undertaken by a Commonwealth agency. *Heritage Act 2004* approvals have also been issued to allow archaeological excavation of Monaro Isabella PAD 001, Monaro Isabella PAD 002 and FCA6 PAD with the results pending;

- as noted in the Draft Amendment document, “...the change in land use does not automatically infer development rights on the land...”. The Aboriginal places in the land proposed to be changed from Broadacre Areas to Urban Areas to facilitate industrial land uses in the National Capital Plan are protected under the *Heritage Act 2004*. Specific requirements under the *Heritage Act 2004* relating to the conservation, management and mitigation of Aboriginal places will be required and this will affect future development outcomes; and
- a Cultural Heritage Assessment of the subject area prepared by a qualified archaeologist and Representative Aboriginal Organisations (RAOs) in accordance with relevant Council policy would be required prior to any proposed development. This investigation may result in additional *Heritage Act 2004* conservation or management requirements and affect future development outcomes.

The Conservator of Flora and Fauna (Conservator)

The Conservator appreciates the opportunity to review this Draft Amendment and provides the following comments:

A potential ecological connectivity issue exists in the wider landscape that might be overlooked by looking at individual projects in this area on a site by site basis. Conservation Officials recently reviewed the Monaro Highway Stage 2 wildlife crash risk assessment document, which includes an account of potential fauna crossing points for the new revised highway. Revisions to the highway include the slip road, as well as other on-line amendments to slip roads, roundabouts, junctions etc.

At a high level, the parcels of land concerned comprise the only connectivity route from Wanniasa and Gilmore to the south, into adjacent habitats in NSW. Insensitive development in the area is likely to further impact on landscape scale connectivity, and could potentially remove much of the remaining connectivity value in the area. It should be noted that much of the area highlighted yellow below (NSW) is being, or is likely to be, developed in the near future through southward expansion of Jerrabomberra NSW, further isolating the ACT reserves to the north from the surrounding landscape to the south.

		<ul style="list-style-type: none">• Ensure that any existing or proposed connectivity values are supported by suitable road crossing structures, to be installed as part of the Monaro redevelopment works. For example, delivery of crossing structures within the green buffer area identified in the below map.• Retain the ecological value of the creek and Potential Threatened Woodland located within the proposed expanded urban development area of block 1563 (i.e., the eastern extent of the highlighted area in the map below). This retained creek area should be linked up to the existing culvert/creek area on the Monaro highway (gold star, below), with a dedicated fauna crossing, or integration with the pedestrian underpass which is proposed in this general area.• Consider retention of the woodland highlighted yellow below, for its inherent ecological and connectivity value.
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Monaro Highway

The highway redevelopment needs to align with the proposed connectivity areas as above, by providing suitable fauna crossing points in these areas.