



Consultation on proposed development, Kingston Section 67

6 March 2017

RESPONSE

Attendees

Canberra Town Planning, consultants to Keggins Homes: Elizabeth Slapp, Pieter van der Walt

Lake Burley Griffin Guardians: Mike Lawson, David Mackenzie, Sue Byrne, Juliet Ramsay

Background

Reason. This meeting was convened by Canberra Town Planning as part of the required pre-DA public consultation on the proposed mixed-use **Sapphire** development on Site 14 (or Block 2) of Section 67, Kingston Foreshore. The remainder of S67 comprises Block 3 which is set aside solely for landscaping, there is no Block 1.

The Site. S67 occupies the peninsula (known locally as The Peninsula) between the boat harbour and Jerrabomberra Creek, bordered on the south by Honeysett View. To the NE it abuts the left bank of Jerrabomberra Creek which is part of the Jerrabomberra Wetlands Nature Reserve (JWNR) This section of the creek is referred to as Jerrabomberra Reach and is a significant backwater of the Lake Burly Griffin impoundment. To the E it abuts the JWNR near the Causeway-Honeysett View junction.

The land is edged by a stone wall and near the head of the peninsula, on the creek side, is a stand of suckering Lombardy Poplars. Midway along the site's creek side is the temporary location of a rowing club; their boat ramp will need to be removed when the watercraft exclusion zone is moved to the mouth of the creek (see Appendix: Watercraft exclusion zone). To the east, S67 narrows down to accommodate a small but unloved wetland that has previously been landscaped and finally, it abuts with Jerrabomberra Wetlands Nature Reserve.

Reviewing. We comment here on the Kingston Foreshore S67 Estate Development Plan (EDP) of 2014 which governs development activities thereon. A condition of purchase is that the developer will landscape the remainder of the Peninsula outside Site 14 (viz. Block 3) and has been required to lodge \$3.4M to be held against this future landscaping. We also comment on a 2017 landscape plan by the developer.

Jurisdictions. The JWNR and hence the Jerrabomberra Reach on S67's NE boundary is ACT land but is also a National Capital Designated Area. Jerrabomberra Reach is adjacent to but not inside the Lake Precinct. The landward side of S67 is under ACT management guided by the Territory Plan as well as the National Capital Plan's Kingston Foreshore Area subject to Special Requirements. These overlapping jurisdictions could be of concern here.

A major goal of the Guardians is to encourage the heritage protection the whole of Lake Burley Griffin, both its waters and its lakeshore landscape, and to support the adoption of a whole of lake and lakeshore management plan. Lake management includes maintaining overall eco-health, a key feature of which is water quality. Inflow from Jerrabomberra Creek to the Lake, and what it carries, is critically important.

The Wetlands Reserve. Jerrabomberra Wetlands Nature Reserve is former farming land and is a significant wetland and fauna habitat, particularly for threatened migratory birds (see Appendix). It is complemented by other Lake Burley Griffin Wetlands at the Western end of the lake, viz, Acacia Inlet, Warrina Inlet and Yarramundi Inlet. Collectively these are significant components of the Lakeshore landscape and the Lake's national significance. More importantly they are focus points of higher biodiversity from which species disperse to populate other parts of the Lake; their nurturing is of paramount importance to a healthy Lake. Wetlands are regarded as the 'lungs' of surrounding water bodies.

The Nature Reserve has been incrementally encroached upon by the pressures of surrounding development and the challenge to meet the demands of the city growing around it. Consequently its value as a floodplain wetland landscape and habitat refuge has not always been appropriately understood or valued.

Malleability of Control Instruments. While the EDP of 2014 together with other instruments noted above, controls development and imparts certainty, it is prudent to accept that the world beyond is changing rapidly, and so should the instruments controlling new developments. One shortcoming of the 2014 Plan is the apparent omission of any attempt to have the S67 landscaping interact with the adjacent stream ecosystem in order to enhance it. We were unable to locate any documentation to support the 14 plans purporting to comprise the EDP relevant to the matters discussed here.

