

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

*DRAFT VARIATION TO THE TERRITORY PLAN (NO.53)
FOR
GUNGAHLIN TOWN CENTRE AND CENTRAL AREA*

**REPORT NO.7
OF THE
STANDING COMMITTEE ON PLANNING AND ENVIRONMENT**

DECEMBER 1995

STANDING COMMITTEE ON PLANNING AND ENVIRONMENT

Resolution of appointment of the Standing Committee on Planning and Environment:

[that] a Standing Committee on Planning and Environment [be established] to examine matters related to planning, land management, transport, commercial development, industrial and residential development, infrastructure and capital works, science and technology, the environment, conservation, heritage, energy and resources...

[And that the committee] inquire into and report on matters referred to [it] by the Assembly or matters that are considered by the committee to be of concern to the community.

[Further, that] if the Assembly is not sitting when the Standing Committee on Planning and Environment has completed consideration of a report on draft Plan variations referred pursuant to Section 25 of the *Land (Planning and Environment) Act 1991* or draft Plans of Management referred pursuant to Section 203 of the *Land (Planning and Environment) Act 1991*, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation.

Minutes of Proceedings (Third Assembly) No.1 Thursday 9 March 1995, amended 22 June 1995

Committee Membership

Mr Michael Moore MLA (Chair)
Mr Wayne Berry MLA (Deputy Chair)
Ms Lucy Horodny MLA
Mr Trevor Kaine MLA

Secretary: Mr Rod Power

Background

1. Sections 25 and 26 of the *Land (Planning and Environment) Act 1991* require the Executive to refer draft Variations to the Territory Plan to an appropriate committee of the Legislative Assembly for report, and for the Executive to then have regard to the committee's recommendations before approving any Variation. The Standing Committee on Planning and Environment is the appropriate committee to consider such draft Variations.
2. On 31 October 1995 the Minister for the Environment, Land and Planning, Mr Gary Humphries MLA, referred to this committee the draft Variation and background papers relating to a draft Variation to the Territory Plan (No.53) for Gungahlin Town Centre and Central Area.

The draft Variation

3. The draft Variation sets out the general principles and policies to be applied to the detailed planning of the Gungahlin Town Centre and Central Area, including parts of the suburbs of Amaroo, Franklin, Harrison and Mulanggarri. It covers issues concerning the environment, community, cultural planning, social, economic, transport, public spaces, stormwater, urban design and staging of development.
4. As required by the Territory Plan, the draft Variation proposes to establish an “urban village” in the Town Centre. It is expected the village will have a combined resident and working population of at least 3,000. Sites also are proposed for a secondary college, primary and secondary schools, an enclosed oval, clubs, churches and other community facilities and recreation areas.
5. The proposed new Land Use Policy codes and overlays are shown on the following map.

Consideration by the committee

6. In considering the draft Variation, the committee was conscious of the following background:
 - an earlier version of the draft Variation was submitted last year to this committee’s predecessor in the Second Assembly (the Standing Committee on Planning, Development and Infrastructure). That committee concluded it was unable to make a recommendation on the proposal because ‘insufficient knowledge exists about the effect of the draft Variation on the nationally endangered legless lizard (*Delma impar*)...’ The Planning, Development and Infrastructure Committee noted that a definitive report on this matter would become available in the first half of 1996;

- the results of the *Delma impar* survey confirmed that the site proposed for the Town Centre was a significant habitat for the legless lizard;
- the location of the Town Centre has been shifted away from the 1994 site in order to better protect the native grasslands and *Delma impar*;
- moving the Town Centre means that residents of Palmerston - who had been led to expect the Town Centre to be located just across Gungahlin Drive from their suburb - will not be so conveniently placed (although not significantly disadvantaged). On the other hand, the residents of developing northern suburbs such as Amaroo will be placed nearer the Town Centre;
- the extent of land covered by the draft Variation is very much larger than that proposed in 1994.

7. Also in considering the draft Variation, the committee took into account the written comment received by the Planning Authority when it called for public comment on the new draft Variation in August 1995. All of this written comment was released for public comment. The Authority received comment from the Mitchell-Gungahlin Chamber of Commerce; Norwood Park Crematorium; Mr Bennett; Mr Dudge; the 'Friends of Grasslands'; the Heritage Council of the ACT; the National Trust of Australia (ACT); the Gungahlin Community Council; the ACT Bureau of Sport, Recreation and Racing; ACTEW; the ACT Department of Education and Training; Mr Hutchison; the ACT Department of Urban Services (DUS); the Conservation Council of the South-East Region and Canberra; the Environment and Land Bureau; BOMA ACT Division; and the ACT Department of Business, the Arts, Sport and Tourism.

