



SUBMISSION TO THE PARLIAMENTARY COMMITTEE ON THE ROLE OF THE NATIONAL CAPITAL AUTHORITY

Introduction

The University wishes to comment on various issues raised in the terms of reference of the Inquiry. The majority of our comments relate to planning issues but mention is also made to term of reference (e) relating to the promotion of Canberra. This submission also includes our response to the letter of 26 March 2008, from the Secretary of the Joint Standing Committee on the National Capital and External Territories.

The University is happy with the services provided by the National Capital Authority (NCA) and, over the years, has formed a good working relationship with the Authority and its Officers. Responses to formal submissions for works approval have generally been timely and, when there have been delays, we have been able to negotiate satisfactory outcomes for us. We have been pleased that staff of the Authority have been willing to provide constructive advice and comments and to work with us to arrive at mutually acceptable solutions, given the needs of the University on the one hand and planning and other constraints on the other.

Current Arrangements

The University occupies four sites in the ACT, two of which are designated areas in terms of the National Capital Plan. These are the University's principal site at Acton and Mount Stromlo.

Six leases cover the Acton site and we have a management agreement with the ACT in terms of use of land on the Acton Peninsula between our boundary and the lake. Three perpetual leases have been granted (1953, 1967 and 1974) covering most of the site. Ninety-nine year leases were obtained in 1999 and 2000 and cover the School of Art and School of Music.

All of the Acton site is designated land in terms of formal works approvals. On some issues, such as Heritage, the NCA takes advice from the Department of the Environment, Water, Heritage and the Arts. Decisions about works approval are made in the context of the University's Master Plan and agreed Planning Principles.

A perpetual lease for the University's site at Mt Stromlo was granted in 1969.

Comments on the Planning Terms of Reference (a)-(d)

Basic to the consideration of the matters raised is the importance of the National Capital Plan. We strongly believe that the existence of the National Capital Plan is fundamental to the planning and development of the National Capital, particularly areas of "national significance". The terms of reference relate to the future role of the NCA in these matters, particularly to policy setting (through reviews and amendments of the National Capital Plan itself), planning and developmental issues as well as works approvals.

It is debatable whether the NCA, beyond broad policy and statutory provisions, needs to be involved in specific planning and works approval for many of the elements of the Plan, (ie.

additional urban land in the Territory, transport, urban design, rural areas). To avoid intrusive red tape and duplication, it would be sensible for the Committee to reaffirm the NCA's broad statutory policy role but to leave the administration of several matters to the ACT. Undoubtedly, this would require effective coordination on planning matters between the Commonwealth and the ACT, which we comment on later.

Nevertheless, some areas are particularly sensitive in terms of planning development and works approval, including the Parliamentary Zone, Lake Burley Griffin and its foreshores, diplomatic areas, ANZAC Parade and possibly Constitution Avenue. These are significant parts of the Central National Area in the National Capital Plan. The suburban activities relating to Yarralumla, Deakin, Forrest, Red Hill and Barton, as well as issues relating to the City could also be delegated to the ACT again within the broad policy framework.

The University's Acton site is part of the Central National Area and the National Capital Plan indicates that "the Authority will ensure that these areas also achieve high qualities of planning and development within a design context appropriate to their localities" and will liaise directly with the ANU and the Department of the Defence on the preparation of master plans for these major sites.

The ANU is a Commonwealth Authority. The University was established as a National institution. The functions of the University in the ANU Act stress research and study of subjects of national importance to Australia as well as out international and local roles. Since its creation in 1946, the University has established a national and international pre-eminence. It has a national standing along with other educational and cultural institutions in the National Capital such as the National Gallery of Australia, and the National Library. Its site at Acton has to be considered as an area of national significance. It should also be noted the University's Acton site is in two parts of the Central National Area - Acton and Canberra Central as well as Lake Burley Griffin and Foreshores (see attachment 1). It would be completely inappropriate for works approvals for the University to be split.

In asserting its Acton site as an area of national significance the University is not denying its close working arrangements with the City and with the ACT. In fact, the agreement between the ANU and the ACT in December 2004 in relation to the City West development is a significant illustration of these links. In the same way, there are links between other areas of "national significance" and the City.

The University, therefore, wishes to reaffirm both its Acton and Stromlo sites as sites of national significance and to continue the current arrangements as "designated" areas with works approvals through the NCA. There would also be merit in continuing land occupied by other Commonwealth Authorities, the National Botanic Gardens and the CSIRO Black Mountain site as designated areas. However, if this were not possible, the University would seek to be declared a "Commonwealth Authority having responsibility to commission works in designated areas" in terms of Part II Clause 6(c) of the Australian Capital Territory (Planning and Land Management) Act 1988" through an amendment to the ANU Act. The University has a Master Plan setting out, among other things, a number of planning principles. It also has a Campus Planning and Development Committee with external representation, which would become the approving authority.

