



Legislative Assembly for the ACT

STANDING COMMITTEE ON PLANNING AND
ENVIRONMENT

Variation to the Territory Plan No. 257 – Suburb
of Crace Gungahlin

AUGUST 2006

Report 21

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Resolution of appointment

On 7 December 2004 the ACT Legislative Assembly agreed to establish general purpose standing committees as follows:

- (1) The following general purpose standing committees be established and each committee to 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: ...
 - (e) a Standing Committee on Planning and Environment to examine matters related to planning, public works and land management, conservation and heritage, transport services, and environment and ecological sustainability....

The Assembly also agreed 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 or draft plans of management referred to the Committee by the Minister under 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, publication and circulation.¹

Terms of reference

Section 25 of the Land (Planning and Environment) Act 1991 (ACT) states:

The Minister shall, within 28 days of receiving a draft plan variation under section 24, refer —

- (a) the draft plan variation; and
- (b) the documents referred to in section 24 (1) that relate to the draft plan variation;

to an appropriate committee of the Legislative Assembly together with a request that the committee report on the draft plan to the Legislative Assembly.

¹ Legislative Assembly of the ACT, *Minutes of Proceedings*, No 2, 7 December 2004, pp12–16

Preface

Both Federal and ACT law and policy governs planning in the ACT. The *Australian Capital Territory (Planning and Land Management) Act 1988* (Cwlth)² establishes the National Capital Authority, which prepares and administers the National Capital Plan. The Act also enables the Legislative Assembly to establish a statutory planning authority – now the ACT Planning and Land Authority – to develop and implement the Territory Plan. The *Land (Planning and Environment) Act 1991* (ACT)³ (the Act) requires the Territory Plan to set out the planning principles and policies for giving effect to its object,⁴ which is:

to ensure, in a manner not inconsistent with the national capital plan, that the planning and development of the ACT provides the people of the ACT with an ecologically sustainable, healthy, attractive, safe and efficient environment in which to live, work and have their recreation.⁵

The Plan includes both a written statement and a map. The written statement contains general planning principles (Part A), specific land use policies (Part B), overlay provisions (Part C) and definitions of terms (Part D). The Territory Plan map shows which land use policies and overlays in the written statement apply to particular sections of land in the Territory. The Territory Plan is developed and implemented taking account of other strategic ACT Government policy documents such as *The Canberra Plan* and *People Place Prosperity: A Policy for Sustainability in the ACT*.⁶

Recognising that land use policies may change over time, the Act provides for variations to the Territory Plan. The ACT Planning and Land Authority prepares these for stakeholder comment. There can be a number of versions of a draft variation depending on the consultation program.

² accessible at <<http://scale.law.gov.au/html/pasteact/0/160/top.htm>>

³ accessible at <<http://www.legislation.act.gov.au/a/1991-100/current/pdf/1991-100.pdf>>

⁴ Land (Planning and Environment) Act 1991, sub-section 7(2))

⁵ Land (Planning and Environment) Act 1991, sub-section 7(1)

⁶ accessible at <<http://www.cmd.act.gov.au/canberraplan/>> and <<http://www.sustainability.act.gov.au/policy.html>>

The Minister is required by the Act to refer each draft variation, within 28 days of receiving it, to an appropriate committee of the Assembly – currently the Standing Committee on Planning and Environment – for consideration and report.⁷ The Minister is required to have regard to the Committee’s recommendations before approving the proposed variation and tabling it in the Assembly (see below), or returning it to the ACT Planning and Land Authority with written directions for further action.⁸

The Territory, the Executive, a Minister or a Territory authority must not do or approve anything that is inconsistent with the Territory Plan, or the proposed draft variation, in relation to land that is subject to a draft variation, once the draft variation has been notified for public consultation under the *Legislation Act 2001* (ACT) and until it commences operation, is disallowed by the Legislative Assembly, or is withdrawn.⁹

Following the Committee’s tabling of its report in the Legislative Assembly, the Minister must take the findings of the committee into account before making his decision in relation to the draft plan variation.¹⁰ If the Minister approves it, he will table the proposed variation and associated documents in the Legislative Assembly.¹¹ Unless wholly or partially disallowed by the Assembly within five sitting days, the variation will commence on the date nominated by the Minister.

⁷ Land (Planning and Environment) Act 1991, section 25

⁸ Land (Planning and Environment) Act 1991, paragraphs 26(1)(a) and (b), sub-section 26(2)

⁹ Land (Planning and Environment) Act 1991, section 9

¹⁰ Land (Planning and Environment) Act 1991, sub-section 26(2)

¹¹ Land (Planning and Environment) Act 1991, section 29

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SUMMARY OF RECOMMENDATIONS

RECOMMENDATION 1

2.9 The Committee recommends that the proposed variation to the Territory Plan No 257 – Suburb of Crace, Gungahlin, proceed, subject to the recommendations in this report.

RECOMMENDATION 2

3.6 The Committee recommends that the ACT Planning and Land Authority amend the Final Recommended Variation before it is tabled in the Assembly to ensure that the sites of Aboriginal cultural heritage significance are appropriately protected and respectfully acknowledged.

RECOMMENDATION 3

3.7 The Committee recommends that further archaeological assessments be undertaken to better delineate the density and dimensions of the CR 4 heritage site but that its core area be protected in an open space area vegetated with local grassland species. An oval would be an inappropriate use of this area.

RECOMMENDATION 4

3.8 The Committee recommends that heritage site CR 10, an Aboriginal scarred tree, remain in urban open space with a conservation protection zone extending at least five metres from the crown of the tree. Footpaths should not encroach upon the conservation zone, and neither should there be any special designation of the value of the tree as this may encourage vandalism.

RECOMMENDATION 5

3.19 The Committee recommends that the Minister for Planning reconsider the width of the buffer areas in the proposed suburb of Crace along Barton Highway and adjacent to Gungaharra Grassland Nature Reserve with a view to widening these and strengthening their native landscape character with plants of local provenance.

RECOMMENDATION 6

3.20 The Committee recommends that the Minister for Planning consider whether medium density housing may be more appropriate along an enlarged buffer area adjacent to the Barton Highway and the edge road adjacent to Gungaderra Nature Reserve.

RECOMMENDATION 7

3.21 The Committee recommends that the need for noise abatement measures for residential and urban residential dwellings in Crace be fully assessed, and appropriate abatement measures incorporated in the design for the suburb.

RECOMMENDATION 8

3.22 The Committee recommends that the Minister for Planning ensure that an edge road is provided as a buffer for Gungaderra Grassland Nature Reserve.

RECOMMENDATION 9

3.23 The Committee recommends that Roads ACT review the comments made in submissions, and traffic conditions at peak times on Gundaroo Drive, Gungahlin Drive and Barton Highway near the proposed suburb of Crace.

RECOMMENDATION 10

3.24 The Committee recommends that the Minister for the Territory and Municipal Services determine whether additional traffic studies and measures are necessary to remedy traffic congestion during the construction phase of the suburb, and when the suburb is built.

RECOMMENDATION 11

3.25 The Committee recommends that in the proposed suburb of Crace, the bushfire protection zone should be established outside nature reserves with adjacent edge roads, where possible, so as not to erode the reserves' biodiversity values.

RECOMMENDATION 12

3.26 The Committee recommends that the Planning and Land Authority attach conditions to each approved development application that will result in the loss of a significant tree or trees, requiring the developer to contribute to a biodiversity restoration initiative that will deliver equivalent biodiversity value.

3.27 The Committee recommends that when the detailed residential subdivision work is done for Crace, careful consideration be given to solar access, which may necessitate more innovative residential block design.

RECOMMENDATION 13

3.28 The Committee recommends that cat containment be mandatory in the proposed new suburb of Crace and that Gungahlin residents be advised of the importance of this issue through community education initiatives.

RECOMMENDATION 14

3.29 The Committee recommends that 'from local seed provenance' be added to the end of the second dot point in paragraph 1.4.2 of DV257.

