

# The Immigration Bridge Australia Proposal

## Background

### Germination of the IBA proposal

- 2.1 In 2001, a community group, the Snowy Mountains Hydro Electric Scheme Steering Committee (the Steering Committee) from the Cooma District of New South Wales resolved to commemorate Australia's history of migration since 1788. It was decided that commemoration would be through the establishment of a significant community funded 'national monument' that would be located in the nation's capital – Canberra.<sup>1</sup>
- 2.2 In 2002, the Steering Committee approached the National Capital Authority (NCA) for its support and to request it to investigate possible sites for the memorial within Canberra and seek advice on what shape it might take.<sup>2</sup>
- 2.3 Upon deliberation of the choices presented to it by the NCA, the Steering Committee decided the memorial would take the form of a 'bridge to immigration across Lake Burley Griffin between the National Museum of Australia (NMA) and Lennox Park'. The bridge is intended to be gifted to the nation to mark Canberra's centenary in 2013. In addition, the bridge would 'showcase leading edge technology in its design'; allow access for mobility impaired persons and be 'cyclist friendly'.<sup>3</sup>

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1 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 2.

2 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 2.

3 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 3; Immigration Bridge Australia, *Submission 29*, pp 1-3.

- 2.4 In 2005, the Steering Committee was replaced by a not-for-profit company limited by guarantee, based in Canberra bearing the name Immigration Bridge Australia (IBA).<sup>4</sup>
- 2.5 IBA stated that the purpose of the Immigration Bridge would be to:
- ... recognise the immense contribution made to Australia by migrants from all over the world since 1788; complete a significant element of the recreational plans of the Griffin Legacy identified by the NCA; link the major tourist and study attractions of the Parliamentary Triangle with the National Museum of Australia and the ANU; contribute to the awareness in the Australian community of the need to record their personal and family history; and provide a unique opportunity for the community to have that shown in perpetuity on a national monument in Australia's capital.<sup>5</sup>
- 2.6 The IBA proposal was officially launched at Parliament House on 4 December 2006 and has since that time received sponsorship from SBS Television which has included the filming and regular showing of a commercial to promote the IBA campaign.<sup>6</sup>
- 2.7 For Immigration Bridge to be formally considered, IBA will need to lodge a works application with the NCA for assessment. The works approval process is outlined and discussed in Chapter 3.

### *The Griffin Legacy*

- 2.8 In 2004, the NCA released *The Griffin Legacy: Canberra the Nation's Capital in the 21<sup>st</sup> Century*. This document discussed the future planning for Canberra by seeking to draw out the original unrealised design elements of the nation's capital (as envisaged by the Griffin Plan<sup>7</sup>) that were of

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4 Immigration Bridge Australia, *Submission 29*, p. 1.

5 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 3.

6 Immigration Bridge Australia, Mr Andrew Baulch *Transcript T1*, p. 12.

7 In 1912, Walter Burley Griffin's design won the international competition for Australia's new Federal capital. The design elements of the original plan for the nation's capital included drawings by Walter Burley Griffin's wife, Marion Mahoney Griffin, of their shared vision for Canberra. The plan became known and is referred to as 'The Griffin Plan'. The National Capital Authority, 2004, *The Griffin Legacy: Canberra the Nation's Capital in the 21<sup>st</sup> Century*, Craftsman Press, Foreword; National Archives of Australia, *A Vision Splendid: How the Griffins imagined Australia's capital*, Goanna Print, p. 7.

continuing value, while accommodating the modern metropolitan needs of the populace.<sup>8</sup>

- 2.9 The *Griffin Legacy* sought to make changes within the realm of Canberra's planning through amendment to the NCP, a strategic document which underpins the planning requirements for Canberra and the Territory. The main principles of the NCP are enshrined in the PALM Act.

## Amendment 61 to the NCP

- 2.10 *The Griffin Legacy* as noted includes original elements of Walter Burley Griffin's designs for Canberra. Notably, 'a bridge over Lake Burley Griffin connecting Acton Peninsula to the southern side of the lake' was included in Griffin's 1912, 1913 and 1918 plans, but not in his gazetted 1925 plan.<sup>9</sup>
- 2.11 In 1997, the winning entry for the design of the NMA also included a bridge across the West Basin linking the NMA to the Parliamentary zone.<sup>10</sup>
- 2.12 In 2006, through *The Griffin Legacy* a number of amendments to the NCP were proposed, one of which related to the West Basin Area of Lake Burley Griffin (the Lake) – Amendment 61.<sup>11</sup>
- 2.13 Amendment 61<sup>12</sup> incorporated a number of planning principles and policies into the NCP one of which included changes to the waterfront promenade of the Lake with the aim to 'link national attractions with a continuous pedestrian network, including a high-span pedestrian bridge connecting the National Museum and the Parliamentary zone.'<sup>13</sup>
- 2.14 The suggested location of the Immigration Bridge is in the same place where a high span pedestrian bridge was approved under Amendment 61 to the NCP.<sup>14</sup> The indicative waterfront promenade provided through Amendment 61 is shown in Figure 2.1.

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8 National Capital Authority, viewed 14 April 2009, <[http://www.nationalcapital.gov.au/index.php?option=com\\_content&view=article&id=396&Itemid=268](http://www.nationalcapital.gov.au/index.php?option=com_content&view=article&id=396&Itemid=268)>.

