

Senator Kate Lundy  
Chair  
Joint Standing Committee on the National Capital and External Territories  
Parliament House  
Canberra ACT

Dear Senator

I am writing this note in my personal capacity. Hitherto my submissions to this Inquiry have been made on behalf of the Walter Burley Griffin Society. I wish to share the following observations with you. They are prompted by reflection on the verbal evidence of the ACT Government, the Attorney-General's Department and their ensuing Supplementary Submissions.

I am very concerned about the position taken by Mr Cappie-Wood on behalf of the ACT Government, as reinforced in the two supplementary submissions (69.1 and 69.2). I am also concerned and disappointed by the unhelpful supplementary submission (59.1) from Attorney-General's Department.

The ACT Government argues in effect for unqualified Territorial sovereignty and for the Commonwealth to be confined within carefully specified areas and matters of "national significance" (MNS). He even posits a separate list of "matters of Territorial significance" (MTS).

This scheme is preservation of the dichotomy of separate statutes and planning organisations. The MNS definitions and areas are enshrined in the respective statutes. The Metropolitan Structure Plan is scrapped. An over-arching strategic and structural metropolitan Plan could be produced, not as a statutory plan but as an information document. The ACT Government will assume responsibility for a sustainable city.

This unqualified assertion is by way of responding to the Committee's questions about 'integration' and 'harmonisation.' However, beyond statutory revision and MNS definitions (difficult to settle in themselves), the submissions do not encompass or propose any other institutional or parliamentary measures to ensure integration of planning and harmonisation of planning relationships. Clear separation of planning organisations and clear areas of operation, as proposed, are the antithesis of integration.

References to public consultation, accountability and resolution of planning conflicts are not in the least reassuring, given the evidence of the ACT representatives.

Another very worrying aspect is the perfunctory attention given by the ACT evidence to questions about Commonwealth funding or compensation. This Inquiry was an opportunity to really address this chronic problem, that has not been grasped by witnesses. Parameters of structural form and rating disability are barely mentioned and no sense of the overall magnitudes, present or prospective, is conveyed. Estimates of additional costs of new planning and management responsibilities (proposed by NCA) are dubious. Yet contemporary evidence of ACTPLA's incapacity and lack of quantity and quality resources is abundant.

The A-G's Supplementary (59.1) provides an incomplete and equally questionable response on the issue of Commonwealth funding. They also emphasise ACT sovereignty and convey

no appreciation of Canberra's unique status as National Capital, Seat of Government and City-State. Their descriptions of areas of national significance have no rationale or consistency but seem to be in basic agreement with the ACT submissions, ie. the ACT should have full responsibility for metropolitan strategy and "holistic" sustainability, subject "having regard" to the principles of the National Capital Plan.

The A-G's Supplementary also disappointingly offers no assurances or suggestions regarding public consultation processes, parliamentary accountability, coordination of Commonwealth interests or appeal rights and conflict resolution on planning matters.

The A-G's submissions do not envisage that the unique features of Canberra would allow new collaborative forms of federalism which realistically and dynamically address the contemporary imperatives of sustainability, regional development, rational shared funding and the building of our National Capital for all Australians.

Thanks for considering my comments and making them available to all members of your Committee.

Best wishes

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