RECOMMENDATION 15

3.30 The Committee recommends 'where possible' be replaced with 'as a priority and under the *Tree Protection Act 2005*' in the third dot point in paragraph 1.4.2 of DV257.

RECOMMENDATION 16

3.31 The Committee recommends that environmental flows in the nearby creek system in Gungahlin be considered when the water quality detention ponds in Crace are designed.

RECOMMENDATION 17

3.32 The Committee recommends that stringent controls on waste management be applied during the construction phase for Crace to ensure that residential amenity and environmental values in the area are protected.

RECOMMENDATION 18

3.33 The Committee recommends that the ACT Planning and Land Authority replace the reference to 'section 7(3)(e)' on page 4 of the Final Recommended Variation with 'paragraph 7(3)(c)'.

1 INTRODUCTION

1.1 The proposed suburb of Crace is the last undeveloped suburb in Gungahlin. This proposed variation to the Territory Plan sets out the planning principles and policies that will guide the development of the new suburb. This proposed variation (DV257) proposes to:

- apply a Defined Land Overlay to the area (i.e. specify the land uses for the proposed new sub-division for the suburb)¹²
- adjust the current boundaries of the hills, ridges and buffer areas and residential policies between Crace, the Barton Highway and Gungahlin Nature Reserve
- create areas of open space in the suburb, including two water quality control ponds
- identify the local centre (Commercial D) site
- apply a Residential B9 Area Specific Policy¹³ in the area around the Crace Local Centre
- designate the major roads through the suburb
- introduce a broad acre land use policy in the north-eastern area of the suburb

1.2 The suburb of Crace, which will be adjacent to the Barton Highway in Gungahlin, is expected to have about 1 000 residential dwellings, 190 urban residential dwellings (ie dwellings in a higher density), and a population of about 3 000.¹⁴ It will have community facilities is a site area of about 6 000m², a neighbourhood playing field, and possible smaller community facilities such

¹² When land is to be sub-divided, the Planning and Land Authority has to vary the Territory Plan to specify the purposes for which the land may be used and the planning principles that will apply, and include a map showing those purposes. This information must be provided in a notifiable instrument under the Legislation Act. See Subdivision 2.3.4 of the *Land (Planning and Environment) Act 1991* (ACT): Plan variations—defined land

¹³ See Variation no 130 and p20 of Part B1 of the Territory Plan, ACT Department of Urban Services, Written Statement Vol. 1, accessible via <www.actpla.act.gov.au>

¹⁴ Figure 1.3 Outline Plan, ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, p9

as scout and community halls in the open space areas.¹⁵

- 1.3 Bus stops are to be within 400m of 90% of the dwellings, and 95% of dwellings are to be within 500m of a potential bus stop.¹⁶ There is to be pedestrian and cycle network linkage between the local centre, recreational areas and the road network serving the main employment centres in Gungahlin and elsewhere in the ACT. Under DV257, the local centre will also have effective pedestrian and bicycle access and strong public transport links.
- 1.4 The local shopping centre is intended to be a mixed-use area under the Territory Plan's Residential B9 Area Specific Policy (Urban Residential). As illustrated in Figure 1.2 of DV257 (reproduced at Appendix A), medium density housing of two to three storeys is also proposed for near the local centre, as well as along Gundaroo Drive, near the Gundaroo Drive/Nudurr Drive corner of the suburb, adjacent to the water features and open space corridors, and near the community facility site.¹⁷
- 1.5 The landscape features that will form the boundaries of the proposed new suburb include Gungaderra Grassland Nature Reserve and Gungahlin Hill to the east, Gundaroo Drive and Percival Hill to the west, a narrow urban open space buffer along the Barton Highway to the south, and Nudurr Drive to the north. DV257 proposes that buffer areas will be created to protect these nature reserves from weeds, rubbish, plant removal and fire.
- 1.6 Gungaderra Nature Reserve provides important habitat for the vulnerable Striped Legless Lizard (*Delmar impar*) and Perunga Grasshopper (*Perunga ochracea*), and the endangered Button Wrinklewort (*Rutidosia leptorrhynchoidea*) and Golden Sun Moth (*Synemon plana*).¹⁸ About 60ha of the reserve is

¹⁵ ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, p10

¹⁶ ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, pp12–13

¹⁷ Refer Figure 1.3 Outline Plan, ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, p9. See also Variation no 130 and p20 of Part B1 of the Territory Plan

¹⁸ See Schedules 1 and 2 of the *Nature Conservation (Species and Ecological Communities) Declaration 2005 (No 1)*

endangered and protected natural temperate grassland.¹⁹ The reserve also includes several significant weeds including Chilean Needle Grass and Serrated Tussock. The Department of the Territory and Municipal Services manages the reserve.²⁰

- 1.7 The proposed new suburb is in the Ginninderra Creek and Gungaderra catchments. In order to maintain water quality and manage the amount of stormwater runoff into the local creek system, and to prevent run-off into the Gungaderra Nature Reserve, overland water flows will be encouraged to enter ponds and wetland landscape features near Gundaroo Drive. Appropriate water sensitive urban design principles are being applied during the planning process, broadly consistent with the ACT Government's *Think Water, Act Water – Strategy for Sustainable Water Management in the ACT*, and the ACT Government's draft *Water Sensitive Urban Design Guidelines for Sustainable Development in Canberra*.²¹ The open space/pond/wetland areas in the suburb will also have cycle paths and walking trails to encourage recreational enjoyment of these areas, which are to be designed to be visually appealing.
- 1.8 The design of the suburb is intended to preserve significant trees, which are to be managed with a management plan under the *Tree Protection Act 2005* (A.C.T.).²² The area has a scattered population of Yellow Box (*Eucalyptus melliodora*) and Blakeley's Red Gum (*Eucalyptus blakleyi*) open woodland trees.²³ More than 90% of this type of vegetation has been cleared from its former range, which was from Melbourne to south Queensland. The ACT hosts a significant proportion of the remaining critically endangered and protected

¹⁹ See *Nature Conservation Act 1980* (ACT) and Schedule 3, *Nature Conservation (Species and Ecological Communities) Declaration 2005 (No 1)*, and *Environment Protection (Biodiversity Conservation) Act 1999* (Cwlth): White Box-Yellow Box-Blakeley's Red Gum Grassy Woodland and Derived Native Grassland Critically Endangered 17/05/2006 : <http://www.deh.gov.au/cgi-bin/sprat/public/publiclistchanges.pl#community>

²⁰ S. Sharp, J. Dorrough, R. Rehwinkel, D. Eddy and A. Breckwoldt, *Grassy Ecosystems Management Kit: A Guide to Developing Conservation Management Plans*, Environment ACT, Canberra, 2005

²¹ The draft guidelines were released for public comment on 4 April 2006. These are accessible via <www.actpla.act.gov.au>

²² Replacing the *Tree Protection (Interim Scheme) Act 2001* (A.C.T.) referred to on p11 of DV257

²³ 'Nomination Form for listing, changing the status or delisting an ecological community under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)– Yellow Box/ Red Gum Grassy Woodland', <http://www.deh.gov.au/biodiversity/threatened/nominations/pubs/yellowbox-redgum.pdf>, accessed 10 November 2005

Yellow Box/Red Gum woodland.²⁴

- 1.9 The current land use policies that apply to this area are represented in map form in Appendix B. The planning principles proposed for this new suburb, reproduced at Appendix C, when incorporated in the Territory Plan, will apply to the suburb pursuant to paragraph 7(3)(c) and subdivision 2.3.4 of the *Land (Planning and Environment) Act 1991 (ACT)*.²⁵ These principles address social, cultural, economic, and environmental considerations.
- 1.10 A representative of the Planning and Land Authority advised the Committee on site that the land was likely to be released for development between 2008–09 and 2012–13. Construction was to be staggered so as to reduce the impact on Gungahlin residents of construction traffic.

