



Mr Ben Morton MP
Chair of the Joint Standing Committee on the National Capital and External Territories
PO Box 6021
Parliament House
Canberra ACT 2600

Email: jscncet@aph.gov.au

Inquiry into Commonwealth and Parliamentary approvals for the proposed Stage 2 of the Australian Capital Territory light rail project

Lake Burley Griffin Guardians (the Guardians) welcomes the initiative of the Joint Standing Committee for the National Capital and External territories in inviting public participation in this inquiry and thanks them for their Invitation to make a submission.

The Guardians is a community based group with principal aims to safeguard the historic, aesthetic, ecological and social values of Lake Burley Griffin (the Lake) and its lakeshore landscape, however, the proposed Stage two of the Australian Capital Territory light rail project has implications for key features of Lake Burley Griffin, Commonwealth Avenue Bridge and Commonwealth Avenue.

Although 'heritage' is only mentioned in one of the points of your inquiry, we have felt a need to draw attention to heritage concerns against most of the points. We note that the *Lake Burley Griffin Heritage Assessment Final Report* (GML 2009) and *Lake Burley Griffin and Adjacent Lands Heritage Management Plan* (GML 2009) prepared for the NCA are thorough studies on the heritage values of Lake Burley Griffin and its features that include Commonwealth Avenue Bridge.

1. *the development of stage two of the Australian Capital Territory light rail project, with regard to: the relevant parliamentary approval processes for works within the Parliamentary zone;*

Given the impact of the development of the Stage two of the ACT light rail project, there are many issues regarding the project and its proposal in Australia's National Area.

It is critical that the Commonwealth retain decision-making for this sensitive zone, at the heart of the nation.

The whole of the Lake Burley Griffin, including its bridges and the areas of the associated development, proposed to financially support the Stage 2 light rail project, needs to be safeguarded in a strategic National Heritage Assessment to guide Commonwealth decision-making for the zone. This must be undertaken to direct and inform a sensible light rail project – whether it can in fact traverse this space, and if so, how.

The existing parliamentary approval process has demonstrated serious inadequacy that

have led to public concern. The Guardians believe the process needs far more rigour. We note that what is planned for the features of the Designated Area is relevant to all Australians. However, the Guardians' activities involving research into features of Amendments 56, 59, 60, 61 have demonstrated that many local and national citizens are unaware of the development proposals for *City to the Lake* and are shocked by what is now considered 'legally approved'. The Parliamentary approval was granted in 2006 despite expert objections. However, twelve years have since passed. During that time there have been major changes in science, environmental knowledge, including heritage, social needs and our climate that now need to be considered in any development that was designed prior to 2006, even if it obtained Parliamentary approval.

When approvals for proposals have aged by over a decade a review is needed.

The Commonwealth Heritage Management Principles (from the *Environment Protection and Environment Diversity Conservation Act 1999* (EPBC Act) requires the National Capital Authority (NCA) to include, inter alia, 'timely and appropriate public consultation' in its heritage planning processes. Recognising that it is difficult to liaise with all Australians for developments proposed in this sensitive and nationally important zone, a better process than that which has previously been undertaken, is needed. For instance, video clips showing entire proposals with positive and negative opinions, could be advertised nationally as being available on its website seeking comment to test wider opinion. The process undertaken for major developments in the central national area require much stronger and active, transparent public engagement beyond the present consultation process of putting a plan in the (local) public domain for a few weeks. Furthermore, feedback from community groups needs more careful review on the demonstrable impact on the proposals.

Majority approval from members of the JSCNCET should be sought prior to any amendments to the NCP are drafted.

2 *the development of stage two of the Australian Capital Territory light rail project, with regard to: the roles of the National Capital Authority and the Australian Government, and the associated approval processes;*

It is critically important that the Australian Government and the NCA maintain, and be seen to be following, a consultative and best practice heritage approval process, as required already by the National Capital Plan (NCP) and the EPBC Act. To support this the Australian Government should upgrade and finalise the National Heritage List (NHL) assessment of Canberra that has been in final assessment status since 2009. The final assessment will need to include a heritage management plan. Without heritage clarification there is no guidance on what should be protected.

The EPBC Act requires Commonwealth bodies, such as the NCA, to identify and protect heritage within those areas they own or manage. This means the NCA should already have in place an up to date Heritage Strategy to manage those places on its required Heritage Inventory. These mandatory requirements determine the NCA should be protecting the heritage values of the Parliamentary Zone and Lake Burley Griffin. The mechanisms for this include an effective heritage conservation management plans and also heritage impact assessments when specific developments are proposed, such as the light rail project.

The NCA's public process shows no evidence of meeting these statutory requirements

even though the NCP also supports them.

