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Re: Development Application, 166-176 St Andrews Road, Varroville – File No. 3293/2017/DA-C

I write on behalf of the Carmelite Nuns, who make this submission on the Catholic Metropolitan Cemeteries Trust (CMCT) Development Application (DA) - ***File No. 3293/2017/DA-C*** - as residents on St Andrews Road who expect to be directly impacted by the development.

We oppose the proposed cemetery DA for the following reasons:

1. South-Western Sydney is well supplied with burial space for decades to come. There is no justification for creating additional burial space at Varroville.
2. Significant constraints on and around the site make it ill-advised and impractical to construct a cemetery on it. To do so would not be in the public interest.
3. The DA does not comply fully with the CLEP 2015 requirements for land zoned E3 Environmental Management nor with the Additional local provisions.
4. The side-benefit of constructing the cemetery, namely, providing publicly available parklands along St Andrews Road for passive recreation, is likely to be minimal and short-lived if St Andrews Road is upgraded as expected.

Notwithstanding that the proponent (the CMCT) has expended a large amount of money acquiring the site, developing its proposal, commissioning two rounds of consultants' reports and achieving a spot rezoning of the site to approve a cemetery which was previously a prohibited use, none of this justifies approving a high-impact unsympathetic DA in the Scenic Hills for the reasons given above. Moreover, the DA, if approved, will adversely affect the visual and physical qualities of the site and cause extensive changes to the existing landform and landscape. Indeed, such is the express intention of the proponent who seeks approval for 'landscaping of the entire site with associated the (sic) planting strategy.' (Statement of Environmental Effects, Executive Summary, p.i)

Below, we discuss our reasons for opposing the DA.

1. Project need

From its launch of the Macarthur Memorial Park proposal in August 2013 until approval of spot rezoning of the site at Varroville to permit cemeteries in February 2017, the Catholic Metropolitan Cemeteries Trust (CMCT, the proponent) claimed that there was an urgent shortage of burial space in South-Western Sydney. This claim was not backed up by any strategic study or report supporting the need for a cemetery at 166-176 St Andrews Road, Varroville.

Significantly, the Statement of Environmental Effects (SEE), a summary document accompanying the DA, continues to claim that ‘The proposal is in the public interest as it will [sic] long term relief to the identified shortfall in burial land within the South West Sydney region.’ (SEE, Executive Summary, p.ii). It responds to the Environmental Planning and Assessment Act 1979 (SEE, Table 13v, p.47-48) as follows: ‘The proposed development of the site as a cemetery is as a direct result of an established and acknowledged shortfall in burial space in metropolitan Sydney.’

This claim does not accord with information supplied by the NSW Government in the Metropolitan Sydney Cemetery Capacity Report (Cemeteries and Crematoria NSW, November 2017), subtitled ‘Analysis of remaining cemetery capacity in the Sydney metropolitan area (the Central, South, North, West, West-Central, and South-West planning regions)’. This report, the content of which was available to the proponent before it lodged the DA, states that ‘Only the West-Central and South-West regions are well-served for capacity in proportion to the number of persons projected to die in each region.’ (p.39). The report identifies a critical shortage of burial space in South Sydney (Table 4.12, p.34), which is being relieved from about 2020 by transferring ‘volumes’ to the South-West, such that there will be a shortage of burial space in the South-West by 2056. The report states that ‘It is feasible that material land areas in the North and South regions may be identified and committed to cemetery land use. Provision of capacity in the North and South regions would benefit all regions of Sydney... [and] would sustain the desirable distribution of cemetery infrastructure across the planning regions of Sydney...’ (p.39). Cogent social and financial reasons are given on p.39 for not directing burials away from all the regions of metropolitan Sydney toward Western Sydney.

The Metropolitan Sydney Cemetery Capacity Report leads us to conclude that there is no case for a new cemetery at Varroville. It is not needed. Moreover, it is not appropriate that Macarthur Memorial Park be promoted as ‘A resource for the whole of Sydney’ (Plan of Management, Appendix M, p.56).

2. Constraints on the site

We mention the Metropolitan Sydney Cemetery Capacity Report in some detail because its findings contribute to our view that the significant constraints upon developing the site at Varroville render the DA against the public interest. These constraints are:

- it has scenic protection and is zoned E3 Environmental Management,
- it is an Escarpment Preservation Area,

- one to two thirds of the site is subject to moderate/high risk of land instability,
- it surrounds a State Significant heritage house (Varro Ville Homestead) with a recommendation awaiting decision from the Minister to extend the heritage curtilage well into the subject land, which was part of the original Varro Ville estate
- it is in close proximity to several sensitive land uses (a school, parish church, retreat centre and two monasteries),
- it is currently effectively land-locked.

