

## OUR SUBMISSION



## A GUIDE TO THE SUBMISSION

#### Part 1

Provides an overview of the Commonwealth role in the planning and development of the National Capital including key legislation, the gazetted plans and administrative arrangements for governance.

#### Part 2

Describes the current statutory role and functions of the Authority for planning, capital works, and fostering an awareness of Canberra as the Capital; for the maintenance and protection of national assets; and for services.

The Australian and international experience of statutory agencies in the management of federal interests in National Capitals is outlined and supported by a governance snapshot of Canberra, Washington DC, Ottawa and Brasilia.

### Parts 3 – 7

Establish the Authority view of the National Interest in:

- governance;
- planning;
- works to enhance the Capital;
- maintenance and protection of assets; and
- promoting the National Capital.

#### Position Papers – Template

A Statutory Agency to manage the Australian Government interest in the National Capital	
Inquiry Terms of Reference	
Objective	
PALM Act	
Other legislation	
Current Arrangements	
The Authority Position Statement	
Proposed New Arrangements	
Benefits	
Implementation Requirements	







### Australian Capital Territ and Land Management)

Act No. 108 of 1988 as amended

This compilation was prepared on 13 May taking into account amendments up to Act

The text of any of those amendments not a on that date is appended in the Notes section

The operation of amendments that have o

Prepared by the Office of Legislative Dr. Attorney-General's Department, Canber

## COMMONWEALTH BUDGET OUTPUTS ALIGNED TO STATUTORY FUNCTIONS

GOVERNANCE

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## FUNCTIONS OF THE AUTHORITY

The functions of the Authority are:

- (a) to prepare and administer a National Capital Plan;
- (b) to keep the Plan under constant review and to propose amendments to it when necessary;
- (c) on behalf of the Commonwealth, to commission works to be carried out in Designated Areas in accordance with the Plan where neither a Department of State of the Commonwealth nor any Commonwealth authority has the responsibility to commission those works;
- (d) to recommend to the Minister the carrying out of works that it considers desirable to maintain or enhance the character of the National Capital;
- (e) to foster an awareness of Canberra as the National Capital;
- (f) with the approval of the Minister, to perform planning services for any person or body, whether within Australia or overseas; and
- (g) with the Minister's approval, on behalf of the Commonwealth, to manage National Land designated in writing by the Minister as land required for the special purposes of Canberra as the National Capital.

### BUDGET 2007/08 Governance costs are allocated across outputs





## **GOVERNANCE** 3





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## IT IS IN THE NATIONAL INTEREST:

- for the Commonwealth to continue to be the guardian of the National Capital which is a significant responsibility with long term consequences
- to have a Commonwealth agency to maintain, protect and enhance the long-term goals of Canberra as the National Capital
- for that agency to have prescribed and comprehensive functions; the capacity to provide objective and professional advice; be free from day-to-day local political pressure; and be accountable to the Australian Government and Parliament

## **AUTHORITY POSITION**

Topic: An appropriate governance structure to manage the Australian Government interest in the National Capital

**Objective:** An independent statutory authority with a professional membership that is representative of the nation.

#### Authority Proposal:

That Agency should have prescribed and comprehensive functions; the capacity to provide objective and profession advice; and be accountable to the Australian Government and Parliament

Any such agency should be representative of the Nation as well as recognising the interests of the Canberra Community and have a broad professional skill base with expertise pertinent to its statutory functions

#### Proposed Membership

- Seven members
  - Chairperson (part-time)
  - Chief Executive (full-time)
  - Four citizens appointed from the states and territories on a rotational basis (part time)
  - Australian Government Architect (new office)

#### **Authority Functions**

Retain the current legislated functions as the right ones to provide a sound framework to
 secure the planning and development of Canberra as the National Captial

## CURRENT

The Authority is an independent statutory agency which consists of five members appointed by the Governor-General

- Chairperson (part-time)
- Chief Executive (full-time)
- Three other members (part-time)

#### **Chief Executive**

• Manages the affairs of the agency under the general direction of the Authority

#### Minister

· May give the Authority general directions in writing as to the performance of its functions

#### **Authority Functions**

Plan, promote, enhance and maintain the national qualities of the National Capital











## IT IS IN THE NATIONAL INTEREST:

for the Australian Parliament to retain its right to express and own the vision for Canberra and the Territory through the National Capital Plan on behalf of all Australians;

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 for the Commonwealth to take responsibility for the detailed planning, design and quality of areas that are of special national importance.