²⁴ 'Nomination Form for listing, changing the status or delisting an ecological community under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)– Yellow Box/ Red Gum Grassy Woodland', <http://www.deh.gov.au/biodiversity/threatened/nominations/pubs/yellowbox-redgum.pdf>, accessed 10 November 2005, p.13. See also D. Lindenmayer, M. Crane and D. Michael, photographs by E. Beaton, *Woodlands: A Disappearing Landscape*, CSIRO Publishing, Collingwood, 2005

²⁵ Not paragraph 7(3)(e) as stated in ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006

2 CONSULTATIONS ON DV257

ACT Planning and Land Authority

- 2.1 The ACT Planning and Land Authority released DV257 for public comment on 17 November 2005 until 19 December 2005. The main points made in the six written submissions to the Authority, and the Authority's response, are summarised in [Table 1](#).

Table 1: Summary of issues and ACT Planning and Land Authority responses²⁶

Stakeholder comment	Response by the ACT Planning and Land Authority
The nature of the research CSIRO conducted on site should be explained – Dep't Urban Services	The Commonwealth Government did a contamination assessment both before and after the sale of the land
The description of the management of catchment drainage needs to be clarified– Dep't Urban Services and ACTPLA Infrastructure Planning	Agreed
'Appropriate' should be inserted before 'Water Sensitive Urban Design principles'– Dep't Urban Services – and reference to water <i>quality control</i> ponds inserted – ACTPLA Infrastructure Planning	Agreed
Amendments suggested re reference to floodplain management guidelines and discouraging 'rat-running' through the suburb– Dep't Urban Services	Crace is not in a floodplain area and the traffic management planning principles should deter 'rat-running'

²⁶ ACT Planning and Land Authority, *Report on Consultation with Public and Government Agencies, Draft Variation to the Territory Plan No. 257– Suburb of Crace, Gungahlin, Annexe B to Recommended Final Variation*, January 2006

The description of the road network should be amended– Dep’t Urban Services and ACTPLA Infrastructure Planning	The proposed variation depicts major and minor collector roads. Local access roads are subject to further detailed planning. Reference to ‘road reservation’ inserted
The Land Development Agency (LDA) requested more flexibility in the location and size of the local centre, boundaries of residential capable land (particularly in relation to the broadacre and hills, ridges and buffer areas) and internal road and servicing layout	The proposed variation amends the Territory Plan map and any further changes would require another variation. The LDA supported the Crace Concept Plan which informs the variation
Aboriginal Heritage Places are not adequately protected by the proposed variation as a major road impacts and high density residential development cuts through a high conservation value Aboriginal artefact scatter and chert stone source which should be a public open space	The outcomes of further archaeological investigations will be taken into account during the preparation of the required Estate Development Plan. The Authority cannot approve any development application inconsistent with heritage requirements. The policy and overlays will protect sites requiring protection
Nudurr Drive should be extended to reduce traffic pressure on Kosciuszko Avenue and eliminate the bottleneck at the eastern section of Kosciuszko Avenue and Gungahlin Drive	A projected traffic analysis done for the possible extension of Nudurr Drive to Gungahlin Drive found that Crace traffic would not likely use that route which would become an alternative access route to/from Palmerston via Bollard St. The proposed extension is in the Authority’s draft Urban Development Program for the next 4–6 years

2.2 In accordance with the *Land (Planning and Environment) Act 1991* (ACT),²⁷ the ACT Planning and Land Authority also sought, considered and reported on the views of the National Capital Authority, the ACT Heritage Council and the Conservator of Flora and Fauna concerning the proposed variation.

- On 22 February 2005 the National Capital Authority advised that the proposed variation was not inconsistent with the provisions of the National Capital Plan.

²⁷ e.g. sections 16, 17, 20, 24

- The then Conservator of Flora and Fauna, Dr Maxine Cooper, advised on 3 March 2005 that stormwater runoff in the Gungaderra Catchment needs to be managed so as not to impact adversely on Gungaderra Nature Reserve. Dr Cooper also recommended that an edge road be constructed between residences and Gungaderra Grassland Nature Reserve. She said that should have a dish gutter, swale or similar edging, provide convenient access to the reserve at various points, and have a buffer area between the road and the reserve boundary that can be managed regularly for fire fuel reduction. Dr Cooper also said that service infrastructure such as sewer lines must be laid outside the Nature Reserve unless detailed studies determine that there is no feasible alternative.
- The ACT Heritage Council advised on 9 December 2005 that it declined to support the proposed variation until better protection was guaranteed for Aboriginal archaeological heritage in the area, but it did express support for the general planning policies in the proposed variation.²⁸

2.3 The ACT Planning and Land Authority had earlier sought the advice of the ACT Planning and Land Council on DV257. The Council advised at its meeting on 14 December 2004 that it:

- supported the approach in the draft Variation specifically requiring planning and development to incorporate sustainability objectives, energy and water conservation, and water sensitive urban design principles
- noted the amount paid to the Commonwealth for the land, and was concerned at the Commonwealth influence in relation to the cost of land and housing in the ACT, and the potential impact on housing affordability in the Territory
- advised that, notwithstanding the amount paid for the land, this should not be a reason for any change in the provision of affordable housing in the ACT
- noted that the draft Variation documentation is to include comments from the Conservator. The Council noted the Authority's advice that the Conservator's Office has been involved in the preparation of the draft

²⁸ ACT Planning and Land Authority, *Report on Consultation with Public and Government Agencies, Draft Variation to the Territory Plan No. 257– Suburb of Crace, Gungahlin*, Annexe B to Recommended Final Variation, January 2006

Variation and that formal comments would be provided when the draft was released for public comment.²⁹

Committee consultations

- 2.4 On 1 February 2006, pursuant to the *Land (Planning and Environment) Act 1991* (ACT), the Minister for Planning, Mr Simon Corbell MLA, referred DV257 to this committee for inquiry and report.
- 2.5 On 7 February 2006 the Committee resolved to invite submissions by way of advertisements and correspondence over a six-week period. An advertisement appeared in *The Canberra Times* on 11 February 2006 and in *The Chronicle* on 14 February 2006.
- 2.6 The Committee received seven written submissions on DV257, listed in Appendix E. A concern common to many of the submissions was that mature habitat trees in the proposed new suburb should be protected to the greatest extent possible. Traffic congestion problems were raised in two submissions. One submission expressed concern about the protection of Aboriginal cultural heritage in Crace.
- 2.7 The Committee visited the site of the proposed suburb twice during the inquiry, on 28 April and 30 May 2006. Stakeholders who met on site on with the Committee and Secretary included representatives of the traditional owners of the areas, the Ginninderra Catchment Group, Gungahlin Community Council, Friends of Grasslands, Conservation Council of the ACT, the ACT Planning and Land Authority, the ACT Heritage Unit and Heritage Council, the Housing Industry Association, and a local resident.
- 2.8 Having taken into account the views expressed in submissions, the Planning and Land Authority's recommended final variation and consultation report, and having visited the site of the proposed new suburb twice, the Committee recommends that the proposed variation proceed, subject to the recommendations below.

²⁹ A.C.T. Planning and Land Council, Minutes: Meeting No. 19, Tuesday 14 December 2004, p7

RECOMMENDATION 1

- 2.9 **The Committee recommends that the proposed variation to the Territory Plan No 257 – Suburb of Crace, Gungahlin, proceed, subject to the recommendations in this report.**

Residential design

- 2.10 The Housing Industry Association (HIA) submitted³⁰ that the proposed development of Crace provides an opportunity to respond to changing housing needs, and that more affordable single level town houses should be provided in the area. HIA argues that with Canberra's ageing population there will be increased demand for smaller dwellings on smaller blocks, which will need to be affordable to be financed from the sale of older homes.
- 2.11 The HIA argues that smaller blocks and smaller gardens would better suit time-poor residents and respond to continuing water restrictions. HIA recommends that planning for the new suburb include
- a range of block sizes, with varying setbacks, heights and plot ratios, establishment and maintenance of useable public open spaces, viable neighbourhood facilities, and communal water recycling systems. Mixed land uses, flexible leases, and choices of dwelling types and costs could also be considered for the new suburb.³¹
- 2.12 The Conservation Council of the South East Region and Canberra recommended in its submission that residential blocks and housing in Crace be designed so as to maximise solar access.³²

Cultural heritage protection

- 2.13 The ACT Heritage Council wrote to the Committee expressing concern that the early planning for the suburb was failing to identify for protection known places of Aboriginal cultural heritage significance. The area includes a rare chert stone quarry, which used to be a site for making stone tools. There are

³⁰ Submission no 5

³¹ Submission no 5

³² Submission no 2

only two of these on the ACT Heritage Register. The Heritage Council advised that 24 of the 26 cultural heritage places identified in a detailed survey of the Crace area in 2003 could be salvaged (i.e. the artefacts could be removed from the area because they were of relatively low significance), but that two places were identified as highly significant and it was recommended that they be retained *in situ*.