Some of our suggestions may appear to run counter to the current EDP and other relevant development guiding instruments. We respectfully request that our suggestions be accepted on their merit in transforming a semi-industrial site into a well landscaped site with a vital role in bringing wildlife into the suburbs and simultaneously enhancing the important neighbouring Wetlands Reserve. We seek to assist the natural, not dominate it and urge the developer to respect this maxim.

Explanatory. In order to design and introduce new landscaping in this sensitive area the Guardians believe it is important to understand the ecological and landscaping background, among others, and how they guide the context for contemporary landscape development. Summaries of these are provided in the Attachment.

The Guardians' Comments

We currently have no concern with the building estate nor the adjacent landscaping in the building curtilage or parking area as presented to us. However, we reserve the right to respond to the forthcoming DA. We do wish to make some recommendations for changes relating to the landscaping of Block 3, Section 67.

1. There is a need for this landscape to be a contributing component of Lake Burley Griffin's holistic landscape, one that fits within the landscape policies and complements the JWNR regeneration program; it would be good to see the site respect the wetlands waterfront systems. While the plans shown to us go some way toward this goal, the Guardians believe the site could be further improved as described in Item 3 below.
2. Although the landscape layout of S67 Block 3 is satisfactory regarding community access, surface material and the flow of trees into the nature reserve, the trees indicated on the plan are not identified by name except for those alongside the parking area. The Guardians suggest that the choice of trees beyond the immediate environment of the building should include species that are original to the local riparian vegetation included on the JCNr plant species list.

Trees on the 'materiality list' (e.g. *Eucalyptus elata*) are not a local species and *E. mannifera* is a dry hillside species. Although both species are grown as avenue trees in Canberra they are not necessarily suitable for the aesthetics or naturalistic character of a wetland nature park. The Guardians recommend the species selected be in accord with

species common to local riparian zone (e.g. *Casuarina cunninghamiana*, *Eucalyptus viminalis*) and trees common to the river valley flats (e.g *E. melliodora*, *E. bridgesiana*).

3. Noting that the wall on the creek side will be damaged by the removal of non-native species as part of the landscaping and that there is already a boat ramp to the water's edge, the Guardians encourage the developer to remove as much of the stone wall edging the creek that is not required for essential protection from wave action and replace it with an imaginatively designed riparian edge. Thus, waterfront hard edges are minimised and more local riparian plant species can be introduced. The key objective is to extend the existing upstream riparian edge all the way to the mouth of Jerrabomberra Creek.
4. The small existing wetland to the east should be upgraded as a functional nature area rather than developed as an ornamental pond as apparent in the latest landscape plan. The developer's current landscaping plan shows this wetland with minimal riparian vegetation (species not listed). The hard edges should be removed and the recreational facilities moved well away from the edge. As a functioning wetland it will link with and extend the chain of future wetlands to be constructed in the JWNR immediately to the east

Some further requests, below, supplement these points.

Conclusion

We believe these suggestions would help the developers meet their commercial objectives whilst delivering mutually beneficial outcomes for the community and the environment. They do not require a marked departure from the existing plan and should not create an increase in project costs.

We note that the trees drawn on the 2014 approved plan were not named, so we anticipate the use of more locally indigenous species should not be difficult. The stone wall will be damaged during the removal of the poplars anyway and we believe a softer edge to the development side of the creek mouth would respect a more natural transition between Kingston Foreshore and the wetland opposite as well as an invaluable adjunct to the Reserve.

There is scope to make this an attractive and inviting landscape that introduces walkers and more particularly, bird watchers, to the nature reserve. Where pathways are close to the water, raised boardwalks will protect the vulnerable habitat there and enable visitors to interact with the vegetated, marshy edges more intimately without impact. Their experience would be enhanced with observation platforms and an occasional descent to a hard edge with the water. Local residents could be encouraged to become friends of JWNR, take on bird watching roles and volunteer caretaking on either side of the Creek.

These suggestions are not intended to contribute to turning the Wetlands Reserve into a recreational space for the intensified urban residential development which will eventually press against it from the west and south. We believe that, carefully planned and constructed, they will enhance the individual values of the both S67 and the Wetlands with flow-on benefit to Lake Burley Griffin.

