

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

INTERIM REPORT ON THE ACTON/KINGSTON LAND SWAP

**REPORT NO.11
OF THE
STANDING COMMITTEE ON PLANNING AND ENVIRONMENT**

MAY 1996

Resolution of the A.C.T. Legislative Assembly relating to the appointment of the Standing Committee on Planning and Environment:

[that] a Standing Committee on Planning and Environment [be established] to examine matters related to planning, land management, transport, commercial development, industrial and residential development, infrastructure and capital works, science and technology, the environment, conservation, heritage, energy and resources...

[And that the committee] inquire into and report on matters referred to [it] by the Assembly or matters that are considered by the committee to be of concern to the community.

Minutes of Proceedings (Third Assembly) No.1 - 9 March 1995, amended 22 June 1995

Terms of reference of the committee's inquiry:

To inquire into and report on the Acton Peninsula and Kingston sites which are subject to the land swap announced between the A.C.T. and Federal Governments with particular reference to (i) planning controls over both sites (ii) the value of the land swap to the A.C.T. (iii) environmental and heritage issues (iv) current and future usage of the sites, and (v) any other related matters.

Minutes of Proceedings (Standing Committee on Planning and Environment) 21 April 1995

Membership

Mr Michael Moore MLA (Chair)

Mr Wayne Berry MLA (Deputy Chair)*

Mr Trevor Kaine MLA (Deputy Chair)**

Ms Lucy Horodny MLA

Ms Roberta McRae OAM, MLA***

Secretary: Mr Rod Power

* Discharged 26 March 1996

** Elected to the position of Deputy Chair on 29 March 1996

*** Appointed 26 March 1996

Preface

This report of the Standing Committee on Planning and Environment is into the Acton Peninsula and Kingston sites which are subject to the land swap announced by the A.C.T. and Commonwealth Governments in April 1995.

The report reflects the detailed consideration by the committee of the land swap over the past year. The report contains a number of recommendations.

In relation to the committee's terms of reference for this inquiry, the committee's conclusions may be summarised as follows:

- in relation to planning controls over both sites, the committee considers these are inadequate and demonstrate the serious difficulties inherent in the current planning arrangements between the A.C.T. and Commonwealth Governments;

- in relation to the value of the land swap to the A.C.T., the committee concludes that the land swap agreement as it is presently structured is a poor deal for the A.C.T.;

- in relation to environmental and heritage issues, the committee concludes that these are inadequately dealt with in the land swap agreement to date;

- in relation to current and future usage of the sites, the committee concludes that these are very much up in the air at this time;

- in relation to other related matters, the committee has dealt with these in the text of the report.

I want to thank my colleagues on the committee for their careful consideration of the issues, and - on behalf of all members of the committee - thank those members of the public and Government officials who appeared before the committee and who submitted papers to the inquiry.

Michael Moore MLA

Chair

3 May 1996

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LIST OF RECOMMENDATIONS

In relation to the land swap agreement, the committee recommends that:

Recommendation 1 -

- *the land swap agreement between the A.C.T. and Commonwealth Governments **not** proceed unless it is re-negotiated in accord with the recommendations of this report.*

The Standing Committee on Planning and Environment gives notice that it regards this report as interim in nature and is continuing with its inquiry into the future use of Acton Peninsula and the Kingston site. Page 44

Recommendation 2

- *the A.C.T. insist that, should the land swap proceed, the agreement provide for the Commonwealth to fund the full cost of clearing the Kingston site, and remediating any contaminated land, on the basis that:*

- the contamination mostly occurred while the Commonwealth Government controlled the site

- the A.C.T. Government is providing a fully cleared site at Acton Peninsula for the Commonwealth's use but the existing agreement does not oblige the Commonwealth to make the same commitment at Kingston

- the A.C.T. Government has fully borne the cost of relocating tenants from Acton Peninsula, and

- the existing land swap gives the Commonwealth Government a completely cleared site of about 13 hectares at Acton while the A.C.T. Government gets about 11 hectares of land at Kingston, half of which is occupied indefinitely by a Commonwealth Government body and all of which may be contaminated.

If the Commonwealth refuses to contribute to the cost of clearing the Kingston site and if the proposed Aboriginal component of the National Museum is sited at Acton Peninsula, then the committee considers the land swap agreement should provide for the Commonwealth to meet the whole cost of clearing the Acton site as well as compensate the A.C.T. Government for the costs incurred in relocating tenants from Acton.

The committee also recommends that the Kingston site not be cleared and remediated until the results of the contamination investigation are publicly known. Page 40

Further to the Kingston site, the committee recommends that:

Recommendation 3

- *the whole of the Kingston site be investigated for contamination at the one time and the results of such investigation should be outlined in the documents provided to firms responding to an invitation to tender for development on the Kingston site; further, that the area between the Kingston site and Lake Burley Griffin, as well as sediment in the boat harbour directly in front of the site, should be assessed for contamination at the same time.*

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Recommendation 4

- *the A.C.T. insist that the land swap agreement specify a limited time period for use of the Kingston site by the Commonwealth Government Printer, after which time the lease should only be renewed on a year-by-year basis. This will tighten the A.C.T.'s control over the development of the site.*

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Recommendation 5

- *in light of A.C.T.E.W.'s advice that its infrastructure at Kingston is 'critical to the on-going operation of the electrical system and any relocation... could be expected to cost many tens of millions of dollars', then the A.C.T. Government insist that A.C.T.E.W. urgently assess the full implications of proposed development at Kingston upon its operations, thus enabling the A.C.T. Government to factor this cost into its negotiations with the Federal Government on the land swap; and that the A.C.T. Government direct the Kingston Foreshore Development Authority take these implications into account in all its planning.*

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Recommendation 6

- *an Australian design competition for the Kingston site be held and to proceed in three stages: the first stage to be a competition for ideas, controlled by the A.C.T. Government, about the broad mix of uses that might be placed on the Kingston site taking account of A.C.T. and Commonwealth interests including transport linkages to the rest of Canberra; the second stage to be the release of these ideas for public comment; and the third stage to be a competition about the detailed implementation of the preferred design - this stage to be administered by the Kingston Foreshore Development Authority.*

Further, the committee recommends that the competitions include planning for the land between the Kingston site and Lake Burley Griffin, including

the boat harbour. In this regard, the committee considers that public access must be preserved along the Lake edge.

Also, the committee recommends that the competitions not exclude the possibility that, in the long-term, development may encompass the present railway station site and the Causeway residential area (subject to acceptability by the local residents).

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In relation to Acton Peninsula, the committee recommends that:

Recommendation 7

- *should the Acton/Kingston land swap not proceed, then the Standing Committee on Planning and Environment requests the A.C.T. Government to formally advise this committee of the results of an investigation into ways to renovate and reuse the existing buildings on the Peninsula in preference to their demolition.*

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In relation to the National Museum of Australia, the committee recommends that:

Recommendation 8

- *the A.C.T. Government and the A.C.T. Assembly affirm their preference for the establishment of the National Museum of Australia on the one site at Yarramundi Reach as originally intended, and that the Government and the Assembly applaud the following election policy of the Coalition: ‘The Gallery of Aboriginal Australia will not only be a significant part of the National Museum but will be located at the same site, thereby symbolising an important step in the reconciliation process. The Australian Institute of Aboriginal and Torres Strait Islander Studies will also be co-located with the National Museum’.*

Page 2

In relation to the proposed A.C.T. Aboriginal and Torres Strait Islander Cultural Centre, the committee recommends that:

Recommendation 9

- *the A.C.T. Government request the A.C.T. Aboriginal and Torres Strait Islander Advisory Council meet Ngun(n)awal groups to try to determine where best to site the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre;*

the A.C.T. Government reaffirm its financial commitment of \$2.5m to the establishment of an A.C.T. Aboriginal and Torres Strait Islander Cultural Centre; and

the A.C.T. Government clarify that element of the land swap agreement whereby the Government committed \$3m in infrastructure support for the construction of the Gallery of Aboriginal Australia as part of the National Museum (refer paragraph 2.3 of this committee's report). *Page 36*

In relation to exchanges of Territory and National Land in the A.C.T., the committee recommends that:

Recommendation 10

- *the A.C.T. and Commonwealth Governments urgently negotiate appropriate principles to handle land exchanges of Territory and National Land - such principles to ensure that Canberra residents are actively involved in consultative processes and the principles to have as their highest priority the due protection of the interests of the Canberra community in **not** being disadvantaged by Commonwealth planning initiatives.* *Page 33*

In relation to 'other related matters' arising in the course of the inquiry, the committee recommends that:

Recommendation 11

- *the A.C.T. and Commonwealth Governments develop a more appropriate planning basis for the A.C.T. including carefully scrutinising the merit of establishing a single planning authority responsible to both political jurisdictions.* *Page 43*

1. INTRODUCTION

1.1. This report is an interim report by the Standing Committee on Planning and Environment on the Acton/Kingston land swap announced by the Chief Minister in April 1995. It deals with the land swap agreement (Chapter 2) and the current and possible future uses of Acton and Kingston (Chapter 3). It summarises the 60 submissions received by the committee in the course of the inquiry so far, divided into submissions supporting the land swap (Chapter 4), submissions opposing the land swap (Chapter 5) and submissions that did not directly express a view about the merit or otherwise of the land swap proposal (Chapter 6). The final chapter of this interim report (Chapter 7) outlines the committee's view of the land swap as of May 1996.

1.2. The committee considers its report is of an interim nature because, at the time of publishing this report, the new Commonwealth Government elected on 2 March 1996 has not announced its funding intentions re the National Museum of Australia - and specifically has not announced whether it intends to fund the Aboriginal component of the Museum at Yarramundi Reach rather than at Acton Peninsula. The Coalition's election policy on the National Museum stated:

Upon elected to Government, the Coalition will continue negotiations with the A.C.T. Government with a view to resolving land ownership arrangements for [Acton Peninsula] site as soon as possible...

The Coalition will establish a National Museum of Australia... In the first year \$1.5m will be allocated to determine the best possible site, employ architects and establish an appropriate tendering process...

The Gallery of Aboriginal Australia will not only be a significant part of the National Museum but will be located at the same site, thereby symbolising an important step in the reconciliation process. The Australian Institute of Aboriginal and Torres Strait Islander Studies will also be co-located with the National Museum.

It is the Coalition's preference that the National Museum be located at the Yarramundi Reach site which has been earmarked for this purpose for well over a decade...

1.3. The committee hopes that this clear statement of support for the National Museum of Australia, and for siting it in one coherent whole at Yarramundi Reach rather than breaking up the Museum into 'a network of museums'¹ as proposed by the former Labor Government, will be realised by the commitment of adequate funding. The committee is realistic enough to recognise that such clear evidence of funding for the National Museum may have to await the Commonwealth Budget, due on 20 August 1996. In the meantime, the committee considers that no opportunity should be lost to remind the new Federal Government of its election policy.

¹ *Transcript of Proceedings 22/9/95 p85 - Ms D Casey (Assistant Secretary, Heritage Branch, Commonwealth Department of Communication and the Arts)*

1.4. In late March 1996 the committee wrote to the Chief Minister asking her to quickly approach the relevant Commonwealth Minister in order to clarify the Federal Government's position on siting the Gallery of Aboriginal Australia and the Australian Institute of Aboriginal and Torres Strait Islander Studies at Acton Peninsula.

1.5. The committee recommends that:

- *the A.C.T. Government and the A.C.T. Assembly affirm their preference for the establishment of the National Museum of Australia on the one site at Yarramundi Reach as originally intended, and that the Government and the Assembly applaud the following election policy of the Coalition: 'The Gallery of Aboriginal Australia will not only be a significant part of the National Museum but will be located at the same site, thereby symbolising an important step in the reconciliation process. The Australian Institute of Aboriginal and Torres Strait Islander Studies will also be co-located with the National Museum'.*

1.6. The committee considers it possible that the new Government's attitude to the National Museum and specifically to siting its Aboriginal component at Yarramundi Reach may not be known until the Commonwealth Budget is brought down on 20 August 1996.

1.7. The committee considers that, in view of widespread interest in the committee's inquiry, a committee report should be brought down at this time rather than wait until August or until the new Government's attitude is clarified. The committee is conscious that it is a year since it embarked on this inquiry and that, despite the uncertainty about the Commonwealth's ongoing interest in the Acton component of the land swap, sufficient information is available to enable some conclusions to be drawn and recommendations reached. This particularly applies to the Kingston component of the land swap.

1.8. It is for this reason that the committee has finalised and published this report at this time.

1.9. It is appropriate to briefly set out a chronology of the committee's involvement in the land swap proposal to date.

1.10. The committee formally resolved to initiate an inquiry into the land swap on 21 April 1995, following the Chief Minister's announcement of the land swap on 6 April 1995. The committee called for public comment and received 60 submissions, all of which it authorised for publication. In this report as in its other reports, the committee continues its practise of providing a summary of the submissions in order to give readers an indication of the range and nature of opinion on an issue.

