

2022

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Government Response to Standing Committee on Planning, Transport and City Services -
Report 5 - Draft Variation to the Territory Plan No 364 Gungahlin Town Centre: Amendments
to the Gungahlin Precinct Map and Code**

**Presented by
Mr Mick Gentleman MLA
Minister for Planning and Land Management
February 2022**

Introduction

The ACT Government thanks the Standing Committee on Planning, Transport and City Services of the Tenth Assembly for the recommendations put forward in Report No. 5 regarding Draft Variation 364 Gungahlin Town Centre: Amendments to the Gungahlin Precinct Map and Code (DV364).

DV364 was prepared by the ACT Government to implement the recommendations of the Gungahlin Town Centre Planning Refresh – Snapshot 2018, which was an initiative to review planning controls for the Town Centre.

The ACT Government's vision for the Gungahlin Town Centre is for a centre where people can live, work, study, and engage in recreational activities. The ACT Government, through planning controls, is facilitating a centre with commercial, community, and Government employment, with green spaces and active streets, and where there is economic activity during the daytime as well as in the night-time economy. This vision will be realised through planning settings, land release, and private sector investment. The ACT Government is the largest employer in the Gungahlin Town Centre and will continue to invest in the town centre through employment and through the provision of community facilities.

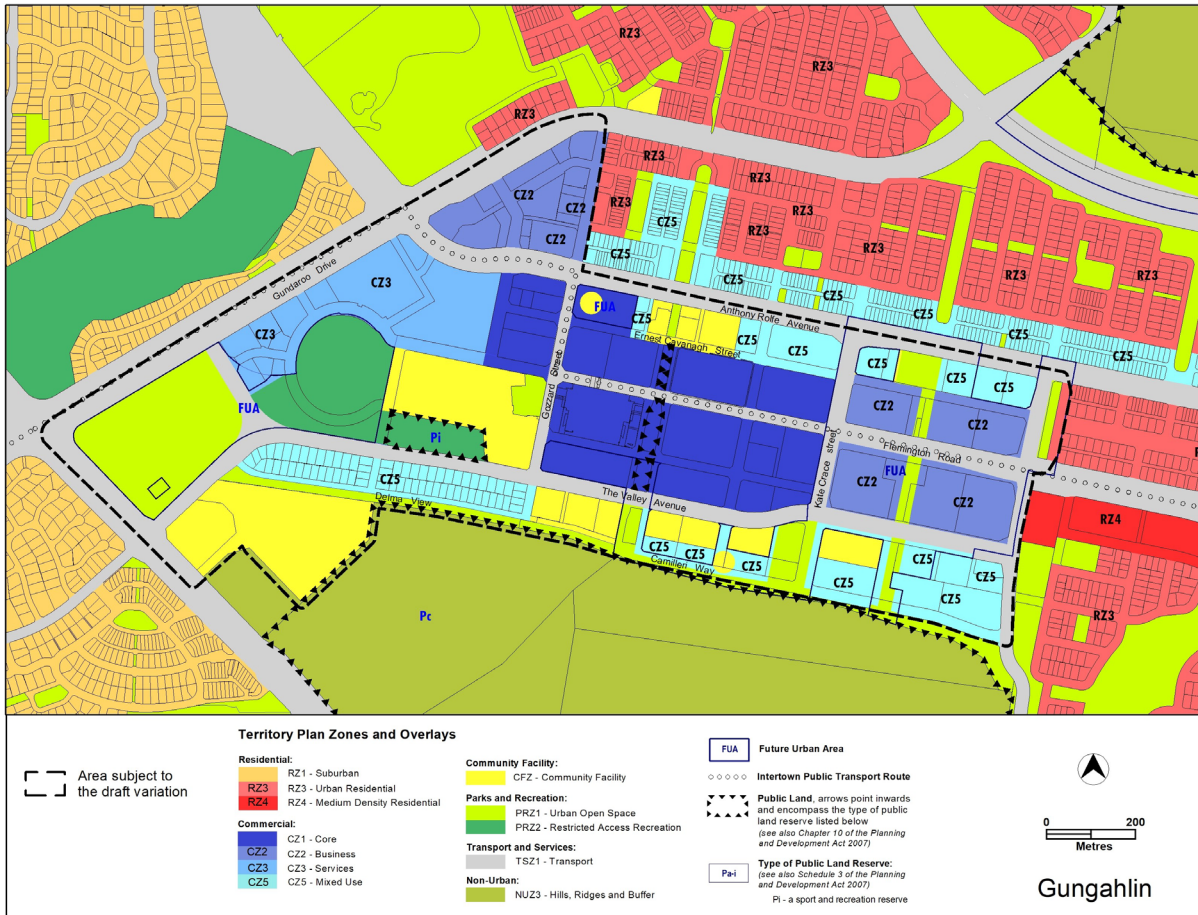
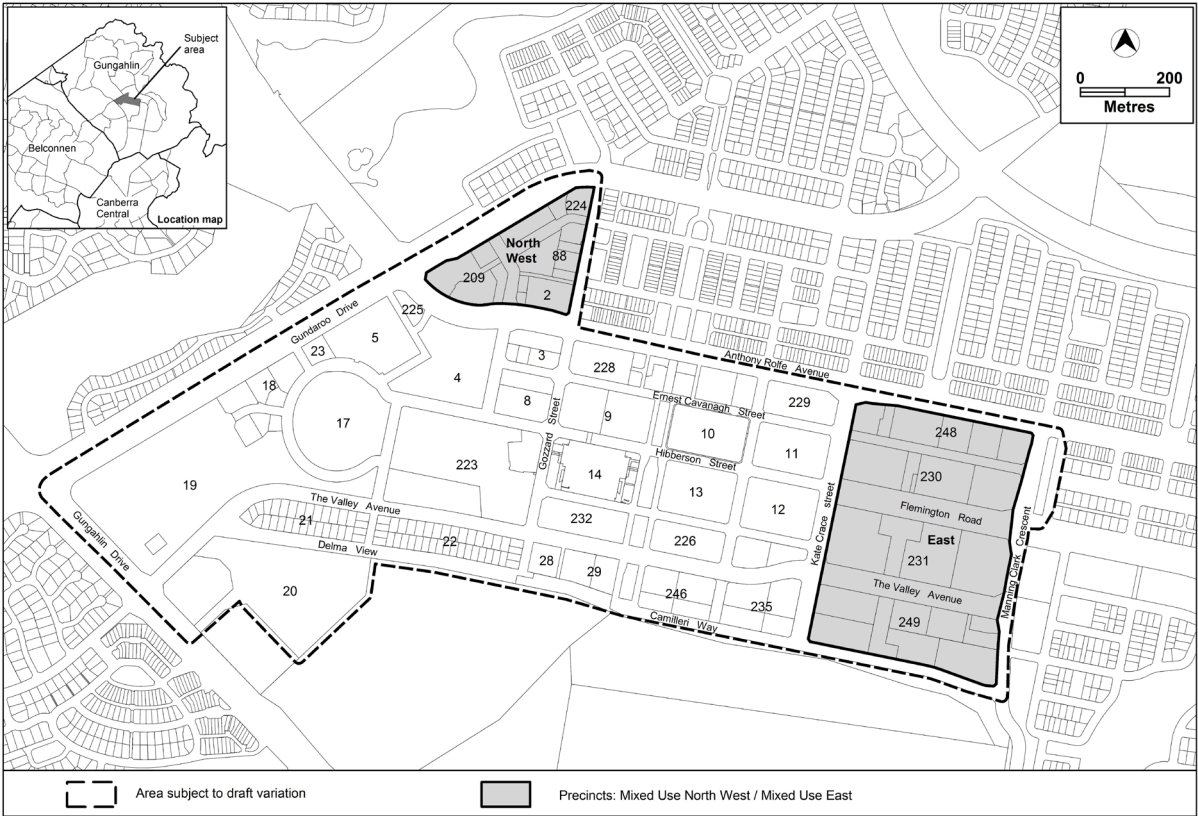
DV364 facilitates these aims by providing guidance on the desired built form and character of the centre and promote high quality design outcomes as the centre continues to develop. DV364 complements activities undertaken by the ACT Government to release land in precincts that encourage vibrant mixed-use communities.

In summary, DV364 proposes to amend the Gungahlin Precinct Map and Code by:

- permitting residential use in the Gungahlin East precinct;
- replacing some building envelope controls with maximum building heights in storeys;
- retaining land to accommodate approximately 65,000m² of commercial office space;
- introducing maximum building heights in the Gungahlin East and North West precincts;
- introducing minimum building heights in the Gungahlin East precinct;
- providing flexibility in the location of community facilities;
- changing the names and boundaries of sub-precincts within the town centre;
- relocating nominated public car park from block 2 section 229 to block 2 section 11 (between Ernest Cavanagh Street and Hibberson Street); and
- improving requirements for the public domain.

Figure 1 indicates the location of the Gungahlin Town Centre. Most of the proposed changes to the Gungahlin Town Centre precinct map and code are for the Mixed Use North West and Mixed Use East precincts.

Figure 2 indicates the Territory Plan zones for the area subject to DV364. No zoning changes are proposed in DV364.