## **OBJECT OF THE PLAN**

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The statutory object of the National Capital Plan is that *Canberra and the Territory be planned and developed in accordance with their national significance.* 

## MATTERS OF NATIONAL SIGNIFICANCE

Matters of National Significance in the planning and development of Canberra and the Territory are described in the National Capital Plan and include:

- The pre-eminence of the role of Canberra and the Territory as the National Capital
- Preservation and enhancement of the landscape features which give the National Capital its character and setting
- Respect for the key elements of Walter Burley Griffin's formally adopted plans for Canberra
- Creation, preservation and enhancement of fitting sites, approaches and backdrops for national institutions and ceremonies as well as National Capital Uses
- The development of a city which both respects environmental values and reflects national concerns with the sustainability of Australia's urban areas.

## NATIONAL CAPITAL PLAN AMENDMENTS

The Authority proposes changes to the National Capital Plan called Draft Amendments. These are subject to statutory consultation, consideration and approval by the Commonwealth Minister, and are scrutinised by the Australian Parliament.



There have been 50 Amendments to the National Capital Plan since 1990.



## **DEVELOPMENT (WORKS) APPROVALS**

The Authority approves development (works) in areas that have the special characteristics of the capital. These are currently called the Designated Areas.



Number Completed\*

DEPARTMENT

FUNDING

Value of Works Approvals Completed (\$ millions)

\* Excludes Works Approval for events.

There have been approximately 5500 works approvals granted since 1990.



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STAFF:



## PLAN

## **AUTHORITY POSITION**

Topic: A Strategic Vision for the National Capital

**Objective:** Retain the Parliament's rights and ownership in shaping the overarching strategic vision for the Capital whilst recognising local objectives.

Authority Proposal: A comprehensive review, jointly with the ACT Government, of the General Policy Plan - Metropolitan Canberra every 5 years.

General Policy Plan - Metropolitan Canberra (National Capital Plan)

General Policy Plan - Australian Capital Territory (National Capital Plan)

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## **AUTHORITY POSITION**

Topic: The Administrative Planning Relationship between the Commonwealth and the Territory

**Objective:** Retain the pre-eminence of the National Capital Plan whilst removing duplication with territory planning and streamlining administrative processes.

Authority Proposal: Retain the current statutory arrangements.





Australian Capital Territory (Planning and Land Management) Act 1988 Act No. 108 of 1985 as amended

This compilation was prepared on 4 March 2003 taking into account amendments up to Act No. 1 of 2003 The text of any of those amendments not in force on that date is appended in the Notes section

on that case is appendiments that have been incorporated may be The operation of amendments that have been incorporated may be affected by application provisions that are set out in the Notes section

Prepared by the Office of Legislative Drafting. Attorney-General's Department, Canberra





## PLAN

## **AUTHORITY POSITION**

**Topic:** Designated Areas and the proposed Areas of Special National Importance

**Objective:** The Commonwealth retains responsibility for the detailed planning, design and quality of areas that have special national importance in the Capital.

### Authority Proposal:

The Commonwealth responsibility for the detailed planning, design and quality of areas that are of special importance in the capital.

Reduce the Designated Areas to those shown on Map 4.4 provided that the Commonwealth retains strategic planning through the National Capital Plan.

Rename Designated Areas as to Areas of Special National Importance.

All proposed Areas of Special National Importance be gazetted as National Land.

#### Current Designated Areas



Summary of Areas proposed to be removed from current 'Designated Areas:'

- Main Avenues and Approach Routes
- Inner Hills, Ridges and Buffers
- City Hill Precinct
- West Basin
- Weston Park and Black Mountain Peninsula
- Yarralumla Bay Recreation Hub
- Barton
- Albert Hall Precinct
- Deakin/Forrest Residential Area



In determining areas of land that should be within the proposed Areas of Special National Importance, consideration was given to sites and places generally in the central area of the capital having regard to:

- national capital functions;
- symbolic and cultural values, and
- the geometry, setting and layout of the Capital.









