



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

Submission number: 054

Submitter: ACT Government

Date authorised for publication: 1 May 2025

2025

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

ELEVENTH ASSEMBLY

**Standing Committee on Environment, Planning, Transport and City Services - Inquiry into Petition
002-25: Hawker Village shops Redevelopment**

Government Submission

**Presented by
Chris Steel MLA
Minister for Planning and Sustainable Development
April 2025**

Introduction

On 28 March 2024, Woolworths Group Limited (Woolworths) submitted a Direct Sale Application for land at the Hawker group centre. The application proposes to acquire Territory owned land to expand the existing supermarket, provide additional retail and redevelop part of the existing centre; the proposal, in its current form, is for a two-storey retail and office development with basement parking and no associated residential development. The land includes a surface car park (Block 26 Section 33 Hawker), and part of Hawker Place road reserve. The land is zoned CZ1 Core Zone which allows for a range of land uses, including commercial, residential and retail. Refer 'site 1' shown in [Figure 1](#).

Figure 1 - Block 26 Section 33 Hawker Zoned CZ1 -Core Zone and Hawker Place Road reserve (site 1) and other surface car parks (site 2 and site3)



The direct sale application by Woolworths is currently under assessment by the Environment, Planning and Sustainable Development Directorate (EPSDD) and a decision is yet to be made on the application.

Assessment

Section 266 of the *Planning Act 2023* (the Act) restricts the grant of a lease by direct sale unless a determination on eligibility has been made by the Executive in accordance with the *Planning (General) Regulations 2023* (the Regulations), the Minister in accordance with the Regulations, or a decision by the Executive in accordance with section 266(2) of the Act.

In this instance, Woolworth's application is being determined in accordance with section 266(2), therefore, to be eligible for a direct sale the application must meet at least one grant objectives in the Act (Section 266 (4)) and demonstrate that selling the land by other means is unlikely to meet the objective to the same extent as the direct sale of the land (Section 266(2)(b)), Section 266 (4) of the Act defines each of the following as a 'grant objective':

- (a) to benefit the economy of the ACT or surrounding region;
- (b) to contribute to the environment, or social or cultural features in the ACT;
- (c) to introduce new skills, technology or services in the ACT;
- (d) to contribute to the export earnings and import replacement of the ACT or surrounding region; or
- (e) to facilitate the achievement of a major policy objective.

After receiving an application, in the first instance, the Government needs to decide if it is open to selling the land and then if it is appropriate that the land be sold through a direct sale process. An overview of the direct sale consideration process is provided at [Figure 2](#).

As with all direct sale applications, robust assessment of the Woolworth's application and associated proposal is being undertaken by EPSDD. Input across government, primarily through the Land Release Advisory Committee (LRAC) is also used to determine if the application meets the requirements of the Act. The assessment process also considers existing planning strategies for the area and other strategic objectives and policies of Government, and other relevant planning and technical studies may be utilised to inform the assessment.

Since a conceptual master plan for the site has been provided, this is also being assessed from a strategic planning context. As a result, a range of technical and other planning assessments have been undertaken (this is discussed further at 'Current planning assessments') to assist the determination of the direct sale application.

Once an assessment of a direct sale application has been undertaken by EPSDD, it is provided to the Direct Sales Panel, comprising Senior Officials across Government for consideration. For Woolworths application, the Direct Sales Panel will make a recommendation to be provided to Cabinet, through the Minister for Planning and Sustainable Development, for consideration and determination.

Where a direct sale is recommended by Officials, the advice also includes recommendations on any conditions that should attach to the determination of eligibility for the direct sale of land. It is common for direct sales to be generally conditioned upon the applicant obtaining approval of a development application (DA) for their development proposal, from the independent Territory Planning Authority. A DA process includes public consultation, which provides the community with the opportunity to have a say on the development proposal, through an independent process, prior to the sale of the land being finalised. The sale of Territory land is sold at market value.

In the case of the Woolworths direct sale application, there has been no formal government decision around the eligibility of granting the land by direct sale to Woolworths. Government has yet to decide if it is appropriate that the land be sold through a direct sale process.

