A political donations disclosure statement from Gujarat dated 23 August 2011 went up on the Department’s website last week, at the same time that the Department revealed its recommendation that the NRE No. 1 Preliminary Works Project be given the go-ahead. What explanation was the department given for the late declaration and why did the declaration only appear on the same day as the Department’s decision?

Department of Planning and Infrastructure response:

Political donations disclosure laws in NSW make it clear that the onus lies with proponents to disclose political donations associated with development proposals.

In this case, the Department had completed its assessment report and was ready to make a determination. As no political donations disclosure statement had been submitted for this project, the Department acted diligently to ensure the matter was referred to the appropriate determining authority, and as such, the Department sought confirmation from the proponent that there were no reportable political donations.

Subsequently, a political donations disclosure statement was lodged by the proponent.

As soon as this statement was received, it was uploaded to the Department’s website and the proposal was then referred to the Planning Assessment Commission (PAC) for determination, as occurs for all proposals for which a reportable political donation has been disclosed.

The Department will be seeking further explanation from the company as to the reason why the disclosure was not lodged with the initial application.

The proposal was subjected to a rigorous merit-based assessment by the Department. The Department’s assessment process is not influenced by the existence of donations or otherwise.

In the absence of any reportable political donations in association with this project, the proposal would have been determined by a senior officer from the Department of Planning and Infrastructure, in line with the existing delegations, which are available on the Department’s website: http://www.planning.nsw.gov.au/DevelopmentAssessments/Majorprojectassessments/tabid/203/language/en-US/Default.aspx

Section 147 of the Environmental Planning and Assessment Act, which relates to the disclosure of political donations, commenced on 1 October 2008.