9 National Capital Authority, Mr Gary Rake, *Transcript T1*, p. 18.

10 National Capital Authority, *Submission 60*, p. 4.

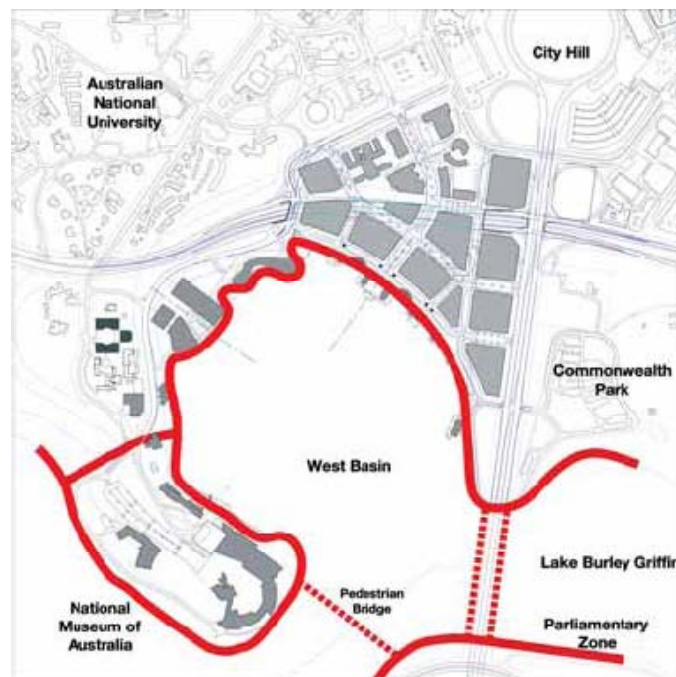
11 National Capital Authority, *Submission 60*, p. 6.

12 The changes incorporated into the NCP through Amendment 61 are outlined in Chapter 5 of the committee's report titled *Review of the Griffin Legacy Amendments*, March 2007, p. 49.

13 Joint Standing Committee on the National Capital and External Territories, March 2007, *Review of the Griffin Legacy Amendments*, Parliament of Australia, p. 53.

14 National Capital Authority, Mr Andrew Smith, *Transcript T1*, p. 21.

Figure 2.1 Amendment 61: Indicative Waterfront Promenade with Pedestrian Bridge



Source National Capital Authority

2.15 Amendment 61 to the NCP provides that a high span pedestrian bridge linking the NMA and the Parliamentary zone is permissible.<sup>15</sup>

2.16 In its *Review of the Griffin Legacy Amendments*, the committee found that Draft Amendments 56, 59, 60 and 61 needed further consideration and could be improved upon.

2.17 In addition, the committee commented that:

In considering this matter further, the committee examined the NCA's 2004 report, *The Griffin Legacy, Canberra – the Nation's Capital in the 21<sup>st</sup> Century*. In that report, the NCA set out a plan for West Basin which is moderate in tone, less dominated by development and much more inclusive through the use of extensive green area. Evidence to the committee suggested that the scale of development for West Basin should configure more closely to the NCA's 2004 proposal.<sup>16</sup>

2.18 As a result, the committee recommended that the 'Minister for Local Government, Territories and Roads move to disallow Amendments 56, 59,

15 National Capital Authority, Mr Andrew Smith, *Transcript T1*, p. 21.

16 Joint Standing Committee on the National Capital and External Territories, March 2007, *Review of the Griffin Legacy Amendments*, Parliament of Australia, Canberra, p. iv.

60 and 61 so that the National Capital Authority has the opportunity to further refine the amendments taking into account issues raised in the committee's report.<sup>17</sup>

## A pedestrian bridge across the Lake and the Griffin Plan

2.19 Walter Burley Griffin's early plans which include a bridge in the same area as provided for under Amendment 61 to the NCP is a matter of contention. There is an issue of whether a pedestrian bridge linking the NMA and Parliamentary zone is reflective of elements contained in Walter Burley Griffin's early designs for Canberra. Figure 2.2 shows Walter Burley Griffin's competition winning design.

2.20 As noted earlier, Griffin's final gazetted plan of 1925 as approved by the Federal Parliament, did not include the pedestrian bridge that appeared in his previous plans.<sup>18</sup>

2.21 A number of opponents to a bridge in the area as suggested by the IBA proposal put the argument that a pedestrian bridge does not conform to Griffin's original plan for West Basin.

2.22 In line with this opposition, Dr John Gray stated:

It would be difficult to argue that the proposed bridge reflects Walter Burley Griffin's original intentions for the lake. A pedestrian bridge at this site was never envisaged by Griffin nor by the National Capital Development Commission (NCDC). The latter followed closely Griffin's original intentions in the 1960s.<sup>19</sup>

2.23 On the point that early plans for Canberra show a low bridge in the area of the proposed bridge, but that this bridge did not appear in Griffin's gazetted 1925 plan, Mr Townsend noted:

In this area of the lake, Griffin indicated a small road bridge helping to define West Basin as a nearly complete circle, part of Griffin's intended geometrical and symmetrical plan for the central part of the lake.

However, the lake turned out differently. East and West Basin are no longer part of a symmetrical design and shorelines are softer and more natural. What was originally to be a small bridge joining the southern shore to a finger of land jutting from the Acton shore

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17 Joint Standing Committee on the National Capital and External Territories, March 2007, *Review of the Griffin Legacy Amendments*, Parliament of Australia, Canberra, Recommendations.

18 National Capital Authority, Mr Gary Rake, *Transcript T1*, p. 22.

19 Dr John Gray, *Submission 24*, p. 4.

would now have to cross a large expanse of water in a different location. Griffin's concept was for a low, elegant structure. A bridge built in its place today would have to be high, massive and inelegant as well as blocking views up, down and across the lake.<sup>20</sup>

Figure 2.2 1912 Plan, Walter Burley Griffin's competition winning design



Source *Image courtesy of the National Archives of Australia*

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20 Mr David Townsend, *Submission 15*, p. 2.

