



Contact: Anna Summerhayes

Phone: [REDACTED]

Email: [REDACTED]

Anthony Whealy  
Partner  
Mills Oakley

Email: [awhealy@millsoakley.com.au](mailto:awhealy@millsoakley.com.au)

Dear Mr Whealy

**Ministerial Request to Review Recommendation for Heritage Listing of Varroville Curtilage**

I refer to your letter dated 13 November 2018.

The Commission has been requested by the Minister for Heritage to review the Heritage Council's recommendation. Under section 36(2) of the *Heritage Act 1977* it states that "*the Independent Planning Commission is to provide a report in writing to the Minister containing a summary of the submissions made to the review, the findings of the Commission with respect to those submissions and a recommendation as to how those submissions should be dealt with*" ("Heritage Review").

The Commission panel must undertake the Heritage Review, taking into account all matters that are properly within the scope of the review.

As you are aware, your client's development application for a cemetery at Varroville was referred to the Commission under the Minister's delegation dated 4 June 2018, which under section 2.4 of the *Environmental Planning and Assessment Act 1979* delegated his functions to the Commission to assess the application. The Commission is responsible for finalisation of the assessment prior to the Commission directing the Sydney Western City Planning Panel (the consent authority) to determine the application.

On 1 August 2018, the Commission requested the Department of Planning and Environment to undertake the remaining assessment of the application.

We note that these matters are separate and must be treated as such by the Commission.

It would be of most assistance to the Commission panel constituted for the Heritage Review if your client provides information in its submissions which is relevant to the scope of the review.

Should you require any further information please contact Anna Summerhayes, A/Director Secretariat on [REDACTED]

Yours faithfully

**Anna Summerhayes**  
Independent Planning Commission

29/11/18