1.11. During its inquiry, the committee twice inspected the Acton and Kingston sites in the company of relevant Government officials. The committee requested, and received, information about the tenants on both the Acton and Kingston sites. When it became apparent to the committee that

significant differences existed among local Ngun(n)awal Aboriginal groups about the proposed ACT Cultural Centre for Aboriginal and Torres Strait Islanders, the committee asked the Chief Minister to convene a round-table meeting of local Aboriginal groups to narrow the differences. The subsequent round-table mediation conference took place on 22 November 1995 in the Legislative Assembly building, and the committee has found the independent mediator's report on the conference very useful. The committee thanks the Chief Minister and the Speaker of the Legislative Assembly for their cooperation in this regard.

1.12. In September 1995 the Chief Minister announced the establishment of the Interim Kingston Foreshore Development Authority which (she stated) 'will be the controlling body of the site pending the establishment of a permanent Authority'.

1.13. Also in September 1995 the A.C.T. Heritage Council published its draft Citation for Acton Peninsula and, following feedback from the public, its Final Citation appeared in February 1996. At the time this report was prepared, the Heritage Council was evaluating comments received from the public on a Draft Citation for the Kingston Powerhouse.

1.14. To date, the committee has held eight public hearings and one private hearing. A list of the persons and organisations appearing before the committee is appended to this report. Also appended to the report is a list of the 60 submissions.

1.15. The committee records its appreciation to the many people who have assisted its deliberations and expresses the hope that this interim report will contribute toward appropriate developments on both the Acton and Kingston sites that are beneficial to A.C.T. residents.

2. THE AGREEMENT

2.1. On 6 April 1995 the Chief Minister (Mrs Kate Carnell MLA), following a meeting with the then Prime Minister (the Hon Paul Keating MP) during the 1995 Premiers' Conference, announced that the A.C.T. and Commonwealth Governments had agreed to an exchange of A.C.T. land at Acton for Commonwealth land at Kingston. The proposed exchange of land has become known as the Acton/Kingston land swap.

2.2. On 10 April 1995 the Chief Minister wrote to the Prime Minister to confirm her understanding of the land swap; the Prime Minister subsequently confirmed the details. Mrs Carnell's letter to the Prime Minister stated:

I am now writing to confirm my understanding of the agreements we have reached...

The Commonwealth Government agrees to provide additional Special Revenue Assistance to the A.C.T. of \$15m in the 1995-96 financial year...

As well, the Commonwealth agrees to make available to the A.C.T. Government all land on the Kingston Foreshore of Lake Burley Griffin. Those parts of that land which are currently under Commonwealth planning control will remain so and the Commonwealth will ensure that the National Capital Planning Authority [NCPA] deals with the A.C.T. Government with maximum flexibility.

In return, the A.C.T. Government agrees to provide the Commonwealth with the whole of the Acton Peninsula site up to the ANU border, minus the Hospice and the cottage; to clear the site; and to provide necessary infrastructure up to \$3m in support of the Gallery of Aboriginal Australia as part of the network of the National Museum of Australia.

I also propose that the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre be located on the Acton Peninsula due to its affinity with the other uses the Commonwealth proposed for the site.

2.3. On 11 April 1995 the Chief Minister issued a media release which elaborated on the land swap agreement. The media release stated:

That following discussions with the Prime Minister over the A.C.T.'s financial position, the Commonwealth had agreed to release all land on the Kingston foreshore to the Territory.

Mrs Carnell said that the A.C.T. Government would have responsibility for clearing Acton Peninsula, except for the Hospice and an adjacent cottage.

She said this would enable construction of the Gallery of Aboriginal Australia to go ahead on the Peninsula, as part of the network of the National Museum of Australia.

"I have also proposed that the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre be co-located on the Peninsula with the Gallery. This is in line with a recommendation to the former Territory Government by the A.C.T. Aboriginal and Torres Strait Islander Advisory Council".

... the A.C.T. Government would contribute up to \$3m in infrastructure support for the construction of the Gallery as part of the National Museum.

“This result will end years of inaction on the future of Acton and Kingston foreshores and will enable long-term plans to progress on both sites.

“Our responsibility for clearing the Acton site will ensure the job is done sensitively and with regard for heritage and environmental issues.

“It will also help us keep the Commonwealth to its commitment to the National Museum of Australia. Now, there can be no excuse not to go ahead with this exciting project. While the A.C.T. Government’s preferred location for the National Museum project was Yarramundi Reach, it became clear the Commonwealth would never accept that site.

“This decision means the National Museum will now become a reality in Canberra rather than a long-held dream.

“I am pleased too that Acton will become the home of a project of national significance and that the A.C.T. can now push ahead with the creation of an arts and cultural precinct on the foreshore”.

2.4. The then Commonwealth Minister for Communications and the Arts (the Hon Michael Lee MP) also issued a media release about the land swap on 11 April 1995:

“... I am very pleased that work on developing detailed designs can now proceed with construction expected to start next financial year”...

Negotiations on the land swap had been progressing with the Follett Government since last October and were finalised with the current Government this week...

“These developments go a long way towards fulfilling commitments announced in *Creative Nation*, the Commonwealth Government’s Cultural Policy which was launched in October 1994”, Mr Lee said.

2.5. In relation to details of the land swap agreement, the Commonwealth Government’s negotiating position (as of August 1995) was as follows:

Timing

Transfers of land will occur simultaneously at a time to be negotiated between the Commonwealth and Territory Governments.

Acton Peninsula

The following land will be transferred from the Territory to the Commonwealth: Block 1 Section 55 and part Block 17 Section 33 of Acton.

The temporary exception is the site of the A.C.T. Hospice and associated “Cottage”. The NCPA has granted approval for a temporary facility for the A.C.T. Government Hospice on Acton Peninsula for a period of five years following occupation which commenced on 3 April 1995. The expectation is that the site occupied by the Hospice and the “Cottage” would transfer to National Land at the end of this period.

The Territory will demolish the structures associated with the former Royal Canberra Hospital.

The termination of existing short-term leases of facilities at Acton for such purposes as education, child care and health services is the responsibility of the A.C.T. Government.

Kingston Foreshores

The following land will be transferred from the Commonwealth to the Territory: all Commonwealth land in sections 7 and 8 of the Division of Kingston.

The relocation of the Australian Government Publishing Service [AGPS] may take some time since it is likely that a new purpose-built facility will need to be constructed for the organisation. If the AGPS remains at Kingston after the official exchange has taken place it is expected that it will become a tenant of the A.C.T. Government.

Two areas of Kingston Foreshores are identified under the *National Capital Plan* as 'Designated Areas'. These are Wentworth Avenue and the foreshores of Lake Burley Griffin. It is not intended that these areas be included in the land swap. The *National Capital Plan* requires a development control plan to be determined for Wentworth Avenue. There have been amicable discussions between the Territory and the NCPA regarding cooperative arrangements for the planning and development of the area.

The NCPA will work with maximum flexibility with the A.C.T. Government in the development of Kingston foreshores. Since the area is predominantly Territory land and not a Designated Area, the NCPA would expect that the Territory would take the leading role in that respect.²

2.6. The detailed negotiating position of the A.C.T. Government was not expected to be finalised until after this committee's report was brought down, in line with the Chief Minister's undertaking to the Legislative Assembly that she would not move to implement the land swap agreement until the committee had reported. The committee thanks the Chief Minister for this statement.

² Letter from the then Minister responsible for the NCPA (the Hon Brian Howe MP) to Mr John Langmore MP (Federal Member for Fraser), dated 9 August 1995.

3. CURRENT AND FUTURE USES OF ACTON AND KINGSTON

Acton Peninsula

3.1. The Acton land comprises Sections 33 and 55 of the Division of Acton [see accompanying map], amounting to approximately 13.2 hectares.

3.2. Until November 1991 the site was used as a major hospital. From 1992 the hospital buildings have been used for general office purposes on an interim basis (following agreement by the NCPA to this use). A great diversity of office use then occurred, as shown by the following list of tenants as of September 1995:

A.C.T. Government groups

Department of Urban Services

- Furniture Store
- ACTION Clothing Store
- A.C.T. Accommodation Services
- Roads and Transport Branch, City Services
- A.C.T. Library Service

Department of Health and Community Care

- Canberra Community Dialysis Centre*
- Radiation Safety Section*
- Organisation Development Services
- Sylvia Curley Accommodation
- Neurosciences Research Unit

Department of Public Administration

- A.C.T. Government Central Registry

A.C.T. Auditor General

Australian National University [ANU]

- Department of Clinical Sciences
- Centre for Australian Cultural Studies (Canberra)
- School of Asian Business Studies

A.C.T. Government supported groups

- A.C.T. Festivals Inc.*
- Technical Aid to the Disabled (A.C.T.)*
- Australian Red Cross - Meals on Wheels*
- Diabetes Australia*
- Epilepsy Association of the A.C.T. Inc.*
- Mental Health Resources A.C.T. Inc.*
- Home Help Service A.C.T. Inc.*
- Australian Physiotherapy Association
- Sudden Infant Death Association (A.C.T.) Inc.*
- Acton Early Child Care Centre

- Health Sciences Centre*
- Rural Health Education Centre*
- Canberra Region Medical Foundation*

Others

- Clinic of Preventative Medicine for Women (privately funded)
- Australian Institute of Health and Welfare (Commonwealth Government).

3.3. The Government advised the committee that it intends to relocate the tenants marked with an asterisk in the above list to the former Holder High School. Also, the Government plans to offer space at Holder for market rent to the Clinic of Preventative Medicine for Women.³ The Government provided an amount of \$2.960m in its 1995-1996 Capital Works Program to the refurbishment of Holder High School.

3.4. The Government's rationale for the relocation of tenants included the following:

The Government believes that it would have been desirable to go ahead with such relocations even in the absence of the proposed developments on the Acton site. Holder High offers an opportunity to provide community groups with better located and designed facilities and a more convenient and community setting for the Dialysis Centre. It would also reduce recurrent costs for which the Government is liable in relation to Acton Peninsula.⁴

3.5. The Government estimated the recurrent costs of maintaining Acton tenancies as more than \$1m, adding 'we are certainly losing money on having it operating as it is'.⁵ The issue of what to do with Acton Peninsula has been around since the Hospital was closed in 1991.

3.6. The committee is aware that the former A.C.T. Government suggested to the Commonwealth in June 1992 that the site be used for public health facilities and an urban village⁶; the Commonwealth rejected the suggestion in light of 'a comprehensive planning process involving public consultation' about the future use of Acton being conducted by the NCPA.⁷ This process was known as the Urban Design Forum. Then in November 1994 the A.C.T. Chief Minister advised the then Prime Minister that the A.C.T. Government 'welcomes' the Commonwealth's announcement of the establishment of the Gallery of

³ Letter to the committee from the Chief Minister (Mrs Kate Carnell MLA) dated 22 June 1995

⁴ Ibid

⁵ *Transcript of Proceedings* 28/4/95 p26- Mr Turner (Secretary, Department of Urban Services)

⁶ Letter from the then Chief Minister (Ms Rosemary Follett MLA) to the then Prime Minister dated 11 June 1992

⁷ Letter to the then Chief Minister from the then Commonwealth Minister for the Arts and Territories (the Hon Wendy Fatin MP) dated 28 August 1992

Aboriginal Australia and the Australian Institute of Aboriginal and Torres Strait Islander Studies at Acton Peninsula.⁸ The then Chief Minister wrote again to the Prime Minister in January 1995 to request that the Commonwealth Government facilitate the co-location of the proposed A.C.T. Aboriginal and Torres Strait Islander Cultural Complex on the Peninsula.⁹

3.7. The present A.C.T. Government provided an amount of \$8.125m in its 1995-1996 Capital Works Program to demolish buildings at Acton Peninsula in accordance with the land swap agreement. The Budget Paper dealing with this allocation stated that:

The project comprises the relocation of the existing tenants in the buildings on the Acton Peninsula and, with some exceptions (the A.C.T. Hospice, the two cottages, mature trees and items of heritage value and, for the time being, the Acton Early Child Care Centre), the demolition of the remaining buildings down to ground level and the clearing of the site.¹⁰

3.8. As set out in the preceding chapter, the terms of the land swap announced in April 1995 would see Acton used for cultural/community purposes through the establishment of the Gallery of Aboriginal Australia (a component of the National Museum of Australia), the Institute of Aboriginal and Torres Strait Islander Studies and the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre. Other possible uses of the site are set out in the Chapter of this report summarising public comment by people opposed to the land swap.

Kingston

3.9. The Kingston land comprises Sections 7 and 8 of the Division of Kingston [see accompanying map] amounting to approximately 32 hectares - of which about eleven hectares is National Land.

