

From: smartforms@act.gov.au
To: [AC, EPD Customer Services](#)
Subject: DA202139349 - REPRESENTATION - [REDACTED] [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]
Date: 25 November 2021 18:44:11
Attachments: [QHJQGHYV.xml](#)
[QHJQGHYV.pdf](#)

Representation for Current Development Application

Form data summary

Customer name	[REDACTED]
Reference code	QHJQGHYV

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on *5 4607 or email smartforms.admin@act.gov.au



Representation for Current Development Application - Submission confirmation

our submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

25 Nov 2021 6:42:52 PM

QHJQGHYV

Thank you for your representation regarding development application number: 202139349

The issues raised in your submission will be taken into consideration during the assessment of the development application and you will be notified in writing once a decision has been made

Section 156(2) of the Planning and Development Act 2007 states that a representation about a development application must be made during the public consultation period for the application. If your representation was made outside the public consultation period it cannot be considered during the assessment of the application

Please Note: A copy of your representation will be forwarded to the development application applicant and can be released to the public only on request, unless you have requested and been granted an exemption.

Access Canberra Environment and Planning
Directorate

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923

Representor details

Title

Given name *

Family name *

Mrs

Organisation name

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

Email address *

Development details

Development application number *

DA 202139349

Suburb *

Section *

Block *

Unit

MCKELLAR

51

1

Representation

Provide the details of your representation *

While a development proposal for this block is welcome, the proposed development does not meet the aims of the government for a people focussed approach that encourages a balance between the social, economic and environmental benefit for the local resident. The McKellar community has been without any Community facilities since the closure of the McKellar preschool in 2006. The loss of the local shops, and resulting empty block and large pit since 2012, have led to a decline in the social amenity of the suburb. Local residents are forced out of the suburb for shops and services and are bereft of a central gathering location for social interaction. The remaining restaurant is well supported (by local and out of suburb visitors) but a lack of surrounding shops or cafes deters people from visiting or spending time in the area. The nearby oval has also been neglected for many years and has no public facilities that would encourage people to engage in social or physical activities. The proposed development identifies only one commercial unit. By limiting the number of dwellings to 14 and the overall size of the development, the developer is bypassing the requirement for community consultation, and denies local residents the opportunity to have input into this proposal and in how it hopes to see its community develop over the coming years. While the proposal indicates the 14 dwellings are commercially adaptable, this gives no certainty to the type of business and whether they would in fact be of benefit to the daily needs of local residents. As the last remaining block for commercial development in McKellar, it would be shortsighted to approve this development proposal without further consideration and consultation with local residents, and this would include all residents in the suburb, of their social, service and amenity needs.

You may upload any additional supporting documentation or photos.

[Click here for more information on applying for exemption from the public register](#)

From: smartforms@act.gov.au
To: [AC, EPD Customer Services](#)
Subject: DA202139349 - REPRESENTATION - [REDACTED] [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]
Date: 25 November 2021 19:41:47
Attachments: [RJH3HJXM.xml](#)
[RJH3HJXM.pdf](#)

Representation for Current Development Application

Form data summary

Customer name	[REDACTED]
Reference code	RJH3HJXM

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on *5 4607 or email smartforms.admin@act.gov.au



Representation for Current Development Application - Submission confirmation

our submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

25 Nov 2021 7:39:47 PM

RJH3HJXM

Thank you for your representation regarding development application number: 202139349

The issues raised in your submission will be taken into consideration during the assessment of the development application and you will be notified in writing once a decision has been made

Section 156(2) of the Planning and Development Act 2007 states that a representation about a development application must be made during the public consultation period for the application. If your representation was made outside the public consultation period it cannot be considered during the assessment of the application

Please Note: A copy of your representation will be forwarded to the development application applicant and can be released to the public only on request, unless you have requested and been granted an exemption.

Access Canberra Environment and Planning
Directorate

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923

Representor details

Title

Given name *

Family name *

Mr

Organisation name

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

Email address *

Development details

Development application number *

DA 202139349

Suburb *

Section *

Block *

Unit

MCKELLAR

51

1

Representation

Provide the details of your representation *

On the plans there is only space for one small shop and 14 residential (commercially adaptable) units and the removal of trees.