8. As is evident from this list, written material commenting on the draft Variation was provided, not only by members of the public, but by agencies of the ACT Administration. As is its normal practice, the committee asked the Planning Authority to provide it with a copy of all the written comment received by the Authority in its public consultation phase.

9. The agencies with particularly pertinent concerns about the draft Variation were asked by the committee (through the responsible Ministers) to attend a public hearing, which took place on 27 November 1995. In attendance were officials from the Planning Authority; DUS; ACTEW; and the Department of Education and Training.

10. Reflecting this committee's role in scrutinising capital works matters, the committee took a close interest in comment by DUS that it was concerned about the possibility that the proposals contained in the draft Variation could significantly increase whole-of-life costs of the overall project - which have to be borne by the Canberra community. However, DUS officials advised the committee that:

the comments we made on the draft Variation go to the management issues consequent upon the adoption of the principles... [but] we certainly have no

concerns with the principles [themselves]. We would support them. We have raised a number of issues which are on the table for discussion and relevant at Stage 2 which is the costing process.

11. It transpired that the concerns of other agencies were allayed by the presentation given by the Planning Authority to the public hearing. The agencies indicated that any residual areas of concern could be dealt with at the later, more detailed, stages associated with implementing the draft Variation.

12. The committee commends the practice of including agency comment in the published list of submissions received by the Planning Authority. The committee urges the Government - and the Planning Authority - to continue this practise.

13. In order to provide a further opportunity for the public to comment on the draft Variation (additional to the written comment passed by the public to the Planning Authority), the committee placed advertisements in the local press in early November inviting the public to lodge written material with the committee (by 27 November 1995). The committee received written comments from the Master Builders' Association (MBA), Mr Quayle, the Heritage Council and the Conservation Council. The MBA, Mr Quayle and the Gungahlin Community Council asked to personally address the committee - and appeared at public hearings on 1 December 1995.

14. The MBA expressed concern about the following matters:

- the predominantly east-west orientation of the main road system 'will inevitably lead to traffic safety hazards and permanent sheeting on one side of the street';
- 'there is no provision made for bicycle parking areas';
- 'one major road appears to have been deleted from the proposed plan but no real thought appears to have been given to the inter-relationship between Civic, Dickson and the Town Centre';
- 'we believe it unwise to rigidly set architectural styles for the Town Centre at this point in time'.

15. Mr Quayle:

- regretted the proposal no longer incorporates Wells Station Road 'in the middle of the central area, crossing the Main Street at right angles';
- regretted the geometric, parallel streets of the central area, as compared to 'the curvilinear alignments and culs de sac of modern suburbia';
- supports 'the reinstatement of the second entry point to the Town Centre near the southern Kosciuszko Avenue, the position of the Town centre closer to the developing northern suburbs such as Amaroo and the incorporation of a wider area into the planning perspective';

- calls for explicit reference to the need for sporting facilities within the Town centre;
- criticises ‘loss of the separate Inter-Town Public Transport reservation’;
- regrets the absence of an enclosed shopping mall: ‘Protection from the elements and provision of clean, secure, operational public facilities is something that needs more consideration in a non-mall environment’; and
- calls for Commonwealth commitment to providing local employment opportunities in Gungahlin.

16. The Heritage Council drew attention to the need to preserve ‘the ruins of an early settler’s home “The Valley”... and the occurrence nearby of three important Aboriginal stone quarry sites’. The Council added:

From a heritage viewpoint, the identification of an appropriate context or siting in which to view “the Valley” precinct and the chert sites is important. The draft Plan Variation recognises this need and allows the four places to be taken as a whole. However, since the release of the draft Variation, the issue of an additional feeder road from Palmerston into the Centre has arisen. This road, entering the Town Centre from the intersection of Kosciuszko Avenue and Gungahlin Drive, would separate one important chert site from the rest of the group of places. It is safe to say that a properly designed road could proceed without detrimentally affecting the heritage values of the sites, providing that a strong visual link is maintained between the sites.