## **AUTHORITY POSITION**

**Topic:** Special Requirements

**Objective:** The Commonwealth is not involved in detailed planning unless it can be shown to be desirable in the special interests of the National Capital.

Authority Proposal: Remove Special Requirements in the National Capital Plan.

Current Special Requirements Proposed to be Removed





**Australian Government** 

National Capital Authority

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## **AUTHORITY POSITION**

Topic: Accountability and Consultation in Amendments

**Objective:** The Parliament retains responsibility for the National Capital Plan.

Authority Proposal: Retain the Draft Amendment process.



ACT Block Boundaries ake Burley Griffin (LBG)

## **AUTHORITY POSITION**

Topic: Accountability and Consultation in Development (Works) Approvals

**Objective:** The Parliament has increased oversight of developments in areas that have Special National Importance in the Capital.

#### Authority Proposal:

- The Australian Parliament continues to have approval for all development in the Parliamentary Zone.
- The Australian Parliament approves all concept designs for all major developments in all the proposed Areas of Special National Importance.
- The Authority continues to give separate approvals for all development in the proposed Areas of Special National Importance to ensure detailed design is assessed by professionals and built outcomes are of a high quality



Australian Capital Territory (Planning and Land Management) Act 1998: Under Section 6 of the Act, the National Capital Authority is required to prepare and administer a National Capital Plan (the Plan) and to keep the Flam under constant review and to propose amendments to it when necessary.

	Proposal by the Authority for an Amendment to the National Capital Plan
	-
	·
	Preparation of Draft Amendment including consultation with ACT Government and other key stakeholders
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STEP 3	Statutory Consultation on the Draft Amendment with the ACT Planning and Land Authority and the public
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STEP 4	Consideration by the Authority
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STEP 5	Submission to Minister
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	Action by Minister
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STEP 7	Parliamentary Scrutiny
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Diagram 3.2 Works Approval: Process Flow Chart

Australian Capital Territory (Planning and Land Management) Act 1988: Section 12 of the Act requires that no work shall be performed in a Designated Area unless the proposal to perform the works has been submitted to the National Capital Authority (NAC) Hogether with such plans and specifications as are required by the NCA.



<sup>1</sup>There is the opportunity for recourse under the Administrative Decisions (Judicial Review) Act 1977 to determine if a decision of the Authority is correctly made. or to normal common law processes.



Australian Government

National Capital Authority

## PLAN

## AUTHORITY POSITION

Topic: An Integrated Planning Document for Canberra

**Objective:** Seamless documentation of the national and local interest in Canberra's planning to inform and engage Australians.

#### Authority Proposal:

The National Capital Plan and the Territory Plan are both still relevant and should be retained.

Create an integrated planning document which incorporates the two plans (the National Capital Plan and the Territory Plan) and has a clear, unambiguous hierarchy with consistent format and language.

Take the lead by augmenting this documentation with a 3D fully digital plan layered with visitor information.









## ENHANCE



### IT IS IN THE NATIONAL INTEREST:

- to enrich and enhance the National Capital through the creation of new public works and infrastructure and to protect existing national assets to ensure that the capital continues to be fresh and relevant to generations of Australians
- that Canberra remains a national urban legacy and a showcase for Australian architecture, landscape design and artwork





## **CAPITAL WORKS BUDGET**

 The Authority receives a capital injection of \$1.5 m each year to fund new public works (since July 2004) and depreciation of approximately \$10 m per year for the replacement of assets

## **AUTHORITY POSITION**

Topic: Design and Capital Works

**Objective:** Enhance the character and amenity of areas that are of special national importance in an effective manner that results in high quality design outcomes

#### **Authority Proposal:**

- Design excellence is a defining factor of world class cities.
- To reduce the duplication and the ad hoc nature of capital works management by the Commonwealth in Areas of Special National Importance it is proposed that a comprehensive National Capital Improvement Program be prepared.
- The National Capital Improvement Program should be co-ordinated by an independent statutory agency with a professional and experienced staff such as the Authority.
- In order to achieve design excellence there would be a regular evaluation of all major built
  works undertaken by the Commonwealth and by the private sector. This report would be
  provided to Government as an evaluation of design quality and administrative performance in
  capital works.



staff:



## CASE STUDIES 11

#### Case studies which demonstrate the current uncoordinated Commonwealth capital works and land management responsibilities



#### Land and Asset Management in, and Proximate to, the Parliamentary Triangle

There are some 14 Commonwealth agencies responsible for commissioning capital works and managing assets within the proposed Areas of Special National Importance.