The national promotion of the National Capital

Our view is that confusion exists about the relevant roles and responsibilities of the NCA and the ACT Government in terms of marketing of the ACT generally and organising events and activities. An example is the multiple websites promoting visits to Canberra and events. There have been efforts in the past to collaborate and to coordinate between the various parties through the establishment of group representation from both the NCA and the ACT Government, plus national institutions that have an interest in attracting tourists. But it is probably fair to say that these have not been successful. Our experience is that the NCA sponsored events (such as Tropfest and Winter in the Capital) have been well organised and professionally managed.

The University has a strong interest in the promotion of Canberra both as a City and as the National Capital although from a somewhat different perspective to other national institutions, which focus on attracting people through the doors of their exhibitions, etc. The interest of the ANU is driven by creating awareness and positive perceptions of Canberra as part of its overall efforts to attract staff and students. We are particularly concerned to overcome ignorance of Canberra (especially among potential international students) and prejudices (especially among prospective students and staff from outside the local region). It is also important for us as a partner with the ACT in the development of the City West region to have strong support to attract the private sector and other organisations to establish offices in Canberra.

There has to be a strong coordinating group involved in both the Commonwealth and the ACT for the promotion of the City. To avoid overlap it would probably be sensible for the NCA to concentrate on areas of National Significance, particularly the Parliamentary Zone.

Summary Comments on the Terms of Reference

(a) *The administration of the National Capital Plan with particular emphasis on the reduction of red tape and duplication of municipal and local planning functions, the jurisdiction of ACT spatial policy and harmonisation of planning systems;*

We recommend that the Committee

- (i) reaffirms the importance of the National Capital Plan and the current role of the NCA in terms of policy setting for the Plan, taking specific advice from the ACT; and
 - (ii) the NCA's planning, development and works approval role be restricted to areas of national significance. These to include:
 - the Parliamentary Zone.
 - National Capital and Diplomatic Missions areas of Yarralumla, Deakin and O'Malley.
 - Acton and part of Canberra Central to include the ANU, CSIRO and the Australian National Botanic Gardens.
 - ANZAC Parade and Constitution Avenue, Russell, Duntroon, ADFA and Campbell Park.
 - Lake Burley Griffin and Foreshores.
 - (iii) The ACT would then become responsible for the administration (planning, development and works approval) of all other elements of the National Capital Plan, ie. main avenues and approaches, transport, rural areas, etc.
 - (iv) We also recommend that the Acton and Mt Stromlo sites of the University remain as designated areas of national significance. If this is not possible, then the University would, at the next opportune occasion, press for an amendment to the ANU Act so that it becomes "a Commonwealth Authority having responsibility to commission works in terms of Part II Clause 6(c) of The Australian Capital Territory (Planning and Land Management) Act 1988".
- (b) *Whether the governance arrangements for the NCA provide a sufficient balance between the independence of the Authority's planning decisions and its accountability for its operations;*

We see two distinct roles for the NCA and the ACT on planning issues, as outlined above. It will be important to establish a more formal, even statutory process for coordination between the NCA and ACTLPA. One option could be to amend the membership of the Board of the NCA to include nominees (perhaps two) of the Chief Minister of the ACT.

An alternative could be to establish a planning and coordination committee of NCA and ACTPLA, with statutory requirements of consultation.

- (c) *The appropriate level of oversight required to achieve the highest standards in design for areas of national significance;*

We recommend that the NCA continue in this role noting that coordination at the highest level would be obtained through initiatives under (b) above.

- (d) *Opportunities to ensure cooperation with the ACT planning authority and increased engagement with the Canberra community;*

Our comments on options for enhancing cooperation between the ACT planning authority and NCA are detailed in the response to section (b) above. In regard to engagement with the community, the NCA has recently introduced a consultation protocol that has significantly enhanced engagement and consultation with the Canberra community. Examples of this engagement have been the Molonglo development, Griffin Legacy, and developments along Anzac Parade. We believe that continued use of this protocol would be an effective way to engage and consult with the Canberra community without creating the need for appeal rights that would slow the development approval.

- (e) *The effective national promotion of the National Capital, and the roles of the NCA and the ACT Government in advocacy for new infrastructure projects including responsibility for events and developing the distinctive character of the National Capital.*

We propose the establishment of a Canberra "Marketing and Promotion Committee" with equal representation from the Commonwealth and the ACT, with broad terms of reference to promote Canberra as a City and as the National Capital of Australia, with (from our perspective) an emphasis on being a centre of excellence in education and learning. There would be an advantage in having an independent Chair appointed after agreement by the Minister for Home Affairs and the Chief Minister of the ACT. Again, it would be useful for this to be a statutory committee to ensure that basic functions are carried out.

The committee could undertake an umbrella program to promote the profile, image and awareness of Canberra to serve the needs of all stakeholders. The integrated program might include some advertising, a coordinated web presence and generate resources to be available to all stakeholders eg support marketing material, surveys/research, basic data. Under current arrangements, there is little incentive for individual stakeholders to contribute to the overall promotion of Canberra, other than individual sponsorships or nominal contributions, because our needs are not being met. If there were some central (government?) funding, there could be potential for stakeholders to be invited to contribute to the umbrella program above if it were to deliver value.