2.24 The National Trust of Australia (ACT) (the Trust) stated that in Griffin's 1911 winning entry plan, the two main bridges which now exist, that is Commonwealth Avenue Bridge and Kings Avenue Bridge, were intended to be the dominant crossings of the Lake. The third crossing was intended to be a more subdued lower level crossing, giving landscape dominance to the two main bridges. The Trust added that the existing landscape would be compromised by the proposed bridge and found that:<sup>21</sup>

... anything that intrudes on the simplicity and elegance of the original scheme is to be avoided absolutely, unless there is no feasible alternative. In this case, the imposition of a structure that has no logical connection to the lake system, traffic planning or the central landscape plan is without justification.<sup>22</sup>

2.25 Dr David Headon provided a solution to the concerns raised in relation to Griffin's original intent and the possible impact on Lake vista. Dr Headon noted:

The arguments against an 'Immigration Bridge' will probably revolve around the visual and someone's interpretation of Griffin's 'intent'. The first can be overcome simply by hiring the best architect with the best design, and a credible budget. Yes we can. The second is more complex, but it is worth noting that Griffin had no less than five connections across the lake. The bridge would make four, and that includes Scrivener Dam. I believe such a bridge would be consistent with the philosophy of a democratic capital held by both Marion Mahony and Walter Burley Griffin.<sup>23</sup>

## Advice provided by the ACT Government

2.26 In regard to the IBA proposal the Australian Capital Territory Planning and Land Authority (ACTPLA) advised that 'the ACT Government determined in 2006 to agree in-principle to cede Territory land to the Commonwealth Government, subject to confirmation of the intention to construct the bridge.'<sup>24</sup>

2.27 The ACT Government agreed to cede Territory land to assist the process associated with the consideration of the proposal by allowing the NCA to have complete land administration. ACTPLA stated:

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21 National Trust of Australia (ACT), *Submission 42*, pp 5-7.

22 National Trust of Australia (ACT), *Submission 42*, p. 7.

23 Dr David Headon, *Submission 43*, p. 2.

24 ACT Government, *Submission 63*, p. 1.

The decision acknowledged the advantage of land at both ends of the bridge being in one ownership would remove any difficulties associated with duplicate administrative arrangements, including maintenance.<sup>25</sup>

2.28 The ACT Government's land grant is subject to a number of conditions which include:

- the ACT Government would 'review its in-principle support if the decision on whether or not to build the bridge has not been made or acted upon before 2009
- that in the event that the Territory proceeds to cede the land there will be a need for the Commonwealth Government to provide some form of peppercorn compensation if the land is to be declared National Land
- that appropriate recognition will be requested of the Immigration Bridge Group for the Territory Government's contribution if the bridge proceeds.'<sup>26</sup>

2.29 In addition, ACTPLA stated that in the case that the land has not been transferred to the Commonwealth Government before an application from IBA is received that 'it would be pleased to participate with the National Capital Authority in the design analysis process for the bridge and any development approval process.'<sup>27</sup>

## Advice provided by the NCA

2.30 In 2002, the Steering Committee approached the NCA for support and advice on the possible location and form that a memorial to immigration may take.<sup>28</sup> The NCA provided the Steering Committee with three possible options for location and form. The Steering Committee communicated to the NCA that it had decided on the bridge option for the form of memorial to immigration, but had not opted for a particular location for the bridge.<sup>29</sup>

2.31 In early June 2002, the NCA prepared a brochure detailing the three options for a form of memorial. These were:

- 'a bridge connecting the NMA to the Parliamentary Zone

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25 ACT Government, *Submission 63*, p. 2.

26 ACT Government, *Submission 63*, p. 1.

27 ACT Government, *Submission 63*, p. 2.

28 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 2.

29 National Capital Authority, *Submission 60*, p. 5.



- an individual sculpture or monument
  - a parkland with interpretive material.<sup>30</sup>
- 2.32 The brochure also noted three options for location. These were:
- 'Lake Burley Griffin (between Acton Peninsula and Lennox Park)
  - Kings Park
  - Section 27 Parkes – adjacent to Peace Park.<sup>31</sup>
- 2.33 In July 2002, the Steering Committee wrote to the NCA to advise that it had been decided that the memorial would take the form of a bridge that would span the Lake 'between Lennox Gardens and Acton Peninsula.'<sup>32</sup>
- 2.34 The 'commemorative bridge proposal' was considered by the NCA in its meeting of July 2002. The NCA Board noted that 'any such proposal would require detailed consideration of issues such as sailing on the lake; scale, form and quality [of the bridge structure].'<sup>33</sup>
- 2.35 In November 2003, the NCA Board 'agreed to support in-principle the concept of a high quality, long span pedestrian bridge commemorating immigration and linking Acton Peninsula with Lennox Gardens'. The NCA took into consideration Griffin's original plans and the winning design entry for the NMA when making its decision to provide its in-principle support for the proposal.<sup>34</sup>
- 2.36 In June 2006, the NCA informed its Lake Users Group (LUG)<sup>35</sup> of the IBA proposal. The LUG responded in March 2007 with a one page document outlining its concerns and conclusions about the proposal. These concerns centred on how a proposed bridge could impede use of the Lake and that if a bridge did go ahead in the suggested location, that it conform with the suggested design requirements.<sup>36</sup>
- 2.37 Of the concerns outlined to the NCA in regard to the IBA proposal the LUG stated:

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30 National Capital Authority, *Submission 60*, p. 5.

31 National Capital Authority, *Submission 60*, p. 5.

32 National Capital Authority, *Submission 60*, p. 5 and Attachment C.

33 National Capital Authority, *Submission 60*, p. 5.

34 National Capital Authority, *Submission 60*, p. 5.

35 The LUG is an informal body established by the NCA to keep users of the Lake and its general surrounds, informed of issues that impact on the Lake and to receive feedback on the management of the Lake and any issues which may arise in relation to its usage. The Lake Users Group, *Submission 38*, p. 1.

