

15 OCT 2009

QUESTION ON NOTICE**UPPER HOUSE INQUIRY**

GPSC's

POLITICAL DONATIONS

On 29 September, 2009 Ms Sylvia Hale placed the following question on notice during the Upper House Inquiry into Badgerys Creek Land.

Question No. 1 - Ms Sylvia Hale to ask the Minister for Planning, Minister for Redfern Waterloo —

Do you believe that public confidence in the NSW planning system would be enhanced if proponents and opponents of development applications were not allowed to make donations to political parties or candidates while the relevant applications are being assessed by a council or state government body?

Answer:

Transparency, efficiency, certainty and decisions made at the most appropriate level is what enhances confidence in any planning system. These are key to the NSW Government's goal of creating Australia's best planning system: one that supports places for people to work, homes for people to live in, and protects our natural environment.

Transparency is central to ensuring that the public – be it the wider community, resident action groups or proponents of planning proposals – have confidence that planning decisions are made on their merits.

In NSW, the Labor Government is delivering that transparency in the planning system through:

- New political donation disclosure laws that came into effect in 2008, imposing obligations on applicants making applications for project approval from 1 October 2008 to disclose all reportable political donations (if any) made by anyone with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined. More information on these obligations is available at www.planning.nsw.gov.au/DevelopmentAssessments/Donationandgiftdisclosure/tabid/209/Default.aspx
- Introduction of the Planning Assessment Commission and delegation of the Minister's authority to determine applications where a reportable political donation had been made. More information about the PAC is available at <http://www.pac.nsw.gov.au/>
- The introduction of Joint Regional Planning Panels (JRPPs). JRPPs determine development proposals with a value between \$10-100 million, subdivisions of more than 250 lots and specialist development proposals such as eco-tourism, with a value in excess of \$5 million. Each panel contains three State and two local members. Local council staff publicly exhibit and assess development proposals, and members of the public are able to make submissions and address the Panel about development proposals. The JRPP makes its own determination, and is not subject to the direction of the Minister. More information about the JRPPs is available at <http://jrpp.nsw.gov.au/>

- Introduction of a monthly public update of the number of major project determinations, the jobs and the economic investment that those projects created. These can be found under the 'media releases' section of the Department's website, www.planning.nsw.gov.au
- The Department of Planning's recommendations on major development proposals and the Minister or Planning Assessment Commission's decisions on them are all publicly available on the Department's website. These can be found at <http://www.planning.nsw.gov.au/DevelopmentAssessments/Noticesofdetermination/tabid/206/Default.aspx>
- The Department of Planning's website also a similar database of information about rezonings called the "Local Environment Plan Tracking System", where the public can follow progress of a rezoning proposal and decisions during the process. This can be found at <http://www.planning.nsw.gov.au/LocalEnvironmentalPlans/tabid/246/Default.aspx>
- The NSW Government introduced a Lobbyist Code of Conduct and Lobbyist Register. Available on the Department of Premier and Cabinet's website (http://www.dpc.nsw.gov.au/prem/lobbyist_register), the Code applies to all public servants working in departments, as well as Ministers and their staff, and State Labor MP's. I understand that The Leader of the Opposition has so far refused to agree to have members of the Opposition adhere to the Code. I am unaware of the Greens political party's position is in relation to the Lobbyist Code of Conduct and the Register.

The Hon Kristina Keneally MP
Minister for Planning
Minister for Redfern Waterloo

NOTES FROM MEETINGS

On 29 September, 2009 Ms Sylvia Hale placed the following question on notice during the Upper House Inquiry into Badgerys Creek Land.

Question No. 2 - Ms Sylvia Hale to ask the Minister for Planning, Minister for Redfern Waterloo —

Ms Sylvia Hale: Do you keep notes on all meetings and phone calls between members of your staff and the proponents of developments?

Ms Kristina Keneally: Indeed, we do.

Ms Sylvia Hale: Can you provide a copy of those notes to the committee for the past four years?

Ms Kristina Keneally: That would be difficult.

Ms Sylvia Hale: I meant since you became Minister.

Ms Kristina Keneally: Are you asking for notes on meetings with every proponent we have ever met with?

Ms Sylvia Hale: Yes – the notes, the date, the time, who the proponent was and what was discussed in the telephone call or meeting.

Answer:

I have taken this question to relate to the Terms of Reference for this Inquiry. Therefore there are no notes because we did not meet with any proponents for this land.

The Hon Kristina Keneally MP
Minister for Planning
Minister for Redfern Waterloo

BRIEFINGS ON WSELIA

On 29 September, 2009 Mr Greg Pearce placed the following question on notice during the Upper House Inquiry into Badgerys Creek Land.

Question No. 3 - Mr Greg Pearce to ask the Minister for Planning, Minister for Redfern Waterloo

Mr Greg Pearce: I think you were appointed over a year ago. Can you tell us, when were you first briefed on the western employment lands?

Ms Kristina Keneally: I would need to check my diary on that, but I believe it was part of one of those regular meetings I held with the director general. From memory, Mr Johnston also attended the briefing and provided it. I would need to check my diary but I believe it was early 2009.

Mr Greg Pearce: Would you have kept any notes of that briefing?

Ms Kristina Keneally: I would need to check that. I had staff present at that meeting.

Mr Greg Pearce: Would you take that on notice, then?

Ms Kristina Keneally: I would, of course, Mr Pearce.

Mr Greg Pearce: Were there subsequent briefings on the western employment lands?

Ms Kristina Keneally: Yes, there were.

Mr Greg Pearce: There would have been notes kept of those. Would you be able to provide those to the Committee as well?

Ms Kristina Keneally: Indeed, I can advise you my office will comply fully with the call for papers from the upper House.

Answer:

The Minister was first briefed on the Western Sydney Employment Lands Investigation Area (WSELIA) on 2 October 2008.

The handwritten notes and a presentation provided during that briefing were included in documentation handed over in compliance with the Upper House Order for Papers on Land in or around Badgerys Creek, Item 1 (e) (19).

All other handwritten notes on meetings with Department representatives regarding WSELIA were in relation to the production of Cabinet Minutes, and therefore are Cabinet in Confidence.

The Hon Kristina Keneally MP
Minister for Planning
Minister for Redfern Waterloo

ATTENDANCE OF FUNDRAISER

On 29 September, 2009 Ms Sylvia Hale placed the following question on notice during the Upper House Inquiry into Badgerys Creek Land.

Question No. 4 - Ms Sylvia Hale to ask the Minister for Planning, Minister for Redfern Waterloo —

Ms Sylvia Hale: One of the fundraising events that the Medich group attended and at which it donated \$12,000 was the re-elect Frank Sartor dinner in February 2006. Did you attend that dinner?

Ms Kristina Keneally: I would have to check my diary, Ms Hale. I cannot recall.

Ms Sylvia Hale: Would you take that on notice and get back to the Committee?

Ms Kristina Keneally: I would be happy to.

Answer:

I have no diary record of a dinner or fundraiser for Frank Sartor in February 2006.

The Hon Kristina Keneally MP
Minister for Planning
Minister for Redfern Waterloo