



Committee Secretary
Joint Standing Committee on the National Capital and External Territories
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Dear Committee Secretary

**SENATE JOINT STANDING COMMITTEE ON THE NATIONAL CAPITAL AND EXTERNAL TERRITORIES:
INQUIRY INTO FOSTERING AND PROMOTING THE SIGNIFICANCE OF AUSTRALIA'S NATIONAL
CAPITAL**

SUBMISSION

The Lake Burley Griffin Guardians (the Guardians) is a non-profit community group established in 2015 and is committed to safeguarding one of Australia's greatest designed landscapes, the open space of Lake Burley Griffin and its lakeshore landscape setting, that as a unit is a significant monument to our nation.

Summary

The following submission is primarily focussed on whether the significance of Australia's national capital is being fostered and promoted appropriately and how this might be improved, by examining the role of the National Capital Authority (NCA) in this task.

Certain neglected, existing beneficial opportunities are identified, including collaborative approaches, that could assist in promotion of 'the matters of national significance', whilst hopefully avoiding activities that may reduce that significance.

The Guardians comments below, following a brief contextual statement, have been organised under the respective, appropriate term of reference.

Introductory statement

The role of the NCA through the *National Capital Plan* (NCP) is (on p8) to ensure that the Commonwealth's national capital interests in the Territory are protected, without otherwise involving the Commonwealth in matters that should be the prerogative of the Canberra community. The Plan establishes the following matters of national significance in the planning and development of Canberra and the Territory:

- The pre-eminence of the role of Canberra and the Territory as the centre of National Capital functions, and as the symbol of Australian national life and values.
- Conservation and enhancement of the landscape features which give the National Capital its character and setting, and which contribute to the integration of natural and urban environments.

- Respect for the key elements of the Griffins' formally adopted plan for Canberra.
- Creation, conservation and enhancement of fitting sites, approaches and backdrops for national institutions and ceremonies as well as National Capital Uses.
- The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas.

The Guardians have a concern that the focus of this review seems to be to set up, at least in part, as a challenge to the clear, but not always pursued, role of the NCA to protect the matters of national significance listed above from the NCP and the dignity of this area. It seems to be to provide legitimacy to pursue 'vibrancy' and 'dynamism' ('activation' is a much used and similar concept in the same basket), to create some sort of entertainment park with seaplanes, hotels, aqua parks, 'Van Gogh Alive', 'Tuff Nutterz' inflatable obstacle course, festivals and other amusements and diversions, both temporary and permanent, even in the heart of the Parliamentary Zone.

The role of the NCA, in its given task of protecting that part of Australia's national significance for which it is responsible, is assisted by the NCP's words on protecting heritage, being helped by a required adherence to the over-arching Commonwealth's statutory, environmental, including heritage, obligations set down through the *Environment Protection and Biodiversity Conservation Act (1999)* (EPBC Act), and *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013* (<https://australia.icomos.org/publications/burra-charter-practice-notes/>) (the Burra Charter), under both.

Comments against the TOR:

1. Requirements for the National Institutions to convey a dynamic, representative national story

There are a limited range of national stories that might be conveyed by these National Institutions and whilst it might be within both the current brief and the capacity of some of these bodies (such as the galleries and perhaps the National Archives in limited ways), others may not have the need to do this in carrying out their primary objects, or not have the capacity within their restricted budgets and specialist roles, to do this (such as the Australian War Memorial, the High Court, Questacon or the Museum of Democracy). It is inappropriate to require them all or perhaps any of them to undertake this extra role given their individual, primary functions.

The Guardians envisages that this would have to be undertaken in some joint fashion by only certain national institutions, rather than individually – those with adequate resources (staff, funding and primary brief capacity), unless supplementary, external resources are provided.

The JSCNET's *Report Telling Australia's Stories – Inquiry into National Institutions (2019)* on this topic makes some relevant recommendations, for instance, encouraging joint activity by the institutions on telling a national story. Presumably it was the intention of this TOR to attempt to pick up some or all of these recommendations.

The Guardians concerns here include that the recent and expected, imminent announcement of additional funding for the national institutions may not have taken the financial implications of that 2019 report into account and the many millions required to implement them.

Also, in respect of TOR 5, Ngurra (Aboriginal Keeping Place and AIATSIS relocation), intended to be within the Parliamentary Zone, is currently being designed so fulfilling that earlier report's Recommendation 13, and a new shared exhibition place was proposed, by Recommendation 19, on suitable national land.

The Guardians have concerns about both of these projects. This is in terms of potential for significant adverse impact on identified heritage values and are not currently convinced that this is being managed properly given the secrecy around the Ngurra design and development, and also the apparent lack of Indigenous consultation with appropriate senior Ngambri people (seemingly in conflict with the original recommendation). There is no public information available on the location or design of the shared exhibition space if preparations for that have started at all.

2. Maintaining the currency and vibrancy of Australia's national capital as a source of pride and international recognition

The Guardians find these concepts of 'currency' and 'vibrancy' problematic where related initiatives may jeopardise identified heritage values of the national capital or some part of it. A balance needs to be found where such challenges are proposed so that potential impacts on heritage values are either eliminated or minimised through the provision and acceptance of relevant professional heritage advice, public consultation and, where the project merits it to achieve a high and competitive standard design appropriate to our national capital, through a design competition, possibly international.

