



Contact: David Koppers
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Ross Mackay
EDO
Level 5
263 Clarence Street
SYDNEY NSW 2000

23 August 2017

Dear Ross

Subject: Access to information under the GIPA Act – Wilpinjong Extension Project

I refer to your application received on 15 June 2017 under the *Government Information (Public Access) Act 2009* requesting access to:

- a. *All draft versions of the meeting note of the public hearing held on 29 November 2016 regarding the Project, and all correspondence and records of communications, including between PAC members, regarding that hearing;*
- b. *All draft versions of the Review Report for the Project dated 20 December 2016, and all correspondence and records of communications, including between members of the PAC, regarding that Review Report;*
- c. *All internal records of communications held by the PAC relating to the decision to grant the Consent, including the following:*
 - i. *All draft versions of the meeting note of the public meeting held on 11 April 2017 regarding the Project, and all correspondence and records of communications, including between PAC members, regarding that meeting;*
 - ii. *All draft versions of the Determination Report for the Project dated 24 April 2017, and all correspondence and records of communications, including between members of the PAC, regarding that Determination Report and the decision to grant the Consent; and*
 - iii. *All correspondence, records of communications and other documents detailing the process and procedures adopted by the PAC in reaching the decision to grant the Consent; and*
- d. *All documents held by the PAC detailing the process and procedures adopted by the PAC in relation to the carrying out of their function to determine development applications, as delegated by the Minister via the instrument of delegation dated 14 September 2011.*

This request excludes any information publicly available and any information supplied in response to our previous application dated 12 May 2017.

I hold authority to make decisions on applications made under the GIPA Act for access to information held by the Commission. The Commission has checked all its records and identified a number of documents that fall within the scope of your application. Pursuant to section 14 of the GIPA Act the documents requested are being withheld on the grounds that the release of such information is not within the public interest, specifically that they:

- *Reveal a deliberation or consultation conducted, or an opinion, advice or recommendation given, in such a way as to prejudice a deliberative process of government or an agency; and*
- *Prejudice the effective exercise by an agency of the agency's functions.*

Rights of review

You have a right to seek an internal review of this decision under Part 5 of the GIPA Act. An internal review should be made in writing to the Chair of the Commission within 20 working days of this notice of decision. Alternatively, you have a right to seek a review by the Information and Privacy Commission or by the NSW Civil and Administrative Tribunal.

Their contact details are:

Information and Privacy Commission NSW
GPO Box 70111
SYDNEY NSW 2001
Phone: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

NSW Civil and Administrative Tribunal
Administrative and Equal Opportunity Division
Level 10, John Maddison Tower
86-90 Goulburn Street
SYDNEY NSW 2000
Phone: 1300 006 228
Website: www.ncat.nsw.gov.au

An application for NSW Civil and Administrative Tribunal review must be made within 8 weeks of this notice of decision or within 4 weeks after completion of any review undertaken by the Information and Privacy Commissioner.

Should you have any questions on the above, please don't hesitate to contact David Koppers, of the Commission Secretariat, on 9383 2100.

Yours sincerely



David McNamara

Director, Secretariat
Planning Assessment Commission