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Re: Planning Proposal to Amend the Campbelltown Local Environmental Plan – District 8 (Central Hills) to permit a cemetery at 166-176 St Andrews Road, Varroville

The Discalced Carmelite Nuns object to the Planning Proposal. As members of the Scenic Hills Association we endorse its submission. Our submissions are intended to be complementary.

Executive Summary

Campbelltown Council formally protected the Scenic Hills in its Local Environment Plan in 1972. The Environmental Protection (Scenic) zoning of the Varroville site has been consistently upheld by Campbelltown Council. The current zoning prohibits commercial premises, while CLEP 2015 sets the land aside as protected scenic rural environment. Cemeteries are specifically prohibited. As well as scenic beauty, the site has major significance for colonial and aboriginal heritage.

Relevant background to the current Proposal is described in the context of failed proposals for developments of the site since it was acquired by the Cornish Group in 2007.

Contrary to the most fundamental requirement of the Department of Planning, no strategic study or report has been undertaken to support this Proposal for a cemetery. Its promotion by the proponent and its progress through the Gateway process have been characterised by ‘spin’, obfuscation and apparent abuse of process.

We analyse the implications of the Proposal by cross-referencing the findings from the various technical studies (Appendices) to build up an integrated picture of the full impact of the Planning Proposal, which realistically can only be judged from its endpoint.

Our conclusion is that if the Proposal is approved along with its supporting infrastructure, it will irrevocably destroy the topography, natural scenic beauty and rural character of the site and negatively impact upon its heritage and ecology. It will have a devastating effect upon the amenity of the immediate area, which supports the religious communities on St Andrews Road and brings joy and solace to local residents and visitors. It will be a Planning disaster, overturning the long-upheld intention of the zoning, namely, to preserve the Scenic Hills for present and future generations.

On these grounds we object to the Proposal for a cemetery at Varroville.

I. Context: a drama unfolds

Since the Cornish Group bought the parcel of land at 166-176 St Andrews Road, Varroville in May 2007, Mr Cornish has made several attempts to develop it. His attempts so far have been unsuccessful because Campbelltown City Council has stood firmly by its commitment to uphold the intention of the Environmental Protection (Scenic) zoning of the site. Over the years, as the population of the Campbelltown area has grown and urbanisation has spread, this zoning has become ever more critical for conserving the scenic beauty and heritage of the area for present and future generations. Mr Cornish seemingly found himself lumbered with a white elephant as a result of a poor business decision and a gamble that did not pay off.

Enter the Catholic Metropolitan Cemeteries Trust (CMCT). Without undertaking a strategic study to determine the most appropriate site for a major cemetery in Sydney's Greater Macarthur Region, this developer, looking for cheap land for a cemetery and against all principles of good planning – that require strategic studies and reports to justify planning proposals and that reject spot rezonings – submits a proposal for the land in question. Despite the votes of a large majority (11-2) of Campbelltown councillors against it, the CMCT sees its proposal pass beyond Campbelltown Council's jurisdiction through the Gateway process to public exhibition. Two Campbelltown councillors were appointees on the JRPP that undertook the Pre-Gateway review considering 'a site-specific rezoning to permit a lawn cemetery as an additional permitted use on the site': Cr Paul Lake who voted *for* the cemetery at Council and Cr Paul Hawker who voted *against* it at Council but changed his position and voted for it with the other members of the JRPP in the Pre-Gateway Review, enabling it to move forward unanimously for a Gateway Determination. As a minority on the JRPP they were never able properly to represent Council's position, and at least one of them might have had a conflict of interest from the outset.

The Department of Planning needs to explain to the public how the Pre-Gateway panel's unanimous recommendation in favour of allowing a *lawn* cemetery has subsequently been taken as tacit approval of rezoning for *any* cemetery. This is evidenced by the revised proposal currently on exhibition, which includes plans for 1m high headstones, 1.5m high monuments, family vaults, terraces, sculptures, amphitheatres (sic) and sundry other paraphernalia not seen in *lawn* cemeteries. This is but one example of the obfuscation and spin that characterise this proposal.

If the revised proposal is approved, who wins? Two developers. One disposes of a white elephant and receives more than twice what he paid for the land having done nothing but sit on it in the meantime, and the other acquires land at a bargain-basement price for a commercial purpose prohibited under the current zoning and contrary to the long-upheld intention of that zoning, without any strategic study to support it.

Who loses? The people of Campbelltown-Macarthur, who lose one of their greatest natural assets to developers (since this development will surely open the door to countless others), and one of their most important colonial heritage assets (Varroville House and its estate) to a landscape of buildings, roads and tombstones. Other losers are the owners of Varro Ville House, who have already seen their heritage home devalued and their business put in jeopardy and will likely see their

philanthropic efforts to conserve Varro Ville House on behalf of the State come to nothing. Finally, the losers will be the religious communities along St Andrews Road (Carmelite communities and Serbian Orthodox Church) who will see their local road transformed into a sub-arterial highway to support this development. It seems to be only pressure from developers to find a permissible major development for the land in question and their expectation that such a development will be approved that is driving the proposal to upgrade the road, since there are already through connections from Camden Valley Way to Campbelltown Road and the F5 via Denham Court Road and Raby Road. If the upgrade proceeds, it will irrevocably destroy the tranquil rural environment which supports the Mount Carmel Retreat Centre, which has operated for 50 years offering spiritual retreats and conference facilities to all comers from near and far. Nobody will come to a Retreat and conference Centre on the edge of a major highway. In 2012 the Carmelite friars completely refurbished their residential facilities, which could now be located within approximately 40 metres of a sub-arterial road. If this development proceeds, the impact on them and their ministry will be devastating. The question of compensation should then arise. What price loss of amenity, of ministry, of decades of goodwill and devaluation of the major asset of this not-for-profit religious community?

The sad irony for us nuns (and friars) is that the developer for this proposal is an entity of the Catholic Church. The revised proposal was placed on public exhibition in the same year that Pope Francis issued his encyclical letter *Laudato Si'* on the environment and care of our common home, which in speaking of Integral Ecology states:

151. There is also a need to protect those common areas, visual landmarks and urban landscapes which increase our sense of belonging, of rootedness, of 'feeling at home' within a city which includes us and brings us together. It is important that the different parts of a city be well integrated and that those who live there have a sense of the whole, rather than being confined to one neighbourhood and failing to see the larger city as a space which they share with others. Interventions which affect the urban or rural landscape should take into account how various elements combine to form a whole which is perceived by its inhabitants as a coherent and meaningful framework for their lives... For this same reason, in both urban and rural settings, it is helpful to set aside some places which can be preserved and protected from constant changes brought by human intervention.

159. ...Once we start to think about the kind of world we are leaving to future generations, we look at things differently; we realise that the world is a gift which we have freely received and must share with others. Since the world has been given to us, we can no longer view reality in a purely utilitarian way, in which efficiency and productivity are entirely geared to our individual benefit. Intergenerational solidarity is not optional, but rather a basic question of justice, since the world we have received also belongs to those who will follow us... An integral ecology is marked by this broader vision.

The original development proposal was launched before an 'invitation only' audience at the Campbelltown Catholic Club in August 2013 following cursory consultation with the community of Carmelite friars on a single occasion and no consultation whatsoever with the owners of Varro Ville House and the Carmelite nuns. By failing to consult with the owners of Varro Ville House before

publicly launching the proposal, the CMCT devalued their home without warning. Then, finding themselves potentially surrounded by an enormous cemetery, their home was effectively rendered unsaleable except to the developer. The CMCT subsequently proposed to offer ‘market value’ for the property, having by then devalued it by its own unconscionable actions. What price loss of one’s home, lovingly restored heritage, amenity, heritage-based business and retirement hopes?

