
The Parliament of the Commonwealth of Australia

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Inquiry into the Role of the National Capital Authority

Joint Standing Committee on the National Capital and External Territories

July 2004
Canberra

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Contents

Foreword.....	vii
Membership of the Committee.....	ix
Terms of reference.....	x
List of abbreviations.....	xi
List of recommendations.....	xiii
1 Introduction.....	1
Background.....	2
The Griffin Legacy Project.....	5
The Issues.....	6
Role of the Committee.....	8
Referral of Works and Draft Amendments.....	9
Conduct of the Inquiry.....	9
Structure of the Report.....	10
2 Territory Developments.....	13
A New Planning Structure for the Territory.....	13
ACT Planning and Land Authority.....	13
Planning and Land Council.....	14
Land Development Agency.....	14
The Canberra Plan.....	14
The Need for an Integrated Approach to Planning.....	15
The Committee's Views.....	16

3	The Role of the National Capital Authority.....	19
	Structure of the Authority	19
	Statutory Functions.....	20
	A National Capital and a Local Community.....	21
	Extent of NCA Planning Control.....	23
	Safeguarding the National Interest	25
	National Land and Asset Management.....	26
	Fostering an Awareness of the National Capital	27
	The Question of Resources	30
	The Committee's Views	31
4	The Planning Framework.....	35
	National Capital Plan.....	35
	Territory Plan.....	36
	The Relationship Between the Two Plans	37
	Designated Areas	40
	Designated Land that is Territory Land	41
	Areas Subject to Special Requirements	42
	Works Approval Process for Works in Designated Areas	43
	Lack of Appeal Processes.....	43
	Amendments to the National Capital Plan.....	46
	The Commonwealth/Territory Planning Relationship	47
	The Statutory Planning Relationship	48
	The Non-Statutory Planning Relationship	49
	The Fiscal Relationship	51
	Opportunity for Cross-Representation.....	53
	The Committee's Views	55
5	Reforming the Planning Regime.....	57
	An Uncertain Planning Process	57
	The National Capital Plan – In Need of Review	60
	Clarification of Terms.....	63
	Scope of the Review.....	64
	Planning Control of Canberra's Arterial Road Network.....	65

Views on the Dual-Planning System	66
Support for an Integrated Planning Framework	68
Planning Control over Territory Land	70
Areas of Territory Land to remain Designated	73
Territory Land subject to 'Special Requirements'	75
6 Management Issues	77
Draft Amendment 41: Gungahlin Drive Extension	78
Background.....	79
Criticism of NCA Intervention.....	80
Supreme Court Injunction.....	81
The Crispin Decision	82
Draft Amendment 39: Deakin/Forrest Residential Area	83
Background.....	84
Recent Developments: November 2003 Version.....	85
Claims of Mismanagement	88
Sale of Commonwealth Land	90
The Committee's Views	91
7 Employment Policies and their impact on Civic	93
Draft Amendment 44: Office Employment Location Policies	97
The Committee's views	98
8 The Issue of Consultation	99
Benjamin Offices Development	100
Public Artwork to Celebrate the Centenary of Women's Suffrage	101
The 'Fan' Memorial.....	101
The Suffrage Fountain.....	102
Draft Amendment 39 – Deakin/Forrest Residential Area	103
The Proposal for Pay Parking in the Parliamentary Zone	104
The Committee's Views	104
Appendix A – List of Submissions	107

Appendix B – List of Exhibits	111
Appendix C – Witnesses appearing at public hearings	115
Canberra Friday, 20 June 2003	115
Canberra Friday, 15 August 2003.....	116
Canberra Wednesday, 17 September 2003.....	118
Canberra Friday, 19 September 2003	118
Canberra Thursday, 16 October 2003.....	119
Canberra Tuesday, 23 March 2004.....	119
Appendix D – Amendments to the National Capital Plan (as at June 2004).....	121

LIST OF TABLES

Table 1.1	History of the Commonwealth’s Role in ACT Planning	5
Table 3.1	Planning and Development Services Provided by the National Capital Authority.....	21
Table 4.1	National Capital Allowances and Special Fiscal Needs	53

LIST OF FIGURES

Figure 1.1	Designated Areas, National Land and Territory Land.....	xvi
Figure 1.2	Areas Subject to Special Requirements.....	xvii
Figure 4.1	Relationship Between the National Capital Plan and the Territory Plan.....	38



Foreword

The National Capital 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. There is no doubt that the dichotomous nature of Canberra – the purpose-built national capital on one hand, and an evolving city and community on the other – make it unique in Australia. This recognition lies at the heart of the evidence received.

The Authority is an important agency, and it fulfils an integral role in safeguarding and enhancing the significance of the national capital. The evidence received by the Committee supports the view that the NCA generally performs this role well – that it is a professional, well run agency with a genuine commitment and belief in the work that it does.

However, it is also clear from the evidence that there is some disquiet, and in some cases, serious concern, among residents and stakeholders such as the ACT Government and local community groups, about the role and operations of the National Capital Authority. It also became clear to the Committee during the inquiry that there is considerable confusion and frustration over who is responsible for what in terms of planning in the ACT.

