

**2023**

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

**TENTH ASSEMBLY**

**Standing Committee on Planning, Transport, and City Services - Report No. 13 - Inquiry into  
Giralang Shops - Final Report**

**Government Response**

**Presented by  
Mick Gentleman MLA  
Minister for Planning and Land Management  
August 2023**

**Introduction**

The ACT Government's priority for the Giralang Shops is to obtain the best outcome for the community with the greatest amount of certainty for the development that is to be delivered on the site (Section 79, Blocks 6 and 3, and Section 80, Block 4, Giralang).

In August 2011, a development application (DA) for the demolition and redevelopment of the Giralang shops was approved by the former Minister for Planning, Simon Corbell. The DA approval included the construction of a new supermarket and other commercial space, with associated parking.

Demolition of the shops did not occur until 2014 due to legal proceedings against the development being undertaken by objectors of the DA.

Once the demolition of the old shops occurred, construction of the new shops began. However, these works were further delayed by more legal appeals, including appeals to the High Court of Australia by objectors of the DA.

A resolution in relation to the legal proceedings was finally reached in late 2016, where in part it was agreed by all parties that the development approval granted by the former Minister for Planning would be surrendered. The DA was surrendered on 9 September 2016. Subsequently, a partially completed structure, with perimeter fencing, stood on the site.

On 7 March 2018, a DA was lodged for the construction of a mixed-use development including basement parking, commercial space consisting of a 1000m<sup>2</sup> supermarket and other commercial tenancies, and 50 residential units.

On 25 July 2018, the Minister for Planning and Land Management used ministerial call-in powers under the *Planning and Development Act 2007* (the PD Act) to approve DA-201833501.

On 10 July 2020, the planning and land authority (the Authority) granted an extension of time, for the development to commence, to 24 July 2023 pursuant to Section 188 of the PD Act.

In early October 2022, it was publicly announced that TP Dynamics had purchased the development from Giralang Property Group and were planning to open a new shopping centre by mid-2024, with construction set to begin in November 2022.

TP Dynamics indicated that they would be commencing construction of the site in accordance with DA-201833501.

Records show construction in relation to DA-201833501 commenced in November 2022. Under DA-201833501, the proponent has a statutory two-year period, from when the development commenced, to complete the development. However, if required, the proponent can make an application to the Authority to extend the two-year construction period.

The planning authority will consider any applications that may be submitted by the proponent to extend the construction timeframe and action accordingly.

The ACT Government will continue to work with the new developer, TP Dynamics, to make sure the project is delivered as soon as practicable in order to meet community expectations.

## **ACT Government Response**

### **Finding 1**

*The Committee notes that the barriers to development outlined by the former developer, Giralang Property Group, have not proven significant for the new developer who has been able to resolve these barriers within 6 months of taking ownership of the site.*

### RESPONSE

**Noted**

### **Recommendation 1**

*The Committee recommends that the ACT Government work with the new developer, TP Dynamics, to make sure the project and the community commitments are delivered as soon as practicable.*

### RESPONSE

**Agreed**

The ACT Government has issued the appropriate planning approvals and will continue to work with the developer to facilitate the timely delivery of the supermarket for the Giralang Community.

### **Recommendation 2**

*The Committee recommends that the new developer, TP Dynamics, continue their proactive and regular updates to the Giralang Community as the construction of the development and associated community works progresses.*

### RESPONSE

**Agreed**

This recommendation is addressed to the developer.