Recommendations

No.	Recommendations
Recommendation 1	<p>To inform the Territory Plan planning regulations a thorough investigation be completed by the ACT Government that:</p> <ul style="list-style-type: none">▪ identifies retail, community and commercial activity that can prosper in the town centre including activities that can anchor further growth;▪ identifies options for the ACT Government to support potential commercial activity through appropriate land provision and complementary policy settings; and▪ the findings of the investigation be used to inform the sale and development requirements of future land releases in the town centre.
Recommendation 2	<p>The Committee recommends the ACT Government remove criterion 43 and the new R44 from DV364 in order to reserve priority commercial space.</p>
Recommendation 3	<p>In order to realise the objectives of the planning provisions, the ACT Government amend the indicative land release program so that the unsold blocks in Gungahlin East precinct:</p> <ul style="list-style-type: none">▪ be sold as a precinct rather than as individual blocks;▪ have contractual and lease requirements applied to the sale to deliver a precinct that includes retail, business, and community facility developments;▪ apply a maximum number of residential dwellings allowable so that residential dwellings are not the primary or majority use;▪ apply a minimum square metre requirement for commercial development; and▪ be designed in consultation with the community.
Recommendation 4	<p>If the remaining blocks in the Gungahlin East Precinct are sold as individual blocks, the Committee recommends the ACT Government maintain a commercial zoning for these blocks and apply a maximum number of residential dwellings and a minimum square metre requirement for commercial development permitted for each block to ensure that residential dwellings are not the primary or majority use.</p>
Recommendation 5	<p>The ACT Government apply the provision for an additional two storeys of building height to all blocks with height limit provisions in the town centre.</p>

Recommendation 6 The Committee recommends active travel and vehicle and parking arrangements are reconsidered following the completion of the traffic and transport assessments being undertaken by Transport Canberra and City Services.

Recommendation 7 The Committee recommends active frontage placements are reconsidered with priority to having active frontages in areas identified as pedestrian throughfares.

Recommendation 8 Variation be extended to incorporate Yerrabi Pond recreational and commercial area and the key connections of Gungahlin Place north of Anthony Rolfe Ave and Nellie Hamilton Ave as well as Cantamessa Avenue.

ACT Government Response to the Standing Committee on Planning, Transport and City Services Report 5 – Draft Variation to the Territory Plan 364 Gungahlin Town Centre: Amendments to the Gungahlin Precinct Map and Code

Recommendation 1

To inform the Territory Plan planning regulations a thorough investigation be completed by the ACT Government that:

- identifies retail, community and commercial activity that can prosper in the town centre including activities that can anchor further growth;
- identifies options for the ACT Government to support potential commercial activity through appropriate land provision and complementary policy settings; and
- the findings of the investigation be used to inform the sale and development requirements of future land releases in the town centre.

Response

AGREED IN PRINCIPLE

An assessment of commercial market potential, which takes into consideration economic and market factors, will be undertaken to help identify potential additional commercial uses within the town centre.

DV364 allows opportunities for a wide range of economic activity, which can be complemented through detailed provisions in the land sales process. The ACT Government is committed to undertaking consultation and planning to develop a precinct planning approach to future land sales in the town centre.

The assessment will be an important consideration for the future precinct planning approach for blocks along Flemington Road, located in the east of the town centre, to achieve an appropriate best-practice mix and integration of uses. Precinct planning will include consideration of public realm requirements to promote vibrant street-level activity and built form interface with the linear park.

The ACT Government recognises the community sector provides vital community services as well as an employment base. Community facilities are a key consideration in the ongoing development of the town centre. A community and recreational facilities needs assessment for the district of Gungahlin is underway to help identify current and future demand and gaps for community facilities and will inform the government strategy about planning for facilities into the future in the district including in the town centre. A listening report of community engagement was released on 18 October 2021. The final needs assessment is anticipated to be publicly released in early 2022.

A new community centre within the town centre is a commitment in the Parliamentary and Governing Agreement for the 10th Legislative Assembly. The ACT Government has already

commenced work towards the new community centre with a budget allocation of \$300,000 provided in the 2021/22 financial year for a feasibility study and to develop the business case for future funding consideration.

The precinct planning approach for Flemington Road will also take into consideration this Government's response and position on the recommendations of the community needs assessment and on the new community centre, as relevant.

DV364 will be finalised in the first instance and the future work outlined above will be undertaken to inform future land releases, and sale and development requirements.

Recommendation 2

The Committee recommends the ACT Government remove criterion 43 and the new R44 from DV364 in order to reserve priority commercial space.

Response

AGREE

The Government agrees to remove criterion 43 and rule 44 from DV364 to reserve commercial space.

