



ACT
Government

Transport Canberra and
City Services

FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI reference: TCCSFOI 2018-034

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents	Published
4. Additional information identified	No
5. Fees	n/a
6. Processing time (in working days)	19 days
7. Decision made by Ombudsman	n/a
8. Additional information identified by Ombudsman	n/a
9. Decision made by ACAT	n/a
10. Additional information identified by ACAT	n/a



Freedom of Information – Access Application Form

PRIVACY NOTICE

The personal information you supply on this form will only be used for the purpose of processing your request. Your application must include an email or postal address to which the respondent can send notices under the Act. If all or some of this information is not collected, [AGENCY] may not be able to communicate with you, inhibiting their obligations under the Act. This could mean the request cannot be dealt with. Your personal information will not be disclosed to a third party without your consent unless statutory obligations require otherwise.

The [AGENCY] Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the [AGENCY], as well as the process for lodging a complaint about an alleged breach of the *Information Privacy Act 2014*. The Privacy Policy can be found on the [AGENCY] website at [WEBSITE].

Applicant details

I wish to make an access application to [AGENCY] under the *Freedom of Information Act 2016*.

Name	[REDACTED]
Address (where notices relating to this request can be sent – either postal or electronic)	[REDACTED]
Telephone Contact Residential	[REDACTED]
Telephone Contact Mobile	[REDACTED]
Email Contact	[REDACTED]

What documents are you requesting under the Act?

Copies of all documents relating the water ski training trial that was conducted on Lake Ginninderra from Monday 9 July 2012 until Thursday 31 January 2013. This includes the outcomes of the trial and all community feedback received as part of this project.

I would like	a copy of these documents sent to the above address
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Fee Waiver

If you wish to apply for a fee waiver, the Act sets out a number of provisions to do so:


- The information being requested was previously publicly available but no longer is.
- The information being requested is of special benefit to the public (Ombudsman guidelines see Section 66).
- The applicant is a concession card holder and demonstrates a material connection with the information requested (concession cards include a current health care or pensioner card issued under the Social Security Act 1991; a current pensioner concession card issued in relation to a pension under the Veterans' Entitlements Act 1986 or the Military Rehabilitation and Compensation Act 2004; a current gold card; or a card prescribed by regulation).
- The applicant is a not-for-profit organisation and the application relates to the activities or purposes of the organisation.
- The applicant is a member of the Legislative Assembly.

[AGENCY] must waive any fees for providing information if the information was not publicly available and the agency makes the information publicly available before or within 3 working days after giving it to the applicant.

Fee waiver application (fill in if applicable. Otherwise leave blank)

I would like to apply for a fee waiver because (state reason/s from the list above).

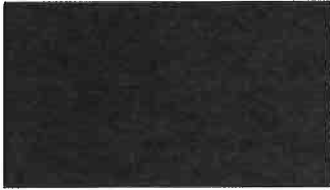
The applicant is a member of the Legislative Assembly.

APPLICANTS SIGNATURE	DATE OF REQUEST
	9/4/18



ACT
Government

Transport Canberra and
City Services





Dear 

Freedom of information request: Reference 18-034

I refer to your application made under the Freedom of Information Act 2016 (the FOI Act) received by Transport Canberra and City Services Directorate (TCCS) on 9 April 2018, in which you sought access to documents relating to:

- the water ski training trial that was conducted on Lake Ginninderra from Monday 9 July 2012 until Thursday 31 January 2013, including the outcomes of the trial and all community feedback received as part of this trial.

I understand that  from your office has been contacted by the Freedom of Information team to advise that a report is available outlining the trial and its outcomes.  has agreed to refine the scope of this request to a copy of this report which is titled:

- Report on the Lake Ginninderra Water Ski Trial.

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Transport Canberra and City Services is required to provide a decision on your access application by 8 May 2018.

Decision on access

The information which you have requested is already available on the Transport Canberra and City Services website at:

http://www.tccs.act.gov.au/data/assets/word_doc/0004/575932/Final-report-on-the-Lake-Ginninderra-water-ski-training-trial.doc.

On that basis, I have decided to deal with your application pursuant to section 43 of the Act which provides

- (1) A respondent may refuse to deal with an access application wholly or in part only if-
 - (e) the government information is already available to the applicant (see section 45).

I have, however, provided you with a copy of the report (Attachment A) as [REDACTED] from your office advised that she had difficulty in accessing the link.

Charges

No fee is payable as the number of pages being released is within the fee-free threshold.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents in response to your access application will be published in the TCCS disclosure log from 3 days after the date of this decision. Your personal details will not be published.