**Note:** The NCA also manages the unshaded portion of Lake Burley Griffin and land in the diplomatic estate.

Case Study 1



### Arts & Civic Campus

At present the National Portrait Gallery building is being delivered by the Department of Finance and Deregulation on behalf of the Department of Environment, Water, Heritage and the Arts. The National Gallery of Australia (a statutory agency) is managing the construction of significant building extensions. The High Court of Australia (a statutory agency) is responsible for its building including the forecourt, ramp and fountain. It has received funding for the replacement of its roof. The Authority is responsible for the maintenance of the land in between all of these institutions and is preparing a campus master plan for capital works in the public realm.

Case Study 2



#### **Humanities & Science Campus**

The National Library of Australia (a statutory agency) is replacing the waterproofing membrane on its podium. Questacon (a part of the Department of Innovation, Industry, Science and Research) is also planning to replace the waterproofing membrane on the podium of its building. The Authority will shortly commence construction for major new park, landscape and road works in the campus.

separately. The Authority is responsible for the maintenance of the land in between these institutions and has a masterplan for the area. The work will include refurbishment of the fountain located in the National Library Forecourt (which is an asset of the Authority) including the pump equipment (which is located within the National Library).







Growth in Asset Value vs Decline in Maintenance Funding





\$12.95m

## MAINTAIN AND PROTECT<sub>12</sub>

## IT IS IN THE NATIONAL INTEREST:

- for the Commonwealth to continue its contribution to the development and maintenance of Canberra as a national asset in which all Australians have made a major investment.
- to ensure that investment is protected and enhanced by the Commonwealth and that proper funding be provided for that purpose.

## **AUTHORITY POSITION**

#### Topic: National Land and Asset Management

**Objective:** Maintain and protect the character and amenity of areas that are of special national importance in an efficient and coordinated manner

#### Authority Proposal:

- The Authority would have a statutory responsibility to prepare a comprehensive National Capital Asset Management Program for Areas of Special National Importance to enhance the management of Commonwealth land and assets and achieve uniformly high standards of maintenance worthy of the Nation's Capital.
- There would be an opportunity to produce additional benefits if the procurement and maintenance services were delivered by the same agency.

## **AUTHORITY POSITION**

Topic: Funding of Land and Asset Management

**Objective:** Sustainable funding for the maintenance of land and assets in areas that have special national importance

#### Authority Proposal:

- The City setting, the Lake and other assets that make up the public realm are at the heart of the Capital. They warrant proper maintenance to protect their value, use, quality and amenity. Government would conduct a one-off review of the base funding for the maintenance of land and assets managed by the Authority in Areas of Special National Importance.
- and assets managed by the Authority in Areas of Special National Importance. Supplementary funding would automatically be provided for the maintenance of new assets as
- they are completed.



9.00

\$10.23

\$9.90m

\$9.94m

2003-04 2004-05 2005-06 2006-07 2007-08 2008-09

\$9.95m \$9.88m





## MAINTAIN AND PROTECT 13

## IT IS IN THE NATIONAL INTEREST:

that Diplomatic Precincts within Canberra are a meaningful physical and cultural representation of our international ties and contribute to the distinctive character of the National Capital.

## **AUTHORITY POSITION**

Topic: The Diplomatic Precincts.

**Objective:** Distinctive and high quality diplomatic precincts to enhance Australia's reputation with the international community.

Authority Proposal: The planning and development, and lease administration of the diplomatic precincts should continue to be a Commonwealth responsibility. This is best managed by an agency of professionals working in liaison with but separate from the Department of Foreign Affairs and Trade and the Protective Security Coordination Centre.

