

17 July 2018

Professor Mary O'Kane
Chair, Independent Planning Commission

By email: ipcn@ipcn.nsw.gov.au

Dear Professor O'Kane,

West Culburra Concept Proposal

The Commission will meet with the applicants at 8am this Thursday.

The Department of Planning set out eight grounds on which they base their rejection of the application. Two of those grounds concern water quality and the Crookhaven River estuary. During the consideration of the application, the applicant provided to the Department, expert reports to meet the concerns of the Department.

However, just this morning, the Department provided copies of letters dated 19 July 2017 and 20 July 2017 from their own peer reviewers which raised substantial concerns and concluded that the studies provided by the applicant should not be relied on.

The purpose of this letter is to record our dismay at what is procedural unfairness in two areas. First, the letters from the Department's peer reviewers are a year old and today is the first time they have been sighted and there was no opportunity to address the matters raised with the Department before they finalised their report. Secondly, there is little time between now and Thursday morning to prepare a full and adequate response for consideration by the IPC.

We wish our dismay and disappointment on these procedural missteps to be recorded.

Yours faithfully,

Dr Robert Tong AM
Chair, The Halloran Trust

