



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),
Mr Michael Pettersson MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Jo Clay MLA on 18 July 2023: Mr Mick Gentleman MLA took on notice the following question(s):

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In relation to: EIS Exemption for Denman Prospect

MS CLAY: Thank you, Chair. Minister, you waived the requirement to conduct an environmental impact study in that area quite recently. Can you explain to me why you chose to waive that environmental impact study given the value of the area?

Mr Gentleman: Yes. Thank you very much. It is a good question, and of course, we do not waive a study. We look at the previous work that has been done. This was for the area of Denman Prospect, so it is not actually in the area that we are studying at for future use of the Western Edge.

This is the area that has already been allocated for residential development, and we looked at enviro-studies that had already been done up to date and made the decision that those were sufficient enough to understand the implications of residential development in that area.

MS CLAY: And how did you communicate that decision?

Mr Gentleman: I think I put out a press release, remember?

Mr Ponton: We could ask Mr Cilliers to respond, but I would expect that through the normal course of once a minister has made a decision, there is a process for notification, but I will ask Mr Cilliers to respond.

Mr Cilliers: George Cilliers, executive group manager, Statute Planning. Any exemption is granted pursuant to section 211 of the Planning and Development Act, so the typical way in which this is notified is through the notifiable instrument on the legislation register.

MS CLAY: So no press release. No notice to the friends of Blue Block Group. No notification to the organisations that have been campaigning on the issue.

Mr Gentleman: I will take that on notice, and we will see what was provided and come back to you.

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

On 13 June 2023, an Environmental Impact Statement (EIS) Exemption was granted by me, as the application and supporting recent studies provided sufficient information as required by the *Planning and Development Act 2007* (the Act).

This decision was publicly notified on the ACT Legislation Register on 15 June 2023 and came into effect on 16 June 2023 (<https://www.legislation.act.gov.au/ni/2023-291/>) and the Consideration Report was also published on the Environment, Planning and Sustainable Development Directorate (EPSDD) website (<https://www.planning.act.gov.au/development-applications-assessments/assessment-of-development/environmental-impact-assessment/exemption-from-requiring-an-eis-s211>). In addition, the decision was also updated on EPSDD's DA Finder App. Any users who were following it, would have received a 'push notification' about it being finalised. This is beyond the requirements of the Act.

Currently, EPSDD is looking at new ways to increase awareness of decisions once they have been made.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:



Date: 25/7/2023

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