

THE BAYER INQUIRY- LESSONS FOR THE FUTURE

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SUMMARY

The report of the Commission of Inquiry into the Bayer proposal is analysed. The implications of several of the Commissioners' findings are discussed in detail.

A number of general issues regarding planning for industrial sites are also discussed in the light of the current procedures.

INTRODUCTION

The Kurnell Peninsula has long been a focus of attention of the Coast and Wetlands Society. Over the years, the Society and its predecessor (Australian Littoral Society - NSW division) have conducted a number of studies and surveys in the area and we have presented evidence at a number of Inquiries concerning planning in the Peninsula.

Despite the presence of a major petrochemical complex and the large areas devoted to the extraction of foundry and construction sands there are still extensive areas of natural vegetation of high conservation value. At the eastern end of the Peninsula there is a large expanse of heathland. Along the Botany Bay shoreline are mangrove and saltmarsh areas - the largest extent of these communities in the Sydney region. In embayments amongst the mangroves (Quibray and Weeney Bays) and in the waters of Botany Bay seagrasses still flourish. The conservation significance of this wetland complex has been recognised by both State and Federal Governments and much of the wetland area is included in the Towra Point Nature Reserve and the recently declared Aquatic Reserve.

The Peninsula is of great cultural heritage significance to European Australia. It is at Kurnell that Captain Cook's expedition first set foot on the Continent. The collection of plants made at Kurnell by Sir Joseph Banks and Daniel Solander marked the start of the scientific study of the Australian flora - the species collected two centuries ago still survive in the area.

In February 1986, Bayer Australia Ltd lodged a development application with Sutherland Shire Council for a proposal to establish at Kurnell a plant for the formulation and packaging of a range of chemical products.

Given the natural and cultural values of the area, it might at first sight seem strange that such a development could be contemplated. Nevertheless, the land concerned is zoned 4(C4) - Industrial Special, a zoning which would permit industries such as that proposed by Bayer. In view of the zoning, the proponent would have reason to anticipate that the application would be successful. In fact, the Bayer site is only part of a much larger area with the same zoning.

The development application, and its accompanying environmental impact statement (EIS), were placed on public exhibition. Although the development application was made to the Shire Council the proposal was subject to a direction (under Section 101 of the Environmental Planning and Assessment Act) that it be referred to the Minister for Planning and Environment (Mr. Carr) for his direction.

The proposal was highly controversial and the public exhibition attracted a large number of submissions opposing development. In view of this public interest, the Minister did not make an immediate determination but directed that a Commission of Inquiry be held, appointing as Commissioners Mr. John Woodward and Dr. Alan Gilpin.

The Inquiry sat on various occasions between early September and mid November 1986. Over three hundred parties registered for the Inquiry, the overwhelming majority were opposed to the development. The submissions from some parties were very extensive and involved evidence from a large number of technical experts. The Coast and Wetlands Society was an active participant in the Inquiry. Although the submissions from the Society drew upon the expertise of a number of members, the main responsibility for preparing and presenting submissions lay with the then President, Dr. Trevor Ward, and the Secretary Mr. Peter Clarke.

The procedures for inquiries on environmental matters allow for primary submissions to be followed by a round of addresses in reply during which points raised in primary submission are considered. During the process, it is common for proponents and government departments to move towards a compromise, with the departments suggesting conditions which should be imposed on the development and the proponent indicating whether these conditions are acceptable. During the Bayer Inquiry, the Department of Environment and Planning (DEP) suggested to the Commission a number of conditions which should be recommended to the Minister in the Commissioners' report. The proponent indicated that various of these conditions would be unacceptable.

The Bayer company had expended considerable sums prior to the Inquiry on site purchase and some works on the site. In spite of this investment, the company announced in January 1987 that the conditions proposed by the DEP would make the project uneconomic and that in consequence it would be abandoned. This announcement pre-

empted the report of the Commissioners to the Minister in which they recommended that the development application be rejected. While the Commissioners' recommendations are of an advisory nature, and the Minister is not bound to accept them, in this instance Mr Carr indicated that he concurred with the report (a response for which he was attacked in the editorial of the Sydney Morning Herald on 26 January as one who "rushes to protect every environment from every risk, irrespective of cost" - an attitude rather different from that normally expressed on environmental matters by that newspaper).