- 2.14 The Heritage Council expressed concern that a residential development and major road network had been sited in planning documents 'across the area of one of these more highly significant places' rather than in urban open space, and that the planning principles in DV257 only referred to one Aboriginal place.³³ The Council wrote:

The Heritage Act 2004 offers protection for Aboriginal heritage places however it is Council's view that when significant places are known about, their conservation should be clearly reflected from the earliest planning processes. Otherwise there is a risk that they will be overlooked when more detailed planning occurs or relegated as a 'constraint' upon development with the expectation that they may be removed in the future. Significant Aboriginal places are an important and non-renewable cultural resource that should be conserved for future generations.³⁴

- 2.15 The Minister for the Territory and Municipal Services, Mr John Hargreaves MLA, who has responsibility for heritage matters, responded on 10 August 2006 to a letter from the Committee requesting the results of an archaeological assessment on the extent of the high conservation value artefact scatter and chert stone source (registered site CR 4) and the Heritage Council's preferred management of the high conservation value Aboriginal scarred tree (registered site CR 10) in the area.
- 2.16 Minister Hargreaves advised that the Land Development Agency was considering the draft archaeological assessment of site CR 4. The assessment had recommended that the size of the registered site be reduced, with the core area of at least 20 metres by 20 metres be conserved in open space. The

³³ Submission no 6, referring to ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, p8

³⁴ Submission no 6, referring to ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, p8

archaeologist also recommended further investigation by evacuation of two test-pits, to confirm whether the artefact density with the site was concentrated within a smaller area than currently registered.

- 2.17 The Minister advised that the Heritage Council's preferred management of the Aboriginal scarred tree (CR 10) was for the tree to remain in urban open space with a conservation protection zone extending at least five metres from the crown of the tree. The Council's preference was not to have undue attention drawn to the tree by fencing or marking it in any special way. The Council advised that footpaths should not encroach upon the conservation zone.³⁵

Biodiversity protection

- 2.18 Most of the submissions highlighted the need to protect the large remnant mature Blakelys Red Gum and Yellow Box trees in Crace:
- The Conservation Council, the Canberra Ornithologists Group and the Friends of Grasslands submitted that remnant trees, which can be significant habitat trees, including for invertebrates and threatened species such as the Regent Honeyeater, should be preserved in public open space or reserve areas.³⁶ The Conservation Council noted that non-linear open space and reserve boundaries might be necessary to effectively preserve the trees. The Canberra Ornithologists Group also recommended that connectivity and native vegetation corridors be protected through the suburb of Crace, linking to the Gungahlin Hill Reserve.
 - The Office of the Commissioner for the Environment referred to the recognition in DV257 that 'approximately 80% of the mature trees on the site contain hollows, which are likely to be suitable as nesting sites for wildlife'.³⁷ The Commissioner submitted that existing important trees should not only be incorporated into the urban fabric 'where possible',³⁸ as currently suggested in the Final Recommended Variation, but 'as a priority'. The Commissioner also noted that there is the possibility of a

³⁵ Letter from the Minister for the Territory and Municipal Services, Mr John Hargreaves MLA, to the Committee Chair, dated 10 August 2006.

³⁶ Submissions no 2, 3

³⁷ See p11

³⁸ in the third dot point in paragraph 1.4.2– the *General Planning Principles*, ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006 – Submission no 4

conflict between General Policy H (location of small scale community facility uses in open space) and Specific Policy 7 (retain important group of trees within open space).

- Mr and Mrs Garry and Jo Newton, long-term residents of Palmerston, also recommended that the significant mature habitat trees in Crace should be retained in open space, parks or roadside reserves.³⁹
- 2.19 On other aspects of biodiversity conservation, the Commissioner said that land uses adjacent to conservation areas should not even have ‘potential for’ significant adverse impacts on the conservation area, and she requested an appropriate amendment to the Final Recommended Variation.⁴⁰
- 2.20 The Commissioner noted that the proposed urban edge buffer adjacent to Gungaharra Grassland Nature Reserve was very narrow in places.
- 2.21 The Commissioner also wrote that ‘appropriate native vegetation’ should be changed to ‘appropriate native vegetation from local seed provenance’ in paragraph 1.4.2 of the General Planning Principles in the Final Recommended Variation.
- 2.22 Both Friends of Grasslands and the Conservation Council expressed concerned about the negative impact of the suburb on native biodiversity conservation, and the need to compensate for that impact through biodiversity offsets, both inside Crace and beyond the suburb.
- The Conservation Council argued that a ‘net gain’ principle should be incorporated in the proposed variation, so that preserved habitat is enhanced to offset the biological diversity that will be lost to the development of the suburb.
 - Friends of Grasslands suggested that in open space areas, biodiversity offsets could be provided by plantings of additional trees and re-establishing native grasses and forbs that once would have occurred in the area. They submitted that endemic indigenous vegetation should be planted in open space areas so that residents can be reminded of its earlier natural vegetation. This could create a more empathetic attitude to important areas of grassland and woodland adjoining the suburb.

³⁹ Submission no 1

⁴⁰ in the fourth dot point in paragraph 1.4.2– the *General Planning Principles*

- Friends of Grasslands also submitted that as it was not clear when Crace would be developed, management of the area until that time should ensure that it is not allowed to deteriorate (from threats such as weed invasion), and that planning and implementation of biodiversity maintenance and enhancement should take place.
- 2.23 The Conservation Council recommended that stakeholder awareness be raised about the need to minimise the spread of weeds (including garden escapees) so as to protect the Gungaderra Grassland Nature Reserve.
- 2.24 The Council also recommended:
- that ecological considerations be given priority in the planning of this area;
 - that fire protection buffers or a fire management zone be outside the Reserve area; and
 - that a survey of possible striped legless lizard (*Delma impar*) populations be conducted in Crace if that has not yet been done and that significant habitat elements for the lizard be protected.
- 2.25 A representative of the Planning and Land Authority advised the Committee on site, that the bushfire protection zone was likely to be 40–60 metres inside nature reserves in the suburb. The Authority also provided the Committee with the most recent maps of the Crace concept plan, the Crace indicative subdivision plan, the Crace tree management plan and the Crace landscape master plan. The tree management plan noted that the final subdivision would take account of environmental and heritage requirements.

Transport issues

- 2.26 Three submissions raised concerns about road and transport issues.⁴¹
- 2.27 Mr and Mrs Newton recommended that:
- Gundaroo Drive be widened to two lanes each way from the Barton Highway to link with Gungahlin Drive before construction work on the new suburb of Crace begins so that smooth traffic flow can be maintained along Gundaroo Drive during that period;

⁴¹ Submissions no 1, 4

- traffic lights be installed to operate on weekday morning and evening peak periods at the intersection of Barton Highway, Gundaroo drive and William Slim Drive;
- Nudurr Drive be extended to join with Gungahlin Drive before construction begins on the Crace site; and
- access to the Crace construction site should be limited to Gundaroo or Nudurr Drives, and stringent physical and financial deterrents to inappropriate waste management should be enforced so as protect the fauna and flora in the area.