You may view TCCS' disclosure log at www.tccs.act.gov.au/about-us/freedom_of_information.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' disclosure log or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: ombudsman@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

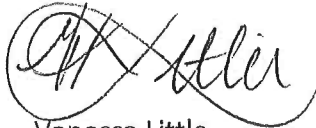
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
www.acat.act.gov.au

If you have any questions concerning the directorate's processing of your request, or would like further information, please contact the directorate's FOI Coordinator on 6205 5408 or email tccs.foi@act.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Vanessa Little', written in a cursive style.

Vanessa Little
Information Officer
Transport Canberra and City Services

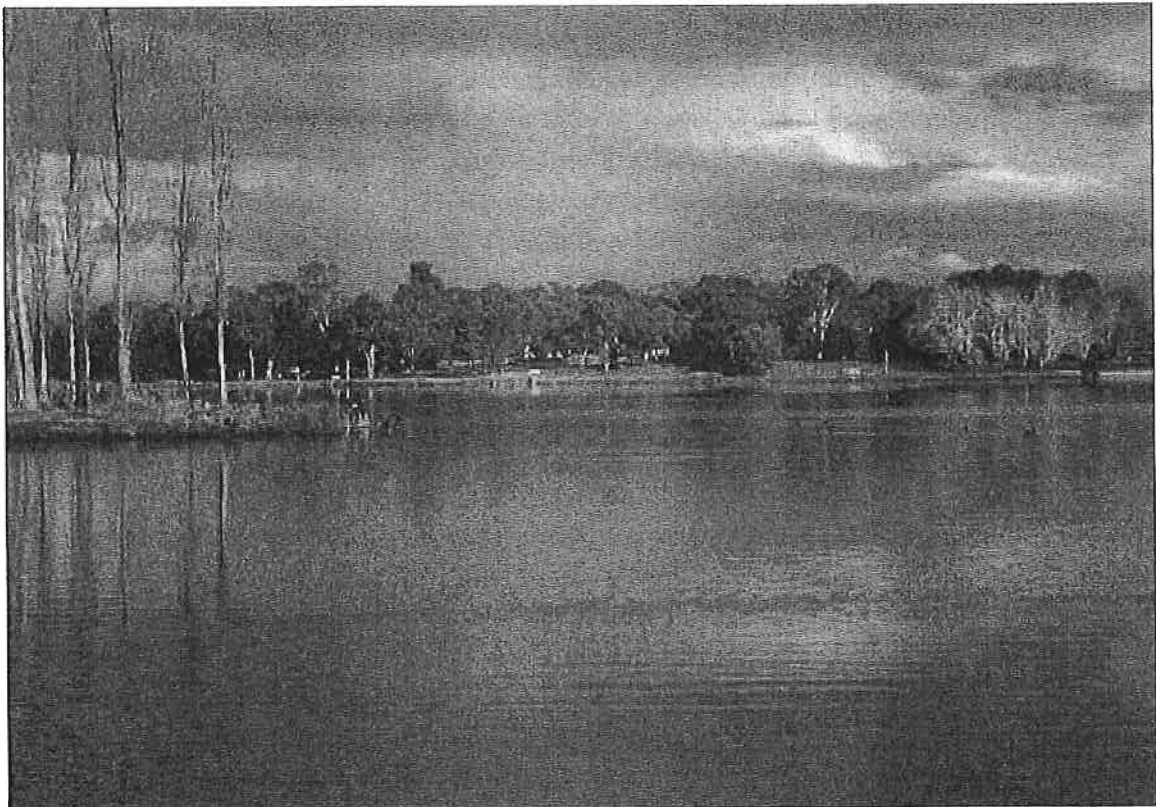
7 May 2018



ACT
Government

Territory and Municipal Services

Report on the Lake Ginninderra Water Ski Trial



Prepared by Place Management, City Services, Parks and City Services

1 EXECUTIVE SUMMARY

The ACT Government undertook a water ski training trial at Lake Ginninderra from Monday 9 July 2012 until Thursday 31 January 2013. Participation in the trial was limited to members of the ACT Water Ski Association who were in training for competition. The trial operated under strict licence conditions, which included safety and environmental protocols. Low water temperatures delayed regular competition training at the trial site until October 2013, however regular use then ran through to the closing date of the trial.

During pre-trial consultation community stakeholders expressed concerns that the amenity, safety and/or the environmental values of Lake Ginninderra would be negatively impacted by waterskiing. While the trial did not entirely allay these perception, monitoring during the trial did not discern any negative environmental impacts. Surveys of Lake users during this time indicated that waterskiing was not affecting the enjoyment or safety of other users and that nearby residents were generally unaware that waterskiing was taking place.