36 National Capital Authority, *Submission 60*, p. 23.

Whilst the proper concerns of the Group are focused on the possible impact of any such development on the use of the lake it would be fair to say that there are more general individual concerns among members about the proposal and its promotion but as a Group we are agreed those matters are outside our charter.<sup>37</sup>

2.38 In August 2006, following a private meeting the NCA held in regard to the IBA proposal with the Canberra Yacht Club (CYC), feedback was received about the possible negative impact the bridge may have on sailing activities on the Lake.<sup>38</sup>

2.39 In September 2006, the NCA then advised IBA that it needed to take into consideration and consult with various groups on Lake user issues.<sup>39</sup> The NCA noted that it 'would be upon the proponents to demonstrate that they were able to address each of those concerns before they could receive a works approval.'<sup>40</sup> Further, the NCA stated:

We do provide advice and we have made it very clear to the proponents of the bridge that they are going to have to undertake extensive consultation. They have sought to facilitate that, particularly with key stakeholders. They are well aware of the issues they will need to address. Once we say, 'These are the concerns, these are the people you need to speak to,' it is up to the proponents to do that. If they have not done that, when they come back to us that is a risk they have taken.<sup>41</sup>

2.40 In early 2009, the NCA convened another meeting of the LUG and invited IBA to meet with Lake users. This included new members to the LUG who previously had not had the opportunity to comment on the IBA proposal. Through this meeting and further to its comments in March 2007, the LUG was able to provide direct feedback to IBA in regard to its design brief for the bridge.<sup>42</sup>

2.41 The NCA also advised IBA that it needed to undertake discussion with the winner of the NMA design, so that any moral rights might be addressed before a formal application was submitted for approval.<sup>43</sup>

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37 The Lake Users Group, *Submission 38*, p. 1.

38 National Capital Authority, *Submission 60*, Attachment H.

39 National Capital Authority, *Submission 60*, p. 19.

40 National Capital Authority, Mr Gary Rake, *Transcript T1*, p. 24.

41 National Capital Authority, Mr Andrew Smith, *Transcript T1*, p. 28.

42 National Capital Authority, Mr Gary Rake, *Transcript T1*, p. 30.

43 National Capital Authority, Mr Gary Rake, *Transcript T1*, p. 18.

2.42 In its overall advice provided to IBA concerning consultation the NCA stated:

...the authority has encouraged Immigration Bridge Australia to undertake extensive consultation with the ACT government; the National Museum of Australia; moral rights holders, including designers of the museum; and the Lake Users Group, which is a representative body convened by the NCA. The NCA specifically requested that IBA undertake detailed consultation with representatives of the Canberra yachting and rowing communities.<sup>44</sup>

2.43 The NCA noted that it has a dual role in relation to commemorative works: to provide advice to the proponents of the proposed works as to the appropriateness and suitability; and to give the works approval as the regulator.<sup>45</sup> In this capacity, the NCA has also been assisting IBA in drafting its design brief for the proposal.<sup>46</sup>

## Elements of the proposal

### The concept design

2.44 The IBA proposal is currently in its concept design form. The concept design is the early design phase of the bridge project.

2.45 IBA advised that the concept design phase is not the intended final design for the bridge and is using the images prepared for the concept design to fundraise. IBA stated:

The process that has been undertaken to date has been to produce a concept for a bridge, and it is nowhere contended by IBA that this is a final design. This design was put together as a concept and as a basis for giving people ideas for the raising of funds. There [have] been...several discussions with the NCA and the Lake Users Group. The most recent meetings with the NCA have been to set up and discuss a process that would be followed.<sup>47</sup>

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44 National Capital Authority, Mr Gary Rake, *Transcript T1*, p. 18.

45 National Capital Authority, Mr Andrew Smith, *Transcript T1*, p. 27.

46 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 4.

47 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, pp 3-4.

- 2.46 The known specifications of the Immigration Bridge to date are that it will be a 400 metre long bridge crossing the Lake in the area of the West Basin linking the NMA with the Parliamentary zone<sup>48</sup> at Lennox Gardens.<sup>49</sup>
- 2.47 Amendment 61 to the NCP provided for a 'high span' pedestrian bridge linking the NMA and the Parliamentary Zone.<sup>50</sup> However, the NCA has given its in-principle support to the 'concept of a high quality, long span pedestrian bridge' in the same location.<sup>51</sup>
- 2.48 The concept drawings prepared for Amendment 61 and for the Immigration Bridge vary in their design. Figures 2.3 and 2.4 show an Artist's impression of the concept designs for the Immigration Bridge and Figure 2.5 shows an artist's impression of the area relevant to Amendment 61.

Figure 2.3 Artist's impression of the concept design for the Immigration Bridge



Source *Immigration Bridge Australia*, viewed 23 April 2009, <[www.immigrationbridge.com.au](http://www.immigrationbridge.com.au)>

48 Immigration Bridge Australia, viewed 21 April 2009, <<http://www.immigrationbridge.com.au/www/248/1001127/displayarticle/learn-more-about-immigration-bridge--1003985.html>>.

49 National Capital Authority, *Submission 60*, p. 5.

50 National Capital Authority, Amendment 61 – West Basin, p. 8, viewed 21 April 2009, <[http://www.nationalcapital.gov.au/index.php?option=com\\_content&view=article&id=388&Itemid=261](http://www.nationalcapital.gov.au/index.php?option=com_content&view=article&id=388&Itemid=261)>.

51 National Capital Authority, *Submission 60*, p. 5.

Figure 2.4 Aerial depiction of the Immigration Bridge concept design



Source *Immigration Bridge Australia*, viewed 23 April 2009, <[www.immigrationbridge.com.au](http://www.immigrationbridge.com.au)>

Figure 2.5 Amendment 61 – Artist's impression of West Basin



Source *National Capital Plan Amendment 61-West Basin*, p. 14.



