



Legislative Assembly for the
Australian Capital Territory

Standing Committee on Environment,
Planning, Transport and City Services

Submission Cover Sheet

Inquiry into Petition 002-25: Hawker Village shops redevelopment

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Submitter: Margo Saunders

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I. Introduction

Thank you for the opportunity to provide comments in relation to the Direct Sale application lodged by Woolworths for the sale of Government-owned land, including a large car park, at the Hawker Village shopping precinct.

I have been a resident of the primary catchment area of the Hawker Village shops (HVS) for 35 years. I have been, and continue to be, a frequent visitor to the HVS as a customer and client of various shops and services, as a patient at some of the many medical and allied health services located within this precinct, and as a participant in community events held within this precinct (e.g., Hawker Community Gardens Markets, Christ Church Op Shop).

Especially as the retail offerings at our small suburban shopping centres have diminished, the HVS has become the “local” shopping centre for residents of Hawker, Weetangera, Scullin and Page. It is also a preferred destination for many residents of other nearby suburbs because of its intermediate size and open design, together with the quick and convenient street-level parking which allows easy access to shops and services.

II. Appropriate development and improvements

I am among the many members of the community who are concerned and disappointed at the extent to which the HVS have been allowed to deteriorate by both private landlords and by the ACT Government since the end of the moratorium on Government-sponsored development at this centre in 2015. Public areas of the HVS have been, and continue to be, neglected in relation to basic cleaning and maintenance, leading to complaints that the centre is “run-down” and in serious need of improvements.

Improvements are needed; however, it is abundantly clear that there has been an insufficient opportunity for the Government and for the community to comprehend what the Direct Sale of public land to Woolworths would mean in terms of issues such as visual amenity; noise; traffic; and access to shops and services.

If Woolworth’s seeks to upgrade the current Metro supermarket at Hawker, there should be scope for redevelopment within the existing “footprint” of the centre, possibly also involving the purchase of the public areas within the centre adjacent to these buildings (i.e., the walkway and courtyard areas). This option would not necessitate the destruction of the Springvale Drive parking area.

Based on population and the proximity of other full-line supermarkets, as well as on my own supermarket needs, I am not persuaded by Woolworth’s main argument for its Direct Sale application and proposed development: that is, that there is a “need” for a full-line supermarket at Hawker. (See 5th point in FOI section, below.)

There is a very real risk that, without genuine consultation, and with the ACT Government continuing to ignore its responsibilities for improving and maintaining the public spaces for the benefit of the community, major changes will be driven by private developer interests without due regard to community needs and expectations.

III. Direct Sale process – need for greater transparency and consultation

I do not believe that the Direct Sale process, as currently construed, is appropriate for the sale of Government-owned land in established areas.

The Direct Sale process involves virtually nothing in terms of transparency, publicity, and meaningful community engagement.

Community engagement

The Government has no involvement in consulting with the community about the proposed sale, and the community has no opportunity to view and comment on a Direct Sale application.

In 2023, when Woolworths' Direct Sale intentions were announced and the company undertook a "community engagement" program, Woolworths did not even include a notice on the window of its own supermarket or provide information to its customers about its proposed initiative. (The notice currently displayed on the window of the Woolworths Metro at Hawker appeared following a request by an MLA, not as part of Woolworth's information initiative.)

The 2023 community engagement initiative, which was managed by Communication Link for Woolworth's, consisted of minimal opportunities to engage with Woolworth's about the proposal, and no opportunity to engage directly with the Government. The engagement exercise was based on poor methodology, and community feedback was limited by a lack of publicity about the available opportunities and about the proposed development. The overall number of feedback responses was small, and no attempt was made to obtain information from a representative sample of the community.

With very little publicity on the part of Communication Link, it was left to a voluntary community group, Friends of Hawker Village (FoHV), to provide the relevant information to HVS customers and traders and to arrange for public notices in local print and social media. As no specifics were provided at the time about Woolworths' intentions, individuals were asked to respond to general questions about updating and improving the HVS. The claimed support for "revitalisation" of the HVS cannot be taken as support for any specific elements of Woolworths' proposals, given that no specific information was provided at the time of the 2023 community engagement.

In addition to the minimal level of engagement with the local community and with customers and clients of the HVS, there also appears to have been no engagement with key stakeholder groups, such as those representing older people and those with disabilities, or with the medical and allied health services whose patients are frequent visitors to the HVS.