3.10. The most significant area of National Land (over five hectares) is Section 8 Block 4, which is occupied by the Australian Government Publishing Service [AGPS]. Other areas of National Land are also on Section 8, being Block 23 and part of Block 16 (both presently used for warehousing). The Commonwealth instrumentalities, Telstra and Australia Post, occupy about 2.11 hectares.

3.11. The Territory Land at Kingston is being used for a variety of purposes. The A.C.T. Electricity and Water Corporation [A.C.T.E.W.] occupies most of the land to the north and west of the site (Section 8, Blocks 2,8,10,11,12,14, 22,

⁸ Letter from the then Chief Minister (Ms Rosemary Follett MLA) to the then Prime Minister dated 28 November 1994

⁹ Letter from the then Chief Minister (Ms Rosemary Follett MLA) to the then Prime Minister dated 12 January 1995

¹⁰ A.C.T. *Program Estimates 1995-96* Budget Paper No.4, Volume 1 p274

24 and 25). Block 16 is used for warehousing, offices, markets and a service station (operated by Burmah Fuels). On the eastern side, A.C.T.E.W. also utilises Block 59 of Section 7. The A.C.T. Forensic Medical Centre is located on Block 60 of Section 7. To the north of Section 7 is vacant land containing extensive easements (Section 8, Block 18).

3.12. The A.C.T. Government intends to use the Kingston site for commercial purposes, the exact nature of which will be determined following an international design competition. Other possible uses of the Kingston site are suggested by some of the submitters whose views are summarised in the following Chapters.

4. PUBLIC COMMENT: SUBMISSIONS SUPPORTING THE LAND SWAP

4.1. The A.C.T. Government submitted that:

The land swap is a fair deal for the Territory. The Commonwealth has made it clear to the A.C.T. Government that it would not agree to Acton being used for purposes that would give the land significant financial value, such as medium density housing. It has also made it clear that it will no longer contemplate Yarramundi Reach as the site for the National Museum of Australia.

The Kingston Foreshore site has the potential for considerable commercial value. That value will emerge once the international design competition and associated planning process have been completed.

The proposed developments on both sites will add significantly to the potential of Canberra's tourist industry. The land swap will free up two of Canberra's best sites, both of which are currently neglected, for two potentially very valuable developments.

4.2. In relation to Kingston, the A.C.T. Government submitted that:

Prior to development proceeding... the Government would require an investigation of the magnitude and extent of any contamination...[which] could include hydrocarbon, including petrol, diesel, solvents, oils... [including] transformer oil... [and] polychlorinatedbiphenyls (PCBs); asbestos; [and] heavy metals...

It is anticipated that the majority of any contamination that may be found would be confined to the top 0.5 metres of soil except for the service station site where the underground storage tanks were located. The service station site has already been assessed and it is unlikely that it would cause ground water contamination of any significance.

There appears to be little risk of off-site migration of contaminants by way of subsurface water flow...

4.3. The Government' submission stated that it 'intends to build the Aboriginal and Torres Strait Islander Cultural Centre [on Acton Peninsula]... due to its affinity with the Commonwealth facilities'. The submission noted that Acton 'was the preferred site for the Cultural Centre of the former A.C.T. Aboriginal and Torres Strait Islander Advisory Council'.

4.4. The former A.C.T. Aboriginal and Torres Strait Islander Advisory Council submitted, in a letter signed by the Chair of the Council from March 1993 to March 1995 (Ms Kaye Mundine), that it expected the new Council (formed following the change of Government in the A.C.T. in February 1995) to 'work with the Government to develop detailed plans for the [Aboriginal] Cultural Centre based on the advice provided by the Advisory Council' to the then Chief Minister. That advice was that:

a Cultural Centre should be established, that it should be referred to as the Cultural Centre, and that the preferred site for the Cultural Centre was on Acton Peninsula. The Council preferred not to use the term "keeping place" because of the differences within the Ngun(n)awal peoples.

Council spoke about the Cultural Centre providing for the cultural and social needs of Aboriginal peoples and Torres Strait Islanders in the community.

Council also recognised the importance of economic viability for the Centre.

Council also noted that the facility must be accessible by public transport and have access to developed utilities, and that this needed to be addressed in the planning phase.

4.5. Ms Mundine added:

In October 1994, when *Creative Nation* was announced, the Advisory Council arranged for and held consultations with the Gallery of Aboriginal Australia and the Australian Institute of Aboriginal and Torres Strait Islander Studies about possible co-location on Acton Peninsula. The Advisory Council considered that the co-location of the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre with the Gallery and Institute would be a desirable outcome for social and economic development

4.6. Ms Mundine noted that the former Advisory Council ‘held extensive consultations with all key groups in the local Indigenous community to work out the most appropriate functions and location for an A.C.T. keeping place/cultural centre’. She continued:

The consultations covered all Aboriginal peoples and Torres Strait Islanders who are constituents of the A.C.T. Government. A small percentage were identified as Ngun(n)awal people who were represented by the two organisations now known as the A.C.T. Ngunnawal Elders Council Inc and the Ngunawal A.C.T. and District Aboriginal Council of Elders...

Consultations established that there was a fundamental difference of opinion over the keeping place proposal between the Ngunnawal Aboriginal Education Consultative Group and the Ngunawal A.C.T. and District Aboriginal Council of Elders. There was no disagreement expressed by any group over the concept of a cultural centre and the type of activities proposed.

The Advisory Council was concerned that although a place on the Council was offered to, and retained for, Ms Matilda House, she did not take up the offer. Consequently she did not participate in the Council’s work... Individual Council members considered that there was broad agreement in the community for the Cultural Centre and for Acton Peninsula as the preferred location.

4.7. Ms Mundine stated that the former Advisory Council considered the Cultural Centre should have the following components:

The facility should be a new building to accommodate spiritual requirements and be of appropriate design;

the environs should be developed in a culturally and spiritually acceptable way; and

the Cultural Centre should have provision for keeping cultural resource materials, which also includes security for various types of materials.

Council’s advice [to the then Chief Minister] also proposed inclusion of the following functional areas in the Centre:

- an education area, including library and resource area
- exhibition space or gallery
- an indoor/outdoor theatre/performance area

- a retail arts and crafts area
- coffee house/restaurant facility
- a workshop/studio area
- meeting rooms for community groups
- herbarium/garden arrangement for growing and exhibiting indigenous medicines/foods
- possibly a facility for an artist or dancer in residence
- possible office space for leasing to community organisations servicing Aboriginal people (for example, medical and legal services)
- conference venue for conferences, workshops or guest speakers, which could be hired out for functions and events
- a community kitchen for general use and hiring out to sports and community groups
- a childcare facility
- carparking area.

Council also proposed the development of a long-term strategic plan for the Centre, and shorter-term operational/business plans.

4.8. The then Commonwealth Department of Communication and the Arts submitted that:

the development of the centrally located Acton Peninsula site for the national indigenous cultural and educational facilities will provide substantial benefits to all Australians. It will also provide a tangible symbol of reconciliation and recognition of Aboriginal and Torres Strait Islander culture and heritage as a valued part of Australian heritage...

The Department has convened meetings of the indigenous representatives and relevant Government organisations to coordinate planning for the buildings and to further develop the project. Members of indigenous communities have expressed strong support for the project and are taking a keen interest in its progress. Unity of development via mechanisms such as one architect or a consortia of architects are being pursued and members are working cooperatively to ensure that the buildings provide fitting homes for indigenous cultural collections and appropriate educational activities. Members take recommendations back to the decision making bodies for ratification. These decision making bodies include the NCPA, the A.C.T. Government, the Council of the Australian Institute of Aboriginal and Torres Strait Islander Studies and the Council of the National Museum of Australia.

A meeting of indigenous representatives in Canberra in March 1995 decided to support the development of the Gallery as part of the network of the National Museum of Australia. It further supported the Acton Peninsula site as the venue for their development...

The Acton Peninsula site is a most significant site within the central area of the National Capital. It is part of the setting for the Parliamentary Zone and is visible from central areas of Canberra and has strong visual and symbolic links to the Parliamentary Triangle. It is located close to the Central Business District, the ANU and the National Botanic Gardens. It is accessible by road and could easily form part of a tourist circuit of important sites. It may also

eventually be accessible by water as part of a ferry service between the central Parliamentary Zone and the Acton Peninsula site. It is a suitable site for major Commonwealth projects and its future use for national cultural activities has been the subject of discussion between the Commonwealth the A.C.T. Government for some years.

Acton Peninsula is particularly appropriate for the proposed use by the Gallery of Aboriginal Australia within the network of the National Museum of Australia and the new Institute building. The site will allow the Institute to remain adjacent to the ANU's research facilities and its location near the Gallery of Aboriginal Australia will allow close interaction between the two institutions. The Institute can provide considerable research data and material for the development of the Gallery's exhibitions. The location of the Botanic Gardens nearby is an added advantage as it provides a venue for the study and display of native vegetation.

The Commonwealth will be developing two major national buildings on Acton Peninsula. These buildings are expected to cost around \$25m-\$30m. This expenditure over the next two to three years will provide local jobs in the construction industry. While the Institute is already fully staffed, the Gallery will provide further employment opportunities. In addition, the retail outlets of these organisations will provide employment for indigenous artists, craftspeople and authors from the local area as well as from around Australia...

The Gallery... will provide a major national and international tourist attraction. We expect that the Gallery will attract at least 150,000 visitors per year. The visitors will generate significant revenue for the A.C.T....

In addition, the A.C.T. will have the benefit of a new major national facility. The Gallery... will provide exhibition space for some of the 20,000 items from the national indigenous collection currently housed in storage space at Mitchell...

The new building for the Australian Institute of Aboriginal and Torres Strait Islander Studies will provide protection for the priceless collections of manuscripts, books, tapes, photos and film footage which is held by the Institute in trust for indigenous peoples across Australia. The design of the building will allow for increased access for indigenous people seeking more information about their history and culture with appropriate viewing rooms and storage facilities as well as providing information for all Australians about indigenous culture. The Institute also includes an indigenous press, which publishes research into indigenous culture and it is envisaged that there would be a retail outlet for these publications, CD Roms and videos....

The Department will observe environment and heritage legislation in its role in the planning for the construction of the buildings on Acton Peninsula.

4.9. The Australian Institute of Aboriginal and Torres Strait Islander Studies [AIATSIS] submitted that:

The location, area, physiography and infrastructure of Acton Peninsula make it an excellent site for the activities of AIATSIS and the Gallery of Aboriginal Australia.

AIATSIS desperately needs a new purpose-build building to house its priceless and irreplaceable collections of print and audio-visual material relating to Aboriginal and Torres Strait Islander cultures and to conduct its innovative research.

The activities of AIATSIS complement those of the Gallery. Co-locating the two bodies could produce the Australian equivalent of the Smithsonian Institute... [and] could provide Canberra with one of its best and most popular tourist attractions.

Establishment of a local cultural centre or keeping place would further enhance the co-location proposal.

Co-location of the activities on Acton Peninsula is in accord with indigenous wishes and would greatly contribute to the process of reconciliation...

The Peninsula is large enough to accommodate these activities and more (especially if the site is cleared of existing constructions). Previous uses of the site mean that basic infrastructure (water, sewerage, electricity, roads and possibly some parking facilities) are available. The site is sufficiently close to Canberra's Central Business District to make it easy for visitors to reach, yet sufficiently removed from it to provide both a scholarly atmosphere and a pleasant non-urban environment for people to visit. Purpose-built, aesthetically pleasing buildings and surrounds will further enhance the beauty and the interest of the Nation's capital..

It has been suggested by some non-indigenous people that activities to be carried out by AIATSIS and others could be conducted in the existing buildings providing modifications were made. AIATSIS rejects this proposal for two main reasons: (a) the experience of AIATSIS at Acton House demonstrate that buildings cannot be adequately converted to meet the requirements of, and to fully safeguard, these treasures of Australian heritage; (b) indigenous people have had enough of second-hand cast-offs. We have had 207 years of second hand clothes, second hand shoes, second hand tin sheds and the like. A new building is not only crucial: it would be a wonderful reconciliatory gesture for the Nation as a whole.

4.10. **The National Museum of Australia** submitted that:

The Acton Peninsula site is centrally located and such a prominent site gives Aboriginal and Torres Strait Islander peoples as well as the wider community a clear understanding of the status given to the culture of Australia's indigenous peoples by Governments, both Federally and locally. The siting of the Gallery of Aboriginal Australia and the Australian Institute of Aboriginal and Torres Strait Islander Studies on Acton Peninsula is culturally appropriate and is an excellent means of continuing the reconciliation process...