The Committee cannot ignore these concerns. Thus, we have made a number of recommendations with a view to simplifying the planning regime for the ACT and ensuring that the Authority fosters a consistent, transparent and accountable decision-making process. The Committee believes it is important that the National Capital Authority and the Territory planning authority adopt a much more integrated approach to ACT planning matters.

The Committee wishes to make it clear that it is not arguing for the abolition of the National Capital Authority, nor does it wish to see the national significance of Canberra compromised through actions undertaken by the Territory Government.

There is a clear, ongoing need for the Authority to continue to uphold the Commonwealth's interests in the national capital.

The Committee is grateful to all those who participated in this very important inquiry.

Senator Ross Lightfoot
Chairman



Membership of the Committee

Chair Senator Ross Lightfoot

Deputy Chair Senator Trish Crossin

Members The Hon Ian Causley MP

Ms Annette Ellis MP

Mr Michael Johnson MP
(discharged on 19/02/04)

Mr Paul Neville MP

The Hon Warren Snowdon MP

Mr Cameron Thompson MP

Dr Mal Washer MP
(appointed on 19/02/04)

Senator John Hogg

Senator Kate Lundy

Senator Nigel Scullion

Senator Natasha Stott Despoja

Committee Secretariat

Secretary Mrs Margaret Swieringa

Inquiry Secretary Mr Quinton Clements

Senior Research Officer Mr Justin Baker

Administrative Officers Mrs Donna Quintus-Bosz

Mr Daniel Miletic



Terms of reference

The Annual Report of the National Capital Authority for 2001-02 was tabled in the House of Representatives on 12 November 2002 and stands referred to the Committee for inquiry if the Committee so wishes. Accordingly, on 26 March 2003 the Committee resolved to conduct an inquiry and report on the role of the National Capital Authority. In particular the Committee will consider:

- the role of the National Capital Authority as outlined in the *Australian Capital Territory (Planning and Land Management) Act 1988*;
- the Authority's overall management of the National Capital Plan;
- management issues relating to designated land under the National Capital Plan; and
- the relationship between the Authority and Territory planning authorities.



List of abbreviations

ACT	Australian Capital Territory
ACTPLA	ACT Planning and Land Authority
AIS	Australian Institute of Sport
ASC	Australian Sports Commission
CCAA	Canberra Community Action on Acton (Inc.)
DA	Draft Amendment
DCP	Development Control Plan
DOFA	Department of Finance and Administration
GDE	Gungahlin Drive Extension
HIA	Housing Industry Association
ICOMOS	International Council on Monuments and Sites
NCA	National Capital Authority
NCCC	North Canberra Community Council
NCOSS	National Capital Open Space System
NCP	National Capital Plan
NCPA	National Capital Planning Authority
OECD	Organisation for Economic Coordination and Development

PALM ACT Planning and Land Management

PIAACT Planning Institute of Australia – ACT Division



List of recommendations

1 Introduction

Recommendation 1

That the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) be amended to include a requirement for all draft amendments to the National Capital Plan and proposed works in the Parliamentary Zone to be referred to this Committee for its consideration.

2 Territory Developments

Recommendation 2

That an integrated approach be adopted by the Territory and Commonwealth planning authorities for future planning projects affecting both Territory and Commonwealth planning policies.

3 The Role of the National Capital Authority

Recommendation 3

That Section 33 of the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) be amended to provide for an increase in the number of members on the National Capital Authority to six (excluding the Chairperson and Chief Executive), and that:

- three of the six members be appointed from other states and territories on a rotational basis; and
- the full-time Chief Executive be appointed in an ex-officio role as a non-voting member of the Authority.

4 The Planning Framework

Recommendation 4

That the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) be amended to include the provision for an independent appeals process against National Capital Authority decisions regarding works approvals, in addition to the current option for review under the *Administrative Decisions (Judicial Review) Act 1977* (Cth).

Recommendation 5

That, in addition to Recommendation 5, the Federal Government negotiate with the ACT Government to initiate reciprocal representation on the respective boards of the National Capital Authority and the ACT Planning and Land Council, and that Section 33(1) of the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) and the relevant Territory legislation be amended to facilitate this.

5 Reforming the Planning Regime

Recommendation 6

That, in collaboration with the Territory Government, the Federal Government initiate an independent and comprehensive review of the National Capital Plan on the basis of the implementation of the recommendations of this report and the need for a more integrated approach by both planning authorities.

Recommendation 7

That Section 10 (2b) of the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) be amended to remove planning of arterial road systems from the National Capital Plan and that the responsibility for the planning of arterial roads be transferred to the Territory Government.

Recommendation 8

That the National Capital Plan be amended so that Designated Area status is uplifted from all Territory Land with the exception of the Deakin/Forrest residential area, the Inner Hills and the main avenues and approach routes; and that in assuming planning responsibility for the areas to be uplifted, the Territory Government uphold the principles articulated in the National Capital Plan.