- 2.28 The Office of the Commissioner for the Environment expressed similar views to Mr and Mrs Newton about current traffic problems in the area, casting doubt on the statement in the Final Recommended Variation that ‘the transport network for Crace and adjacent areas is mostly established and comprehensive and includes roads, local bus routes, cycle ways and pathways’.⁴² The Commissioner’s submission noted that there is a potential traffic problem with access from and to Gundaroo Drive, with significant delays already occurring with vehicles waiting to enter the roundabout to head south on William Slim Drive. The submission suggested that Gundaroo Drive should be widened to facilitate egress from Crace onto Gundaroo Drive during peak traffic flows.
- 2.29 The Commissioner for the Environment wrote that the retail centre should be accessible by public transport (suggesting an amendment to the eleventh dot point in paragraph 1.4.2 – the *General Planning Principles* unless covered in the ninth dot point).
- 2.30 The Conservation Council recommended that a ring road/edge road be laid between Gungaharra Grassland Nature Reserve and houses to create a reasonably sized buffer area, as had the ACT Conservator of Flora and Fauna.
- 2.31 A representative of the Planning and Land Authority advised the Committee that an edge road was included in the conceptual plan for the suburb as edge roads enhance fire management and discourage waste dumping on public

⁴² ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, section 1.4.10

land.

Stormwater management

- 2.32 The Conservation Council welcomed the proposed management of stormwater and protection of riparian areas but said that retention ponds should be built away from current creek lines and drainage channels so that the stormwater can be collected, slowed and filtered before entering existing creeks. It also recommended that drainage areas be maintained in as natural a state as possible and not be converted to mown parkland.
- 2.33 The Office of the Commissioner for the Environment commented that it was appropriate to consider stormwater as a resource rather than a problem to be exported quickly, but expressed concern that the extent to which water will be held back from the main creek system (as a result of creating landscape water features and aquatic habitats) was not clear in the Final Recommended Variation, nor whether this was likely to have any negative downstream impacts on the creek. She suggested that if this aspect had not been considered, advice on the matter should be sought from the Wildlife Research and Monitoring Unit of Environment ACT.

Domestic pet issues

- 2.34 The Conservation Council and FOG recommended that:
- cat containment measures applicable in Forde and Bonner be applied to Crace. The Canberra Ornithologists Group strongly endorsed a similar recommendation, and another that effective dog controls apply in Crace; and
 - that stakeholder awareness be raised about the need for domestic pet containment.
- 2.35 Mr and Mrs Newton submitted that there was a need for adequate off-leash areas. They recommended that Nudurr Drive be moved to be as close as practicable to the northern edge of the Gungaharra Grassland Nature Reserve, with a low fence built along the road to create a buffer zone/off-leash area for dog walking behind the Palmerston houses' back fences, also allowing reasonable space between it and the road for a pedestrian/cycle path.

Miscellaneous issues

- 2.36 The Office of the Commissioner for the Environment suggested that figures in Territory Plan variations should be drawn to the same scale so that before and after comparisons can be made.
- 2.37 HIA submitted that since the cost of land is a 'critical component in the issue of housing affordability', the Commonwealth should be encouraged to reduce its land charges for first house buyers in Crace. HIA also stressed the sensitivities associated with the timing of the land release in Crace.

3 COMMITTEE COMMENTS

- 3.1 The Committee thanks the individuals and organisations who made submissions to the inquiry and attended site visits.
- 3.2 The Committee notes the views expressed by the Housing Industry Association regarding the Commonwealth's land charge contribution to high housing costs. The Committee is aware that the ACT Government paid the Commonwealth approximately \$40mil for Crace.⁴³ The CSIRO had formerly occupied the site. The Assembly's Standing Committee on Public Accounts is currently inquiring into and expected to report by the end of the 2006 on the valuation of land in the ACT. The role of Commonwealth policies may be one issue addressed in that inquiry.
- 3.3 The Committee regards much of this proposed variation as highly commendable. It is likely to result in a visually appealing suburb with remnant habitat trees, innovative water features, and adjacent nature reserves, urban open space and hills ridges and buffer areas. The Committee also welcomes the proposal to provide mixed use areas and areas of medium density housing.
- 3.4 The Committee agrees with the ACT Heritage Council that identified sites of Aboriginal cultural heritage significance should be treated with appropriate respect during early concept planning, as such sites have ongoing statutory protection under the *Heritage Act 2004* (A.C.T.) and *Human Rights Act 2004* (A.C.T.). The *Land (Planning and Environment) Act 1991* (A.C.T.) and the Territory Plan also recognise the importance of Aboriginal heritage places, but the ACT Planning and Land Authority has most obligations in this regard at the development application stage of developments.
- 3.5 The Committee notes the Planning Authority's reassuring response to the Heritage Council's concerns, which is that there is sufficient flexibility in the outline plan and planning principles to protect archaeological sites, and that

⁴³ A.C.T. Planning and Land Council, Minutes: Meeting No. 19, Tuesday 14 December 2004, p6

statutory protections will apply at the development application stage.⁴⁴ However the Committee would have preferred that the outline plan generators and the outline plan had better recognised the significant Aboriginal cultural heritage sites when those plans were first developed.⁴⁵ Heritage sites are physical links to ongoing cultural traditions of importance to Aboriginal people, the broader community, and future generations. The protection of Aboriginal heritage is vitally important to the legitimacy and integrity of the broader Australian society and governance arrangements, and should not be treated lightly.

RECOMMENDATION 2

- 3.6 **The Committee recommends that the ACT Planning and Land Authority amend the Final Recommended Variation before it is tabled in the Assembly to ensure that the sites of Aboriginal cultural heritage significance are appropriately protected and respectfully acknowledged.**

RECOMMENDATION 3

- 3.7 **The Committee recommends that further archaeological assessments be undertaken to better delineate the density and dimensions of the CR 4 heritage site but that its core area be protected in an open space area vegetated with local grassland species. An oval would be an inappropriate use of this area.**

RECOMMENDATION 4

- 3.8 **The Committee recommends that heritage site CR 10, an Aboriginal scarred tree, remain in urban open space with a conservation protection zone extending at least five metres from the crown of the tree. Footpaths should not encroach upon the conservation zone, and neither should there be any**

⁴⁴ ACT Planning and Land Authority, *Report on Consultation with Public and Government Agencies, Draft Variation to the Territory Plan No. 257– Suburb of Crace, Gungahlin*, Annexe B to Recommended Final Variation, January 2006, section 2.2.8

⁴⁵ See ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, pp8, 9

special designation of the value of the tree as this may encourage vandalism.⁴⁶

- 3.9 The Committee notes that DV257 proposes to narrow the hills, ridges and buffer area adjacent to the Barton Highway, and to create a new landscape buffer along the boundary of the Gungaharra Grassland Nature Reserve. The planning principles for Crace provide that edge roads are to be used to buffer reserves wherever possible, but there is currently no road marked on the relevant map in DV257, but there is on the more recent map provided by the Authority to the Committee.⁴⁷ The land use policies currently applicable along Barton Highway provide for a buffer that is about twice as wide as proposed in DV257. Under current land use policies there is no buffer in Crace adjacent to Gungaharra Grassland Nature Reserve.
- 3.10 The Committee has been advised by the ACT Government's Wildlife Research and Monitoring Unit that a survey for the possible presence of Striped Legless Lizard (*Delma impar*) was done on block 599 in the proposed new suburb of Crace in 1990, but no lizards were then found. During that trapping season a Striped Legless Lizard was recorded on the other side of Gundaroo Road (not in the Crace area) along the lower slopes of Ginninderra Creek. Block 599 was the only area identified in Crace as suitable habitat for the species. The research unit advised that most of Crace has Yellow Box and Red Gum woodland trees with a heavily disturbed understorey, which is not considered suitable habitat for the Striped Legless Lizard.
- 3.11 The Committee agrees with stakeholders' submissions that pets that endanger native fauna should be effectively controlled under legislation.⁴⁸ Under the *Domestic Animals Act 2000* (ACT) the Minister can declare an area where cats have to be confined to premises during stated times. This should be extended to Crace.
- 3.12 The Committee notes that DV257 does not discuss noise abatement measures

⁴⁶ Letter from the Minister for the Territory and Municipal Services, Mr John Hargreaves MLA, to the Committee Chair, dated 10 August 2006.

