

WALTER BURLEY GRIFFIN SOCIETY INC.  
CANBERRA CHAPTER

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Committee Secretary

Joint Standing Committee on the National Capital and External Territories

Department of House of Representatives

Parliament House

Canberra ACT 2600

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**INQUIRY INTO THE IMMIGRATION BRIDGE AUSTRALIA PROPOSAL**

The Walter Burley Griffin Society (WBGS) was established in 1988 and has several hundred members from around Australia, mainly in Sydney and Canberra. The Society commemorates the lives and works of Walter Burley Griffin and Marion Mahony Griffin and promotes the ideals, vision, design principles and democratic, community life they fostered in Australia. It aims to promote a better understanding of their lives and works, advocating especially the conservation and potential of the Griffin Plan for Canberra, urban plans, landscape designs, buildings and other works designed by or having an association with the Griffins.

2. It is pertinent to mention that the WBGS has examined and commented comprehensively on all significant projects over the past three years relating to the National Capital Plan, either emanating from the National Capital Authority or requiring the NCA's approval. From its activities and representations, the WBGS and its Canberra Chapter are in good standing with, provide sound advice to and engage constructively with Parliamentary committees, government agencies, professional associations, other community organisations, developers, project proponents and the media.

3. As a consequence of its charter, WBGS has an abiding interest in the role and development of Canberra as the National Capital, in particular its representation of Australian identity, ethos, democratic institutions and achievements, and its potential to become a great capital city. Two subjects have become of particular concern to both WBGS and the general public: one is moving Canberra towards becoming a more sustainable city; the other, more recently, is the subject of national monuments and memorials.

**Parliamentary context**

4. The present reference is yet another example of the Parliament having to address breaches by the executive and administration of laws and regulations, which are having adverse effects on the planning and development of the National Capital.

5. The Immigration Bridge Australia (IBA) proposal has been placed by the National Capital Authority (NCA) in the frame of the *Griffin Legacy*. The views of WBS about the *Griffin Legacy*, and the process whereby it was placed on the statute book, are well known. In the Society's submissions to successive inquiries by the Joint Standing Committee into the NCA, we have established our credentials as a primary stakeholder in changes to the National Capital Plan. WBS objected fundamentally and in great detail to the Griffin Legacy Amendments and called for their revision. The Committee's report on *Review of the Griffin Legacy Amendments* (March 2007) recommended that the NCA 'refine the amendments taking into account issues raised in the committee's report.'

6. The WBS written statement for the Committee's public roundtable on the *Review of the Griffin Legacy Amendments* provides 74 points of analysis and criticism of Amendment 61: **West Basin**, where the Immigration Bridge is planned to be. Respect for the key elements, formal geometry, landscape settings and established vistas in and around the West Basin is emphasised. The statement is in addition particularly critical of the NCA's processes of public consultation.

7. The Committee's Inquiry into the role of the National Capital Authority (*The Way Forward*, July 2008) produced a set of important recommendations pertaining to the governance, administration, consultation with the community, an office of Commonwealth Architect, responsibility for heritage values, employment location and Canberra's transportation system. Central to the recommendations were the three issues of:

- a. reaffirmation of Commonwealth commitment to the National Capital
- b. democratic accountability and
- c. closer collaboration and coordination between the Commonwealth and ACT Governments.

#### **The Immigration Bridge Australia proposal: 'fulfilment of Griffin's Plan'**

8. The Immigration Bridge Australia brochure states 'This new pedestrian bridge fulfils a key design element of Walter Burley Griffin's original plan for Canberra, as described in the NCA publication *The Griffin Legacy*.' On the contrary, the proposed bridge offends comprehensively Griffin's plans, design intentions and landscape principles.

9. It may fit the pedestrian bridge envisioned at page 189 of *The Griffin Legacy* (NCA, 2004) and shown in some of the indicative sketches in the appendices to Amendment 61 to the National Capital Plan (2007) but like so many contemporary assertions of 'consistency with or fulfilment of Griffin's Plan', they have nothing to do with Griffin's plans and vision for Canberra. Moreover, the scant and confusing references to the bridge in the omnibus Griffin Legacy Amendments hardly amount to statutory authority or approval.