I am not aware of any community engagement initiatives by Communication Link or Woolworths at HVS or elsewhere in the community during 2024.

Weaknesses in the Direct Sale process and suggestions for improvements

As there is no requirement for public notification of a Direct Sale application, it was left to Communication Link to notify (in April 2024) those on its mailing list that the application had been lodged. This email notification included a link to the Master Plan developed by Woolworths. Email recipients were invited to contact Communication Link with any questions or comments; however, when questions were asked, the response from Communication Link was that specific details would be provided if and when the process progressed to the Development Application stage.

It has now been left to the Government to assess the Direct Sale application behind closed doors and without the benefit of community scrutiny or feedback.

Having viewed the Direct Sale documents obtained via a Freedom of Information (FOI) request by FoHV, I am concerned about the questionable claims, assertions, and oversights contained in this application and the fact that the current Direct Sale system provides no opportunity for public scrutiny of an application. This means that the entire assessment of the application – including the applicant's understandably self-serving claims regarding compliance with the Direct Sale criteria – is undertaken by the Government, involving private discussions with the applicant but with no input from the community. (See further comments regarding the FOI documents below.)

The opportunity to raise objections at the DA stage is too late: the primary issue to be resolved with a Direct Sale is not the detail of what should or should not be built on the land (e.g., whether a building should be 2 storeys or 3), but *whether* the land should be transferred from public to private ownership for development purposes.

I do not believe that this is about how the Government can achieve the best price for the land – Direct Sales vs competitive tender -- but is about the fundamental issue of the transfer of public land into private hands for development purposes and the community's ability to engage meaningfully in this decision.

As I wrote to the Minister for Planning (14 January 2024) in relation to the gaps and inequities in the Direct Sale process:

- A developer seeking a Direct Sale of land is encouraged to meet with the Government; the community is not given the same opportunity to discuss the proposal with the Government.
- The community is apparently not even required to be notified when a Direct Sale application has been lodged.
- There is no formal process for the community to provide feedback to the Government about a Direct Sale application. Community engagement is entirely developer-driven, as such, is reflective of the developer's commercial interests, with no Government involvement.
- Without a clear mechanism for soliciting community views, it is not clear how the Government could be aware of these views, or if these views are even considered as relevant to the Direct Sale decision.

... [Y]ou state that the applicant must "demonstrate the benefit to the community". Of course, there will be a carefully crafted explanation by the applicant which has been devised to favour the applicant's commercial interests. What opportunity does the community have to challenge

that explanation and the assumptions upon which it is based?

Without community comments, it is not clear how the Government is able to assess the applicant's claims regarding the "benefit to the community of the direct sale proposal". There may be considerations which are much more specific than those relating to the development of "existing planning strategies for the area".

It does not appear that the current system provides a structured opportunity for community members to draw the Government's attention to concerns they may have about a Direct Sale of public land. Those concerns may not relate to the specific design aspects of a Development Application, but to whether the land should be retained by the Government and not sold for development.

Under the present system, the scales are tipped heavily in favour of developers' interests, with little or no voice given to community interests. At the very least, a Direct Sale application should involve public notification and an opportunity for public comment. By the time a Development Application is lodged, it is usually too late for anything other than the Planning equivalent of shifting the deck chairs on the *Titanic*.

The FoHV has provided suggestions to the Minister for Planning for improvements to the Direct Sale process. I support those suggestions.

For the Committee's information, those suggestion are:

- The Government should be required to provide timely public notification of Direct Sale applications.
- Direct Sale applications should be made publicly available, with the exception of any financial information. The community should be given a reasonable period of time to review and comment on the application, with community feedback forming part of the formal assessment process.
- As much material as possible which is associated with the Direct Sale application should also be publicly available, including commissioned reports and invited comments from ACT Government agencies/Directorates and from the Land Requests Advisory Committee. With no opportunity for the community to review or to comment on information and advice related to the application, not only is the community disadvantaged, but the Government is limited in its ability to accurately and fairly assess the application.
- Direct Sale applicants should be required to comply with Consultation Guidelines prior to submitting a Direct Sale application. This is especially important given that there is no formal role for the Government in pre-application community consultation and given that the previous requirement for pre-DA consultation has been omitted from the new *Planning Act*. Pre-DA consultation for significant developments should be reinstated in the interest of achieving quality outcomes
- Unless these proposed changes are implemented, significant blocks of Government-owned land in established suburbs should be excluded from eligibility from the Direct Sale process.