The Gallery of Aboriginal Australia will create a focus for the aspirations of Aboriginal and Torres Strait Islander peoples by reflecting indigenous cultures and history. The development of the Gallery will highlight a significant milestone in the relationship between museums and Aboriginal and Torres Strait Islander people in that Aboriginal and Torres Strait Islander people will have control over the initial design, management and content of the Gallery...

A national meeting of Aboriginal and Torres Strait Islander peoples was convened in Canberra [after the Federal government's *Creative Nation* policy statement] to discuss the issues surrounding the development of the Gallery on Acton Peninsula...Participants unanimously agreed that this site is acceptable to Aboriginal and Torres Strait Islander peoples. Participants further agreed that the site must be cleared and the relevant "cleansing ceremonies" taken place before the construction of either building...

Nowhere in Canberra, or Australia, is there a facility designed specifically to educate the wider public about the full diversity of Aboriginal and Torres Strait

Islander culture in both a traditional and contemporary context. The Gallery of Aboriginal Australia will fill this void...

The National Museum provides a unique forum for dialogue between Aboriginal and Torres Strait Islander peoples and other Australians. It is already a forum which reflects the diversity of Aboriginal and Torres Strait Islander cultures and presents knowledge about these cultures so that they may be shared by all. Education of audiences against stereotypes will be facilitated by an institution that empowers Aboriginal and Torres Strait Islander people to continually re-interpret issues of cultural interaction and promote these issues on a national stage.

4.11. The **National Capital Planning Authority [NCPA]** advised that:

the [Acton] Peninsula has special value as a site of national significance, both because of its proximity to the National Triangle and for its visual significance as a natural feature extending into the water body of the Lake. These qualities have long been recognised, and provided the rationale for the decision to include this site as a Designated Area in the National Capital Plan. Its inclusion as a Designated Area was supported by the A.C.T. Government at the time, as well as by the Joint Parliamentary Committee on the A.C.T.... [The NCPA considers] the site's future use should be for a major national institution or attraction open to the public.

4.12. The **National Trust of Australia (A.C.T.)** 'has no major objection to the exchange' of land but noted in its submission that:

The Kingston site has established cultural heritage significance and we expect this matter to be given due regard in future development proposals...

The Trust has no major objection to the Acton site being used for national purposes and specifically museum purposes. The concept of an integrated National Museum at Yarramundi with Aboriginal and post-1788 culture displayed together is still supported by the Trust... However, the release of the Acton site to the Federal Government will facilitate the development of an Aboriginal museum which we support and which is long overdue... the current Federal Government has shown little attachment to the idea of a National Museum and our concern is that this land exchange facilitates this lack of commitment. We do not believe that the Acton site is as suitable a site as Yarramundi for a National Museum, but will support use of the site if there is a commitment [to] a full National Museum.

4.13. The **Royal Australian Planning Institute (A.C.T. Division)** submitted that it:

supports in principle the concept of a land swap... subject, in both instances, to the retention of unrestricted public access to the lake foreshores...

The Acton Peninsula forms part of the Parliamentary Triangle in the National Capital Plan, and in Griffin's original plan for Canberra... It is appropriate that the planning control over this site be retained by the NCPA, as agent for the Commonwealth Government. This ensures that the national significance of the site is fully considered in planning for the future uses of the site...

[With respect to the existing Acton buildings, the Planning Institute noted that they have] minimal functional value...[and illustrate] the inappropriateness of the visual impact. of the present buildings on the site...

[The Kingston site] could become an extension of the existing medium density residential development in Kingston, interspersed with a range of uses which emphasise the public domain...

An appropriate model for Kingston redevelopment, given its potential importance both nationally and locally, is to establish a separate development authority with representatives from both the NCPA and the A.C.T. Government, reporting to the Territory... A sunset clause for its existence would need to be set...

4.14. **Ms Upward** submitted that an Aboriginal theatre and performing arts centre should be included in the proposed Museum of Aboriginal Art/History as this would enliven the development. Similarly, Ms Upward suggested the Kingston development should include a range of activities of a high quality to attract a wide attendance.

5. PUBLIC COMMENT: SUBMISSIONS OPPOSING THE LAND SWAP

5.1. The **Acton Interest Group** [A.C.T.I.G.] submitted that the land swap:

is completely invalid. [The Acton and Kingston sites] cannot be equated, and there is absolutely no justification for linking their development... any proposition to raze a huge complex of perfectly sound and valuable public buildings, especially in a time of severe pressure on Government funds and without an agreed alternative purpose for the site, is completely incomprehensible.

5.2. A.C.T.I.G. recommended that the Acton site be used for ‘health and well-being [activities], cultural heritage, performing and practising arts, and recreation’. A.C.T.I.G. suggested that the A.C.T. ‘Heritage Centre’ should be established on the site instead of in a refurbished North Building in Civic.

5.3. **Mrs Aitchison and Professor Aitchison** submitted that Acton Peninsula ‘should be retained for community purposes’, utilising the existing buildings. **Ms Anderson** also submitted that the Acton buildings should be retained for community use.

5.4. The **Australian National University** [ANU] submitted that:

the opportunity cost of demolishing a perfectly functional building... is to disrupt, if not destroy, a leading international education program [the Master of Business in Asia Program] and seriously impede an innovative and necessary Health Service Centre. This will have serious consequences for the A.C.T. and Australia since, in the absence of any suitable alternative accommodation, the Health Service Program and the further development of Clinical Science would be lost.

5.5. The ANU referred to letter from the Associate Dean of the University of Sydney (Canberra Clinical School) which noted the usefulness of retaining access to Sylvia Curley House accommodation: “I understand that the ANU is concerned about the future of Sylvia Curley House and I am certainly prepared to add my voice to the concerns, and I suspect that it would make life easier for both of us if this facility was preserved, even if everything else is razed on the Peninsula’.

5.6. **Mrs Bangash** submitted that the Acton buildings should ‘be used for non-acute health and community facilities and the various community groups presently occupying the buildings must not be evicted’. **Mr Bolas** submitted that Acton Peninsula should be retained ‘in its current state... [for] it is a special place to a great many people of the region’. Mr Bolas stated that the Peninsula could not cope ‘with the traffic and coaches that... a nation focal point [such as a National Museum] will generate’. He added:

The Peninsula is an area of beauty and tranquillity due in no small part to its trees... Any development of any type must ensure the survival and care of the existing trees.

5.7. Ms Brown submitted that:

If ceding the Peninsula to the Commonwealth will involve the removal of existing buildings on the site, then I regard that as needless (mindless) destruction and inexcusable waste. The proposal to place an Aboriginal museum on the Peninsula, though less disturbing, is merely silly - ignoring as it does the wishes of the Aborigines themselves and the much more suitable location at Yarramundi.

The Acton site should be preserved for community and health-related uses and the existing buildings... can be inexpensively upgraded to cope with growing and important health and community needs.

5.8. Mrs Butler submitted that:

The proposed demolition of buildings on the Acton Peninsula for which \$8.125m is set aside in the 1995/96 Budget would be an irresponsible exercise by the Government when the money could be used to convert/refurbish existing buildings that could be put into service quite soon...[as a] music hall for concerts and opera with raked floor... with accommodation for an audience of around 600...[together with] a small hall seating 300 people...[and a further] small hall [seating] 100-150...

These three halls would be used as venues for recitals, small chamber music ensembles, operas, plays, play-readings, poetry-readings, dance... [and] lectures... It is worth bearing in mind that Canberra is lacking anything like adequate facilities for the presentation of music.... The Acton Peninsula site would be a delightful setting for music festivals... [and] many patients from the hospice could enjoy a lunch-hour concert, short play or poetry-reading etc.

5.9. Mrs Butler envisaged that a concert hall to seat 1600 might be built after the above facilities have been in operation for some time.

5.10. Canberra Community Action on Acton Incorporated [CCAA] submitted that the Acton buildings should be recycled and refurbished, as they 'are in good condition and any "defects" such as the presence of asbestos lagging or deterioration of concrete are normal items to be dealt with in refurbishment work'; further, 'the buildings and their environs possess great value to the local and regional communities in a heritage sense'. The CCAA considered the Aboriginal and Torres Strait Islander Centre could be sited at Acton though the most appropriate site for the Gallery of Aboriginal Australia was Yarramundi Reach (because of its topography and natural setting). CCAA stated that the existing buildings could be used 'for a range of national health and human services' and, for the A.C.T. government, 'new non-acute health facilities for the region in a tranquil therapeutic setting'.

5.11. CCAA estimated the existing Acton buildings to be worth \$75m 'based on the capitalisation of a modest net rental income for the 50,000 square metres of floor space on the Peninsula, as found.' CCAA continued:

Add to this the reported demolition cost of \$10m, the cost of new infrastructure of \$3m after demolition, the cost of rehousing the existing occupants, and government and contingency costs, and the total bill for a "cleared site" amounts to around \$100m.

This should be exclusive to the intangible costs of noise, dust and disruption to the Hospice patients and any other extant occupants, the loss of the substantial energy resources inherent in the fabric of the (relatively new) existing buildings, the loss of highly significant regional heritage and cultural values, and the loss of the substantial built forms envisaged for the Peninsula in plans and designs by Walter Burley Griffin.

5.12. In further correspondence to the committee (dated March 1996), CCAA suggested a mix of uses for Acton Peninsula including:

- educational uses of many types including research, for instance in clinical studies, epidemiology and similar disciplines, and child care
- cultural uses including all of the arts, heritage and so on
- small scale commercial uses including restaurants, cafes, reception rooms, shops etc
- recreational uses including passive ones such as walks, gardens and horticulture, as well as boating, cycling, swimming, tennis etc
- significant organisational or institutional uses including international headquarters
- health and well-being, particularly respite, therapeutic and transitional care, community carers, QE2 Hospital for Nursing Mothers
- short stay residential accommodation associated with the above uses, for students, CWA and Youth Hostel type
- transport uses, including a station on a future inner-city light rail loop and a terminal for ferries.

5.13. With respect to Kingston, CCAA considered that ‘any environmental or infrastructure works needed in the redevelopment of Kingston Foreshores should be initially funded by the Commonwealth Government and ultimately from the sale of value-added leases in the redevelopment precinct’.

5.14. **Ms Chivers** submitted that:

the 18 organisations (all medically related) at present situated in the Royal Canberra Hospital [RCH] buildings have no alternative premises to go to if ordered to vacate RCH. It is high time commercial considerations are put aside in favour of the health of the community.

5.15. **The Conservation Council of the South-East Region & Canberra (Inc.)** submitted that:

an investigation of the Kingston Foreshore site is imperative before any final decision on the land swap is made...

the Kingston Foreshore area is potentially one of the most contaminated sites in the A.C.T. given its past land uses; that before any land swap is finalised, the extent and degree of possible site contamination must be ascertained through rigorous testing; that comprehensive procedures and legislation on contaminated site management need to be urgently developed to resolve issues of liability for remediation and compensation before any land swap is finalised; the community has a right to know, and be fully consulted, about contaminated sites and must be fully involved in all management aspects of the Kingston site; and potentially contaminated land at Kingston gives the A.C.T. a unique opportunity to safely model and test general contaminated sites management strategies...

The previous land use [of Kingston] indicates it could be contaminated with PCBs, organochlorins, arsenic, creosote, lead, solvents, oils, petrols and other hydrocarbons... [forming a] cocktail of chemicals [which] would make it extremely difficult to fully remediate the site and could cost millions of dollars...

The Conservation Council believes that ultimately the Federal Government must take responsibility for the clean up of this site...

5.16. Mrs Dodds submitted that:

It is a tragedy that the A.C.T. Government has allowed itself to be conned and pushed into the Acton Peninsula/Kingston agreement. The A.C.T. Government will be giving away a precious asset, the Acton Peninsula. To add insult to injury it is to demolish the buildings with a value of nearly \$80m. In return, it is to receive a contaminated strip of land at Kingston which it will also have to clear, this at an unknown cost...

The fact that the Federal Government will allocate \$15m to the A.C.T. to carry out these tasks is neither here nor there. In the end we'll be left with nothing apart from as yet unknown debts.

5.17. Ms Dodds recommended that the existing tenants at Acton be retained and that the buildings be adapted to 'non-acute health services such as convalescence' and 'affordable tourist accommodation'. In particular, she favoured aged accommodation ranging from independent living units to nursing home care, utilising the Tower Block.

5.18. Mr Dudley submitted that 'within the old Canberra Hospital site exists the most perfect opportunity to trial the operation of a natural therapies ward'.

5.19. Ms Flint submitted that:

The [land] swap is an artificial construct. The linkage of Acton Peninsula and the Kingston foreshores is totally unnecessary. As the Commonwealth land at Kingston is obviously surplus to Commonwealth requirements, it should be disposed of at auction, as is the normal process. The developers of the Kingston project could bid at auction in open competition with other interested developers, and the A.C.T. and Commonwealth Governments could impose whatever planning requirements they wished by a variety of mechanisms...