Advice provided

The ACT Government is aware of the community interest in the proposal and direct sale application by Woolworths in the Hawker Group Centre and has considered the proposal in light of key Government objectives. As I noted in my Ministerial Statement to the Legislative Assembly on 4 March 2025, EPSDD advised Woolworths on 28 February 2025 that their application, in its current form, does not meet the strategic objectives, policy setting or community benefit for commercial mixed use centres articulated through my Statement of Planning Priorities 2024-25, the Belconnen District Strategy, and the Government commitment to enable the delivery of 30,000 new homes by 2030, including through more shop-top housing as part of centre revitalisation.

EPSDD has also encouraged the proponent to engage meaningfully with the community about the direct sale application, including any responses that arise from the advice provided by EPSDD.

Attachment 1 to this Submission contains the correspondence from EPSDD to Woolworths.

Should Woolworths submit a revised proposal, EPSDD will assess the proposal consistent with due process and provide a recommendation to Government. As of 15 April 2025, Woolworths has not submitted a revised proposal.

Advising applicants of potential adverse assessments and providing an opportunity to revise or provide further information is good administrative practice and provides procedural fairness. As the application remains under assessment, procedural fairness also requires that careful consideration of any commentary provided during this process.

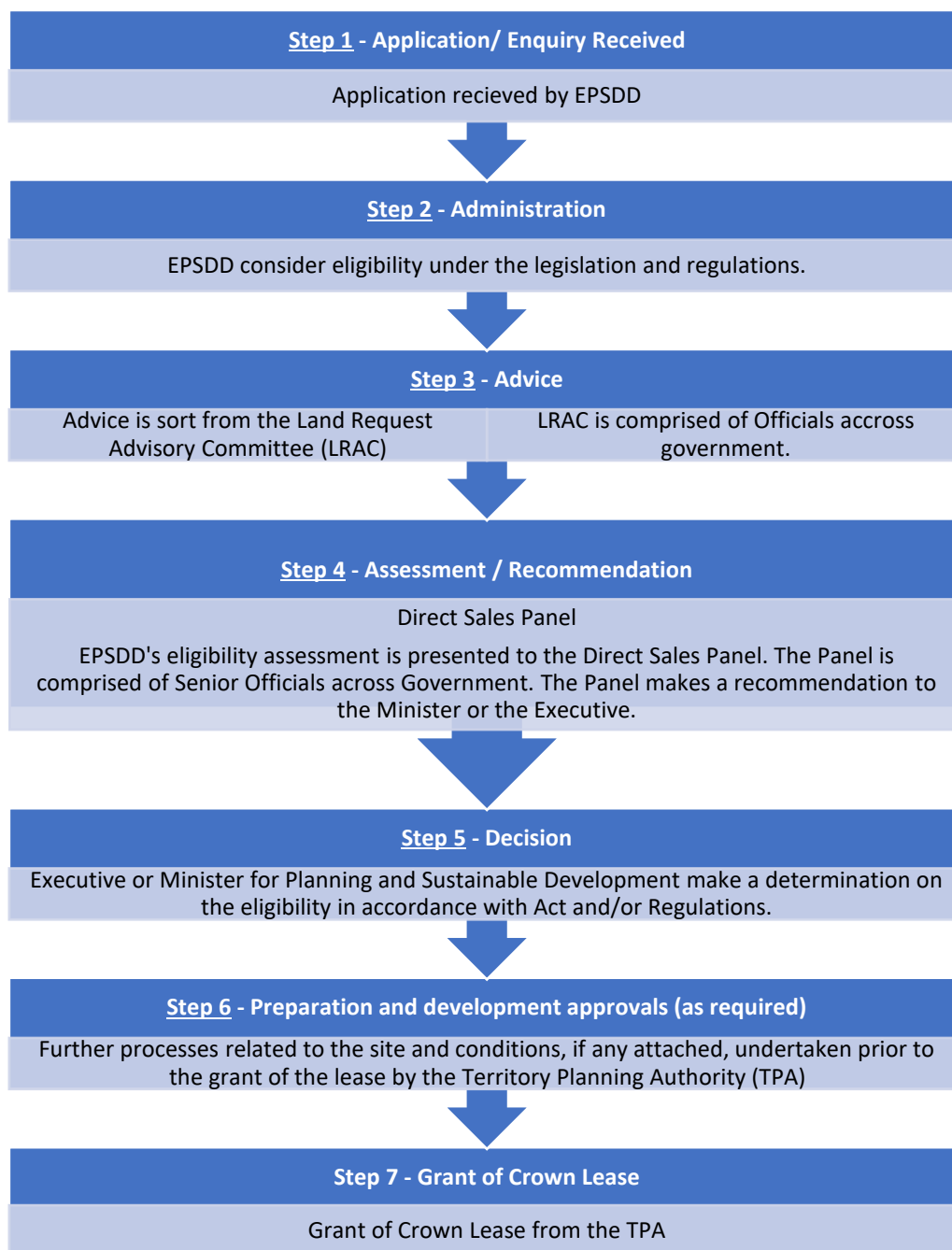
Current planning assessments

A range of information, including broader strategic planning considerations at the Hawker Group Centre and surrounds is required to inform the assessment of the application.

Separately and independent to the direct sale application, ESPDD is undertaking a range of planning and technical studies at the Hawker Group Centre (see sites 1 -3 of Figure 1) as part of the implementation of District Strategies. These investigations include assessment of remanent trees and potential contamination present in the centre. Parking surveys will also be undertaken, and these align with Transport, Canberra and City Services requirements. Current assessments are expected to be completed by mid-2025.

The information obtained through EPSDD's site investigations will also inform the Government in deciding if any land in the Hawker Group Centre should be sold.

Figure 2 – General Steps for Direct Sales applications





ACT
Government

Environment, Planning and