2 BACKGROUND

The ACT Water Ski Association (ACTWSA) has operated out of Molonglo Reach Water Ski Area for over 40 years. Since December 2010, a combination of major flooding, ongoing movement of debris and large sand bars, and lowering of water levels in Lake Burley Griffin, have significantly impacted the capacity of the area to be safely used by powered watercraft. Extensive recovery work by Territory and Municipal Services (TAMS) Directorate since 2010 has enabled a section of the river to be reopened in a limited capacity to one powered watercraft at a time, under strict licence conditions. It is not expected that Molonglo Reach will be reopened to full capacity in the near future. There are limited alternative locations in proximity to the ACT which offer opportunities for water skiing, including Lake Burrinjuck, the Clyde River and Lake Jindabyne.

The Lake Ginninderra water ski training trial was proposed to the ACT Government by ACTWSA in late 2011. Following detailed discussions with ACTWSA, the ACT Government gave in-principle support to undertake a trial to assess the suitability of an alternative location to Molonglo River for water ski training within the ACT. Specifically, Lake Ginninderra was proposed for ACTWSA to undertake a trial of competition water ski and wakeboard training. Lake Tuggeranong was considered unsuitable for the trial, as it has shallow depths and seasonal extreme levels of blue-green algae.

Since the trial's conception, ACTWSA has also been issued a licence to use Molonglo Reach Water Ski Area in a restricted capacity. The licence expires 30 June 2013 but may be extended on demonstration of ability to continue to meet stringent licence conditions.

3 PRE-TRIAL CONSULTATION

Prior to the trial commencement, TAMS engaged with stakeholders and the wider community to finalise the conditions of the trial. As part of this process, ACTWSA delivered a presentation on the trial proposal to Belconnen Community Council and provided a water skiing demonstration at the proposed trial site. TAMS received 91 written submissions on the trial conditions during the six week formal consultation period, Friday 9 March 2012 to Friday 20 April 2012.

Key issues raised during the consultation included:

41 comments/suggestions on public safety including impacts on other lake users such as anglers, swimmers, boat hobbyists, kayakers and canoeists;

32 comments/suggestions on the noise impacts on nearby residents, adjacent suburbs and recreational users;

22 comments/suggestions seeking clarification on the trial conditions or process;

20 comments/suggestions on the impact on bird life; and,

16 comments/suggestions on the impact on the environment and wildlife including fish, other aquatic and terrestrial animals and riparian habitat.

A number of trial conditions were altered in response to the submissions, including a reduction in the size of the trial area and the movement of the trial area to deeper waters away from nesting water birds. Environmental factors such as noise, wave action and birdlife were monitored during the trial in response to community concerns of potential impacts.

4 LOCATION AND CONDITIONS

The trial took place on the western arm of Lake Ginninderra, central and parallel to the east and west banks. The trial course covered an area of 460 metres by 50 metres and was marked at each corner by yellow buoys. The course remained in-situ for the duration of the trial, with the option of removing it if required. Boats were launched from the boat ramp at Diddams Close on the west bank (see Figure 1).

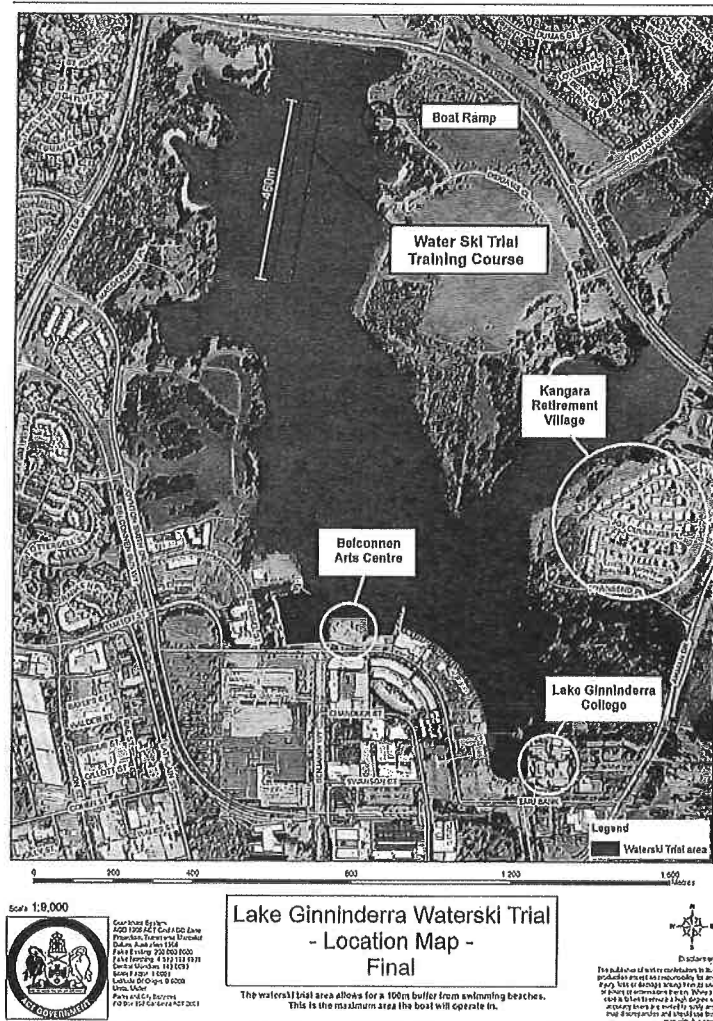


Figure 1: Map of Lake Ginninderra showing the location of water ski trial course, boat ramp and nearby key stakeholders.

