

Thursday, 19 January 2012

Calderwood and correspondence to Shellharbour Council
Response given to Illawarra Mercury

These questions relate to an email from Delfin Lend Lease's Simon Basheer on 4 June 2010 to the department's Deputy Director General Tom Gellibrand, and a letter to Shellharbour City Council from Mr Gellibrand on 7 June 2010, ahead of a scheduled Council meeting.

1) Is it appropriate for a developer to ask the department to "clarify" the Illawarra Regional Strategy with the Council before its meeting?

Department of Planning and Infrastructure response:

All stakeholders are entitled to seek clarification on any issue from the department at any time. This applies equally to proponents, councils, government agencies or community groups.

While Delfin Lend Lease raised the issue with the department, the department formed its own view and decided to write to Council, after considering the Council business paper

2) Does the letter constitute pressure or an attempt to encourage the council to change its view?

Department of Planning and Infrastructure response:

It is legitimate for a party to seek clarification on an issue.

Shellharbour City Council had repeatedly sought information from the department on the status of the site in the Illawarra Regional Strategy. Given that Council was about to consider a report on the matter, the department felt that it was appropriate to write to the general manager of the council to clarify the strategic context. The letter did not address the positive or negative aspects of the proposal, and did not seek to sway the council's position.

3) Mr Gellibrand's letter appears to indicate support for Calderwood in terms of the regional strategy, but it was written before the department had considered Shellharbour City Council's submission.

- Did the department pre-determine its support for Calderwood before considering all of the submissions?

Department of Planning and Infrastructure response:

No, the department was simply providing advice on the strategic context of the site. All submissions received on the proposed development were carefully considered in the department's assessment of the proposal.

- Why was this letter, which Mr Jesson says was unusual, deemed appropriate?

Department of Planning and Infrastructure response:

The letter was sent to clarify the strategic context of the Calderwood proposal. It is legitimate for a party to seek clarification on an issue and for the department to respond.

4) Did the meeting requested by Mr Basheer occur, and was this before the Shellharbour City Council meeting?

Department of Planning and Infrastructure response:

Mr Gellibrand has no record of a meeting with Mr Basheer in response to his request of 4 June 2010.

5) Why did the department act at the request of a developer and issue a “clarifying statement” to Shellharbour City Council? Mr Jesson stands by the council’s (and other Illawarra councils’) position of opposition to the project.

Department of Planning and Infrastructure response:

The department considered that clarification was necessary in this case, after considering Council’s business paper for the upcoming meeting.

It is common for stakeholders to raise matters of concern with the department. The department, however, always forms its own view as to how it will respond.

6) Is Mr Gellibrand still at the department? If not, what is his new position?

Department of Planning and Infrastructure response:

Mr Gellibrand is currently the Deputy Director General of Plan Making and Urban Renewal with the Department of Planning and Infrastructure. He announced last week that he has accepted a new position working on the North West Rail Link project at Transport for NSW and will move to this position in the coming weeks.