



New South Wales Government  
Independent Planning Commission

Mr Greig Duncan  
Project Director  
Hume Coal Project  
Posco  
PO Box 1226  
MOSS VALE NSW 2577

Dear Mr Duncan

I refer to your letter dated 7 January 2019 in relation to the integrity of the planning system and Hume Coal and Berrima Rail Project.

Thank you for your comments in relation to the Commission being seen to be truly independent. Since commencing at the Commission in February 2018, I have been committed to working to ensure that the Commission is an independent and trusted decision-making body.

Importantly, under the *Environmental Planning and Assessment Act*, it is the Minister for Planning who can request the Independent Planning Commission to hold a hearing, not the Department of Planning & Environment.

I answer your specific questions as follows:

- a. the Commission agrees with the recommendations of the Auditor-General in relation to the role of the Department of Planning & Environment in dealing with major projects before the Commission
- b. the Commission has implemented all the Auditor-General's recommendations. I have taken your comments on notice in relation to the use of the word 'approvable'
- a. you would aware that, as the Chair of the Commission, I have appointed a panel of four Commissioners, comprising Professor Chris Fell (Chair), Mr George Gates, Mr Geoff Sharrock and Ms Annalise Tuor, to determine this state significant development application. As such, I have referred your letter and the merit issues you have raised to the Panel for its formal consideration.

Your sincerely

Mary O'Kane  
Chair  
**Independent Planning Commission**

17/1/19

- cc. The Hon Gladys Berejiklian MP, Premier of NSW  
The Hon John Barilaro MP, Deputy Premier of NSW  
The Hon Anthony Roberts MP, Minister for Planning  
Consul-General Sangsoo Yoon, Republic of Korea (Sydney)  
Ambassador Baek-Soon Lee, Republic of Korea (Canberra)  
Professor C J D Fell AM