IV. Parking

Basement parking and travelators are definitely *not* what I want or expect at a local shopping centre such as the HVS.

Although I sometimes access the HVS on foot or via public transport, I most often use private transport and most often park in the public car park adjacent to Springvale Drive. The future of this, and other street-level parking at the HVS, is therefore very important to me, whether I am doing a quick, top-up shop or a larger shop..

I believe that selling the Springvale Drive car park to Woolworths for development would be a mistake and that it would disadvantage a significant proportion of HVS customers and clients who, like me, value the easy, convenient and accessible parking. Like many people today, I need to make the most efficient use of my time, and the current parking arrangements at HVS allow me to do that.

A range of visitors to the HVS – including tradesmen, busy parents, older people, and people with mobility impairments – have commented to me that HVS is their preferred shopping area because of the current parking arrangements, and that they would need to go elsewhere if the street-level parking near the shops is replaced with basement parking. This would present particular difficulties for older people for whom the accessibility of the HVS was a factor in their decision to move to Scullin or Page.

The removal of the Springvale Drive car park would place significant pressure on any remaining surface parking, such as the public parking area behind the service station, which provides parking for visitors to the church and for patients attending medical and allied health services.

It is also important to note that the HVS is situated entirely within a residential area, surrounded by residential streets, and this parking area provides an effective visual and noise buffer between the shopping area and the nearby residences.

I am not aware of any ACT shopping centre like Hawker, in the middle of a completely residential area (and only 2.4km from an existing Woolworth's full-line supermarket) which is served by anything other than open-air, street-level parking. In this regard, it is relevant to note the comments by *Canberra Times* journalist Megan Doherty, who writes that she visits her local shopping centre every day -- "I'm no good at online grocery shopping. I am just not that organised." -- and that she especially values "their big car parks where you can always get a park for free" ('With 2023 almost gone, these are the little things I'm grateful for this year', 10 Dec. 2023. At: <https://www.canberratimes.com.au/story/8452775/>).

Woolworths wants to replace the large street-level car park with basement parking in order to accommodate the amount of parking that they calculate would be required for a full-line supermarket (even without considering the additional retail shops which are also part of the proposed redevelopment). The whole issue of basement parking, and hence the sale of the Springvale Drive car park, is therefore based on the presumption that a full-line supermarket should be constructed at the HVS. (See comments in FOI section below regarding the calculations upon which this claim is based.) These are more than just commercial decisions, as it is the community which must live with the consequences of these decisions for decades to come.

I am among those who do not believe that a full-line supermarket is justified at Hawker, especially if this would mean sacrificing the Springvale Drive car park.

In relation to surface parking areas, it is interesting to note that City Services has been managing a pilot tree project at the nearby Jamison Plaza car park which explicitly acknowledges the importance of trees in providing shade and amenity for surface parking areas. Given this acknowledgement of environmental considerations, it makes little sense for the Government to permit the destruction of trees and shrubs within and adjacent to the HVS parking area and allow these to be replaced by a large, energy-consuming heat-island-contributing building on top of a large basement parking area with energy requirements for lighting, ventilation, travelators, etc.

V. FOI documents and related concerns

In 2024, numerous documents relating to the Woolworth's Direct Sale application were released to FoHV following an FOI request. These documents include the application and supporting material, all of which are considered by the Government in reaching a decision about the application.

Having seen these documents, I believe that the Woolworths application can be questioned on numerous grounds, and that these questions are relevant to the Committee's Terms of Reference regarding the redevelopment proposal, including the sale of the Springvale Drive car park.

Because most of the application and supporting material have not been available for community scrutiny and comment, and because the community is not invited to provide comments as part of the Direct Sale process, there is no assurance that the Government's assessment of the application will include the identification of potential issues such as unsubstantiated claims, oversights, lack of logical arguments, and inaccurate or misleading information.

