

Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

RESPONSE TO QUESTION ON NOTICE

Questions on Notice Paper No 2

7 February 2025

Question No. 146

MS CLAY MLA - To ask the Minister for Planning and Sustainable Development:

Given that Development Application 202342506 was conditionally approved on 6 September 2024, and that a condition was imposed that the approval does not take effect until the applicant/lessee lodges with the planning authority written evidence (under section 165 of the *Planning and Development Act 2007*) that the Conservator of Flora and Fauna has approved a new or amended Land Management Agreement prepared by the lessee in accordance with section 283 of the *Planning and Development Act 2007* which incorporated the new use of transport depot and the information provided is endorsed by the planning authority, can the Minister advise if the condition been complied with, that is has a new or amended Land Management Agreement been approved by the Conservator of Flora and Fauna been submitted to, and endorsed by, the planning authority; if so, has the Crown lease been varied; if so, was any Lease Variation Charge payable and how much was paid.

MINISTER STEEL MLA - The answer to the Member's question is as follows:

- On 29 November 2023, a development application (DA) was lodged for Block 709 Majura.
- The DA (DA-202342506) was for a variation to the Crown lease purpose clause by adding transport depot as a permissible use.
- DA-202342506 was first referred to the Conservator of Flora and Fauna (the Conservator) on 30 November 2023.

- The Conservator raised the requirement to avoid encroachment into the Tree Protection Zones of some trees. These concerns have been addressed, and the lessee has agreed to remove the equipment and materials from the drip line of trees.
- On 6 September 2024, the DA was approved by the planning and land authority (the Authority), with conditions. The decision included a condition that the approval did not take effect until a new or revised Land Management Agreement (LMA) was in place.
- The revised LMA was subsequently referred to the Conservator on 20 September 2024 to satisfy the DA approval condition. The Conservator required that one of the conditions of the LMA was that the drip line of trees could not be utilised for storage of material or vehicles.
- The renewed and revised LMA was approved on 22 October 2024.
- The LMA was provided to and endorsed by the Authority and consequently the DA approval took effect on 20 November 2024.
- As the lease over Block 709 Majura is a rental lease there will be no lease variation charge determined. Instead, the rent must be reappraised. The Authority expects to be in a position to reappraise the rental shortly. As a result, the lease has not yet been formally varied.

Approved for circulation to the Member and incorporation into Hansard.

Chris Steel MLA

Minister for Planning and Sustainable Development

Date: 26/2/25

This response required 50 mins to complete, at an approximate cost of \$109.25.