

Duncan Marshall

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ABN 68 098 445 824

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Committee Secretary
Joint Standing Committee on the National Capital and External Territories
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Secretary

**Inquiry into Commonwealth and Parliamentary Approvals for the
Proposed Stage 2 of the ACT Light Rail Project**

We write to provide a submission regarding the inquiry into the Light Rail Project. The focus of this submission are issues related to heritage.

By way of background, Duncan Marshall is a heritage architect and consultant who has worked in the ACT for over 30 years. As a consultant, he has led or otherwise been involved in conservation management planning for numerous places affected by the project, in particular for the Parliament House Vista conservation area which covers the Parliamentary Zone. In addition, it is perhaps worth noting that he was also Chair of the ACT Heritage Council in 2012-15.

Duncan should also declare a close personal association with a staff member of the National Capital Authority.

Dr Michael Pearson is an archaeologist and heritage consultant, a former Deputy Executive Director of the Australian Heritage Commission, a member of the ACT Heritage Council in 2002-14 and its Chair in 2005-11. He has also led or otherwise been involved in conservation management planning for numerous places in the Parliamentary Zone.

This submission addresses a range of issues related to possible impacts on heritage places, as well as the roles of the National Capital Authority and Australian Government, in particular the heritage approval processes.

Possible impacts on Heritage Places

The light rail project route runs close to or through a number of formally identified heritage places from Civic, across Commonwealth Avenue Bridge, through the Parliamentary Zone and then through Barton as it heads towards Woden.

One difficulty in understanding the potential or actual impacts on these heritage places is the lack of detail about what the light rail works will involve. It is also important to recognise that any assessment of impacts should not just consider the impacts on heritage places in isolation, but rather the impacts on the overall range of places should also be considered. That is, the cumulative impacts should be assessed.

The light rail project will involve both short-medium term impacts arising from the construction phase, as well as longer term impacts. The short-medium term construction impacts will likely include tree losses, substantial ground disturbance with potential limitation on future vegetation regrowth, public amenity disruption, and visual disruption to and from heritage buildings and landscapes. Northbourne Avenue is a very good example of these substantial impacts.

Long term impacts could include the visual disruption of views to and from heritage buildings and landscapes from poles and overhead wires, and light rail shelters/structures or stops, as well as tree loss or damage and impacts related to re-engineered landforms and curves to provide suitable grades or turning circles for light rail, increased disruption of public movement in the Parliamentary Zone, and road traffic disruption.

It is also worth stressing there may be very substantial impacts resulting from services and infrastructure upgrades which are needed because of the light rail project. This has been the apparent situation with Northbourne Avenue.

The light rail project may or will impact on the range heritage places noted in the following table. The listed places are only those between Civic and the Parliamentary Zone, and other heritage places between the Parliamentary Zone and Woden may also be affected. The following comments cannot be definitive at this stage, given the lack of available project detail and limited resources to prepare this submission.

Name of Heritage Place (Heritage List/Register)	Direct/Indirect Impact	Comments
Sydney and Melbourne Buildings (ACT Heritage Register)	Indirect	The light rail may significantly alter the landscape between the two buildings, disrupting the planned urban composition.
London Circuit (Not specifically identified, but part of the Griffin Plan for Canberra)	Direct	The light rail may significantly alter the urban form of the roadway, and potentially stop the use of the road for vehicle traffic.
Law Courts of the ACT Precinct (Register of the National Estate)	Indirect	Probably a minor impact in terms of views to the precinct and changes in the general setting.
Commonwealth Avenue (Not specifically identified, but an important part of the Griffin Plan for Canberra)	Direct	Probably a substantial impact although mitigated by the intention of the avenue to be used for light rail transport originally. None the less, the avenue has substantial and important mature trees which, if affected, would be a major impact.
Commonwealth Avenue Bridge (Not formally identified but an important part of the Parliament House Vista and Lake Burley Griffin)	Direct or Indirect	It is not clear how the light rail would cross the lake, on the existing bridge or by construction of a new bridge. Both options have the potential for considerable impact on the existing heritage structure.
Lake Burley Griffin and Lakeshore Landscape (National Heritage List - nominated)	Direct	Depending on the nature of the works, the impacts may only be as for Commonwealth Avenue and the Commonwealth Avenue Bridge, as noted above. However, impacts to the landscape of the lake may also be possible depending on the form and location of the crossing.
Parliament House Vista (Commonwealth Heritage List)	Direct	The impact may be in the range moderate to high depending on the actual works to be undertaken and associated impacts. Impacts may relate to: <ul style="list-style-type: none"> pruning or removal of important trees;