The Guardians is happy to meet with Canberra Town Planners or the Developer if further discussion is desired.

Thank you for seeking our views, which are given in the hope that they will be received constructively and implemented.

Lake Burley Griffin Guardians: Sue Byrne, Mike Lawson, David Mackenzie and Juliet Ramsay *March 2017*

ATTACHMENT

Ecological Context

The site. The NE edge of the Peninsula is separated from the Jerrabomberra Wetlands Nature Reserve (JWNR) by Jerrabomberra Reach, a backwater of Lake Burley Griffin into Jerrabomberra Creek, ~50-60 m wide. JWNR is jointly run by The Woodland and Wetland Trust and ACT Parks & Conservation Service together with a volunteer force whose concerns for improving the functionality of the wetlands includes the banks and the in-stream biota.

The Creek Bank. The creek bank to the NE has been compromised in three principal ways:

- i. the Lake at inception in 1963 raised the water level (to RL 656 m) and drowned the original bank to obliterate the riparian zone.
 - The current bank has had four decades to establish a new riparian zone which is now a given.
- ii. a stone wall (at RL 0.660 m) has useful functions elsewhere around the Lake but in Block 3 S67 it is a total barrier to any form of ecological riparian zone.
 - A stone wall was once constructed on the Wetland Reserve side of the creek but it has been partially silted over and overgrown.
- iii. Where creek bank vegetation has been largely undisturbed for lengthy periods, weeds, principally willows, have encroached to restrict growth of other species. Consequently the effective riparian zone has low species diversity and is too narrow to function much.

Ecologically the creek is a critically important component of JWNR and for maximum health both creek banks need to comprise a fully functional Riparian Zone (RZ). A riparian zone needs to provide habitat for water birds and the animals in the food chain that they feed upon. To the extent that currently this is not achieved, rehabilitation is indicated.

Rehabilitation in this instance seeks to promote maximum function through the introduction of locally indigenous plant species. The aim is to promote a high plant diversity to support high populations and diverse types of micro- and macro organisms to attract waterbirds.

Remedies.

The Guardians' Recommendation No 3 aims to rehabilitate as much of the north-east bank of S67 as possible. The resulting improvement in stream bank vegetation will improve stream health in general, boost the amount and diversity of in-stream biota which freely interchange with Lake waters and assist in stripping out and converting nutrients transported by the creek's inflow. Nutrient pollution contributes in large part to the repeated algal blooms that close parts of the lake all too often.

Weed control and habitat improvement on the Wetland Reserve side of the creek is a continuing activity, governed more by funding and labour availability. A key goal for the Wetland is to have healthy riparian vegetation along each side for the full length of the Creek.

Wetland in S67. The 'wetland' pond area shown on the 2014 EDP maps, located at the eastern end of S67 has been landscaped in the past but not to provide any significant or lasting riparian zone. A buried 10 cm dia. pipe connects with the creek below Lake water level (RL 555.93 m, Scrivenler Dam height). While this connection removes seasonal changes in water level, a key feature of natural wetlands, it might be prudent for a small pondage with potentially high visitation to keep it filled. We suggest locally indigenous (or JWNR nominated) species only and a much greater diversity of plant species. High visitation rates will require controlled access (boardwalk, jetty etc) and minimal or no picnic facilities. Currently it is a repository for empty bottles and some construction materials. The developer's landscaping plan shows this wetland with lots of hard edges and recreational facilities.

Lakeshore Landscaping Context

The lakeshore landscape of Lake Burley Griffin has a history of massive change. Commencing with European settlement 140 years ago, the original native vegetation was heavily cleared for agricultural and pastoral activity during which plantings of willows along water-courses and planting of pines and *Cupressus* predominated. Lake construction was completed by 1963 when many proposed lakeside parks had been pre-planted with exotics and natives guided by extensive water edge planting research.

