

# ACT ELECTION 2016

## HERITAGE ISSUES PAPER



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## 2016 ELECTION ISSUES

The ACT election will be held on 15 October 2016 to elect five (5) representatives in each of five (5) electorates – total 25. National Trust (ACT) asks the respective political parties and independent candidates to address the history and heritage issues detailed in this paper in the next term.

Heritage is an important aspect of everyone's life. It records the events and achievements that shape our lives and our nation. It frames our culture and is a keystone for personal and national values that instil pride and community cohesion.

**MEMBERSHIP** National Trust (ACT) is a respected and influential community-based, volunteer organisation that promotes and conserves indigenous, natural and historic heritage. Membership is open to any individual, family, business or organization and we have 1,700 members. We are also a member of the Australian Council of National Trusts and the Australian Heritage Partnership which has over 170,000 members.

**ACTIVITIES** On behalf of the Community the Trust undertakes extensive advocacy, research and education programs, and conducts promotional events and tours that not only assist conservation but generate a wide range of social, economic and community benefits. Our activities are funded by membership subscriptions, donations, fund raising activities, sponsorship, legacies. Some Heritage project grants have been received from the ACT Government.

**COMMUNITY REPRESENTATION** The Trust is a strong and effective representative of the community. In just the last 12 months we have considered and made representations and/or submissions to ACT and Commonwealth Government on 32 planning and development projects as well as making submissions on a variety of policy issues. This includes Capital Metro Light Rail Stage 1, West Basin Stage 1 of City to the Lake, Dickson Shops, Lake Burley Griffin, Yarralumla Brickworks, Floriade, Civic Pool, West Belconnen, Oaks Estate, Cooma Cottage, the sale of buildings in the Parliamentary Triangle, refurbishment at the War Memorial, etc.

**ELECTION ISSUES** Trust representatives have met with major political parties over the last few months and discussed the following major issues that should be addressed by the incoming ACT Government:

<b>a. Review of ACT Planning Act and ACAT's Role</b>
<b>b. Development of ACT Heritage and History Industry Planning</b>
<b>c. Conduct of a Heritage and History Impact Study</b>
<b>d. Funding a History and Heritage Tourism Plan</b>
<b>e. Review of Heritage Unit Activities and Resources</b>
<b>f. Providing Operational Funding Assistance for Peak Bodies</b>
<b>g. Development of New History and Heritage Hub</b>
<b>h. Commitment to National Listing of Canberra</b>
<b>i. Heritage Listing of Lake Burley Griffin</b>
<b>j. Development of Yarralumla Brickworks and Manuka Oval</b>
<b>k. Preparation and Approval of Conservation Management Plans for Heritage Housing Precincts</b>
<b>l. Recognition of Local/Territory significance</b>

Details about these issues are provided below.

## **NATIONAL TRUST (ACT) 2016 ELECTION ISSUES**

### **a. Review of ACT Planning Act and ACAT's Role**

ACT Planning Act and other relevant legislation and policies are too complex and unwieldy for stakeholders to understand and respond to appropriately. The Act etc must be reviewed and simplified. The review must particularly consider the use of call-in powers as well as the associated intent and operations of ACAT.

The ACT Government has used its call-in powers to approve a range of controversial developments including the demolition of public housing along Northbourne Avenue. Such decisions are an abuse of process and cannot be reviewed in the ACT Civil and Administrative Tribunal.

So far as the ACT Civil and Administrative Tribunal (ACAT) itself is concerned, its role should now be reviewed. It was conceived as a "super tribunal", giving ordinary Canberrans low-cost access to legal solutions for less serious disputes without having to pay for lawyers, barrister and court fees. Unfortunately the spirit of this concept is not being observed and this is due to the practices of ACAT itself and the ACT Government Solicitor.

NT (ACT) and other volunteer community organisations are without any legal expertise and have very limited resources. Last year NT (ACT) was denied the right to appeal to ACAT on the Northbourne Flats because ACAT decided the Trust had no legal standing to appeal. Similarly the ACT Government Solicitor together with ACTPLA and private legal counsel argued for two days of hearings and several weeks of associated actions that the Northern Canberra Community Council (NCCC) did not have "standing" to appeal the development by the Canberra Raiders of the Heritage listed Braddon Oval. In the end ACAT decided the NCCC did have standing but it was at the cost of considerable and unnecessary effort and resources.

#### **ACTION SOUGHT**

Review the ACT Planning Act and the operations of ACAT to enable better input from the community.