It is not surprising that the public views the actions of the CMCT as immoral behaviour and unethical business practice. Already, the Church deservedly has a bad name in our society for serious wrongs arising from abuse of power. It is deeply distressing to us, who have dedicated our lives to God in the service of the Church, that our own neighbours have been subjected to ill-treatment by an entity of the Church that bears the name ‘Catholic’ and that the Church’s standing has been damaged further as a result, as evidenced in the local press over the last several months. The CMCT’s secret dealing and lack of common decency contravene the Catholic Archdiocese of Sydney’s commitment to transparent operating systems in its Guide for Business Practice <http://www.sydneycatholic.org/justice/guideforbusinesspractice.shtml>

But wait, the plot thickens... During the exhibition period, it comes to light that the CMCT has bought the site from Cornish without meeting the Ministerial conditions of sale established in April 2013 by the former Minister for Primary Industries (and crown Cemeteries): namely, that the rezoning and development application be approved before the sale could proceed. At least two of the Consultants paid by the CMCT were already aware of the sale in the last quarter of 2015 since they mention in their reports that the CMCT has purchased the land (Travers Bushfire & Ecology, Steensen Varming). Then, almost at the end of the extended exhibition period, we learn from a GIPAA search that the conditions of sale were lifted by the Minister on 23 November 2015 (i.e. before the Proposal was placed on public exhibition). The JRPP did not see fit to inform the public of these significant changes to the status of the proposal when placing it on exhibition. These secret commercial deals over the Christmas/New Year period have made a mockery of the exhibition process, now revealed to be a sham since it appears that the outcome is a foregone conclusion, a ‘done deal’. Before these latest revelations, there was a whiff of shady dealing hovering over this process; now there is a stench.

Exit Cornish, relieved of his white elephant and laughing all the way to the bank with his profit windfall. Left on stage are the CMCT and the SWJRPP. Off-stage are the shadowy figures of two Ministers. At this point, it is impossible for us to know who the consent authority is for the proposal: the Minister for Planning or the Minister for Primary Industries. Is consent even meaningful now that the land has been sold to an entity whose sole business is cemeteries?

Meanwhile, contrary to the CMCT’s claim of an impending shortage of burial space in Sydney’s southwest as justification for its proposal, a local cemetery and crematorium operator, Forest Lawn Memorial Park at Leppington, is reported (19 February 2016) as saying that it has ample capacity for the next 70 years and there is no impending shortage of burial space in the Macarthur region: <http://www.dailytelegraph.com.au/newslocal/macarthur/macarthur-region-is-not-facing->

[shortage-of-burial-sites-despite-claims-of-exhaustion-by-2043/news-story/2a69c675b83a4e99db0ee692d6293ea0](https://www.abc.net.au/news/shortage-of-burial-sites-despite-claims-of-exhaustion-by-2043/news-story/2a69c675b83a4e99db0ee692d6293ea0)

This latest twist in the plot points to two glaring weaknesses in the CMCT's case: (1) that it did not conduct a strategic study of the 'urgent' need for cemetery space at Varroville and (2) that it chose not to consider areas of future need in the South West Growth Centre or the Greater Macarthur Land Release area, where cemetery space could be planned for strategically in areas where it is permissible.

We await with anticipation the next act in this drama, which seemed at first to be a tragedy but is now unmasked as a farce. The main protagonists (the Cornish Group, the CMCT and Ministers), in their greed and haste for commercial gain, have over-reached themselves. They are due for their comeuppance. We expect to see them brought to account before a public enquiry for abuse of process and the circumstances surrounding it on at least three grounds:

(1) The Pre-Gateway Review's description of the proposal as 'a lawn cemetery' is a misrepresentation of the scope of the proposal. The CMCT did not describe it as a 'lawn' cemetery in either its original or final Planning Proposal but it has allowed this misperception to persist in the public domain.

(2) The CMCT's acquisition of the site contravened the Ministerial conditions of sale, which seem to have been set aside to facilitate the change of ownership.

(3) The change of sale conditions was not notified to the public at the time the documentation was placed on exhibition and the sale was conducted behind closed doors.

We expect to see the land sale to the CMCT revoked and the development proposal dismissed or rejected. The public exhibition is clearly invalid. If anything at all is to be salvaged from this planning shambles it is that the public has had its say and should be heard and heeded.

By rights, the last act in this sorry drama should see the 'little people' vindicated, with 166-176 St Andrews Road, Varroville maintained in perpetuity for a use that respects its E3 zoning. Its scenic beauty, ecological assets and Aboriginal and colonial heritage should be preserved for the benefit of the living and not be destroyed to accommodate the dead.

II. The CMCT's case for a cemetery at Varroville

For detailed treatment see the Scenic Hills Association (SHA) submission. Since the public launch of Macarthur Memorial Park in August 2013, the CMCT has consistently downplayed the impact of its proposal on the site at Varroville and on the Scenic Hills more broadly. It seeks to focus attention on Stage 1 of the proposal and chooses to sidestep the full impact of all stages of the project. But common sense and truthfulness dictate that the impact of any development can only be gauged by its endpoint.

The following Table provides a summary comparison of the two Planning Proposals for the cemetery (September 2013 and October 2015).

Table: Comparison of the two Planning Proposals (August 2013 and October 2015)

ISSUE	PLANNING PROPOSAL	
	SEPTEMBER 2013	OCTOBER 2015
Is the Planning Proposal a result of any strategic study or report?	No	No
Zoning	Commercial premises prohibited	Cemeteries and commercial premises prohibited
Is the Planning Proposal consistent with the local council's Community Strategic Plan?	No. It is not consistent with maintaining the intention of the zoning of the Scenic Hills, hence the local council's refusal to support it.	No. It is not consistent with maintaining the intention of the zoning of the Scenic Hills, hence the local council's refusal to support it.
Proposed catchment area for cemetery if rezoning approved	Sydney South West Subregion: Camden, Campbelltown and Liverpool LGAs	Western Sydney: Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith LGAs
Need for burial space Note: Direct comparison of the two proposals is not possible because of the change in catchment areas.	Driven by claimed impending shortage of burial space in the catchment area. It is noted that the proportion of burials is trending downwards (projected to be 25% by 2036)	Driven by claimed impending shortage of burial space in the catchment area. Data used for calculating expected lifespan of existing cemeteries not supplied. <i>Note: 5 new cemeteries already approved in catchment area, 4 of them in Campbelltown and Liverpool LGAs.</i>
Is there adequate public infrastructure for the Planning Proposal?	Question not answered: existing infrastructure listed but its adequacy not specified. Telecommunications?	No: Electricity substation will be required on site. Telecommunications: Optus and NBN are unable to provide a telecommunications service to the project boundary and associated proposed developments. Site is currently unsewered.
Environmental effects: Traffic	Information not available.	Relies implicitly on future upgrade of St Andrews Road to subarterial status with through connection to Camden Valley Way.

Further discussion of the CMCT's case for the cemetery is found in our reviews of the Cemetery Demand Assessment, Landscape Masterplan and other supporting documentation in Section III.

Section III. Reviews of Appendices A-N

Appendix A: Gateway Determination

Noted.

Appendix B: Site Survey

Appendix C: Landscape Masterplan

The aim of the proposal is to:

1. Minimise the impact on existing environment, especially the topography and the Cumberland Plains Woodland, to protect them for future generations.

Comment: it is impossible to achieve this objective since the topography of the site will be greatly impacted by the bulk earthworks needed to construct the buildings, roads and burial arrangements, including family estates blocks and terraces, not to mention excavating 136 000 graves. All these will permanently alter the existing environment and topography of the site. Its natural beauty will be lost irrevocably to future generations.

2. Protect the Colonial landscape qualities

Comment: the only way to preserve the Colonial landscape qualities of the site is to respect the current and proposed zonings and leave the landscape untouched by developments.

3. Provide an environmentally sensitive development

Comment: the current proposal is not an environmentally sensitive development.

4. Achieve Best Management Practices in all aspects of cemetery provision, including Stormwater Management and Ecologically Sustainable Developments.
5. Provide an exceptional open space for the community, for perpetuity.

Comment: There is no evidence that the community will use a cemetery as open space for any purpose other than reverencing the dead.

6. Provide a quality burial ground for the whole community

Comment: No evidence has been provided to justify the selection of this site for a burial ground.

The vision for the site is to provide:

1. Much needed burial space for the area whilst offering choice, at affordable prices, in varied settings, for a multi-denominational community.

Comment: The evidence available in the Cemetery Demand Assessments does not indicate a pressing need for burial space in the area.

2. A distinctive landscaped cemetery, the best of its kind, the pride of the industry
3. A Sculpture Park, offering opportunities for local and Australian artists

Comment: Sculpture Park in a cemetery? This is nonsense intended merely to ‘sell’ the proposal.

