



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON EDUCATION, TRAINING AND
YOUTH AFFAIRS**

(Reference: [Future use of the Fitters Workshop, Kingston](#))

Members:

**MS A BRESNAN (The Chair)
MR J HANSON (The Deputy Chair)
MS M PORTER**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 6 MARCH 2012

**Secretary to the committee:
Mr A Snedden (Ph: 6205 0199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 9 August 2011

The committee met at 2.29 pm.

HINDS, MS DIANE, Director, Old Bus Depot Markets

WHITING, MS MORNA ISOBELL, Director, Dimor Pty Ltd and Old Bus Depot Markets

THE CHAIR: Thank you, Ms Whiting and Ms Hinds, for coming in today and appearing before the Standing Committee on Education, Training and Youth Affairs inquiry into the future use of the Fitters Workshop. I want to make sure that you are aware of the privilege statement which is on the blue card in front of you. Have you read that and do you understand the information on it? Great. The proceedings are being broadcast on the web. Before we go to questions from the committee, I invite you to make an opening statement.

Ms Hinds: We would like to thank you very much for the opportunity to talk to you a little bit about our business and some of our concerns regarding the proposed developments in and around the arts-cultural precinct.

We are here today to represent the Old Bus Depot Markets Inc because the Old Bus Depot Markets is not just Morna and me; it is a host of small businesses, hundreds that come in and out during the year—casual staff, producers, people who market for us, security people, an ATM company, community and charity organisations who all come free of charge to fundraise at the markets. In other words, it is all of that organism of those people that have economic spin-offs from our business.

As we have said in our submission, we have been successfully operating from the Kingston foreshore for 18 years and we attract at least 5,000 people, often more, each Sunday. That number grows during the school holidays, and for the special events that we put on each month during the Christmas holidays. We energise this site. We are a tourist attraction, and we are talking about a national tourist attraction, not a local one. We have won national tourism awards three times consecutively, which only the Australian War Memorial has done within Canberra.

Over the years we feel that we have consistently strengthened the community in an economic way, in a social way. We have provided, as I said, a tourism role and we have provided a business incubation role—all while inviting thousands of Canberrans who come each and every week.

Our coffee supplier, for example, tells us that there is more coffee sold at the Old Bus Depot Markets each Sunday than most of their cafes do in an entire week. That gives you an idea of the numbers of people that come to that site each and every week. We would even argue that our presence on site has informed the government in some respects in terms of what can be and should be happening in Kingston.

I would like to talk to you briefly about our concerns about a proposed annexe, on how that impacts on us specifically as a business, and then I would like to broaden it out a little bit more about the impacts upon the development of an arts-cultural precinct more generally.

There is a proposal to build an annexe right next door to our building. We are talking

about less than eight metres away from our building. We have measured it, and that is approximately from this wall to this wall. It is very close indeed. This, to us, is not about Megalo. This, to us, is about very poor site planning and very poor urban design. Not only were we not consulted about this proposal, including our functional requirements eight metres away, but we were not even informed about the development application.

I think that, for all of us as citizens in Canberra, if we had a house being built next to us, we would be informed of that so that we could analyse whether there might be any adverse impact on us. That did not happen in this case. We would like to ask why that did not happen. Why weren't we afforded the opportunity to comment on a building that is eight metres away and that is going to impact on us in what we feel is a very negative way?

This is the first building to be constructed by the ACT government in the arts-cultural precinct, and it is ad hoc. It is ad hoc because it has no context. It has no context because we have not all signed off on a master plan for the arts-cultural precinct. This is not good planning practice. I feel I can say that because I have qualifications in urban planning and I have practised as a planner in Canberra.

We are here to tell you that this threatens our business. It substantially precludes our building from having a good relationship to other parts of the arts-cultural precinct, particularly the ones that have come up in Susan Conroy's report and in the draft master planning that Purdon Associates has been doing on behalf of the Land Development Agency.

We have been told that during the construction of the annexe, which is expected to take about 18 months, we will not have any access whatsoever out of the back door of the markets, which is extremely significant to us. We have not been told what other arrangements might be put in place to mitigate this. We have been told nothing. The sorts of questions we have are: how are we going to load and offload stallholders in other locations when an area that is used very intensively in early parts of the day and at the end parts of the day is no longer available? There are no other opportunities for us on site to do that.

