



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2024-2025

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Miss Laura Nuttall MLA

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

Asked by: Ms Jo Clay MLA

Addressed to: Minister for Planning

Redirected to: N/A

Reference: Uncorrected Hansard Transcript [Pages 24-26]

In relation to: Map for letterbox drop in relation to amendment to Territory Plan

Hearing Date: 05/08/2024

QTON lodgement date: 05/08/2024

Answer Due Date: 08/08/2024

MS CLAY: —and process is. Can you run me through the standard that would happen on any major plan variation amendment, that has been submitted, and timings that might apply there?

Mr Green: Certainly, so—

THE CHAIR: Before you start could I just, in response to your previous answer, you said this is an application currently under consideration. So are you claiming confidentiality or?

Mr Green: No, it is just a statutory responsibility the territory planning authority, not the minister, so not claiming confidentiality.

THE CHAIR: Yes. Because parliamentary privilege enables us to ask such questions. Is there a reason why you cannot answer the question?

Mr Green: I believe I answered the question, Ms Lawder, by describing the zoning—

THE CHAIR: Was that a sufficient answer for you?

MS CLAY: Let us see how Mr Green goes on the next bit. Thank you, Chair.

THE CHAIR: Thank you.

Mr Green: So the process under the act for a proponent-initiated application is under division 5.2. So an interested person may apply to the territory planning authority for an amendment to the territory plan. The application must include—I will not go into too much detail, but tell me if you would like more, it includes the applicants' details, the land that is identified, and the description of the change to the territory plan that they are seeking, including a supporting report for that proposed amendment.

As part of that consideration, the territory planning authority has three months to make a decision. And the decision is either to accept the application or refuse to accept the application. In considering whether to accept the application, we must have regard to a variety of things: the planning strategy, any relevant district strategy, the statement of planning priorities and anything else the planning authority considers relevant to the amendment. From that time we can request further information and give them 20 working days to provide that additional information if asked.

if we were to accept the application, we would write to the proponent to advise them of that. And then a public consultation process, under Section 63 of the act, would commence. Once the public consultation period has completed, we undertake an assessment of that, consider representations, consider the advice from entities and our views as the independent territory planning authority. And then we would make a decision and that would go through the normal major plan process, which could involve a referral to committee. And then approval by the Assembly and ministers.

MS CLAY: Thank you. And what was the date that the amendment was submitted?

Mr Green: That—I am not quite sure what date it was submitted. It was due for a decision on 1 August. We have—

MS CLAY: Can you take on notice the dates?

Mr Green: Yes. I think someone from my team will probably message me with the date very shortly—

MS CLAY: Yes. I believe they will.

Mr Green: —and I will be able to answer that.

MS CLAY: Great.

Mr Green: But a decision was 1 August. We have, as Mr Engele mentioned earlier, we have received representations from some entities, and we have met with proponent providing them with that NTE advice and seeking some further information before we make a decision as to whether we accept or reject the lodgement. The lodgement date was the 1 May.

MS CLAY: Can you tell me, you have mentioned the public consultation process that happens. Again, I think this will be the first time I have seen it under this process. What will it actually involve?

Mr Green: So, we are required to publish it, and it is not a consultation because it is a proponent led. It is very similar to a development application process where an application is being received, we send out a consultation, public consultation as a notification period and invite submission. So, a pretty standard consultation process. There is nothing further necessarily required of the proponent. There are clear statutory processes in the Act that effectively deliver that.

MS CLAY: Can you just run me through those of, like, notification? Do you mean you put it on the website, or do you do letterboxing, or do you, like—can you just tell me how a member of the community would find out about this?

Mr Green: Yes, absolutely. It would be published on our website, and I would expect that given the prominence of this we would be undertaking potentially a media release to advise community of it.

MS CLAY: Are you will saying, "No, you do not do those"? Not usually? No?

Mr Green: It depends on what the proposal is. If it is a there are minor plan amendments that go through a consultation that do not impact broad numbers of parties. So that might not be the case.

MS CLAY: This one is a major plan amendment, though.

Mr Green: Correct.

MS CLAY: And would affect quite a number of parties, I would imagine.

Mr Green: That is right.

MS CLAY: So, the minimum is that you put it on your website and maybe issue a media release and maybe not.

Mr Green: And letters to the adjoining lessees.

MS CLAY: Can you tell me in this case who would receive those letters? We sometimes hear people are a bit upset that they were somebody effected by development, and they did not see that. So can you just explicitly spell out who would get one of those letters.

Mr Green: It might be best I take that on notice and provide a map, potentially, that would show the extent of that for you.

MS CLAY: That would be excellent.

THE CHAIR: Does, Ms Magee, have something you wish to add?

Ms Magee: No, that probably covers most of it now. But just to be clear that the—all major plan amendments do have that letter box drop for the surrounding area. A good example under the new planning system would be Eastlake. There was a major plan amendment for Eastlake, which obviously had quite a significant letter box drop in that area.