Inadequate assessment of impacts

Because of the constraints listed above, we see serious deficiencies in the DA and many of its accompanying consultants' reports. There has been minimal cross-referencing between reports. This compartmentalised approach to the assessment process has resulted in the public being denied a realistic integrated picture of the full impact of the development. So, although the SEE and many of the consultants' reports conclude in isolation that the site at Varroville can sustain a very large cemetery we consider that this conclusion is flawed. It does not take into account the interactions between the constraints on the site and the impacts of the development.

Throughout the documentation there are many examples of failure to assess the interactions between the impacts. We provide a selection of them here:

1. The Stability Assessment (Appendix R) states that the chapels and condolence rooms are to be located in an area at moderate risk of instability (p.5). This fact has not been responded to in the accompanying documentation.
2. The Stability Assessment (Appendix R) has overlooked the fact that the crypts appear (Landscape Masterplan, Appendix B, Burial extent and types, p.5) to be located in an area of moderate instability, being sited on an elevated position in a hillside above a dam variously labelled as Dam 1 (Civil Engineering Report, Appendix P, Figure 3, p.4) and Dam 8 (Watercourse Assessment, Appendix BB, Figure 5, p.9).
3. There has been no cross-referencing between the Stability Assessment (Appendix R) and the Civil Engineering Report (Appendix P). It appears (without the benefit of overlaid maps in either report) that Roads 1 and 8 are to be constructed in areas of the site designated at moderate risk of instability.
4. The Stability Assessment (Appendix R) states that for the low risk zone, instability should not generally be expected within the zone unless major changes to site conditions occur (p.9). It does not say what the effect of excavating 136,000 graves would be on site conditions and on stormwater flow. The impact of excavating 136,000 graves has not been considered in any report. It seems reasonable to assume that excavating 136,000 graves, constructing buildings (including in riparian zones), roads, terraces and boardwalks might together amount to 'major changes to site conditions.'
5. The Civil Engineering Report (Appendix P) takes no account of heritage impacts when opting for the layout of major roads close behind Varro Ville Homestead and between Varro Ville Homestead and its Outbuildings.

6. The Acoustic Assessment (Appendix JJ) predicts exceedance of noise criteria from traffic on St Andrews Road in 2027 at Mount Carmel Catholic College (classrooms), at Our Lady of Mount Carmel parish and at Mount Carmel Retreat Centre. This prediction is for St Andrews Road as it is now, not for St Andrews Road in the event that it is upgraded. Noise mitigation measures will be required *without* a road upgrade. These include location of private access roads and noise barriers. All four private access roads into the site are in close proximity to sensitive receivers, calling into question this fundamental design feature of the development.
7. The Traffic Impact Assessment (Appendix II) states that St Andrews Road is likely to be upgraded to provide connection between Campbelltown Road and Camden Valley Way. We noted in our submission responding to the rezoning proposal (March 2016) that upgrading St Andrews Road will impact upon the whole development and should be confronted openly *before* approval. It would influence the placement of buildings on the site; the size and quality of the public recreational parklands; have major impact on heritage dams, watercourses, ecology, flora and fauna; cause exceedance of noise criteria within the site and outside it; and disturb if not destroy the rural character and topography of the western part 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 residents and religious communities along the full length of St Andrews Road between Camden Valley Way and Campbelltown Road. It is unacceptable that the heritage, ecological, visual, acoustic and social impacts of a road upgrade have not been addressed in the consultants' reports. Perhaps an upgrade would not be on the horizon if the cemetery development had not been proposed.
8. The Traffic Impact Assessment (Appendix II) notes that there is insufficient Safe Intersection Sight Distance at all four site access points (p.31) and that trimming/removal of roadside vegetation will be required to improve sight distances from all four site access roads (p.10). The ecological and visual impact of removing roadside vegetation along the length of the site (approximately 1.6 km) has not been studied in any report.
9. The Landscape Masterplan (Appendix B, Burial extent and types, p.5) indicates that terraced areas will be sited in areas identified in the Land Stability Assessment (Appendix R) as at moderate risk of instability. Although the terracing is proposed for Stage One of the project, the area in which test pits were excavated, the Stability Assessment has not responded to it.
10. There appears to have been no cross-referencing between the Heritage Impact Statement, the Stability Assessment, the Civil Engineering Report and the Stormwater Assessment in relation to stormwater management as it impacts upon Varro Ville Homestead and its Outbuildings. There is potentially major impact when the vineyard trenching is disrupted by construction of roads.
11. The Traffic Assessment notes that a schedule for the connection between Campbelltown Road and Camden Valley Way has not been published by the RMS and Campbelltown City Council (p.6). In this regard, Campbelltown City Council could possibly have a conflict of interest in its role of assessing the DA and briefing the Western Sydney Planning Panel about it (perhaps giving a recommendation for the DA) whilst also being a party to the decision about upgrading St Andrews Road.

