



15 April 2019

Ms Dianne Leeson  
Panel Chair, Crown Cemetery Development Varroville  
Independent Planning Commission  
Level 3, 201 Elizabeth Street  
SYDNEY NSW 2000

**Sent by email to [ipcn@ipcn.nsw.gov.au](mailto:ipcn@ipcn.nsw.gov.au)**

Dear Ms Leeson:

***Re: Crown Cemetery Development Varroville – Urbis response to Public Meeting presentations***

I write to you on behalf of the Scenic Hills Association regarding Urbis's response of 4 April 2019 to presentations made at the Public Meeting for the Varroville Cemetery Development Application ('DA').

We understand that submissions closed on 4 April 2019 and acknowledge that at some point the Independent Planning Commission ('Commission') must call a halt to submissions in order to assess for itself the pertinent facts of the matter, which we support.

Our intention with this letter is thus not to provide the detail of a further submission but merely to urge the Commission to carefully cross-check claims and arguments presented by Urbis in its response of 4 April 2019, *'Further Submission following the IPC Public Meeting for Proposed Crown Cemetery at Varroville'*. Urbis has not exercised care in attributing statements to me and then using these to refute arguments I did not make, in selectively quoting and misapplying research and statements from transcripts (from the Commission's review of the Varro Ville curtilage), in making statements about the National Trust and the significance of the site's heritage that are not even supported by Urbis's own Conservation Management Plan 2015 (CMP15), in making claims about what was included with its DA, and in relying on Mr Peter Thomson as a source of information without verifying his claims and his bona fides.

We are particularly disturbed by Urbis's claims relating to Appendix U2 - *Macarthur Memorial Park (Varroville), Revised Historical Archaeological Impact Assessment, October 2017*, which we were unaware of until it was mentioned in this latest submission. It was *not* part of the documents on Public Exhibition in 2017/2018, even though a European Archaeological *Impact Assessment* was **required** by CMP15 (Appendix C: *Historical Archaeological Assessment*, p.35). A review of the DA's *Statement of Environmental Effects* confirms that there was no Appendix U2. We can find no reference to this report in the *Heritage Impact Statement* of October 2017 (which relies on the original CMP instead), or in the *Response to Submissions* (RTS) of 21 June 2018, despite the report's omission being a major criticism in

our and others submissions. It is at odds with other DA documents and has a number of inconsistencies. We are confident that this document has 'appeared' subsequent to the DA being sent to the Commission and has thus avoided scrutiny and cross-correlation. Most importantly for us is that the archaeological investigations that were to inform an impact assessment are now part of future 'works' (and included in the Schedule of Conditions), not part of the DA as clearly intended.<sup>1</sup>

In acting for the applicant as a purported specialist in heritage and planning, we feel that Urbis has not shown sufficient care to ensure that the information it has provided in its DA, its Response to Submissions and in this subsequent submission does not mislead in matters material to the outcome of this DA (s.10.6 of the *Environmental Planning & Assessment Act 1979*).

We would be pleased to provide further support for our concerns if the Panel so requires.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jacqui Kirkby', written on a light-colored rectangular background.

Jacqui Kirkby  
Convenor

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<sup>1</sup> We understand that Urbis sought permission from the Heritage Division to conduct archaeological investigations for European heritage but subsequently cancelled this and only carried out investigations for Aboriginal heritage. The Heritage Council's submission clearly has concerns about touching anything where damage to an archaeological resource is expected, and requested that the identified precincts (3 & 4) be redesigned instead. The CMCT/Urbis have rejected this and it remains unresolved with the Heritage Council stating that it will still need approval for any archaeological disturbance. The DA should be refused on this basis.