

**DAVID HARRIS
LABOR MEMBER FOR WYONG
SHADOW MINISTER FOR THE CENTRAL COAST**

**“SECRET” Statutory Review of the Warnervale Airport (Restrictions) Act
REPORT STAYS SECRET – IS THERE A COVER-UP?**

On **11 February 2020**, Member for Wyong David Harris MP applied under the Government Information (Public Access) Act 2009 (GIPA Act) for a copy of the final report into the Statutory Review of the Warnervale Airport (Restrictions) Act 1996 completed in 2017.

This was a public review of the existing Warnervale Airport (Restrictions) Act conducted by Planning Ministers Rob Stokes MP and Anthony Roberts MP.

Whilst the final report was never released to the public, Minister Roberts press release stated:

“Based on the recommendations by the Department, I have decided to leave the Act in place, meaning that any significant expansion of the airport and its operations by the council will still need ministerial consent.

“I believe this remains the most appropriate way to currently regulate activities at the airport.”

<https://www.planning.nsw.gov.au/-/media/Files/DPE/Media-Releases/2017/August/20170811-Warnervale-Airport-Act-to-stay-in-tact.pdf>

“Now in 2019 we have another review into the Act, so I requested a copy of the previous report to ascertain the reasoning behind the original decision” Mr Harris said.

“Strangely the response is that the report might prejudice the current review?” Mr Harris said.

“I strongly believe that the previous decision and reasoning behind that decision should be in the public domain as a part of the current review – what has the Berejiklian Government got to hide?” Mr Harris said.

“I call on Adam Crouch, Parliamentary Secretary for the Central Coast, to intervene and have the original report released so that the Central Coast Community can weigh up the arguments around the future of the Warnervale Airport (*Restrictions*) Act 1996 in an open and transparent way.” Mr Harris said.

“It’s outrageous that this report is being kept secret.” Mr Harris said

ENDS

FRIDAY, 13 MARCH 2020

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A summary of the GIPA request decision. (The full decision is attached)

The information requested by you is the final report into the review conducted into the Warnervale

Airport (Restrictions) Act 1996 (WAR Act) in 2016/2017. It is noted that there is a current review underway into the WAR Act.

As there is another review of the WAR Act currently underway, I have considered that the disclosure of the final report which would reveal details of the analysis and recommendations could reasonably be expected to prejudice the current deliberative process.

I have also considered that the disclosure has the potential to prejudice the effectiveness of the review and any potential outcomes or recommendations made as a consequence of the review which is being conducted by the Department.

Strong weighting has been placed on these considerations against disclosure.

I have considered the relevant public interest considerations in favour of and against disclosure of the information you requested.

As noted above, the fact that the current review into the Warnervale Airport (Restrictions) Act 1996 is ongoing leads me to place significant weighting against disclosure of the briefing note requested through this application.

4.3 Balancing the public interest test

I have considered that the information may contribute towards positive discussion about issues of public importance. In addition to this, I have also considered that the public consultation process has ended for the current review into the WAR Act.

However, I am not satisfied that this outweighs the potential for the disclosure to prejudice any recommendations and outcomes from the review of the WAR Act.

Therefore, having weighed up the considerations, I have decided that there is an overriding public interest against disclosure of the information. This is summarised in the attached Schedule of Documents.