I'd like more space for small business e.g. the Japanese restaurant already there, cafe, local shops within walking distance to complement the Evatt shops.

Also there was nothing about replanting trees. I like the car parking that's being trialled at Jamison. There should be something similar included about either replanting, or if the Jamison car park trial is successful, developing a similar project there.

You may upload any additional supporting documentation or photos.

[Click here for more information on applying for exemption from the public register.](#)

From: smartforms@act.gov.au
To: [AC, EPD Customer Services](#)
Subject: DA202139349 - REPRESENTATION - Clay, Joanne [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]
Date: 26 November 2021 10:55:19
Attachments: [QH5NJ5JG.xml](#)
[QH5NJ5JG.pdf](#)

Representation for Current Development Application

Form data summary

Customer name	Joanne Clay
Reference code	QH5NJ5JG

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on *5 4607 or email smartforms.admin@act.gov.au



Representation for Current Development Application - Submission confirmation

our submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

26 Nov 2021 10:53:40 AM

QH5NJ5JG

Thank you for your representation regarding development application number: 202139349

The issues raised in your submission will be taken into consideration during the assessment of the development application and you will be notified in writing once a decision has been made

Section 156(2) of the Planning and Development Act 2007 states that a representation about a development application must be made during the public consultation period for the application. If your representation was made outside the public consultation period it cannot be considered during the assessment of the application

Please Note: A copy of your representation will be forwarded to the development application applicant and can be released to the public only on request, unless you have requested and been granted an exemption.

Access Canberra Environment and Planning
Directorate

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923

Representor details

Title

Given name *

Family name *

Ms

Joanne

Clay

Organisation name

Jo Clay MLA

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

Email address *

jo.clay@parliament.act.gov.au

Development details

Development application number *

DA 202139349

Suburb *

Section *

Block *

Unit

MCKELLAR

51

1

Representation

Provide the details of your representation *

I am writing about Development Application 202139349 on Block 1, Section 51 McKellar, in the location of the McKellar shops in my capacity as ACT Greens Member for Ginninderra and Planning Spokesperson. I understand that this proposal will soon be considered by the Independent Planning Authority after the consultation period ends on 26 November 2021. I do not usually involve myself in individual DA applications but this one is concerning.

As a Green Member for Ginninderra, I have heard repeated community concern about the state of McKellar shops, and community desires for a usable, local space. I do not usually comment on individual Development Applications, but this one concerns me deeply because it appears to contradict what the community have asked for.

Block 1, Section 51 McKellar is located on a 2145 square metre area zoned as CZ4 – Local Centre Zone. This was zoned to be the primary community and commercial hub for shops in McKellar. It is the largest commercially zoned area in McKellar. As you know, the objectives of the CZ4 zone are as follows :

- a) Provide for convenience retailing and other accessible, convenient shopping and community and business services to meet the daily needs of local residents, particularly those with mobility issues.
- b) Provide opportunities for business investment and local employment
- c) Ensure the mix of uses is appropriate to this level of the commercial hierarchy and enable centres to adapt to changing social and economic circumstance
- d) Maintain and enhance local residential and environmental amenity through appropriate and sustainable urban design
- e) Promote the establishment of a cultural and community identity that is representative of, and appropriate to, the place
- f) Promote active living and active travel
- g) Provide a high quality public realm by facilitating active uses on ground floor level that connects with the wider open space, pedestrian and cycle networks to promote active travel and active living.
- h) Encourage an attractive, safe, well-lit and connected pedestrian environment with convenient access to public transport.

This Development Application, in its current form, proposes 14 residential units. It includes largely above ground car parking, despite a large carpark next door and an increasing desire for underground carparking to preserve valuable infill space. Of the 2,145 square metres on this site, only 171 square metres gross floor area is allocated for commercial space.

