



Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State



IRF18/2880

Professor Mary O'Kane
Chair
Independent Planning Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Dear Professor O'Kane

Delegation of Minister's functions in relation to two Catholic Cemeteries Trust Crown development applications.

I refer to two current development applications for cemetery proposals by the Catholic Cemeteries Trust (CMCT), one at Wallacia in the Penrith local government area and the other at Varroville in the Campbelltown local government area. The Sydney Western City Planning Panel is the consent authority for these applications.

On 18 May 2018 the CMCT wrote to me referring the applications under section 4.33(2) of the *Environmental Planning and Assessment Act 1979* (the Act) as the Panel had not determined the matter within 70 days after the applications were lodged with the relevant councils.

Cemetery proposals have become a contentious land use due to their perceived conflict with the rural lifestyle and local character of the areas in which they are being proposed. As current cemetery capacity in Sydney is expected to be exhausted by 2051 it is important that the assessment and determination of these proposals is not unnecessarily delayed.

I have decided that due to the contentious nature of these two proposals the Independent Planning Commission is the best placed to exercise my functions under the Act as it can appropriately balance the various interests.

Consequently, pursuant to section 2.4 of the Act I have delegated my functions under the Act related to CMCT Crown development application to Penrith Council (DA17/1092) and CMCT Crown development application to Campbelltown City Council (3293/2017/DA-C) under Division 4.6 of the Act including, but not limited to, my functions under sections 4.33 and 4.34 of the Act.

Should you have any questions in relation to this matter please contact Stuart Withington, Manager Planning Panels Secretariat at the Department on 8217 2061.

Yours sincerely

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

ENVIRONMENTAL PLANNING AND ASSESMENT ACT 1979

Instrument of Delegation

I, the Minister for Planning, pursuant to section 2.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*:

Delegate to the Independent Planning Commission the functions identified in Schedule 1 (and any functions under the Act or any other Act as are incidental or related to the exercise of those functions) in respect of the applications specified in Items 1 and 2 of Schedule 2.

This delegation takes effect from 4/6/ 2018.

Dated: 4/6/ 2018.



The Hon. Anthony Roberts, M.P

Minister for Planning

Schedule 1

My functions under the Act related to Crown development applications under Division 4.6 of the Act including, but not limited to, my functions under sections 4.33 and 4.34 of the Act.

Schedule 2

1. Crown development application for a cemetery at Wallacia made by the Catholic Metropolitan Cemeteries Trust to Penrith Council on 3 November 2017 (DA17/1092).
2. Crown development application for a cemetery at Varroville made by the Catholic Metropolitan Cemeteries trust to Campbelltown City Council on 17 October 2017 (3293/2017/DA-C).

Definitions:

In this Instrument,

Crown development application means a development application made by or on behalf of the Crown.