Recommendation 9

That the National Capital Plan be amended to incorporate a set of agreed planning principles for areas of Territory Land subject to special requirements, and that:

- these principles be developed jointly by the Commonwealth and Territory planning authorities;
- the Territory assume planning responsibility for these areas; and
- the Territory act in accordance with these agreed principles.

6 Management Issues

Recommendation 10

That, for all sites fronting State Circle between Hobart and Adelaide Avenue (Blocks 1-8 Section 6 Forrest and Blocks 5-9 Section 3 Deakin:

- building height be no more than two storeys and no point more than 8 metres above the natural ground level immediately below (regardless of whether the blocks are amalgamated or not); and
- plot ratio for residential development of existing blocks should remain at 0.4, and in the case of amalgamated blocks be up to a maximum of 0.8.

8 The Issue of Consultation

Recommendation 11

That the *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) be amended to require public consultation by the National Capital Authority in relation to works proposals in Designated Areas.

Figure 1.1 Designated Areas, National Land and Territory Land

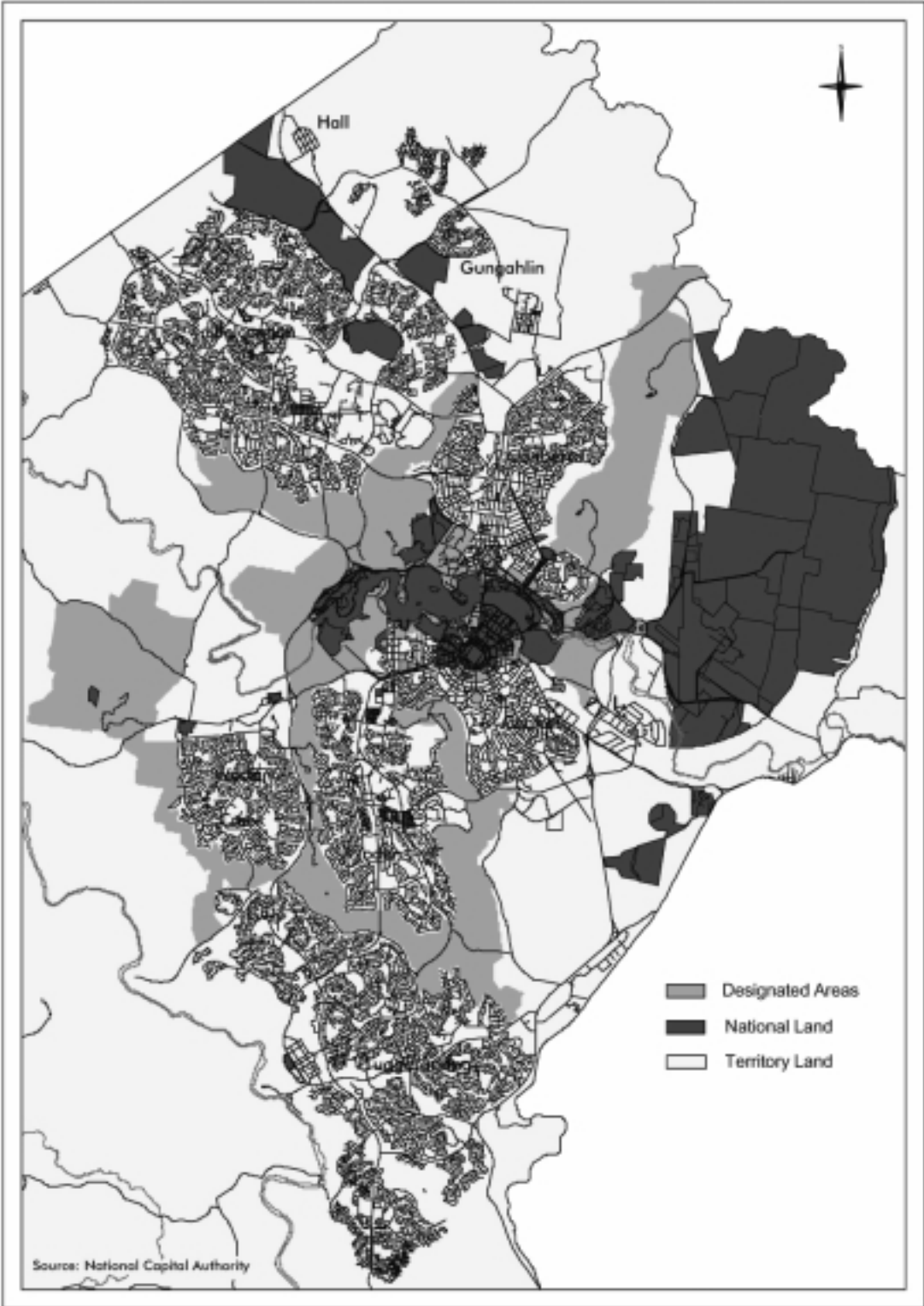


Figure 1.2 Areas Subject to Special Requirements