⁴⁷ See Planning Principle C, ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, p7

⁴⁸ Submissions No. 10, 11, 15, 16

and air quality protection for the residential area adjacent to the Barton Highway. The ACT Planning and Land Authority advised the Committee that a Preliminary Assessment was not done for Crace as the proposal to amend the boundaries between the residential and hills ridges and buffer areas to the south and east of Crace did not cause a significant change in the scale, size or purpose of the existing situation. The former National Capital Development Commission (NCDC) had zoned Crace residential after an environmental Impact Statement was undertaken in 1989.

- 3.13 The Authority also advised the Committee that it did not evaluate air quality in the vicinity of the Barton highway adjacent to Crace as part of the Territory Plan variation process, as the NCDC had zoned the land residential. The Authority concluded that based on the results from air modelling for Gungahlin Drive Extension, adjacent to Aranda, there were no air quality issues for Crace because traffic levels on Gundaroo Drive and the Barton Highway (current and projected) were less than those for the GDE. The Authority also noted that the distance between the residential development and the highway would assist in dissipating vehicle emissions. The issue of north-westerly prevailing winds on air quality was also considered, but in light of the traffic levels and separation, this was also considered not to be an issue.
- 3.14 DV257 will result in residential dwellings being closer to Barton Highway than previously envisaged – less than 50 metres from the residential boundary in some instances, according to Figure 2.1 in DV257 (reproduced at [Appendix D](#)).
- 3.15 The Committee notes that traffic issues were a significant concern to several stakeholders. The Committee is aware that a traffic study was undertaken before DV257 was finalised, but it is unable to assess whether this proposed suburb will suffer from some of the problems recognised in other areas of Gungahlin such as narrow streets and congested traffic on major access and egress roads as DV257 does not provide details of the proposed subdivision such as block sizes and minor roads. The Committee agrees with stakeholders however, that this issue warrants further attention.
- 3.16 The Committee considers that there may be social, economic, ecological and aesthetic benefits in widening the hills, ridges and buffer areas along the south and eastern borders of Crace. As Mr and Mrs Newton highlighted in their

submission, Crace will be the suburban entrance to the township of Gungahlin, and provides a one-off opportunity to create a 'first impression of which the people of Gungahlin and the whole ACT may be proud'.⁴⁹ The Committee agrees. As Gungahlin hosts the Goorooyarroo and Mulligans Flat Nature Reserves, which are internationally significant in conservation terms, it is appropriate that the suburban gateway to this township is appropriately buffered and landscaped with local provenance native plants, extending the landscape character of Gungahlin Hill. This landscaping should be consistent with the Department of Urban Services' Design Standards for Urban Infrastructure.⁵⁰ Such areas would be better as on-leash areas for dog walkers, and if residents of Crace were to be encouraged to contribute to the maintenance of these areas as community open space, this is likely to have associated social benefits.

- 3.17 The possibility of making the housing adjacent to an enlarged buffer area medium density, with varying setbacks to suit landscape design, might also be considered as a means to offset the slightly reduced area available for residential blocks.
- 3.18 The Committee is of the view that noise mitigation measures must be incorporated in the design of the suburb. If residential estates are to be developed as a Land Development Agency joint venture, the Agency should ensure that best-practice noise mitigation measures are incorporated in dwelling design. The Committee is conscious of the sustainability principles in the *Planning and Land Act 2002* (A.C.T.), the *Land (Planning and Environment) Act 1991* (A.C.T.), the Territory Plan, and the human rights protected by the *Human Rights Act 2004* (A.C.T.). These standards protect residential amenity and human health. Future residents of Crace should not be disadvantaged just because the highway preceded the detailed planning for the suburb.

⁴⁹ Submission no 1

⁵⁰ ACT Government, Department of Urban Services, Design Standards for Urban Infrastructure – 14 Urban Open Space, accessed at <<http://www.parksandplaces.act.gov.au/public/urbanopenspace.pdf>>, 15 November 2005.

RECOMMENDATION 5

- 3.19 The Committee recommends that the Minister for Planning reconsider the width of the buffer areas in the proposed suburb of Crace along Barton Highway and adjacent to Gungahlerra Grassland Nature Reserve with a view to widening these and strengthening their native landscape character with plants of local provenance.

RECOMMENDATION 6

- 3.20 The Committee recommends that the Minister for Planning consider whether medium density housing may be more appropriate along an enlarged buffer area adjacent to the Barton Highway and the edge road adjacent to Gungahlerra Nature Reserve.

RECOMMENDATION 7

- 3.21 The Committee recommends that the need for noise abatement measures for residential and urban residential dwellings in Crace be fully assessed, and appropriate abatement measures incorporated in the design for the suburb.

RECOMMENDATION 8

- 3.22 The Committee recommends that the Minister for Planning ensure that an edge road is provided as a buffer for Gungahlerra Grassland Nature Reserve.

RECOMMENDATION 9

- 3.23 The Committee recommends that Roads ACT review the comments made in submissions, and traffic conditions at peak times on Gundaroo Drive, Gungahlin Drive and Barton Highway near the proposed suburb of Crace.

RECOMMENDATION 10

- 3.24 The Committee recommends that the Minister for the Territory and Municipal Services determine whether additional traffic studies and measures are necessary to remedy traffic congestion during the construction phase of the suburb, and when the suburb is built.

RECOMMENDATION 11

- 3.25 The Committee recommends that in the proposed suburb of Crace, the bushfire protection zone should be established outside nature reserves with adjacent edge roads, where possible, so as not to erode the reserves' biodiversity values.

RECOMMENDATION 12

- 3.26 The Committee recommends that the Planning and Land Authority attach conditions to each approved development application that will result in the loss of a significant tree or trees, requiring the developer to contribute to a biodiversity restoration initiative that will deliver equivalent biodiversity value.
- 3.27 The Committee recommends that when the detailed residential subdivision work is done for Crace, careful consideration be given to solar access, which may necessitate more innovative residential block design.

RECOMMENDATION 13

- 3.28 The Committee recommends that cat containment be mandatory in the proposed new suburb of Crace and that Gungahlin residents be advised of the importance of this issue through community education initiatives.

RECOMMENDATION 14

- 3.29 The Committee recommends that 'from local seed provenance' be added to the end of the second dot point in paragraph 1.4.2 of DV257.

RECOMMENDATION 15

- 3.30 The Committee recommends 'where possible' be replaced with 'as a priority and under the *Tree Protection Act 2005*' in the third dot point in paragraph 1.4.2 of DV257.

RECOMMENDATION 16

- 3.31 The Committee recommends that environmental flows in the nearby creek system in Gungahlin be considered when the water quality detention ponds in Crace are designed.

RECOMMENDATION 17

- 3.32 The Committee recommends that stringent controls on waste management be applied during the construction phase for Crace to ensure that residential amenity and environmental values in the area are protected.

RECOMMENDATION 18

- 3.33 The Committee recommends that the ACT Planning and Land Authority replace the reference to 'section 7(3)(e)' on page 4 of the Final Recommended Variation with 'paragraph 7(3)(c)'.

