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## **Block 7 Section 4 Yarralumla ACT (EBPC 2021/8937)**

### **Introduction**

The Yarralumla Residents Association (YRA) is an incorporated association formed in 1988 to represent the views of all residents of Yarralumla. YRA aims to represent everyone who lives in Yarralumla, with particular emphasis on maintaining and improving the quality of life for the residents of Yarralumla. At the end of the last financial year, members comprised 21% percent of all Yarralumla households.

### **Community consultation**

Contrary to the proponent's claim that there is overall support for the proposal, a survey in May/June 2021 of 266 Yarralumla residents representing 11.5% of the adult population of Yarralumla indicated that:

- 62% opposed any development, mainly on the grounds of preserving the existing heritage and the impact on traffic and parking
- apartments were the least favoured type of dwelling supported by only 16% of respondents
- 79% of respondents supported less than 100 dwellings.

The proponent notes that following the rejection of the original request to amend the National Capital Plan to permit dwellings and a hotel, the National Capital Authority advised the proponent that key stakeholders should again be consulted on the revised proposal. There has not been any consultation with YRA on the revised proposal. Rather YRA and the other stakeholders were presented with a fait accompli at an online meeting in February 2022. The Revised Master Plan, which merely reduced the buildings in excess of 3 stories to 3 stories plus attic while increasing the height of all other building to 3 stories plus attic. There was no change in the number of dwellings or other spaces nor any change in the size of the built footprint or Gross Floor Area.

### **Heritage**

There are two Commonwealth Heritage Listings associated with the site. ID 105426 covers the former Australian Forestry School, the former Museum building and the formal landscaping surrounds. ID 105595 covers all of the remaining site, including all the major buildings such as Forestry House, the CSIRO Divisional Headquarters and the Caretakers Cottage set in the mature forest plantings of Westbourne Woods.

#### *Heritage Plantings*

As noted in the Commonwealth Heritage Listing (ID 105595) the precinct is important as a component of the arboretum and nursery landscape of Yarralumla.

The removal of so many trees from the site to accommodate the apartment blocks and access roads will have a significant impact on the heritage attributes and landscape values. In particular, the removal of Group 7 English Oaks and the partial removal of Group 1 Atlas Cedar will expose the apartment blocks to views from Banks Street across the Oval and compromise the sightlines.

The Heritage assessment acknowledges that the removal of part of Tree Group 1 to enable one of the apartment blocks to be built will have a moderate impact on an important heritage aspect of the site. A reduced number of apartments blocks would enable this group to be retained in its entirety.

Many trees are scheduled to be removed because they are inconvenient and to make way for residential apartments. These include individual and groups of Monterey Pines, Kurrajongs, Pin Oaks, Stone Pines, She Oaks, English Oaks. The removal of each of these trees or groups of trees when looked at as single actions is viewed by the proponent as not having a major impact on the heritage or landscape values of the site. However, when viewed in totality, the heritage values of the site will be eradicated completely.

The tree assessment makes the point that many of the trees are in medium to poor condition to justify their removal. YRA notes that the survey was conducted in May 2020 after a long drought. Since that time there has been substantial rainfall and many of the trees assessed as medium or poor quality have since revived. YRA considers that a new assessment should be conducted.

The proponent claims there is a plan to maintain and renew the heritage buildings and significant treescape into the future. Such a plan has never been made public and should be examined as part of the assessment under the EPBC Act to ensure the buildings, tree plantings, tree replacements GSM habitats and other heritage features are properly managed, fully funded with clear lines of responsibility and accountability for a specified timeframe into the foreseeable future.

YRA considers any approval should have conditions attached addressing such ongoing management arrangements.

#### *New Building Footprint*

The Heritage Assessment Report (June 2020) claims all new apartments and the aged care facility will be built on the site of previous buildings. Unfortunately, this is not the case, and the new footprint is considerably larger. This is clearly shown on the Existing and Proposed Buildings overlay included in the NCP Amendment Application dated March 2021. It is especially problematic in the North West corner, the West and South East of the site.

As the Heritage Impact Assessment (March 2021 p 76) notes:

*The proposed action will increase the current Site's built footprint and alter its forestry research setting, which in itself poses a severe risk of significant impact to the Site's identified heritage values.*

The Gross Floor Area is estimated to increase from the current figure of 11021m<sup>2</sup> to between 48000 and 55000m<sup>2</sup> – an increase of 5-fold. The new buildings also cover a much greater area than the

existing built footprint. This, in turn, will significantly reduce the current parklike setting which is one of the attributes of the CHL and which the EPBC Act is designed to protect. A reduction in the scale of the development would reduce the extent of the loss.

The proponent claims that 60% of the site will remain undeveloped. It is not clear how this figure is calculated and whether it includes non-permeable surfaces such as roads, parking or other infrastructure. YRA considers this claim should be examined as part of the EPBC assessment

#### *Heritage Buildings*

The Heritage Impact Assessment (March 2021) notes that the cumulative loss of so many buildings on the site will result in a significant impact to the site's overall CHL values. In particular, the total removal of the Caretaker's Cottage is considered to have a severe impact on the site's overall CHL values. In particular, the removal will result in the historic and aesthetic CHL values being degraded.

YRA considers that there is an opportunity to re-examine the scale and mix of the proposed development to preserve more of the existing buildings including the Caretaker's Cottage.

#### **Golden Sun Moth**

As the Golden Sun Moth survey found, the site contains some 1.6ha (or 14.6% of the total site) of potential GSM habitat of which 0.56ha (or 5.1%) is confirmed habitat.

Although the southern habitat is described as low-quality grassland containing the likes of Chilean Needle Grass, it has been observed from surveys on Dudley Street that GSM thrive in Chilean Needle Grass. On the other hand, the northern patch contains a ground storey of native grass. The Master Plan proposes to build an apartment block on this patch.

