



***Gungahlin
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Gungahlin Community Council Inc.

**Comments and Objections for
Development Application 200310243**

Block 12, Section 83, Nicholls

**LEASE VARIATION - To vary the lease purpose clause
by including Community use restricted to a childcare
centre limited to 90 childcare places.**

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Introduction

The Gungahlin Community Council Inc. (Council) is an incorporated, not for profit, community-based association operating within the Gungahlin District of the Australian Capital Territory. The Council acts as the peak community representative body in Gungahlin representing the interests of residents of the district.

The district represented covers an area in the north to northwest of the Territory between the ACT/NSW border and the Barton Highway, Federal Highway/Northbourne Avenue to the South and East, excluding the village of Hall.

The objectives of the council as defined in its constitution are as follows:

- To preserve and improve the social, cultural, economic and environmental well being of Gungahlin and the Gungahlin Community.

To achieve these objectives the Council undertakes to:

- Consult with members of the Gungahlin community;
- Represent the Gungahlin community, and lobby authorities on the community's behalf;
- Provide a non-political environment where members of the community can express their aspirations, concerns and suggestions;
- Provide a public forum where members of the community can obtain information, support and opportunities to network with others;
- Advise, support and / or assist any organisation with compatible objectives to those that have been adopted by the Council;
- Liaise with members of the public, legislators, officials and community representatives; and
- To provide appropriate information and opinions on matters relevant to the Gungahlin community.

In line with achieving these objectives the Council Executive Committee resolved that a response to the development application would be made.



Comments & Objections

1. IN PRINCIPAL SUPPORT FOR DEVELOPMENT

The Gungahlin Community Council is generally supportive of the lease variation proposal, as it will bring the potential for additional childcare facilities to the Gungahlin District.

However in the opinion of the Council there are aspects of the resultant lease conditions and future development requirements that need to be carefully considered to alleviate potential concerns.

2. OBJECTION: CHILDCARE FACILITIES INCOMPATIBLE WITH EXISTING LEASE CONDITIONS THAT ALSO ALLOW A “SERVICE STATION”

The Council expresses concern that ACTPLA could allow the construction or development of a “Service Station” - as currently defined in clause 1(e) of the lease - in close proximity to a proposed Childcare Facility.

Whilst the block of land is zoned B8 – Entertainment, Accommodation and Leisure, which allows for “COMMUNITY USE” (including Childcare Facilities), the Council feels that there may be an unacceptable risk in terms of Occupational Health & Safety to any Childcare Facility by allowing both uses concurrently on the site.

The Council submits that if any portion of the land is to be used initially for a Childcare Facility then the Lease Conditions should preclude the development of a Service Station; conversely if any portion of the land is used initially for a Service Station then the Lease Conditions should preclude the development of a Childcare Facility. Simply stated the Lessee should have the option of having either development option on the block but not the ability to have both options concurrently.

3. COMMENT: CHILDCARE FACILITY SHOULD BE ON THE NORTHERN PORTION OF BLOCK FURTHEST AWAY FROM THE BARTON HIGHWAY

In the interests of general safety, any proposed Childcare Facility should be only allowed on the northern portion of the block furthest away from the Barton Highway.



It may also be worth considering special development conditions in the lease that could require reinforced barriers that could fully arrest a run-away vehicle travelling at up to 20% over the legal speed limit (80km/h) along the southern boundary of the block along the Barton Highway.

4. COMMENT: BLOCK SIZE POTENTIALLY TOO SMALL TO ALLOW FOR MULTIPLE USES THAT ALSO INCLUDE A CHILDCARE FACILITY.

The Council advises that Block 7, Section 200, Gungahlin, which is of a similar block size – being 3.182 Hectares, was recently auctioned for the sole purposes of a Childcare Facility of similar capacity to that which is being proposed for this block.

The Council wishes ACTPLA to carefully assess whether the block should be used exclusively for the purposes of a Childcare Facility instead of multiple uses in the event that development of the 90 Place Childcare Facility proceeds.

5. COMMENT: SUGGESTED DEVELOPMENT REQUIREMENTS TO BE ENFORCED IN THE LEASE DOCUMENT

The Council would like ACTPLA to ensure that the proposed lease reflects the following proposed development requirements for any Childcare Facility:

- The Facilities will comply fully with the requirements of the *ACT Centre Based Children's Services Conditions for Approvals in Principles and Licences*.
- Mandatory design elements for development of the site:
 - i. Address frontage to either Gold Creek Road or Eddie Payne Close to provide street surveillance, activity and definition of the Child Care Centre entry
 - ii. Site entry and egress points to achieve a safe vehicular and pedestrian environment



- iii. One-way traffic movement off address street to provide safe and convenient pupil drop off and visitor parking
- iv. On-block pedestrian movement that is safe, convenient and connected to public paths
- v. Open space buffers to protect the amenity of users of adjoining public and private land
- vi. Provision of consistent wall, pavement and fencing treatments to unify development on-block while differentiating the Child Care Centre from adjacent building forms.
- vii. The provision of an outdoor play area on the northern side of the block to allow for good solar access.

Conclusion

The Gungahlin Community Council is generally supportive to the development application. Whilst not wanting to introduce delays in the provisioning of new infrastructure and facilities we wish to see issues as outlined above appropriately addressed and resolved in an expedient manner before any development commences.

Please note that the Council would be happy to meet with ACTPLA and the developer/lessee to discuss issue resolution and/or provide a public forum for community presentation and consultation.

The Council reserves the right, if the matters are not appropriately resolved, to use all avenues open to ensure that the matters are suitable addressed in the interest of the Gungahlin Community.

The Council would also be appreciative of written feedback on how the issues raised will be addressed.