Sustainable Development

Obj: 25/0019778

Tony Pratt
Senior Development Manager
Woolworths Group Limited
Email:

Dear Mr Pratt

Direct Sale application 2024 – 350 – Woolworths Group Limited Block 26 and Block 24 Section 33 Hawker, part Block 33 Section 33 Hawker and the Hawker Place Road reserve.

Thank you for the above application and the ongoing engagement with the ACT Government regarding your plans at the Hawker Group Centre. Understanding your existing land holdings and future intentions through your development proposal has been of assistance.

As my colleagues have relayed to you over the past year, the Environment, Planning and Sustainable Development Directorate (EPSDD) has been carefully considering your application and proposal. While increased economic opportunity is one driver identified for the Hawker Group Centre through the District Strategy for Belconnen, there are several other outcomes the Government is seeking to facilitate. These include the Government's ambition to enable an additional 30,000 dwellings by 2030, including more 'shop-top housing' in commercial centres, guided by the Minister for Planning and Sustainable Development Statement of Planning Priorities 2024-25 and the District Strategies.

After careful consideration, EPSDD considers the current proposal does not meet the strategic objectives or policy setting for commercial mixed-use group centres, including the objectives outlined above.

Prior to a formal decision on the direct sale application, EPSDD invites you to consider the feedback provided and explore revisions to intended land use that more closely aligns with the Territory's strategic objectives and policy settings. EPSDD would also expect that you meaningfully engage with the community prior to submitting any revisions.

My letter formalises the advice provided by representatives from EPSDD's Direct Sale Team to you in a meeting on 11 February 2025.

In the meantime, EPSDD will continue exploring the opportunities available at the Hawker Group Centre. This includes further technical studies to understand the potential to facilitate more housing, jobs and community facilities. These studies are anticipated to be completed by the end of June 2025 and are in addition to those we have previously advised you about.

As a next step, I would welcome the opportunity to meet with you and your project team at your earliest convenience to further discuss the above and understand the potential for Woolworths to consider a revised proposal.

Your Sincerely

Jeremy Smith
Executive Group Manager
Development and Implementation Division
28 February 2025