- 93 foreign missions are represented in Canberra.
- 66 Crown Leases have been issued to foreign governments for the development of chancery buildings and Heads of Mission residences.





















#### Heritage Assets and Places Outside the Proposed Areas of Special National Importance:

National Heritage List Australian Academy of Science Building

#### **Commonwealth Heritage List**

Commonivement in territage List Australian Forestry School (former) • Blowfly Insectary Numbers 1 and 2, Acton • CSIRO Main Entomology Building, Acton • Edmund Barton Offices, Barton • Mount Stromio Observatory Precinct • Patent Office (former), Barton • Phytotron, Acton • Reserve Bank of Australia, London Circuit • The CSIRO Forestry Precinct, Banks Street Yarralumla • Westridge House & Grounds, Banks Street Yarralumla • Australian Federal Police Cottage, Alexandrina Dr Yarralumla (Indicative)

#### **Register of the National Estate**

ACI Conference and Function Centre, Brisbane Avenue (Indicative) • ACT Police Headquarters Building (former), London Circuit • ANZ Bank (Indicative) • Black Mountain, London Circuit - ANZ Bank (Indicative) - Black Mountain, Aranda Bushland, O'Connor Ridge and Gossan Hill (Indicative) - Calthorpes House - Canberra City Garbage Incinerator, Bentham Street Yarralumla - City Hill - Civic Square Complex - Cooleman Ridge (Indicative) - Cork Oak Plantation, William Hovell Drive Aranda - Croquet Club - Ethos Sculpture, Civic Square - Forrest Townhouses (Indicative) - Hotel Acton - Hotel Canberra - Hotel Kurrajong and Setting - House, 43 Melbourme Ave Forrest (Indicative) - Jan Potter House & Surrounds, Marcus Clarke Street - Law Courts of the ACT (former), Knowles Place - Law Courts of the ACT Precinct, Knowles Place - Mount Taisle, Mount Majura and Mount Pleasant (Indicative) - Mount Taylor Summit (Indicative) - Mount Taylor, Dakey Hill, Wanniassa Hills and Isaacs Ridge (Indicative) - Presbyterian Church of Summit (Indicative) - would i taylor, Dakey Inii, Varimassa Hilis and Isaacs Ridge (Indicative) - Presbyterian Church of St Andrew, State Circle Forrest - Red Hill and Mount Mugga Mugga (Indicative) - Red Hill Ruidosis Site, Strickland Crescent - Rosebud Apiary 1866 timber slab cottage, Cook -Sewer Vent No 2 - St Andrews House, State Circle Forrest - The Albert Hail - The Forestry Precinct, Banks Street Yaralumia - The Pinnacle (Indicative) - Tuggeranong Perkway, Curtine - Vesey Crescent Grown (Indicative) -Parkway Cutting • Vasey Crescent Group (Indicative) • Westbourne Woods Area • Weston Park and Yarralumla Nursery • Woolshed Creek Geological Site • Yarralumla Nursery • Yarralumla Woolshed Outbuildings and Surrounds

# **PROTECT**<sub>14</sub>

#### IS IN THE NATIONAL EREST:

to protect and manage our Commonwealth and National heritage assets and places in the National Capital.

## **AUTHORITY POSITION**

#### Topic: Heritage

**Objective:** Protection of heritage values of listed places in an efficient and coordinated manner

Authority Proposal: If the proposed Areas of Special National Importance are adopted, heritage management policies and strategies should be coordinated by one agency.

The planning of Canberra and the Territory should be assessed for National heritage significance. Ultimately this may result in a nomination of the proposed Areas of Special National Importance and other parts of the National Capital to the National Heritage List.

Heritage places on Territory land outside the proposed Areas of Special National Importance will be the sole responsibility of the ACT Government.