While Bayer in withdrawing the proposal suggested that the cost of meeting the DEP requirements was excessive, the Commissioners were doubtful that the conditions could have been met - *"The Commissioners are not confident the stringent controls proposed are capable of practical application and strict enforcement on the Bayer site...."*

The Commissioners' report is a detailed analysis of the major issues and raises a number of important matters which deserve wider debate.

THE TEST OF ACCEPTABILITY

One of the fundamental questions to be asked before a development application is determined is where the onus of proof of environmental impact resides and what is an acceptable standard of proof.

For any development, the proponent will claim that either the environmental impact is negligible, or, if some long term impact is predictable then that it is "acceptable" and the disadvantages of the project are far outweighed by the advantages (normally assessed in economic terms). Opponents of a development will claim that either the "acceptable" impacts are "unacceptable" or the proponent has failed to consider the possibility of other impacts.

In many cases, opponents can only raise the possibility that a particular effect may occur. Scenarios in which the effect will be demonstrated can be constructed but there are no data which allow the assessment of the probability of the event. In these circumstances, it is easy for the proponents to scorn the opposition's case as being without substance while pointing to their own assurances of little impact. (Even if probabilities could be attributed with some certainty, the question of what level of risk is acceptable would engender considerable debate.)

In this instance the Commissioners were clearly aware of the problem and stated that the test applied to the evidence presented should be such that for approval to be granted - *"The evidence must establish, with a high degree of confidence and certainty, that adverse environmental impact on the humanity at Kurnell and the natural ecosystem and the species of that system are effectively non-credible"*. During the proceedings the Commissioners specified that the onus of proof (of no credible impact) rested with the proponent.

The Commissioners concluded that *"the Bayer project does not meet this test"*.

IDENTIFICATION AND ASSESSMENT OF RISKS

During the Inquiry the DEP supported the case for the granting of approval (subject to a set of conditions). The Department carried out a detailed risk analysis of the project and concluded on the basis of the results that for the natural environment the risk of "catastrophic effects" on any ecosystem or species was so low as to be effectively non-credible.

The DEP has pioneered the development of risk assessment for potentially hazardous industry in Australia and the Commissioners acknowledged the value of this work. However, the Commissioners had concerns that the methodology was inappropriate for assessment of the risks from discharges of low levels of toxic chemicals (the report also pointed out that the phrase "catastrophic effects" was not defined by the DEP). The Commissioners also pointed to the dangers of being lulled into a sense of false security by the sophistication of the risk assessment model - *"the results of hazard analysis and risk assessment are estimates which depend on data fed into the computer and values attached to data. There are elements of subjectivity in the assessment's conclusions"*.

In this instance there were few data available on the toxicity of possible contaminants to the biota of Botany Bay, on interactions between pollutants and sediment and the possibility of synergistic interactions between pollutants (not only between those introduced by the Bayer plant but between chemicals from the Bayer plant and those from other sources in the region). The Commissioners also considered that the DEP had not adequately considered the present level of various pollutants in Botany Bay. The Department had suggested that large quantities of pesticide were used on lands around Botany Bay (particularly on golf courses). Some of these pesticides were presumed to end up in the Bay's waters and the DEP suggested that there was no evidence of adverse environmental effects. However, there are no data on the actual levels of these substances in various habitats in Botany Bay and the Commissioners suggest that in the absence of such information it is impossible to conclude that the additional inputs from the Bayer plant (even if these could be accurately predicted) will not take the concentrations in the environment above a threshold level at which adverse effects would occur. If models of the kind developed by DEP are to be used in risk assessment, then it is essential that background levels of pollutants are known before the incremental effect of new inputs is considered. (The evidence of possibly excessive use of pesticides on recreational areas clearly requires further investigation.)

All parties to the Inquiry were agreed as to the importance of the Botany Bay wetlands and the need to prevent environmentally harmful contamination. The proponent, and the DEP, argued that on the best available data the evidence indicated that there would be no significant environmental impacts. The Commissioners agreed with a number of parties to the Inquiry that the best was not good enough - the evidence did not allow any conclusions to be drawn. Particular attention was drawn to the absence of toxicological data specific to the organisms in Botany Bay and of information on the behaviour of various pollutants in the marine environments. The Commissioners

also indicated that toxic chemical spillages into Botany Bay from accidents on the only road into the Peninsula were a distinct possibility and that no means had been identified to adequately mitigate the damage caused by such spills.