Stallholder car parking will be significantly reduced—we estimate from 60 to 70 car parking spaces. This is at a time when we have just had 70 spaces taken from the use of the markets in the precinct while the construction is happening nearer the harbour. That means that if this building were to start being constructed tomorrow, we would be down 150 car parking spaces. That is very significant for our business.

There are currently six garbage hoppers and recycle bins out there. There are 21 stallholder storage areas. How are we going to get access to that? No-one has discussed that with us.

Most important are the questions about our severely compromised relationship with the wider parts of the precinct. I would like to talk to you about that. I might hold this up—

MRS DUNNE: There is one in the submission.

Ms Hinds: Yes, this is just a bigger one. This is the Fitters Workshop and this is the proposed annexe. This is the Old Bus Depot Markets here. Currently there is a row of windows here. They are actually the only windows in the entire lower level. They will look out, and eight metres from there, there will be a six-metre wall of corrugated iron plus a door, which will significantly block light, it will cause shadowing and that sort of thing. To our knowledge, nobody has done any analysis of how it will impact on this building.

I point out that the building we are currently occupying is also a heritage-listed building. So this heritage-listed building has no functional relationship or interface with the heritage building next door. That is not good planning. There is a blank wall here. These two buildings have no interaction at all. I think we also put in that that is what we will be facing right there.

I would like to talk to you about the overall arts-cultural precinct. We wholeheartedly agree with the ambition of the Land Development Agency and the government to create a vibrant, world-class precinct that reflects the cultural heritage of the area. They have already created a world-class sustainable open space at Norgrove park. They have already made that quite considerable achievement.

We have often heard about the desire to develop Kingston to be a showcase for best practice urban planning. We think the LDA has already won an award for this. This is not world-class urban planning. Morna and I were part of the early community consultation reference group in the last century, in the late 90s. So we came together with a lot of different people, disparate groups from all over Canberra, and we talked a lot about what everyone wanted to see on the foreshore. I have to say that a lot of things that they were saying have not come to fruition yet. But we feel we have a sense of what the community wants.

The other thing we talked about at the time was that the ACT government did a land swap with the commonwealth government for Acton peninsula—also a place of great emotional input for Canberrans. Therefore we thought there was a sense of expectation in the Canberra community that what happened at Kingston involved everyone—not just people who can live there but people who can come along and go to art galleries and watch glassmaking and printmaking. We certainly think that Megalo is a really appropriate group to be in the arts-cultural precinct.

We feel that we need to celebrate Canberra's sense of historical and industrial heritage. To us, this is about achieving the best outcome we can for an arts-cultural precinct for Canberra and for future generations. We feel that the markets complement this precinct in particular and that it goes very nicely.

It is a bit hard because there is not a map; we do not have a map of the current master planning exercise. Both the report done by Susan Conroy and the draft reports we have seen done by Purdon Associates for the LDA, for the master planning, show an area here that can be used by future arts organisations in buildings here, the markets building in some ways and the Fitters Workshop and the glassworks. We would support that wholeheartedly. It really makes sense. What does not make sense is this annexe blocking everything in the middle, and particularly for the historic building we

are in.

We would like to make the point that it not only threatens our business personally but it really precludes all sorts of uses by other groups who might use that building during the week. We very much understand the need to energise that building as much as possible.

We are also here to stabilise our relationship with the government, which has been inconsistent over the years. We have never had a secure, long-term licence. We have been waiting for a very long time for an outline for the arts-cultural precinct to come to light, so that we can achieve that. The government consultation about the future of the building has been sporadic at best, and not a lot has happened in 18 years, other than the glassworks, in terms of a readily identifiable plan for where we are going. We have to say we have had wonderful support from the government over the years, but our relationships with some government officers, bureaucrats, have been a bit patchy.

The other question I will finish with is that if a large sum of money is being spent on refurbishing the Fitters Workshop and building an annexe, we wonder how long it will be until some further funds might be available. How many years down the track will it be before we see other purpose-built buildings for other arts organisations and very basic upgrades to the building we are in, such as toilets and kitchen facilities, to allow it to be used more by other groups at different times of the week? That is a question we ask. How long will it be? How long do we have to wait? We see that as a threat to our business.