I note that section 120 of the Planning and Development Act 2007 lists the considerations that the decision maker must take into account when deciding development applications in the merit track.

I further note that section 120(a) states that the decision maker must consider the objective for the zone in which the development is proposed to take place. The zone objectives overwhelmingly reflect the need for a local (commercial) centre.

Like residents in other suburbs, McKellar residents want and expect a shop and community hub on this key site. A community centre, green space, a café or coffee van and shops would all be appropriate. Ideally, these should be developed in consultation with the community, which will ensure residents get what they want, community needs are met and businesses are viable.

A mixed use development that is primarily made up of units (it is unclear what a "commercially adaptable residential unit" is) and dedicates a great deal of urban space to car parking does not meet these needs. One small site for a shop is not consistent with community goals, nor the zone objectives for CZ4.

You may upload any additional supporting documentation or photos.

[Click here for more information on applying for exemption from the public register](#)

Exemption from the public register

To approve your request to exempt all or part of your representation from the public register the planning and land authority must be satisfied that the part of the representation to which your exclusion application relates contains information that:

- (a) the publication of which would disclose a trade secret; or**
- (b) the publication of which would, or could reasonably be expected to**

- (i) endanger the life or physical safety of any person; or**
- (ii) lead to damage to, or theft of, property.**

Please note: Completing this section does not guarantee your application for exemption from the public register will be approved. A customer service officer will contact you to discuss any request for exemption from the public register.

Do you want to apply to have all or part of your representation excluded from the public register? *

Yes

No

From: smartforms@act.gov.au
To: [AC, EPD Customer Services](#)
Subject: DA202139349 - REPRESENTATION - [REDACTED] [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]
Date: 26 November 2021 18:03:19
Attachments: [KWF2QMH3.xml](#)
[KWF2QMH3.pdf](#)

Representation for Current Development Application

Form data summary

Customer name [REDACTED]
Reference code KWF2QMH3

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on *5 4607 or email smartforms.admin@act.gov.au

Representation for Current Development Application - Submission confirmation

our submission has been successful. Please keep a copy of this receipt for your records.

Date and time

26 Nov 2021 6:02:22 PM

Reference code

KWF2QMH3

Thank you for your representation regarding development application number: 202139349

The issues raised in your submission will be taken into consideration during the assessment of the development application and you will be notified in writing once a decision has been made

Section 156(2) of the Planning and Development Act 2007 states that a representation about a development application must be made during the public consultation period for the application. If your representation was made outside the public consultation period it cannot be considered during the assessment of the application

Please Note: A copy of your representation will be forwarded to the development application applicant and can be released to the public only on request, unless you have requested and been granted an exemption.

Access Canberra Environment and Planning
Directorate

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923

Representor details

Title

Mr

Given name *

[REDACTED]

Family name *

[REDACTED]

Organisation name

[REDACTED]

Enter at least one phone number: *

Home phone number

[REDACTED]

Work phone number

[REDACTED]

Mobile number

[REDACTED]

Email address *

[REDACTED]

Development details

Development application number *

DA 202139349

Suburb *

MCKELLAR

Section *

51

Block *

1

Unit

[REDACTED]

Representation

Provide the details of your representation *

Full supportive of the new development in McKellar, however, it would be good to have more commercial space represented in this new facility. There was a grocery store at McKellar for many years before the shops were demolished.

You may upload any additional supporting documentation or photos.

[Click here for more information on applying for exemption from the public register.](#)

From: smartforms@act.gov.au
To: [AC, EPD Customer Services](#)
Subject: DA202139349 - REPRESENTATION - [REDACTED] [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]
Date: 26 November 2021 21:00:28
Attachments: [C777JWXF.xml](#)
[C777JWXF.pdf](#)

Representation for Current Development Application

Form data summary

Customer name	[REDACTED]
Reference code	C777JWXF

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on *5 4607 or email smartforms.admin@act.gov.au



Representation for Current Development Application - Submission confirmation

our submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

26 Nov 2021 8:58:05 PM

C777JWXF

Thank you for your representation regarding development application number: 202139349

The issues raised in your submission will be taken into consideration during the assessment of the development application and you will be notified in writing once a decision has been made

Section 156(2) of the Planning and Development Act 2007 states that a representation about a development application must be made during the public consultation period for the application. If your representation was made outside the public consultation period it cannot be considered during the assessment of the application

Please Note: A copy of your representation will be forwarded to the development application applicant and can be released to the public only on request, unless you have requested and been granted an exemption.

