



STANDING COMMITTEE ON PLANNING TRANSPORT AND CITY SERVICES  
Jo Clay MLA (Chair), Suzanne Orr MLA (Deputy Chair), Mark Parton MLA

**Inquiry into ACT Budget 2021–22**  
**ANSWER TO QUESTION TAKEN ON NOTICE**  
**28 October 2021**

Asked by Jo Clay MLA on 28 October 2021: Mr Nick Lhuede, ACT Construction Occupations Registrar took on notice the following question(s):

[Ref: Hansard Transcript 28 October 2021, Page 44]

In relation to:

**THE CHAIR:** Thank you, Mr Cain. Look, I would like to talk about Access Canberra's role around shopping centre leases, and there is a matter before the committee that I obviously will not talk about because it is a live matter on the Giralang shops. But there is actually quite a lot of shopping centres that are either completely undeveloped or that have got individual sites where the lease is held.

But there has been a development there for some time. One of the other ones I was thinking of is McKellar shops in Ginninderra. I would like to know how many complaints you have received in the last 12 months about McKellar and other undeveloped shopping centre sites where there is a lease in place but there is no action. Are you able to—

**Mr Lhuede:** Thank you, minister. I will take that on notice to confirm the figures, in terms of lease compliance cases that have been raised over the—in terms of open cases, there are 11 open cases in relation to business compliance. And in 2020-2021, we did have 62 business related lease compliance.

Now I will take that on notice because I will like to concern that they were specifically in relation to—or what they were specifically in relation to and that was shopping centres or other matters. But I do not have breakdown—detailed breakdown at the moment, so we will take that on notice, if I may.

**THE CHAIR:** Sure. When you come back on notice, will you be able to tell me the sites, will that come with the information? About where they are and what they are.

**Mr Lhuede:** Yes, we can provide that information.

**MINISTER GENTLEMAN:** The answer to the Member's question is as follows:—

Access Canberra has clarified that the previously referenced number of 62 business related lease compliance complaints is in relation to alleged undertaking of a home business within a residential setting, which may be non-compliant under the rules under the *Planning and Development Act 2007*.

In relation to shopping centres that are not in use, the number of complaints Access Canberra has received cannot be quantified due to the primary nature of the complaint. Complaints received by Access Canberra in relation to shopping centres complexes may relate to lease use, unsafe traffic arrangements, use of footpaths, noise, unclean and undeveloped blocks, or illegal residential occupation of a premise among other issues. Complaints are not currently searchable according to occupation of the shopping centre and compliance with lease use clauses.

The effort to collect and assemble the information sought solely for the purpose of answering the question would require an unreasonable diversion of resources.

Approved for circulation to the Standing Committee on Planning, Transport and City Services

Signature:



Date:

9/11/2021

By the Minister for Planning and Land Management, Mick Gentleman MLA