4. A respectful space and scenic route, open to all

Comment: The scenic beauty of the site is currently able to be appreciated by all.

5. A cemetery which respects and safe keeps the important colonial and non-colonial landscape.

Comment: The cemetery will not be able to keep safe the colonial and non-colonial landscape by digging it up, covering it with roads and altering it irrevocably.

6. An arboretum for future preservation and education of generations to come.

Comment: This statement appears repeatedly throughout the documentation. It is a flight of fancy intended to ‘sell’ the proposal. Preservation of what, exactly? Education of whom, exactly? Does the proponent not know that Mount Annan Botanical Garden is just down the road, 9 km south of the site?

7. A concept which respects the Land, its landform and ecology by carefully laying roads and any built environment and limiting their “footprint” (for example minimum width, using boardwalks, avoiding existing significant trees...)

Comment: Laying roads will require major earthworks including grading of undulating land; roads will criss-cross the site since the Landscape Masterplan states (p.13) that no visitor or staff member must walk more than 50m from the side of a road to a gravesite; roads will be sealed and will require drainage etc. Terracing of slopes is proposed, which will involve walls. Any built environment? Already seven buildings are specified. Consultants’ reports indicate that other structures are needed: an electricity substation and possibly a wastewater treatment plant and storage tank.

8. Concealed, private and low laying burial spaces to minimise visual impact.

Comment: It is intended to achieve this objective by creating ‘burial rooms’ with vegetation used to conceal headstones and monuments up to 1.5m in height. Structures like these are incompatible with the first two aims of the proposal: to minimise the impact on the existing environment and to protect the Colonial landscape qualities of the site.

Landscape Masterplan (p.7) lists the site’s neighbours as Crown Land and the Hume Highway to the south; the Scenic Hills Riding Ranch to the south east; rural landholdings to the east; St James Roads residential area to the north; Carmel of Mary & Joseph, Mount Carmel Retreat Centre and Mount Carmel Catholic High School to the West; Burrendah Reservoir and Kooronga Reserve to the south-west.

Comment: The site's closest neighbours, the residents of Varroville House whose property is on a battle axe block completely surrounded by the site, are not mentioned. This does not seem to be mere oversight, since Varroville House, a State Heritage listed property, is also not identified by name on Figure 1: Context Map (p.6). What is the explanation for failing to acknowledge Varroville House as a neighbour to the site?

Landscape Masterplan (p.13) mentions external and internal access to the site.

Comment: We discuss external access in our response to the Transport Impact Assessment. Re internal access, the following 'self-imposed' constraints are identified:

1. 'No visitor and no funeral staff handling coffins should be expected to walk more than 50m from the side of a road to a grave site' (p.13).
2. 'Minimal cut and fill grading alterations' (p.13).

The indicative plans show only major internal roads, but if the first constraint is to be met then most of the site will be criss-crossed with roads. It is proposed that major roads will be concrete and minor roads asphalt (Landscape Masterplan, p.29).

Roads will be 7 or 8m wide to meet bushfire requirements (p.25) and will occasionally straddle the swales and ponds with bridges (p.35). The Bushfire Protection Assessment adds further requirements for internal roads, including parking bays for main roads, turning circles for dead end roads and capacity to carry fully-loaded fire fighting vehicles (15 tonnes). The Landscape Masterplan states that main roads will be planted with avenues of trees on one or both sides where they will not impede medium to long views; minor roads will not be planted. Parking 'is expected to take place' over the roll-over kerbs and verge (p.29).

All the roadworks described will require extensive cut and fill grading operations on the undulating landscape of the site. The visual impact of the network of roads, bridges and plantings will not be negligible.

Landscape Masterplan (p.13) states that 'Any undeveloped section of the land will either be open to the public for recreation (Heritage trail etc), agisted or mown and managed as pastoral land. In all cases, its appearance will remain unchanged.'

Comment: No evidence has been provided that the public will visit a cemetery for recreation. Indeed, this seems disrespectful when funerals are taking place. To agist livestock on the land would require fencing, care of the animals (a farmer) and staff to collect manure so that the public are not inconvenienced. In all cases, the appearance of the land will never be the same as it is now, given the presence of a cemetery over most of it.

Landscape Masterplan (p.14, Figure 13) Watercourse Map.

Comment: The numbering of the dams on this map does not accord with the numbering in the Watercourse Assessment (Appendix H).

Landscape Masterplan (p.18) Figure 17 Usable Land Map.

Comment: Map is poorly labelled and uninterpretable. No land is marked as unusable.

Landscape Masterplan (p.22) Figure 20 Green Corridor Map.

Comment: Is it possible that a green corridor crosses the F5 motorway? Only for birds?

Landscape Masterplan (p.23) makes reference to the stability of the slopes on the site and states that ‘there are no plans to *significantly* disturb the existing slopes nor provide *extensive* cut and fill on the site’ (emphasis mine).

Comment: What is *significant* disturbance in this context? What is *extensive* cut and fill in this context? Who has regulatory oversight of disturbance of the slopes (e.g. for ‘nestling family estate blocks’)? Who has regulatory oversight for the cut and fill activities that will necessarily take place onsite for building construction and road construction?

Landscape Masterplan (p.25): Responding to the Escarpment Preservation Area by limiting regrading of the site.

Comment: The whole site is Escarpment Preservation Area. Is regrading permissible? Who will have regulatory oversight of the extent of regrading?

Landscape Masterplan (p.31): Buildings. A small number of buildings have been proposed, which would be constructed in stages to match the demand from the market. The key buildings that have been proposed include: a multipurpose Chapel which can function as three small Chapels (a list of six other buildings follows).

Comment: The seven buildings proposed will all be needed in Stage 1 (see p.37); it does not make sense to speak of constructing them in stages. The capacity for the Chapel has not been specified.

If the seven buildings listed *include* the *key buildings* (emphasis mine) that have been proposed, what other buildings are intended that have not been included?

Landscape Masterplan (p.33) lists and describes the burials areas, including headstones and monuments to a maximum height of 1.5m. Main roads will be flanked by areas of plaques in lawns.

Comment: Even if headstones and monuments could be concealed by vegetation it will be impossible to conceal areas of plaques in lawns when viewed from any elevated point in or outside the site (e.g. from Bunbury Curran Hill). They will catch glare from the sun.

Landscape Masterplan (p.33): As cremation is set to increase in the coming years, the site will offer a range of memorialisation concepts. Six are listed.

Comment: The Planning Proposal Executive Summary states categorially that ‘The proposal will not be providing crematorium facilities’ (p.i). Yet a week before the public launch of the proposal on 28 August 2013 the CMCT registered 5 business names for Campbelltown and Macarthur including the word ‘Crematorium’. The initial Cemetery Demand Assessment (August 2013) noted ‘...assuming the proportion of burials continues to trend downwards such that by 2036 burials account for 25% of all deaths...’ (Executive Summary, p.ii). This fact has not been repeated in the October 2015 Cemetery Demand Assessment. But the Landscape Masterplan (p.33) notes that ‘As cremation is set to increase in the coming years, the site will offer a range of memorialisation concepts.’ These are listed as ‘urns in ground, urns in sculptures, urns in boardwalk, urns on water, ash scattering and tree memorials.’ Again, the Landscape Masterplan: ‘It is important to note... that the trend for burial rate is decreasing whilst the cremation rate is increasing as more people choose this form of interment and have been doing so for the last 20 years or more’ (p.37).

Is the CMCT asking the public to believe that a newly-planned state-of-the-art cemetery with a ‘life’ of over 100 years will not include a crematorium, when cremation is the preferred choice of a large majority of customers? Yet it says it will provide facilities for the placement of ashes... presumably of people cremated elsewhere! This does not pass the credibility test; it makes no commercial sense.

The answer is provided in the Planning Proposal (Table 4, p.40) in response to Goal 1:

The proposal will provide the appropriate planning framework is in place to ensure the availability of burial plots *and crematoria infrastructure to be constructed on the site*. This will make a significant contribution to the long term planning for cemeteries *and crematoria infrastructure* which is identified as a key action of Goal 1 (emphasis mine).