In this list we have said little about the impacts of the DA on the State Significant heritage on the site, namely Varro Ville Homestead and its landscape context/curtilage. Our silence must not be construed as lack of concern on our part. It merely indicates that we have insufficient expertise to comment adequately. We fully endorse the submissions made by the owners of Varro Ville Homestead and by the Scenic Hills Association (of which we are members), which discuss in detail the serious deficiencies in the Heritage Impact Statement (Appendix X) and the Conservation Management Plan (Appendix W) concerning the impact of the DA on heritage.

3. The DA does not comply with CLEP 2015

The Statement of Environmental Effects (SEE) and the Visual Impact Assessment (VIA, Appendix HH) claim that the DA complies with the CLEP and its Additional local provisions for the site. We disagree for the reasons given below.

The Visual Impact Assessment (Appendix HH) remains deficient in relation to Clause 7.8A (2) (a): the development will complement the landscape and scenic quality of the site, particularly when viewed from surrounding areas *including* [italics ours] the Campbelltown urban area, “Varro Ville” (homestead group at 196 St Andrews Road, Varroville) and the Hume Highway. (SEE, Table 13, p.50). Richard Lamb and Associates ignore the fact that the Clause encompasses more extensive views than those assessed in the VIA study. Consequently, the study is inadequate and its conclusions flawed.

In 2017, three new locations that had not been assessed for earlier reports were added (VIA, p.21), two of them on the Hume Highway and the other from the infrastructure corridor north of residences in Bow Bowling adjacent to Campbelltown Road (VIA, p.27; Map 6, p.16). The visual impact from elevated locations overlooking the site, including the proposed lookout on Bunbury Curran Hill and from the Carmel of Mary and Joseph, which has clear views of Varro Ville Homestead and its surrounds, has never been assessed despite our raising the issue in our submission in March 2016. The Statement of Environmental Effects makes an unsubstantiated assertion that ‘...the character of the Scenic Hills as perceived from... *adjacent and surrounding landholdings* [italics ours] would be maintained’ (SEE, p. 61). This assertion needs to be tested.

From the ridge of Bunbury Curran Hill (including Council’s Reserve) almost the entire site is expected to be visible with a birds-eye view from the lookout, clearly revealing all roads with parked cars, the areas of ‘low visual sensitivity’ (p.47) in the centre of the site with their burial rooms, monuments, exotic plantings, sculptures, shelters, the chapel, café, buildings and board walks on dams, telegraph poles, lighting and fencing. All this ‘built form’ being clearly visible to the general public will not meet the following objectives of Zone E3 Environmental Management of the Campbelltown Local Environment Plan 2015 (CLEP 2015):

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

- To enable development for purposes other than rural-residential only if that development is compatible and complementary, in terms of design, size and scale, with the character of the surrounding area.
- To protect, and maintain the environmental and visual amenity of the Scenic Hills... from inappropriate development.
- To preserve the rural heritage landscape character of the Scenic Hills.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

In response to these objectives, the VIA states that ‘The built components are confined to the area of low sensitivity to views from outside the Site...’ (VIA, p.43). We consider this untrue, if views are taken from the ridge in Varroville to the north east and south west of the site. ‘The proposal has minimal built form, none of which would be of significant visibility from off-site in urban areas of Campbelltown...’ (VIA, p. 43). We repeat that assessing the visual impact of the DA only from urban areas of Campbelltown is inadequate and not consistent with the requirements of Clause 7.8A (2) (a).

In their conclusion, Richard Lamb and Associates (RLA) acknowledge the truth of the matter: ‘The internal character of views... will be *significantly changed* [italics ours]...’ (VIA, p.47).

