



Inquiry into Annual and Financial Reports 2023–2024

Answer to question taken on notice

Asked by: Mr Jeremy Hanson MLA CSC

Addressed to: Ms Yvette Berry MLA, Minister for Homes and New Suburbs

In relation to: Development Application changes

Hearing: 11 February 2025

Uncorrected Proof Transcript pp 52-53

Transcript provided: 14 February 2025

Answer Due: 21 February 2025 5.00 pm

Minister Berry took on notice the following question(s):

MR HANSON: Yes, thanks. And I appreciate that timeliness is an aspect, but equally is getting the developments right and making sure that they are sympathetic with the community and a range of other issues, and that has got to be balanced. I am just wondering, then, of the ACAT, the number of new dwellings that went through ACAT, how many then would change as a result of that ACAT decision?

Ms Berry: We can take that on notice.

MR HANSON: If you could do it over five years? Because I certainly recall back in 2017, 18, there was a new development. Five new developments. One in Holder, Monash, Wright and Chapman. These developments were put forward.

Ms Berry: I know them very well, Mr Hanson.

MR HANSON: You recall them, right?

Ms Berry: Yes.

MR HANSON: And they went through ACAT, a number of them, and there were modifications made that then one could argue, you know, a court looked at it and said, "These are appropriate changes." Now, I am just wondering how many over the last five years that have been subject to ACAT have then resulted in a change to that development being ruled on by ACAT? Are you able to take that on notice?

Ms Berry: So just to clarify, a ruling by ACAT?

MR HANSON: Well, a change in it. So the process being taken to ACAT and then, either through mediation or a ruling, a change to that development. Because one would presume that that change was then a change for the better. I mean, you know, that could be a matter of opinion, but I am just

wondering, statistically then, over the last five years, if you could, of those housing developments that went to ACAT, how many were then subject to change? Not necessarily the date for the change, that would be pretty laborious, but how many then had a change as an effect?

Ms Rule: Any change?

MR HANSON: Yes. Yes.

Ms Rule: Any change, okay.

Ms Berry: I would say—

MR HANSON: I mean, if you can provide any more information, that would be great. But you know, if it went from 30 dwellings down to 18 or something, if you can provide that level of detail, it would be great. But I just wanted to get a sense of what happened. Yes.

Ms Berry: Yes, we can take that on notice. I would say, though, that Housing, all the way through both the growth and renewal programs, always works as closely as possible with the existing community and neighbours to make sure that they get the best outcome. The last thing we want to do is put public housing tenants into a housing development where the community does not want to welcome them.

So we want to make sure that the dwelling itself is appropriate and meets the needs of our public housing tenants, that it fits in with the existing community, and I would say that Housing ACT, probably over and above any other housing build, even in the private sector, goes out of its way to make sure that they are consulting with the existing community.

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

Since 2019/20, 15 projects have had their Development Application (DA) decisions appealed in the ACT Civil and Administrative Tribunal (ACAT). 13 of these required changes. These changes included loss of dwellings and/or bedrooms or minor design amendments. One appeal was dismissed with no changes required. There is currently one review of decision before ACAT.

Approved for circulation to the Standing Committee on Social Policy

Signature:

By the Minister for Homes and New Suburbs, Yvette Berry MLA

Date:

19/02/25