17. The Conservation Council raised the following issues of concern:

- the north western corner of the Town Centre site should be preserved as a conservation area for *Delma impar*, and not be used as ‘a major access road’;
- the staging of development set out in the draft Variation threatens the ‘remnant grasslands in the northern and western parts of the site’;
- an ‘urgent review’ is necessary of the policy of 50 percent exotic and 50 percent native tree planting policy, with a view to increasing the proportion of native plantings.

18. The Gungahlin Community Council reported on a survey of Gungahlin residents conducted on 11 November 1995 which revealed:

- ‘overwhelming support for the commencement of the Town Centre as soon as possible’;
- there exists ‘a reasonable degree of satisfaction with the Town Centre plans’;

- there is ‘support for the proposed grassland reserves’, though making the point that residents ‘do not want to see the environment suffer due to the Town Centre but the Town Centre must not suffer due to the environment’;
- ‘residents are keen to see a government presence in the Town Centre’;
- residents are concerned about the Town Centre’s ‘poor connections to Gungahlin’s existing suburbs... We want a second connection to the Town Centre off Gungahlin Drive’;
- residents ‘want the traffic arrangements at [the] intersection [of Southern Kosciusko Avenue and Gungahlin Drive] addressed as a matter of urgency’;

19. The committee considered that a number of important issues arose out of the public hearings. The committee asked the Planning Authority to respond to each of these issues. The issues, and extracts from the Authority’s response, are reproduced below.

Issue - Palmerston connection to the Town Centre. Connection from both ends of Kosciusko Avenue.

... The provision of a second connection to the Town Centre by the extension of Kosciusko Avenue (South) is permitted by the draft Variation. Such a road would skirt the edge of the grassland conservation zone and is an appropriate edge condition to the conservation zone... The Authority supports the provision of this road, however, detailed study of its route and character is required to ensure that the adjacent grassland conservation zone would not be impacted and that the heritage value of the complex of Aboriginal chert sites is not significantly adversely affected.

Issue - Siting and orientation of the Town Centre grid.

The occurrence of native grassland habitat for *Delma impar* and the complex of Aboriginal chert sites and other cultural heritage sites over a large proportion of the previous Town Centre site and the resultant changes to the arterial road structure required relocation of the Town Centre to the north...

An east-west, north-south rectilinear grid (long axis east-west) is generally the most desirable street pattern because it provides for predominate orientation of buildings to the north...

Issue - The proposed east-west main street is not a desirable orientation for the main shopping street because the north side of the street is generally always in shade.

... A north-south pedestrian spine which includes the Town Square, Town Common and Town Park dissects the main street and provides the main pedestrian focus of the Town Centre and a venue for public gathering, outdoor seating areas, cafes, alfresco dining etc. These have been planned to receive sun in mid-winter from at least 10.00am - 2.00pm.

There are many examples of very successful east-west shopping streets including Franklin Street in Manuka, Bourke Street and Collins Street in Melbourne, Oxford Street Paddington (the northern shaded side has intensive pedestrian use and is a very successful retail strip). The northern shaded side of Garema Place is extensively used for outdoor cafes...

Issue - East west orientation of boulevards is hazardous due to problems of glare.

... The path of the sun varies considerably from winter to summer and there is no common accepted best practice in terms of road orientation. Overall a due west orientation such as proposed would provide less problems of glare in pm peak hour than orientation approximately north west.

Notwithstanding the above, the boulevards are proposed to be extensively planted with eucalypts in medians which are intended to provide an evergreen canopy over the carriageways. This will in time assist in shielding glare.

Issue - The routing of the “Northbourne Avenue” styled arterial roads through the Gungahlin Central Area dissects the Town Centre from the rest of the Urban Village. It is destructive of the Urban Village Concept and attracts through traffic.

The network of north south east west boulevards in the Central Area are not arterial roads and are completely different in scale and quality to Northbourne Avenue and other arterial roads in Canberra...

They are designed for slow speed and are to be densely planted in a formal pattern. The boulevards will have generous verges and medians and high pedestrian comfort and amenity, making them highly compatible with mixed use development. Side streets are proposed which provide access to development fronting the boulevard as well as separation of development from the central carriageways...

The boulevards provide a legible connection of the Town Centre to Mitchell and contain a reserve for inter-town public transport. Due to their design and high amenity they are intended to provide the focus of higher density mixed use communities oriented to public transport...

Issue - The draft Variation intends that the Gungahlin Town Centre will have the qualities of an urban village. The plan as proposed will not deliver the street life or the lifestyle of an urban village.

