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Joint Standing Committee on the National Capital and External Territories
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Canberra ACT 2600

INQUIRY INTO THE ALLOCATION OF LAND TO DIPLOMATIC MISSIONS IN THE AUSTRALIAN CAPITAL TERRITORY

Thank you for the opportunity to provide input into this inquiry.

We wish to comment only on options for locations of future diplomatic missions and, in this context, the NCA Draft Amendment 78 - Stirling Ridge and Attunga Point.

Options for locations of future diplomatic estates

It is important to address, by way of background, the implicit notion that diplomatic missions need to be located within the inner-most Canberra suburbs. We believe this rationale fails for a number of reasons.

- Canberra is a small and highly accessible city. In some countries, even where embassies are centrally located, there can be considerable delays in travelling to the seat of Government. This simply does not apply in Canberra and it can be assumed that, wherever the location, the Parliamentary triangle could be reached within a half an hour.
- The level of face-to-face interaction between Government, largely represented by the Department of Foreign Affairs and Trade, and most diplomatic missions, is small.
- Diplomatic missions of greater strategic interest to Australia, and by inference having more frequent interaction, are already established in advantageous positions.
- Not all Government Departments are centrally located and some of these do attract interest from other countries, such as those relating to social services.

This directly challenges the relevance of the NCA's publically stated criterion to develop sites close to Parliament House and Government Departments.

We are also concerned about how the NCA has tied this proximity question to "prestigious location".

We would note that "prestigious location" should not be read, as the NCA appears to have done, as "the most prestigious locations". If it is looking at Yarralumla and Red Hill, how many suburbs would fulfill the criterion of being more prestigious? We also note the "prestigious" and "proximity" should not be read independently of the interests of residents and the Canberra community more generally. It is one matter to develop sites which are not part of "public space" and fall within normal planning zones, it is another to rezone and take away public amenity.

The NCA *Draft Amendment 78 - Stirling Ridge and Attunga Point* provides a case in point.

If diplomatic missions **have to be** developed on Stirling Ridge then the NCA proposal goes some way to balancing environmental and community interests. However, there are some serious questions about the conduct and relevance of its processes.

Significant weight appeared to be placed on the cost of development which always meant that the Stirling Ridge proposal would be the cheapest, being the only one of the three sites owned by the Commonwealth. (This was particularly puzzling when the NCA subsequently revealed that the cost of the development would be recovered from those Governments taking up the sites.) It led to most Yarralumla residents viewing the outcome of the selection process as being inevitable. It also led to the view that the consultative process was directed at shaping the Stirling Ridge proposal to minimise criticism and ensuring that procedural fairness requirements would withstand potential Court scrutiny. Procedural fairness is not, of course, about fairness in the wider sense but largely demonstrating that the community had the opportunity to comment.

We believe that any development on Stirling Ridge should be considered in the context of the expectations created by the Commonwealth.

- The Commonwealth has signalled for many years that Stirling Ridge was a potential site for a new Lodge. Citizens buying into the suburb should have been aware of the potential for the development, albeit with a modest footprint, to occur. There is also no Government commitment to a new Lodge and any extension or reconstruction could be on the current site. In this context, the NCA proposal for an environmentally sensitive fallback on Attunga Point appears reasonable.
- The Commonwealth has, on the other hand, never signalled the use of Stirling Ridge for other purposes and certainly not as a diplomatic estate. A change in the use of this land, even putting aside the environmental and public interests, would need to meet the very highest needs of Government - this patently has not been demonstrated. It is also clear that, were Amendment 78 to be passed, it brings with it the certainty, and not the possibility, of development.

We also have significant problems with the logic applied by the NCA on environmental value. It appropriately recognises the high environmental value of the Ridge. It goes on to argue that the section it proposes to develop is of low environmental value. This clearly is a very difficult proposition for the Commonwealth to sustain.

- The Commonwealth is not a third party looking at using available land. It has long had responsibility for this land and the fact that it is of lower environmental value simply reflects that it has not acted adequately to restore or maintain the whole of the Ridge. The NCA has provided some funding for the Ridge, for which the community is grateful, particularly in providing tools to carry out volunteer maintenance works. Given the amount of work carried out by the community, under the stewardship of the Friends of the Grassland, the loss of this public space would be a double blow and dispiriting to volunteer conservation efforts.

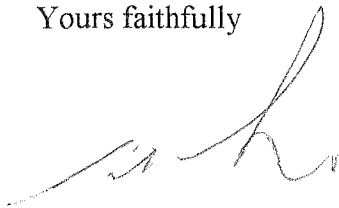
- The strategic question should not be whether a small section is of lower environmental value can be developed but how the environmental value of a dual woodland habitat, uniquely positioned in the middle of the City, can be enhanced. There is a clear opportunity to extend the woodland and along with it the spread of the endangered *Button Wrinklewort*, for all to enjoy.

The concept of simply removing an important parcel of land from the community should draw a similar response to the way New Yorkers would react to a development proposal for a run-down section of Central Park.

Turning to the specific question of developing sites for missions, we would offer a few suggestions in the context that countries of commercial and political relevance to Australia are already established. This does not mean that emerging countries should not be offered suitable sites, just that suitable sites need not be within a *stone's throw* of Parliament House and should not be at a significant cost to the community.

- There are quite a number of sites which have lay dormant for many years, including in Yarralumla. There are also empty sites in other locations, such as O'Malley. If countries emerge at the rate of about one a year which was the NCA estimate provided at community consultations (although it is hard to understand how this rate will be sustained) the needs of countries could be met for the next few decades from existing stock.
- If the demand were to be significant and continuing, a new green-field site should be developed by the Commonwealth in partnership with the ACT Government. For example, the new development in Molonglo would have been a very good opportunity, and may still be, to develop a diplomatic enclave. It would have met the proximity criterion and could be designed to be prestigious. This may have the advantage of allowing self-identified, existing embassies to be collocated.
- Some of the smaller emerging countries may well be interested in more modest and affordable high-rise or business accommodation, as happens internationally. This may also enable guarding costs to be minimized.

Yours faithfully



Vincent McMahon



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