



1 July 2020

Ms Elaine Johnson  
Principal Solicitor  
Environmental Defenders Office  
Level 5, 263 Clarence St  
SYDNEY NSW 2000

By email: [elaine.johnson@edonsw.org.au](mailto:elaine.johnson@edonsw.org.au)

### Vickery Extension Project (SSD 7480)

Dear Ms Johnson

Thank you for your letter of 30 June 2020.

Commissioner John Hann, the Independent Planning Commission's (**Commission's**) Panel Chair for the Vickery Extension Project (**Project**), has asked me to respond to your letter on behalf of the Panel.

In your letter, you request an hour and fifteen minutes of additional time for representatives and members of your client to present to the public hearing for the Project.

I wish to advise that the Panel has respectfully declined your request.

I understand that your client has been allocated six speaking slots at the public hearing, including those in respect of the four experts briefed by your client identified in your letter, totalling 40 minutes of speaking time. The Commission notes that none of those four experts had identified that they were briefed by your office on behalf of your client when they registered to speak. It may similarly be the case that other registered speakers are also representatives or members of your client.

If the Commission were to give additional time to representatives and members of your client at this late stage, other stakeholders (including directly affected landholders) would have less time or would be unable to present to the public hearing. The Commission is committed to fairly and equitably allocating speaking time in this regard and ensuring that the largest number of interested people can participate.

In your letter you seek equivalent speaking time for your client's counsel as compared to the time allocated for Mr Mike Young, the representative of the Department of Planning, Industry and Environment (**Department**).

The Panel has asked me to refer you to the Minister for Planning and Public Spaces' 11 March 2020 request for this public hearing (a copy of which is **enclosed**) which specifically requires the Commission to pay particular attention to the Department's Assessment Report in its conduct of the public hearing. This focus is reflected in the allocation of time to Mr Young.



**New South Wales Government**  
Independent Planning Commission

The Commission will be accepting written submissions until 5pm on Friday, 10 July 2020. Any written submissions received in that period will be fully considered by the Panel and will not be weighted any differently to verbal submissions made during the public hearing. We encourage your client to make a written submission to the Panel.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'SMcLean'.

Sam McLean  
Executive Director

1 July 2020

RECEIVED

11 MAR 2020

BY:

## Request to the Independent Planning Commission Vickery Extension Project

Section 2.9 (1) (d) of the *Environmental Planning and Assessment Act 1979*

A public hearing in relation to the proposed project was previously held by the Independent Planning Commission on 4-5 February 2019.

I, the Minister for Planning and Public Spaces, request the Independent Planning Commission to:

1. Conduct a further public hearing into the carrying out of the Vickery Extension Project (SSD 7480) prior to determining the development application for the project under the *Environmental Planning and Assessment Act 1979*, paying particular attention to:
  - a) the Department of Planning, Industry and Environment's assessment report, including any recommended conditions of consent;
  - b) key issues raised in public submissions during the public hearing; and
  - c) any other documents or information relevant to the determination of the development application.
2. Complete the public hearing and make its determination of the development application within 12 weeks of receiving the Department's assessment report in respect of the project, unless the Planning Secretary agrees otherwise



The Hon Rob Stokes MP  
Minister for Planning and Public Spaces

Sydney 19<sup>th</sup> February, 2020

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