- 2.49 The Walter Burley Griffin Society noted that a high span pedestrian bridge would 'allow clearance for masts'.<sup>52</sup>
- 2.50 Mr John Holland noted that to allow for adequate clearance of all watercraft on the Lake, there would need to be '3 times the average clearance of Commonwealth [Avenue] Bridge at its centre', which would 'have implications for lake views and aesthetics.' Mr Holland added that 'the minimum clearance must apply at each end of the bridge, as well as its centre, as sailboats cannot aim for dead centre in normal winds, let alone high winds.'<sup>53</sup>
- 2.51 To accommodate sailing craft, Mr Holland advocated that 'an arch span foot bridge would be higher at the centre than the sides if the arch was to be the footpath. If the arch were to support a 20 metre high path below it, the suspension members would need to be rigid'. It was also noted that 'suspension bridges supported by cables will sway in high winds'<sup>54</sup> and could alarm pedestrians.
- 2.52 The Immigration Bridge design is also planned to include a 'History Handrail' made of stainless steel which would have engraved 'the names of the migrants, the year of their arrival and the country of their origin.'<sup>55</sup>
- 2.53 The roof of the bridge could be made of solar panels. IBA has stated that a solar panel roof would:
- ...leave the History Handrail and the stories of migration on the surfaces of the Bridge bathed in light, protect visitors from the worst of the elements and at the same time generate green electricity for the grid and be responsible for nearly 800 tonnes of CO<sub>2</sub> abatement per year.<sup>56</sup>
- 2.54 The ACT Government noted that 'there was a prospect that the southern anchor for the bridge, [at the Lennox Gardens end] where the land would be ceded, may comprise some form of café or small tourist shop.'<sup>57</sup>
- 2.55 In its March 2007 response to the IBA proposal, in addition to outlining the negative impact on sailing on the Lake, the LUG suggested particular

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52 Walter Burley Griffin Society Inc., *Submission 32.1*, p. 28.

53 Mr John Holland, *Submission 22*, pp 4-5.

54 Mr John Holland, *Submission 22*, pp 4-5.

55 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 3.

56 Immigration Bridge Australia, viewed 17 April 2009, <<http://www.immigrationbridge.com.au/www/248/1001127/displayarticle/solar-roof--1006593.html>>.

57 ACT Government, *Submission 63*, p. 2.

design specifications if the proposal were to proceed. In particular, the LUG suggested:

- '12 metres minimum clearance height of the bridge over the lake, from the normal water level
- as few as practicable pylons in the lake with 70 metres minimum span between pylons
- minimal vertical profile and design features to minimize the effect of the bridge on the wind
- a soft collar to be installed on all pylons from 1 metre below to 1 metre above the normal water level
- designed to Austroads Part 14, Guide to Traffic Engineering Practice, Bicycles and also the local Roads Act Standard "DS13".<sup>58</sup>

2.56 The LUG also noted that it was difficult to comment on the proposal as there are no specifications available to comment on. In response to its concerns about specifications in regard to the IBA proposal, the LUG commented that 'In general terms they [IBA] indicated that they believed those concerns could be accommodated.'<sup>59</sup>

2.57 To arrive at a design brief, the NCA has stated that IBA will need to reconcile heritage value considerations and Lake user concerns. The NCA stated:

At the moment, our in-principle support remains unchanged, and that relates to the fact that it was a formal decision of the authority and the authority has not considered the matter again since then. But these heritage management plans are there to help guide and act as a framework for potential development, and I do not think the authority would have good reason to withdraw support for the proposal. ...It is now for the proponents to innovate and to try and find a solution that addresses both of these concerns [heritage values and Lake user concerns]. Certainly, this lays out a new set of criteria that they will have to consider and meet. ...I think it is fair to agree that this now makes for a very challenging design brief. I do not think we should declare them irreconcilable but, yes, there is definitely a challenge to be met there.<sup>60</sup>

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58 National Capital Authority, *Submission 60*, p. 23.

59 The Lake Users Group, *Submission 38*, p. 1.

60 National Capital Authority, Mr Gary Rake, *Transcript T2*, pp 6-7.

## The design brief

2.58 The IBA stated that the NCA is assisting it in preparing a design brief for the proposal. The IBA noted that the final design brief would include information about site, planning, lake and bridge usage requirements, environmental and heritage aspects and impact on the vista. The IBA stated:

The most recent meetings with the NCA have been to set up and discuss a process that would be followed. In conjunction with the NCA we will be producing a design brief. The criteria within the brief more than likely will include siting, planning, lake and bridge usage requirements, environmental and heritage aspects, visual impact studies et cetera. This will be written into a design brief, which IBA will then use as the basis for producing a final design. The final design will then need to be submitted to the NCA for works approval, which in effect is also the development approval.<sup>61</sup>

2.59 IBA added that 'the design finally given to the NCA will need to include an understanding of the design brief and the way in which IBA is going to meet the obligations that it has.'<sup>62</sup>

2.60 IBA envisaged that a design brief would take three months to complete and would include:

...car parking, how the bridge lands, where it lands, height restrictions, height clearances et cetera. It has to be a very detailed brief ...to cover the significance of this site and the significance of this project within the total ACT environment and especially within the triangle and the lake.<sup>63</sup>

2.61 Dr David Headon suggested that an appropriately funded, design competition for the bridge would yield the desired design result. Dr Headon stated:

Far too often key buildings, plaza areas and design features in Canberra have been under-funded to the point of embarrassment. This design feature must have no expense spared in order to be an ornament to the nation's capital city, not an eyesore. European cities seem to experience little trouble creating elegant, visually

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61 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 4.

