

Planning and Development (Tidbinbilla) Plan of Management 2012

Disallowable instrument DI2012–193

made under the

Planning and Development Act 2007 section 330

EXPLANATORY STATEMENT

This explanatory statement relates to the Planning and Development (Tidbinbilla) Plan of Management 2012 (ISBN 978-0-9871175-1-9). It has been prepared in order to assist the reader.

Legislative context

The Tidbinbilla precinct is defined as public land in the Territory Plan. Under section 316 of the *Planning and Development Act 2007* (the Act) an area of public land must be managed in accordance with the management objectives applying to the area and any plan of management for the area. Under section 320 (2) of the Act, the custodian for an area of public land may prepare a draft plan of management for the area if the custodian considers the existing plan of management is outdated. The custodian considers the 1999 plan of management prepared for Tidbinbilla Nature Reserve is now outdated and the Tidbinbilla Plan of Management 2012 has been prepared.

A plan of management is a disallowable instrument under section 330 (1) of the Act.

The Territory Plan identifies that Tidbinbilla is comprised of two public land categories: 'National Park' and 'Special Purpose Reserve'. Schedule 3 of the *Planning and Development Act 2007* sets out the management objectives for these categories of public land as:

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| National Park | <ol style="list-style-type: none">1. To conserve the natural environment.2. To provide for public use of the area for recreation, education and research. |
| Special Purpose Reserve | <ol style="list-style-type: none">1. To provide for public and community use of the area for recreation and education. |

The Act (s. 319) requires that a plan of management includes a description of the area of public land to which it applies and how the management objectives for the area are to be implemented or promoted in the area.

Background information for the Tidbinbilla Plan of Management 2012

The *Tidbinbilla Plan of Management 2012* addresses management of four public land areas that were previously managed separately. These are:

- Tidbinbilla Nature Reserve (National Park and Special Purpose Reserve);
- Jedbinbilla – former pine plantation, Block 60 Paddys River (Special Purpose Reserve);
- Gibraltar – former pine plantation, Block 223 Paddys River (National Park);
- Birrigai at Tidbinbilla – former Birrigai Outdoor School (Special Purpose Reserve).

Tidbinbilla is located in the north-west quadrant of the ACT about 40 km from the Canberra city centre, covering an area of approximately 6 466 ha. In 2003 a bushfire swept through much of Tidbinbilla, severely burning most of the vegetation and destroying some buildings and other infrastructure. Post fire recovery and rebuilding is one of the most significant influences on the development of the *Tidbinbilla Plan of Management 2012*.

The Tidbinbilla valley floor is framed by the Tidbinbilla and Gibraltar Ranges, Jedbinbilla is within the valley on the lower slopes of the Tidbinbilla Range and Gibraltar is on the south eastern side of the Gibraltar Range. Birrigai (formerly Birrigai Outdoor School) occupies a smaller valley and foot-slopes on the eastern end of the Gibraltar Range.

Tidbinbilla protects a diversity of vegetation types. Woodland, grassland and shrubland communities are found on the lower slopes and in the valley, and subalpine snow gum and Poa grassland are found on the exposed windswept ridges at elevations of up to 1600 m. Almost 500 plant species have been recorded from Tidbinbilla and some, particularly ferns and orchids, are uncommon in the ACT. The tall wet forests of the cooler slopes and sheltered gullies of Tidbinbilla, have only a limited distribution in the ACT.

Tidbinbilla contains a range of animal species that are typical of the regional landscape and relate to the local diversity of habitat. A feature of Tidbinbilla is its wildlife collection where captive animals can be seen in natural surroundings. Special research programs are associated with some of these animals, in particular, the northern corroboree frog and brush-tailed rock wallaby—last recorded in the wild from Tidbinbilla.

The area has a rich record of Aboriginal occupation including rock shelters. Evidence of this occupation stretches back for more than 20 000 years. While there has not been continuous Aboriginal connection with Tidbinbilla, there is renewed interest in the area from local Aboriginal people. Tidbinbilla also includes sites showing European settlement and pastoral land use since the early 19th century, and many former residents and their descendants maintain a close association with the area.

The proximity of Tidbinbilla to the Canberra urban area has resulted in a high level of recreational use for both passive and active outdoor recreation, and Tidbinbilla is integral to the promotion of nature based tourism in the ACT. Tidbinbilla and Birrigai have an established reputation for environmental education and interpretation.

Tidbinbilla adjoins the Namadgi National Park and together they are a significant component of the Australian Alps national parks. These parks provide protection for much of the alpine and subalpine environments of mainland Australia.