Name of Heritage Place (Heritage List/Register)	Direct/Indirect Impact	Comments
		<ul style="list-style-type: none"> changing roads which were part of the originally designed road system for use by the light rail only rather than road traffic; changes to important views; and changes to the setting of heritage places.
Canberra (National Heritage List – nominated)	Direct	As for the Parliament House Vista.
Lobby Restaurant (Register of the National Estate)	Indirect	Probably a minor impact in terms of views to the building and changes in the general setting.
National Rose Gardens (Commonwealth Heritage List)	Indirect	Probably a minor impact in terms of views to the gardens and changes in the general setting, although the gardens are to some extent screened by mature trees.
Parkes Place (Not formally identified but an important part of the Parliament House Vista)	Indirect	Probably a minor impact in terms of views to the area and changes in the general setting.
King George V Memorial (Commonwealth Heritage List)	Indirect	Probably a minor impact in terms of views to the memorial and changes in the general setting.
Old Parliament House and Curtilage (National Heritage List)	Indirect	Probably a moderate impact in terms of views to this important building and changes in the general setting.
Kings Avenue (Not specifically identified, but an important part of the Griffin Plan for Canberra)	Direct	<p>Probably a substantial impact although mitigated by the intention of the avenue to be used for light rail transport originally.</p> <p>None the less, the avenue has substantial and important mature trees which, if affected, would be a major impact.</p>

In an overall context, the potential cumulative heritage impacts could be high.

Roles of the National Capital Authority and Australian Government, in particular the heritage approval processes

The light rail project poses significant challenges for the existing regulatory and other systems dealing with heritage:

- as noted above, the current level of detail about the actual works makes it very difficult to assess;
- the extensive nature of the project is likely to lead to multiple impacts across a large range of heritage places;
- the heritage part of the Department of the Environment and Energy has been starved of resources and capacity over many years. The heritage staff is less than half of previous levels. It will be severely hampered in assessing this project; and
- while the National Capital Authority has good heritage expertise, its capacity is very limited. However, the NCA may have greater resources to engage outside expert assistance to support its internal processes.

In this context, a number of recommendations are offered:

- the detailed planning of the light rail needs to be further developed to enable an adequate assessment of impacts to be undertaken;

- any impact assessment should consider not just individual heritage places but also the impacts on the overall range of heritage places, that is the cumulative heritage impacts;
- the assessment should consider not just formally identified heritage places, but also those which are nominated or otherwise expertly assessed as having heritage values (eg. such as through a conservation management plan);
- the assessment of impacts needs to be undertaken by highly credentialed and credible heritage experts;
- it should be recognised that heritage impact assessment often involves an iterative process to revise a proposal to improve the conservation outcome;
- the assessment should be independently peer reviewed prior to consideration by government agencies;
- the assessment and peer review need to be part of a transparent process, including public consultation about the findings of the assessment and peer review; and
- additional resources should be provided to the Department of the Environment and Energy and the NCA to enable them to deal with the heritage issues arising from this proposal effectively and to a high expert standard.



We would be happy to comment further if requested.

Yours sincerely



on behalf of

Duncan Marshall
B.Arch (Hons) BA MICOMOS

Dr Michael Pearson AO
MICOMOS FFAHS