

SUBMISSION 83

To Secretary, Joint Parliamentary Committee On the National Capital and External Territories
Territories

Joint Standing Committee on the
National Capital and External Territories

Submission No: 83

Herewith my submission to the:

Date Received: 5-5-08

Secretary:

Having spent seven years as Chairman of the National Capital Authority -- 1977 -- 2004 -- I feel it's appropriate that I should apprise the committee of my findings on the charter of the National Capital Authority as a statutory body responsible directly to the Federal Government and indirectly, to the people of Australia.

I did not seek the appointment of Chairmen and was surprised when contacted by the then Minister, Warwick Smith in mid-1996 and offered the position. Having lived in Canberra on several occasions during my air force career and permanently since 1977 I knew something of the NCDC and NCPA. My attitude to those agencies tended to be negative. In the main that view was brought about by the rather dictatorial and arrogant attitude they exhibited towards residents of the city. However my knowledge was to a very large extent superficial and based on press reports and the experiences of friends. I saw accepting the Ministers offer as a challenge. I accepted and commenced as Chairman in January 1997..

Because of the above factors I came into the job with a very open mind towards the Authority. The thought uppermost in my mind was that should I find the role of the NCA. unnecessary or surplus to the requirement for a planning body, I would have no hesitation in reporting so to the Federal government. Coinciding with my appointment the title of the agency was changed from NCPA to NCA. The purpose of the change was to show that the function of the authority extended beyond the planning role. It would include the promotion of the national capital both nationally and internationally. It was a task designed to complement the tourism activities of the Territory government. Given the major events conducted the in the National Capital since that date the Authority can be seen to have been highly successful in its efforts.

On taking over as Chairman I was singularly unimpressed with the performance I encountered. Responses to requests for approvals were slow and any matter that could be, or might be, controversial was simply relegated to the too hard tray and remained unanswered for lengthy periods thus attracting scathing comment from the local media. I brought the situation to the attention of Authority. Corrective measures were determined and put in place and due to the excellence of the staff and their enthusiasm to introduce new and more efficient procedures, the inefficiencies were quickly put in order and the Authority carried out its task in a proper businesslike manner. Staff morale was restored to a high level and the frequent criticism of the authority by the media and local citizens virtually disappeared.

However, none of the above, in itself, was applicable to the fundamental question -- did the National Capital need this statutory body or would a single Authority vested in the Territory Government be a better and administrative arrangement?

At the end of my first six months I had not the slightest doubt -- the extant statutory body, the National Capital Authority, responsible directly to the Federal government

was absolutely essential. In addressing this matter it should be recognized that it would be both impracticable and undesirable to view any one part or parcel of the ACT as the National Capital. To do, as some still suggest, have the Parliamentary Triangle regarded as the "National" portion of the Australian Capital Territory (ACT) would be patently absurd. The whole of the Australian Capital Territory is the capital of this nation and is so regarded by all Australians wherever they may reside. And indeed, there is no doubt whatsoever that our fellow Australians look to the Commonwealth Government to exercise responsibility for the development and maintenance of their National Capital. There is a tendency to believe that the citizens of Australia have little interest in the National Capital, often loosely referred to as Canberra. This view is not sustained by periodic national surveys carried out by the NCA. Australians are very interested in the "Bush Capital" and take pride in its international reputation as a planned capital. It is also clear that the people of this nation take it for granted that such development is the responsibility of the Commonwealth.

The advent of a self government in 1989 was never envisaged by the nation or the Federal Government as an abrogation of this responsibility. It was precisely for this reason that the Federal government created the extant arrangement of a statutory body to oversee the ongoing growth and development of the National Capital on behalf of the Commonwealth Government. That arrangement remains as valid to day as when it was introduced by legislation two decades ago.

A point to be made and that is perhaps a central to this issue, is that the NCA is a statutory body responsible to the Federal government but nevertheless having a very high level of independence in regard to its planning responsibilities. There have been at least two incidents in my time as Chairman when the Authority could not agree with planning proposals submitted by the incumbent minister. Similarly, the NCA is not subject to pressures from outside business or other interest groups on the grounds that a certain decision will win or lose votes -- the type of pressure that can be seen in other states and territories and that often results in pork barrelling.

The one issue that is frequently and relentlessly pushed by those wanting to denigrate the NCA with the purpose of having it disbanded or so constrained as to be ineffective, is that it duplicates the planning process and thus causes delay, excessive administration and costs. To the extent that there is some truth (not justification) in this contention, the duplication claim is grossly exaggerated. Nevertheless the NCA is well aware of the fact.

Simply stated, there are extensive areas of land within the regime of the Territory Government that is categorised as designated land. Such areas are specified in the National Capital Plan as having the special characteristics of the National Capital and thus their designation. When an application is made for a development project on designated land the approval of the NCA is mandatory. This is simply to see that the proposed project is appropriate to the area as set out in the National Capital Plan. Once the approval of the NCA is given, and I repeat, this is only based on the adherence to the National Capital Plan, the normal approval of the Territory Government in regard to building standards etc is required.

Although the approval of the NCA is usually a simple and quick affair the Authority is well aware that this dual approval procedure would seem to be irksome -- simply because it is a double administrative effort. When I was Chairman we put forward a proposal that the NCA would seek the agreement of the Territory Government to abide by the conditions pertaining to designated land set out in the National Capital Plan. With that agreement the authority would propose to the Minister an amendment to the National Capital Plan that would remove the term 'designated land' and thus the requirement for NCA approval. To the authority that seemed a simple solution to the perceived problem. But clearly there was another agenda in the minds of those few people seeking the demise of the NCA. Those who sought to have the administration of the National Capital Plan passed to the government of the Australian Capital Territory. The proposal of the NCA was not taken as a subject for further examination and discussion but rather, usually at the behest of Senator Lundy, the matter to be examined was the whole function of the National Capital Authority. What was really being proposed was that the Australian capital be defined as the Parliamentary Triangle and perhaps some adjacent areas such as Anzac Parade while the city of Canberra and the surrounding hills and ridges be administered by the government of the Australian capital Territory. Obviously the government of the Commonwealth of Australia would cease to have responsibility for the National Capital which does in fact constitute the whole of the Australian Capital Territory.

This is a preposterous proposal pursued for several years by one person with some minor support from those with a vested interest. An unbiased appraisal of our serene and orderly National Capital to day is mute testament to the efficacy of the present arrangement.

David Evans