Additional local provisions of the CLEP 2015, specifically the objectives of Clause 7.6 Scenic protection and escarpment preservation (1) are:

- (a) to recognise and protect the scenic, environmental, cultural and historic qualities of the Scenic Hills and the landscape setting of Campbelltown,
- (b) to protect visual aesthetic amenity and views to and from the Scenic Hills,
- (c) to reinforce the visual dominance of landscape over built form,
- (d) to ensure development on land to which this clause applies is appropriate for the location and is located and designed to minimise its visual prominence in the landscape.

Clause 7.6 (3) Development consent must not be granted to any development on land to which this clause applies unless the consent authority is satisfied that:

- (a) measures will be taken, including in relation to the location and design of the proposed development, to minimise the visual impact of the development on the natural and visual environment of the land, and
- (c) the development will incorporate measures to preserve the scenic qualities of, and views to and from, the land, and
- (e) the development will maintain the existing natural landscape and landform and will not affect the stability of the land.

It is incumbent upon Campbelltown City Council to challenge RLA's conclusion that the proposal can be supported on visual and associated landscape heritage grounds (VIA, p.47) and that it complies with planning instruments.

Finally, the proposed café (and perhaps also the function room if it provides catering services) are prohibited commercial activities on the site (CLEP 2015, Zone E3 Environmental Management: 1. Objectives of zone: To allow cellar door premises, restaurants and cafes only where they are directly associated with the agricultural use of the land). The cemetery DA is not associated with agricultural use of the land.

4. Publicly available parklands along St Andrews Road for passive recreation

LEP provision Clause 7.8A (2) permits the use of the site for the purposes of a cemetery but only if the consent authority is satisfied that (d) the site will also include a publicly accessible passive recreation space. Creating publicly accessible parklands for passive recreation along St Andrews Road has been a major 'selling point' to the public and Council for this proposal. Nevertheless, it is inevitable that an upgrade of St Andrews Road will significantly reduce the size and quality of the (commercially useless) parcel of land set aside by the proponent for publicly accessible passive recreation space.

We doubt that anyone will undertake passive recreation in a corridor of land between a busy thoroughfare and a cemetery, and less so if roadside vegetation has been removed to improve sight distances. This issue has not been considered in the documentation accompanying the DA.

We note that the SEE depicts (p.13) several areas of open green space and recreational facilities in the vicinity of the site, causing us to question the need for the provision for passive recreational space in relation to the cemetery development.

Further comments about selected Consultants' Reports

Preliminary Stability Assessment (Appendix R)

This is a critical report accompanying the DA. The entire site has been designated Escarpment Preservation Area following the Pogson & Chesnut preliminary geological investigation of land instability in the Municipality of Campbelltown (1968, and still current). It is inexplicable that it is only at the DA stage that a Stability Assessment has been undertaken and that it was done without sufficient briefing of the consultants by the proponent. At this critical stage of the approval process, it is unsatisfactory that this can only be characterised as a preliminary assessment, done a year ago, when the proponent could not provide detailed design of structures and earthworks plans to inform the consultants. We note that '*Development consent must not be granted to any development on land to which Clause 7.6 (3) applies unless the consent authority is satisfied that (e) the development will maintain the existing natural landscape and landform and will not affect the stability of the land.*' (Additional local provisions, CLEP2015).

It is not known how the development will affect the stability of the land because only a preliminary assessment of land stability for Stage One has been undertaken. It would be irresponsible to approve the development without a full assessment of land stability.

Despite their preliminary nature, the findings are sufficient to raise serious concerns about granting development consent for a cemetery on the site.

The *desktop study* showed signs of previous landslips and ongoing soil creep in the northern side of the site on south facing slopes of Bunbury Curran Hill (p.4).

Site observations showed that the available concept designs indicate that the footprint of the Chapels and Condolence rooms, one of the main buildings of the development, falls within the area identified as moderate risk for instability (p.5). Stormwater runoff was also identified as one of the major issues concerning development of the site (p.6).

Drawing 2, Appendix A shows areas designated low, moderate and high risk of instability and the approximate extent of colluvium, which is of particular risk in relation to instability. We note that it is not only the chapels and condolence rooms that fall within the area designated 'moderate risk' of instability; so does the area designated for crypts, which are proposed to be excavated into the hillside, and parts of Road 1 and Road 8 (Civil Engineering Report, Appendix P, p.12).

