



## Legislative Assembly for the Australian Capital Territory

2 June 2015

### Giralang Petition

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**MR COE:** Members would be aware of the ongoing Giralang shops saga. Residents of Giralang have been without local shops for many years. However, unlike in some other suburbs, Giralang is not without shops because the owner of the site does not want to develop the opportunity or because a viable opportunity does not exist; in this case, years of mismanagement and meddling from the government have led to the situation where the owner wants to build new shops but is unable to. The government has given mixed messages to the developer, to opponents and to the community. Nobody has certainty regarding the current situation. It seems that the only winners in this whole saga are the lawyers.

The first development application for the Giralang shops site was lodged in 2008. After that application was refused, a second application was lodged, in 2009. That application was also refused. In 2010, a development application which included a supermarket and speciality shops was lodged with ACTPLA and did receive approval. However, the decision to approve the development was overturned after it was challenged in ACAT. A fourth development application was lodged in 2011. The then Chief Minister, Jon Stanhope, and planning minister, Andrew Barr, were seen to be against the proposed development. However, the new planning minister, Simon Corbell, called in the development and approval was granted. This was, of course, after the resignation of Neil Savery as the head of ACTPLA. This was not the end, for residents and traders from nearby suburbs challenged the decision in the Supreme Court.

The government's decision to approve the development was upheld by the Supreme Court in 2012 but a further appeal to the full bench of the Supreme Court was lodged. The full bench of the Supreme Court also dismissed the appeal, but the case was taken to the High Court in 2013. Last year the High Court ruled that the traders did have standing to bring an appeal to the Supreme Court.

The residents of Giralang have waited far too long for shops in their suburb. The process has been mismanaged by the government for years. Instead of allowing the proper planning process to run its course, successive planning ministers have interfered in the process, leading to considerable uncertainty for all concerned.

I would like to think that the government has learnt from its interference in the Giralang development, with regard to this particular site but also to other sites in the ACT, whether they be shops, childcare facilities or other community facilities. However, I am afraid that government interference in the planning process is becoming far too common. I hope this petition will remind the government that the Giralang residents have waited far too long for shops in their suburb and it is time for this issue to be resolved.