62 Immigration Bridge Australia, Mr Graham French, *Transcript T1*, p. 4.

63 Immigration Bridge Australia, Mr Graham French, *Transcript T2*, p. 34.



compelling pedestrian bridges in some of their most sensitive, central real estate.<sup>64</sup>

- 2.62 IBA mentioned that it had discussed the possibility of engaging a design competition. IBA stated:

After getting the design brief we have to make a decision as to how we proceed with design. We have talked about whether a competition is feasible. I believe it is.<sup>65</sup>

## The proposal timeline

- 2.63 The NCA has not at this stage 'undertaken any design review nor received any application for Works Approval related to Immigration Bridge.'<sup>66</sup>

- 2.64 IBA has stated that it expects that it will take between 18 months to two years for the proposal to be developed into its design phase and reach the end of the works approval stage.<sup>67</sup>

- 2.65 This timeframe takes into account: that the IBA Board has decided to wait until it has sufficient funds to cover the design consultant's fees for the next design phase; that IBA has applied for and is awaiting Deductible Gift Recipient (DGR) status; and the time that it will take to put together a final design brief.<sup>68</sup>

- 2.66 Over the 18 months to two year timeframe to reach and complete the works approval process, IBA conveyed that it will be involved in seeing the proposal through a set of stages. IBA stated:

The achievement of the final design solution will require a staged process of preliminary meetings and discussions with the NCA and further detailed meetings with lake users and the public to hopefully set on a design suitable for public presentation and feedback. The application documentation will then be prepared and it will contain the things that we will be setting out in the design brief. It is also important to mention that the design proof is to be approved by the NCA; it is not a thing that we do in isolation. The final application for the development approval will include environmental impact statements, heritage impact statements, visual impact statements, construction methodology,

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64 Dr David Headon, *Submission 43*, p. 1.

65 Immigration Bridge Australia, Mr Graham French, *Transcript T2*, p. 35.

66 National Capital Authority, *Submission 60*, p. 6.

67 Immigration Bridge Australia, Mr Graham French, *Transcript T2*, pp 34-35.

68 Immigration Bridge Australia, Mr Graham French, *Transcript T2*, p. 34.

construction period and continuous lake usage while the bridge is being built. That is the process to date that we have discussed with the NCA and that we understand we will be following.<sup>69</sup>

2.67 On the process outlined by IBA in relation to moving the proposal from its concept design stage to its design brief stage the NCA commented:

...it sounds as though they [IBA] were proposing to run a preliminary design process which drew out, through a public consultation process, concerns and tried to develop design solutions which addressed those concerns. On the face of it, that sounds like a good thing because that would mean that the public was well aware of the issues surrounding the proposal well before we did a formal consultation.<sup>70</sup>

## The Immigration Bridge Australia organisation

### Governance structure

2.68 The IBA organisation consists of a Board responsible for the ongoing management of the IBA proposal and its associated business activities. The Board includes: a Chairman, Deputy Chairman, Company Secretary, Treasurer, six Board Members and a Special Adviser.<sup>71</sup> IBA noted that its Board has wide experience including: a former Chief of Army, an architect and engineer and the former Commissioner for the Snowy Hydro-Electric Authority who is also the current Mayor of Cooma. In addition, IBA stated that members of the Board have previous experience with the NCA's works approval process.<sup>72</sup> IBA added:

The Board is wider than that, of course, and it has the ability to seek professional advice when it is required.<sup>73</sup>

2.69 The Board contracts the services of a Campaign Director who is responsible for 'the ongoing work of the campaign ...the operations of the website, the operations of the History Handrail program, [and] approaches to government'.<sup>74</sup>

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69 Immigration Bridge Australia, Mr Graham French, *Transcript T1*, p. 4.

70 National Capital Authority, Mr Andrew Smith, *Transcript T1*, p. 30.

71 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 32.

72 Immigration Bridge Australia, *Submission 29*, p. 5.

73 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 32.

74 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 9.

- 2.70 Administrative support and financial advice and auditing of the IBA's financial statements is provided by a private sector company that is contracted to do so.<sup>75</sup>
- 2.71 In addition, IBA has associations with a number of community and corporate sponsors<sup>76</sup> and honorary ambassadors<sup>77</sup> on a voluntary and goodwill basis.

## Accountability and transparency mechanisms

- 2.72 IBA is an incorporated,<sup>78</sup> not-for-profit company, limited by guarantee with tax exempt status and has formally been in existence since 2005.<sup>79</sup>
- 2.73 As such, IBA is a legally recognised business entity which may operate Australia-wide and is required to adhere to provisions contained in the *Corporations Act 2001 (Cwlth)*<sup>80</sup> (the Corporations Act) with regard to its governance structure, operations, financial management and disclosure.
- 2.74 As IBA is limited by guarantee, if the company is wound up (or ceases to exist), the company's members are only liable for the amount they undertook to contribute to the company.<sup>81</sup> IBA's constitution provides that each member must contribute a maximum of \$10 each towards meeting any outstanding obligation to the company. As at 30 June 2008, the number of members of IBA was nine.<sup>82</sup>
- 2.75 IBA's structure is prescribed under the Corporations Act which provides the minimum requirements for a not-for-profit company. Therefore IBA must:
- 'have at least 3 directors and 1 secretary
  - have at least 1 member

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75 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 33.

76 Immigration Bridge Australia, viewed 17 April 2009, <<http://www.immigrationbridge.com.au/www/248/1001127/displayarticle/who-we-are--1009105.html>>.

77 Immigration Bridge Australia, viewed 17 April 2009, <<http://www.immigrationbridge.com.au/www/248/1001127/displayarticle/our-honorary-ambassadors--1003984.html>>.

78 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 33.

79 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 2.

80 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 33.

81 Australian Securities and Investments Commission, viewed 17 April 2009, <<http://www.asic.gov.au/asic/asic.nsf/byheadline/Registering+not-for-profit+or+charitable+organisations?openDocument>>.

