

CHANGE OF LEASE PURPOSE

In some cases a Policy Plan may offer an opportunity to change the purpose clause of an existing lease. The following is advice on the procedure required for changing lease purpose:

Any proposed use which does not conform with existing lease purpose clauses will be subject to change of lease purpose procedures.

The established procedure for changing a lease purpose requires that an application be made to the Supreme Court of the Australian Capital Territory under the provisions of Section 11A of the *City Area Leases Ordinance 1936* as amended. Such applications are required to be publicly notified in the local newspaper and the Government Gazette and served upon the Minister for Territories. Public objections should be lodged within 21 days of notification in the Gazette.

Those who wish either to make an application for change of lease purpose or lodge an objection to an application should seek legal advice.

Lessees are strongly advised to consult the NCDC about their development proposals, and the Department of Territories about the wording of any proposed new purpose clause, before lodging applications with the Court.

BRADDON

Section 21 Blocks 1-12

Policy Plan Development Plan

George Samuels
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PREAMBLE

The National Capital Development Commission (NCDC) has a statutory responsibility to determine land use and the location of activities on specific sites within the City of Canberra. This responsibility derives from the *National Capital Development Commission Act 1957*, under which the Commission carries out the planning, development and construction of Canberra as the National Capital. The NCDC establishes policies arising from the carrying out of its functions under the Act, and the Department of Territories incorporates the relevant policies in the form of "purpose clauses" in each property lease that it issues.

This document contains the Existing Land Use Plan, the Policy Plan and the Development Plan for Braddon Section 21 Blocks 1-12. Explanatory notes on the significance of each of these plans are included.

The Commission's *Civic Centre Canberra Policy Plan Development Plan* (February 1984) indicated that the land use for this area was to be determined.

The NCDC has considered the submissions received following the publication in November 1983 of a Draft Policy Plan for public comment and has re-examined the issues related to development of this land, particularly:

- the extent of publicly expressed concern about the loss of residential accommodation in inner Canberra.
- the need to ensure that office developments on these blocks meet the needs of small professional practices; and
- concern that the car parking standard set out in the Draft Plan may not meet the total parking generation of all professional office uses.

The policies and development intentions set out in this document have accordingly been adopted as the basis for the future development of Braddon Section 21 Blocks 1-12 for offices, professional suites and medium density and standard residential dwellings.



EXISTING LAND USE PLAN

The Existing Land Use Plan depicts Land Use contained in -

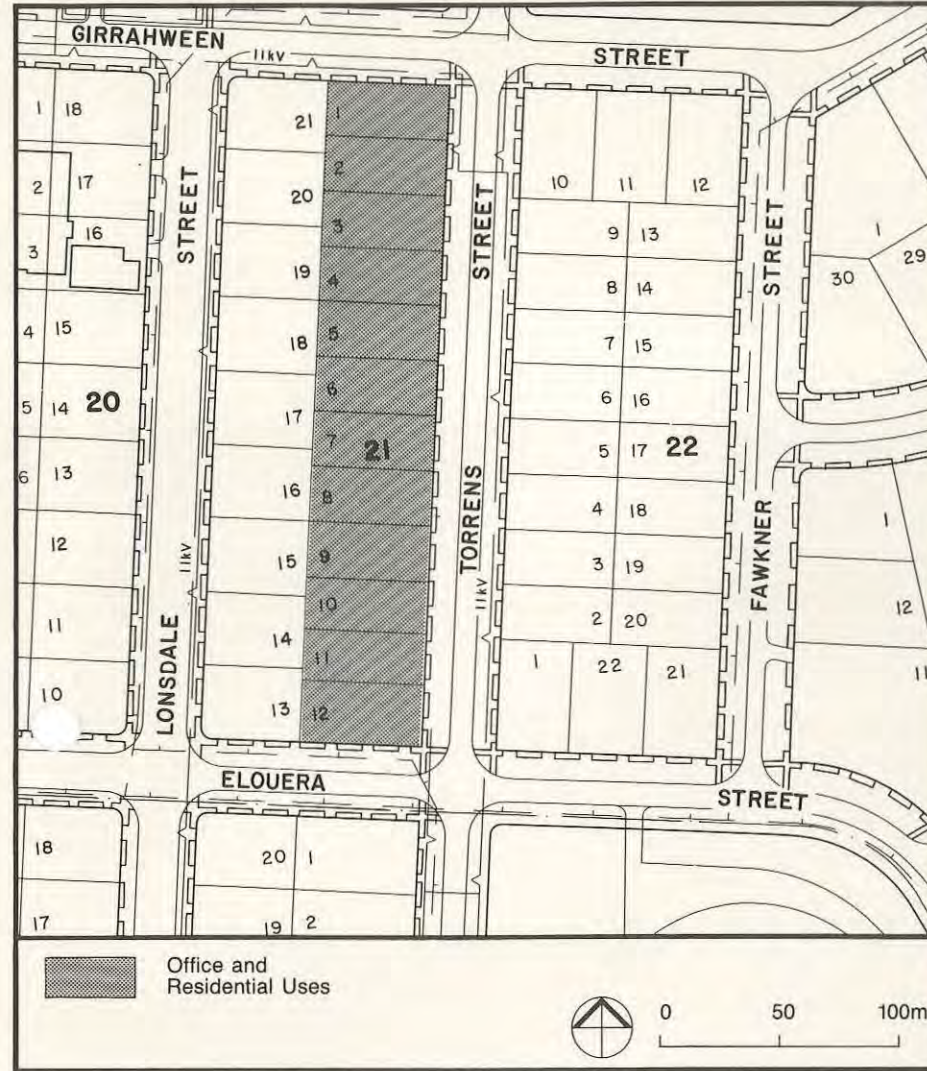
- the purpose clauses of leases;
- the City Plan of Canberra in relation to roads and trunk cycle routes;
- formal commitments by the Commonwealth with respect to its responsibilities for public lands, services and structures.