This gives the lie to the statement that ‘the proposal will not be providing crematorium facilities.’ Clearly, the intention is to have a crematorium. Not only that, it will be operating in Stage 1, given the proponent’s claim that ‘It is important that each stage of development caters for all forms of interment, to enable an uninterrupted supply’ (Landscape Masterplan, p.37). The assertion in the Executive Summary that ‘The proposal will not be providing crematorium facilities’ (p.i) is plainly untrue. This is a serious matter. Either the CMCT is misleading the public by claiming there will not be a crematorium or it is misleading the JRPP by saying there will be one. The balance of probabilities would suggest that it is misleading the public. As an entity of the Catholic Archdiocese of Sydney, the CMCT is bound by the Archdiocese’s commitment to transparent operating systems in its Guide for Business Practice, but it is not being truthful or transparent in its promotion of this aspect of the proposal.

<http://www.sydneycatholic.org/justice/guideforbusinesspractice.shtml>

We are familiar with developers’ strategy of having an ‘indicative plan’ approved and then subsequently submitting any number of development applications for ‘modifications’ which are approved more-or-less automatically (e.g. AGL with its Camden Gas Project). Some modifications constitute substantial additions to infrastructure. We suppose that the CMCT expects to benefit from

a similar non-accountable process of modification-by-stealth once it is over the hurdle of having its indicative plan approved. In this regard, we note with concern the explanatory notes provided with SEPP (Infrastructure) 2007, which state ‘This SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. *While not specifically relevant to this Planning Proposal, future infrastructure works may not require development consent in accordance with the SEPP*’ (Table 7 – Compliance of the Planning Proposal with relevant State Environmental Planning Policies; Planning Proposal, p.42. Emphasis mine).

Further, we note that no mention of crematorium facilities has been made in the Infrastructure Management Plan (Power and Telecommunications), which is described in the Executive Summary as ‘preliminary and based on information available at the time’ (September 2015). This Plan states:

‘The estimated maximum load demand is 462kVA for all the proposed areas. This takes into account power, lighting, HVAC [heating, ventilation and air conditioning], and point loads. The existing Endeavour Energy power assets local to the proposed project boundary do not have the capacity to serve the proposed buildings, primarily as there are no local substations. Thus new power augmentation is required from the local supply authority Endeavour Energy’ (p.12).

‘A new substation will need to be constructed in order to provide the proposed developments with an electricity service (p.6). A new high voltage service shall need to be derived from a local Endeavour Energy asset. The new kiosk substation shall service the proposed project development. A suitable location for the kiosk substation shall need to be agreed with Endeavour Energy and the project team (p.12)’.

Surely any intention to build a crematorium in Stage 1 is necessary information to provide to the consultants to ensure that reliable advice is given about planning for future power requirements for the site? We assume that the estimated maximum load demand would be much higher if a crematorium were included in the estimates. It seems to us that this Infrastructure Management Plan is manifestly inadequate because Steensen Varming has not been properly briefed by the CMCT. Will the addition of a crematorium mean that a ‘kiosk substation’ onsite is sufficient to augment the power supply? A further contentious issue from the planning point of view is that provision of any substation on site will constitute an additional building for the proposed development, which is fast becoming an industrial complex.

In the event that a crematorium is sought for the site, an assessment of its impact on air quality, carbon emissions and ecology will need to be undertaken.

Landscape Masterplan (p.36) figure 59: Staging Plan.

Comment: Figure 59 shows Stages 4 and 5 overriding the heritage curtilage, which is thus not depicted as quarantined from development (cf. the curtilage of Varro Ville Homestead). The same intention to override the proposed heritage curtilage appears in the Staging Plan figures for Stages 3-5 (p.48-49).

Landscape Masterplan (p.37): Passive Recreation: The careful design of a landscaped cemetery combined with a sculpture park will enable the visitor to experience a park setting, one where jogging and riding will be encouraged for the benefit of local residents. The Planning Proposal describes this as ‘valuable community infrastructure’ (p.40).

Comment: This is fanciful and smacks of opportunism. It is a ploy to get the proposal approved by magnanimously proposing public use for a portion of land with no commercial potential. How can such passive recreational activities be compatible with funeral processions arriving and departing? And in full view of the main entrance (Staging Plans, p.47)! Will there be horse floats coming through the gate with funeral corteges? Or will stables be built with horses for hire? Where will horses graze? How will the proprietors deal with horse manure?

Or will passive recreation facilities be offered to the public only after business hours? If so, the proposal doesn't look so magnanimous after all. Will there be a separate parking area for recreational visitors to the site? Will dressing sheds with showers and toilets be provided for joggers and riders – implying yet another building on the site?

Appendix D: Design Statement

Noted.

Appendix E: Conservation Management Plan (CMP)

The CMP was prepared by Urbis on behalf of the CMCT. We note that the CMP has not been endorsed by the NSW Heritage Council.

Comment: The CMP is not an impartial objective heritage impact assessment of the cemetery as proposed, but rather a feasibility study for proceeding with the development in the face of the heritage constraints on the site. As such the text is biased in favour of the proponent. We consider that without NSW Heritage Council endorsement, the CMP lacks validity.

We note the significance and rarity of the Varroville site from a heritage point of view (Sections 4.2.8 and 5.3-5).

We note (Section 8.3.2 p.122) that the State Heritage Register curtilage is considered inadequate and two suggestions are made for its extension (Policy 11). We note (Policy 12) that it is considered that the extended listing *would not preclude development* (p.122, emphasis mine).

Comment: The two suggestions for extension of the curtilage do not include the entire original estate, which is integral to the house with its views over scenic undulating land towards Bunbury Curran Hill. We are concerned that Policy 12 condones development. Since the extended listings *would not preclude development* we wonder what development would be allowed and, in that case, what purpose the extended listing would serve. We are concerned that Stages 3-5 of the proposal as shown on the Staging Plans (Landscape Masterplan, p. 48-49) show the development over-riding

the extended heritage curtilage. It appears therefore that the extended curtilage will confer no benefits. Is it merely a short-term measure intended only for the early stages of the development?

Section 8.4 (p.124): Protection of curtilage, settings and views.

Comment: We endorse policies 17, 18, 19 and 22. We object to those policies (16, 20, 21 and especially 23) which condone development on the site. Any development will impact negatively upon the pastoral character and cultural landscape of the site.

Section 8.5.2 (p.126): Managing the cultural landscape.

Comment: The word ‘significant’ occurs in policies 26-28 in a manner which is vague and unspecified, leaving open the probability of a subjective judgement about significance being made by any prospective developer. We consider this unacceptable.

Section 8.7 (p.129): Use.

Comment: We object strongly to this section of the CMP and particularly to paragraph 3. It appears that the Consultants have not appreciated the extent and impact of the proposed works on the site *over the full life of the project*. Its impact can only be judged from that endpoint, by which time the topography of the site will have been extensively and permanently altered to allow it to be criss-crossed with roads no more than 100m apart, allowing lawn burials with plaques, burial areas with headstones and monuments, several buildings and irrelevant structures such as amphitheatres (sic) and sculptures. This constitutes intensive use of the site and will result in loss of its rural pastoral character forever. Such an outcome is not consistent with respect for the heritage significance of the site and preservation of it for future generations.

Sections 8.8-8.11 (p.130-137).

Comment: These sections all speak of ways of accommodating care of the heritage to the cemetery development on the site, when the authors have already demonstrated failure to appreciate the high impact of the development over the lifetime of the project. We consider this unacceptable. The project documentation amply demonstrates incompatibility with preservation of the landscape.

Appendix D: Artefact Heritage – Aboriginal Archaeological Survey Report

The Executive Summary notes that there are 17 newly recorded sites in the subject area in addition to 11 previously registered sites.

Comment: Of the 17 newly recorded sites, 5 are said to have low significance and 2 of unknown significance. This suggests that the majority (10 sites) have moderate to high significance. However, Table 4: Summary of Significance Values (p.60) does not tally with the comments in the Executive Summary since the Table lists 2 complexes and only 12 sites. The two complexes are accorded high significance, two sites ‘unknown’ and the rest ‘low’ significance. Figure 9:

Archaeological Sensitivity (p.56) indicates that the greater portion of the site has high or moderate sensitivity. This in itself should be a contraindication to the development of a cemetery, which will necessitate extensive disturbance of the site with 136 000 graves dug over the life of the project.