Access Canberra Environment and Planning
Directorate

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923

Representor details

Title

Given name *

Family name *

Mr

Organisation name

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

Email address *

Development details

Development application number *

DA 202139349

Suburb *

Section *

Block *

Unit

MCKELLAR

51

1

Representation

Provide the details of your representation *

I object to the development as does every other McKellar resident I spoke to when door knocking the surrounds and showing them the proposed plans. I have lived nearby for 15 years and have been without a shop since it was demolished. After viewing the proposed plan I was shocked that this application, which impacts the community so much, was exempt from that process. I then decided that community consultation was essential and started door knocking to gain the opinion of other local residents. The development does not provide the much need shopping infrastructure the community has been without since the shop was demolished. The height, architectural design and landscaping do not fit with anything else in the suburb and will forever be an eye sore for local residents, that just want the return of a local shopping centre. The developer has already started work and violated EPA regulations indicating they do not care about the community and or regulations and will likely not adhere to any legal requirements. Complaints to the EPA have already been lodged. This development needs to be stopped until the long suffering McKellar community can have a reasonable time and proper consultation. The shop site is very central in the suburb and there is a significant elderly population that would benefit from the building of a proper shopping centre within walking distance of their homes. If given more time and a community consultation period further representation would be possible representing the local residents view on this important development site.

You may upload any additional supporting documentation or photos.

[Click here for more information on applying for exemption from the public register.](#)

From: [REDACTED]
To: [AC, EPD Customer Services](#)
Subject: Submission on DA 202139349
Date: 26 November 2021 14:48:18

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I object to this development application in its current form. The block is zoned CZ4 and is not a residential block, yet the overwhelming majority of the proposed buildings are residential, with a small stand alone commercial building.

This cannot comply with the planning objectives for this site.

--

regards

[REDACTED]

E: [REDACTED] M: [REDACTED]

From: [EPSDD DLO](#)
To: [Pinkas, Ellen](#)
Cc: [Kandola, Shobaz](#); [EPSDD DLO](#)
Subject: Call-in package DA202139349 (McKellar)
Date: 29 July 2022 10:45:00
Importance: High

OFFICIAL: Sensitive

Hi Ellen,

Call-in package for ministerial consideration in your folder [EPSD 22- 92271 - Info Brief - Minister Call-in DA202139349 - McKellar Shops](#)

Critical date - 4 August

Critical Reason - The applications should be considered by this date to meet the statutory timeframe for making a decision under the *Planning and Development Act 2007* (the Act). However, a decision can still be made after this date.

Kind regards

Christy

Christy Fox | Directorate Liaison Officer

Environment, Planning and Sustainable Development Directorate | ACT Government

From: [EPSDD DLO](#)
To: [Cilliers, George](#); [Varlow, Trent](#); [Brady, Erin](#); [Weller, Craig](#)
Cc: [EPSDD DLO](#); [Ponton, Ben](#); [Marcantonio, Laura](#); [EPSD Government Services](#); [Ferson, Brodie](#)
Subject: 22/92271 Ministerial Information Brief - Gentleman - Minister Call-in DA202139349 - McKellar Shops
Date: 4 August 2022 12:14:25
Attachments: [22_92271 Ministerial Information Brief - Gentleman - Minister Call-in DA202139349 - McKellar Shops.obr](#)

OFFICIAL: Sensitive - Legislative Secrecy

Hi George and SP team,

Minister Gentleman has noted, agreed and signed the brief and relevant documents.

Kind regards

Christy

Christy Fox | Directorate Liaison Officer

Environment, Planning and Sustainable Development Directorate | ACT Government