Examples of issues arising from the application documents (in no particular order):

- The Economic Impact Assessment appears to be a copy-and-paste job from previous applications. The document's discussion of retail spending capacity refers to a shopping centre in Queensland which was also the subject of an expansion proposal.
- Demographic information presented by Woolworths shows that 36 percent of residents in the primary catchment area are age 50+, and just over 25 percent are age 60+, which is much greater than the ACT average of 18 percent. (Excluding residents aged under 14 years who would not require parking, the proportion of people over 50 years is 43 percent and those age 60+ is 30 percent.). There is no indication that the significance of this information for shopping centre and parking arrangements has been taken into account in the redevelopment proposals.
- The Needs Analysis notes that time pressure is the major issue that people face when doing food shopping – yet this factor is ignored in relation to the proposed parking arrangements which would replace quick and easy street-level parking with more time-consuming arrangements in the form of a large basement parking area and travelators.
- The Needs Analysis does not consider how shopping patterns have changed and how these affect consumers' need for convenience in relation to both shopping and parking. The once-weekly trip to the supermarket for a large grocery shop is far less common now than it used to be, and, for various reasons, people are making, on average, three weekly trips to the supermarket (Adrian Lowe, "The once-a-week supermarket shop is in decline. Here's what Coles and Woolworths expect next", *The Nightly*, 24 May 2024. At: <https://thenightly.com.au/business/the-once-a-week-supermarket-shop-is-in-decline-heres-what-coles-and-woolworths-expect-next-c-14781390>). This is certainly my experience, and the experience of many people who I meet doing their shopping at the Metro at Hawker. We shop at Hawker for 2 time-relevant reasons:

access to quick and easy parking, and the size of the store which allows shopping to be completed quickly without having to walk the length and breadth of a full-line supermarket.

In terms of retail dollars, the evidence is that customers doing a “quick” shop rather than a full weekly shop represent higher value in terms of dollars spent per minute (Jenny Baldwin, ‘Supermarket psychology: Tactics to get you to spend more’, *CHOICE*, 10 January 2023. At: <https://www.choice.com.au/shopping/everydayshopping/supermarkets/articles/supermarket-sales-tricks>).

It therefore appears that Woolworth’s’ current proposals for a full-line supermarket, in an apparent attempt to attract the “big weekly shop”, are not in sync with customers’ needs and preferences.

- Woolworth’s’ population-based claim that a full-line supermarket is needed at Hawker is based on flawed calculations, oversights, and an apparent lack of understanding of the local retail market. Woolworth’s’ calculations are based on a population of 28 000 in the primary and secondary catchment areas, and a very modest projected population growth over the next 18 years in the main trade area. An expected provision of a full-line supermarket for every 8000 – 10 000 people would mean, on the generous side, 3.5 – 4 full-line supermarkets for this population.

In fact, taking into account the proximity and easy access to Belconnen town centre, Jamison and Kippax, there are currently 5 full-line supermarkets which serve this population, with more planned (at Kippax and at the Molonglo Town Centre), plus 3 ALDI supermarkets, as well as the Capital Food Markets. The catchment populations are not nearly as poorly served as Woolworths suggests.

Arguments for a larger supermarket at Hawker for the sake of “convenience” and to reduce the need to “travel further afield” for food shopping could be made in relation to *any* suburban centre. By this line of argument, one could reasonably ask: should *every* shopping centre therefore have a full-line supermarket?

- The description of the “public benefit” from the Direct Sale is not supported by evidence regarding community preferences and priorities. The community engagement exercise in 2023 was not undertaken on the specifics of the redevelopment proposals, as these were not presented to the community at that time.

Even if it could be confirmed that the claimed benefits are what people want, the current process does not provide an opportunity to consider if there are other ways that these benefits could be achieved.

- In relation to questions and concerns, Woolworths has apparently expected members of the community to contact them with any concerns about the proposed re-development. Woolworths’ states (4 July 2024) that they have received “very few” queries or requests for information from members of the community or other stakeholders. In my experience, however, Canberrans are more likely to contact the Planning Minister and/or their local MLAs with their concerns. It would therefore be a mistake to interpret the lack of queries to Woolworths as a lack of interest in, or an endorsement of, the Direct Sale application and the related proposals. Given that no specific information was provided to the community at the time of the 2023 “community engagement”, claimed support from that initiative for any specific aspects of Woolworth’s’ proposed “revitalisation” must be questioned.
- The Woolworths Direct Sale application does not highlight, as a key feature of the proposed development to be facilitated by the Direct Sale of public land, the intention to replace street-level surface parking (the Springvale Drive car park) with basement parking.

