



**NATIONAL CAPITAL AUTHORITY
SUBMISSION TO THE
PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS**

**REDEVELOPMENT OF POST 1945 CONFLICTS GALLERIES AND
DISCOVERY ROOM FOR THE AUSTRALIAN WAR MEMORIAL**

SUBMISSION 4

1. Introduction

The National Capital Authority (NCA) has prepared this submission in response to the Parliamentary Standing Committee on Public Works (PWC) inquiry into the proposed redevelopment of Post 1945 Conflicts Galleries and Discovery Room at the Australian War Memorial (AWM) in Campbell, ACT.

This submission provides the relevant background information on the NCA's role in planning and development in the ACT and the NCA's involvement in the site and its development. It sets out the provisions of the National Capital Plan (the Plan) applicable to the subject site and outlines the NCA's current position regarding the assessment of the proposal.

2. Legislative Background

The National Capital Planning Authority was established in 1989 as part of the introduction of self-government in the ACT, with a view to securing the Federal Government's continuing interest in the planning and development of Canberra as Australia's National Capital. The name was changed to National Capital Authority on 4 June 1996.

The functions of the Authority are set out in the *Australian Capital Territory (Planning and Land Management) Act 1988* (the Act). One of the functions of the NCA under the Act is to prepare and administer the Plan. Section 9 of the Act sets out the object of the Plan as follows:

Object of the Plan

9. The object of the Plan is to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.

The Plan is required to set the general policies to be implemented throughout the Territory, and in particular, the policies of land use (including the range and nature of permitted land use) [Section 10(2)(b)].

In addition, the Act makes provision for the Plan to identify "Designated Areas" – "areas that have the special characteristics of the National Capital". [Section 10(1)]. Within Designated Areas the NCA is the responsible planning authority and all "works" require the approval of the NCA in writing [Section 12(1)(b)]. The NCA in considering such works needs to ensure that they are in accordance with the Plan [Section 12(1)(c)].

'Works' is defined in the Act and includes:

- (a) *the construction, alteration, extension or demolition of buildings or structures;*
- (b) *landscaping;*
- (c) *tree-felling; or*
- (d) *excavations;*

but excludes anything done inside buildings or structures.

The Act at section 11(2) outlines the effect of the Plan on Commonwealth agencies as follows:

Effect of Plan

11.(2) The Commonwealth, a Commonwealth authority, the Territory or a Territory authority shall not do any act that is inconsistent with the Plan.

The Plan has been prepared in accordance with the Act and is being administered by the NCA. Provisions of the Plan relevant to the proposed redevelopment are set out below.

3. RELEVANT NATIONAL CAPITAL PLAN PROVISIONS

3.1 Introduction

The AWM site at Campbell, ACT is National Land located within the Designated Areas of the Plan. As such works approval is required from the NCA for any works proposed on site. All works need to be in accordance with the Plan.

3.2 Land Use Policy

In the Plan the AWM site is identified at Figure 11 as being located within The Central National Area (Anzac Parade & Constitution Avenue). The land use is 'National Capital Use' in the Plan. The uses proposed as part of the redevelopment are all consistent with the land use policies of the Plan.

3.3 Detailed Conditions of Planning, Design and Development

The Plan sets out detailed conditions of planning, design and development for sites within Designated Areas including the AWM site. These conditions require the urban design of the area to achieve an integrated design of the highest quality. New development should seek to respect the design and character of adjacent buildings. All buildings (or their extensions) must show an appropriate quality of architectural design consistent with their location in these areas of special national concern.

An assessment of the proposal will be undertaken against those detailed conditions of the Plan when an application is lodged for works approval.

3.4 Heritage Policies

The Plan includes heritage policies which require planning and development to give due protection to any natural or cultural heritage place in the ACT that is included on the Register of the National Estate and/or heritage register of the ACT Government.

The AWM is a place entered on the Commonwealth Heritage List and the Register of the National Estate. The provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) apply.

Most of the works proposed as part of the redevelopment are internal to the building. The two key external works of particular interest to the NCA from a heritage point of view are the:

- (a) installation of the HMAS Brisbane bridge within the rear courtyard and the glazed link structure proposed between the bridge and the main memorial building; and
- (b) new collection access doors proposed within the central portion of the west façade of the main memorial building.

The NCA had initial discussions (in August 2005) with the AWM on these two aspects of redevelopment proposal when it expressed a view that the external works as proposed would have a negative impact on the heritage values of the place.

Subsequently in November 2005, the AWM referred the proposal for the temporary (10 years) display of the bridge sections from HMAS Brisbane to the Department of the Environment and Heritage (DEH) for consideration under the EPBC Act. The proposal was referred to the NCA for comment. NCA provided its comments on the proposal to the DEH which were taken into consideration.

The delegate of the Minister administering the EPBC Act (in DEH) determined on 14 December 2005 that the works as proposed were not a controlled action provided they were undertaken in a particular manner as outlined in the delegate's decision. Following this determination under the EPBC Act, the NCA is satisfied that the proposal meets the heritage policy requirements of the Plan.

4. CONCLUSION

The NCA has reviewed the redevelopment proposal as shown in the AWM's Statement of Evidence document (dated December 2005) submitted to the Committee and supports it in principle. Details of the proposal will have to be considered further as part of an application for works approval.