

**NATIONAL CAPITAL PLAN
DRAFT AMENDMENT 39
COMMENTS OF SIR LENOX HEWITT O.B.E**

PREFACE

I have been a resident of Canberra for more than sixty years and believe that I am now the only remaining original lease-holder of a residential block with a frontage to State Circle, Forrest, living witness to the rise and decline of this part of a premier Main Avenue identified in the National Capital Plan. *

SOME OF THE CHANGES OVER THE LAST SIXTY YEARS

- The elimination of rural leases.
- The creation of Lake Burley Griffin.
- The construction - and the more recent demolition - of the Canberra hospital.
- The establishment of the Australian National University.
- The development of Civic Centre.
- The transfer of the Defence establishment from Melbourne.
- The growth of the diplomatic, business and scientific communities.
- The construction of New Parliament House on Capital Hill.

have brought immense changes in land usage in the A.C.T.

Sadly, some of the changes have been slow to eventuate. Indeed, the last residence on Northbourne Avenue, close to Civic, with its dilapidated exterior, has only now achieved a "SOLD" sign.

The progressive degradation of this main arterial approach to Canberra, over many years, led to a shameful avenue of semi - wrecked, neglected houses.

Similarly, Bougainville Street, Manuka for far too long retained the derelict, seedy look of neglected residential houses.

* My familiarity with, and observation of, the inner residential areas of the Australian Capital Territory date from the 1940's when my official responsibilities included the policy and administration of residential rent control in the A.C.T.

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STATE CIRCLE

Leases of the land facing State Circle became available for residential purposes in 1958. At that time the land was, to use the description contained in the Background to Draft Amendment 39, a "..... high quality residential area". Alas, it is so no longer. The deterioration of this section of State Circle mirrors the changing nature of Canberra. Changes must occur with the passage of time. The history of land usage throughout the A.C.T is of change.

Just as the other premier Main Avenues identified in the National Capital Plan have changed with the times and for the better, so State Circle should also have changed, for the better.

Many will remember when the houses in Northbourne Avenue, leading into Civic Centre, were high quality residences and also clearly remember their becoming neglected, overgrown, dilapidated residences which were a shameful disgrace to the National Capital. Ultimately, but only ultimately, were they replaced by high standard modern structures.

For more than five years past I have been seeking to persuade the National and Local authorities to avoid a creeping repetition in State Circle of the Northbourne Avenue disgrace.

THE FACTS

Visually, State Circle can be seen to be going downhill.

- Neglected verges, overgrown gardens, overdue maintenance.
- Cars parked on what were front lawns, by "group" tenants.
- Restrictive conditions for home businesses.
- Empty houses – empty because the owners have been badly burnt by the only available tenants – groups.

The A.C.T Administrative Appeals Tribunal has recognised the decline in suitability of State Circle for residential purposes and established in relation to Block 8 Section 6 Forrest:-

1. MATTER NO-AT 99/41. 14 DECEMBER 1999

The Tribunal reduced the Unimproved Capital Value at 1 January 1998 from \$321,000 to \$304,000 and found that:-

- (a) Block 8 Section 6 Forrest "has a road frontage to a busy 4 lane traffic route".
- (b) Because of that traffic nuisance other Forrest blocks in a quiet area and with attractive outlooks are not really comparable with Block 8 Section 6.
- (c) Other Forrest blocks had little or no application to the value of Block 8 Section 6.
- (d) Corner site considerations of Block 8 Section 6 warranted a reduction of 10% in the land value. These consideration were:-
 - (i) increased traffic noise
 - (ii) adverse effect on privacy
 - (iii) concerns to security

2. MATTER NO AT 00/91. 22 NOVEMBER 2000

The Tribunal determined the Unimproved Capital Value at 1 January 1999 at \$335,000, and set aside the previous decision that it be \$350,000.

Subsequent to the Tribunal's decision of 22 November 2000 the Commissioner for A.C.T Revenue reduced the Unimproved Capital Value at 1 January 2000 from \$483,000 to \$424,000. He also reduced from \$442,000 to \$385,000 the Unimproved Capital Value at 1 January 2000 for Block 6 Section 6.

The impossibility of securing suitable tenants is vividly demonstrated by the vacancies over many months of the residences on Blocks 5 and 6 of Section 8. Both owners suffered financially from unsatisfactory group tenants, the only prospective tenants available.