In the absence of relevant data, the test for acceptability advanced by the Commissioners could not be met, and accordingly the Commissioners recommended rejection of the proposal.

The clear statement of the appropriate test for proposals deserves wider circulation. Will the test be applied consistently in future cases - not only by other Commissioners but also by the DEP and the Minister? If the test is accepted, then it establishes the nature of the evidence required in EISs. If it is not consistently applied, then neither proponents nor opponents of developments will know what ground rules are to apply in any particular case.

The absence of data identified by the Commissioners would apply to most development proposals. In fact, the availability of data in Botany Bay is probably better than for many other sites. The Bay has been subject to numerous studies over the last two decades and at least the inventory of major organisms and environmental features is reasonably complete - for most sites there would be little prior information as to the species potentially at risk.

Who should be responsible for filling the gaps in present knowledge? Clearly the proponent has an obligation, through the EIS process, to supply some of the information. However, to obtain much of the data, for example on chronic effects of pollutants, requires long term studies. The public might also be suspicious of the reliability of toxicological data provided by chemical companies and would require the reassurance provided by agencies perceived as being independent by virtue of public funding.

Proposals to establish potentially polluting industries will not be restricted to one State. To avoid wasteful duplication of research effort, there needs to be either strong co-operation and co-ordination between State Government agencies or agreement by the States that the necessary studies be carried out by the Commonwealth - either an existing agency, such as CSIRO, or a new body. Although the need for improved toxicological data, relevant to the Australian environment, has been recognised for some time there has been little indication of any sense of urgency in responding to this need from either State or Federal Governments.

The evidence presented at the Bayer Inquiry highlights the need to monitor the concentration of contaminants in the environment. The number of substances which could be measured is already large and steadily growing. Given a finite budget, what should be measured? Unfortunately, we tend to be wise in hindsight - apart from a few substances known to be highly toxic and persistent in the environment, most measurements are only made after some event points the finger to a 'new' potential problem.

The Inquiry provided an opportunity to gain insight into the process of risk assessment. Clearly risk assessment is an essential component of the assessment of development proposals. Improved modelling techniques, such as those pioneered by the DEP, improve the precision of the assessment but the Commissioners quite rightly emphasised the essential subjectivity which must be involved in the final analysis. The Commissioners' comments should serve as a warning to those seduced by the elegance of models into ignoring the fundamental lack of information about processes and effects.

A further issue, related to the risk analysis, revealed a marked dichotomy of approach between the DEP and the Commissioners. However, the issue in this case went far beyond the technicalities of the hazard study. The DEP risk assessment emphasised the need to prevent spills and to develop containment and clean-up procedures. However, the DEP was of the view that the need for detailed hazard and operability studies (HAZOP) could be addressed by making them a condition of consent - the actual studies taking place after the development had been approved. Essentially the Commissioners (and therefore, indirectly, the public) were being told "Don't you worry about that" and being encouraged to sign a blank cheque. It is common for such a practice to be proposed during the planning process - various conditions are imposed on the consent - meeting those conditions can substantially change the proposal but too late for public examination of the consequences. In this case, the Commissioners were not prepared to go along with the DEPs' proposition - *"The Commissioners are of the view that evidence must establish with certainty that total containment is feasible by means of practical and reasonable means which are not prohibitively costly, also that enforceability can be assumed through independent supervision and monitoring. This is an issue that goes to the granting of consent, and unless a confident affirmative answer is available, it is not appropriate to leave the matter for resolution later"*.

If the Commissioners' stand at the Bayer Inquiry is taken as a precedent, then it has important implications for the treatment of future development proposals.

WASTE DISPOSAL

Bayer proposed to include in their plant a small capacity high temperature incinerator for the disposal of some waste products. This component of the proposal generated extensive discussion at the Inquiry and revealed a striking difference in approach between two government agencies. The DEP supported the concept of the incinerator in preference to shipment of the material overseas for disposal. The State Pollution Control Commission (SPCC) which would have been the regulatory authority should the incinerator have been constructed, was not in favour. Pending the construction of a national incinerator facility, the SPCC would prefer companies to continue shipping waste overseas. The SPCC was very concerned at the prospect of a proliferation of small incinerators which would be difficult to monitor. In addition, such incinerators would be likely to be operated only intermittently which could cause operational problems and reduced efficiency.

