



**Legislative Assembly** for the  
**Australian Capital Territory**

Select Committee on Financial  
Management and Government  
Procurement Legislative Compliance

# Submission cover sheet

## Inquiry into Financial Management and Government Procurement Legislative Compliance

Submission number: 03

Submitter: North Canberra Community Council

Date authorised for publication: 15 April 2026

30 March 2026

*Protecting, promoting and enhancing the economic, cultural, social and environmental well-being of the residents of North Canberra*

The North Canberra Community Council receives funding and support from the ACT Government



## Submission to Inquiry into Financial Management and Government Procurement Legislative Compliance

Thank you for this opportunity to make a submission to this Inquiry. The NCCC wishes to raise a 'related matter' which highlights a significant loophole within the ACT Planning regime. We have identified that the ACT Government is potentially losing millions of dollars in lease variation charges by property developers **seeking approvals for childcare centers that are never built**. We offer the following examples:

### Former Braddon Bowling Club

In 2022 the owner of the former Braddon Bowling Club<sup>1</sup> received an approval from the Planning Authority to vary the lease purpose clause to allow a childcare centre,<sup>2</sup> despite there being an existing childcare centre next door. This increased the unimproved value of the land from \$190,000 to \$3,680,000.<sup>3</sup> Lease variations for childcare centres are exempt from the lease variation charge.<sup>4</sup> Therefore the owner would not have paid the ACT Government anything for this multi-million dollar increase in value (effectively avoiding \$3,490,000 lease variation charge revenue to the ACT Government).

No childcare centre has been built on this site and the Planning Authority is now recommending that the land be rezoned as residential,<sup>5</sup> while the developer is applying to '...remove the childcare use, add a hotel, commercial accommodation use, shops, indoor and outdoor recreation facilities as assessable uses' on the other half of the site.<sup>6</sup> A 2024 land valuation certificate in the hotel DA values the existing site at \$4,970,000,<sup>7</sup> and a 2026 certificates values

<sup>1</sup> section 25, block 16, Elder Street, Braddon

<sup>2</sup> See <https://www.planning.act.gov.au/applications-and-assessments/development-applications/browse-das/development-application-details?da-number=202240160&amendment-version=>

<sup>3</sup> See attachment A

<sup>4</sup> <https://www.planning.act.gov.au/community/buy/leasing-and-titles/crown-leases/changes-to-a-crown-lease/lease-variation-charge>; section 74 *Planning (General) Regulation 2023*

<sup>5</sup> <https://www.planning.act.gov.au/professionals/our-planning-system/the-territory-plan/major-plan-amendments>

<sup>6</sup> <https://www.planning.act.gov.au/applications-and-assessments/development-applications/browse-das/development-application-details?da-number=202443065&amendment-version=>

<sup>7</sup> <https://dafinder.blob.core.windows.net/dadocuments/DOCs/VALUE-202443065-01.pdf>; at attachment B

the existing site at \$6,355,000,<sup>8</sup> even though the Commissioner for ACT Revenue still values the site at \$3,680,000.

It appears that the developer is effectively avoiding a multi-million dollar lease variation charge and potentially underpaying on rates. No childcare centre has been, or is ever intended to be, built on the site.

If the site had not been revalued through a lease variation process for use as a childcare centre but was valued as remaining a bowling club, the valuation would have remained close to the original 'before value' V1 of \$190,000 because of its not-for-profit community recreation use. The latest lease variation use for a hotel and residential shows the proposed leased variation 'after value' of \$9,755,000 shown at attachment C. This would have produced a lease variation charge in the order of \$9,565,000 (\$9,755,000 - \$190,000)

The latest valuations provided by the developer at Attachment C show a 'before value' (V1) at \$6,355,000 and the 'after value' (V2) at \$9,755,000. This would result in a lease variation charge of \$3,400,000 (without further remissions or discounts). The impact of the revised 'before value' based on the proposed childcare centre that was never built, results in a significant loss of revenue for the ACT Government in the order of \$6,165,000 (\$9,565,000 - \$3,400,000).

This shows the financial impact of providing the lease variation for a childcare centre, and an LVC exemption, when the exempt development does not get built and is replaced by another high value lease variation proposal.

### **Hawker tennis centre**

The Hawker tennis centre has been left to decay for over a decade.<sup>9</sup> The Crown lease has been varied to allow a childcare centre, but no childcare centre has ever been built.

### **Ainslie Football Club**

In 2023 the Ainslie Football Club received an approval to build a childcare centre behind the goal posts at the southern end of the Ainslie football oval.<sup>10</sup> The area has been left as a derelict site for years and no childcare centre has been built to date.