Whilst the owner of Block 5 Section 6 will doubtless relate his own experiences my son who owns Block 6 suffered financially from two groups which fell apart and walked out on their leases. The second group were accepted as tenants because, after four months of advertising, they were the only applicants. Since their departure in September last year the property has been vacant and the agent, Manuka Prestige Property Group has been unable to locate a suitable tenant or purchaser despite extensive advertising.

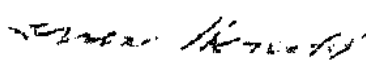
CONCLUSION

Times have changed in State Circle. When the leases were granted for residential purposes there was no suggestion that the residences would be facing New Parliament House. Had it been known in 1958 that New Parliament House would be built on Capital Hill is it conceivable that the leases would have been restricted to residential purposes?

Must the Northbourne Avenue experience be repeated in State Circle, in this premier Main Avenue identified in the National Capital Plan and fronting New Parliament House? Must we await a repetition of derelict buildings in State Circle before taking remedial action.

The proposed removal of the "designated area" status of the land in State Circle lying between Adelaide Avenue and Hobart Avenue and facing New Parliament House is strongly supported. Fifty years on, however, it is no longer appropriate to restrict the use of that land to residential purposes. It is not now "..... a high quality residential area"

This sole, isolated pocket of houses on State Circle is today an anachronism. This premier Main Avenue should be treated now in the same way as the other Main Avenues identified in the National Capital Plan and appropriately to its location immediately facing, as it is, the most imposing building in the Australian Capital Territory.



LENOX HEWITT
CANBERRA ACT
JANUARY 2001

NATIONAL CAPITAL PLAN

PROPOSED ALTERATIONS TO

DRAFT AMENDMENT 39

COMMENTS OF SIR LENOX HEWITT O.B.E.

PREFACE

1. Prior to receiving the proposed alterations it had not occurred to me that the regulating of signs on blocks facing State Circle proposed by Draft Amendment 39 was in contemplation of "guest houses, boarding houses and the like" sprouting on this premier Main Avenue, identified in the National Capital Plan.
2. Whatever the existing planning and development controls exercised by the National Capital Authority in relation to State Circle may be, and I understand that they are not in the public domain, I do not believe that the Territory authorities would de-spoil State Circle or accept for that aspect from Parliament House the kind of establishments that greet the visitor to the National Capital approaching the junction of the Federal Highway and Northbourne Avenue.
3. Furthermore, the proposed alterations are said "to take into account concerns expressed during the consultation period".
4. That assertion is to me annoying and frustrating. The proposed alterations take no account of my comments of January 2001.

COMMENT

5. During the many years that I have had meetings with the Chairman / Chief Executives of the Authority I have come away with the belief that my reasoning about the progressive delapidation of State Circle had been persuasive but then only to find from subsequent correspondence a blind, unreasoned, obstinate and continuing insistence on residential use for the land on State Circle facing Parliament House.

6. It is time, indeed it is beyond time, for the Authority itself to have to justify its stubborn and unreasoned determination to restrict the use of the land on State Circle facing Parliament House to "residential purposes".

7. Why does the Authority not seek to justify its position? Is it that the Authority cannot justify it? What evidence has the Authority to submit in justification for its assertions that:

A/ State Circle is today a "high quality residential area"
(Nonsense)

B/ "It is important that the established use of the land for residential purposes continues ..." (Why?)

C/ "Development along State Circle should continue to manifest the established residential land use ..." (Why?)

CONCLUSION

8. The Australian Capital Territory (Planning and Land Management) Act 1988 requires the Authority to:

"HAVE REGARD TO ANY REPRESENTATIONS MADE BY THE PUBLIC"

about Draft Amendment 39.

9. The alterations proposed by the Authority take no account of my representations in January 2001 about Draft Amendment 39.

10. The Authority should now provide its reasoning and justification for not accepting my representations about Draft Amendment 39.
11. The Authority should now provide its reasoning and justification for its assertions about State Circle.
12. The Authority should now provide its reasoning and justification for not extending to this premier Main Avenue treatment of the kind accorded to other Main Avenues identified in the National Capital Plan.

Lenox Hewitt

Lenox Hewitt
Canberra ACT

August 2001