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DATE
11 April 2008

COMPANY
Joint Standing Committee on
the National Capital and
External Territories

SUBJECT
Inquiry into the role of the
National Capital Authority

The Secretary of the Committee

Submission by David Sutherland, Director of Planning and Design, Fender Katsalidis Architects Melbourne

The terms of reference of the inquiry are for the committee to inquire into:

1. 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;
2. 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;
3. The appropriate level of oversight required to achieve the highest standards in design for areas of national significance;
4. Opportunities to ensure cooperation with the ACT planning authority and increased engagement with the Canberra community;
5. 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.

Submission

Introduction

Canberra is a city like no other in Australia. The planning of the city is based on a lyrical yet functional response to the interweaving of the symbols of a young democracy with a striking topography. The Griffin plan arranged the functions of government, commerce and living in relation to the life of the city to express the nature and organisation of a representative democracy. That arrangement is based on the physical characteristics of the landscape within which the city was to be placed.

That interweaving forms the structure of central Canberra.

As the Australian national capital, Canberra has a special role which is different from that of any other city in Australia. That role is necessarily Federal in focus, rather than Territorial.

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The special nature of the place requires a planning authority with an approach based on a fundamental understanding of and focus on the basis of the symbolism of Canberra and its planning, and how that may be carried forward into the 21st century. That planning authority must be Federal rather than Territory focussed. While there are arguments that the areas outside the symbolic portion of Canberra, which is that area incorporating the Griffin geometry and Lake Burley Griffin, are more appropriately the planning responsibility of the Territory, it is my opinion that those areas representing the symbolic areas, (or areas of national significance) should be the responsibility of the National Capital Authority.

As an architectural practice we work nationally and internationally. I have found the National Capital Authority to consistently be one of the best planning authorities we have worked with in its determination to carefully consider issues of quality, of outcome, of the discovery of opportunities that may arise from a collaborative approach, and in its encouragement for the achievement of excellence. The working methodology is one of dialogue and interaction, of positive persuasion in preference to the limitations of prescription, and of collaboration. The willingness of its staff to work hard to achieve results is laudable. It appears to achieve an excellent balance in the very difficult tightrope that is the role of providing planning inspiration and leadership while informing, educating and listening to the broader community.

In my experience with the Authority I have found that the structure, responsibilities and working methodology of the National Capital Authority are such that the organisation can achieve an excellent balance between the vision necessary to for Canberra to deal with issues facing us now and in the future and the need for community confidence in those approaches.

It is of great concern that the Federal Government appears to be contemplating a reduction in the role of the National Capital Authority. Such an outcome would be a very disappointing step backwards in the journey to a Canberra as a city of the 21st century and as a symbol of Australia.

Detailed responses to the terms of reference

1. 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;

In our experience the red tape involved in planning matters in Canberra is typically associated with Territory departments. Often those departments appear to be engineering focussed, which is not a bad thing in its own right, but which means that their interest is not necessarily on the resultant quality of the urban environment. The National Capital Authority works hard to reduce delays and frustrations resulting from those departments, and to encourage a focus on the quality of environment, but it is limited by lack of legislative authority. Providing the Authority with such legislative power would assist significantly in reducing that red tape. It would also enable the reduction of duplication of municipal functions.

In those zones of national significance, as described above, the National Capital Authority should therefore be provided with lead authority.

2. 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;

The National Capital Authority is subject to ongoing Senate scrutiny, which as a forum can be as inquisitorial and delving and knowledge-based as the scrutiny which state, territory and local planning authorities are often exposed to.

There is no reason to suppose that existing governance arrangements could not be made to work better, but it would appear from my perspective that the National Capital Authority has a structured overview that allows it to get on with its work in a measured and learned manner that I am sure would be the envy of many other planning authorities.

3. The appropriate level of oversight required to achieve the highest standards in design for areas of national significance;

The existence of such a Federal planning authority provides the opportunity to have a peak planning organisation which attracts the best staff, and which can have a significant influencing role on national agenda for consideration of planning issues.

An oversight structure for the National Capital Authority which recognised and built on the inherent excellence in the organisation, could attract the best skills from around the country to further encourage excellence in planning and design for the areas of national significance and to provide a voice of influence on behalf of the Authority.

4. Opportunities to ensure cooperation with the ACT planning authority and increased engagement with the Canberra community;

There will inevitably be planning tensions in the dual role of Canberra as the national capital and as a major Australian city. Those tensions will be manifested in the interlocking responsibilities of the National Capital Authority and the Territory planning agency. They will be the result of differing perspectives and operating mechanisms of the agencies.

However those tensions will be minimised if the Authority is clearly granted lead planning responsibility in the areas of national significance, the extent of which should be as I defined in my introduction. Where the national area and territory area intersect, there may well be differences. That situation would appear to be little different from that experienced at the intersections of responsibilities of local planning agencies in other Australian cities.

Ultimately these issues are resolved by consultation and discussion. If the roles and responsibilities of each of the agencies is clear, that resolution will be easier.

5. 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.

The focus of each of the Authority and the Territory agencies are clearly different, although no doubt quite complementary.

Kind Regards,

A handwritten signature in black ink, appearing to read 'David Sutherland', with a long horizontal stroke extending to the right.

David Sutherland
Director of Planning and Design