



**LEGISLATIVE ASSEMBLY**  
**FOR THE AUSTRALIAN CAPITAL TERRITORY**

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STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY  
Dr Marisa Paterson MLA (Chair), Ms Jo Clay MLA (Deputy Chair), Mr Ed Cocks MLA

## Submission Cover Sheet

Inquiry into ACT's heritage arrangements

**Submission Number: 047**

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Inquiry into ACT's Heritage Arrangements  
Standing Committee on Environment, Climate Change and Biodiversity  
ACT Legislative Assembly

Via email – [LCommitteeECCB@parliament.act.gov.au](mailto:LCommitteeECCB@parliament.act.gov.au)

Dear Committee Secretariat,

Thank you for the opportunity to make a submission to the inquiry into the ACT's heritage arrangements. This submission addresses – to varying extents – Terms of Reference e) and f), with a focus on the mutually compatible goals of preserving and safeguarding cultural heritage whilst promoting accessibility for people with disability.

As a Disabled Peoples Organisation (DPO), Advocacy for Inclusion (AFI) represents people with disabilities from the ACT in our systemic policy work. This submission recommends the incorporation and prioritisation of accessibility principles within the future framework in which the Council and staff operate, as well as processes and procedures for heritage across the ACT.

Within Canberra, there are steadily increasing numbers of people with disability.<sup>1</sup> Around 1 in 5 Canberrans has a disability while Canberra has an ageing population. In general, improving and protecting the accessibility of buildings and spaces for people with varying levels of mobility is necessary to achieve progress in various life domains highlighted in the ACT Wellbeing Indicators, including accessibility and connectivity, identity and belonging, and social connection. Inaccessible spaces can be the difference between community living and independence, and highly restricted lives for people with disabilities.<sup>2</sup>

AFI is invested in this Inquiry given the because of the importance we place on reconciling the conservation of spaces, places and buildings with heritage values with accessibility by people with disability and in doing this well in a city with a number of heritage sites in active use. Like all Canberrans we recognise that older spaces, places and buildings are a part of the fabric, character and amenity of our city – a city in which we also need to live, work and function.

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<sup>1</sup> The proportion of people with disability in the ACT has increased over time, rising from 15.8 per cent in 2012 to 16.2 per cent in 2015, and 19.4 per cent in 2018. Approximately 22,400 people, about 5.5% of the ACT's population, live with profound or severe disability (SDAC 2018)

<sup>2</sup> Layton, N., and Steel, E. (2015). 'An environment built to include rather than exclude me: Creating inclusive environments for human well-being.' *International Journal of Environmental Research and Public Health* 12, pp. 11146-11162.

For most historic buildings and places, it is well established that the best way to protect them is to keep them in active use. Few historic buildings and places were originally designed to be accessible to all. As such, the continued enjoyment and use of culturally significant buildings and places may require adaptations and alterations to keep them in use.

Under the Disability Discrimination Act (1992), all buildings, including those that are heritage listed, need to provide equitable and dignified access for all people. However, the Discrimination Act is complaints-based and does not necessarily encourage proactivity when it comes to facilitating accessibility so this also requires proactive work, education and policy intent.

The perception of incompatibilities between cultural heritage preservation and increased accessibility has been consistently questioned by Canberra architect Eric Martin.<sup>3</sup> Heritage listing is often blamed for poor access without sufficient investigation of what it is specifically that needs to be preserved and protected. In most cases, improving accessibility and ensuring the continuation of a building or spaces cultural value and significance need not be a zero-sum game.

Some older buildings may present challenges in providing easy and independent access. However, there are many situations where it is possible to both anticipate and improve access either through innovative management practices, high quality and sensitive design interventions, or a combination of both.

The Australian Heritage Commission suggests a five-step approach<sup>4</sup> to identify and implement accessibility modifications that also protect the integrity and significance of a heritage site:

1. Review the significance of the place and identify the elements of greatest significance.
2. Undertake an Access Audit to determine existing and required levels of accessibility: to the principle public entry, all parts of the building, to services provided and to information.
3. Evaluate access options within a conservation context. This process includes consultation with authorities and approval of the proposed action.
4. Prepare the access policy or action plan.
5. Obtain appropriate permits and implement the necessary action.

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<sup>3</sup> For a list of publications from Eric Martin & Associates focusing on Access to Heritage Places, see <https://www.emaa.com.au/publications.html>

<sup>4</sup> Martin, Eric (1999). [\*“Improving access to heritage buildings: A practical guide to meeting the needs of people with disabilities.”\*](#) Australian Council of National Trusts, Australian Heritage Commission, Canberra, p. 4.

The critical components are to identify and understand what is most important about a place, what ought to be protected, to identify and understand what is possible to change, and to understand how simple changes can improve the overall accessibility of such spaces. Accessibility can be enhanced by considering:

- The proximity of a car park,
- The suitability of the principle public entrance and/or potential alternatives,
- The levels of a building and movement between levels of a building
- The use of toilets and other facilities,
- The provision of information of all formats (written, visual, and audio)
- Services such as telephones, vending machines, counters and retail outlets, and
- Access throughout the site including open space, landscapes, gardens and garden structures.

When it comes to public spaces, accessibility must be prioritised and pursued. The ACT has commissioned significant work on this over the years, such as its [Disability Confidence manual and checklist](#) and this should be utilised.

While accessibility can mostly be reconciled with heritage values with the right level of care and attention, AFI notes that accessibility is a legal requirement in buildings to be accessed by the public and must be pre-eminent in these circumstances. Where maintaining accessibility and heritage values are in conflict, and accessibility is unable to be achieved, then the use of the premises should be appropriate so as not to restrict access by people with disability to community facilities, goods, and services available to the public.

We note the need for specific focus and attention on access and heritage given the number of significant older buildings in Canberra and this should be a focus of any new heritage body. Specifically, AFI believes that the Heritage Council should include people with expertise in accessibility within Heritage sites and this expertise should be prioritised in the Heritage Unit. AFI has also called for social planning capacity, including a focus on accessibility to be a priority in the new ACT Planning System.

The ACT can and should set a very high bar for accessibility within heritage sites. There are some good examples in Canberra, including in the National Capital Precinct, like the Museum of Australian Democracy, and the learnings from these beacons of best practice, which include working closely with Disabled Peoples Organisations, should be gathered and applied across the city. Increasing the accessibility of public spaces and places is critical given the growing number of people with disabilities, as well as Canberra's ageing population.

This submission recommends the incorporation of the objectives of inclusive design, universal design, or access for all, in the future framework governing heritage arrangements.

Please feel free to contact me on [REDACTED] to discuss this submission further.

Regards

(Sent by email)

**Craig Wallace**  
Head of Policy  
Advocacy for Inclusion  
31 March 2023