Appendix F: Visual Impact Assessment (VIA)

Under the Gateway Determination, a Visual Impact Assessment (VIA) was required as a condition for approval of the proposal. The VIA was to assess the scenic and rural values of the site, how the views of the site from the Campbelltown urban area might be affected by the proposal, to take into account heritage investigation of the cultural landscape adjacent to the Varroville Homestead as it informs the visual assessment, and provide particular measures to ensure preservation of the rural character of the east facing slope of the site when viewed from the Campbelltown urban area.

Further, the VIA was to address the visual and landscape objectives for the existing and proposed zone in the Campbelltown LEP 2015 (p.3).

Comment: We are not qualified to comment on the quality of the visual studies undertaken, but we make some general observations. We submit that the parameters set for the VIA were too narrow. The site is viewed not only from the Campbelltown urban area and the F5 motorway, but by local residents of Varroville who walk or drive along St Andrews Road, and by those, like us, who have an elevated view of the site from our property. The cultural landscape associated with Varroville Homestead includes not only the land *adjacent* to the Homestead but the land viewed from its windows towards Bunbury Curran Hill (i.e. the entire original Varroville estate that once surrounded the Homestead). In addition, the VIA has not considered the view looking down onto the site along the ridge from the crest of St Andrews Road. Since the proposal includes walking trails and a lookout on Bunbury Curran Hill, this elevated position will be a critical viewpoint from which to assess the visual impact of the proposed cemetery across the entire site.

The Consultant notes that ‘The part of the site on which a change of use as proposed may be evident is the south and east slope south of Varroville House’ (p.36) but then downplays the likely impact there by relying on its ‘generally low visibility to the public and the urban area of Campbelltown’ and proposed vegetation to mitigate the impact. No particular measures are provided to ensure preservation of the rural character of this specific area. This is unsatisfactory. These slopes dominate the views from the Hume Highway (F5) and from Campbelltown Road, both of which are entrances to Campbelltown. This part of the site will also be visible to the public passing along St Andrews Road to attend the parish church and Retreat Centre, from the driveway and grounds of Varroville Homestead and outbuildings and from the lookout on Bunbury Curran Hill.

The overall visual impact of the cemetery can be ascertained from collating descriptions across the text of the Planning Proposal and Appendices: several buildings (7 in the proposal as it stands with an electricity substation added, and family estate vaults in every stage of the development), headstones and monuments to a maximum height of 1.5m in each stage of the project, lawn burials with plaques on flatter open areas, walls, terraces, an amphitheatre (an unnecessary disturbance to the topography) and internal roads 7 or 8m wide to service the entire site, allowing a walking distance of no more than 50m to any grave. Some roads will require bridges over the watercourses and swales, while it is proposed to fill in two dams and build boardwalks on others. The Bushfire

Protection Assessment requires overhead electrical transmission lines with short pole spacing of 30m.

It is impossible to reconcile this enormous impact with the Consultant's conclusions that 'The use as a cemetery as generally depicted would not require significant prominent changes to landform, which [he acknowledges] would be inappropriate to the relatively natural overall topography of the site and its rural character' (p.30) and 'The proposed use is benign as regards impact on the character of the site and surrounding area' (p.38).

In reaching this conclusion the Consultant is relying on his mistaken impression (arising from the proponent's 'spin') that 'Minimal infrastructure would be established consisting of minimal roads and of vegetation to assist in providing grassy landscape 'rooms' and interfaces to St Andrews Road and the southern boundary of the site' (p.39). The landscape 'rooms' attempting to conceal 1.5m monuments will not be merely 'grassy'; photomontages depict vegetation in the form of exotic trees and shrubs (Landscape Masterplan Appendix C, Part 23; page number not supplied). The Consultant has overlooked the fact that the major internal roads will be lined by avenues of trees on one or both sides (depicted in photomontages as uniform exotics), a feature incompatible with the current natural rural character of the site.

On the basis of his narrowly focused studies and uncritical reliance on photomontages, the Consultant has given enthusiastic endorsement of the proposal. We submit that his study is inadequate, his report flawed and his endorsement of the proposal unwarranted. It does not stand up to close scrutiny in the light of the information provided in the documentation on exhibition.

Appendix G: Cemetery Demand Assessment

The original Cemetery Demand Assessment (August 2013) had a different scope from the current version entitled Western Sydney Cemetery Demand Assessment (October 2015), which accompanies the Planning Proposal on exhibition.

In August 2013 the catchment area was defined as comprising Camden, Campbelltown and Liverpool LGAs, which together make up the Sydney South West Subregion as defined by the NSW Department of Planning and Infrastructure (p.2). In that Assessment it was stated that the decision to define this catchment area was based on 'the trend for people to be buried close to their home and/or their families' homes' (p.2). No supporting evidence was supplied for this 'trend', which has been dropped from the October 2015 Assessment in favour of extending the catchment area to Western Sydney (specified as Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith LGAs) since 'it comprises the South West Growth Area of Sydney and the surrounding LGAs' (p.1). Surprisingly, given the name Macarthur Memorial Park, the newly defined catchment area does not include the Greater Macarthur Region which includes Wollondilly LGA, an area flagged for future urbanisation and population growth (Greater Macarthur land release).

By its own admission (Planning Proposal, p.37), the CMCT did not undertake a strategic study or report to underpin its proposal for a new cemetery at Varroville and the selection of this particular site.

Comment: The fundamental requirement of the Department of Planning for any proposal: ‘Is the Planning Proposal a result of any strategic study or report?’ has not been met (Planning Proposal, p.37). The CMCT implies that the Cemetery Demand Assessment goes a long way towards meeting this basic requirement when in reality it does not, since no strategic reason is given for selecting the site at Varroville.

This is a *Western Sydney Cemetery Demand Assessment* (emphasis mine), defining its catchment area as specifically the LGAs of Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith (Appendix G, Executive Summary, p.i).

Comment: It is impractical to include the LGAs of Blacktown, Fairfield, Holroyd and Penrith as feasible catchments for a site as inaccessible as Varroville.

The CMCT claims in its brochure ‘Caring for the Community’ (and at www.mmpark.com.au) that Macarthur Memorial Park will provide ‘a caring and respectful location in Varroville for the *local community*’ (emphasis CMCT). It does not specify there what it means by ‘the local community’. However, in its accompanying fact sheet, it states that the ‘new memorial park will provide... for the communities of Campbelltown, Liverpool and Camden’ (Facts for the Community on Proposed Macarthur Memorial Park).

Comment: This was the catchment area defined for the initial Cemetery Demand Assessment for this site (August 2013). It has not been updated to reflect the currently proposed catchment area (Cemetery Demand Assessment, October 2015).

As a further example of obfuscation, we draw attention to Map 3.1 Western Sydney Cemeteries (p.12) which shows Forest Lawn Memorial Park and Macarthur Memorial Park a considerable distance apart. In reality, Forest Lawn Memorial Park is only about 15 minutes’ drive from Varroville.

A critical issue for the CMCT’s case is ownership of cemeteries (private, local government, or Crown land i.e. operated by CMCT). Table 3.1 (p.11) lists cemeteries in the designated catchment area.

Comment: Table 3.1 lacks meaningful data on which a reliable demands assessment can be made. The column entitled Unused Burial Sites provides figures only for three cemeteries operated by the CMCT. All others (thirteen in total) are listed as ‘N/a’ – not available. The derivative statistic in the column entitled Expected Lifespan (for each cemetery) contains an estimate (guesstimate?) with no data supplied to enable independent verification of the estimate. In this connection, Forest Lawn Memorial Park has publicly disputed the lifespan stated in this report for its operation (<http://www.dailytelegraph.com.au/newslocal/macarthur/macarthur-region-is-not-facing-shortage->

[of-burial-sites-despite-claims-of-exhaustion-by-2043/news-story/2a69c675b83a4e99db0ee692d6293ea0](https://www.specco.com.au/news-story/2a69c675b83a4e99db0ee692d6293ea0)).

Critically, the case for a cemetery at Varroville is weakened by Urbis' Demand Assessment , which states that 'There are currently four approved applications for cemeteries in Western Sydney (three in Liverpool LGA and one in Penrith LGA) with another being considered in the Liverpool LGA. The four projects are located within the catchment area and have a total of approximately 306, 000 burial spaces' (Executive Summary, p.ii).