The [land swap] "deal" has seemingly been devised by a handful of NCPA and A.C.T. Government bureaucrats, as an "elegant" solution to the impasse created by the NCPA's determination to impose its agenda on the people of Canberra....

The decision to cynically exploit Aboriginal Australia [by siting the Aboriginal component of the National Museum at Acton], in pursuit of NCPA's long-term agenda, is tragic at this stage of the nation's maturity. It is quite contrary to the climate of reconciliation, which seeks an inclusive Australia, not a perpetuation of the previous division. Acton Peninsula is of greater significance to European Australia, but should be the place where, finally, all streams of the Australian people are united, not the place where division is perpetuated...

5.20. Ms Flint recommended that the A.C.T. withdraw from the land swap agreement, lease the Acton buildings for up to five years 'to provide income for maintenance [costs]', and explore 'the full potential' of the site 'independently of the NCPA and the Department of Environment, Land and Planning'.

5.21. **M Foster** stated: 'I deplore the agreement to demolish the buildings on Acton Peninsula'. **Ms Guy** submitted that the land swap agreement revealed that A.C.T. Ministers were able 'to give away A.C.T. assets without public consultation' and that the full costs to the A.C.T. community have not been revealed.

5.22. **Mr Haberecht** submitted that:

the linking of Kingston with Acton was contrived [and] is clearly absurd... The undeniably valuable physical assets on Acton Peninsula, such as buildings, infrastructure, and established trees, must not be wasted... The Acton buildings are of a particular type and structural form most suitable to modify economically for a multitude of [community] uses.

5.23. In a letter (dated 22 August 1995) to the *Canberra Times* which Mr Haberecht made available to the committee, he stated:

I have suggested that the buildings on Acton Peninsula could be developed into a composite community facility incorporating health, arts, small commercial, and Aboriginal elements, and a showplace for the rest of Australia with great and continuing tourist interest.

In recent days the stubborn determination of the A.C.T. Government to press ahead with an insane undertaking to clear the Acton site of buildings and possibly the trees as well has been brought to light by the figure of some \$8m for this destruction appearing in the Budget papers. Quite cheap really, considering the floor area of the buildings to be destroyed is equivalent to that of more than 400 average sized houses. The only problem is that with the destruction goes a conservative \$75m of A.C.T. assets, and that's throwing in the trees for nothing.

5.24. **Mrs Hasleby** submitted that 'surely we don't have to destroy something that is already there, it was bad enough having the Hospital closed'. She considered the Hospital has been 'the heart of Canberra to most people (either they have had a person in their family born or die there) so I feel we owe it to the people of Canberra to give them something to be proud of'. Mrs Hasleby recommended that the Acton buildings be used to care for the terminally ill, heart convalescents, dialysis users, 'mothers who need recovery time after the birth of their child', rehabilitation and childcare.

5.25. **Miss Hollier** submitted that it was important:

to understand the feelings of the people to whom Canberra has been "home" for many years and [thus] gain more insight into the reasons why the Acton Peninsula - and its earlier functions - has been so important to so many people for so long.

Quite apart from the... obvious necessity to retain the old Royal Canberra Hospital buildings on Acton Peninsula, and to put them to good use, to house more much-needed health facilities (the Hospice is a good start), the Acton Peninsula and its associations and earlier functions has been an integral part of the experience of virtually all older Canberrans. We cannot divorce it from our store of memories, and to lose it would be... like pulling out a back tooth, without an anaesthetic!..

The atmosphere and the environment [of Acton Peninsula] are uniquely conducive to the healing process... and it must be kept for the benefit of the sick...

It is my fervent belief that, in any discussion regarding the Acton Peninsula, the “nostalgia factor” must be taken into consideration. It is not some nebulous, fanciful thing - people are still in shock [about the Hospital’s closure]... I am very angry at the Hospital closure...

As far as I’m concerned - as regards the Acton Peninsula - they can take the National Interest, and they can stick it - somewhere else... The National Interest has had to manage without the Acton Peninsula for the last fifty years, when it was occupied by the Canberra Community Hospital. If it really tried, it could probably get along without it, for a little bit longer...

[Also] one-third of the National Museum is a hasty, ill-thought through and inappropriate use for this beautiful, relevant and historical place - apart from the fact. that it “tears apart”, and makes a mockery of, the basic concept of the National Museum of Australia.

5.26. Home Help Service A.C.T. Inc. submitted that:

The Acton Peninsula offers a central location at reasonable cost for the provision of non-acute community and health facilities to service the Canberra region. The proposed location of an Aboriginal Museum on site is unlikely to occupy more than an area of 3ha out of a total site area of 37ha.

The Peninsula site offers a unique opportunity to provide the “one stop shop” for Home and Community Care services which has been discussed many times and considered to be ideal for efficient administration, client assessment and referral.

The Home Help Service suggest that there is no justifiable reason for the demolition of sound buildings, which are being utilised for community services in a cost effective manner, in the absence of alternative land use proposals for the same site...

The Management Committee of the Service supports the majority community view that a mix of land uses, including community facilities, would be appropriate for the Peninsula. The inclusion of community and health services on the Peninsula reinforces the historical land use of the site and its cultural associations with community care and support.

5.27. Mrs Hopkins submitted that the land swap was arranged without adequate consultation and would result in ‘the waste of resources’ if ‘serviceable buildings currently in use on the Peninsula’ are demolished. Mrs Hopkins considered ‘Acton Peninsula [should] be retained for purposes in accord with the wishes of the people of Canberra’.

5.28. Mrs Howitt submitted that the land swap agreement was arranged ‘in haste and behind closed doors... and shows contempt for the Canberra community’. Mrs Howitt stated ‘there is no valid reason to link the development of the two sites and certainly no way to equate their value’. She commented further:

The community has put forward imaginative ideas for the reuse of recycled buildings which would retain Acton Peninsula for responsible community use and make it a vibrant and interesting place... [comprising] non-acute health

services..., a cultural centre..., a centre for the A.C.T.'s own historical heritage, green spaces... The whole would be a fine example of a sensitive use which was of value to the local and regional communities and attract tourists...

Given the growing official recognition of the difficulties of the dual planning process in the A.C.T., the lack of a strategic overall plan and the appointment of a new Chief Executive to the NCPA who will have no intimate knowledge of Canberra, the whole question of Acton Peninsula/West Basin (and possibly other significant lakeside sites) should be put on hold - a cooling off process till they can be looked at rationally in a less antagonistic atmosphere.

5.29. **Ms Keunen** submitted that, while the Federal Government wants 'monuments as landmarks for Australians and tourists' in the National Triangle, local people 'feel it appropriate that something more useful to serve Canberra and its nearby region... should be at Acton' (such as non-acute health services). Ms Keunen submitted that 'early demolition [of the Acton buildings] would be a reckless waste'.

5.30. **Mr Mackay** expressed concern that 'ordinary Australian citizens' may lose their access to 'waterfront parklands' including the Acton foreshores. **Ms Mackay** submitted that 'the Acton Peninsula should be preserved for health-related and cultural uses for this generation and generations yet to come, for people in the A.C.T. areas and those who visit or holiday'. **Mr McSpadden** submitted that 'Acton Peninsula and existing buildings should be used for research into the many ills that plague mankind'.

5.31. **Ms Moore** submitted that:

It was understood by many in the Canberra community that the Acton Peninsula would be reserved for health related facilities. If the many health and related services were co-located at Acton Peninsula, paying rent as they are now, it would be more efficient, cost effective and more convenient to the community... The area would be eminently suitable for a much needed convalescent facility as a staging process from hospital to home...

5.32. **Ms Murgatroyd and Mr Farrell** submitted that the Acton buildings could be used, among other purposes, for 'a health food cafeteria and drop-in centre' and for 'community access broadcasting groups'. **Mrs Pape** submitted that Acton should be used for 'a comprehensive health facility' including respite care, rehabilitation, convalescence and short term residential facilities, a School of Clinical Studies and a facility dealing with alternative medicines.

5.33. **Ms Price** submitted that, while the land swap 'is desirable in that the A.C.T. Government can go ahead with appropriate development of the Kingston foreshore', it is not desirable if buildings at Acton are demolished - when they 'can be refurbished according to the latest environmentally and aesthetically designed principles, at no greater cost than would be involved in their demolition... [and used] for convalescence, rehabilitation, and other forms of health care and health promotion' (including 'a garden for the blind and a healing garden').

5.34. **Mr Redfern** submitted that the Acton buildings should 'be preserved for community purposes... Demolition and rebuilding would be a costly and illogical answer'.

5.35. **Mrs Slazenger** submitted that 'the land swap deal was ill advised and made in haste'. Mrs Slazenger stated:

Losing a prime piece of Territory land for a piece of thoroughly contaminated industrial land containing chemicals and metals, the cleaning of which will cost most of the \$15m allocated by the Federal Government towards the construction of the Aboriginal Gallery (not the National Museum), together with the cost of clearing the Acton site (\$7m-\$10m) plus the value of the existing buildings, adds up to a cost that the people should not have to bear and is a loss that should not be countenanced by the A.C.T. Government...

I believe the promises made to the Aboriginal community and to the Friends of the National Museum of Australia over the last ten years by the Federal Government that the Aboriginal Gallery and the Museum will be built on the Yarramundi Reach were not honoured. The decision made to build the Gallery on the Acton Peninsula was forced on the Aboriginal community by making it clear that they either have the Gallery on Acton or get nothing...

The Aboriginal Gallery and the National Museum of Australia must be built on the Yarramundi Reach in accordance with the wishes of not only the Aboriginal people but of all Australian citizens regardless of when they arrived in Australia. We must not divide the Australian people because, if we do, we shall have neither history nor heritage to be proud of...

Closing the Royal Canberra Hospital was a huge mistake and we must not compound it by demolishing the buildings...

5.36. Mrs Slazenger considered the Acton buildings should be used as 'a centre of excellence for health and well-being' comprising non-acute health facilities for 'healing, convalescence, rehabilitation, health promotion, preventive medicine, research into many problems to prevent illness, and promotion of a healthy lifestyle'.

5.37. **Ms Smart** submitted that:

The proposed land swap should not proceed (a) the A.C.T. Government would not clear Acton Peninsula of buildings, so up to \$10m would be saved and money would not have to be spent on relocating existing building tenants; [and] (b) the A.C.T. Government would still own the buildings.¹¹ A Trust or Cooperative Board of Management could be set up to manage these, with terms of reference and membership agreed to by the various governments and by the community.

If the Federal Government refuses to alter the conditions of the proposed land swap, the A.C.T. Government should take the leadership and develop Acton as an imaginative showplace for health and well-being... [including] convalescent and respite care beds, outpatient kidney dialysis unit need not be moved, some rehabilitation services could be established, the existing tenants could remain, and new community groups could find congenial premises... [Also] southern

¹¹ This quotation incorporates changes made to Mrs Smart's submission, at her request, at the public hearing on 18/9/95 (*Transcript of Proceedings* p77)

NSW Region would benefit if Bennett House is converted into motel-like serviced units for patients and their families who come to the A.C.T. for high-tech medical treatment or day surgery... [and] the ANU would have space to undertake clinical medical research.

The Federal Government could establish a national health facility. The Rural Health Education Foundation is an example of a cooperative health project for the whole nation. Its present work at Acton could be extended by the establishment of a TV studio linked by satellite to country areas. Such a studio could also be used in conjunction with theatre, music, drama, and art groups whose activities on the Peninsula would be part of “well-being” that maintains and re-establishes health. Permaculture plots, a garden for the blind, and some practitioners of alternative medicine could be co-located.

5.38. **Mr Storey** submitted that:

There should be an ideas design competition for Acton Peninsula [as well as for Kingston], including expressions of interest from the private sector, to determine the full development potential of the site...

The ideas design competition [for Acton] should be subject to the following conditions: (i) the former hospital buildings must be retained...; (ii) compatible infill development would be permitted within the general building curtilage of the site; (iii) the perimeter landscape areas, including the Lake foreshores, must be retained for open space recreation and associated uses; (iv) the development... must have both National and Canberra Region significance for uses defined under “community facility” in the *National Capital Plan*... (v) the design proposals would be subject to an agreed public consultation program before final adjudication by an expert committee and endorsement by the Government.

5.39. **Miss Taylor** submitted that the existing Acton buildings should be developed ‘into a national centre of excellence for health and well being’.

5.40. **The A.C.T. Trades and Labour Council [TLC]** submitted that:

the Acton site should... be retained for public health facilities. With respect to existing buildings, the TLC recognises the heritage value of some of the buildings currently existing on Acton Peninsula but also expresses concern at the maintenance costs of some of the buildings, which may have limited usage and diminished commercial value if they were to remain in the medium to long term.

