



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

Dear Mr Doyle

**Direction to refuse the Wallacia Catholic Metropolitan Cemeteries Trust
Crown development application (2017 SWT 016)**

I refer to the Crown development application for a proposed cemetery made by the Catholic Metropolitan Cemeteries Trust (**CMCT**) at Wallacia in the Penrith local government area, DA17/1092 (**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(2)(a) 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 Penrith 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 refuse 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 refuse 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 refuse the Application.

The direction sets out that the Panel must refuse the Application within 60 days of the date of the direction.

Should you have any questions in relation to the direction to refuse the Application, please contact Dennis Lee, Team Leader at the Commission on dennis.lee@ipcn.nsw.gov.au or [REDACTED]

Yours sincerely

Mary O'Kane
Chair

12/7/19

Copy to: [REDACTED]