The trial was managed under a licence issued by the Environment Protection Authority, under the *Lakes Act 1976*. Stringent safety conditions of the licence included:

Boat drivers had to be accredited Australian Waterski and Wakeboard Federation Tournament Boat drivers.

The boat was inspected and approved by ACT Water Police and complied with noise, wake height and speed conditions imposed within the approval.

Only a single boat was permitted to operate at any one time.

Training was permitted on weekdays (only) between 7:00am to 9:00am and 4:00pm to 6:00pm, until the end of January 2013.

The user profile was restricted under this licence to the ACT Water Ski Association. However, while TAMS does not consider the Lake should be opened to general social skiing, it should be considered that it may be used in the future for competition training by other groups who can meet the same stringent licence conditions as those of the Trial.

5 POST-TRIAL FEEDBACK AND DISCUSSION

Community feedback on the trial was sought by TAMS during and following the trial. This comprised:

- Random field surveys of persons recreating in and around the lake while water ski training was underway;
- Random surveys of adjacent residents; and
- Discussions with stakeholder group representatives.

In total, 91 individuals and 15 stakeholder groups provided feedback on the trial. The survey results of the 91 individual survey respondents are presented in the following graphs (Figures 2 - 4). Stakeholder groups were encouraged to provide feedback specific to their group rather than adhere to the structured questions of the wider community surveys; their feedback has therefore not been directly included with the data from the community surveys. Notably, feedback from stakeholder groups was strongly aligned with the feedback from the wider community.

Of the community members surveyed, the majority (69%) consider Lake Ginninderra suitable for water skiing, a minority (17%) consider it unsuitable and a smaller number (14%) are unsure (see Figure 2). A reoccurring response from respondents was that any future water skiing activities should be restricted under tightly controlled conditions similar to those of the trial. A significant number of respondents considered it important to limit the times each day water skiing is permitted, as well as avoiding peak family times such as weekends. A number of respondents commented that they feared the trial and any subsequent licencing of water ski training on the Lake would open the door to unrestricted use of the Lake by powered watercraft. These factors have previously been considered by the ACT Government and tight controls on days of usage, times of usage and who would be eligible for a licence would form part of licence conditions for any future water skiing activities permitted on the Lake. TAMS is committed to balancing the amenity values of urban open spaces with the recreational and ecological values.

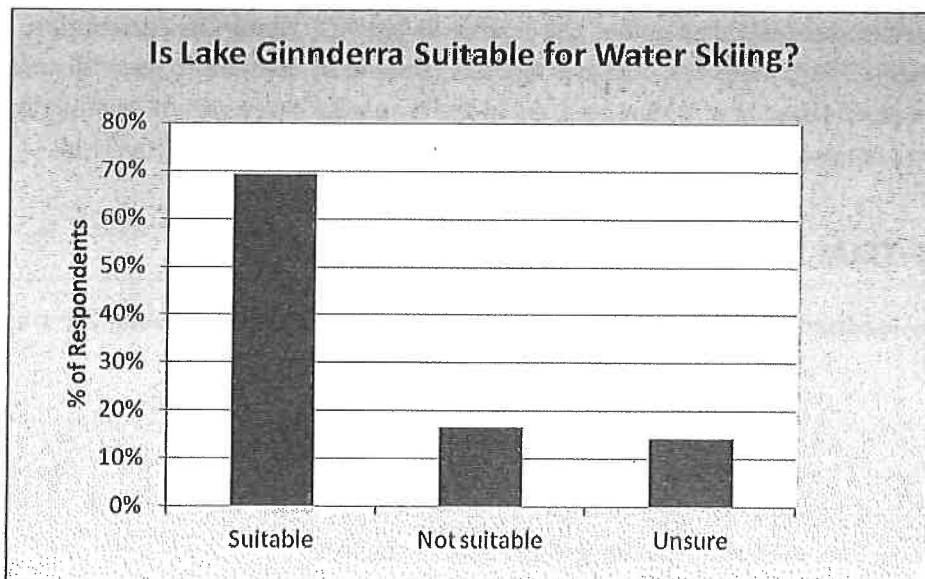


Figure 2: Community response to the question: Is Lake Ginninderra suitable for water skiing?

