



Canberra Community Action on Acton Incorporated

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**Submission to the Commonwealth Parliament Joint Standing
Committee on the National Capital and External Territories
Inquiry into the Role of the National Capital Authority**

May 2003

CCAA was formed in October 1992 in response to concerns about the future of Acton Peninsula, the site of the former Royal Canberra Hospital. Our submission to this inquiry flows from our experiences in dealing with the National Capital Authority over a period of more than ten years.

Our submission is in summary format. Other supportive documents we have produced over the years could be made available if necessary.

Our submission addresses each of the Committee's terms of reference.

The Commonwealth clearly has responsibilities and duties with respect to the physical and symbolic expression of the National Capital. However, since the commencement of ACT self-government in 1989, one year after the introduction of the ACT (Planning and Land Management) Act, issues and events have exposed and highlighted the need for reform of this Act with regard to the NCA's role and other matters.

Essentially, apart from the Parliamentary Triangle, and its immediate environs, what goes on with governance in the ACT now and in the future is as much to do with NSW as it is to the Territory. Recent events and issues, such as the tragic January 2003 bushfires, and the ACT Government's attempts to develop a "spatial plan" covering all the ACT and immediate surrounds well into the future, highlight the costly overlap and lack of communication and co-ordination amongst the three tiers of government.

The model favoured for governance of the ACT and immediate district would involve the retirement of the concept of the ACT itself, and its substitution with a *Canberra and Queanbeyan City and Rural District Council* ("the Council") within the NSW local government system. This arm of government would co-exist with a new National Capital body responsible for design, planning, and development of the Parliamentary Triangle, its immediate surrounds, and a few other specified places of National significance. We envisage the Council being located in a new comprehensive municipal centre at City Hill in Canberra.

This somewhat radical concept has further ramifications in that other current ACT State-like functions, such as education, health, policing, justice, main roads and transport, national parks and environment, natural resources, would naturally transfer to NSW. The Council would then concentrate on traditional municipal functions.

We believe that this structure would lead to greater efficiency, and be more acceptable to the local community and wider Australia.

The following is a list of issues and events of concern which have led us to develop the above concept. We have been mindful of the recent performance of the National Capital Authority (and its predecessor, the National Capital Planning Authority [NCPA]), often affected by powerful pressures from government ministers and departments, and changes in its own organisational and functional priorities.

(order not significant):

- The changing of the site for the National Museum of Australia from the agreed Yarramundi Reach site to Acton Peninsula, against the wishes of all local elected representatives, and the NCPA itself;
- A significant breakdown of communication between the NCA and the Australian Heritage Commission over the most appropriate adaptive re-use of the remaining original buildings and landscape elements on Acton Peninsula;
- The apparent failure to take adequate prerogative duties of care in the protection of the public in the implosion of the former Royal Canberra Hospital buildings, sited on Commonwealth *Designated Land* (and the control of adjacent parts of Lake Burley Griffin and foreshores at the time), a matter that come under close scrutiny in the inquest into the tragic death of a spectator which was a result;
- Confusion highlighted by the above implosion, as to the definition of *Works Approval*, a duty of the NCA set out in the Act, and the subsequent move by the NCA to restrict the scope of "Works" to compliance with planning and development conditions, contrary to its generally accepted meaning;
- The fragmentation of the city associated with "overnight" extensive development of commercial facilities at Canberra Airport, and York Park, Barton (both under NCA purview) diminishing Civic and other planned commercial centres. [Such development, which in itself need not be undesirable, should be planned with appropriate transport infrastructure and retail facilities for the benefit of users.];
- The apparent abandonment of social planning principles by the re-locating of a hospice to remote Grevillea Park, made worse by an astounding lapse of understanding of the Walter Burley Griffin's axial design for the National Capital, by the placing of this building right at the point where Griffin's Causeway transport crossing meets the north shore of Lake Burley Griffin. (The NCA had acknowledged the importance of this axial crossing in a recent study that included it for implementation.) [Point of information: Griffin's crossing consisted of a weir separating East Basin from the unbuilt East Lake, and the change of water level served to aerate the main lake and enrich the East Lake wetlands.];
- The unilateral sale of Commonwealth assets in the ACT by the Department of Finance, the funds from which were not used for National Capital advancement. (For example, the extremely valuable "landmark" residential site at Blackall St, Barton.)
- The unilateral moves by influential government departments to override the NCA, for example, at the Russell Hill Defence Complex, where significant buildings are at odds with important road layouts;
- The unsuccessful promotion and staging of V8 Supercar races in the Parliamentary Triangle;
- The NCA's apparently biased intervention into the routing of the Gungahlin Drive Extension;
- Unresolved outcomes with regard to the Aboriginal Tent Embassy, and conflict between its supporters and the format of the new Reconciliation Place in the Parliamentary Zone;

- With regard to the administration and probity of the NCA--
 - (a) We are concerned that the NCA Board chooses to keep a position vacant, presumably as a cost-saving measure;
 - (b) We believe meetings of the NCA Board should be open to the public, in line with the practice of similar bodies;
 - (c) We believe it is important that the Chairman of the NCA Board should be not only a person of public standing, but have considerable professional knowledge and understanding of its core role, in accordance with the Act;
 - (d) To avoid the sort of downgrading that Walter Burley Griffin received at the hands of contemporary bureaucrats, we believe the NCA needs to comply with moral rights legislation with regard to the work of architects and other designers it engages, especially when an open competition is the method of obtaining designs. [The recently completed Commonwealth Place on the Parliamentary Foreshores could be a case in point.]

Within the proposed reformed governance framework outlined above, we suggest that the NCA focus on the important physical and symbolic design aspects of the expression of the National Capital in the Parliamentary Triangle and its immediate environs, and not so much on events and promotional activities which impinge on the responsibilities of other departments and agencies, and those which would be the clear responsibilities of the proposed City and Rural District Council.

General controls by the Commonwealth over the activities of State governments, as they have evolved since Federation, would ensure the preservation of the National Capital setting in the broader sense.

The new definition of the *National Capital Precinct* (essentially the Parliamentary Triangle and immediate environs), as distinct from the *Australian Capital Territory*, need not conflict with the intent of the Australian Constitution in this regard, but would recognise the evolution of Canberra and its surrounding districts as a mature municipal and regional centre in its own right containing the seat of the Australian Government.

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