'For the low risk zone, instability should not generally be expected within the zone *unless major changes to site conditions occur* [italics ours] (p.9).' We assume that excavating 136,000 graves may result in major changes to site conditions and generate instability even within the designated low risk zone, possibly affecting stormwater runoff. No information has been provided about the depth of a grave. If it is assumed to be 2m, then a minority of the test pits (7, 41%) were investigated to that depth. We note that test pits were excavated only in the area covered by Stage One of the development.

For the moderate risk zone, 'The most likely failure mechanism is considered soil creep within the colluvium... The other potential hazards could include deep seated slope failures and earthflows... Instability in the zone can be expected if development does not have regard to site conditions, with the most likely areas of instability being in areas of colluvium particularly when affected by earthworks and seepage.' (p.9).

For the high risk zone, localised instability may occur during and after extreme rainfall events. Any development requires detailed planning and care in construction... cutting and filling of slopes and the control of surface run-off and groundwater seepage.' (p.10). Cutting and filling of slopes is not consistent with the LEP requirement to maintain the existing natural landscape and landform.

'The areas of moderate to steep land with slopes >10%, occupies (sic) 25-30% of the site' (p.1). It is reasonable to assume that construction of a cemetery will inevitably result in the whole site being subjected to earthworks over the entire life of the development, for buildings, roadways,

terraces, crypts, graves (possibly equivalent to 136,000 test pits on the site) and associated structures.

The Assessment states that only minor earthworks are planned for the proposed development (p.10). Having read several of the consultants' reports, we believe this to be an understatement. Even so, the Assessment states that cut-fill may be required or the site may need to be regraded to prepare building envelopes and roadways (p.10). Cut-fill and regrading are not compatible with the requirement that *Development consent must not be granted to any development on land to which Clause 7.6 (3) applies unless the consent authority is satisfied that (e) **the development will maintain the existing natural landscape and landform** [emphasis ours] and will not affect the stability of the land.* (Additional local provisions, CLEP2015).

In summary, we consider that the constraints on the site, namely, land instability and inability to maintain the existing natural landscape and landform because of ongoing earthworks throughout the life of the development are sufficient grounds for refusing development consent.

Civil Engineering Report (Appendix P)

This report, dated 24 August 2017, makes no cross-reference to the Land Stability Assessment (Appendix R) which pre-dated it (March 2017). No evidence is provided that consideration was given to land stability in determining the proposed road layout and stormwater runoff. Based on site observations, the Stability Assessment identified stormwater runoff as one of the major issues concerning the site development. The Civil Engineering Report does not discuss this in reference to land stability. Of concern, the Civil Engineering Report was not made available to Douglas Partners, who specifically requested that further details be provided to them to enable them to review, and if necessary to revise, their preliminary advice.

Minimising visual impact on the landscape seems to have been the only factor that decided the preferred options about road layout (p.12). Land instability did not feature in this decision, so that it appears that Roads 1 and 8 are to be located in areas of moderate risk of instability. Significantly, the consequences for heritage of the 'solutions' to road layout were overlooked in favour of minimising visual impact.

We repeat that lack of cross-referencing of the various studies and reports typifies the weaknesses and deficiencies in the documentation for the DA. This tunnel-visioned approach is starkly evident in the Civil Engineering Report.

Traffic Impact Assessment (Appendix II)

In our submission of 21 March 2016 in response to the proposal to amend the CLEP to permit a cemetery on the site, we noted that the Transport Impact Assessment relied on St Andrews Road being upgraded with a through-connection to Camden Valley Way. We pointed out that the main entrance to the site and the service entrance north of it were unsafe.

St Andrews Road Upgrade

The latest Traffic Impact Assessment (Appendix II, 9 August 2017) confirms our comments. It states that ‘St Andrews Road is likely to be upgraded to provide connection between Campbelltown Road and Camden Valley Way...’ (p.10), adding that ‘... a schedule for this connection has not been published by the RMS and Campbelltown City Council.’ (p.6)

The report concludes that ‘the key intersections in their existing/proposed layouts would have spare capacity to cater for the traffic increase due to the potential upgrade of St Andrews Road to allow the northern connection with Camden Valley Road [sic].’ Table 5.7 (p.30) provides a conservative prediction of the number of vehicles that could be added to St Andrews Road intersections as a result of a road upgrade in morning and afternoon peak periods on weekdays and weekends: + 646-824 vehicles, with spare capacity (in terms of level of service) available even beyond these numbers. The impacts of such an increase in traffic volume have not been assessed anywhere in any report accompanying the DA.

