

Deakin Residents Association Inc.

deakinresidentsassociation@gmail.com

Senator Louise Pratt
Chair
Joint Standing Committee on the National Capital and External Territories
PO Box 6021
Parliament House
Canberra ACT 2600
email: jscncet@aph.gov.au

Dear Senator Pratt,

Supplementary Submission to the Joint Standing Committee Inquiry into the Allocation of Land to Diplomatic Missions in the Australian Capital Territory

I am writing to you on behalf of the Deakin Residents' Association Inc. (the DRA) in relation to the abovementioned Inquiry, and following on from the public hearing held on Friday 15th February 2013.

The DRA has asked me to thank you and the committee for making some time available for our concerns to be heard at the public hearing.

We have read the transcript, and are in agreement with the record.

Having had the opportunity to hear other witnesses as well as the line of questioning of those committee members who attended we would like to make some further comments.

In particular:

- We note Australia's obligations are to facilitate or assist in the acquisition of "premises" and other forms of "accommodation"; there is no international obligation on Australia under the *Vienna Convention* specifically to provide "land". Indeed "land" is simply one of a number possible options.
- We consider that a major problem is unrealistic expectations in the diplomatic corps. As DFAT advised, the corps view Canberra "*as a different environment to many other capital cities*" and they "*take their lead from what other missions have done*". The examples DFAT quoted that influence what new missions will ask for include some established a long time ago and at a very different time in Canberra's history. Further, DFAT advised that diplomatic missions "*see that that is how it works here*". However, clearly Canberra has dramatically changed since the establishment of missions the corps apparently view as a "standard". As a growing and densifying city, Canberra can now no longer offer the luxurious land options

provided in the past. Options will narrow even further in the future, and for this reason DFAT must better manage unrealistic expectations about what Australia can provide. A clear policy about what Australia can and cannot provide will help DFAT to contain unrealistic expectations.

- We are more convinced than ever that a new direction needs to be set which is different from the past. It is essential that a mechanism is identified *now to meet all likely future needs through* this current Inquiry, so that this problem is fully resolved and not left to future generations to address again. This will require a realistic assessment from DFAT of likely demand for various categories of diplomatic premises.
- Importantly, a way must be found, which would almost certainly involve consultations between the Australian Government and the ACT Government, on how future diplomatic missions can operate freely and effectively in the private market, in a flexible, open and fully transparent way. This could include differing accommodation types, and could include prescribing in suburb precinct codes the purpose of leases. In this way long term certainty can be created.

The DRA does not believe that a case was made at the hearing that any security issues are insurmountable – or especially costly to the Australian taxpayer - through a more flexible approach.

It was clear at the hearing that other community groups – as well as the DRA – are deeply concerned to ensure that Canberra's garden city character must be preserved and/or enhanced – adherence to the National Capital Plan and to the Territory Plan is critical, with building and other standards not compromised.

We note that the Inquiry has generated a high level of interest given the relatively small number of diplomatic missions which need to be accommodated now (in terms of Canberra's land release program) and those which may need to be accommodated into the future. The recent (and potentially ongoing) emergence of new nations - some of whom may wish to establish a presence in Canberra - as well as the emergence of new ways of doing diplomatic business (including through increasing use of technology, and collaboration between missions) reinforces the need for a planning solution that is flexible, realistic for anticipated future conditions, and provides certainty for all parties.

If you wish to discuss this matter I can be contacted on

Yours sincerely



Peter Wurfel
President
Deakin Residents' Association Inc.

25th February 2013