One of Griffin's lake proposals was for an East Lake over the eastern flood plain. This was abandoned and the area is now known as Jerrabomberra Wetlands Nature Reserve. Scrivener Dam and the lake were built by the NCDC who designed landscaping of its parklands to provide a suitable setting for the lake. The overarching theme of the landscape design was to maintain the character of the surrounding natural landscape, predominated by grey brown with light green highlights at the lake margins.

The Clough and Gray report¹ identifies the plantings undertaken for various areas. Kingston and the eastern flood plain was supposedly planted with groups of different *Salix* (willows) and *Eucalyptus* species. The highlights of Lombardy Poplars as small eye-catching clumps appear in many prominent locations around the lake.

The lake's historic tree planting, mostly informal, has provided an impressive and much loved parkland but some species such as the Lombardy Poplars (*Populus nigra*), some willow species (permitted species excepted) have proved to be aggressive invaders and are now listed on the ACT Pest List².

International treaty Context.

Australia is a signatory to bilateral agreements for the protection of migratory birds with the governments of Japan, China and Korea. These are the Migratory Bird Agreements between Japan and Australia (JAMBA), the Migratory Bird Agreement between the People's Republic of China and Australia (CAMBA), and the Migratory Bird Agreement between the Republic of Korea and Australia (ROKAMBA) (DEWHA 2010b). Species protected under these agreements use the wetlands on a seasonal basis. The agreements must therefore be considered in undertaking any development or management activities within the reserve or on adjoining land or water. The presence of these listed species potentially invokes the provisions of the Environment Protection and Biodiversity Conservation Act 1999 (Cwlth). (JWNR Plan Of Management, 2010, S1.5.1)

Miscellaneous.

Lake Burley Griffin and Foreshores Precinct Code (Nat.Cap.Plan). Jerrabomberra Wetlands is among sites of significance that are to be given special consideration to protect them in the most appropriate way. The Guardians' suggestions are compatible with this statement.

The Code advocates avoidance of adverse impacts to the Jerrabomberra Wetlands

"Yarramundi Reach's natural shoreline and key wetland waterbird and aquatic mammal breeding habitat in Warrina, Yarramundi and Acacia Inlets will be conserved and protected." The Guardians endorse this treatment as highly appropriate to Jerrabomberra Wetland even though it has been omitted from the list of wetlands therein.

Kingston Foreshores area subject to Special Requirements. (Nat.Cap.Plan)

"The landscape of the precinct adjacent to the Lake Burley Griffin foreshore Designated Area should be of an open space parkland character consistent with that in Bowen Park. The landscape should permit views into the development through informal tree planting and should include landscape treatment of a high quality allowing for pedestrian and cycleway movement through the area.

¹ R. Clough and J.E. Gray - April 17, 1964; <http://lakeburleygriffinguardians.org.au/landscaping-of-lake-burley-griffin/>

² ACT weeds Strategy 2009- 2019

“The edge of Jerrabomberra Creek should be landscaped as open space allowing for pedestrian movement and have a character not inconsistent with the role of the Creek as the edge to the Jerrabomberra Wetlands.”

The Guardians’ see their suggestions, including replacement of the stone wall with riparian vegetation, as compatible with these statements. We particularly endorse the intent of the second paragraph. Pedestrian and cycleways will need special treatment to protect riparian vegetation; separation using low, robust species, bollards etc. are indicated.

Lighting is mentioned among the Special Requirements. The effects of inappropriate outdoor lighting, building lighting and reflections off buildings are all known to have detrimental effects on animals in myriad ways. We request that lighting adheres strongly to the requirements of the Jerrabomberra Wetlands management.

Watercraft exclusion zone. Jerrabomberra Creek has a watercraft exclusion zone to avoid disturbing the more sensitive bird species, some of which nest on the creek edge. Currently this zone ends just upstream of the boat ramp in S67 to accommodate rowers’ access. Following their departure to new accommodation, the Guardians understands that this exclusion zone will extend to the mouth of the creek, ie. to the point of the Peninsula. We strongly support such a move. Consequently launching of watercraft along that Reach needs to be prohibited; this may meet with opposition. Provision of launch and landing facilities on the Harbour side should be offered in lieu.

Lake Burley Griffin Guardians

March 2017