Comment: If the figure of four *approved* cemeteries in the Liverpool LGA and on the Liverpool/Penrith border is correct and they account for 306, 000 burial spaces as stated in the Executive Summary, then the case for more burial space at Varroville is weak. However, this figure does not tally with the information given in Table 3.2 (p.13) and text (p.14), which shows that without the inclusion of the *proposed* Macarthur Memorial Park there are actually 170, 000 burial spaces available. Given that a large majority of customers opt for cremation and this proportion is set to increase in coming years (Landscape Masterplan, p.33), it nevertheless suggests that there is no imminent shortage of burial space in the vicinity of Varroville.

The key issue, however, is that no justification for the selection of Varroville has been provided. Given the number of approved cemeteries in the Liverpool LGA, no case has been made for seeking to amend the Campbelltown LEP to allow a spot rezoning for cemetery in the Campbelltown LGA at Varroville. Indeed, a strategic study might indicate that Wollondilly LGA is more appropriate than Campbelltown LGA for a new large cemetery.

No evidence has been provided to substantiate the CMCT's claim that there are 'limited sites and opportunities to meet the long-term spatial requirements of the applicant' in the Macarthur Region, despite the proponent's claim that this statement 'is based on sound evidence' (Planning Proposal, p.52). So other sites *do* exist to meet their requirements. It would have been helpful to have this evidence placed in the public domain along with the exhibition documents.

The Assessment's final recommendation is that 'serious consideration be given to planning for future cemetery capacity that will provide for future long term supply well in excess of current levels (e.g. 100-150 year time span)' (p.16).

Comment: We note that this recommendation applies to Sydney as a whole and not specifically to the designated catchment area proposed by the CMCT for Macarthur Memorial Park.

Appendix H: Watercourse Assessment

We note the complexity of the site in terms of dams, watercourses and riparian zones.

We welcome and appreciate the objectivity of this Assessment. We note, however, some confusing aspects of the report.

On page 1 it is stated that: The master plan provides for the following built facilities: one chapel with the capability to be divided into three separate chapels seating 150 in each; one condolence room; one café.

Comment: the report fails to mention the other four buildings listed in the masterplan and depicted on Figure 1 in this Assessment.

On p.35 it is noted that ‘In accordance with Figure 4, two buildings are proposed within the 10m riparian protection zone adjacent to dams, and one building is proposed adjoining a second order stream. Asset protection zones will also be required for these buildings which will potentially impact on the riparian protection zone.’

Comment: It is not clear which three buildings these are; with the exception of the café they do not seem to be those listed on p.1. There is no mention in this Assessment of the proposal to build boardwalks on some dams nor of the impact of the proposed internal roads and proposed bridges on the swales and watercourses: ‘Both roads and paths will occasionally straddle the swales and ponds with bridges’ (Landscape Masterplan, p.35).

The permissibility and potential impacts of these constructions on riparian zones should be included in the Watercourse Assessment.

Comment: There is confusion in the numbering of the dams. Figure 3 (p.30) depicts Dams 2-11, whereas Photo 32 (p.27) mentions Dam 12. Photo 17 (p.18) depicts Dams 8 and 9 but the caption states they are Dams 9 and 10. Dam 12 is mentioned in the text as ‘should be filled or reconstructed as a landscape feature’ (p. 23, and Photo 32, p.27) but it is not shown on Figure 3 (p.30). As a result, Section 3.3.1 Recommended Management (p.23), which refers to Dams 9, 10 and 12, needs to be reviewed and clarified.

Of particular concern to us is the fact that the Consultant has not appreciated the reliance of the Transport Impact Assessment on an upgrading of St Andrews Road to subarterial status for the future of the proposal. We would welcome the Consultant’s assessment of the likely impact of such an upgrade on the dams and watercourses of the site, many of which run close to St Andrews Road.

Appendix I: Bushfire Protection Assessment

The Executive Summary notes that the key principle for the proposal ‘is to ensure that future development is capable of complying with PBP [Planning for Bushfire Protection]. Planning principles for the proposal include the provision of adequate access, including perimeter roads, establishment of adequate APZs [asset protection zones] for future building construction and the introduction of controls which avoid placing inappropriate developments in hazardous areas... Our assessment found that bushfire can potentially affect future buildings on site...’

Comment: This Assessment relies on having two access points to the site initially: the main entrance via a roundabout from St Andrews Road and a service entrance further north on St Andrews Road, with further entry and exit points required in the future as the project expands (p.17). We draw attention to the fact that the Transport Impact Assessment (Appendix L) makes no mention of the roundabout or of the second service entrance and provides no assessment of their suitability or impact on traffic. This puts the Bushfire Protection Assessment at risk.

Table 3.2 Performance Criteria for Internal Roads (p.18-19) lists detailed acceptable solutions which will need to be complied with via conditions of consent.

Comment: We note requirements for parking bays off main perimeter roads and turning circles for dead end roads (rows 2 and 3 of Table 3.2). We note also that the internal road surfaces and bridges must have the capacity to carry fully-loaded fire fighting vehicles (15 tonnes). Construction of roads with these essential requirements will extensively disturb the topography of the site and have a negative visual impact. All these have been ignored in the Visual Impact Assessment (Appendix F).

Water supplies (p.20): It is stated that town reticulated water supply is available to the property in the form of an underground reticulated water system.

Comment: Does this statement tally with the Infrastructure Services Report (Appendix N) which notes that a water main currently traverses the southern portion of the site and that a new water main and hydrant service connection will need to be constructed from the existing water main to service each of the buildings (p.8)? The total length of the proposed water main connection will be approximately 2150m. Is a reticulated system feasible in a cemetery in which ultimately 136 000 graves will be dug?

Electricity (p.21): The best performance criterion for electricity supply in term of the PBP guidelines is placing electrical transmission lines underground. Clearly this is impractical for a cemetery. So the alternative suggested is overhead transmission lines with short pole spacing of 30m.

Comment: Once again, the Visual Impact Assessment has made no comment on this requirement, which will establish an eyesore across the entire site.

Appendix J: Ecological Assessment

The Executive Summary (p.iii) lists seven potential ecological impacts over the life of the cemetery (approximately 150 years).

Comment: We appreciate the fact that this Consultant has estimated the impact of the full extent of the development rather than limiting his focus to stage 1. The potential impacts listed are extensive and irreversible. It seems, though, that the Assessment fails to take into account the extensive internal road network proposed for the development and the impact this will have on habitat. Therefore we support the recommendation (p.iv) for a referral for concurrence of impacts upon matters of national environmental significance.

Proposed works (p.3): Lists only the chapel, condolence room and café buildings.

Comment: All seven buildings proposed for the site are not listed.

Survey results and ecological assessment (p.14-35): Noted.

Comment: We welcome this extensive survey which has demonstrated that the corridors retain a valued function in the locality and that the combined total woodland areas of the site provide for a high overall diversity of native bird and bat species (p.35).

Recommendations: Noted.

Comment: We agree with the recommendations, in particular control of the African Olive infestation.

Conclusion: Noted.

Comment: We consider that the Assessment underestimates the impact of the proposed cemetery in relation to its extensive disturbance of the topography of the site for buildings, roads and grave-digging. The impact of lighting has not been addressed. We are familiar with the diversity of birds and microbats in the area and are concerned that external (perimeter) lighting and the likely need for internal lighting to deter vandals will negatively impact upon the ecological diversity of the site.

Of particular concern to us is the fact that the Consultant has not appreciated the reliance of the Transport Impact Assessment on an upgrading of St Andrews Road to subarterial status for the future of the proposal. We would welcome the Consultant's assessment of the likely impact of such an upgrade on the ecology of the site.

Appendix K: Geoscientific Investigation

The work undertaken for this study comprised an extended desk-top review of the site, an intensive 2-day site inspection and shallow surface investigation (October 2014), comprehensive discussions with the Proponent and review of documents supplied by the Proponent: being the Planning Proposal (Urbis 2013) and 9 detailed reports appended thereto and other desktop research (p.5).

Comment: We note that the report is dated November 15, 2014. It seems that the Proponent did not supply the Consultant with the Final Planning Proposal (October 2015) nor updated appendices which differ significantly from the September 2013 Planning Proposal and accompanying reports. We note a letter from the Consultant (Appendix K Boyd Dent Confirmation Letter, dated September 4, 2015) confirming the findings in his 2014 report and stating: 'The report refers to the land, district setting and *proposals* (emphasis mine) examined at the time of the investigation and in so far as those matters substantially still exist, then my conclusions and recommendations remain valid' (p.2). We submit that the validity of the Consultant's conclusions and recommendations might be open to question in the light of the Final Planning Proposal (October 2015).

