



18 November 2019

Ms Jacqui Kirkby  
[REDACTED]

Via email : [REDACTED]

Dear Ms Kirkby

**Crown Cemetery Development, Varroville**

I refer to your letter to the Chair of the Commission, dated 6 November 2019, in relation to the Independent Planning Commission's consideration of a Crown development application for a cemetery and parklands at Varroville.

The former Minister for Planning delegated his functions under the *Environmental Planning and Assessment Act 1979* to the Commission in relation to this Crown development application from Catholic Metropolitan Cemeteries Trust.

As you're aware, the Commission directed the Sydney Western City Planning Panel in July this year to approve this application, subject to conditions. In its published report, the Commission outlined how the community's views were taken into consideration.

I acknowledge the issues raised in your correspondence; however, I would like to remind you that the Commission places strong emphasis on being open, fair and transparent in its decision-making processes.

The community was afforded every opportunity to have its say in relation to this matter at a public meeting held at Leumeah on 25 March 2019, and via written comments.

All relevant material was made publicly available on the Commission's website within a reasonable time as required. Furthermore, all public hearings and meetings were conducted in accordance with our policies, the *Environmental Planning & Assessment Act 1979 (NSW)* and the *NSW Environmental Planning & Assessment Regulations 2000*.

Regarding the meeting held between Professor Mary O'Kane and the Applicant in June 2019, the purpose of that meeting was strictly to hear concerns of the timing of the development application process only. Professor O'Kane did not discuss this interaction with the Panel. It was not for the purpose of discussing the merits of the project. The letter to the applicant to that effect, dated 7 June 2019, is publicly available on our website and states, "*to listen to your concerns about the Commission's processes; however, as you know, I cannot discuss the specifics of the cases*".

In relation to the telephone conversations of Commissioner Leeson raised in your letter, these discussions were largely in relation to the logistics of the site inspection conducted on 19 February 2019 including that the Commissioners did not realise the community representatives were attending the site inspection. The Commission's site inspection notes of



Varroville Cemetery and Varroville Homestead, including themes of the inspection, are publicly available on our website.

Unfortunately, the Commission is not in a position to further supplement or add to its Direction which was published on 15 July this year.

If you are dissatisfied with the Commission's Direction, we respectfully suggest that you seek your own advice regarding any further steps you can take.

Yours sincerely

A handwritten signature in black ink that reads 'Anna Summerhayes'.

**Anna Summerhayes**  
**Acting Executive Director - Secretariat**