10. In this case, Griffin's Plans encompassed a formal, circular West Basin complemented by a curved vehicular, low level causeway and bridge crossing from the western side of the Acton

Peninsula to Lennox Gardens. It was part of defining the West Basin and, characteristic of Griffin's Plan, organically related to the hospital he sited on Acton Peninsula, affording ready southside access to the hospital.

11. The IBA bridge would be an interruption to the great vistas across the West Basin and from the southern foreshore and all around. Visually it would clash with the simplicity and scale and aesthetics of Commonwealth Bridge. It detracts from Griffin's idea in terms of the geometry and landscape setting of West Basin. Griffin's more western roadway crossing is not a precedent for the IBA/NCA pedestrian bridge.

12. Professor Weirick's statement of 23 February 2007 to the JSC's Roundtable public hearing on the Griffin Legacy Amendments (paragraphs 5.52-5) makes the additional point that the Ashton Raggett McDougall design of the National Museum of Australia presents another conflict with the proposed Immigration Bridge. There would be no architectural harmony but two elements fighting each other, no doubt raising the issue of moral rights for the NMA architects.

13. Of further significance, the structure and alignment of the bridge, by its complicating connection with King Edward Terrace, would detract fundamentally from the geometric and symbolic integrity and federal 'Government Group' separateness of the Parliamentary Triangle.

#### **The IBA proposal: nature of an immigration monument**

14. It is not evident that either IBA or the NCA have arranged for or entertained any discussion of the **need for** an immigration monument in the form of a bridge and **alternatives to** the present proposal. On the question of need, WBGS is positive and enthusiastic. The history of Australia is so rich in migrations from overseas and, more recently, multicultural nation-building, that the opportunities to celebrate, record, reflect and commemorate are abundant. Australians and their cities, towns and communities are continually exploiting rewarding and valuable ways of commemoration.

15. The National Museum is an obvious repository, witness the new *Australian Journeys* permanent gallery. The National Australian Archives has great facilities and regular exhibitions and seminars. They are inclusive and public institutions. The IBA scheme is community-based to a limited degree but essentially private and exclusive, limited by monetary subscriptions and representing only a fraction of the eligible families and individuals.

16. It discriminates against our indigenous people. Indeed, the proposed structure will all but obliterate in effect the land where Aboriginal tribes congregated. This same Lennox Crossing and adjoining Acton area was the scene of the founding settlement of the National Capital around 1911-1945, whose historic significance remains to be adequately commemorated.

#### **National Memorials in the National Capital**

17. The need, location and design of national memorials in the National Capital should be the subject of careful discussion and consideration. The Canberra National Memorials Committee approves the location and character of national memorials and is serviced by the NCA who in turn have the responsibility to enhance the National Capital through commemorative works. The NCA

has adopted *Guidelines for Commemorative Works*. They include a provision that a memorial must not duplicate the themes of an existing site. There do not appear to be provisions for general public consultation, let alone early, periodic and wide exposure and discussion.

18. At the present point in Canberra's development, the scarcity of and prospective demands for land in the Central National Area raise questions about the transparency and accountability of the National Memorials Committee. The increasing preponderance of military and war memorials needs to be arrested and balanced with monuments to Australian achievements in other sectors.

19. The National Memorials Ordinance 1928 provides that the membership of the National Memorials Committee (NMC) shall include 'two members to be appointed by the Governor-General from among Territory residents.' The NCA has not seen fit to arrange for these positions to be filled, or even perhaps for the Committee to meet and deliberate.

### **The Immigration Bridge as a suitable national memorial**

20. In the matter of the Immigration Bridge project, the NCA has not engaged stakeholders or the public in any application and discussion of national memorials criteria. IBA and supporters have gone to great lengths to market the bridge idea, but not within a national memorials strategy or with the aid of an independent panel or committee to apply national memorials guidelines. For instance, the motion passed by the House of Representatives on 24.6.2002 at the initiative of Gary Nairn MP was only a partial and preliminary assessment with no link to the NMC.

