



Mr Justin Doyle
Chair
South Western City Planning Panel
Email: [REDACTED]

Dear Mr Doyle

Direction to approve the Macarthur Memorial Park, Varroville Catholic Metropolitan Cemeteries Trust Crown development application (2017 SSW 060)

I refer to the development application of the cemetery proposal by the Catholic Metropolitan Cemeteries Trust (**CMCT**) at Varroville in the Campbelltown local government area, 3293/2017/DA-C (**Application**). The Sydney Western City Planning Panel (**Panel**) is the consent authority for this Application.

On 18 May 2018, CMCT referred the Application to the Minister for Planning under section 4.33(5) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) as the Panel had not determined the matter within 70 days after the application was lodged with Campbelltown City Council.

On 04 June 2018, the Minister for Planning delegated his functions under Division 4.6 of the EP&A Act including, but not limited to, his functions under sections 4.33 and 4.34 of the EP&A Act, to the Independent Planning Commission (**Commission**) regarding the Application. This includes the function under section 4.34(1) of the EP&A Act to decide to direct a consent authority to approve, with conditions, a Crown development application. Under section 4.34(2) of the EP&A Act, the consent authority must comply with such a direction if it is made.

Attached to this letter is a direction by the Commission to the Panel directing the Panel to approve, with conditions, the Application under section 4.34(1) of the EP&A Act. This direction contains the detailed reasons that support the Commission's decision to direct the Panel to approve, with conditions, the Application.

The Commission's direction makes it clear that if the Minister for Heritage alters the listing of the heritage item under the *Heritage Act 1977* before the Application is determined, the direction is not intended to overcome any additional requirements under the *Heritage Act 1977* or the EP&A Act that might arise if that occurs. The direction does not purport to require the Planning Panel to grant consent if, pursuant to Division 4.8 of the EPA Act, the relevant authority indicates that approval under the *Heritage Act 1977* will not be granted in order for the development to be lawfully carried out. The direction sets out that the Panel approve, with conditions, the Application within 60 days of the date of the direction or, if the Minister for Heritage alters the listing of the heritage item under the *Heritage Act 1977* before the Application is determined, the time for compliance with the direction is 60 days from the date on which the Planning Panel is notified by the relevant authority under Division 4.8 of the EPA Act as to whether or not the approval body will grant the approval, or of the general terms of its approval.

Should you have any questions in relation to the direction to approve with conditions, the Application, please contact Dennis Lee, Team Leader at the Commission, on

[REDACTED] or [REDACTED]

Yours sincerely



Mary O'Kane
Chair

15/7/19

Copy to:

