

**JOINT STANDING COMMITTEE ON THE NATIONAL CAPITAL AND
EXTERNAL TERRITORIES**

INQUIRY INTO THE IMMIGRATION BRIDGE AUSTRALIA PROPOSAL

SUBMISSION BY THE ACT HERITAGE COUNCIL

INTRODUCTION.

The ACT Heritage Council was established under the *ACT Heritage Act 2004*, as the ACT's principal heritage body. Its functions are:

- (a) to identify, assess, conserve and promote places and objects in the ACT with natural and cultural heritage significance;
- (b) to encourage the registration of heritage places and objects;
- (c) to work within the land planning and development system to achieve appropriate conservation of the ACT's natural and cultural heritage places and objects, including Aboriginal places and objects;
- (d) to advise the Minister about issues affecting the management and promotion of heritage;
- (e) to encourage and assist in appropriate management of heritage places and objects;
- (f) to encourage public interest in, and understanding of, issues relevant to the conservation of heritage places and objects;
- (g) to encourage and provide public education about heritage places and objects;
- (h) to assist in the promotion of tourism in relation to heritage places and objects;
- (i) to keep adequate records, and encourage others to keep adequate records, in relation to heritage places and objects; and
- (j) any other function given to it under this Act or another Territory law.

The Immigration Bridge proposal involves Designated Land and National Land within the Central National Area. In this context the ACT Heritage Council little formal role to play, the NCA being the authority responsible for planning matters involving heritage places in that area. However, the Heritage Council is aware of the potential of the Immigration Bridge proposal to impact on the significance and management of the Albert Hall Heritage Precinct, which is on Designated Territory Land and entered in the ACT Heritage Register. The ACT heritage registration binds the NCA to certain planning processes under the National Capital Plan (s.10.3), and in relation to which the Council's advice on heritage matters is generally sought by the NCA.

RESPONSE TO THE TERMS OF REFERENCE

Heritage Council comments are provided in relation to the Committee's Terms of Reference.

- 1. The process adopted by Immigration Bridge Australia (IBA) to settle the design for the Immigration Bridge taking into account;**
 - a. the heritage values of Lake Burley Griffin and its foreshores, and**
 - b. the interests of users of the lake.**

The Heritage Council is concerned that in the case of the Immigration Bridge, and indeed for all Designated and National Lands in Canberra, there is no equivalent of the statutory heritage protections found in every other Australian jurisdiction. The NCA has overall planning control, but is not a heritage agency with specifically defined responsibilities or skills for assessing heritage matters in a development application context. The Department of the Environment, Water, Heritage and the Arts through the *Environment Protection and Biodiversity Conservation Act* (EPBC) oversees a range of broad heritage protective requirements in relation to Commonwealth land, but is not a planning authority. Rather, it places obligations on other Commonwealth authorities such as NCA not to damage the environment (with includes heritage places).

In this context the ACT Heritage Council is not convinced that heritage matters associated with this proposed development (and other developments) on National and Designated Land are always identified and pursued in the way they would be in other jurisdictions. In a sense they seem to be nobody's specific responsibility, but are just one of a suit of issues the NCA has to consider.

We would urge that the Immigration Bridge proposal be robustly assessed in relation to the current heritage assessment of Lake Burley Griffin being undertaken by NCA, the Albert Hall Heritage Precinct National Heritage List nomination and ACT Heritage Register and RNE registrations, and the current assessment of the adjacent Parliament House Vista.

- 2. The process that has been adopted by IBA to raise funds ...**

Not a matter on which the ACT Heritage Council is in a position to comment.

- 3. The approvals process required under the *Australian Capital Territory (Planning and Land Management) Act 1988* if an application for approval of the Bridge were received by the National Capital Authority.**

The ACT Heritage Council would expect to have its views sought by the NCA if any Development Application were received for the Immigration Bridge, in view of the potential for impact on the heritage values of the adjacent ACT and RNE heritage listed Albert Hall Heritage Precinct.

The Heritage Council believes that Draft Amendment (DA) 53 for the Albert Hall Heritage Precinct and related lakeshore areas has not been resolved or rescinded, and the Council had a number of concerns about DA 53 which it recorded in its

submission when the DA was first being reviewed. As the status of DA 53 is not clear to us, we would be concerned if the issues we raised then were not also considered in relation to the development of the Immigration Bridge. One of the concerns was in relation to the need for more intensive analysis and assessment of the history and heritage of the whole area. I am aware that such a study has been undertaken, but its current status and hence its role in the present inquiry is not known. Other concerns were in relation to traffic arrangements and volumes, as they might impact on the Albert Hall precinct, and the protection and enhancement of a landscape setting for Albert Hall, considering both views to and from Lake Burley Griffin (which would directly involve consideration of the Immigration Bridge).

Dr Michael Pearson
Chair, ACT Heritage Council
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