Recommendation 3

In order to realise the objectives of the planning provisions, the ACT Government amend the indicative land release program so that the unsold blocks in Gungahlin East precinct:

- **be sold as a precinct rather than as individual blocks;**
- **have contractual and lease requirements applied to the sale to deliver a precinct that includes retail, business, and community facility developments;**
- **apply a maximum number of residential dwellings allowable so that residential dwellings are not the primary or majority use;**
- **apply a minimum square metre requirement for commercial development; and**
- **be designed in consultation with the community.**

Response

AGREED IN PRINCIPLE

The ACT Government agrees to a precinct planning approach to the unsold blocks in the Gungahlin East area. This will involve community engagement and will set the planning framework for land release, development and uses along Flemington Road. Land releases will be consistent with the ACT Government's Indicative Land Release Program, with the method of release and sales contractual arrangements to be determined by the SLA, in the context of the precinct planning outcome.

Subject to the outcomes of the commercial market potential assessment and precinct planning, land releases along Flemington Road may have residential components with commercial uses being a significant component.

The ACT Government will consider the appropriate commercial and/or community floor space for future years' land releases in consideration of the commercial employment assessment mentioned under recommendation 1.

Recommendation 4

If the remaining blocks in the Gungahlin East Precinct are sold as individual blocks, the Committee recommends the ACT Government maintain a commercial zoning for these blocks and apply a maximum number of residential dwellings and a minimum square metre requirement for commercial development permitted for each block to ensure that residential dwellings are not the primary or majority use.

Response

AGREED IN PRINCIPLE

The ACT Government agrees to a precinct planning approach to Gungahlin East. A precinct may be delivered as an 'englobo' land release to one developer, but it is also possible for multiple developers to deliver a precinct. Where blocks are sold individually, the ACT Government can use provisions in deeds or similar requiring the developer to deliver a part of an overall precinct, with design and other controls ensuring a coordinated precinct.

The assessment of commercial market potential and the precinct planning approach discussed under Recommendation 1 above, will set the planning framework for the undeveloped land along Flemington Road. The current commercial zoning will be retained. Land releases will be consistent with the ACT Government's Indicative Land Release Program with the method of release and sales contractual arrangements to be determined by the SLA following community consultation.

Recommendation 5

The ACT Government apply the provision for an additional two storeys of building height to all blocks with height limit provisions in the town centre.

Response

AGREED IN PRINCIPLE

It is agreed that an additional two storeys can apply to specified sites in Precinct 2b, only if the additional height does not have an adverse impact on adjacent development. Building heights in metres will be adjusted, to allow for higher floor to ceiling heights for commercial developments.

It is noted that additional 2 storey building elements are already proposed to apply to Precinct 2a Mixed Use East in criterion C47 along Flemington Road, and therefore additional storeys will not be permitted in this precinct.

Recommendation 6

The Committee recommends active travel and vehicle and parking arrangements are reconsidered following the completion of the traffic and transport assessments being undertaken by Transport Canberra and City Services.

Response

AGREE

Any required changes to the Territory Plan considered necessary as a result of the new traffic and transport model being developed by TCCS, can be incorporated into the Territory Plan at a later date.

In the 2021/22 ACT Budget, under the initiative of boosting investment in active travel, \$200,000 has been allocated to Transport Canberra and City Services for a Route Planning Study for the Gungahlin Town Centre. This study is intended to encourage a greater modal shift to active travel and includes feasibility of cycle connectivity improvements, and commencement of priority designs for the proposed active travel network connections, as identified through the Gungahlin Town Centre Planning Refresh 2018.

Recommendation 7

The Committee recommends active frontage placements are reconsidered with priority to having active frontages in areas identified as pedestrian throughfares.

Response

AGREE

Active frontage placements will be reviewed in the final version of DV364 in consideration of areas identified as pedestrian throughfares.

Recommendation 8

The Committee recommends the study area for the Gungahlin Town Centre Draft Variation be extended to incorporate Yerrabi Pond recreational and commercial area and the key connections of Gungahlin Place north of Anthony Rolfe Ave and Nellie Hamilton Ave as well as Cantamessa Avenue.

Response

AGREED IN PRINCIPLE

The important linkages from the Gungahlin Town Centre to the Yerrabi Pond recreational area and the key connections of Gungahlin Place north of Anthony Role Avenue and Nellie Hamilton Avenue and Cantamessa Avenue are acknowledged in the Gungahlin Town Centre Snapshot 2018. DV364 does not directly incorporate these surrounding areas into its study area.

These linkages are being considered in the Route Planning Study for the Gungahlin Town Centre, as indicated under Recommendation 6 above.

The area subject to the Draft Variation was based on the 2018 Gungahlin Town Centre refresh, which focused on the town centre component of the suburb of Gungahlin. Notwithstanding, the intent of the Standing Committee's recommendation is being considered through the route planning study mentioned above.