82 Immigration Bridge Australia, *Financial Report for the year ended 30 June 2008*, p. 16.

- have a registered office address and principal place of business located in Australia
- have its registered office open and accessible to the public
- be internally managed by a Constitution or Replaceable rules
- maintain a register of its members
- keep a record of all directors' and members' meeting minutes and resolutions
- appoint a registered company auditor within 1 month of its registration
- keep proper financial records
- prepare, have audited and lodge financial statements and reports at the end of every financial year
- send to its members a copy of its financial statements and reports, unless the member has a standing arrangement with the company not to receive them
- hold an Annual General Meeting once every calendar year within 5 months of the end of its financial year
- receive and review an annual company statement and pay an annual review fee. A charitable or not-for-profit company may be eligible for a reduced annual review fee if it meets the criteria under the definition of 'special purpose company' in regulation 3(a), (b), (c) or (d) of the Corporations (Review Fees) Regulations 2003
- lodge notices whenever changes to its officeholders, office addresses, constitution and its name occur within specified timeframes as determined by the Corporations Act 2001.<sup>83</sup>

2.76 In regard to its operations and disclosure activities, IBA stated:

We are a not-for-profit company incorporated under the provisions of the Corporations Law of the Commonwealth. It is not, as was suggested at one stage, an association incorporated under a territory or state associations corporation act. We provide to ASIC all of the necessary annual returns, and those returns include a copy of the audited accounts to the end of the financial year. Those accounts are audited by the WalterTurnbull audit

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83 Australian Securities and Investments Commission, viewed 17 April 2009, <<http://www.asic.gov.au/asic/asic.nsf/byheadline/Registering+not-for-profit+or+charitable+organisations?openDocument>>.

division. ...Those audited accounts are available publicly ...they are public documents. So this is quite a transparent process.<sup>84</sup>

## Fundraising and corporate sponsorship

### Estimated cost of the IBA proposal

2.77 IBA estimated that the total cost of building the Immigration Bridge will be \$30 million. IBA arrived at this amount through discussion with the NCA and the inclusion of a \$4 million buffer. IBA explained:

Fundraising campaigns for community projects have to involve a target. IBA sought assistance from the NCA in estimating the cost of building the bridge, which led to a range of \$22 million to \$26 million being recommended. Prudently, IBA therefore decided that the target should reasonably [be] set at \$30 million.<sup>85</sup>

### Fundraising mix and methods

2.78 In regard to the fundraising and advertising components of its campaign IBA stated that it sought a mix of private and public sector funding consisting of direct investment or cash donation through to corporate sponsorship. IBA stated:

Most successful community projects involve funding contributions from three sectors: corporations, the public and governments. In this project, substantial contributions from Bendigo Bank, ActewAGL, SBS and others were sought, and gained, to provide initial capital. A campaign to attract public participation in the project through the History Handrail program was initiated and also the migration book, collecting stories of migration, was attached to that.<sup>86</sup>

2.79 IBA has sought and received tax exemption and is now 'pursuing DGR status (for the purpose of attracting larger tax deductible donations)<sup>87</sup> from the Commonwealth Government in addition to 'seed capital to get the development approval process underway'.<sup>88</sup>

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84 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 33.

85 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 4.

86 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 4.

87 Immigration Bridge Australia, Mr Graham French, *Transcript T2*, p. 34.

88 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T1*, p. 3.

2.80 Further, IBA has sought funding from the Commonwealth Government, but has not been successful. Of its efforts, IBA stated:

Regrettably, the IBA's initial request of the previous federal government was not agreed to on the grounds, *inter alia*:

...while acknowledging the symbolism of the bridge to commemorate migration and its relationship to the Griffin Legacy, it does represent a capital work project, which is more appropriately the responsibility of local government authorities.<sup>89</sup>

2.81 IBA has stated that it would help its campaign if it received funding from the Commonwealth Government. IBA explained:

...if the Commonwealth supported it, it would bring the project to fruition much earlier than it ordinarily might happen by expediting all the early-stage costs that are involved and then, of course, the commencement of construction.<sup>90</sup>

2.82 IBA further commented that it may receive funding from the Commonwealth Government once the IBA proposal has received 'strong' support from the community. IBA stated:

It would be prudent under normal circumstances, especially given the fact that this is in the national capital, is part of the National Capital Plan and is a piece of infrastructure for Canberra for which project the government under normal circumstances would be expected to put in [a] considerable sum – somewhere between \$10 million and \$15 million. But we cannot expect the federal government to put that in, knowing what we do of politics in general, unless we can demonstrate that the project is likely to be a success to begin with. Once we have demonstrated, through public support – and the public support for it has been extremely strong; we also have strong support from corporates, as we said – that we have a viable and supportable project, we expect that the government will then be in a position to assist the project.<sup>91</sup>

2.83 Dr David Headon commented that Commonwealth Government assistance would boost the profile of IBA's campaign and stated:

Such a campaign should be funded in part, or wholly, by the Australian Government. The campaign thus far has been something of a micro success in eliciting impressive rank-and-file

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89 Immigration Bridge Australia, Lt. Gen. Lawrence O'Donnell (R'td), *Transcript T2*, pp 31-32.