... The plan proposes a compact and relatively dense settlement pattern with transit stops and centres within 5 minutes walk of most houses...

Issue - By not providing a Transit Route loop the Gungahlin Central Area will be more car reliant.

{A recent study} confirms that the only potentially viable routes for higher capacity public transport modes are the inter-town routes. No intersuburban routes can generate the density of demand that makes options such as dedicated rights of way for buses or light rail remotely viable.

The transit route that forms the spine of the Central Gungahlin Area makes sense only as part of the IPT (Intertown Public Transport) system. The IPT route through Canberra connects the town centres and secondary nodes such as Bruce, West Deakin and Dickson. The route through the subject area forms part of the IPT route from Civic via Northbourne Avenue and Mitchell to the Gungahlin Town Centre. It is aligned to facilitate extension to the Belconnen Town Centre, to the secondary node at the Ngunnawal Group Centre, and, in the long term, across the border to the potential settlement area to the north-east of the ACT...

The variation ensures that all the residential, commercial and mixed use areas are within five minutes walk (400 metres) of public transport stops facilitating a high level of public transport accessibility to the town centre and to the rest of the city. The transit stops are collocated with local centres, which are the focus of higher density development.

Issue - The Town Centre guidelines are too prescriptive and limit diversity of architecture. Roofs with 30 degree roof pitches are more European in character and are not common in Australia. Steeper roof pitches create difficulties for builders.

... The 30 degree roof pitch is not uncommon in general residential areas, and its application to the Town Centre is a useful (consistent) quality indicator without breaking radically from the surrounding environs...

Issue - The draft Variation requires the use of indigenous vegetation. Deciduous trees should be allowed for solar access.

The draft planning guidelines for the Gungahlin Town Centre and Central Area clearly states (p-17 point 8) "Use deciduous trees in the public landscape areas to provide urban amenity and character to hard paved surfaces and to situations of strongly formal and geometric built form. Use these deciduous trees, where required to provide sun and shade control and visual variety and interest."...

Issue - The use of swales for stormwater drainage is not practicable and has proven to be unsuccessful when used elsewhere in Canberra.

... the Authority is of the opinion that with careful attention to design such as

- the provision of porous pavements to car parking areas and alternative location and access to parking areas;
- the use of subsoil drains to ensure the systems dry out;
- awareness raising across the community; and
- integration into developments,

swales offer significant cost savings, provide a range of recreational and amenity benefits, and are much more ecologically sustainable in terms of water management in the urban area. The draft Planning Guidelines only require the use of swales where practicable.

20. The committee appreciates the speedy response of the Planning Authority to the concerns raised by witnesses at the public hearings.

21. In coming to a conclusion about the draft Variation, the committee is conscious of the call by the Gungahlin Community council - on behalf of the residents of Gungahlin - for the committee 'to put an end to the uncertainty surrounding the Town Centre' by endorsing the draft Variation as the necessary preliminary step to the Government being in a position to commence work as soon as possible. In terms of the Assembly sitting dates for 1995 and 1996, this required the committee to urgently consider the draft Variation in order for the committee's report to be tabled in the Assembly on Tuesday 5 December 1995. Accordingly, the committee met on that day to deliberate on the draft Variation.

Recommendation

22. *The committee endorses the draft Variation to the Territory Plan (No.53) for the Gungahlin Town Centre and Central Area.*

23. *The committee is concerned about the capacity for normal traffic (that is, other than public transport) to have unrestricted access to some of the main streets in the Town Centre - thus possibly inhibiting the full working of the urban village concept. The committee requests that the Planning Authority keep this matter under review and that the committee be regularly informed about developments in this regard.*

Postscript

24. The *Land (Planning and Environment) Act 1991* requires the ACT Executive to have regard to any recommendation contained in a report of an appropriate committee of the Legislative Assembly before approving a draft Variation to the Territory Plan. If it does approve a draft Variation following the committee's report, the Executive must table its decision within five sitting days of approval.

25. A further five sitting days is then provided for any Member of the Assembly to move that the Variation be rejected in whole or in part. Any such motion must be dealt with by the Assembly within five sitting days.

26. If a Variation is not rejected by the Assembly, the ACT Planning Authority will publish a notice in the *Gazette* specifying the date of commencement of the Variation.

Michael Moore MLA
Chair

5 December 1995