### **b. Development of ACT Heritage and History Industry Planning**

NT (ACT) is concerned there is no overall vision or focus for the sector and it is therefore difficult for non-government entities to plan and work in harmony to achieve the best outcomes for the stakeholders and the community as a whole.

A long term rolling 10 year Heritage and History Industry Plan is vital. It is essential that annual budget provision be made not only for the implementation of the plan but for ongoing management. As a major stakeholder NT(ACT) wants to work jointly with the Government in determining objectives, setting priorities and establishing the framework for all stakeholders to plan and manage resources and investment.

#### **ACTION SOUGHT**

Introduce a long term rolling 10 year Heritage and History Industry Plan

### **c. Conduct of a Heritage and History Impact Study**

To be effective an industry plan needs to be implemented, measured and reviewed on the basis of good data and information. We are aware that regular economic impact studies are made of the Sport and Recreation sector.

A similar holistic study of the impacts and value of history, heritage and conservation activity to the community is needed in terms of social, community and economic Inputs, Outputs and Outcomes to provide the data necessary for the development of a cogent industry plan and business cases to support planning decisions and claims for investment. It will also enable the development of Key Performance Indicators of the efficiency and effectiveness of policies and procedures, and generate an industry database

that can be used for further related research and industry development activity. Impact Studies must be undertaken every 4 years to assess performance and recalibrate plans. The estimated cost of an economic impact study is \$80,000.

**ACTION SOUGHT**

Undertake cyclical Heritage and History Impact Studies

**d. Funding a History and Heritage Tourism Plan**

History and heritage are major drivers of local and regional tourism, which haven't yet been fully exploited. Each year NT(ACT) conducts a range of community, local, regional and international events and tours. In 2013 we conducted the National Capital Centenary Rally that included over 300 vehicles. NT (ACT) would like the Government to assist us with funding to undertake a Feasibility Study and develop a tourism plan so these activities can be developed and expanded.

**ACTION SOUGHT**

Develop and support implementation of a History and Heritage Tourism Plan

**e. Review of Heritage Unit Activities and Resources**

In NSW and other jurisdictions Heritage is given greater prominence and there is a Minister for Heritage. Although very important to the community, Heritage in the ACT is a very underrated and under-resourced function within Government. At the same time there is significant community concern about how effectively the Government is discharging its Heritage responsibilities.

The Heritage Unit's activities include: Portfolio Management and Administration, Conservation of Heritage places and objects, Administrative Support to the ACT Heritage Council, Advice to the Minister for Planning, Advice and Assistance to heritage property owners and other members of the community, Heritage Nominations, Registrations, Conservation and Architectural advice for proposed works and development, Conservation Management Plans, Management of the Heritage Grants Program, Coordinating the annual Heritage Festival, General Promotion and Community Engagement activities etc.

Due to limited resources there is a large backlog of Heritage Nominations and DA Vetting, Compliance Management, and Auditing activities.

A review should be undertaken to consider:

- Whether the current function and activities performed by the Heritage Unit align with the Government's priorities and policy commitments;
- Any barriers preventing the Heritage Unit from achieving its current intended outcomes and, where relevant, propose solutions to address these concerns;
- The feasibility and efficiency of alternative approaches to address the government's priorities. This might include identifying the benefits, costs, risks and other relevant considerations (including legal, regulatory and cultural considerations); and
- The proposed transition path to implement preferred alternative approaches to performance management, staffing, capability considerations and potential governance arrangements.

**ACTION SOUGHT**

A review of the activities and resources of the Heritage Unit.

**f. Providing Operational Funding Assistance for Peak Bodies**

Several key non-government bodies are working to promote the importance of history, heritage and conservation to the community and bringing people together, creating community identity and a sense of pride:

- Canberra and District Historical Society
- National Trust of Australia (ACT)
- Australian Garden History Society

- Conservation Volunteers Australia.

Each plays important roles including policy work, education, advocacy and maintaining robust bodies of records and evidence as well as delivery of services. All of these community bodies operate on a voluntary, not-for-profit basis and only receive occasional project funding from the ACT Heritage Grants Program. Their main sources of income are membership fees and proceeds from fundraising activities. All of these organisations are experiencing organisational financial stress and need increased support and funding by the Government.