The Kurnell Action Committee - the leading opponent of the proposal - argued that neither the DEP or the SPCC had made a thorough assessment of the incinerator proposal - the Commissioners were clearly inclined to agree. In addition, the Kurnell Action Committee pointed out that the DEPs' approach was similar to that in respect of the HAZOP study (discussed above). In their evidence they suggested that:-

"It appears that this Commission is being invited to approve an untested industrial process which is incapable of evaluation on the faith of the DEPs' assurances that sooner or later that evaluation may be forthcoming".

This highlights a problem of presenting arguments about technically complex proposals in a public forum. There is a tendency (understandable but regrettable) of "experts" (be they proponents, consultants, or employees of government agencies) to hide behind their expertise and, rather than attempting to resolve public concerns, to adopt a "Father knows best" approach - since they are the experts they must be right and everything is being done in the public interest.

After considering the evidence, the Commissioners thought the conditions proposed for the incinerator were impracticable and would not be capable of strict enforcement and that the proposal was too hazardous from a community and ecological standpoint.

In rejecting the concept of factory based incinerators, the Commissioners served to emphasise yet again the failure of all governments in Australia to address the question of persistent hazardous wastes. Such compounds are accumulating around Australia while governments prevaricate over the siting and form of any facility.

THE PLANNING PROCESS

The Bayer Inquiry brought into focus a number of features of the planning process in New South Wales. While the details of these may be unique to the State, the general issues are probably similar anywhere in Australia.

Planning and development on the Kurnell Peninsula have been a source of controversy for many years. Various inquiries (formally constituted and *ad hoc* inter-departmental committees) have addressed piecemeal various aspects of development and land use without lessening public disquiet. The one attempt in recent years to look at the Peninsula as a whole, a Commission of Inquiry under Commissioners Simpson and O'Connell in 1982, was aborted by the Government before it reached a conclusion. Despite this, the Commissioners did release a report in which they argued against the industrial use zonings proposed for parts of the Peninsula.

In the Bayer Inquiry, the Commissioners took a narrow view of the scope of their investigation. While a number of submissions canvassed the wider issues of planning for the whole Peninsula, the views expressed in these submissions, although noted, were not a major consideration in the Commissioners' report. Nevertheless, the Commissioners were moved to draw attention to what they saw as anomalies in the present pattern of zonings. The Commissioners' report also points to the difficulties of assessing proposals such as that from Bayer in isolation. The Commissioners were of the view that there was inadequate information about the behaviour of various pollutants in the environment. The possibility of interactions between various pollutants was raised in evidence - apart from the lack of knowledge about chemical reactions, the problem was in knowing what other pollutants might be introduced into the Bay. As other sites in the area are zoned for hazardous industry, there is a potential for a pollutant cocktail with complex properties. Unfortunately, if each development proposal is dealt with independently, can we be sure that all the possible interactions will be considered?

The Commissioners also raised concern that possible future expansion of the Bayer plant, if approved, would be inappropriate to the site. The application from Bayer was for a formulation plant, no manufacture was to be involved. However, there was the possibility of manufacture of toxic chemicals on the site in the future. The DEP indicated in evidence to the Commission that their risk assessment study would rule out manufacturing operations.

In view of this, even though the development application was only for the formulation plant, the Commissioners observed that *"the wisdom of environmentally assessing Stage 1 of the Bayer project, in isolation, is questionable. Furthermore, it would be unfortunate if only the less environmentally harmful aspects of the company's operation, i.e., the formulation, not manufacture, of the toxic chemicals, were considered so as to facilitate an initial consent to use the site and openly gain a toe in the door"*.

The establishment of the appropriate spatial and temporal framework for planning control is a matter for Government; at least in New South Wales there is no indication of any movement away from the present *ad hoc* approach.

Even if there was no move to manufacturing, changes in production in response to market demand and changes in the range of products would be very likely. The assessments of potential toxicity and environmental hazard were based on the initial production estimates and product mix. Changes in either factor could invalidate these assessments. Once approval had been granted, there would be no existing mechanism to demand re-appraisal of the plant's operation during its life time (although new facilities would be subject to development control). The DEP proposed to address this problem by seeking a condition on approval which would require the Minister's consent to changes in the output and product mix. Bayer strongly objected to this condition.