Mick Gentleman
Chair
August 2006

APPENDIX A: Outline Plan for Crace⁵¹

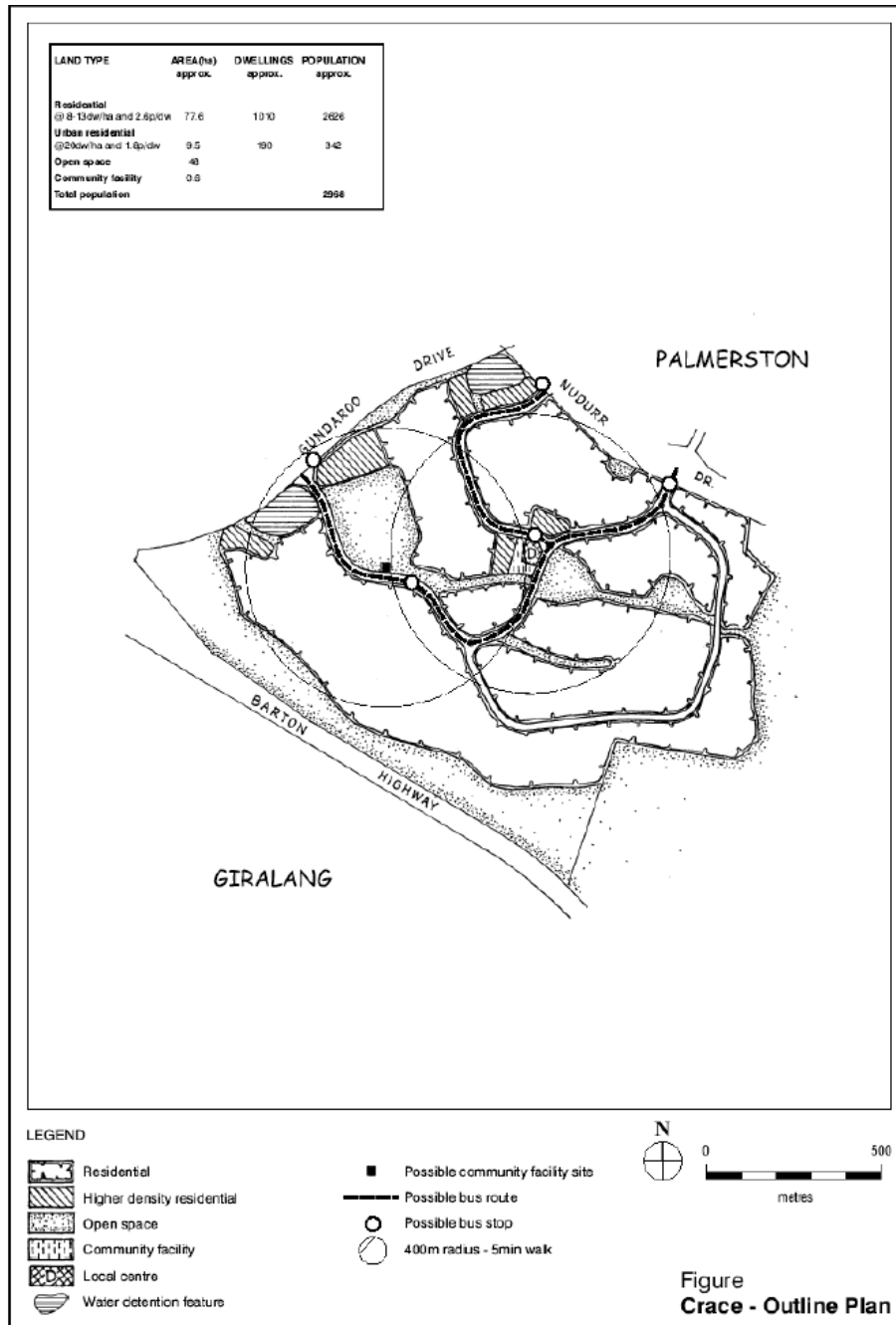


FIGURE 1 – OUTLINE PLAN FOR CRACE

⁵¹ reproduced from Figure 1.3 Outline Plan, ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, p9

APPENDIX B: Current Territory Plan policies

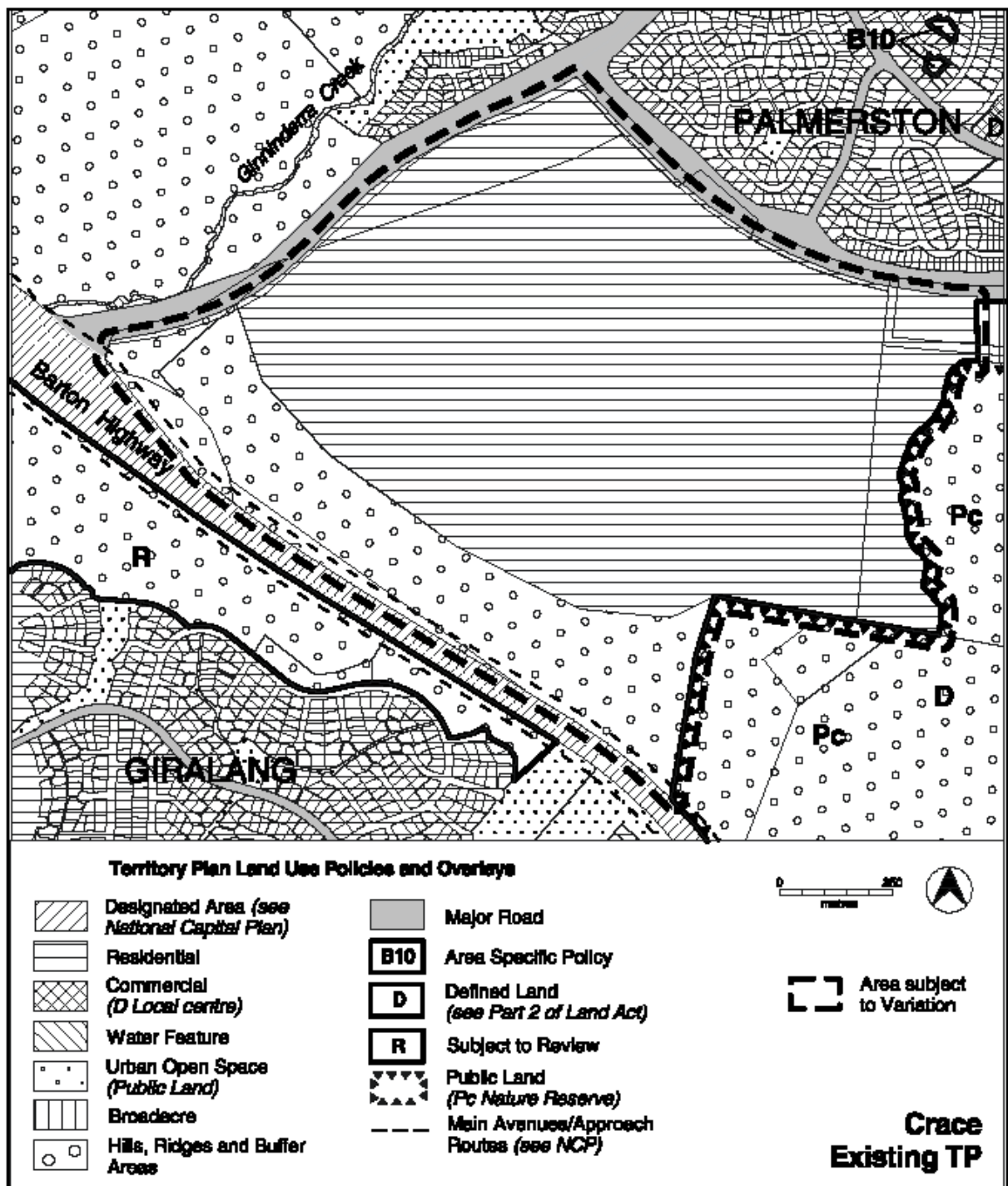


FIGURE 2 – TERRITORY PLAN CURRENT LAND USE POLICIES

APPENDIX C: Planning principles proposed for the Crace⁵²

General Planning Principles:

- Planning and development of Crace should incorporate sustainability principles including social, cultural, economic, environmental and ecological considerations.
- The landscape setting and values of Crace and surrounds are to be recognised and enhanced. The boundary between the Residential and the Hills, Ridges and Buffer Area Land Use Policies along the Barton Highway is to be confirmed and protected from development and planted with appropriate native vegetation.
- Existing important trees should be incorporated into the urban fabric where possible.
- Ensure land uses adjacent to conservation areas do not have significant adverse impacts on threatened species.
- The subdivision design shall take advantage of view sheds provided by open space corridors and major collector road alignments.
- Detailed planning is to preserve and enhance the natural, cultural and heritage characteristics and values of the area to support and strengthen the community's identity.
- Detail planning is to incorporate and make provision for linkages between places of heritage importance and areas of natural environment within the suburb and adjacent areas.
- The local neighbourhood is to be based on a walkable radius of 400m, and focus on an activity node comprising commercial or community facility land use.
- Community facility sites should be located, where possible, close to public transport and in places where, for reasons of safety, people already have a cause to congregate such as the local centre.