It is important that Acton Peninsula does not remain as a monument to a past hospital but becomes, through redevelopment of the public health facilities, a modern accessible part of the non-acute health care system.

The TLC position with regard to West Basin is as follows: that public access to and usage of the lake foreshore is maintained in a manner which will attract community use, unlike the experience at Lakes Ginninderra and Tuggeranong where, by the nature of the foreshore development, the public is deterred...; that full environmental impact studies are completed and the recommendations followed; that height restrictions are placed on any development, whether commercial or public (eg, three stories); that any housing (medium density or other) be first considered as an A.C.T. Government development.

5.41. **The TLC** opposes the Federal Government’s decision to split the development of the National Museum of Australia and place the Gallery of Aboriginal Australia on the Peninsula:

Not only does this [decision] preempt usage, but it preempted ownership (read control). It was an act of arrogance... [by] the NCPA... and all the more astounding by the way the Federal Government fell into line with the view. The A.C.T. Government had no say and it was a matter of time before the hand of the A.C.T. Government was forced...

With the change of government in the A.C.T., I believe that the deal entered into with the land swap was naive, with the negotiators on behalf of the NCPA/Federal Government seizing an opportunity to enter into an arrangement at a time when the A.C.T. Government was keen to make some fast moves that would demonstrate to the electorate that they were prepared to make decisions.

5.42. The TLC has placed bans on the development of Acton Peninsula ‘other than for community or health facilities’ and of Kingston ‘until there has been a full environmental impact study and an independent investigation into the possibility of toxic materials on site’. The TLC stated that, in relation to toxic material at Kingston, ‘both the A.C.T. and Commonwealth have been responsible so the A.C.T. should not have to foot the whole bill for this process’.

5.43. **Ms Warren** submitted that the Acton buildings ‘are in sound condition and could be put to good use for medical and other facilities for the use of Canberra people’. Ms Warren added ‘I also disapprove of the Peninsula being used for an Aboriginal Museum. Why not an Australian Museum? This division between black and white has to stop!!’

5.44. **A Waters** submitted that:

the proposed exchange is not only totally unacceptable to the A.C.T. taxpayers but also bad economics for us: not to mention the serious loss to the A.C.T. of current and likely future health ancillary services and to the ANU of a centralised and valuable research resource. Moreover, it becomes worse for the A.C.T. taxpayers when we consider the costly works needed for the demolition, cleaning up, rebuilding and re-scheduling of the Kingston site. Let alone the high cost disability of the site compared to the low cost utility of the Peninsula. And this completely ignores the locational disadvantages of Kingston viz-a-viz that of Acton.

5.45. **Ms Watt** submitted that Acton Peninsula should be ‘chiefly used for health related activities and secondly for some accommodation for the ANU’. Ms Watt added:

I do not believe that the proposal to place the Aboriginal Museum on Acton Peninsula is viable. It would be out of place amongst all those exotic trees. In addition, I understand that the Aboriginal community finds it too exotic and would prefer a position with native flora surrounding their museum.

5.46. **Mr Witting, T Henderson and D Mackenzie** submitted that the Acton buildings should be conserved and used for non-acute health care facilities and other community services for the people of Canberra.

6. PUBLIC COMMENT: OTHER SUBMISSIONS

6.1. **A.C.T. Electricity and Water** [A.C.T.E.W.] submitted that ‘the Kingston site would appear to have a larger range of impediments in terms of existing assets that will be required into the future... [though] it is possible with innovative planning to accommodate many of these in their current position on site’. A.C.T.E.W. provided the following detailed information:

[The Acton site] does contain several essential sewerage assets, one of these is the Acton sewerage siphon, which transfers around one half of North Canberra’s sewerage under the Lake, into the major sewer flowing through to Lower Molonglo. The site also has other major sewerage infrastructure, including major sewerage pipeline carriers.

The siphons and major carriers are essential for the A.C.T.’s on-going maintenance of the sewage system and must therefore remain. Given that all sewer mains are laid to grade and that the siphon represents one end of the viaduct under the lake, any modifications to these would prove extremely costly - certainly of the order of many millions of dollars...

The removal or relocation of the water and electricity mains would fit within the normal costs associated with a major site reconstruction but the same could not be said in relation to the sewerage works, However, it is thought that most site designs should be able to accommodate these existing sewers without the need to modify any of these and thus avoid unnecessary costs.

[The Kingston site] contains a significant amount of major electrical infrastructure. This includes the Causeway Switching Station, the Telopea Park zone substation which services Kingston and Parliament House as well as many underground high voltage cables.

The above assets are critical to the on-going operation of the electrical system and any relocation of these could be expected to cost many tens of millions of dollars. This is assuming the substations could be effectively relocated. It should also be noted that the underground cables do cover a large proportion of the site...

The old Power Station... is heritage rated and it is understood that the railway track (currently buried) traversing the site is included in that listing. The building cannot be dismantled and reassembled elsewhere. The existing building contains asbestos that will, in the longer-term, need to be removed particularly if some form of on-going use for the building is being contemplated.

A.C.T.E.W. currently operates its stores depot and engineering services functions from the Kingston Depot. This central location has made it an ideal location to service all of Canberra from a single site. The scale of economies do not warrant regionalising these functions, not could our current regional depots accommodate these.

The need for these services will be on-going and, whilst we have explored other sites, none to date have proven ideal and it is expected that relocation to a more remote site will add considerably to the cost of our operations in these areas.

6.2. **Acton Early Childhood Centre Parents' Group** submitted that the Childhood Centre should remain at Acton 'until the expiry of the lease in 1997 with no deterioration in conditions', including no demolition of buildings - as demolition 'would prove a grave health risk and would cause extreme disruption to the daily routines of our children'. However, 'should the A.C.T. Government take the unfortunate action of terminating the current lease' then the Parents' Group requested that an alternative venue be found at no additional parental cost and in consultation with parents.

6.3. The **Australian Institute of Valuers and Land Economists (Inc.), A.C.T. Division**, advised that 'we would be available to discuss issues which impact on valuation and land economy and to discuss the possible methodology to ascertain the value of the land concerned, for without a doubt the issues which affect the sites are complex'.

6.4. **Ms Hartley** submitted that the Kingston site should be developed 'as an international showcase' of a 'sustainable urban community' of 'up to 10,000 people' - of a type such as that of Howard's two Garden Cities in England, Davis in California, the Sydney Olympic Village, Hundertwasser's apartment houses in Vienna or the Halifax Ecocity Project in Adelaide. Ms Hartley suggested the proposal be funded 'primarily through private developers... [who] are most likely to be attracted to housing development'.

6.5. The **Narrabundah Rowing Club Inc** advised that it occupies land at Kingston Section 6 Block 1 which is used 'as a facility for rowing clubs' and which 'provides ready access to the Molonglo River' (used by the Club 'in certain weather conditions which make other areas of the Lake unsuitable for rowing'). The Club requested that its interests be taken into account when considering redevelopment at Kingston.

6.6. The **Royal Australian Institute of Architects (A.C.T. Chapter)** submitted that:

the planning process for both sites is bound to be demanding. Community and environmental issues together with land ownership issues are likely to make things particularly difficult in the Kingston site. As a principle, however, we consider that the Kingston site... should be an extension of South Canberra to the Lake's edge and never be considered as a separate or elite piece of land...

the value of the Kingston land to the A.C.T. community will depend on the extent of the site which will be available for development.

We understand that a special development authority is being proposed to manage planning and development on the site. [We] applaud this decision and would recommend that the development authority be independent from the A.C.T. Planning Authority and be responsible directly to the A.C.T. Government...

There has been some discussion in the press about an architectural competition for the development of the site. Whilst we support the running of competitions for important projects, we do believe that the preparation of land use policies and master planning is not an issue which should be established through competition. The development authority should be entirely responsible for this

initial work, and might consider an ideas competition to generate public interest in the initial stages of development.

On the matter of [demolishing] the existing building stock at Acton. Our view... is that we should be very cautious about supporting wholesale demolition. We favour an alternative process whereby development can be fitted, over time, in amongst those buildings which inherently are worth of retention.

6.7. **Mrs Stokes** submitted that ‘our most valuable heritage... [is] the native fauna and flora dependent on healthy eco-systems’.

7. THE VALUE OF THE LAND SWAP TO THE A.C.T.

7.1. The committee understands that under the provisions of sections 31 and 32 of the Commonwealth's *A.C.T. (Planning and Land Management) A.C.T. 1988*, the Commonwealth is required to pay the Territory reasonable compensation when Territory Land becomes National Land.

7.2. In a submission to a 1995 inquiry by the Commonwealth Parliament's Joint Standing Committee on the National Capital and External Territories, the NCPA observed that the concept of a land exchange process is that land is exchanged between the Commonwealth and the A.C.T. Governments at agreed values but without immediate cash settlement. A ledger of debits and credits is maintained on the basis that the cumulative debit of either party shall not exceed an agreed sum.¹²

7.3. The report of the Joint Standing Committee on the National Capital and External Territories on the Russell Offices Redevelopment Project (from which the above information was drawn) states that draft principles were prepared for settling the details of the land exchange involved in the Russell proposal but were not formally adopted as of May 1995. The Joint Committee's report noted that 'a committee has been established to look at managing land swaps between the Commonwealth and A.C.T. Governments' but it had 'not yet considered the detailed proposals' - because the NCPA first wanted approval of the variation to the *National Capital Plan* that was the subject of the committee's inquiry.¹³

7.4. The Standing Committee on Planning and Environment observes that it is difficult to see why any A.C.T. Government should agree to a draft Variation to the *National Capital Plan* without clearly knowing what are the principles on which the land exchange is to be settled. The committee considers these principles should be negotiated urgently. Had such principles existed, they would have facilitated an appreciation of the merit or otherwise of the Acton/Kingston land swap.

7.5. The committee recommends that:

- *the A.C.T. and Commonwealth Governments urgently negotiate appropriate principles to handle land exchanges of Territory and National Land - such principles to ensure that Canberra residents are actively involved in consultative processes and the principles to have as their highest priority the due protection of the interests of the Canberra community in **not** being disadvantaged by Commonwealth planning initiatives.*

¹² Commonwealth Parliament *Draft Amendment No.12 (Russell) of the National Capital Plan* Report of the Joint Standing Committee on the National Capital and External Territories (May 1995) p104 [footnote]

¹³ *ibid*

Acton Peninsula

7.6. With respect to the Acton site, the committee acknowledges that if the new Commonwealth Government decides to site the Aboriginal component of the National Museum at Yarramundi Reach instead of Acton (as proposed by the former Labor Government), then the urgency for a speedy resolution of negotiations about the land swap announced in 1995 disappears. Also, the argument that existing buildings at Acton Peninsula have to be demolished in order to allow new facilities to be built for the Aboriginal component of the Museum becomes irrelevant. However, the question of where to site the proposed A.C.T. Aboriginal and Torres Strait Islander Cultural Centre remains topical.

7.7. The committee is keenly aware that local Ngun(n)awal groups support the establishment of the Cultural Centre but are divided about where to site the proposed Cultural Centre and what to include within it. A round-table mediation conference held in November 1995 narrowed the differences between the groups. It was agreed that:

- it would be useful if the A.C.T. Government formed a Project Steering/Management Committee to further the proposal (with equal representation from the three disputing groups) and appoint a Project Officer; and that

- the Cultural Centre should express the culture and histories of the Ngun(n)awal people, that it be open to visitors and that it be Ngun(n)awal controlled.¹⁴

7.8. The best site for the centre was disputed. The report of the independent mediator noted that:

two of the groups thought that the Acton Peninsula site was not suitable for the proposed cultural centre and the remaining group agreed with the view as expressed in the A.C.T. [Advisory] Council report, that it be located at the Acton Peninsula site... [The groups that did not want the centre at Acton stated their preference for sites at] Namadgi, Tidbinbilla and Yarramundi.¹⁵

7.9. A further area of dispute was in relation to whether the Cultural Centre should contain skeletal remains. The report of the independent mediator stated that:

[Though] no consensus was reached on the issue... it is important to note that two groups were in favour of the concept of a “keeping place” and this was defined to mean that it would exist as a functional part of the cultural centre dealing with the return, housing and re-burial of remains.

The remaining group did not expressly oppose the idea but made it quite clear that they sought more time to consider the issue in light of their own cultural

¹⁴ *Report of the Ngun(n)awal Mediation: Wednesday 22 November 1995, Canberra, by Mr A Ridgeway (dated 27/11/95)*

¹⁵ *ibid* p4

protocol. Obviously, this is a matter that the A.C.T. Government should consider pursuing if thought crucial to the proposal.¹⁶

7.10. The mediator recommended ‘that because the differences between the groups on this particular issue had now been narrowed, that the A.C.T. Government pursue this issue with the disputing groups’.¹⁷

7.11. The committee notes that the former Advisory Council to the Chief Minister supported the establishment of the Cultural Centre at Acton Peninsula and so did the meeting of Aborigines and Torres Strait Islanders from around Australia that took place in March 1995. This support was given at a time when the then Federal Government had clearly indicated it would not proceed with the original design of the National Museum and instead would separate out the Aboriginal component and site it at Acton Peninsula.