Lake Ginninderra and its surrounds provide a host of recreational opportunities for residents, workers and the wider community. A large percentage of survey respondents (44%) are daily visitors to the Lake. Significant numbers of respondents use the Lake weekly (30%) and monthly (18%). Only a small proportion (10%) of respondents use the Lake less than once per month. The Lake is used most commonly in the afternoon (36%), slightly less in the morning (27%) and at lunchtime (22%), and to a lesser extent in the evenings (12%) and at non-defined times (5%). Figure 3 illustrates the type of activities undertaken by survey respondents. This overall picture of Lake use demonstrates the strong relationship of the Lake to the community. A significant number of submissions both pre- and post-trial were supportive of encouraging use of the Lake for increased and diverse recreational activities.

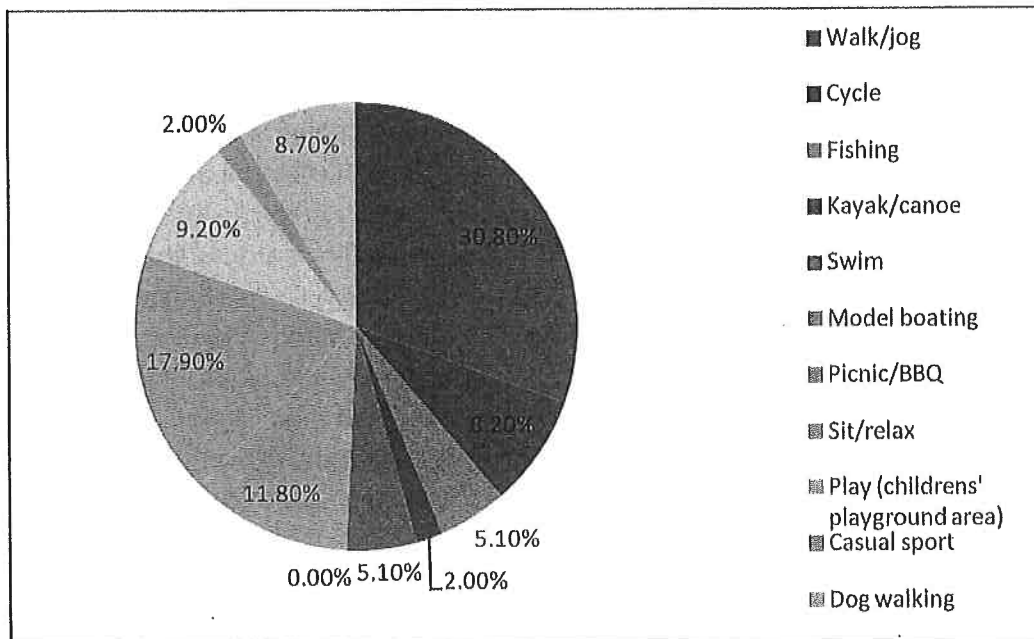


Figure 3: Current recreational activities on and around the lake, as described by survey respondents.

The post-trial survey questions were designed to follow up on the key concerns raised during the pre-trial consultation period, in particular, the potential impacts on the environment, wildlife and other lake users. The post-trial feedback demonstrates nearly half of the respondents retain concerns for the potential impacts on the environment, other Lake users and wildlife (see Figure 4). The issues around these concerns are discussed in the following sections.

