



Anthony Whealy

Email [REDACTED]

07 February 2019

Dear Mr Whealy,

**Review of the recommendation to list the curtilage extension of the
Varroville Homestead & Estate (SHR00737) ('Review')**

I refer to your correspondence dated 25 January 2019 and 4 February 2019 in relation to the access arrangements to the study titled *Curtilage Study Varroville by Orwell and Peter Phillips ('Curtilage Study')*.

The Commission has maintained that appropriate interested parties would have an opportunity to respond the Curtilage Study.

At the hearing held on 14 January 2019 your client advised that they had "*obtained access to this report about a month ago*". We note that this copy was described as missing a page and not of good quality.

On 24 January 2019, the Commission made an announcement on its website and in an email to you that the Curtilage Study would be provided on a view-only basis to "lawyers and heritage advisors of the interested parties" until 8 February 2019.

On 25 January 2019, you sought permission from the Commission for your client to be given a copy of the Curtilage Study and an additional four weeks to provide a submission in relation to the Review as a whole.

On 1 February 2019 the Commission responded by informing you that the Commission would accept written comments on the Curtilage Study up to seven days after the closing date of 8 February 2019 (up to 15 February 2019) and twice wrote to seek the names of people that wanted to view the Curtilage Study. The Commission also provided your letter of 25 January 2019 to the owner of the Curtilage Study for comment, who responded via telephone on 4 February 2019.

On 4 February 2019, you sought access to the Curtilage Study for six people, including two that were not lawyers or heritage advisors. On 5 February 2019, you requested for two heritage advisors, Mr Brooks and Ms Bins, to have access to the Curtilage Study, which they did on 6 and 7 February 2019.

The Commission has considered the above and responds to the requests in your 25 January 2019 letter as follows:

1. The study will be accessible on a 'view only' basis at the IPC offices. The Commission does not agree that copies of Curtilage Study should be provided to your client in the absence of consent from the owner of the Curtilage Study.
2. We confirm that the Curtilage Study has been available for viewing since 25 January 2019 until 8 February 2019. People will have the opportunity to provide any comments on the Curtilage Study up to one week after the closing date (up to 15 February 2019), as indicated in our letter of 1 February 2019.
3. Access to the Curtilage Study will only be provided to Interested Parties' lawyers and heritage advisors. We understand from your correspondence that Mr Brooks and Ms Bins are your client CMCT's heritage advisors.

If you have any questions, please contact Jorge Van Den Brande on 9383 2100.

Kind regards



Samantha McLean
Executive Director
Independent Planning Commission NSW