



Standing Committee on Planning, Transport and City Services

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

Asked by Nicole Lawder MLA:

Reference: Hearing on 31 October 2022, Annual Report of Environment, Planning and Sustainable Development Directorate.

In relation to: Development Applications

1. How many development applications were received in the 2021-22 year?
2. How many took longer than 3 months to be approved?
3. How many took over 6 months to be approved?
4. How many took over 9 months to be approved?
5. How many took over 12 months to be approved?
6. How many environmental assessments were completed for development applications in the 2021-22 period?
7. Please provide this information for environmental assessments for development applications for
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22
8. Of these environmental assessments, how many were deemed approved as a result of them not being assessed within the statutory timeframe?
9. How many Heritage assessments were completed for development applications in the 2021-22 period?

10. Please provide this information for heritage assessments for development applications for
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22
11. Of these heritage assessments, how many were deemed approved as a result of them not being assessed within the statutory timeframe?
12. Please provide this information for heritage assessments for development applications for
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22
13. For the below years, how many FTE staff are there working on environmental assessments for DA approvals?
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22
14. What is the age profile of these staff working on environmental assessments? Eg how many in age group 20-30 years old, 31-40 etc For
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22
15. For the below years, how many FTE staff are there working on heritage assessments for DA approvals?
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22
16. What is the age profile of these staff working on heritage assessments? Eg how many in age group 20-30 years old, 31-40 etc
 - a. 2018-19
 - b. 2019-20
 - c. 2020-21
 - d. 2021-22

Mick Gentleman MLA: The answer to the Member’s question is as follows:

Response to questions 1-5

1063 development applications (DA) were lodged with the independent planning and land authority (the Authority) during the 2021-2022 financial year.

The following table provides the timeframes for determination of applications lodged in the 2021-22 financial year.

Timeframe	Less than 3 months	3 – 6 months	6 – 9 months	9 – 12 months	More than 12 months
Development Applications determined	692	210	59	17	2

*83 DAs lodged in the 2021-22 financial year are yet to be determined or waiting for further information. This includes all applications lodged up until 30 June 2022.

Response to questions 6-7

There are three types of environmental assessments available for protected matters in the ACT:

- Environmental Impact Statement (EIS);
- EIS exemption; and
- Environmental Significance Opinion (ESO).

The suitability of each assessment depends on the circumstances of a proposed development. A DA is not always required once the environmental assessment process has been completed.

Proposals that trigger the requirement for an EIS or have been granted an EIS exemption must be followed by the submission of a DA in the impact track.

However, for some proposals an ESO may be given by a relevant entity (the Conservator of Flora and Fauna, the Heritage Council or the Authority) that the proposal is not likely to have a significant adverse environmental or heritage impact. Where an ESO has been given, the proponent can then submit a merit track DA or consider the exemptions from the requirement for development approval available under Schedule 1 of the *Planning and Development Regulation 2008*.

The table below provides a breakdown of environmental assessments that were completed in 2018-19, 2019-20, 2020-21 and 2021-22.

Timeframe	2018-19	2019-20	2020-21	2021-22
EIS	-	2	2	1
EIS Exemption	2	2	3	-
ESO	35	24	37	28
Total	37	28	42	29

Response to question 8

No environmental assessments were deemed approved as a result of them not being assessed within the statutory timeframe.

Response to question 9 - 10

ACT Heritage advice on development application referrals from the planning and land authority for each financial year:

Financial Year	2018-19	2019-20	2020-21	2021-22
Council DA advice	143	149	181	166

Response to question 11 - 12

In accordance with section 149 and 150 of the Planning and Development Act 2007 (the Act), an entity must give the planning and land authority (the Authority) advice in relation to the development application (DA) no later than 15 working days. If an entity fails to provide advice in relation to a DA referred to the entity, the entity is taken to have given advice that the entity supports the application.

The Authority does not have statistics on DAs that have been deemed supported by ACT Heritage in accordance with section 149 and 150 of the Act. Generally, a DA that has been referred to ACT Heritage for comment will not be decided by the Authority until comments are received.

Response to question 13

The processing of environmental assessments (EISs, EIS exemptions and ESOs) is a statutory function performed by the independent planning and land authority. The team responsible for these assessments comprise 7 FTEs and has been unchanged since 2018.

The team responsible for processing of environmental assessments has additional responsibilities such as associated environmental reporting, and sometimes draw on expertise from other teams within the independent planning and land authority, EPSDD and other parts of Government.

Response to question 14

Release of this information (even in a de-identified format) is not considered appropriate. The information could enable identification of individuals constituting a breach of privacy and unsolicited release of personal information and potentially adversely impact the teams or individuals involved.

Response to question 15

The Approvals and Advice team within ACT Heritage supports delivery of Council advice on referred development applications. FTE of the Approvals and Advice team is listed below for each financial year.

Financial Year	2018-19	2019-20	2020-21	2021-22
FTE	4.9	4.15	5.2	5.8

Response to question 16

Release of this information (even in a de-identified format) is not considered appropriate by EPSDD. The information could enable identification of individuals constituting a breach of privacy and unsolicited release of personal information and potentially adversely impact the teams or individuals involved.

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

Signature:



Date: 2/11/22

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