



Standing Committee on Planning, Transport and City Services

Inquiry into Annual and Financial Reports 2021-2022 **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Peter Cain MLA on 31 October 2022: Mr George Cilliers took on notice the following question(s):

Reference: Hansard uncorrected proof transcript 2 November 2022, PAGE 21-22

In relation to: Percentage of Applications made under section 144 and 141 of the *Planning and Development act 2007*

MR CAIN: Thank you, Chair. Minister, how many development applications have had extension of time requests for deciding DAs under section 166 of the Act. Obviously 166 is extension of time for deciding development applications.

Mr Gentleman: Yes, I will ask directory officials to give you that detail.

Mr Ponton: I am just going to ask Mr Cilliers to answer that question but I am going to talk for two seconds to give him time to find his notes, otherwise we may have to take that one on notice but Mr Cilliers has all of that at hand.

MR CAIN: Or in the interest of time to take it on notice?

Mr Cilliers: I am just looking up what is 166 because 165 deals with amendment with endorsement of plans.

THE CHAIR: You want it on notice or?

MR CAIN: Yes, take that on notice and so perhaps a supplementary.

THE CHAIR: Yes, you can lodge a supplementary for on notice, too.

MR CAIN: I will ask a supplementary. So what percentage of development applications in 2021-22 have extension of time requests under section 166, and again just for clarity, 166 deals with extension of time for deciding development applications.

Mr Cilliers: This is extension of time to make a decision?

MR CAIN: Yes.

Mr Cilliers: So section 166 actually deems the extensions, it is not a request for extension so we do not generally get those sort of requests. What we do get is an extension of time request in terms of providing that information prior to making a decision. I think, is that—

MR CAIN: That is 165.

Mr Cilliers: No, 165 deals with endorsement of plans.

MR CAIN: So what is the extension of time request for further information?

Mr Gentleman: 166 is extension of time for further information. So the information from the proponent is insufficient—

MR CAIN: That is what I am talking about, I think, but 167 is further information is insufficient.

Mr Gentleman: So the answer is there is no request because it is deemed.

MR CAIN: So what is the section where you ask for further information—

Mr Cilliers: The section where we ask for further information is section 141 and 144 during an application. 166 would deal with deemed—

Mr Gentleman: We will take it on notice.

THE CHAIR: So what do you want on notice? Do you want extensions of time under section 143 and 144? Is that what you are after?

MR CAIN: Extensions of time where the department asks for further information.

Mr Cilliers: So prior to a decision?

MR CAIN: Correct.

Mr Gentleman: 141.

Mr Cilliers: Prior to a decision is 141 and 144.

THE CHAIR: Do you know what you have on notice, Mr Cilliers?

Mr Cilliers: Yes, thank you.

Mick Gentleman MLA: The answer to the Member's question is as follows:—
Section 141 of the *Planning and Development Act 2007* enables the independent planning and land authority the Authority to request further information from an applicant in relation to a development application under assessment. From 1 July 2021 to 30 June 2022, the Authority requested further information on 400 development applications from a total of 1063 development applications lodged. The request for further information can relate to matters such as supporting information or detail on plans, entity requirements, or to address concerns raised through the public notification of the development application.

Section 144 of the *Planning and Development Act 2007* allows an applicant to amend a development application under assessment. From 1 July 2021 to 30 June 2022, the Authority received 305 requests to amend development applications.

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

Signature: 

Date: 7/11/2022

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