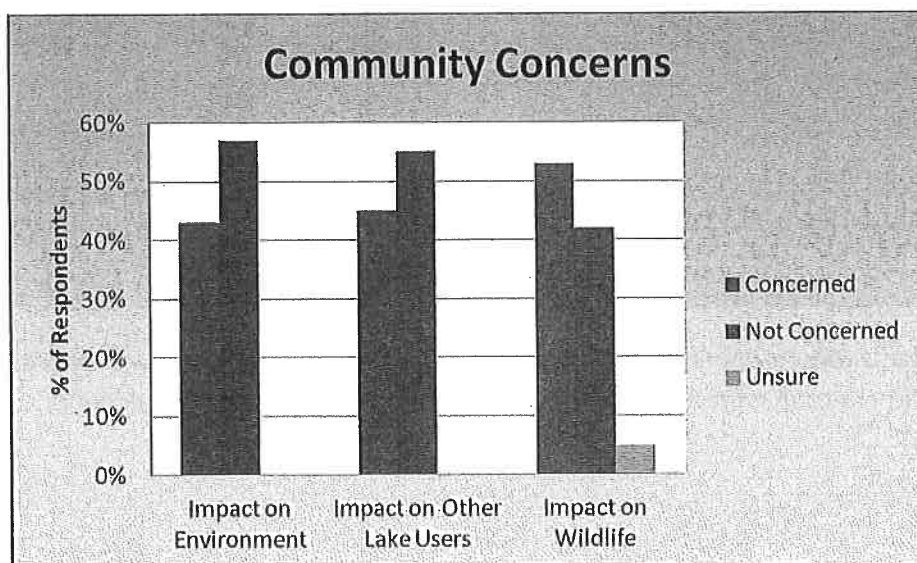


Figure 4: Community concerns of potential impacts of water skiing

Impact on the Environment

5.1.1 Bank Erosion and Turbidity

Monitoring of wave height and impact on the shoreline was undertaken by TAMS during water skiing activity. The below images (*Illustrations 1 and 2*) show the height and impact of waves as they reach the shore. Areas with macrophyte cover break the waves before they reach the shoreline. Small amounts of bank erosion are common around the perimeter of Lake Ginninderra in areas not colonised by macrophyte plants or bordered by sandy beaches. This is true of some locations along the western and eastern banks of the west arm where the water ski training trial was undertaken. These areas may provide valuable habitat features for desired species such as Murray Cod, Golden Perch, Water Rats and Platypus, although they are monitored by the ACT Government for changes in bank stability over time. No increase in bank erosion was noted during the trial, however if water skiing is to continue on the Lake TAMS will continue to monitor the shoreline condition to ensure there is no impact over the long-term. Due to the recreational uses of the Lake and the variety of habitats it provides to aquatic wildlife, planting of dense macrophyte cover around the entire Lake perimeter is not appropriate.



Illustration 1: Macrophyte growth disperses wave action during water ski activity.

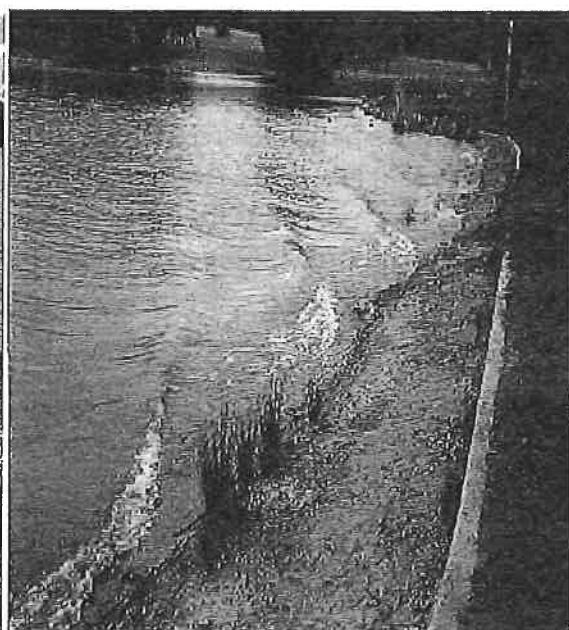


Illustration 2: Waves wash onto a sandy beach during water ski activity.

Turbidity in the water column was not measured during the trial as previous research (see Ailstock *et al.* 2012; Saunders *et al.* 2000) has demonstrated the difficulty in capturing reliable data that differentiates the turbidity caused by boats against that caused by natural forces such as wind and/or hydrological activity. It has been demonstrated that disturbance to the

lower portion of the water column from boat activity is decreased as depth of water is increased (Ailstock *et al.* 2012; Saunders *et al.* 2000). However, a controlled study in shallow waters ranging 0.3 to 1.8m depth, with restricted conditions similar to that of the water ski training trial, there was no significant increase in turbidity from powered water-craft use (Ailstock *et al.* 2012). Testing of levels of suspended solids during the Lake Burley Griffin East Basin Water Ski Trial in 2006 demonstrated no statistically significant increase during the trial (Nagy *et al.* 2006). The East Basin study also demonstrated that natural causes of sediment re-suspension can be considerably higher than boat induced disturbance (Nagy *et al.* 2006).

While it is possible to test immediate changes to water turbidity before, during and following powered water-craft activity, variations over time are influenced by a combination of synergistic environmental conditions, for example type of sediment present, shoreline orientation and profile, wind and hydrological activity, and wider catchment inputs such as run-off from urban development. The ACT Government collects water quality data for the ACT's lakes and rivers to monitor changes over time. One of the sampling locations is the Lake Ginninderra dam wall, near the water ski training trial site. Data captured since 1992 (Environment and Sustainable Development Directorate 1997-2011) indicates long-term variations in levels of turbidity and suspended solids, which are likely attributable to the urban growth in Gungahlin, upstream of the catchment.