### **Recommendations**

Whilst the NCCC is supportive of any measures to encourage the construction of childcare centres, we would recommend a change of approach and instead provide subsidies to childcare centres that are **actually built** and operating instead of exemptions for lease variation charges to allow childcare centres. This would avoid abuses by property developers who take advantage of the childcare exemption that results in sites being left vacant and 'underutilised' for years while alternative commercial or residential uses are proposed and developed through the planning and approvals process.

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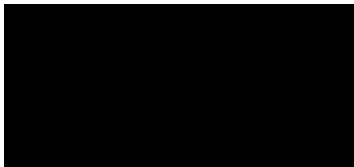
<sup>8</sup> at attachment C

<sup>9</sup> <https://www.canberratimes.com.au/story/9172719/hawker-tennis-centre-decay-sparks-community-action/>

<sup>10</sup> <https://region.com.au/work-to-start-soon-on-ainslie-groups-child-care-centre-after-acat-win/702782/>

We would also recommend that this Inquiry investigates how land valuations are calculated as there appear to be significant discrepancies between the rateable value of land and the value that developers claim for the purposes of the lease variation charge.

The Inquiry could also look at the extent of lease variations that attract LVC exemptions that are subsequently not built and the resulting impact on land valuations and lease variation charges.



Ian Hubbard  
Chair  
North Canberra Community Council

## Unimproved values

Each year the Commissioner for ACT Revenue redetermines the unimproved value of parcels of rateable land in the ACT. The redetermined unimproved value is for the financial year immediately following the redetermination date, and is used to calculate rates and land tax for the relevant period.

The Commissioner for ACT Revenue redetermined the 2025 unimproved values on 25 June 2025.

For additional information please contact the ACT Revenue Office on (02) 6207 0028 or [visit the website](#).

### Disclaimer

This UV look-up is intended for use by you as a guide only and there may be circumstances in which the information is not accurate. This information does not replace a notice of a determination of the unimproved value of a parcel of land issued by the Commissioner for ACT Revenue. The Commissioner for ACT Revenue may redetermine the unimproved value of a parcel of land if there is a change of circumstances or if an error was made in relation to an earlier determination. Whilst the unimproved values on this website are updated as soon as is practicable in accordance with legislative requirements, neither the Commissioner for Revenue nor the ACT accepts any responsibility for any errors or technical issues beyond our control.

### Select a Suburb

Braddon

Select a section, a block, a unit, or search for an address

Filter By Section: 25 Filter By Block: 16 Filter by Unit: Select a unit Filter By address: Search by address

Showing 1 - 1 / 1 of 5414 results

Section/Block	Address	Value 2021	Value 2022	Value 2023	Value 2024	Value 2025
25/16	20 Elder St, Braddon, 2612	\$190,000	\$3,680,000	\$3,680,000	\$3,680,000	\$3,680,000

mmj.com.au



24 May 2024

The Manager  
Applications Secretariat  
Environment, Planning and  
Sustainable Development Directorate  
480 Northbourne Avenue  
DICKSON ACT 2602

Dear Sir/Madam,

Re: Lease Variation – Block 16 Section 25 (21 Edler Street) Division of Braddon ACT

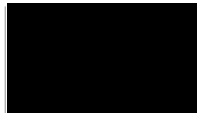
In accordance with Section 332 of the Planning Act 2023 we set out below the assessed V1 and V2 values determined for the abovementioned Lease Variation, which can be placed on the public register:

After Value (V1)	\$10,200,000
Before Value (V2)	\$4,970,000

This letter is provided for the use of the Environment, Planning and Sustainable Development Directorate only in assessing the Lease Variation Charge and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of this use assessment.

This letter is liability limited by a scheme approved under Professional Standards Legislation.

Yours Sincerely,  
Manuka Realty Pty Ltd trading as MMJ Canberra



Phil Green AAPI CPV  
Certified Practising Valuer  
Director, Valuation & Consultancy



12 February 2026

The Manager  
Applications Secretariat  
City and Environment Directorate  
480 Northbourne Avenue  
DICKSON ACT 2602

Dear Sir/Madam,

**Re: Lease Variation – Block 16 Section 25 (21 Elder Street) Division of Braddon**

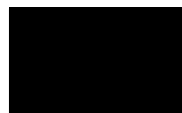
In accordance with Section 332 of the Planning Act 2023 we set out below the assessed V1 and V2 values determined for the abovementioned Lease Variation, which can be placed on the public register:

<b>After Value (V1)</b>	<b>\$9,755,000</b>
<b>Before Value (V2)</b>	<b>\$6,355,000</b>

This letter is provided for the use of the Environment, Planning and Sustainable Development Directorate only in assessing the Lease Variation Charge and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of this use assessment.

This letter is liability limited by a scheme approved under Professional Standards Legislation.

Yours Sincerely,  
**Manuka Realty Pty Ltd trading as Canberra Valuations & Advisory Services**



**Phil Green AAPI CPV**  
**Certified Practising Valuer**  
**Director, Valuation & Advisory Services**