



# Inquiry into Annual and Financial Reports 2023–24

## Answer to question taken on notice

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Asked by: Ed Cocks MLA

Addressed to: Chris Steel MLA, Minister for Planning and Sustainable Development

In relation to: The number of third party appeals to ACAT on public housing and public health facilities in 2023-24, including how many were accepted and denied by ACAT.

Hearing: **18 February 2025**

Uncorrected Proof Transcript: **UPT 18/02/25, pp 15-16.**

Transcript provided: 21 February 2025

Answer Due: 28 February 2025

Chris Steel MLA, Minister for Planning and Sustainable Development took on notice the following question(s):

MR COCKS: Yes, thank you. And it is in the same space. I am keen to understand just how many public housing and public health developments were subject to ACAT appeal applications by third parties in 23-24, as well as how many appeals on those were denied by ACAT in the same period.

Mr Steel: That crosses over both planning systems, so we can take that on notice.

MR COCKS: It does?

Mr Steel: Yes, yes.

MR COCKS: Okay, and how many appeals regarding public housing or public health developments have been accepted by ACAT in the same period? I am sure you will have to take that on notice as well.

Mr Steel: Yes, we can take that on notice. I suspect it is very few. I guess it is more of a principal point, though, which is should a public hospital be held up and appealed as a result of one person going to ACAT to try and stop the public hospital from being built? And that is the question that the Assembly has.

Unfortunately, we have seen those sorts of things happen in relation to some schools where we are trying to build a new school, and we have one person objecting to that school being built, and that has at times put at risk the ability for us to deliver public services to the community. So there is a principal position here about whether we accept that these developments are so significant that they should be deemed to be territory priority projects under the Act, and therefore not subject to those ACAT appeals.

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Of course, there will be opportunities for consultation on those developments, and of course, they will also—you know, their judicial review will remain in all circumstances for government decision-making on those developments, but in all jurisdictions in Australia there is a process for basically declaring significant projects, state significant projects, is the New South Wales sort of terminology, and this is attempting to do the same thing.

MR COCKS: Thank you. I am keen to keep on going.

THE CHAIR: Thank you, minister. I think we had our information. We can move on.

Chris Steel MLA, Minister for Planning and Sustainable Development: The answer to the Member's question is as follows:

In 2023-24, three third-party applications were made to the ACT Civil and Administrative Tribunal (ACAT) in relation to development applications (DAs) for public housing. Out of the three ACAT applications, two related to the same proposal where ACAT confirmed the original DA decision, with amendments. The remaining matter was mediated between parties.

In 2023-2024, no ACAT applications were received in relation to DAs for public health facilities.

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

Signature:



Date:

2/3/25

By Chris Steel MLA, Minister for Planning and Sustainable Development