21. In the Society's view, the proposed Immigration Bridge is wrong for the National Capital. The costs obviously outweigh the benefits. People are buying the right for a memorial rather than earning a place, giving the bridge an exclusive and discriminatory character. The scale, the site and the evolving designs are all unsuitable.

### **Griffin Legacy**

22. It is deeply worrying that the NCA, responsible for upholding the National Capital Plan and the key elements of Griffin's Plan, persists in claiming every detail of their vast, flawed Griffin Legacy Amendments as binding law. Moreover, the NCA is failing to continue its claimed mission to run the Griffin ruler over new proposals not envisaged in its *Griffin Legacy*, witness the NCA's acquiescence in the World Wars I and II memorials project which breaches Griffin's vision at Rond Terraces, for the land axis and for the central parklands.

### **World Wars I and II memorials project**

23. Cleared by NCA through the National Memorials Committee, this proposal adversely affects Griffin's land use plan, symbolism, geometry and landscape vistas, yet claims to fulfil Griffin's vision. It would crowd out legitimate current and prospective users, from a host of non-military sectors of the nation, of the Rond Terraces, Commonwealth Gardens and Lake foreshores. There appears again with this project to be no assessment against national memorials criteria, trends and strategy. It clearly fails the 'no duplication' test. Like IBA, the project is driven by an exclusive team that has not canvassed objectives and alternative projects with their claimed constituency or, apparently,

even with the NCA other than through the design competition. They have also raised expectations among subscribers and benefactors ahead of statutory processes and requisite approvals.

**Inquiry term of reference 1: The process adopted by the proponents to settle the design for the bridge taking into account (a) heritage values and (b) the interests of lake users**

24. The IBA proponents adopted the NCA's guidance too readily. 'A spectacular, dramatic, broad, sweeping bridge' (IBA brochure) was an ambition out of proportion to the dubious statutory status of the crossing. Corporate risk assessment should have dictated consideration of alternative kinds and scale of monument and alternative sites.

25. A careful reading of National Capital Plan Amendment 61: West Basin would have revealed alternative transport modes in the area, such as ferries, promenades around West Basin and the linked tourist and recreation circuit from the Museum, around the ANU, Shine Dome, Film and Sound Archive, School of Art and Civic Museum and Art Gallery. The costly pedestrian bridge determined by IBA would rival and divert from rather than complement these prospective routes.

26. It is doubtful whether IBA considered the interests of local indigenous people. The bridge would lie astride Lennox Crossing and the bend in the Molonglo, sites of special significance. Similarly, the Acton precinct was the genesis of the early National Capital community, the main congregation of surveyors, administrators, workmen, rural landholders, sport and recreation, hospital, trades hall, scientists and workmen. These represent quite different heritage values than the immigration theme. The western pylon of the IBA bridge design would overshadow if not displace the rare monument to one facet of this historic, incipient Canberra settlement, namely the Community Hospital.

27. The alliance of IBA with the NCA has not helped IBA with their consultation process. No efforts have been made to engage the Canberra Chapter of WBGs at any stage. As an informed stakeholder the Canberra Chapter is well placed to discuss Griffin's vision and plans and the larger picture of Canberra's evolution as the Capital City and prosperous, lively, beautiful and inspiring city as Griffin had envisaged.

28. The process that IBA and NCA have undertaken has run counter to accepted principles and procedures. **Both a Development Control Plan and a Works Approval application should have been formally started years ago.** Standard procedures involve:

- the basic nature of the proposal would be the subject of public scrutiny and debate at the earliest stage
- assessment of alternative sites and project solutions would be the next stage of the process
- all stakeholders should be involved and genuine, constructive discussion facilitated, collectively as well as one by one
- an environmental and heritage impact statement would then be required for a project of the IBA's significance and released for public comment

- there should be adequate time for feedback and deliberations
- no pre-emption or presumption of approval
- *The Way Forward* (2008) recommended that major works impacting on the Parliamentary Zone should be referred to the Joint Standing Committee for its consideration and report, if necessary, within three months.