- As part of the Direct Sale application assessment process, initial site investigations were apparently commissioned by ACT Government. None of the resulting information has been made public.
- The Direct Sale application pays little regard to the history, character and location of the HVS. Woolworth's' description of the retail history of the HVS fails to acknowledge the fact that this precinct is a major hub for health and medical services, with related implications for visitors to this precinct.
Indeed, it is striking that the maps of the area provided by Woolworths do not identify or acknowledge the nature and clientele of most of the surrounding businesses and services. Several of the maps of the current HVS included in the application material fail to highlight the location of significant health and medical services, as well as other businesses and adjacent apartments.
- There is no mention of the Belconnen Way Hotel and Serviced Apartments, located immediately adjacent to the Springvale Drive car park, and how this long-established business would be impacted by the proposed development of the site, the changes to parking arrangements, and the ongoing operations of a larger supermarket and other businesses in an expanded precinct. A restaurant and function centre (Meet-Point House) is also located in the adjacent premises.
- No evidence is presented to support the claim that other facilities at the HVS would benefit from increased customer flows associated with the redevelopment and a larger supermarket. It could be easily argued that the "Walmart effect" could occur, whereby smaller businesses are adversely impacted when a large retailer moves in.

VI. Age-friendly urban planning

With the older population of the primary and secondary catchment areas for the HVS exceeding the ACT average, efforts to be an "age-friendly city" must include incorporating the needs of older citizens (as well as other age groups) into shopping centre design.

I do not believe that replacing the large and accessible Springvale Drive car park with basement parking would be consistent with the ACT's commitment to age-friendly urban planning. As I have noted, both older people and families with young children benefit from the convenience of the current arrangements.

VII. Conclusion

Other ACT suburban shopping centres have benefitted from a program of shopping centre upgrades. The HVS has not even had the benefit of routine cleaning and maintenance of public areas.

With the ACT Government seemingly having abandoned the HVS following the decision to not proceed with its draft Master Plan in 2012, the community is now left with a private developer's vision of a Master Plan. This includes the sale of several parcels of public land, with no direct community input until DA stage; a large development which may not respect the design and character of this open, low-rise centre in a residential area; the loss of highly-valued street-level parking; and priorities reflecting the commercial interests and shareholder responsibilities of a private developer rather than those of the community.

We deserve better than this. Our local shopping centres contain significant public spaces within the design and landscape context of their local communities. They also have a special role in relation to Canberra's urban design history that commercial developers (especially those who are non-Canberra-based) may not appreciate.

There remains an important place among Canberra's shopping centres for a shopping precinct of the size and nature of the HVS, and age-friendly urban planning should be an important consideration when changes are proposed. The HVS is popular with older people and those with mobility limitations -- who make use of the medical and allied health services, supermarket, pharmacy, post office, café and other shops and services -- and also with parents, tradesmen and others.

I, and no doubt many others, are attracted to the HVS by the convenient layout, the open design and human scale, and the accessible parking. For many of us, basement parking would be an inconvenience and something that would lead us to seriously consider taking our consumer dollars elsewhere. (No information has been provided at this stage about whether Woolworth's intends to introduce pay parking.)

Improvements and upgrades to the HVS would be welcome, with a particular focus on what could be achieved within the existing footprint of the HVS by a combination of Government and private sector efforts.

In reviewing the ACT's Direct Sale grant objectives, I have seen nothing in relation to the HVS that cannot be achieved through sensible and appropriate changes which are consistent with the nature and character of this location, without the necessity for the Direct Sale of the Springvale Drive car park.

I am concerned that the sale of the public land, including the Springvale Drive car park, for the Woolworth's proposed redevelopment will result in the destruction of the very features that attract me and many others to this shopping area and will turn it -- a modest, easy-access, low-rise precinct in the middle of a residential area -- into an oversized and inappropriate development. Any improvements should not involve the loss of the very attributes -- including convenient and accessible parking -- which are fundamental to what makes this centre "work".

The integral role of Canberra's small and intermediate-size suburban shopping centres in the overall design of our city, and in the life of the community, means that an appropriate balance must be struck between commercial and broader community interests in relation to shopping centre development. I do not believe that that balance would be achieved by the sale of the Springvale Drive public car park to Woolworth's for the proposed development.