The current ACT Government has demonstrated no respect for the dignity of the central national area of the National Capital in their thwarting of the Federal Government's heritage assessments for Canberra that were at a final assessment stage more than a decade ago. So that this area's heritage values can be taken into account, at least, in the absence of the larger area being assessed, the assessment of the Commonwealth Heritage List (CHL) 'Lake Burley Griffin and Adjacent Lands', a nomination of the NCA, improved by more recent heritage information, should be concluded in the interim,.

The NCA needs to have design and social planners on its Board to balance the interests of its local business board members.

Further, it appears that the ACT Government's planning for the tram route south of the lake, not just in the Parliamentary Zone and Designated Area, has no evidence of sufficiently rigorous planning. The planning does not seem to have included adequate traffic studies, and associated environmental, social and impact studies. It also has been presented without adequately exploring the full range of options. Other options may have less impact on the traffic implications and the aesthetic, social and heritage values of Commonwealth Avenue and Commonwealth Avenue Bridge.

3. *the development of stage two of the Australian Capital Territory light rail project, with regard to: possible impacts on the Parliamentary zone and Parliamentary precincts, including any impacts on the heritage values and national importance of the Parliamentary zone and our national capital;*

The light rail could have positive impacts on the Parliamentary Zone with regard to providing another and novel form of transport for visitors to the National Capital and the national cultural institutions there, but even then there is the issue of where visitors can park, as most will need to park somewhere. The ACT Government does not seem to have allowed for this near Stage 1 stations at least. The light rail might also be useful in providing transport for Canberrans from the major route areas whether visitors or travelling for work.

Other issues relate to the many potential adverse impacts, which have varying degrees of effect on heritage values — of a tram being permitted to cross the Parliamentary Zone, include overhead power lines (seemingly already recognised), the need for a station/s, recharging point/s, tram station stops, generally reduced road widths, more traffic light stops, destruction of trees/avenues and consideration of how the tram is to proceed on Commonwealth Avenue (either, it will disrupt traffic by using several lanes, or it will cause the removal of median trees in the approach to Parliament House which is a significant vista).

Importantly there will be more traffic congestion on the critical Commonwealth Avenue arterial route as a result of preferencing of the tram and its passengers and changing the way traffic joins the Avenue (particularly on the western approach to the bridge). The tram will force an unfortunate, intrusive, new element into the landscape of the zone.

With regard to impacts on heritage values there are serious concerns. In particular, is the impact on Commonwealth Avenue Bridge and Commonwealth Avenue. The Bridge is a Commonwealth Heritage feature and even though not formally entered in the CHL it is on the boundary of heritage listed Parliament House Vista heritage area, as adjacency

causes it to be caught by the EPBC Act. The Bridge design constructed for meeting traffic and aesthetic requirements is noted for the heritage significance of design and technical excellence in the *Lake Burley Griffin Heritage Assessment Final Report* (GML 2009). The bridge is also a component feature of the nomination for *Lake Burley Griffin and Adjacent Lands* (CHL), and a feature in the assessment of *Canberra the Planned National Capital*, the CHL and NHL nominations of *Lake Burley Griffin and Lakeshore Landscape*. Any central bridging within Commonwealth Bridge that might alter the profile of the bridge, damage the vista of Parliament House at the lake edge and the elegance of the bridge would be a detrimental impact on heritage significance.

We further note that when Canberra underwent a period of intense development from the 1960s to the 1980s with the NCDC established by Prime Minister Menzies, Canberra emerged as dignified city worthy of a national capital with a central lake and world class monumental buildings. The proposal for 'City to the Lake' and the use of Commonwealth Avenue Bridge for the tram are developments that are extremely damaging to that dignity.

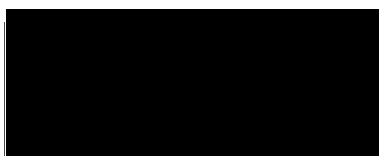
4. the development of stage two of the Australian Capital Territory light rail project, with regard to: the identification of matters that may be of concern prior to formal parliamentary or Australian Government consideration of the project; and

As stated above, it is imperative that the NCA act on its neglected statutory heritage responsibilities. Ideally the heritage assessment for *Canberra the Planned National Capital* needs to be updated and finalised before the light rail proposal can be fully assessed for its impacts. However, if this does not proceed as it should then at least the 'Lake Burley Griffin and Adjacent CHL' assessment should be finalised, so that along with the already recognised heritage in the Parliamentary Zone, the light rail project can be tested for its potential adverse impacts against a more comprehensive set of heritage values than is presently available.

Setting aside further heritage assessment, the proposed route can be seen to be destructive to already acknowledged heritage values and will be detrimental to traffic flow in key areas.

There has not been sufficient research of the route, its impacts on traffic, heritage and on Commonwealth Avenue. Other options should be further researched.

Sincerely



Juliet Ramsay (Convenor) on behalf of Lake Burley Griffin Guardians
11 June 2016

contact:
email: lakeburleygriffinguardians@gmail.com