THE CHAIR: Thank you very much. I want to clarify something you said. You talked not long ago about the construction of that annexe and about it precluding uses by other groups. Did you mean precluding use of the current bus depot markets site or the actual Fitters Workshop?

Ms Hinds: The bus depot markets site. We have seen plans by Philip Leeson and others that open up that whole north face of the markets building for all sorts of uses, so that things can spill out and it can be a multipurpose area for anyone in the Fitters Workshop or other people on the site. That building precludes that from happening.

THE CHAIR: You were not involved in the Purdon work that was done—you mentioned that—and the work that has been done in other reports? Were you involved in any of those reports at all?

Ms Hinds: Yes.

THE CHAIR: You were involved?

Ms Hinds: Yes.

THE CHAIR: You were consulted in that?

Ms Hinds: Yes.

THE CHAIR: Did it talk about putting the annexe there and what would happen?

Ms Hinds: We expressed our dismay but they were told that it was a given and they were not able to look at other options.

MRS DUNNE: I want to reinforce that while you have been consulted through the Conroy and the Purdon process, you were not consulted about the drawing up of the plans or over the DA that is currently active?

Ms Hinds: For the annexe?

MRS DUNNE: For the annexe.

Ms Hinds: No.

THE CHAIR: As you said, you were not actually told that a DA was being lodged for that?

Ms Hinds: No.

THE CHAIR: I have some other questions but I will hand over to Mr Hanson.

MR HANSON: My first one is on the multi-user facilities that could be built to support the bus depot markets and other users—toilets in particular. What do you do for toilets at the moment?

Ms Hinds: We have some toilets on the lower level—two women's toilets, two men's toilets and a disabled toilet—and there are two women's on the upper level. But when we have—

MR HANSON: Five thousand people—

Ms Hinds: We manage, with the markets; but we have people hiring the building for wedding receptions and all sorts of other things and they have to bring portaloos in.

MR HANSON: Have you looked at any commercial models in terms of building toilet facilities? Have you looked at where they might go, what they might be and how much they might cost?

Ms Hinds: Not while we do not have secure licence arrangements.

MR HANSON: Fair enough. I have another question in terms of the issues that you have raised with us today. Have you raised these previously with the government, in terms of the lack of consultation and the plans that have been presented?

Ms Hinds: Yes. I had a conversation with an officer in the government and expressed our—

Ms Whiting: Dismay.

Ms Hinds: dismay but really genuine surprise that we had to be surprised like this,

that there was a DA about to be launched.

MR HANSON: Okay. But beyond that conversation you have not formally lodged—written to the minister or anything like that?

Ms Hinds: We put in an objection to the DA at the eleventh hour when we found out about it. Yes, we have expressed our dismay to Minister Barr, minister for tourism—

MR HANSON: What was his response?

Ms Hinds: He listened to us.

MR HANSON: That took the form of a conversation?

Ms Hinds: Yes.

Ms Whiting: Yes. We went to see him about a range of matters and we brought that up. We also went to see Brendan Smyth about a range of issues and brought that up there too.

Ms Hinds: And I have had a meeting with Shane Rattenbury from the Greens.

MR HANSON: All right. Thanks.

MRS DUNNE: Ms Hinds, in your comments you touched on the previous millennium long-term consultation on Kingston foreshore and in some ways you are the still point in Kingston foreshore in that you have been there for so long. There was stuff done about 1993—is that right?—and there was some done later when the glassworks were first mooted. Do you recall exactly when—

Ms Whiting: We opened in 1994 so it was probably later than that. It was probably the first couple of years, wasn't it?

Ms Hinds: Yes, mid-90s.

Ms Whiting: That is in a bottom drawer somewhere—lost.

MRS DUNNE: Do you recall who did that? Was it done by consultants, was it done directly through officials, or—

Ms Whiting: The Kingston foreshore authority perhaps. They involved old Canberrans who were on that committee—Val Emerson; I am not sure that she is still alive—talking about the history of that site and what it meant to Canberrans. I think it was probably the Kingston foreshore authority—

Ms Hinds: From memory I think there were some consultants facilitating the group, but we did meet reasonably regularly for a time.

MRS DUNNE: So it would be locked away in the archives at the LDA somewhere.

