



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**

Asked by Ms Nicole Lawder MLA on 31 August 2022: Mr Ben Ponton took on notice the following question(s):

Ref: Uncorrected Proof Transcript 31 August 2022

In relation to: Heritage Advice and Approvals Timeframes

MS LAWDER: *Perhaps take this on notice. The accountability indicator talked about the numbers that arise this year within 15 working days of referral. Are you able to provide advice on the percentages that may be 30 days, 60 days, 90 days or more than 90 days?*

Ms Vassarotti: It is probably something that we will need to take on notice. Look, I have been on the record saying that I think the delays are unacceptable and we need to do something about that. One of the things that I also note is that it is private owners that are actually disproportionately impacted by this issue. We do know at this point that many owners are waiting over 60 days or three months. This is a long time for a delay. Some need to wait between 80 and 120 working days. That is from 46. That is not acceptable and that is something that we are really looking to improve. In terms of the specifics, we can take that on notice.

Mr Ponton: I am happy to take that on notice, but, perhaps in answering that, if—because I am mindful of what we have just been talking about in terms of the workload of the Heritage team—it requires a whole lot of additional work for them to do, could I ask: how far back are you looking, Ms Lawder because to do, say, 12 months, if that is not readily available, it would take somebody—

MS LAWDER: *The last 12 months will be fine.*

Mr Ponton: What I am saying is that it could be a case of taking somebody offline, doing—

MS LAWDER: The accountability indicator that says 64 per cent—

Ms Vassarotti: Could we take the workings that sit behind the—

Mr Ponton: Yes. I am hoping it will be a really easy answer.

MS LAWDER: Just to say it has increased significantly over the past few years, and, I guess, in my experience of nearly 10 years, it does seem to have been increasing quite steadily. It has not been a recent occurrence, in my—

Ms Vassarotti: Well, although, we can certainly provide—the figures that I have got in terms of total council advice, is that we have gone from 436 in 2014-15 to, in 2020-21, 970. That is the total advice. So we have got that. But we can certainly provide—

Mr Ponton: If it helps to not take that on notice, would it help if I told you that 94 per cent of the advice was provided within three working days or, when it is late, within three working days after the 15 days? Ninety-four per cent of the time they get it within the further three days—that is, 18 days.

THE CHAIR: Ms Lawder, would you still like them to take that question on notice or are you happy with that response?

Mr Ponton: Only because I am very mindful that I will be taking somebody off working on referrals to—

THE CHAIR: That is irrelevant, but, if Lawder wants her question taken on notice—

MS LAWDER: *I would like to know how many took more than 60 days and 90 days.*

REBECCA VASSAROTTI MLA: The answer to the Member's question is as follows: –

The ACT Heritage Council (Council) provides advice on a wide range of submissions, including applications under the *Heritage Act 2004*, referrals from other decision makers, and works submissions from heritage owners.

Development Application (DA) referrals received during the 2021-22 financial year from the ACT planning and land authority were completed within the following timeframes:

- 64 per cent of Council advice was provided within the required 15 working days.
- The remaining 36 per cent of Council advice was provided within 20 working days.

In the 2021-22 financial year submissions received from private owners during whose submissions generally do not have statutory response timeframes were completed within the following timeframes:

- 50 per cent within 30 working days.
- 23.5 per cent within 60 working days.
- 20.6 per cent within 90 working days.
- 5.1 per cent within 120 working days.
- 0.7 per cent within 125 working days.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature: 

Date: 9/9/2022

By the Minister for Heritage, Rebecca Vassarotti MLA