If St Andrews Road is to be upgraded, land will have to be resumed to enable road widening. This issue, which we raised in our submission in March 2016, has not been responded to in the Traffic Impact Assessment or in any other documentation for the DA. We believe that it should be addressed now as it will have major implications for the proposed development.

The Statement of Environmental Effects states that ‘A key element of the proposal is the creation of publicly accessible parklands focused principally along St Andrews Road.’ (Table 4, p.17). This commercially useless part of the site is the sweetener being used to ‘sell’ the project to Council and the community.

It seems to us that the RMS will not resume land from the western side of St Andrews Road because to do so would necessitate compensating the Discalced Carmelite friars for loss of property and livelihood since it would render the Retreat Centre unviable. The alternative is to resume the commercially non-viable cemetery land (zoned E3 Environmental Management) along the eastern side of St Andrews Road. This land adjoins heritage dams and comprises the area promoted in the DA as publicly accessible parklands for passive recreational use for the community. We foresee that much of this recreational land will be sacrificed for the road upgrade. Furthermore, we do not see how any of the Objectives of the E3 zoning in the CLEP 2015 can be met in respect of this portion of the site if the upgrade of St Andrews Road goes ahead.

We urge Campbelltown City Council to respond to this likely scenario before it is too late.

Safety

In relation to safety, the Assessment notes in its Conclusions (p.31) that ‘There is insufficient SISD [Safe Intersection Sight Distance] at the [four] site access points...’ Within the body of the report, two remedial requirements are recommended: ‘Relocation of the boundary treatments [what does this mean?] and trimming/removal of roadside vegetation will need to be undertaken to improve sight distance from the site accesses.’ (p.10). The ecological and visual impact of removal of roadside vegetation has not been considered in the ecological and visual impact reports.

Parking

The land on the site zoned RE1 Public Recreation is on the ridge of Bunbury Curran Hill where walking trails are planned and a lookout over what will eventually be a large cemetery criss-crossed with roads lined with parked cars in a landscape bearing no resemblance to the peaceful rural pastoral scene that exists at present and that the public has known for generations.

We note that parking provision consists of 345 formal spaces under or around buildings, plus parallel parking along all roads on the site. All but two internal roads will have parking on both sides. We do not see how this can be consistent with the CLEP 2015 zoning objectives for E3 Environmental Management: ‘To preserve the rural heritage landscape character of the Scenic Hills.’

Acoustic Assessment (Appendix JJ)

The Acoustic Assessment report assesses only the construction and operational impacts associated with Stage 1 of the development (p.5). For traffic noise generation it reviews the Traffic Impact Assessment (Appendix II) and on p.28 refers to data provided in that assessment. This seems to be the only report that cross-references another.

Of concern to us are the data provided in Table 9 (p. 29) showing that predicted operational noise levels on St Andrews Road indicate exceedance of Road Noise Policy noise level criteria by 2027 at Mount Carmel Retreat Centre, Mount Carmel Parish Church and Mount Carmel Catholic College classrooms. Mitigation measures will be required at these sensitive land use sites. Mitigation measures include (but presumably are not limited to) location of private access roads, regulating times of use, noise barriers and property treatment (p.31).

The exceedance data are based on St Andrews Road remaining as it is at present. They do not take into account upgrading St Andrews Road, which would certainly result in more traffic. If/when the upgrade is considered, noise impacts on the adjoining sensitive land uses (residential, educational, places of worship) and on the cemetery buildings and grounds would need to be reassessed.

We point out that the main entrance to the site is in close proximity to Mount Carmel Priory (a residence and place of worship) and Mount Carmel Retreat Centre (short stay residential facilities with a chapel and prayer room). The service entrance is close to the Carmel of Mary and Joseph. The two southern access roads are close to Mount Carmel Catholic College. Does mitigation involving 'location of private access roads' imply that all the access roads currently depicted in the DA will need to be relocated? If so, that calls the whole development into question on these grounds alone.

If noise barriers are to be installed, their negative visual impact will need to be assessed.