The stakeholder Ginninderra Catchment Group reported no significant environmental impacts resulting from the water ski training trial, however are supportive of further use of the Lake for water skiing only under similar tightly controlled conditions and with environmental issues continuing to be addressed and monitored.

5.1.2 Water Pollution

The boats used by ACTWSA are powered by modern well-maintained four-stroke inboard engines. The engine emissions (exhaust) fall well within US EPA Emissions standards for combustion engines (ACTWSA 2012; Nagy *et al.* 2006). Four-stroke engines cause significantly less impact on the environment than two-stroke engines as less fuel and exhaust are released into the water. Testing undertaken during the East Basin Water Ski Trial demonstrated no significant increase in hydrocarbons in the training area during the trial (Nagy *et al.* 2006). To avoid direct fuel spillage into the Lake the licence conditions specified that boats were not permitted to be fuelled within 50 metres of the Lake.

Impact on other Lake users

5.1.3 Noise

The boats used in the trial were fitted with noise-abatement technology. During times of water ski activity, noise emission tests were undertaken by the Environment Protection Authority of both wakeboard and water ski boats. The tests were taken from the recreational areas on the eastern and western shorelines, and returned peak levels of 65dB(A) and 58dB(A), well under that stipulated in the licence conditions. These are also well under the

stationary noise levels for road traffic as prescribed under the *Road Transport (Vehicle Registration) Regulation 2000* that specifies the noise emissions of a stationary car must not exceed 90-96dB and for a stationary motorbike must not exceed 94-100dB(A). Noise emission testing during East Basin Water Ski Trial (see Nagy *et al.* 2006) also found the boats to run within the regulatory standards.

While a number of stakeholders registered concerns before the trial about potential impacts on nearby residents and other lake users, these concerns were not borne out during the trial. Of the responses from the 11 lakeside residents situated on the west arm of the Lake, not one heard the boats from their residence. A number responded that that they were unaware the trial was taking place, even if they were aware of it proceeding. Kangara Waters Retirement Village Residents Committee and 3 randomly surveyed Kangara Waters' residents all reported being unable to hear the boats from the Village on the east arm of the Lake.

5.1.4 Conflict with other recreational activities or business pursuits

A significant number of concerns were raised pre- and post-trial regarding safety of other users via collision or wave impacts, and restriction to the training area while ski boats are active. The safety of wildlife and other Lake users was addressed in the licence conditions restricting boat speeds, ensuring boat drivers had appropriate presentation, water ski boats had to give way to other users, plus many other stringent safety requirements. The wave action from powered water-craft operating in controlled conditions, such as the trial, have been demonstrated to be less than those formed by natural forces (Nagy *et al.* 2006; UK Marine SACS Project 2001).

All stakeholder groups, aside from the angling community, reported experiencing no impact at all from the water ski training trial and most supported future water skiing on the Lake, if held under strictly controlled conditions that did not directly interfere with their activities. Recreational groups who use the water for their activities reported never coming into contact with the water skiers at all during the duration of the trial.

Capital Region Fishing Alliance (CRFA) and Canberra Fisherman's Club did not report any direct impact from the trial, however expressed concern that they troll for Murray Cod in the same stretch of water as the water ski course is situated, therefore preventing their use of the area at the same time. While this is a genuine concern, the limited hours of use permitted to ACTWSA, including limitation to weekdays, allows for many hours of unrestricted access for other users. Additionally, the re-location of the course to a more central alignment following pre-trial consultation allowed for use of the eastern and western banks by non-powered craft. These areas are also the preferred habitat of favoured angling species (and birdlife). It should also be remembered that waterskiing has been undertaken harmoniously alongside canoeists, kayakers and anglers for 40 years in the Molonglo Reach Water Ski Area, a far narrower stretch of water than the trial site at Lake Ginninderra (see *Illustration 3*).



Illustration 3: Australian Women's Jump Champion Jacinta Carroll, of Geelong, competes in the 2007 Australian Water Ski Championships, Molonglo River, while a local canoeist looks on (reproduced from ACTWSA 2012).

A noteworthy query raised by the Canberra Fisherman's Club is why one class of user is permitted to use petrol motors on the Lake and others not? While this does not fully represent the situation, as petrol powered water-craft may also be granted licences under strict conditions for other uses i.e. boat licence training courses, research purposes and as support vessels for water sport training, this concern should be addressed when the *Plan of Management for Urban Lakes and Ponds* is updated.