Geology and Physiography: The site is made up of three 'provinces' (p.7). This landform arrangement and zoning issues will highly influence the development of the site (p.8).

Comment: The Consultant cautions that 'Further specific investigations for larger constructed features as buildings, roadworks and major earthworks, have not been made during the present investigations. Such matters need to be addressed with more detail of the proposed development' (p.8). [It is difficult then to have confidence in the conclusion p.4.]

Site landscape and Investigation: The present investigation has found that soil conditions, and consequently underlying bedrock types, are extremely variable across the site. The depths of soils, the degree of soil development, the amount of soil profile disturbance, and the consistency of soil profiles all vary greatly; to a degree not previously encountered by this Consultant in hundreds of previous site inspections (p.10-11).

Comment: What is the significance of this finding? Does it imply that the landscape is a rare environment that warrants protection and preservation for future research?

To assist the Proponent in developing the cemetery concept, it is recommended that a more detailed investigation of soil depths, profile classifications... especially at various proposed grave invert levels, be made (p.11).

Comment: Noted.

Historical landscape evaluation: The Campbelltown district was extensively investigated by the Geological Survey of NSW in the late 1960s and early 1970s with a view to the development of the satellite city of Campbelltown... Careful attention was paid to slope instability and maps were prepared with the idea of informing zoning decisions for development... and these were subsequently acted upon. These matters are discussed in terms of landscape aspects later (p.14).

Comment: The Consultant does not return to discussion of slope instability in this report. The Landscape Masterplan states: 'The escarpments which presents (sic) slopes in excess of 25 to 35 degrees (1V:1.5H to 1V:2.5H gradient) are expected to be unstable if cut and fill takes place. The majority of the land for which the gradient is steeper than 1:5 is either currently vegetated and proposed to be retained as such, or currently grassed and grazed and proposed to be vegetated or terraced' (p.11). 'All constraints become opportunities in some ways: Utilise steeper areas for terraced burials and memorial gardens' (Masterplan, p.19). 'Sitting the building into the hillside' (Masterplan, p.25). We consider it a serious oversight that the Consultant has failed to comment on slope instability, given the intention to situate buildings at the base of slopes and to 'nestle' family estate blocks into the hillside (Masterplan, p.33).

Groundwater presence at this site: It was a surprising finding during the current investigation that almost no groundwater was observed on the site... despite a concerted effort being made to inspect locations where groundwater would be preferentially located... The Consultant has not encountered this situation with groundwater before. This is considered to be a significant matter which requires consideration and explanation especially since it affects future operations and design of the cemetery, and impacts on the answer required for the JRPP Condition 1 (p.16-17).

Comment: Noted. This second unusual geological feature of the site identified by the Consultant might warrant its environmental protection from development. Given the fact that minimal groundwater was found on the site and the water table was not detected, we wonder how the large dams are recharged. To our knowledge they have never run dry, even in the 10 year drought when nearby dams on neighbouring properties did.

African Olive (p.19-20): Noted.

Comment: We welcome the anticipated beneficial effects on groundwater of controlling this invasive exotic weed.

Other aspects: During cemetery operations the land will be considerably disturbed in several ways: primarily by the digging of graves, but also by the making of road (sic) and paths... (p.20). These works and operations will encourage infiltration of the rainfall and irrigated water into the soils which will considerably wet-up... Consequently, a good attention to surface and subsurface drainage, consistent with managing sloping, clay-based sites will be required (p.21).

Comment: For this study 24 pits were excavated (Appendix A), each with the approximate dimensions of a grave. The Consultant does not mention that 136 000 graves will be dug during the life of the project, 5666 times those dug for the investigation! So he is right to draw attention to the fact that digging graves will result in considerable disturbance to the land, together with the construction of roads and paths. We consider that the Consultant has not paid sufficient attention to the full impact of the proposal over the life of the project since he has not responded to the most recent documents relating to it. In particular, he has not responded to the proposed dense network of internal roads that will allow a walking distance of no more than 50m from the roadside to a grave (Masterplan, p.13).

On these grounds we question the conclusion that ‘The outcomes of this study importantly support the Proponent’s intentions and applications and find in all respects that the site is broadly suitable for the proposed development...’ (p.5) and ‘The site represents a very suitable situation for the development of a large cemetery complex’ (p.39).

Appendix L: Transport Impact Assessment (TIA)

Comment: We note that this is the only technical report for which the Consultant has changed since the initial Planning Proposal (September 2013, p.2).

Section 1.2 The Purpose of this Report states: ‘This report sets out an assessment of the anticipated transport implications of the proposed development’ (p.1).

Comment: The TIA refers only to phase 1 (sic) of the proposed development (p.11), stating it to be ‘clearly not realistic’ to consider the full development of the site. We consider this to be disingenuous. The Conclusion does not mention limitation of the report’s scope or conclusions to Stage 1. Instead, it concludes that ‘There is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development’ (p.17).

The TIA relies implicitly on the assumption that St Andrews Road will be upgraded to subarterial status with a through-connection to Camden Valley Way and Campbelltown Road (citing the proposed Glenfield to Macarthur Urban Renewal Corridor Strategy) and that this will cater adequately for the future needs of the cemetery. Figures 2.4 and 2.5 (pages 6-7) clearly show this and it is mentioned in the text (pages 8, 14, 17).

Comment: Upgrading St Andrews Road has never been part of the SW Growth Centre plan. The Leppington Priority Precinct Stage 1 Finalisation Report (October 2015) concluded that ‘the upgrade and extension of St Andrews Road is unlikely to be warranted’ (p.13) given the adverse impact the upgrading would have on the Scenic Hills in the Campbelltown Local Government Area. It states, further, that ‘A St Andrews Road link is not included in the road network that is currently being evaluated’ (p.13).

On the question of St Andrews Road, the Discalced Carmelite nuns and Discalced Carmelite friars made submissions on the Draft Leppington Precinct Plan (December 2014) objecting to the proposal included in its Transport and Access Strategy to upgrade St Andrews Road to subarterial status linking Camden Valley Way and Campbelltown Road. We reaffirm our opposition here, on the grounds that an upgrade is not necessary (given that connections already exist from Camden Valley Way to Campbelltown Road via Raby Road and Denham Court Road); that it would irrevocably destroy the integrity and amenity of the Scenic Hills; that as such it would undermine the intentions of the current and proposed zoning; that it would negatively impact upon the heritage of Varroville House and surrounding landscape and destroy native habitat and wildlife corridors; and that it would adversely affect the religious communities living along St Andrews Road and result in loss of the residential retreat ministry of the Carmelite friars.

In relation to Stage 1 of the Planning Proposal it is stated that ‘It is proposed to initially modify the main existing access to the site which is at the north-west end, from St Andrews Road by incorporating a roundabout’ (Landscape Masterplan, p.13).

Comment: The TIA does not discuss the proposal of a roundabout but recommends (p.15-16) a T-intersection with passing/bay lane Rural Basic right turn treatment (BAR) for safety. Further, the Landscape Masterplan states ‘It is proposed to establish a service entry north of the main entry point as it is important to keep access for maintenance and service vehicles separate to ensure minimal disruption and risks to visitors’ (p.13). This second entry point is also listed in Landscape Masterplan (p.37). The TIA has not assessed the proposal for service vehicle requirements (cf. Purpose of this Report, iii, p.1): namely, a second entry point from St Andrews Road.

As residents on St Andrews Road we believe that both of these access points pose safety risks because the road rises and curves on this section: the main entry point is on a blind crest and the service entry point is on a curve where vehicles travelling downhill have gathered speed. We question the finding that ‘Site inspections have indicated that there will be no issues providing adequate sight distances to and from this access/egress point’ (p.15, referring to the main existing access point). It seems to us that the RMS and GTA Consultants have not exercised due diligence. They have failed to comment on the second of these two proposed entry points and have not studied the impact of either of them on traffic management and safety.

Importantly, and of particular concern, the Bushfire Protection Assessment relies on these two entry points to the site (Bushfire Protection Assessment, p.17).