In the case of our organisation, the National Trust is a key stakeholder not only on policy but also in consideration of Development Applications and Planning that can be complex and require extensive review and analysis. This year the Trust has provided input on 32 proposals including many of a major and complex nature such as City to the Lake, Redevelopment of Northbourne Avenue, Albert Hall etc. There is a cost to our organisation in providing advice to Government. For example since November 2015 our involvement on the Consultative Panel for Yarralumla has consumed over 10 weeks ie approx 20% x SOB FTE = \$27,600.

The Government must recognise that community consultation/participation is resource intensive and consumes considerable time and effort for our limited group of volunteers who undertake this task on a part time basis. It also diverts our capacity from our other activities.

Unlike our peers in the Arts and Sport and Recreation, History and Heritage bodies do not receive financial assistance to assist their operational costs. We also understand the Conservation Council ACT Region receives an operational grant of \$142,000.

The Heritage Grants Program should be revised to include financial assistance to eligible key history and heritage organisations. Investing in these organisations assists the development and progression of projects; therefore, governments and proponents of major projects should provide additional resources.

#### **ACTION SOUGHT**

Provide Operational Funding Assistance for peak bodies

#### **g. Development of new history and heritage hub**

NT(ACT) and similar heritage and history bodies have a need for hub-type facility similar to the Belconnen Arts Centre to conduct their activities.

NCA is having challenges with the management of Blundell's Cottage and has had a preliminary discussion with the Trust about its operation. At the same time the ACT Government is looking for ways to activate the lake foreshore and the Constitution Avenue precinct and has also formed an Infrastructure/ Private Public Partnership (PPP) Taskforce to enable the procurement and delivery of projects.

A site near the Blundell's Cottage could be jointly developed through a PPP between the NCA, ACT Government and the Trust to provide a new heritage-based facility on the lake foreshore. This could be in the form of a new history and heritage education and display hub that includes:

- Administration and meeting space – it could also accommodate other organisations
- An education centre for visiting high school students and tourists – over 120,000 students visit Canberra each year
- A display centre – the Trust has access to a range of artefacts and material
- A café – there is no existing café in the area
- A shop - the NT's shop at OPH was successful until the rental was increased to an uneconomic level.

Supplementary Commonwealth funding could be sought from National Stronger Regions initiative.

#### **ACTION SOUGHT**

Develop new history and heritage hub near Blundell's Cottage.

#### **h. Commitment to National Listing of Canberra**

The National Trust ACT seeks the incoming ACT Government's commitment to efforts for the inclusion of Canberra on Australia's National Heritage list. It will recognise Canberra's special place as the capital city of Australia.

The National Heritage List has been established to list places of outstanding national heritage value to the Australian nation. Listed places are recognised and protected by Australian Government laws and special agreements with state and territory governments and with indigenous and private owners. Places on the list are protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Nominated places are assessed by the Australian Heritage Council which makes recommendations to the Minister for the Environment about listing. The final decision on listing is made by the Minister.

Canberra was created after an international competition, as a 20th century city planned in the garden city style as the seat of our democracy. The assessment by the Australian Heritage Council includes consideration of Canberra's indigenous, natural and historic heritage values.

We support the nomination of the Central National Area and Inner Hills including roads and public spaces but excluding properties. National Heritage listing will not stifle development but will stimulate national and international interest in the city.

#### **ACTION SOUGHT**

Pursue National Heritage listing with the Commonwealth

#### **i. Heritage Listing of Lake Burley Griffin**

Lake Burley Griffin and its Lakeshore landscape make up Canberra's beautiful iconic central feature but there is no whole-of-lake and lakeshore master plan or management plan, and no whole-of-lake and landscape heritage protection. The ACT Government's Land Development Agency (LDA) has appropriated lakeshore parkland for facilities in order to increase the size of its real estate resource at Kingston Foreshore. The LDA has now planned a large building estate in the lakeshore landscape of West Basin as part of its City to the Lake scheme which will further appropriate a huge area of public open space for strata-title developers on the ruse that it will make the lakeshore 'vibrant'.

The West Basin development will destroy vistas across the lake from the northern segment of Commonwealth Avenue which is the symbolic route to Australia's Parliament. It will also change the physical image of Canberra's lake centre-piece with a high-rise estate of privately owned buildings and decrease the waters of the basin by some infill in order to gain development land, setting an unfortunate precedent. Parking for visitors to attend City events such as Floriade will be seriously diminished. To have road access to the development, an expensive lowering of Parkes Way is included in the scheme. The government has split the planning and consultation into stages and to date the only consultation has been for the Foreshore work, thus diminishing the public's knowledge of the full impact of the total development.