### **The role of the ACT Government**

29. Chief Minister Jon Stanhope has given his support and apparently the ACT Government has offered to convert 2000 sq.mts of Albert Hall precinct to 'national land' for the south shore pylon, access and parking. Both IBA and NCA have assumed that the Immigration Bridge will be wholly the responsibility of the Commonwealth. Is the Commonwealth, all relevant Departments and authorities, likely to support the project?

30. Has either the NCA or IBA consulted with ACT authorities:-

- ❖ about the maintenance and management costs of the bridge?
- ❖ about the needs of users, present and prospective, of this prime area of the Lake foreshores other than the estimated users of the bridge?
- ❖ about the impacts of the bridge on other present and prospective tourist and recreational circuits, such as walkways, bike tracks, buses, ferries and light rail?
- ❖ about the impacts of the bridge on Canberra's heritage assets?

### **Reference 2: The process adopted by IBA raising funds for construction and ongoing maintenance**

31. The presumption of approval made by the IBA executive (confirmed in answer to Senator Lundy at the PJSC public hearing on 6 May 2008), notwithstanding the NCA's failing to advise them properly, was astonishing, arrogant and irresponsible. Asked by Senator Lundy at that hearing, they said they regarded the bridge as 'a fait accompli.'

32. The extravagant outlays of funds for promoting IBA show scant regard for donors and subscribers alike. Its market research and expectations are questionable. The Director of the Australian National Maritime Museum has suggested experience with the Welcome Wall in Sydney indicates far fewer numbers of subscribers.

33. The project is a threat to the future public finances of the ACT Government. It is public knowledge that the ACT Government faces a mounting problem of financing the maintenance of the Territory's infrastructure and management of its city services. A growing imbalance of funding the National Capital, as the Commonwealth steadily relinquishes its fair share of responsibility, and an accumulating maintenance burden mean that an IBA kind of project necessitates the most careful consideration and consultation by the proponent and the Governments jointly responsible for the National Capital.

34. Management of the National Capital and a major regional City-State such as Canberra entails assessment of a range of demands, standards, risks, contingencies and opportunity costs. This major bridge project seems particularly demanding of resources and contingency planning.

#### **The celebration of Australian immigration**

35. Monuments, museums and memorials are complex matters, of great public interest and sensitivity. Australia has a great immigration history which is celebrated, recorded and commemorated in all kinds of ways. There are fine museums in Adelaide, Melbourne and Perth. The National Maritime Museum in Sydney has a Wall comparable with the IBA proposal, as do Melbourne, Perth and Albany. There are many good ideas around for compiling and commemorating our immigration history, but on a more modest and equally gratifying scale than the IBA has proposed.

36. There are so many facets of Australian immigration yet to be commemorated, such as its political and administrative history, the successive waves, contributions by the host population, cultural, artistic and economic themes. The limited purposes of IBA would divert scarce funding and other resources away from more productive projects.

#### **Reference 3: Approval process under the ACT (Planning and Land Management) Act 1988 if an application were received by the NCA**

37. The **Griffin Legacy Amendments** to the National Capital Plan (NCP) cover a vast area and are vague and open-ended in their urban design guidelines. The handling of Griffin's great legacy is inconsistent and at times specious. A principal concern of WBGS is that the planning, development assessment and approval processes for proposals under the Griffin Legacy **will not be adequate** to remedy the defects.

38. There is the additional concern that the NCA has been able to circumvent parliamentary processes and provisions and processes under the **Environment Protection and Biodiversity Conservation Act** and the **Public Works Act**. The EPBC Act is currently being reviewed extensively but the necessary reforms would be some time away.

39. The NCA has adopted a **Consultation Protocol** to govern development assessment processes, based on COAG's Development Assessment Model. It represents the lowest common denominator of procedural standards around Australia which nowadays favour the project proponents through abbreviated time frames and consultation mechanisms that are quite unsuitable for the appraisal of major Central National Area projects.

40. The record of the NCA in conducting genuine public consultations, whether before or after development applications or even Draft Amendments to the NCP are released for comment, is poor, as evidenced in the JSC's 2004, 2007 and 2008 reports on the NCA.

