



# CONFLICT OF INTEREST PROJECT REGISTER

*This register of conflicts is specific to the project below.*

**Date: 29 November 2018**

**Project: Heritage Listing for Varroville**

<b>Nominees:</b>	<b>Actual, potential, or perceived conflict:</b>	<b>Action:</b>
Professor Richard Mackay (chair)	Nil	Proceed with nomination
Professor Helen Lochhead	Nil	Proceed with nomination

**At project commencement:**

Professor Richard Mackay has made declaration to the Commission that he has held historic roles with both the National Trust of Australia (NSW) and the NSW State Heritage Register Committee. During these roles he did not have any involvement which relate to the site, except that Varroville was bequeathed to the National Trust of Australia (NSW) in 1990 and sold by the National Trust in 1991. Richard Mackay was a non-executive director of National Trust of Australia (NSW) at that time. Richard Mackay also declared that in 2012, a business which was a Partner at the time, prepared a re-zoning assessment for lands in the area of the site (which may have included some of the site). However, Richard Mackay has confirmed that he had no involvement in the Project.

Based on the information provided, the Commission is satisfied that there is no conflict of interest which prevents Richard Mackay's appointment to the Panel.

**Update after project commencement:**

On 5 November 2018 Professor Richard Mackay was nominated to chair the Commission panel for the Project.

On 27 November 2018 Professor Mackay reviewed correspondence sent to the Commission from the legal representative for the Catholic Metropolitan Cemeteries Trust (CMCT), Mr Anthony Whealy, Partner at Mills Oakley. CMCT is the owner of part of the land subject to the proposed heritage listing.

On 27 November 2018 Professor Mackay contacted the Commission to disclose that he is currently retained by Mr Whealy on a separate unrelated matter to provide expert heritage advice to another client of Mills Oakley. This client and matter is unrelated to the current Varroville matter.

On 27 November 2018 Professor Mackay advised the Commission that he has considered the Commission's conflict of interest policy and advised that he does not consider this is a conflict of interest.

The Commission also considered its conflicts of interest policy.

Mary O'Kane, Chair of the Commission, decided Professor Mackay will continue as chair of the Commission panel for the Project on the basis there is no actual conflict and on the basis this disclosure is made.

**Update after project commencement:**

On 28 November 2018 Professor Richard Mackay made a declaration to the Commission that Dr Mark Dunn (NSW Heritage Council) was previously an employee of Godden Mackay Logan Pty Ltd (now GML Heritage Pty Ltd) including for part of the period of time Professor Mackay was the CEO of that company. Professor Mackay advised the Commission that he has considered the Commission's conflict of interest policy and does not consider this is a conflict of interest.



New South Wales Government  
Independent Planning Commission

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This register is made upon the nomination of Commissioners, to the determination or hearing panel. It may be updated if actual, potential, or perceived conflicts arise during the determination or hearing process.

For further information on conflicts, please see the Independent Planning Commission NSW policy on Personal Interests of Members, available to download from the Commission website:

[www.ipcn.nsw.gov.au/](http://www.ipcn.nsw.gov.au/)

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