7.12. The committee considers that it is not necessary, at this time, to determine an attitude to that part of the land swap dealing with the establishment of national Aboriginal facilities at Acton Peninsula. The committee notes that the proposal to co-locate the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre with the national facilities at Acton is on hold pending clarification of just where the Federal Government intends to site those national facilities. The committee has not been informed about how feasible it might be to co-locate the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre alongside the full National Museum in the event that institution is sited at Yarramundi Reach.

7.13. In relation to the argument of some Ngun(n)awal groups that the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre should **not** be co-located with the national facilities, the committee considers this matter warrants further consideration by those groups in conjunction with the current Advisory Council to the Chief Minister.

7.14. The committee recommends that:

- *the A.C.T. Government request the A.C.T. Aboriginal and Torres Strait Islander Advisory Council meet Ngun(n)awal groups to try to determine where best to site the A.C.T. Aboriginal and Torres Strait Islander Cultural Centre;*
- *the A.C.T. Government reaffirm its financial commitment of \$2.5m to the establishment of an A.C.T. Aboriginal and Torres Strait Islander Cultural Centre; and*
- *the A.C.T. Government clarify that element of the land swap agreement whereby the Government committed \$3m in infrastructure support for the construction of the Gallery of Aboriginal Australia as part of the National Museum (refer paragraph 2.3 of this committee’s report).*

¹⁶ *ibid* p7

¹⁷ *ibid*

7.15. If the proposed national Aboriginal facilities do not go ahead on Acton Peninsula, then the whole matter of Acton's use is immediately reopened for discussion. The committee notes that A.C.T. residents have suggested many alternate uses for the Peninsula (see Chapter 5). In the event that national Aboriginal facilities are not located at Acton Peninsula, then this committee will require that - before any demolition of buildings occur - an investigation be undertaken of ways to renovate and reuse the existing buildings on the Peninsula in preference to their demolition.

7.16. The committee recommends that:

- *should the Acton/Kingston land swap not proceed, then the Standing Committee on Planning and Environment requests the A.C.T. Government to formally advise this committee of the results of an investigation into ways to renovate and reuse the existing buildings on the Peninsula in preference to their demolition.*

7.17. This committee intends to participate in this process by examining the various proposals for Acton Peninsula in line with the terms of reference for this present inquiry and the committee's general responsibility for land and planning matters coming before the Assembly. This statement should not be taken as a de facto endorsement of the former Federal Government's proposals for Acton; as already noted, the committee is simply leaving the issue of what should happen to Acton Peninsula until after the new Federal Government's attitude to the National Museum is known.

7.18. It is obvious that if that Government decides to site the Aboriginal component of the National Museum at Yarramundi Reach, then the land swap agreement announced in April 1995 requires re-negotiation. For reasons set out in the following section of this Chapter (dealing with the Kingston component of the land swap), the committee considers that other reasons justify re-negotiation of the land swap agreement - whatever goes at Acton.

Kingston

7.19. The committee was told that 'the end value of Kingston, as a site, depends on the outcome of the design competition proposed to be conducted with the Commonwealth' and subsequent planning changes 'but I would say that it is worth a lot of money in the long term' to the ACT.¹⁸

7.20. The committee has carefully considered the likely heritage, contamination and other factors that will influence the nature of development at the Kingston site.

¹⁸ *Transcript of Proceedings 28/4/95 p12 - Mr Townsend (then Secretary of the then Department of the Environment, Land and Planning)*

7.21. It is expected that, at a minimum, heritage considerations will prescribe that the Kingston Powerhouse building and the associated storehouse building will be conserved, as well as the old Government Stores building on Section 8 Block 16. A Government official told the committee that the latter building most likely 'will be listed for its facade only and that the interior can, and probably should, be totally remodelled'.¹⁹

7.22. In relation to contamination, the committee was told that 'comprehensive management plans [are] to be prepared prior to development approvals [being granted]'.²⁰ The management plans for handling contamination will be in accord with *Australia and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*; and will be supplemented, if necessary, by even tougher guidelines developed by Dutch authorities to deal with contaminants in soil and ground water.²¹ Further, the committee acknowledges the fact that 'there are examples around Australia of very heavily contaminated sites that have been quite successfully remediated and put to use' - including the ADI factories at Maribyrnong and Footscray 'which were very heavily contaminated and [which] now have housing on them', and the Sydney Olympics site.²²

7.23. The committee was pleased to learn that Government authorities handling contamination issues are aware of overseas best practise and are preparing for the possibility that overseas practice and procedures might be relevant to handling contamination at Kingston.

7.24. But the committee is concerned about just when the various parts of the Kingston site will be assessed for contamination. The committee notes the view of Government witnesses that the nature of clean-up processes will differ according to whether a particular parcel of land is used for residential or industrial or recreation purposes.²³

7.25. In the committee's view, the whole of the Kingston site should be investigated for contamination at the one time and the results of such investigation should be outlined in the documents provided to firms responding to an invitation to tender for development on the Kingston site. This will avoid the possibility that buildings might be planned for particular sites that, on later

¹⁹ *Transcript of Proceedings 28/4/95* p16 - Ms Webb (then Director, Environment and Culture of the then Department of the Environment, Land and Planning)

²⁰ *op cit* p19

²¹ *ibid*

²² *op cit* p20

²³ *Transcript of Proceedings 28/4/95* p20 - Ms Webb (then Director, Environment and Culture of the then Department of the Environment, Land and Planning); and p24 - Mr Townsend (then Secretary of the then Department of the Environment, Land and Planning)

detailed examination, are unsuitable because of the nature or depth of contamination.

7.26. Further, the committee heard evidence about possible contamination of the land between the Kingston site and Lake Burley Griffin, as well as possible contamination of sediment in the boat harbour directly in front of the site.²⁴ While not directly part of the land swap, these areas are intimately linked to the proposed development and could reasonably expect to be well used by persons living in, or visiting, the proposed Kingston development. The committee therefore considers that these areas should be examined at the same time as the actual Kingston site is assessed for contamination.

7.27. In coming to this view, the committee is conscious that the Kingston site would have to be examined for contamination regardless of whether the proposed land swap goes ahead or not. This reflects its extensive past industrial use. The committee acknowledges advice to the effect that ‘while the site is totally undisturbed, there is no risk to people as it stands at the moment’.²⁵ But the site will not remain indefinitely idle and, in line with the efforts of the present and former A.C.T. Government to identify and treat contaminated sites wherever they are found in the A.C.T., it is appropriate to assess Kingston as early as possible.

7.28. The committee recommends that:

- *the whole of the Kingston site be investigated for contamination at the one time and the results of such investigation should be outlined in the documents provided to firms responding to an invitation to tender for development on the Kingston site; further, that the area between the Kingston site and Lake Burley Griffin, as well as sediment in the boat harbour directly in front of the site, should be assessed for contamination at the same time.*

7.29. In relation to the existing Commonwealth users of the Kingston site, the committee was told that: ‘There is certainly no obligation envisaged on [the A.C.T.] that we would assist the relocation of the Government Printer. That would be a Commonwealth problem totally’.²⁶ It was expected that the Commonwealth would facilitate the move of the AGPS to alternative premises: ‘I believe that the AGPS at Kingston is not a long-term tenant. I suspect that they will be moving off there simply because of the age of their buildings’.²⁷

²⁴ *Transcript of Proceedings* 1/9/95 pp39-40 - Mr Darlington and Ms Grinter (Conservation Council of the South-East Region and Canberra)

²⁵ *Transcript of Proceedings* 28/4/95 p22 - Ms Webb (then Director, Environment and Culture of the then Department of the Environment, Land and Planning)

²⁶ *Transcript of Proceedings* 28/4/95 p33 - Mr Turner (Secretary, Department of Urban Services)

²⁷ *Transcript of Proceedings* 28/4/95 p15 - Mr Townsend (then Secretary of the then Department of the Environment, Land and Planning)

7.30. While this may turn out to be an accurate prediction, the Commonwealth's preferred negotiating position outlined in Chapter 2 noted that it 'may take some time' to relocate the AGPS. This means that the proposed design competition somehow has to accommodate the fact that a significant portion of the land is unavailable for the foreseeable future.

7.31. The committee considers this issue should be clarified at the detailed negotiating stage. The committee considers it unacceptable that the A.C.T. should be bound to retain a Commonwealth tenant at Kingston for an indefinite time and despite whatever may emerge from the proposed design competition for the whole Kingston site. By contrast, the A.C.T. (under the existing land swap agreement) is expected to completely clear the Acton site of all but two buildings, whose future anyway may be limited to four further years (in the case of the Hospice).

7.32. The committee considers that the A.C.T. Government should seek a time limit on the period of occupancy by the Government Printer, beyond which time the lease should be renewed year by year. This will enable the A.C.T. to have greater control over the development timetable for the whole site.

7.33. The committee recommends that:

- *the A.C.T. insist that the land swap agreement specify a limited time period for use of the Kingston site by the Commonwealth Government Printer, after which time the lease should only be renewed on a year-by-year basis. This will tighten the A.C.T.'s control over the development of the site.*

7.34. Further, the committee is conscious of the fact that the A.C.T. has borne the whole cost of relocating tenants at Acton despite the fact that the proposed use of the site is by the Commonwealth for Commonwealth purposes. It seems only reasonable that the Commonwealth contribute to the costs associated with the Kingston site.

7.35. In addition, the committee is conscious that the Commonwealth was in control of the Kingston site for many years prior to the A.C.T. assuming responsibility, and that the bulk of contamination of the site has come from Commonwealth activities on the site.

7.36. Further, the committee is aware that the land swap agreement, as it presently stands, enables the Commonwealth to obtain use of a completely cleared site at Acton (at the A.C.T.'s expense) whereas the A.C.T. will not inherit a cleared site at Kingston. Further, the A.C.T.'s Kingston site has a large section allocated to a Commonwealth tenant which the A.C.T. cannot shift - and for an indefinite period. As well, that tenant occupies about half of the National Land at Kingston (which totals about 11 hectares).

7.37. To the extent that the proposed land swap can be boiled down to a simple swap of this 11 hectares of National Land at Kingston for about 13 hectares of Territory Land at Acton Peninsula, the A.C.T. Government does not come out of the exchange well.

7.38. The committee recommends that:

- *the A.C.T. insist that, should the land swap proceed, the agreement provide for the Commonwealth to fund the full cost of clearing the Kingston site, and remediating any contaminated land, on the basis that:*
 - *the contamination mostly occurred while the Commonwealth Government controlled the site*
 - *the A.C.T. Government is providing a fully cleared site at Acton Peninsula for the Commonwealth's use but the existing agreement does not oblige the Commonwealth to make the same commitment at Kingston*
 - *the A.C.T. Government has fully borne the cost of relocating tenants from Acton Peninsula, and*
 - *the existing land swap gives the Commonwealth Government a completely cleared site of about 13 hectares at Acton while the A.C.T. Government gets about 11 hectares of land at Kingston, half of which is occupied indefinitely by a Commonwealth Government body and all of which may be contaminated.*

If the Commonwealth refuses to contribute to the cost of clearing the Kingston site and if the proposed Aboriginal component of the National Museum is sited at Acton Peninsula, then the committee considers the land swap agreement should provide for the Commonwealth to meet the whole cost of clearing the Acton site as well as compensate the A.C.T. Government for the costs incurred in relocating tenants from Acton.

The committee also recommends that the Kingston site not be cleared and remediated until the results of the contamination investigation are publicly known.

7.39. It is for the reasons set out above that the committee considers it is premature for the A.C.T. to incur the expense of commissioning a series of site studies at Kingston at this time. The committee was asked by the Chief Minister on 19 April 1996 to agree to such studies being commissioned by the Interim Kingston Foreshore Development Authority. The studies include a contamination assessment study, an infrastructure assessment of the buildings and a market feasibility study. The committee readily appreciates that such studies need to be done - but the committee is not convinced that the cost of this kind of work should be borne by A.C.T. residents.

7.40. In regard to the relocation of existing A.C.T. tenants from Kingston, the committee was told that: 'I do not believe any of our tenants on the Kingston site will require relocation at Government expense'.²⁸ The committee is concerned, however, about A.C.T.E.W.'s advice that its facilities at Kingston 'are critical to the on-going operation of the electrical system and any relocation of these could be expected to cost many tens of millions of dollars... assuming the substations could be effectively relocated' (Chapter 6).