41. The capacity and record of the NCA in **heritage matters** with respect to statutory compliance and asset evaluation has been heavily criticised, recent examples being redevelopment of Old

Canberra House, extensions to the National Gallery, landscaping of the Science and Humanities Campus, Lake Burley Griffin archaeological, ecological and foreshores management and the Parliament House Vista Study Draft Heritage Management Plan.

42. As demonstrated by their June 2008 approval of the \$26.6m Bridging of Kings Avenue over Parkes Way at the Russell Roundabout, the Parliamentary Public Works Committee is not geared to adequately assess major projects referred by the NCA.

## Conclusions

**A)** The process adopted by the proponents IBA does not meet basic project evaluation and assessment standards:

- the purpose of the bridge has not been subjected at any stage to public scrutiny and debate
- alternative memorials and sites have not been considered
- ultimate approval was presumed.

**B)** A works Approval Application and a Development Control Plan should have been triggered formally years ago to incorporate proper project assessment methods.

**C)** However, the formal assessment and approval processes under the ACT (Planning and Land Management) Act 1988 are not adequate for the assessment of the IBA proposal. The system is neither robust nor adequate when the NCA can both initiate and approve its preferred works. The NCA has circumvented the system already in the present case and has a dubious record with respect to public consultation generally.

**D)** The process adopted by the proponents has not incorporated criteria and assessment against National Memorials guidelines and strategy.

**E)** The proponents have largely omitted heritage values from their planning and consultations, especially genuine and valid appraisal of Walter Burley Griffin's layout, plans and principles, but also indigenous and local Canberra and contemporary community values regarding the area's landscape, vistas and aesthetics.

**F)** The Committee's report ***The Way Forward*** recommended measures to strengthen policy and institutional integration for the planning of Canberra and the National Capital. National Capital planning remains today a dysfunctional system. The institutions, culture and processes haven't changed. Public consultation processes have not improved. The risks and adverse consequences of the **Griffin Legacy Amendments** to the National Capital Plan are already coming to pass.

**G)** A bridge of the proposed scale and cost requires life cycle costing and assessment of the impacts on urban transport, city services, environmental management and competing land uses. The Commonwealth and ACT Governments and the proponents do not appear to have collaborated on examining this range of repercussions.



**H)** The Canberra National Memorials Committee is neither transparent nor accountable and appears to have no rigorous assessment methods or strategic policy for approving the character and location of national memorials.

### **Recommendations**

**(1)** WBGs considers that both the process and the bridge proposal by IBA are wrong and should now be stopped.

**(2)** IBA should be counselled to seek alternatives to the bridge over Lake Burley Griffin as a monument to Australian immigration. There is a rich field of possibilities. There are far better and much less costly ways to honour and commemorate Australian immigration. IBA should wind back the specific bridge project with due respect and consideration for donors, sponsors and subscribers.

**(3)** A proper process to be then followed would entail description of purpose, concept discourse (i.e., early public examination), comparison with similar national memorials, alternative designs and locations, impact assessment (economic, social, and environmental) and formal development application to trigger statutory processes, including public consultation and independent assessment of the preferred proposal.

**(4)** In order to revive National Capital planning and the National Capital Authority, it is recommended that the Joint Standing Committee should ask the Minister for a progress report on the Government's response to the report and recommendations of *The Way Forward*.

**(5)** The WBGs urges the Joint Standing Committee, as a matter of urgency and great importance, to recommend to the Minister that the yet to be-appointed Chair and Chief Executive of the National Capital Authority should place high on their respective and joint agendas the review of the Griffin Legacy Amendments that was recommended by the Committee's *Review of the Griffin Legacy Amendments* in March 2007.

**(6)** The National Memorials Committee should be made more accessible, transparent and accountable by:

- a. appointing two Canberra residents to the Committee as the statute provides
- b. introduce an NMC website to include periodic notices of its agenda
- c. consider statutory requirements for Policy Plans and Guidelines for Commemorative Works.

Thank you for the opportunity to participate in this Inquiry.

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