Public consultation on and approval of the Tidbinbilla Plan of Management 2012

Section 323 of The *Planning and Development Act 2007* outlines public consultation requirements for preparing a draft plan of management. Preparation of the *Tidbinbilla Plan of Management 2012* has met, and exceeded these requirements and has included:

- public submissions on the *Tidbinbilla: Discussion Paper for a New Plan of Management* (December 2008)
- three public workshops to consider issues in the discussion paper (February 2009);
- presentation to the United Ngunnawal Elders Council (February 2009)
- workshops at Tidbinbilla with the United Ngunnawal Elders Council and the Representative Aboriginal Organisations (May 2009).

As required under s. 323 of the Act the draft plan was released for public inspection from 21 May 2010 to 26 July 2010. The public inspection notice was made as a notifiable instrument and a public inspection notice was published in a daily newspaper. The public inspection notice invited written representations about the draft plan and advised the public where copies of the draft plan could be obtained. A copy of the draft plan was provided to the Standing Committee on Planning, Public Works and Territory and Municipal Services. The draft plan was also distributed to key stakeholders and made available on the TAMSD website. Seventeen submissions were received from the public and stakeholders.

As required under s. 324 the draft plan was revised after considering the written representations received on the draft plan, and to correct any formal error.

The Minister provided the revised draft plan to members of the Standing Committee on Planning, Public Works and Territory and Municipal Services (required under s.326 (2)) together with the s.325 reports. The Committee conducted an inquiry into the revised draft plan and made nine recommendations in their report *Inquiry into the Tidbinbilla Revised Draft Plan of Management 2011* released in April 2012. A Government response to the report was tabled in the Legislative Assembly in August 2012 and the final plan of management has been revised to take account of the agreed recommendations.

A Community Reference Group was established in 2009 to provide advice on key issues in developing the plan of management. Members included representatives of tourism organisations, rural landholders, volunteer/friends organisations, educators, bushwalkers, and environment/heritage groups.

The Tidbinbilla Board of Management (now Tidbinbilla Strategic Board) oversaw the development of the plan, and the Natural Resource Management Advisory Committee endorsed the revised draft plan in February 2011. As required under s. 320 (3) of the Act, the planning and land authority and the conservator of flora and fauna provided comment.

As required under s. 327 of the Act, the Minister for Environment and Sustainable Development has considered the recommendations of the Legislative Assembly Committee, and approved in writing the plan of management.

Contents of the Tidbinbilla Plan of Management 2012

Most chapters of the plan follow a common format which provides background information, management objectives and the policies and actions which will be implemented to achieve the objectives.

Chapter 1 describes the land units that form Tidbinbilla (Tidbinbilla Nature Reserve, Jedbinbilla, Gibraltar and Birrigai), and the post 2003 bushfire planning that has led to these individual land units being managed as one entity. This chapter also describes the regional context for Tidbinbilla and the structure of the plan of management.

Chapter 2 provides a Statement of Significance which outlines the key values of Tidbinbilla. These are natural and cultural heritage, scenic beauty, recreation/tourism, education and research.

Chapter 3 outlines the ACT planning framework, legislation relevant to the management of Tidbinbilla, relevant ACT Strategies and plans and key desired outcomes for the management plan.

Chapter 4 describes the management objectives for community involvement, neighbours and corporate partnerships including concessions and commercial activities.

Chapter 5 presents the management zoning system for Tidbinbilla which is based on the natural and cultural heritage values. The primary management zones are Zone 1 Core Conservation, Zone 2 Conservation and Rehabilitation, and Zone 3 Developed Recreation and Education.

Chapter 6 outlines management objectives in protecting the natural resources of the area which include landscape, hydrology and water management, native vegetation and native animals. The chapter also includes management of pest plant and pest animal species and ecological rehabilitation.

Chapter 7 addresses the management of Aboriginal and European cultural heritage within Tidbinbilla. The area has a high density of Aboriginal sites including rock shelters, and many European cultural heritage sites, such as the Nil Desperandum pise house and Rock Valley homestead.

Chapter 8 considers recreational use and recreation facilities at Tidbinbilla including the management of visitor impacts, public safety and commercial activities. Promotion of Tidbinbilla as a nature based tourism destination is addressed, including the possibility of future low-key accommodation options for the Tidbinbilla valley.

Chapter 9 looks at the important role Tidbinbilla plays in delivering education programs and general interpretation to visitors on natural and cultural heritage. Further integration of Birrigai's successful and high quality outdoor and environmental education programs into Tidbinbilla as a whole has been identified as an issue to be explored.

Chapter 10 considers the Tidbinbilla wildlife collection and issues of survey monitoring and research. A particular focus is on captive husbandry and breeding, environmental survey and monitoring, prehistory and history, and data on visitors.

Chapter 11 outlines approaches for environmental planning, fire management, environmental impact assessment, access management and law enforcement. Preparation of a master plan is proposed to provide more detailed site planning for any future development in Tidbinbilla.