Ms Hinds: We have afforded the opportunity to talk to a variety of workshops—

Ms Whiting: Different architects.

Ms Hinds: different architects and social planners. We have been involved in things all along the way. We feel we have been included in many ways along the way. But we certainly have not been included in the decision about the annexe.

MRS DUNNE: Did you know that Megalo was slated for that site before you found out about the DA? When did you first find out that Megalo was moving to the Fitters?

Ms Hinds: I think we heard rumblings about it about a year ago; I cannot remember.

Ms Whiting: As we have said, that was not the issue for us; it is the annexe that is the issue. We understand that they need space, but if there was another alternative—to make that a lovely courtyard where you could have music; the markets building opens up; Megalo is right there; there could be a whole happening there. But by putting that barrier the other side of it becomes a very difficult space that cannot be accessed from the rest of the site really.

Ms Hinds: We really want to say that we feel Megalo is a wonderful organisation that has a lot to offer to the arts cultural precinct. It is just that Megalo cannot fit within just the Fitters Workshop. We are not sure that anyone has really looked at the implications of the annexe on the building—on our business and the opportunities for our business next door.

MRS DUNNE: But also what you are saying is that that wall where the windows are is your sort of major area, where people unload and things like that. So that is the only place where you could—

Ms Hinds: There is a courtyard between us and the Glassworks. However, at Christmastime, at any time, tempers flare. It is not a very big space. You have to remember that we have hundreds of people descending on the building within a very short space of time in the mornings and then at the other end of the day.

MRS DUNNE: They need to unload and load their kit at the beginning and—

Ms Hinds: Yes and they have huge trolleys, trucks, refrigerated vans and all sorts of things.

THE CHAIR: At Christmastime you have markets in that area, too, don't you?

Ms Whiting: Yes. It is a real balancing act. We have got to get people in and out of that courtyard by 8 o'clock in the morning—

THE CHAIR: Allow people to set up—

Ms Whiting: The Rural Fire Brigade marshal cars for us there. But we do have the other space at the back, so it is dissipated a bit. But if we lost that space it would be really difficult.

Ms Hinds: The firies do it on a voluntary basis, marshal for us, just for December, and we give them a very reasonable donation. But we cannot afford to have marshals every Sunday all year. That is an economic impost on a small business that we would find very difficult.

MRS DUNNE: Can I ask about this footprint of the building—I have a small copy and you have a large copy—where the bus depot markets are. How much of that footprint do you occupy?

Ms Hinds: I do not know that we can really answer that. There is the antiques business along that northern section. I am sorry; I do not know what percentage—but certainly most of it.

MRS DUNNE: That also used to hold the Kingston foreshore development authority.

Ms Hinds: Yes. We are not in there—

Ms Whiting: There is nobody in there at the moment.

MRS DUNNE: That is empty. So there is the crenellated piece along Wentworth Avenue. You do not occupy—

Ms Whiting: They are like offices and then it is the whole upper level and then the whole lower level.

MRS DUNNE: You occupy the upper level as well?

Ms Whiting: Yes.

Ms Hinds: The cavernous part?

MRS DUNNE: Yes.

Ms Hinds: Yes.

Ms Whiting: We operate both levels every week.

THE CHAIR: You mentioned too that there had been some discussion about opening up, I think you said, some of the other space for other groups to go in there. Is that what you said in your opening statement? I think there had been some discussion about that—not where the annexe is due to go but around the other side almost. Is that what you said? I might have misunderstood.

MRS DUNNE: You said something about activating the building during the week when you are not there.

Ms Hinds: There are other opportunities to activate the building during the week, we would have thought—

MR HANSON: Which building are we talking about—the bus depots or the Fitters Workshop?

Ms Whiting: The transport building?

THE CHAIR: Yes.

Ms Whiting: The transport building: we already have two regular monthly rentals for that building, which we manage; that is a computer fair and what is called the Fash 'n' Treasure market. COTA run their annual expo. We have had the Efkarpidis extraordinary wedding in there. We have had other weddings in there. We have had the Institute of Architects. It has so much potential—

Ms Hinds: Ski sales.