The failure to adopt a long term perspective in planning was nowhere more apparent than in the provision of road access to the Kurnell Peninsula. There is only one road onto the Peninsula - Captain Cook Drive. This road has to carry the heavy industrial traffic generated by the sand extraction and petrochemical industries, local traffic to the Kurnell township and increasing numbers of tourists visiting the Kurnell historic site. It has long been recognised that this road is substandard. The road runs close to the Botany Bay wetlands, and the possibility of accidents on the road leading to contamination of the wetlands was a major issue at the Inquiry. The DEP in its suggested conditions of consent proposed that Bayer fund road improvements to improve containment. Bayer argued that any such requirement would destroy the economic viability of the project. In any case, the Commissioners found that the roadworks proposed by the DEP were unlikely to be effective in containment and that if contamination of the waterways occurred there were no practical methods of clean-up.

Even though the Bayer plant will not go ahead, the wetlands are still at risk from accidents involving the present industrial traffic. There appears to be no intention by the Government to give high priority to the re-construction of Captain Cook Drive. The upgrading work currently being carried out on Captain Cook Drive is unlikely to reduce the risks to Weeney and Quibray Bays.

In the event (unlikely as it might be) of a major industrial accident at the existing petrochemical complex, Captain Cook Drive would be the only access for emergency services entering the Peninsula as well as the only route for evacuation. It seems remarkable that the industrial complex has been allowed to expand without any investment in improved road access - even more remarkably, notwithstanding the outcome of the Bayer Inquiry, there could be a substantial increase in industry on the Peninsula without any planning for an additional road or even substantial improvement of the existing access.

While the concept of developers contributing to infra structure constructions appears equitable, in this instance the works proposed by the DEP would have been largely cosmetic and the need for total re-construction, which must be a Government initiative, was being ignored.

While the Inquiry concentrated on matters specific to the Bayer application, the much wider issue for Government is the siting of any hazardous industry.

At the Bayer Inquiry no one seriously questioned the need for the products the plant would have supplied. For the foreseeable future agriculture is likely to be dependent on a wide range of pesticides and animal health products (although the problems with pesticide contamination of beef highlight the need to minimise the use of persistent chemicals in the environment). Society also expects the products of a wide range of other potentially hazardous industrial processes to be available.

The siting of hazardous industry is likely to be always controversial. In one sense, the DEP's support for the Bayer proposal was a continuation of nearly two centuries of official policy which has regarded the shores of Botany Bay as the appropriate location for noxious industry. In the past, the main issues addressed in planning for these industries have been related to public safety and convenience. More recently, the need to protect the environment has been given equal prominence. At the Bayer Inquiry, the Commissioners found that protection of the environment could not be guaranteed and this led to their recommendation that the application be refused.

Opponents of the Bayer Proposal argued that alternative sites had not been adequately investigated - the Commissioners agreed with this. The question arises as to whether industry should be seeking possible sites, the suitability of which is then assessed on an *ad hoc* basis or whether Government will, after detailed investigation of the local environment, designate certain areas as being sites for hazardous industry. Government selection of sites is likely to be seen as politically risky - the NIMBY syndrome (Not In My Backyard) is likely to be demonstrated even if the chosen areas are well away from existing housing. No Government, however secure its majority, is likely deliberately to court disfavour.

The problems now experienced with many existing factories reflect the failure of the planning process. Many once isolated sites are now surrounded by suburbia, creating demands for relocation to a new (but probably only temporarily) remote location. (As demonstrated by the spread of Sydney's southern suburbs around Lucas Heights.) If new hazardous industrial areas are established, then the necessity to control the planning around the sites must be accepted as a long term commitment.

In New South Wales while planning on a regional scale is embodied in Regional Environmental Plans these mostly take a very broad brush approach, providing a framework in which individual proposals can be considered. This is an inappropriate basis for instituting the forward planning for hazardous industry. The necessity to consider the needs of industry at a State level and the resources necessary to conduct adequate appraisal of possible sites would appear to indicate that planning for hazardous industry be carried out by the State Government rather than being left to Local Government.

The extent to which planning should be centralised or be devolved has long been debated and the balance in approach has changed frequently. As far as hazardous industry is concerned there is a very strong case for central control, even if such control is at variance with prevailing planning philosophy.