#### **ACTION SOUGHT**

- Respect that the Lakeshore public open space, by right, belongs to the citizens of Canberra and Australia.
- Support the preparation of a whole-of-lake and Lakeshore management plan and master plan.
- Support the National Heritage and Commonwealth Heritage Listing for Lake Burley Griffin and Lakeshore Parklands, so that the lake and lakeshore landscape are completely protected for future generations

#### **j. Development of Yarralumla Brickworks and Manuka Oval**

These are two iconic heritage sites and there are major shortcomings in way in which the Government has been handling redevelopment. There should have been more involvement by the ACT Heritage Unit, Heritage Council and the wider community before LDA formed a Consultative Panel and called for Request for Proposals for the Brickworks.

The Brickworks must be properly conserved and adaptively reused on the basis of world best practice. The site should be developed as an inspiring and vibrant Heritage, Arts, Cultural and Recreation Precinct. Relocation of Floriade should be fully investigated to activate the site and provide year round attraction. NT(ACT) believes that before calling RFTs the Government should investigate other successful models:

- Evergreen Brick Works Toronto – former Brickworks and Quarry
- Butchart Gardens Victoria Canada – former Brickworks and Quarry
- Distillery Toronto – former industrial area
- Hunter Valley Gardens – near Newcastle.

As with the Kingston Arts Precinct the Government should consult with the wider community and prepare:

- A Facilities Strategy
- A Master Plan
- Feasibility Study
- Functional Brief.

For Manuka Oval, NT(ACT) supports the ACT Government's decision to reject the proposed massive redevelopment. The Oval and the landscape are an integral component of a collective of 19 neighbouring heritage listed places within the wider precinct.

The future of the Oval must be predicated on the application by Environment and Planning Directorate (EPD) and NCA of heritage values, sound town planning, urban design principles, and proper broad scale community consultation.

Any development that potentially impacts on significant fabric (and/or other heritage values) is required to be guided by professionally documented assessments and conservation policies relevant to that area or component. Any development must address the requirements of the ACT Planning and Development and Heritage Acts, the National Capital and Territory Plans, Heritage Registrations, Conservation Management Plans, Development and Control Plans.

This is an essential exercise that must be undertaken before calling for Expressions of Interest or the formation of the Consultative Panel as is now proposed by the Government.

#### **ACTION SOUGHT**

Review proposals for the development of the Yarralumla Brickworks and Manuka Oval.

#### **k. Preparation and Approval of Conservation Management Plans for Heritage Housing Precincts**

All the Conservation Heritage Housing Precincts in Canberra are increasingly at risk. They have been called some of Australia's finest garden suburbs of the 1920s and 30s and demonstrate influences of the English garden city movement. The houses were designed especially for Canberra, and established the architectural character of the areas.

Full and/or partial demolitions are occurring on a regular basis and the precincts are being increasingly impacted by surrounding developments. Despite these precincts having been listed on the Register of the National Estate and the ACT Heritage Register, Conservation Management Plans (CMPs) have not been prepared for the Precincts.

We have drafted a project brief for a CMP for Reid as a pilot that can be mirrored for the other precincts.

The estimated cost of preparing a CMP is \$100,000. The total cost for all precincts could be spread over say 2-3 years.

**ACTION SOUGHT**

Prepare draft CMP's for Heritage Housing Precincts, undertake effective community consultation on the draft CMPs and, in the light of community consultation and expert independent advice, approve and implement agreed CMPs.

**l. Recognition of Local/Territory significance**

While they may not have "National" and "World" significance, in all communities there are heritage places and objects worth keeping because they have "Local", "State/Territory" significance within the context of the history of the area's cultural or natural history, for example a school or hall.

In other jurisdictions such places are assessed on the basis of accepted criteria and afforded protection under the Heritage legislation and the Heritage Council, and the Local Government authority has certain responsibilities as well. Unfortunately in the ACT there are only two levels of Government and consequently such places are ignored and fall through the cracks and this problem is being exacerbated with the effluxion of time.

**ACTION SOUGHT**

Amend existing heritage legislation to recognise and support places and objects that have "Local", "State/Territory" significance.

**Checklist**

Commitment from Political Party/Candidate

ISSUES	Party Response	
	Yes	No
<b>a. Review of ACT Planning Act and ACAT's Role</b>		
<b>b. Development of ACT Heritage and History Industry Planning</b>		
<b>c. Conduct of a Heritage and History Impact Study</b>		
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