90 Immigration Bridge Australia, Mr Emmanuel Notaras, *Transcript T2*, p. 40.

91 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 12.

support, but this can and must be expanded. The campaign needs re-invigoration and clever, carefully targeted marketing of the bigger end of town.<sup>92</sup>

## The History Handrail Project

- 2.84 The History Handrail project and associated Migration Book are the main drawcards for collecting donations from private citizens, to fund the construction of the Immigration Bridge. The History Handrail is intended to consist of the names of migrants, their year of arrival and country of origin. Each migrant's arrival history will also be separately recorded in the Migration Book.<sup>93</sup>
- 2.85 For those individuals who are not able to reserve a place on the History Handrail after the Immigration Bridge is built (if the proposal proceeds), they will be able to record their history in the Migration Book at no charge.<sup>94</sup>
- 2.86 IBA is selling each name place on the History Handrail of the Immigration Bridge for \$110. For this amount, the purchaser of the name place receives a 'commemorative certificate and receipt' and 'the name and the information given is displayed on the IBA website from that time and is searchable by any name or date contained therein.'<sup>95</sup>
- 2.87 IBA has made available 200 000 places on the History Handrail which is expected to raise \$22 million<sup>96</sup> of the \$30 million estimated to be needed to build the Immigration Bridge.
- 2.88 If the IBA proposal does not eventuate, IBA has stated that it will offer a refund for the name places already purchased. Of its refund policy, IBA advised:
- It is stated in the IBA terms and conditions and in other information that IBA has given out that, in the event of the project not being built, a refund will be available for History Handrail purchases.<sup>97</sup>
- 2.89 In regard to where the funds for the refund will come from, IBA explained:

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92 Dr David Headon, *Submission 43*, p. 1.

93 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, pp 15-16.

94 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 4.

95 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 4.

96 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 4.

97 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 4.

As far as the funds raised are concerned, the History Handrail project, we said in the chance that the bridge project did not go ahead that we would be offering a refund. That means basically we have had to not access those funds and therefore those funds have been quarantined and have not been able to be put towards marketing or have not been able to be put towards furthering the design process as we put it at the moment. We can only use unencumbered funds for that.<sup>98</sup>

- 2.90 On its website, IBA notes that if the proposal does not proceed that the refund of \$110 will incur a \$15 administration fee.<sup>99</sup> This will mean that people who have tentatively purchased a place on the as yet intangible History Handrail will only be eligible to receive \$95 of the \$110 that they paid to IBA.
- 2.91 Further to this, in the IBA's audited financial statements, the qualification appears that IBA's History Handrail liability requires it to refund 85 percent of handrail sales in addition to the amount for the Goods and Services Tax.<sup>100</sup>
- 2.92 Taking into account the information available through the IBA's financial statements and its website, it is difficult to ascertain what the exact refund would be to consumers if the IBA proposal did not reach completion.
- 2.93 IBA have to date collected just over \$1 million in cash and sponsorship, the bulk of which is the cash component.<sup>101</sup> In regard to the amount collected from the History Handrail program, IBA has to date sold about 6000 places or three percent of the 200 000 places available and collected around \$600 000. About 3000 of those places have been purchased by Canberra residents.<sup>102</sup>

## Advertising and promotion

- 2.94 For advertising and promotion, IBA indicated that it has relied on in-kind support from various corporate sponsors as it does not have a specific marketing budget.<sup>103</sup> In-kind advertising sponsorship includes SBS

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98 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 13.

99 Immigration Bridge Australia, Newsletter Issue No. 25, February 2009, viewed 17 April 2009, <<http://www.immigrationbridge.com.au/www/248/1001127/displayarticle/latest-news--1003396.html>>.

100 Immigration Bridge Australia, *Financial Report for the year ended 30 June 2008*, p. 16.

101 Immigration Bridge Australia, Mr Richard Lawson, *Transcript T2*, p. 33.

102 Doherty, M 2009, 'Bridge seen as adornment to capital', *The Canberra Times*, 2 April 2009, p. 2

103 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 14.



Television which has filmed a commercial and airs it regularly. The principal sponsor of the IBA proposal is Bendigo Bank with ActewAGL the sponsor in the capital.<sup>104</sup>

- 2.95 IBA has also invited ‘eminent Australians ...to become honorary ambassadors for the bridge, and the project’ in order to promote the proposal throughout the wider community.<sup>105</sup>
- 2.96 In addition to the advertising and promotion that the Immigration Bridge has received, IBA has promoted its proposal to a variety of multicultural groups and institutions throughout Australia. IBA stated:

We asked every single migrant group that we could access to our launch in Canberra, also our launch in Melbourne. We had a regional launch in Griffith which involved migrant groups and a regional launch in Cooma as well. We are in the process of contacting as many as we possibly can and we have been doing that and we do have a large amount of support from migrant groups all over Australia.<sup>106</sup>

## Conclusions

- 2.97 The committee understands that the Immigration Bridge is currently in its early phase or concept phase and as such no structural specifications are available.
- 2.98 However, the committee believes that different bridge structures could impact Lake users, vista and heritage values of the Lake and its surrounds in different ways.
- 2.99 The committee reiterates its findings from its 2007 *Review of the Griffin Legacy Amendments* report which highlighted community concern about Lake-use, vista and heritage in regard to Amendment 61 which included a bridge in the suggested location.
- 2.100 The committee notes that IBA appreciates its responsibility to take the proposal from the concept design stage to the final design phase stage and that it needs to consult in regard to Lake-user issues, vista and associated heritage values.

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104 Immigration Bridge Australia, Lt. Gen. Lawrence O’Donnell (R’td), *Transcript T1*, p. 2.

105 Immigration Bridge Australia, Lt. Gen. Lawrence O’Donnell (R’td), *Transcript T1*, p. 2.

106 Immigration Bridge Australia, Mr Andrew Baulch, *Transcript T1*, p. 14.

- 2.101 The committee finds that the IBA refund policy for its History Handrail project is unclear. The committee suggests that the IBA clarify its policy in the obligations it has outlined in its financial statements and have this information available on its website on the same page as information for purchasing a name place is located.
- 2.102 The committee also understands that IBA's financial statements are available for a fee from either ASIC or through a financial broker.
- 2.103 The committee suggests that in the interest of improving its transparency and accountability IBA makes its financial statements available on its website.

### **Recommendation 1**

- 2.104 **The committee recommends that in the interest of improving its transparency and accountability Immigration Bridge Australia:**
- **clarify its refund policy in relation to the History Handrail program; and**
  - **make its financial documents publicly available on its website.**