3. Raising the profile of Australia's national capital and its symbolic importance in reflecting the character, values and identity of Australia

Whilst, the recent Commonwealth Heritage listing of 'Lake Burley Griffin and Adjacent Lands', is welcomed as a partial recognition of its importance, it is insufficient in terms of the place's actual strength of values, nor does it encompass - as the listing only relates to Commonwealth land - the values of the necessary, wider area. However, the place's clear, outstanding, national heritage significance (or importance to Canberra and the nation), and its protection and tourism potential would be better promoted and recognised nationally and internationally if the Lake and its lakeshore landscape were placed, additionally, on the higher order, formal (tenure blind) National Heritage List.

This level of significance was recognised in the recommendation to the NCA, from the *Godden, Mackay Logan Lake Burley Griffin Heritage Management Plan 2009* (still current), for NHL nomination, but this proposal was, inexplicably, not taken up.

The recent NHL updated nomination from the Guardians for 'Lake Burley Griffin and Lakeshore Landscape' should be supported (it is currently unsupported by the NCA) to achieve this more appropriate, more consistent acknowledgement of its importance beyond the current, local level of significance recognition.

In our view, the JSC and the NCA should also support the 2009 nomination of 'Canberra the Planned National Capital' for the NHL (once renominated as it should be). This professionally prepared proposal, having considerable, obvious merit, was recommended for listing by the Australian Heritage Council against five NHL criteria (where only one was required). However, unfortunately, it was rejected by Minister Plibersek on 8 April 2022, based, it was officially stated, on a lack of a clear decision from the current ACT Government after numerous requests, and despite support for listing from both the previous ACT Government and the NCA.

Patently, NH listing can be used to promote the national capital's values and characteristics nationally and internationally.

Similarly, if Canberra was accepted onto the World Heritage List this high-level recognition can be touted nationally and internationally as a drawcard for visitors. Such a listing proposal could be fostered, if favoured, jointly by the Commonwealth and the ACT Government.

It has been said that Canberra has clear World Heritage values over other international 'planned cities' (the necessary basis for this is found in the NHL nomination for 'Canberra the Planned National Capital') and a viable and successful nomination might be prepared. It is suggested that that should such a nomination be proposed for Canberra for the World Heritage List, then both the NCA and the JSC should support it.

There are many heritage listings at various levels of significance across the NCA's Designated Areas and across Canberra - identified by the Commonwealth, the ACT Government and other non-government bodies. Collectively, the opportunity should be taken up of these formally identified places and their virtues being picked up and promoted as being of domestic and international tourist interest. The NCA, Tourism Australia and relevant ACT Government bodies could cooperatively and collectively promote and enhance these where appropriate (some may be privately owned and the owners might not welcome tourists) with suitable domestic and overseas advertising campaigns, and potentially, assistance (resource/financial) to owners with advice, consistent treatment (badging?), professional, digital and other promotion, to recognise the merits and importance of the national capital. (See also comments under TOR 4.)

As an NCA contribution to the recognition of Canberra's important heritage places, the NCA could provide public access, also as a commitment to transparency, to the Commonwealth-mandated NCA Heritage Register. This would have the additional benefit, indicating to the community the identified heritage the NCA is undertaking to protect, as a responsible Commonwealth Agency, albeit as required under the *EPBC Act*. This could also assist where the NCA has to consult on proposals outside of Canberra where the proposals might affect the national significance of the national capital and its heritage. Facilitation of such national consultation is difficult, and it has rarely been attempted except by the NCA and proponents of projects, such as in the case of the Australian War Memorial redevelopment.

Similarly, the NCA should provide to the community for comment, the recently, significantly revised protocol on community consultation (*Commitment to Community Engagement (August 2015)*) to maintain community confidence given the significant issues of the last few years with the community over their consultation, such as, again, in the case of the Australian War Memorial redevelopment.

4. Consider the importance of Australia's national capital in highlighting our sporting, cultural and tourism potential

It is not obvious why it is considered appropriate for this to be an in-depth focus of this Committee inquiry (except see TOR 3 comments on coordinated tourism promotions). There are other (Canberra-based) Commonwealth agencies and Departments faced with, respectively, considering these potentials. If this is seen as important then this JSC should simply task these bodies with considering the national capital in these ways and come forward with pertinent recommendations, taking into account TOR 5.

However, recent controversy has been around a new, modern sporting stadium for Canberra, and whilst this is now seen as a low priority for Governments, were it to be favoured as a higher

priority then the Guardians would support a non-Civic site, such as a revamped AIS or other location. This is because a Civic location, such as the heritage Canberra Olympic Pool site, would cause too much disruption in terms of parking and traffic, and would also destroy an existing, important community facility and recognised heritage place (RNE).

5. The needs of existing infrastructure and identifying future infrastructure needs to facilitate a), b), c) and d) above.

A response to this TOR has been considered under each of the respective TOR where relevant.

Richard Morrison
Vice Convenor
5 May 2023