In the Kurnell Peninsula it is not simply a question of deciding whether particular industries can be developed with acceptable levels of environmental impact but of whether any industry is appropriate. Kurnell is a site of great heritage significance. The lunar landscape of the sand extraction areas and the presence of the oil refinery come as a surprise to overseas and interstate visitors to the historic site. While the oil refinery and associated industries must be accepted as a *fait accompli* many would suggest that restoration of the mined areas and no further expansion of the industrial area should be the goal of planning for the Peninsula. The journey along Captain Cook Drive may, nevertheless, be a valuable experience for tourists, providing as it does a paradigm for European abuse of the Australian environment.

COMMISSIONS OF INQUIRY VS COURTS OF LAW

Commissions of Inquiry in New South Wales are not Courts of Law - despite the extensive involvement of lawyers in the proceedings. The Bayer Inquiry provided a forum for an extensive debate of many matters. The Commissioners allowed evidence which canvassed possibilities and pointed out the lack of relevant data. In their findings the Commissioners took the view that the evidence was insufficient to assess the environmental impact of the proposal and because of the value of the wetlands it was not prudent to recommend a development which might result in damage.

If the same evidence had been tendered in a court of law I doubt that such an outcome would have been possible. Evidence of doubts and uncertainties – ifs, buts and maybes – would have been painted in a very poor light.

The treatment of expert testimony in court is currently subject of debate (largely as a result of the Chamberlain case). While many aspects of the Commission of Inquiry system could be criticised, I would suggest that as a means of appraising complex and contentious scientific evidence, it is preferable to a more legalistic approach.

In the closing stages of the Inquiry, the legal representatives of the proponent launched strong personal attacks on some of those presenting submissions against them including the representative of the Society. If such attacks had been made in a formal court situation, even if they were subsequently disallowed by the judge, they may well have influenced a jury. In the Inquiry, before Commissioners with considerable experience in assessing technical evidence, they clearly carried little weight.

OVERVIEW

If the arguments put forward by the Commissioners in rejecting the Bayer proposal are accepted, then no similar project should be approved anywhere in Australia. The Commissioners established that there were inadequate data to assess such proposals and that even with data, existing assessment procedures might be inadequate. Apart from the Minister's statement that he would have accepted the recommendation there has been conspicuous silence on the issues raised. Will the New South Wales and other government apply the Commissioners' test of acceptability? What steps are Government and industry taking to address the lack of data on toxicology and behaviour of contaminants in the Australian environment? Given the short time frame of political concern, can any planning system which, in a democracy, must be responsible to the political process, adequately address the need for consistency over a long time period?

The more cynical observers might suggest that the timing of the Minister's rejection of the proposal was politically expedient, allowing the Government to demonstrate its concern for the environment and local communities on the eve of two important by-elections. Nevertheless, the Commissioners' analysis of the evidence was such that it would have been difficult for any politician to reject their advice.

To that extent, the outcome of the Inquiry can be seen, as the Minister has suggested, as a victory for the environmental assessment procedures in New South Wales. Nevertheless, it was a very unusual Inquiry in that the public interest groups opposed to the project were well organised, had secured strong legal support and were backed up by a wealth of expert testimony from scientists whose credibility could not be lightly dismissed. The scientists appearing for the opposition provided a level of expert input exceeding that available from NSW government agencies. At most inquiries, public participation is either limited, or, because of lack of experience, the evidence from public groups is poorly presented and organised. At the Bayer Inquiry, the government agency with prime responsibility for planning and assessment, the DEP, supported the proponent. In view of this, one must wonder whether in other inquiries, faced with a proponent supported by Government and little organised counter evidence, Commissioners would be able to find such strong grounds for recommending rejection. [One of the most important questions to be asked in the aftermath of the Inquiry is whether the Commissioners' criticisms of the DEP case will influence the Department's approach in future assessments?]

The Bayer Inquiry demonstrated what can be achieved with substantial resources (in terms of technical experts prepared to argue against the proponent) - such resources can rarely be marshalled. How many proposals are recommended for approval simply because those opposed do not have access to appropriate information?

And what of Kurnell? The Bayer site, and other areas, are still zoned 4(C4). The Commissioners in their report observed that their findings did not rule out other forms of industrial development on the site. A year later, another major industrial development has been proposed and a further Commission of Inquiry has been instituted. How many more episodes will we see of that long running soap opera "Planning (?) for the Kurnell Peninsula"?

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