Additional entry and exit points: the Landscape Masterplan notes that ‘The site is large and will eventually require further entry and exit points’ (p.13). The proposed sites of these additional entry and exit points on St Andrews Road are shown on Fig 3.2 (TIA, p.9).

Comment: The TIA is inadequate in failing to consider these additional entry and exit points.

By choosing to limit its scope to Stage 1 of the proposal the Consultants have failed to give an adequate assessment of its full impact, while implicitly relying on a future upgrade of St Andrews Road to facilitate both the approval of the cemetery at this stage and its full development and functioning in due course. This strategy, which seems devious and biased in favour of the proponent, has allowed the CMCT to claim that ‘The assessment confirms that an upgrade to the local road infrastructure is not required to facilitate the development’ (Planning Proposal, Table 3. Summary of Gateway Determination, p.28). An upgrade may not be required to ‘facilitate’ the development but it may well be required to see it through to completion. The question of upgrading St Andrews Road has arisen repeatedly in recent years in relation to developments nearby, to the point that we wonder whether those with a vested interest in seeing the upgrade realised will facilitate the approval of any development that makes such an outcome more likely.

Finally, we are surprised that Consultants new to the project have failed to provide a thorough appraisal of the Planning Proposal and supporting technical reports that relate to transport and traffic on St Andrews Road. We question whether they were properly briefed. For example, were they made aware of the vast catchment area proposed for the cemetery? We consider that two options should have been considered: St Andrews Road with and without an upgrade. We have listed above our criticisms of the Assessment as it relates to St Andrews Road in its present condition and add that apparently no thought has been given to the obstruction to non-funeral traffic caused by slow-moving funeral processions on this local road.

If the road were to be upgraded, how much land would be resumed for it and from which properties would it be taken? If it were taken from the proposed site for the cemetery, it could possibly impact upon the positioning of buildings, infrastructure and family estate blocks. It would consume much of the 38 hectares proposed for public passive recreational activities (Planning Proposal, Figure 8 Staging Plan, p.13; Facts for the Community on Proposed Macarthur Memorial Park) to the point that anything remaining would have little recreational value. It would have a negative impact upon Varroville House and its surrounding heritage buildings and landscape, including dams, watercourses and ecology. If land were resumed from the Mount Carmel property opposite it would render the new priory and manager’s house unliveable, and the Retreat Centre and parish church unviable. Moreover, it would negatively impact upon all the properties along St Andrews Road, including the Serbian Orthodox church to the west and residents of the suburb of St Andrews between the F5 and Campbelltown Road.

For the reasons given we consider this Assessment unsatisfactory.

Appendix M: Infrastructure Management Plan (Power and Telecommunications)

The details within this document are preliminary and are based on the information available at the time (September 2015).

Comment: There is no reference in this report to the Planning Proposal or Landscape Masterplan except for mentioning the seven buildings proposed for the site. It seems that the Consultant is not aware of the possibility of a crematorium being constructed in Stage 1 of the Project (see contradictory information provided in the Planning Proposal, p.i and p.40; Landscape Masterplan, p.33, 37).

Power: Endeavour Energy has no substation assets within, or near, the project boundary. Therefore a new substation will need to be constructed in order to provide the proposed developments with an electricity service (p.6).

Comment: Noted. This means an eighth building will be required on the site. Its location will need to be decided.

External lighting: There is no external lighting within the proposed project boundary. New fixtures will need to be provided to any new pedestrian routes and building surroundings that require illumination. The quantities and location of any new external lighting will need to be determined as the project design progresses (p.11).

Comment: Noted. The impact of lighting on the ecology of the site has not been assessed. It needs to be.

New power requirement: The estimated maximum load demand is 462kVA for all the proposed areas. This takes into account power, lighting, HVAC [heating, ventilation and air conditioning], and point loads. The existing Endeavour Energy power assets local to the proposed project boundary do not have the capacity to serve the proposed buildings, primarily as there are no local substations. Thus new power augmentation is required from the local supply authority Endeavour Energy (p.12).

Comment: Noted. We suggest that the estimated maximum load demand needs to take into account the possibility/probability of a crematorium on the site.

Telecommunications: Optus are unable to provide a telecommunications service to the project boundary and associated proposed developments (p.9). NBN are unable to provide a telecommunications service to the project boundary and associated proposed developments (p.10). The NBN are unable to build up new connection points *given the size of the development* (italics mine) (Appendix B, p.14). An application has been made to Telstra (p.10).

Comment: Noted. Will a telecommunications service provided by Telstra be adequate for a commercial operation of the size and lifespan proposed without an NBN connection?

Appendix N: Infrastructure Services Report

We note that the site is currently unsewered. We note three options presented for dealing with wastewater on the site, two of which require an extension to Sydney Water Sewer mains with a private sewer main. The third option is wastewater treatment onsite. For this a desk study was undertaken, which involved no site visit or investigation. We note that this option would require a package wastewater treatment plant of the sort used at other community facilities such as resorts, caravan parks, recreation and sporting clubs or restaurants (Schedule 4, p.3). We note that this option would require a seepage storage tank with one week's capacity of 217kL (p.14).

Comment: The storage tank would be an additional structure built on the site. We do not know what other structures would be built in connection with this wastewater treatment option, where they would be located and what disruption of topography and vegetation the option would involve.

IV. Conclusion

This submission has pointed to the lack of any strategic study underpinning the CMCT's claimed need for a cemetery at this location in the Campbelltown LGA. The Cemetery Demand Assessment does not constitute a compelling case for burial space at Varroville to service Western Sydney.

Our analysis has highlighted another serious weakness of the proposal, namely the lack of integration of the various studies commissioned in support of it, so that no coherent picture is given of the full impact of the Proposal over the life time of the cemetery. The authors of most of the appendices, most notably the Visual Impact Assessment, seem to have been taken in by the 'spin' that this is 'a landscaped cemetery which retains the character and look of the existing landscape hence protecting the scenic environment' (Masterplan, p.23) and 'A concept which respects the land, its landform and ecology by carefully laying roads and any (sic) built environment and limiting their "footprint"' (Planning Proposal, Executive Summary, p.iv). On the contrary, it is clear that major earthworks and regrading will be required to establish internal roads and other infrastructure, and to create level land for burials offering every option at every stage of the development. The negative visual impact of security fencing and lighting on the perimeter, and overhead electricity transmission lines with pole spacing of 30m internally has been overlooked.

The key issue of access to the site has not been addressed adequately. If, as the Transport Impact Assessment implies, the Proposal is reliant upon a future upgrade of St Andrews Road, this is a fundamental consideration that will impact upon the whole project and should be confronted openly *prior to* approval. It would influence the placement of buildings on the site; the size and quality of the public recreational space proposed; have major impact on dams, watercourses, ecology, and heritage; and destroy the rural character and topography of the site. Beyond the site itself, it would have a devastating impact on the wider Scenic Hills, the amenity of the area and the religious communities along St Andrews Road.

We expect that a rezoning to allow a multi-denominational cemetery of the size and lifespan of Macarthur Memorial Park would ultimately result in further infrastructure being built on the site. As at Rookwood, we would expect a crematorium since this is where money is to be made. Rookwood also has specific places of worship for Catholic, Anglican, Orthodox, Islamic and Chinese

customers. Once commercial premises are allowed, one could envisage stone masons and other small businesses being established in close proximity to the site to service its clients.

In conclusion:

- The CMCT has not provided justification for a commercial cemetery at Varroville.
- The Campbelltown LEP should not be amended to allow for a spot rezoning for a commercial cemetery at 166-176 St Andrews Road, which contravenes the intention of the current and proposed zonings to protect the Scenic Hills.
- The State Environmental Planning Policy (Infrastructure) 2007 should not be invoked since this cemetery is not essential infrastructure.

For these reasons, and others given in the body of this submission, we consider that the Planning Proposal should be rejected.

We make one final point. We have drawn attention to the obfuscation and spin that have characterised this Proposal from the outset. Therefore, we ask that all submissions be published in full.

A handwritten signature in black ink that reads "Jocelyn Kramer". The signature is written in a cursive style with a large, stylized initial 'J'.

Sister Jocelyn Kramer OCD
On behalf of the Discalced Carmelite Nuns, Varroville