With suitable management of their habitat there is the opportunity for the GSM population to thrive. But not if an apartment block is built on top of them. YRA notes there is no mitigation strategy planned, nor any translocation or offsets.

#### **Previous Environmental History**

The proponent (Gunyar) has provided a letter stating an unblemished environmental history. To our knowledge Gunyar have not been involved in any previous development. In assessing the proposed action, consideration should be given to assessing the environmental history of all associated parties including Port Nordica and Oakstand NSW Pty Ltd.

#### **Financial Considerations**

The proponent claims the proposed scale of development is necessary to enable the Shepherd Foundation (a Registered Charity) to maintain and renew the heritage buildings and significant treescape into the future and pay the 75% lease variation charge to the Commonwealth.

The financial return of the developer does not appear to be one of the criteria in assessing impacts under the EPBC Act.

There are many alternative scenarios that would result in less environmental and heritage destruction that do not appear to have been considered eg repurpose Forestry House and/or Divisional HQ for aged care and/or offices, repurpose Forestry House into the aged care facility rather than a hotel. A smaller number of dwellings could also still be financially viable and provide funding for conservation and preservation of the natural and built environment.

YRA notes that as part of the discussions with the NCA following the rejection of the original Master Plan, NCA explained that part of the intent in limiting height was to reduce the number of dwellings. This intention has been disregarded in the revised Master Plan.

YRA considers that the claim that proposed development is the only financially viable option, should be examined as part of the assessment to see to what extent it is valid and what alternative financial models are available that could result in less destruction of the protected heritage values of the site.

### **Social impact**

A survey of Inner South Canberra residents published in May 2020 identified the following as local community issues:

- Preserving open space and a high-quality environment
- Retaining the current suburban context of an established quiet leafy suburb with low density housing, trees and parks
- Impact of increased population on car parking at the Yarralumla shops
- Traffic congestion and safety particularly increased traffic generation resulting from the development at the Old Canberra Brickworks and more broadly the Molonglo Valley and the expansion of the Deakin employment hub
- Protection of heritage buildings and treescape
- Climate and urban forest decline, particularly the loss of large tree canopies.

### *Traffic*

The Revised Master Plan Consultation report acknowledges that there will be an extra 200 vehicle trips each hour during the morning and afternoon peaks and 2000 vehicle movements per day generated by the development but downplays the impact of the additional traffic using a fundamentally flawed analysis.

The analysis assumes that the CSIRO site is fully occupied, plus is occupied by an additional 10,000m<sup>2</sup> (thereby almost doubling the size of the occupied site) and that this is similar to the amount of traffic that will be generated by the proposed development. Consequently, there will be little net increase in the volume of traffic and little impact on the congestion in surrounding roads. In addition, the upgrade to the Kent/Novar intersections will ameliorate any problems.

In reality, the site is vacant and has been for a number of years. Even when it was occupied at its maximum it had only 128 staff. The proposed development is likely to have 950 people plus delivery

and service vehicles in addition to residents, hotel guests, staff and visitors. The TCCS traffic modelling for the Kent/Novar intersections makes no allowance for the proposed development.

As part of the EPBC assessment an examination the proponent's traffic modelling should be undertaken and TCCS consulted.

#### *Loss of amenity*

The target residential profile includes families looking for larger 2-3 bedroom apartments. Such families are likely to include children. The target profile also includes Yarralumla residents looking to downsize. As the proponent notes, their homes are likely to be purchased by new families moving into the suburb. Such families will also have children further exacerbating the pressure on local infrastructure such as the local primary school, and medical facilities.

When combined with the Brickworks development Yarralumla's population is likely to increase from some 3000 to 5000 people, further adding to the pressure on infrastructure and loss of amenity. A smaller development will alleviate such pressures.

#### **Conclusion**

The scale of the proposed development is not supported by local residents.

The cumulative effect of the removal of so many trees will eradicate the heritage attributes and park-like landscape values. A smaller development would reduce the impact.

Given the change in weather conditions since the original tree condition assessment was undertaken a new assessment should be conducted.

The proposed ongoing management of the buildings and treescape should be documented and compliance made a condition of any approval

The proposed action will increase the current Site's built footprint and alter its forestry research setting, which in itself poses a severe risk of significant impact to the Site's identified heritage values. A smaller development would reduce this risk.

The proponent claims that 60% of the site will remain as open space. It is not clear how this figure is calculated. This claim should be examined as part of the EPBC assessment.

There is an opportunity to re-examine the scale and mix of the proposed development to preserve more of the existing heritage buildings including the Caretaker's Cottage

The presence of Golden Sun Moths has been confirmed in 5% of the site. With suitable management of the habitat there is the potential for them to thrive, but not if apartments are built

on top of their habitat.

YRA is not convinced that the proposed mix and scale of development is the only combination that will enable the proponent to generate sufficient revenue in order to maintain and renew the heritage buildings and treescape. YRA considers alternative scenarios that would result in less impact on the heritage values of the site should be examined as part of the EPBC assessment.

The proponent's analysis of the impact of the additional traffic generated by the development is fundamentally flawed. It assumes that the site is fully occupied at twice its current size. In fact, the site is vacant and has essentially been for many years. Consequently, all of the additional traffic will result in a net increase and add to the current congestion.

The population increase generated by the proposed development on top of the increase generated by the Brickworks development will add to the pressure on existing infrastructure and reduce the current amenity of Yarralumla residents.

The objects of the EPBC Act include:

- to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance
- to provide for the protection and conservation of heritage.

There is a presumption in the Act is that the environment comes first. YRA considers that approval of the proposal, as it currently stands, would be inconsistent with the objectives of the Act.

Yarralumla Residents Association  
21 December 2022