Construction in Braddon commenced in 1922 and with one exception the twelve residences in Section 21 remain largely in their original form. Block frontages in Section 21 Blocks 1-12 vary from 22-25 m with depths of 50 m.

Existing Land Uses are as follows:

Blocks 13-21 in Section 21 are industrial leases. They include service stations, motor trades and a small number of retail and office uses.

Of the twenty-two residences in Section 22, four have undergone major additions and seven have had minor additions.



POLICY PLAN

The Policy Plan depicts purposes for which approval for development or change of use would normally be supported.

LAND USE

The land uses for the area are to be as follows:

Medium Density or Standard Residential Dwellings

Development on one or any number of amalgamated blocks will be permitted.

Offices and Professional Suites

This will be permitted in two forms, ie:

- use of the existing standard residential dwelling for office purposes,
- redevelopment of the site, or
- any combination of these.

The maximum permitted plot ratio for offices and standard residential shall be 0.4:1. No amalgamation of blocks shall be permitted.

TOWNSCAPE

The main objective is to retain the existing quality of residential streetscapes and to ensure that new buildings are sited to face the street and not run down the block.

In both cases the following conditions apply:

- the maximum height of buildings shall be two storeys
- all buildings must be constructed of materials which are compatible in appearance with the existing houses and have pitched and tiled roofs.

TRANSPORT

Full carparking demand generated by a change of use and/or redevelopment shall be accommodated on site in conformity with the Commission's prevailing standard. The current rate is specified in the Development Plan.

DEFINITION

- Plot ratio means the ratio of the gross floor area of a building to the area of the site upon which the building is or is to be erected in which ratio the latter area is represented by the numeral one.
- Gross floor area is the sum of the areas of all floors within all buildings on the block as measured from their external surfaces.

The overall design objective is to retain the existing quality of the streetscape of Torrens Street which is characterised by the mature Pin Oaks in the landscaped areas of the verge and the front gardens of the existing houses.

The development intentions for the Policy Plan area are:

- Landscaping and works external to the site are to be carried out by the lessee at his cost in accordance with a plan approved or produced by the Commission and to the satisfaction of the Commonwealth. No carparking will be permitted on verges.
- Provision shall be made within the building for ACTEA's requirements. Upgrading or relocation of any services shall be undertaken at the lessee's expense.
- Mechanical equipment including air conditioning equipment, heat pumps etc. shall be designed and located in a manner which will not cause nuisance to adjacent lessees.
- Garbage storage installations shall be integrated with the building design and concealed from public view.
- Buildings shall be set back ten metres from the front street property boundary.
- The distance between new buildings and side boundaries shall be a minimum of three metres.
- The width and design of driveways shall be such as to preclude car parking forward of the front building line.
- Within the front landscape zone consideration will be given to the erection of courtyard walls providing they are designed as an integral part of the building and are of the same or compatible materials.
- In the cases of Blocks 1 and 12 consideration will be given to permitting buildings to have frontages to Girrahween and Elouera Streets subject to adequate screening of parking areas and restrictions on siting of upper floor windows to prevent overlooking of adjacent gardens.
- The lessee will be required to construct a brick wall 1.8 metres high on the rear boundary to the satisfaction of the Commission. No access of any kind will be allowed across this boundary to adjoining service trades uses fronting Lonsdale Street.
- Existing trees within block boundaries shall be retained where practicable particularly where they form screens alongside block boundaries.
- Carparking shall be provided on-site in the ratio of 1 space per 26 m² of gross floor area of offices and in the ratio of two spaces per residential unit. The parking area shall remain fully accessible to all visitors, clients, employees, and service vehicles relating to the site.

DEVELOPMENT PLAN

The Development Plan indicates the manner in which the Policy Plan may be implemented. It is correct at time of publication but may be changed without notice in the future.