Impact on Wildlife

Pre-trial consultation and post-trial feedback demonstrate a strong community concern for the potential impacts of water skiing on wildlife, particularly birdlife. These concerns were often focused around impacts on general disturbance, dislocation and impact on breeding activities such as nesting. Representatives of Canberra Ornithological Group monitored the trial site during the trial and reported no observations of negative impacts on birdlife during the trial. Data recorded in the Molonglo Water Ski Area since 1989 demonstrates that Cormorants and Darters have been plentiful and have bred successfully alongside powered watercraft activity (Davey & Fullagar 2008; Davey 2009). Despite the snapshot of data from the Lake Ginninderra water ski training trial which shows no evidence of disturbance to birdlife, if water skiing is to continue TAMS will continue to monitor for impacts on birdlife and other wildlife to ensure there is no impact over the longer term.

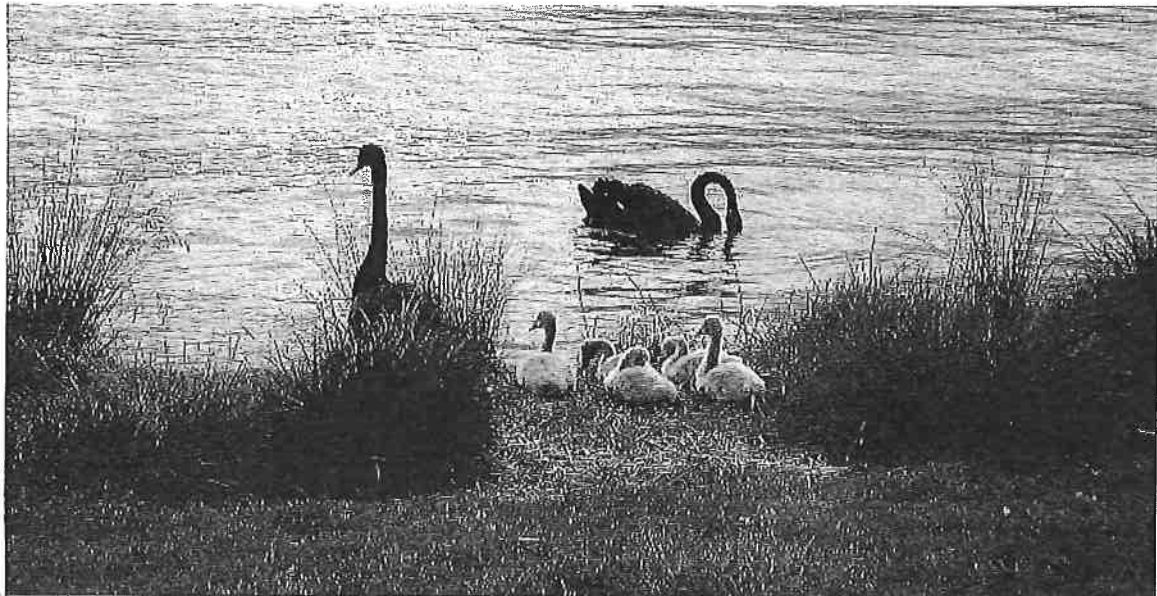


Illustration 4: A family of swans at Lake Ginninderra’s Bargang Beach (western foreshore) during water ski activity.

Stakeholder group CRFA raised concerns about the impact of water skiing on native fish stocks, specifically from increased turbidity and re-suspension of sediments, bank erosion, damage to macrophytes and contamination from fuel and emissions. These issues have been discussed in the section ‘Impact on Environment’ and will be addressed as part of TAMS monitoring program if water skiing is to continue on the Lake.

6 CONCLUSION

The significant and reoccurring theme both pre- and post-trial is the community’s recognition of the inherent values of Lake Ginninderra in providing a sanctuary for rest and relaxation, a canvas for sport and recreation, a harbour for wildlife, and a hub for lifestyle and business.

While a number of stakeholders registered concerns before the trial about potential impacts on nearby residents and other lake users, these concerns were not borne out during the trial. There is still a concern among those surveyed that long-term use could result in negative environmental outcomes and any continued use of the lake for this purpose would need to have environmental controls and monitoring in place.

The user surveys indicate that continued use of the area for water skiing would be supportable. However, there have been clear concerns expressed, most significantly in letters and emails to the press and to our community consultation web page, that any water skiing on the Lake will be the “thin end of the wedge” for fulltime use for all types of skiing across the Lake. Such a level of use would not be appropriate nor would it be supported by TAMS.

STAKEHOLDER GROUPS

ACT Model Boat Club

Belconnen Arts Centre

Belconnen Community Centre

Belconnen Community Council

Canberra Fisherman's Club

Canberra Region fishing Alliance

Canberra Ornithological group

Ginninderra Catchment Group

Girl Guides

Kangara Waters Retirement Village Residents Committee

Lake Ginninderra College

Lake Ginninderra Sea Scouts

Taskforce 72 Scale Model Ship Association

Triathlon ACT

"YOUR" Fitness Specialist

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<http://www.ukmarinesac.org.uk/index.htm> Retrieved 8 April 2013.