



Standing Committee on Planning, Transport and City Services

Inquiry into Annual and Financial Reports 2022-2023 **ANSWER TO QUESTION TAKEN ON NOTICE** **22 November 2023**

Asked by Ms Jo Clay MLA on 22 November 2023: Mr Lhuede took on notice the following question(s):

Reference: Hansard Uncorrected Proof Transcript 22 November 2023, page 14

In relation to: Controlled activity order applications

The Chair: Excellent. How many applications for controlled activity orders have there been in the last two years?

Mr Lhuede: Good question. As in third-party applications?

The Chair: Yes, third-party applications.

Mr Lhuede: I will take that on notice.

The Chair: Sure.

Mr Lhuede: It is not a large figure. I think it is around the order of three or four, but I can take that matter on notice. Sorry, I was actually going to refer to the number of controlled activity orders we have issued.

The Chair: No, that is fine. When you take that on notice, I would also love to know if in the last two years there have been any other applications that were refused or that lapsed during the statutory timeframe, however you wish to express that. Whether that has happened again, and also if there were any ACAT appeals from any of those.

Mr Lhuede: Yes, I can take that on notice.

The Chair: Thank you.

Minister Gentleman MLA: The answer to the Member's question is as follows:

Seven third-party applications for a Controlled Activity Order under *the Planning and Development Act 2007* have been made from 1 July 2021 to date.

- Three applications in 2021-22
- Two applications in 2022-23
- Two applications in 2023-24

Of these applications:

- Four applications resulted in a refusal to make an order. Notices of decision were provided within the legislated time frames.
- One order was made that was different to that requested in the application.
- One application was deemed to be refused as it was not made within the statutory time frame.
- One order is in progress.
- Applications for review of four decisions were made to the ACT Civil and Administrative Tribunal.

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

Signature:



Date: 1/12/2023

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