

Thursday, 31st October 2013

To Mr Andrew Hartcher

23-33 Bridge Street, Sydney NSW 2000

GPO Box 39, Sydney NSW 2001

Dear Andrew,

I thank you for the additional exhibition period and look forward to another opportunity to do so when all Agencies overseeing this process have completed their reviews, peer reviews and analysis (I note that as of today it is still an ongoing process and documents and reports are not completed and have not been made available to Councillors or Community and there is still more assessments being undertaken by EPA, Council and NSW Planning).

As outlined by Minister Brad Hazzard the Community will have access to all documents when NSW Planning is confident that all conditions of consent have been complied with and measures in place for Pre and post demolition compliance and safety. There are still many unanswered questions and I understand more analysis being undertaken on PKCs proposed methods of Dust Suppression.

As discussed at the Joint Agency Community meeting yesterday; The Community and some informed Councillors have been concerned that significant Demolition has already been completed on the sites without compliance to the Conditions of Consent; and the date of explosion of the stack was allowed to be advertised as being 6th Sept 2013 for weeks before NSW Planning intervened even though the Dept was aware of the non compliance. So I look forward to full transparency and the further opportunity promised by Minister for Planning Hon Brad Hazzard MP for Council and Community to respond to the final documents, peer reviews, and Agency investigations prior to the final approval being given and at a time when all Govt Agencies are satisfied fully that the

process and procedures will ensure complete safety of our Community and their properties and also protection of public infrastructure, heritage and water quality.

In line with Minister Hazzards commitment of full transparency, I note that I am still awaiting review of Third Parties objection to supply of documents to me under Formal GIPPA and the GIPPA process to be completed to provide access to documents and records directly associated with this process to date that are relevant and necessary for me to make an informed and comprehensive submission on behalf of the Community. The EPA has confirmed this afternoon that they will be able to provide requested documents by tomorrow.

I am yet to get access to any reports, documents, file notes by Wollongong City Councils Environmental Scientists in response to the Monthly Reports that have been received by Wollongong City Council during the extensive demolition works that have been undertaken from the beginning of February 2011 or their expert review of current draft versions of tests, documents and management plans.

There has been numerous inconsistencies discovered and made known to Dept of Planning and whilst we appreciate the current efforts being made but to date there is no evidence to support that this current demolition by explosion is safe and no assurance can be given that carcinogenic materials will not be dispersed in water and air so the precautionary principal must apply and Ministerial approval not be granted.

As already communicated to Chris Ritchie, Mike Dowd and representatives from EPA the Make Good Clause is not being complied with; and we have outlined and justified our expectations in this regard. Mr Wilson has made recorded public statements that he will honor all Conditions of consent including the Commitments that make up the Conditions of consent and I therefore expect this to occur prior to Ministerial Approval for the Demolition of the Stack. All residents within Port Kembla where it is anticipated the vibrations may reach and impact should be informed as to why these Dilapidation Reports are important and receive copies of these surveys and reports prior to the Final Approval by the Minister or Delegated Officer.

Please also refer to all previous advice received from Wollongong City Council including the conditions we insisted on that are outlined on page 26 of Clearsafe Report dated 18 October 2012 that states in part: "The original proposal using explosive demolition to bring the stack to ground level...is no longer suitable due to the SIGNIFICANT environmental risk following the identification of ACM within the stack."

I reserve my right to respond further and have my late submission received following the requested documents being made available to me.

Yours faithfully



Cr Vicki Curran