⁵² Reproduced from ACT Planning and Land Authority, *Recommended Final Variation to the Territory Plan No. 257 – Suburb of Crace Gungahlin*, January 2006, pp5–7

- Public open space, within close proximity to, the local centre, together with various other nominated sites, may be utilised for possible community and recreation activities.
- The retail centre should be well located on a major road in order to serve the population of the suburb and ensure the long-term viability of the centre.
- Water sensitive urban design principles and measures are to be adopted to secure economic, social and environmental benefits and to assist in achieving the targets identified in the 'Think Water Act Water Strategy' for sustainable water use in the ACT.
- An integrated cycling and pedestrian network should connect to the local centre, parks and hilltops within the suburb of Crace and provide links to trunk routes, services and facilities in other areas of Gungahlin and Canberra.
- The road hierarchy should be legible, connected to the wider network and provide good and safe access to all users and encourage high levels of public transport usage.
- Subdivision design should encourage housing diversity and enhance access to energy efficient house design. Higher density residential development is to be located around activity nodes, including the local centre, water quality features and along transport routes.
- Major public utilities are to be provided as required.
- Aboriginal and historic heritage places are to be recognised and significant sites conserved in public open space where appropriate.
- Bushfire risk should be considered and mitigated appropriately in the planning and development of the suburb and its buffer areas.
- The use of public art in defining an appropriate entry feature to the site is to be encouraged.

1.4.3 Specific planning principles

The Outline Plan Generator diagram and the Outline Plan indicate the manner in which the Territory Plan will be varied for Crace. The Outline Plan is included to assist in the understanding of the implications of the Variation to the Territory Plan.

Only the primary road system is shown on the Outline Plan and the alignments are representative of the planning intentions.

The Outline Plan indicates the general location of the various land uses proposed for the suburb and reflect the requirements shown on the Outline Plan generator diagram.

GENERAL POLICIES (Refer to Figure 1.2)

The following General Policies apply:

- A. The location of a local convenience retail centre and associated higher density residential are placed centrally within the suburb at the intersection of the collector road system.
- B. A local bus route will be accommodated through the suburb via the local centre and areas of higher density, facilitating and encouraging public transport use.
- C. Edge roads are to be utilised wherever possible as a buffer between residential development and areas of open space including the Nature Reserve.
- D. Open space spines to be based on existing prominent drainage paths.
- E. Water detention features are required and are to be located within the natural drainage lines in open space.
- F. Provide an area close to the local centre for a community facility site.
- G. Internal road access shall initially be of a boulevard character before merging into avenues.
- H. Opportunities are to be provided for small-scale community facility uses (sites) in open space in convenient locations predominantly along public transport routes.

SPECIFIC POLICIES (Refer to Figure 1.2 and Figure 1.3) The following specific policies apply:

- 1. The suburb is to be accessed from Gundaroo Drive from a single access point and Nudurr Drive at two points.
- 2. A trunk cycle way is to be provided to connect to Gundaroo Drive and link to the Barton Highway in south-east of site for commuter cyclists.

Existing Aboriginal site to be preserved within urban open space.

- 4. Higher density housing is to be provided adjacent to the local centre, the community facility site, public transport routes and adjacent to open space corridors and water quality features.
- 5. Provide playing fields (neighbourhood oval consisting of a Basic Sports Unit).
- 6. Provide hilltop park.
- 7. Retain important group of trees within open space.

APPENDIX D: Proposed variation to the Territory Plan map

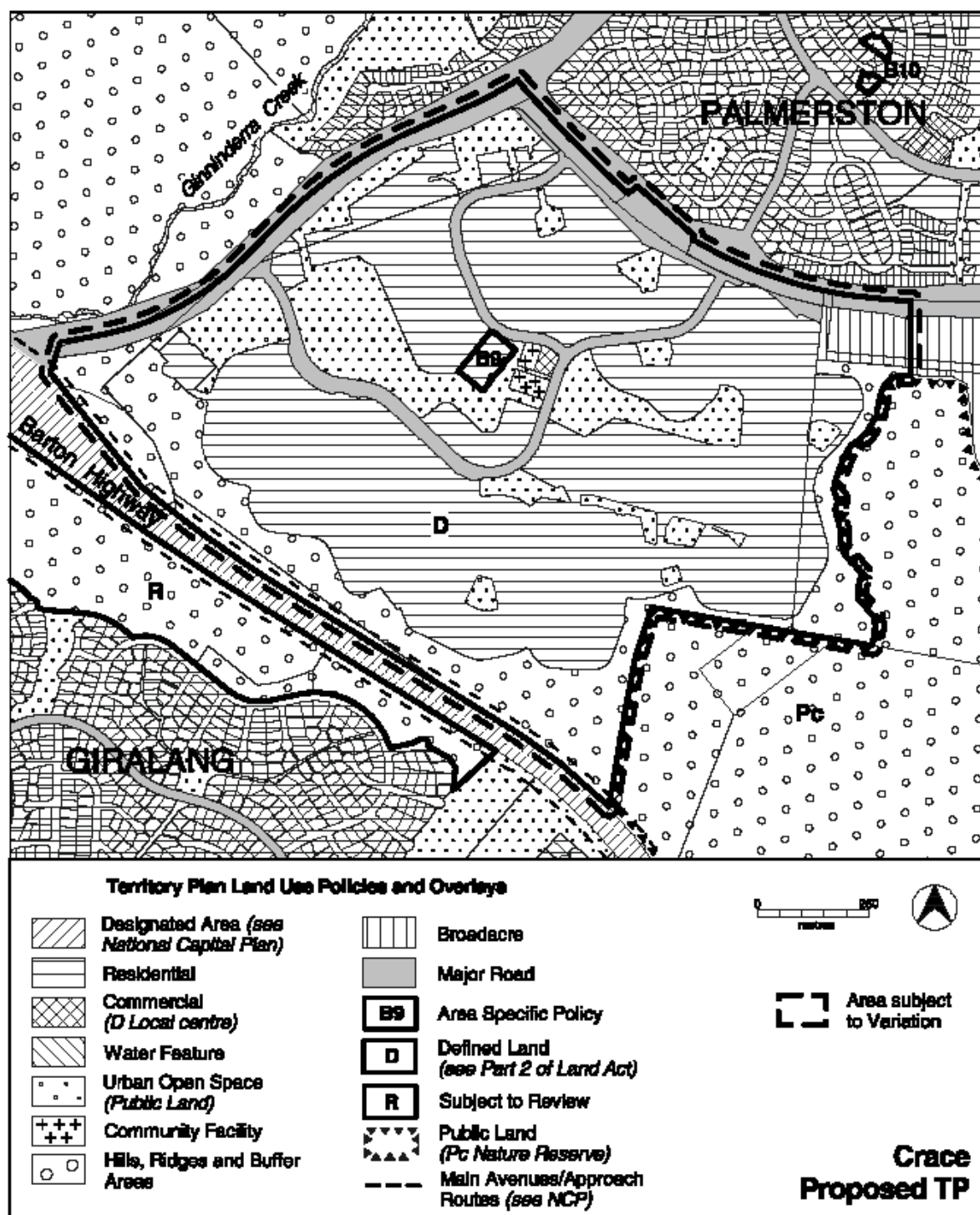


FIGURE 3 – PROPOSED VARIATION TO THE TERRITORY PLAN MAP

APPENDIX E: List of submissions

No 1 — Mr and Mrs Garry and Jo Newton

No 2 — Ms Trish Harrup, Director, Conservation Council of the South East Region
and Canberra

No 3 — Ms Jenny Bounds, Conservation Officer, Canberra Ornithologists' Group

No 4 — Dr Rosemary Purdie, Commissioner for the Environment

No 5 — Ms Caroline Lemezina, Executive Director ACT/Southern NSW Housing
Industry Association Limited

No 6 — Mr Rod West, Secretary, ACT Heritage Council

No 7 — Mr Kim Pullen, President, Friends of Grasslands