



**Mick Gentleman MLA**

Manager of Government Business  
Minister for Planning and Land Management  
Minister for Police and Emergency Services  
Minister for Corrections  
Minister for Industrial Relations and Workplace Safety

Member for Brindabella

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Tom Duncan  
Clerk  
ACT Legislative Assembly  
[Tom.duncan@parliament.act.gov.au](mailto:Tom.duncan@parliament.act.gov.au)

Dear Mr Duncan *Tom*

I refer to your letter of 22 November 2022 providing Petition No. 032-22, lodged by Ms Joy Burch MLA, regarding a development application (DA202240583) proposed on Blocks 48 and 49 Section 539, Chisholm.

The ACT Government notes the petition in relation to the proposed development at Blocks 48 and 49 Section 539 Chisholm and notes that the petitioners request the Assembly to oppose the development application. It is noted that petitioners raise concerns regarding the potential economic impacts the development may have on surrounding businesses, and potential health implications from the food and beverages expected to be served at the proposed restaurant.

The development application for the proposed development was lodged with the independent planning and land authority (the authority) on 9 September 2022.

The scope of works proposed in the application includes:

- demolition of an existing 30 space at-grade car park on the south side of the Chisholm Village Shopping Centre;
- construction of a fast-food restaurant, 6 parking spaces and drive-through access;
- construction of a new Coles supermarket click-and-collect facility;
- commercial signage;
- landscaping;
- new driveway verge crossing, and associated works;
- relocation of existing car wash to a new facility on Block 49 Section 539 Chisholm; and

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ACT Legislative Assembly London Circuit, GPO Box 1020, Canberra ACT 2601

 +61 2 6205 0051  [gentleman@act.gov.au](mailto:gentleman@act.gov.au)

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 MickGentleman

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- lease variation to Block 48 Section 539 Chisholm to increase the permitted gross floor area to 4,159m<sup>2</sup>, and to reduce staff car parking requirements to 6 spaces.

The development application was publicly notified from 20 September 2022 until 12 October 2022.

The authority requested the applicant provide further information in relation to the development application. The applicant has since provided a response which is available for public comment for an extended timeframe between 10 January 2023 and 10 February 2023.

As part of the statutory assessment process, the independent authority must consider all representations that were received during the public notification periods - including relevant matters raised through a petition. I am advised that, to date, Petition No. 032-22 has not been lodged as a representation regarding DA202240583.

The authority must also consider the advice from all entities, including advice received from the Environment Protection Authority (EPA), ACT Health and Transport Canberra and City Services (TCCS).

The development application is currently being assessed by the independent planning and land authority in line with the statutory requirements of the *Planning and Development Act 2007* and Territory Plan. There is very limited scope for the Assembly to intervene in decisions made by the independent authority.

I thank the petitioners for raising these concerns with the Assembly and trust this information is of assistance.

Yours sincerely



Mick Gentleman MLA  
Minister for Planning and Land Management

14/2/2023

Cc: [LAPetitions@parliament.act.gov.au](mailto:LAPetitions@parliament.act.gov.au)