

04 March 2004

Attn: Simon Corbell MLA  
Legislative Assembly for the Australian Capital Territory  
Civic Square, London Circuit  
Canberra, ACT 2601



**Gungahlin  
Community  
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**Concern about possible use of Ministerial Call-In Powers  
in the Gungahlin Town Centre**

**Dear Minister Corbell**

The Gungahlin Community Council wishes to express its utmost concern with what we believe are pressures on you as the Minister of Planning, by the proponents of the Development Applications for Section 13 and 14, Gungahlin (Coles and Woolworths) and ACTPLA, for the use of Ministerial "Call-In" powers to be used to approve these two developments that fail to meet the spirit and intent of Variation 53 and applicable relevant planning and control guidelines.

Development Applications (200400009 - Big W and 20039662 – Coles) are currently before ACTPLA and the proponents are proposing that Ground Floor residential uses be permitted in areas of the Gungahlin Town Centre that are currently zoned as the Commercial Retail Core.

The Territory Plan Part B2B: Town Centre Land Use Policies Commercial "B" (specifically Variation 53) and all associated and relevant control and guideline document clearly indicates that a Commercial Retail Core to the Gungahlin Town Centre will be uniformly applied across the six main anchor blocks along Hibberson Street. This Retail Core (A) zoning specifically excludes ground floor residential uses.

The Council's primary concern is that by permitting ground floor residential uses and rezoning portions of these areas currently zoned as Retail Core (A) to Business Area (B), this will preclude active street frontages and compromise the heart of the Town Centre. This will also significantly alter and change the nature and fabric of the Town Centre from what was anticipated on the basis of the original consultation process and long standing planning documents.

The council does not object to the commercial components/aspects of these developments applications – specifically being the "Big Box" development of both a Big W Department Store and Coles Supermarket, nor is there any objection there the commercial development along the Hibberson Street frontages. However, the ground floor residential usage as proposed by the proponents along the new Gungahlin Common (a southern extension to Gungahlin Place) as well as along Gozzard and East Streets will preclude active (commercial) street frontages in these areas.

From documentation obtained from ACTPLA it is clear that the that the Authority has intent to allow rezoning of the current Retail Core (A) areas to Business Area (B) when the land is "undefined". It also appears pre-emptively the most recent online version of the Territory Plan map for the Gungahlin Town Centre now shows a complete lack of any Retail Core (A) zoning in areas previous zoned as the Commercial Retail Core.

Whilst the Council acknowledges that the Gungahlin Town Centre is still classified as Defined Land, the "Calling-in" of these two these development applications and proposed zoning changes will result in a significant alteration to the original plans as progressively and interactively developed by the former Gungahlin Development Authority over an extended period of time. This planning process involved extensive community consultation and had

general community acceptance. It is feared that these changes could seriously compromise the further development and viability of the Town centre, marginalising it when compared to the other town centres in the Territory.



Furthermore, even though the proponents have suggested that Ground Floor residential uses will only be a temporary measure there is no legislative nor legally enforceable mechanism to ensure that lessees are required to provide commercial ground floor uses at any future time.

Recently the Council has been working closely with the developer of Section 10, Gungahlin (Koundouris/Russell Group – the ALDI Supermarket development). The Council had several objections which the developer took on notice and was ultimately able address providing significant enhancements to the development proposal. At all times this developer was able to fully comply with both the spirit and intention of the current Territory Plan and applicable planning guidelines. The Council is concerned and fails to see why another group of developers that represent “big business” (in this case Coles-Meyer and Woolworth) should be offered or permitted to seek special dispensation when their proposals are inconsistent with the Territory Plan and established planning and control guidelines.

The Gungahlin Community Council seeks written assurance from you as the Minister for Planning that you will not exercise the use of your Ministerial “Call-In” powers on these two developments in the Gungahlin Town Centre.

We look forward to your earliest and favourable response

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barry Dee', written in a cursive style.

**Barry Dee**  
**President - Gungahlin Community Council Inc.**

*cc: Neil Savery – Chief Planner (ACT Planning and Land Authority)*