



L A W Y E R S

Our Ref: KBT:KD:BIC/0029/0002  
Enquiries: Kay Daniel

17 July 2015

David Mooney  
Team Leader – Industry Assessments  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Sir

**Re: SSD 5300 – Kembla Grant Resource Recovery Facility  
Public Participation and Environmental Planning and Assessment Act**

We refer to the above application.

As you are aware an application was submitted for development under the above SSD number. Public participation was sought under the Act and as a result the application and all accompanying information was on public exhibition for a period of not less than 30 days. During this time only, any person was permitted to inspect the development application and accompanying information and make written submissions to the minister with respect to the development application.

Any submissions received outside this time must not be accepted.

An objection was received and placed on public exhibition by a private and confidential letter dated 7 November 2014. This was within the exhibition period.

Several objections were raised in the submission dated 7 November 2014.

On 20 May 2015 TCG submitted a thorough response to all objections including the objection dated 7 November 2014. The report outlined all the objection points and provided a detailed response.

On 15 June 2015 a further submission was received by the same objector who had submitted the objection dated 7 November 2014.

Despite the fact that the objection raised similar issues which had already been addressed

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by TCG, the submission dated 15 June 2015 also raised new objections which were not outlined or raised in the previous objection.

We submit that the new issues should not be accepted as they are out of time.

In relation to point 9 of the new objection the statement that the proponent cannot be trusted is not a matter for the Department of Planning and Environment. It appears to be a personal opinion and does not have any merit at all.

It would appear to be slander until proven otherwise and we respectfully request the Department of Planning and Environment consider the new issues raised in the submission dated 15 June 2015 to be irrelevant and out of time.

Yours faithfully



**Kathryn Telford**

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