To answer your question, Ms Clay, no, the major and minor plan amendments are not on the YourSay platform. However, we have a link to our DAs and territory plan from the YourSay website to direct community members that might be interested in those two statutory consultations straight to our website. So, there is a link on the YourSay, but the consultation itself is not housed on the YourSay platform.

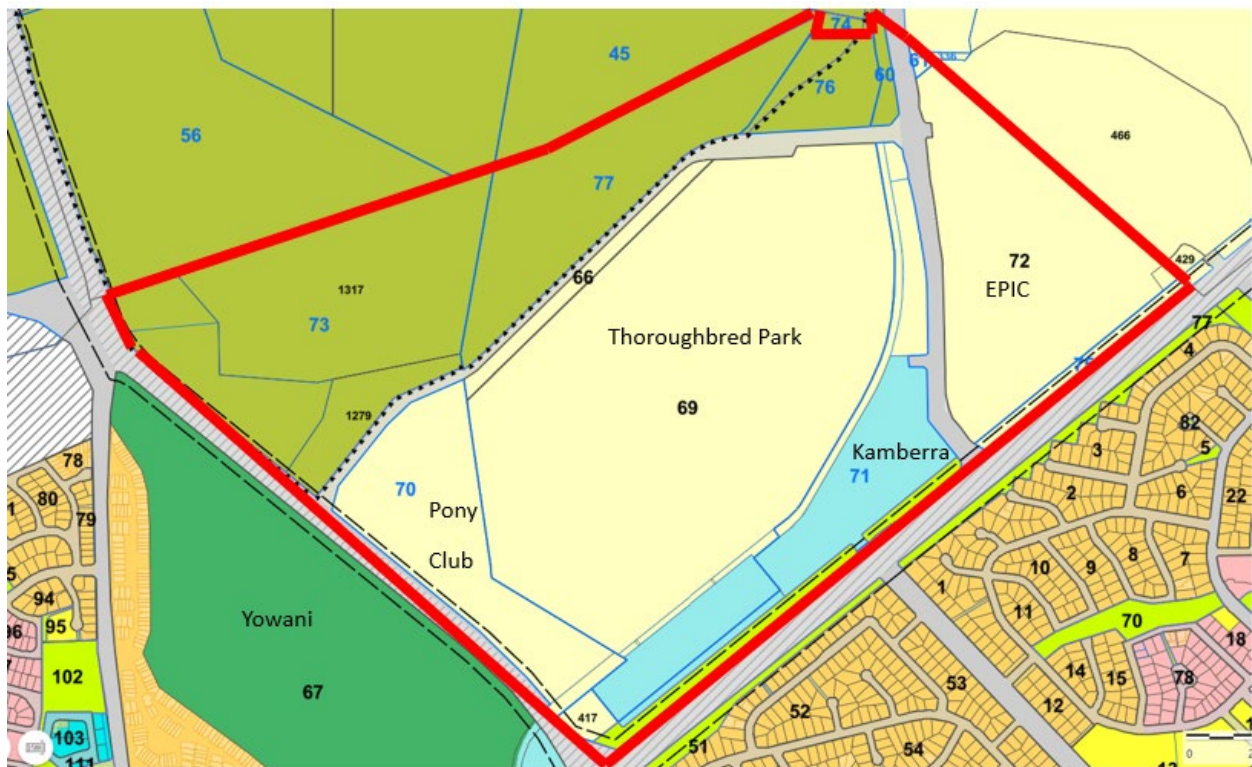
MINISTER STEEL: The answer to the Member’s question is as follows:

As a minimum, the following sections (listed and shown on the map) would be provided with letters of notification should a Major Plan Amendment (MPA) for the Thoroughbred Park site (Lyneham section 69 block 9) be progressed to public consultation under the *Planning Act 2023*:

Lyneham:

- Section 60 – consists of only one blocks being block 2;
- Section 66 – consists of only one block – being block 1;
- Section 69 - all blocks including the subject site (block 9) and adjoining blocks 5 - 8;
- Section 70 – all blocks including blocks 1 and 3;
- Section 71 – all blocks including blocks 1, 4, 18, 23, 25 – 27;
- Section 72 – all blocks including blocks 4 -6;
- Section 73 – all blocks including blocks 1 and 7-9.
- Section 75 - consists of only 1 block being block 2;
- Section 76 – consists of only 1 block being block 2; and
- Section 77 – consists of on only 1 block being block 1;

It is also usual practice to provide letters of notification to additional sections, once the potential impacts of the proposed MPA are better known and if communities of interest are identified in surrounding areas.



Approved for circulation to the Select Committee on Estimates 2024-2025

Signature: 

Date: 8/8/24

By the Minister for Planning, Chris Steel MLA