Ms Whiting: Ski sales every year. We have got people who want to shoot videos. But then the limitations are the toilets, no kitchen facilities and the leaking roof. We know that our building is a white elephant, but we really love this building and I think Canberrans really love this building. Really what we are saying is about the potential for it to be used for other things in the future—because it is heritage; it is not going anywhere—so let us make it the best that it can be and not just close up that lovely north-facing area where there could be tables and chairs and drinks at the wedding and all of those things and it could be rented.

But with this annexe it just absolutely negates a lot of opportunity for the building.

THE CHAIR: You mentioned Colin Stewart in your submission. Were there originally plans to get rid of the bus depot building?

Ms Hinds: Yes. Colin is not a fan of the building.

THE CHAIR: Okay.

Ms Whiting: We are good pals with him but we disagree on this point.

Ms Hinds: He had his architectural offices in the building—

MRS DUNNE: He was upstairs.

THE CHAIR: You said at the beginning about the master plan; your feeling is that that needs to happen so you can have an overall picture about the use of that building, the use of all the buildings, the best use of the space and the functions of those buildings. You obviously feel very strongly that that needs to happen. Is that before anything else would go into that site do you think—whatever might go in—or do you think it is primarily about the annexe, or do you think that the master plan should occur before we go ahead with anything on that site?

Ms Hinds: Absolutely.

Ms Whiting: I think we both agree: the master plan and then let us get a really

exciting plan. Diane and I have been waiting for this for so long. It has been something we have been excited about—

Ms Hinds: We have seen examples in other parts of the word and how well it can be done.

THE CHAIR: Mr Hanson, do you have a question?

MR HANSON: Yes. On a Sunday when you have your markets, if the Fitters Workshop was to be maintained in its current form but was to be available for multipurpose use, could you envisage either you or others using that on a Sunday for whatever it might be—extension of the markets or other use?

Ms Hinds: We might use it for special events or for special occasions. However, we could see that other groups would love to be there, simply because we draw thousands of people there.

MR HANSON: So someone else could come in to use it to make access for those 5,000 people so you could set up a—

MRS DUNNE: It is a lot of passing trade.

MR HANSON: Yes, passing trade.

Ms Whiting: They could have an art exhibition in there and know that they are going to get people going in.

MR HANSON: Set up pottery displays or whatever—

Ms Whiting: Yes, or whatever it is. As Diane said, perhaps we could use it. We have a theme day every month and we groan sometimes in our building. We could always use that as well.

MR HANSON: So you could invent a scenario where most Sundays that building would be used—given the volume of traffic coming through that people would want to use it to peddle their wares of some sort?

Ms Hinds: I think the government or whoever is managing it would have to be careful about the uses. They need to be congruent to an arts cultural precinct.

MR HANSON: Yes. I am not suggesting—

MRS DUNNE: You are not suggesting carpet sales?

MR HANSON: Not necessarily, but something in accord with the bus depot markets on that day.

Ms Whiting: And the glassworks.

MR HANSON: It might be a live performance or it might be arts or it might be

crafts—of some sort that is consistent—

Ms Whiting: I have to say that when the music festival had some concerts there it was really popular and in that whole precinct area—

MR HANSON: So there are some synergies there between—

Ms Whiting: there was a lovely synergy on that day. Equally, if Megalo were there that would enhance it too.

MR HANSON: How long is your lease for? How long have you got there?

Ms Hinds: We see that as commercial in confidence.

MR HANSON: Okay.

MRS DUNNE: But you run it on a licence?

Ms Hinds: Yes, but it is not long enough. We feel it is not long enough to run a vibrant business.

THE CHAIR: And to make improvements or to do any of those sorts of things—any plans—

Ms Hinds: Yes. We are held back as a business because—

MR HANSON: You want a longer period so that you can have some certainty and invest—

Ms Hinds: Yes.

THE CHAIR: You mentioned also in your statement that you had been told that the annexe would take 18 months to construct. Was that through being aware of the DA process or through—

Ms Hinds: That was from the Land Development Agency.

THE CHAIR: Okay.

MRS DUNNE: I had never heard that figure before.

THE CHAIR: No, I had not either. That is why I found that interesting.

As there are no further questions, thank you very much for taking the time to come in today and for making the submission. We do really appreciate it. A transcript of today's hearing will be sent to you for you to check for accuracy.

The committee adjourned at 3 pm.