Heritage Assets and Places Within the Proposed Areas of Special National Importance





National Capital Authority

## PROMOTE

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Events Approved by the Authority on National Land



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#### IN NAI IN

- to foster an awareness of Canberra as the National Capital and encourage people to learn more about what it means to be an Australian, engender an appreciation of our cultural attractions and national public places, make sure that the central national areas are appropriately animated and welcoming, and to monitor Australians expectations and perceptions about the city
- to promote the National Capital role in developing our sense of national identity and influences our international reputation

## **AUTHORITY POSITION**

Topic: Foster an awareness of Canberra as the National Capital

**Objective:** The Commonwealth's interest in fostering awareness of Canberra as the National Capital is clearly defined, effective and measurable

Authority Proposal: Define the Commonwealth's interest in promoting the National Capital to:

- inform and educate Australians about the role of the National Capital;
- enrich the visitor experience in the Areas of Special National Importance;
- record the history of Canberra and monitor Australian perceptions and expectations of their National Capital; and
- promote the National Capital to the international community

## CURRENT

(following the implementation of budget savings required by Government)

#### Inform and educate Australians about the role of the National Capital

- The National Capital Exhibition is open seven days (closed public holidays apart from Canberra Day) with over 270,000 visitors a year.
- Online educational resources
- Virtual tours - National Capital Exhibition, Blundells Cottage and the National Carillon.
- Blundells Cottage is open on Saturdays.
- The National Carillon has recitals twice a week.
- The Authority manages a specialist Library on the planning and development of the National Capital. The library is open one day each month.

#### Encourage participation, appreciation and celebration of the National Capital

- Interpretative and Horticultural volunteers.
- Venue marketing and facilitation of events staged on national outdoor venues.
- 804 applications for events on National Land, including Cirque du Soleil and Silverchair/ Powderfinger and Sir Elton John.

#### Engage Stakeholders as Advocates of the National Capital

- Induction tours to diplomatic Heads of Mission, facilitation of commemorative gifts and • assistance with flag raisings, visiting delegations and events.
- Showcase Canberra exhibitions and events by the diplomatic community at Commonwealth Place (Trial with ACT Government).
- The Capitals Alliance formed in 2001 between Canberra, Washington DC, Ottawa and Brasilia creates linkages and encourages the sharing of visions and ideals between national capitals.
- The Authority has provided advice to nations building federal administrative centres eq. Seoul and Abu Dhabi

STAFF:

- Exhibition •
  - Graphic Design
- International Relations
- Event approvals

Web design

**BUDGET 2007/08** 

**\$3.42m** 













## PROMOTE

## PROPOSED Subject to Budget Funding

#### Inform and educate Australians about the role of the National Capital

- Services and programs provided by the National Capital Exhibition, Blundells Cottage and the National Carillon to the levels provided in 2006 -07, including;
- provision of guided tours for groups to the National Capital Exhibition
- opening Blundells Cottage seven days a week
- provision of an expanded Carillon recital program
- Online educational resources supported by new media technologies such as podcasts, virtual tours and videos.
- Travelling exhibitions to bring the story of the National Capital to all Australians.

#### Destination market the Areas of Special National Importance

- In November 2007, the Authority endorsed a Destination Marketing Plan.
- Implement this Destination Marketing Plan for the proposed Areas of Special National Importance.

#### Enrich the visitor experience in the Areas of Special National Importance

- Volunteer services at the levels provided in 2006 07, including:
   management of the Interpretative Volunteer program (recruitment, rostering, training, uniforms and development).
  - scheduled and promoted volunteer guided tours of Anzac Parade, the Parliamentary Zone, National Carillon and other special national areas in Canberra.
- The active promotion of national venues to event organisers and promoters.

## Encourage events that define the nation, showcase the capital and influence reputation

- Identification and delivery of significant national capital events for national broadcast.
- Development of a National Capital Promotions Fund to provide up to \$1,000,000 per year to support non- government national promotional activities about the Capital.

## Record the history of Canberra and monitor Australian perceptions and expectations of their National Capital

- Regular national surveys to monitor Australian perceptions and expectations of their National Capital.
- Reopen the Authority Library to provide access to the public on a regular basis.
- Advocate and support publications on the history and character of the Capital.

#### Promote the National Capital to the international community

- Development of Showcase Canberra as a program of events and exhibitions to highlight the countries with which Australia shares a diplomatic relationship.
- Facilitation of the design and placement of gifts from foreign states in the National Capital.