7.41. The cost of relocating A.C.T.E.W.'s activities, while not directly borne by the A.C.T. Government, will be borne by A.C.T. residents in the form of fees and charges imposed by A.C.T.E.W. The committee sees this problem as a major one in the development of the Kingston site. It is imperative that the detailed impact upon A.C.T.E.W. of the Kingston proposal be calculated as soon as possible.

7.42. The committee recommends that:

- *in light of A.C.T.E.W.'s advice that its infrastructure at Kingston is 'critical to the on-going operation of the electrical system and any relocation... could be expected to cost many tens of millions of dollars', then the A.C.T. Government insist that A.C.T.E.W. urgently assess the full implications of proposed development at Kingston upon its operations, thus enabling the A.C.T. Government to factor this cost into its negotiations with the Federal Government on the land swap; and that the A.C.T. Government direct the Kingston Foreshore Development Authority take these implications into account in all its planning.*

7.43. The committee notes the intention of the A.C.T. Government to proceed with a world-wide design competition for the Kingston development. The committee sees such a competition as having three stages. The first would be a competition for **ideas only** - that is, for ideas about the broad mix of uses that might be placed on the Kingston site, taking account of A.C.T. and Commonwealth interests. The second stage would involve public comment on the ideas that come forward; and the third stage would be the competition for **implementation details** - that is, for detailed design and siting of buildings and landscaping of the whole site.

7.44. The committee accepts there are arguments for the Kingston Foreshore Development Authority undertaking all stages of the design competition. On balance, however, the committee considers that the Development Authority is best suited to oversight and manage the detailed implementation phase - and that responsibility for the ideas stage of the design competition should rest with the A.C.T. Government (perhaps through the A.C.T. Planning Authority and/or a panel of assessors recruited by the A.C.T. Government just for this purpose).

²⁸ *Transcript of Proceedings 28/4/95 p33 - Mr Turner (Secretary, Department of Urban Services)*

Once a particular design has been chosen, then the Kingston Foreshore Development Authority should take control of the detailed implementation.

7.45. The committee heard a number of suggestions about ideas that might be considered for Kingston. One suggestion was for a national transport museum on the site.²⁹ Another suggestion was to establish an ‘urban sustainable community’ in which no cars were allowed and which even might extend (in the long-term) to the adjacent railway station and Causeway residential area.³⁰ The committee expects that the idea for an urban sustainable community will be among those to be considered in the ideas competition

7.46. Though in no way suggesting that the present land uses of either the railway site or of the Causeway should be altered in the short-term, the committee can see the logic of not ruling out the possibility that development in the longer-term may encompass these two nearby areas.

7.47. Even more directly affected by the proposed development, however, is the foreshore land between the Kingston industrial site and Lake Burley Griffin, including the boat harbour. This land is excluded from the land swap agreement, and planning control remains with the NCPA. In terms of overall planning for the Kingston site (both at the ideas stage and at the detailed implementation stage), there is no way that these areas should be excluded. This committee, of course, concurs with many submitters in insisting that public access be preserved along the Lake edge (no matter what development occurs at Kingston).

7.48. The committee recommends that:

- *an Australian design competition for the Kingston site be held and to proceed in three stages: the first stage to be a competition for ideas, controlled by the A.C.T. Government, about the broad mix of uses that might be placed on the Kingston site taking account of A.C.T. and Commonwealth interests including transport linkages to the rest of Canberra; the second stage to be the release of these ideas for public comment; and the third stage to be a competition about the detailed implementation of the preferred design - this stage to be administered by the Kingston Foreshore Development Authority.*

Further, the committee recommends that the competitions include planning for the land between the Kingston site and Lake Burley Griffin, including the boat harbour. In this regard, the committee considers that public access must be preserved along the Lake edge.

²⁹ *Transcript of Proceedings* 18/9/95 p76 - Mr Hirst

³⁰ *Transcript of Proceedings* 18/9/95 p59 - Ms Hartley. Mr Hirst also suggested that the environs’ of the Kingston site extend to the railway and to the Causeway (*Transcript of Proceedings* 18/9/95 p74)

Also, the committee recommends that the competitions not exclude the possibility that, in the long-term, development may encompass the present railway station site and the Causeway residential area (subject to acceptability by the local residents).

7.49. All stages of the Kingston design competition will have to take account of Commonwealth planning requirements, in particular, the fact that the *National Capital Plan* identifies Wentworth Avenue and the foreshores of Lake Burley Griffin as 'Designated Areas' and hence subject to the NCPA. While the land swap agreement states that 'the Commonwealth will ensure that the NCPA deals with the A.C.T. Government with maximum flexibility', this assurance might be considered of questionable worth in light of the Commonwealth's handling of some recent matters affecting the A.C.T. - including proposals to site further office accommodation at Barton, the extensive Russell Hill office development now underway, and possible widening of Constitution Avenue (to City Hill). From the A.C.T.'s vantage point, these sort of proposals involve massive cost and dislocation which may not necessarily be in the best interests of the A.C.T. - and which anyway contrast markedly with the restraint and economy now required of the A.C.T.

7.50. The committee considers the whole nature of the dual planning roles of the A.C.T. and the Commonwealth deserve review and modification. The committee notes debate in the Assembly in the latter part of 1995 on this matter, leading to the following motion being passed on 6 December 1995:

That this Assembly:

- (i) views with concern the dual nature of Canberra's planning system, and believes that the Commonwealth and the A.C.T. Governments should commence negotiations to address problems this system generates; and
- (ii) in particular urges the two Governments to consider the options for the creation of a single planning authority for the A.C.T. with appropriate input and direction from both Governments.

7.51. The committee recommends that:

- *the A.C.T. and Commonwealth Governments develop a more appropriate planning basis for the A.C.T. including carefully scrutinising the merit of establishing a single planning authority responsible to both political jurisdictions.*

Conclusion

7.52. At its first public hearing into the Acton/Kingston land swap, the committee was told by an A.C.T. Government official that the land swap agreement 'was a straight swap of both sites, with some concessions about infrastructure works'.³¹ At its fourth public hearing the committee was informed by a Commonwealth official that 'it is simply the finer details of the land swap that now need to be agreed between the NCPA and the A.C.T. Government'.³²

7.53. The committee does not agree with these statements.

7.54. In light of the material contained in this interim report, the committee recommends that:

- *the land swap agreement between the A.C.T. and Commonwealth Governments **not** proceed unless it is re-negotiated in accord with the recommendations of this report.*

The Standing Committee on Planning and Environment gives notice that it regards this report as interim in nature and is continuing with its inquiry into the future use of Acton Peninsula and the Kingston site.

Michael Moore
Chair

3 May 1996

³¹ *Transcript of Proceedings* 28/4/95 p9 - Mr Townsend (then Secretary of the then Department of the Environment, Land and Planning)

³² *Transcript of Proceedings* 22/9/95 p80 - Ms D Casey (Assistant Secretary, Heritage Branch, then Commonwealth Department of Communication and the Arts)

APPENDIX A - LIST OF SUBMISSIONS

[Submissions were numbered by the Committee Office of the Legislative Assembly.]

1. *Canberra Community Action on Acton Inc*: Mr J Kershaw (President)
2. Mr P Mackay
3. *Acton Early Childhood Centre Parents' Group*
4. Mrs E Hopkins AM
5. Mr G Redfern
6. *A.C.T.E.W. Corporation Limited [Formerly ACTEW]*: Dr M Sargent (Chief Executive)
7. Ms S Keunen
8. *A.C.T. Chamber of Commerce and Industry Limited*: Mr J Louttit (Immediate past President)
9. *National Capital Planning Authority*: Mr G Prattley (A/g Chief Executive)
10. Ms P Hartley
11. H P Witting, T Henderson and D M Mackenzie
12. Ms P Upward
13. Mr R Bolas
14. Mrs S C Aitchison
15. *Australian National University*: Professor R D Terrell (Vice-Chancellor)
16. Mrs M Stokes
17. Various signatories (in the form of petition)
18. Mr L J McSpadden
19. Ms E Smart
20. Miss C Taylor
21. A Waters
22. Ms J Moore
23. Mrs M Bangash
24. *Home Help Service A.C.T. Inc*
25. Ms A Guy
26. *Royal Australian Planning Institute, A.C.T. Division*: Ms B Norman (President)
27. Ms D Murgatroyd and Mr T Farrell
28. Ms B Chivers
29. K Dudley
30. Mr K Storey
31. Ms J Anderson
32. *Acton Interest Group (A.C.T.I.G.)*: Mr N Haberecht
33. Ms J Warren
34. *A.C.T. Government*
35. *Narrabundah Rowing Club Inc*: D Bagnall (Secretary)
36. Mr N Haberecht
37. *Australian Institute of Valuers and Land Economists (Inc)*: Mr G Sirel
38. Ms M Mackay
39. M A Foster
40. Mrs L Hasleby
41. *The Royal Australian Institute of Architects, A.C.T. Chapter*: Mr G Humphries (President)
42. Mrs M Dodds
43. Ms N Flint
44. Ms E Price
45. Ms H Brown
46. Miss S J Hollier
47. Ms M Howitt
48. Mrs B Pape
49. Ms G Watt

50. *Conservation Council of the South-East Region & Canberra (Inc)*: Mr C Darlington (Director)
51. Ms R Slazenger, OM
52. *Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)*: Dr W Jonas, AM (Principal)
53. *Department of Communications and the Arts*: Ms C Santamaria (Deputy Secretary)
54. *National Museum of Australia*: Ms L Richardson (A/g Manager, Gallery of Aboriginal Australia)
55. Mrs E Butler BEM
56. *National Trust of Australia (A.C.T.)*: Prof K Taylor (President)
57. Mr I Hirst (for the *National Transport Museum Incorporated*)
58. *A.C.T. Trades and Labour Council*: Ms K Lundy (President)
59. *Housing Industry Association Limited A.C.T. Division*
60. *Former A.C.T. Aboriginal and Torres Strait Islander Advisory Council*: Ms Kaye Mundine (Chair 1993-1995)

APPENDIX B: WITNESSES AT HEARINGS

(by date and in order of appearance)

28 April 1995: Public hearing

A.C.T. Administration: Mr S Hunter (Acting Secretary, Chief Minister's Department), Mr J Townsend (then Secretary, then Department of Environment, Land and Planning), Mr J Turner (Secretary, Department of Urban Services) and Ms L Webb (then Director, Environment & Culture Division, then Department of Environment, Land and Planning)

1 September 1995: Public hearing

Conservation Council of the South-East Region and Canberra (Inc.): Mr Darlington and Ms Grinter (for the National Toxic Network)

Community Action on Acton Inc.: Mr Kershaw

Mr Haberecht.

18 September 1995: Public hearing

Ms P Hartley

A.C.T. Chamber of Commerce and Industry Limited: Mr J Louttit (immediate past President)

A.C.T. Trades and Labor Council: Ms K Lundy (President)

Mr I Hirst

Ms E Smart.

22 September 1995: Public hearing

Commonwealth agencies: Ms D Casey (Assistant Secretary, Heritage Branch, then Commonwealth Department of Communication and the Arts), Ms P Williamson (Senior Curator, Gallery of Aboriginal Australia, National Museum of Australia) and Dr W Jonas AM (Principal, Australian Institute of Aboriginal and Torres Strait Islander Studies)

Ms N Flint

ANU: Mr D Hardman (Head, Building and Grounds Division, ANU)

Home Help Service of the A.C.T. Inc: Ms S Dadge (Director) and Mr A Fidack (committee member)

Mrs R Slazenger OM

16 October 1995: Public hearing

(Former) A.C.T. Aboriginal and Torres Strait Islander Advisory Council: Ms K Mundine (Chair), Ms C Grant, Ms G Humes and Mr P Brandy

20 October 1995: Public hearing

Mrs Dodds

Mrs Butler

Mrs Pape

Royal Australian Institute of Architects, A.C.T. Chapter: Mr G Humphries (President), Mr R Moss (Chair of the Institute's planning and environment committee)

Royal Australian Planning Institute, A.C.T. Division: Ms A Dean, Mr M Smith

27 October 1995: Public hearing

A.C.T. Ngunnawal Elders Aboriginal Council Inc: Mrs M House, Mr C Williams

Acton/Kingston Inquiry

Ngunawal A.C.T. and District Aboriginal Council of Elders: Mr W Bell, Mr D Bell, Mrs R Bell, Mrs N Rutter, Mrs A Shea

23 November 1995: Private hearing

Ngunawal A.C.T. and District Indigenous Peoples Association: Mrs N Rutter, Mrs D Airsman, Mrs A Shea, Mr B Merritt and Mr R Huddleston (secretary to the Association).

8 February 1996: Public hearing

A.C.T. Ngunawal Elders Aboriginal Council Inc: Mrs M House, Mr C Williams (also of A.C.T. Ngunawal Education Aboriginal Corporation)