We note that the hours designated for construction are Monday-Friday 7 a.m. – 6 p.m. and Saturday 8 a.m. – 6 p.m. Noise during these hours will certainly have a deleterious effect on the operation of Mount Carmel Retreat Centre, which offers retreats on weekdays and particularly weekends. Any disruption of the service the Retreat Centre offers the public will impact negatively on the ministry and livelihood of the Discalced Carmelite friars. We note in Table 22 (p.48) that predicted activities/equipment noise levels during construction grossly exceed acceptable noise criteria at the Parish of Our Lady of Mount Carmel, Mount Carmel Retreat Centre and Mount Carmel Catholic College classrooms. We are not reassured by the comment that '...control measures shall be considered and implemented *wherever reasonable and feasible.*' [italics ours]. From our point of view it is totally unsatisfactory that school classrooms, and residential buildings incorporating places of worship should be subjected to the level of noise predicted in a situation where it might be deemed not reasonable or not feasible to institute noise control measures.

We note also that Varro Ville House, Mount Carmel Retreat Centre and the Carmel of Mary and Joseph are the nearest potentially affected receivers of ongoing noise from mechanical plant on the site once buildings are in use: air conditioning, Mortuary coolroom, maintenance and cleaning (p.32). To protect these sensitive receivers at night and in the early mornings, noise control measures may be required. We expect the Carmel of Mary and Joseph to be particularly affected by noise at night and in the early mornings because of our elevated position relative to the development site.

The Summary and Conclusions (p.52-53) offer no reassurance to us given the likelihood that all sensitive land uses in the vicinity of the development will be adversely affected by noise from traffic (without upgrading St Andrews Road), construction and mechanical plant. Since the proponent and their consultants expect that St Andrews Road will be upgraded, it is unsatisfactory that the noise impact of this worst case scenario has not been considered.

Visual Impact Assessment (VIA, Appendix HH)

In our submission of 21 March 2016 concerning rezoning of land in the Scenic Hills to permit a cemetery at 166-176 St Andrews Road, Varroville, we pointed out significant limitations in the methodology of the Visual Impact Assessment (VIA) undertaken by Richard Lamb and Associates

(RLA). We noted that the parameters for the VIA were set too narrowly, attending only to the visual impact of the proposal when viewed from urban areas in Campbelltown LGA.

The parameters did not include assessment of visual impact from elevated locations in the semi-rural area of Varroville, particularly from Bunbury Curran Lookout and from the ridge extending back to our monastery from which the site is clearly visible. We pointed out that failure to assess the visual impact of the development from elevated locations within the Scenic Hills negated the conclusions of the study that the development would have no adverse visual effects on adjacent and surrounding landholdings. These comments were not taken into consideration when the VIA was revised since the three new locations for assessing visual impact were along the Hume Highway and adjacent to Campbelltown Road. Therefore we refute claims made by the proponent that it has taken public consultation seriously and responded adequately.

Potentially significant omissions from the DA

The DA has omitted to mention significant features that appeared in the earlier documentation accompanying the rezoning proposal. The current status of these earlier requirements needs to be confirmed when assessing the DA:

1. The roads shown on the maps are clearly further than 100m apart, though in earlier documentation it was stated that no visitor or funeral staff handling coffins should be expected to walk more than 50m from the side of a road to a gravesite. What has become of this requirement, which seemed to be a work safety issue?
2. The earlier Bushfire Assessment noted a requirement for above-ground electricity poles with short pole spacing (30m). These poles do not appear in the DA documentation. Their visual impact is expected to be such that the rural pastoral character of the landscape cannot be maintained.
3. The earlier Infrastructure Management Plan noted the need for a kiosk electricity substation on the site. What is the status of this requirement? Where is this structure to be located?
4. No mention has been made of internal or external lighting to deter vandals. Nor are other security measures mentioned apart from fencing and gates. The impact of lighting on nocturnal fauna and on amenity of the surrounding area needs to be assessed.
5. The earlier Infrastructure Services report suggested three options for dealing with wastewater on this unsewered site. The current Watercycle Management Plan (Appendix Q) notes that each building will be provided with rainwater tanks. It is not stated whether these will be underground or above ground. The impacts of all these options need to be assessed.
6. The only mention of a crematorium in the DA occurs in the public information circulated during the public consultation process. There it is stated that a crematorium is a prohibited use and will not be constructed on the site (Summary of Consultation Outcomes Report, Appendix MM, p.26). However, until February 2017 a cemetery was a prohibited use on the site and now it has become an approved use. It is likely that the same could happen for a crematorium. It does not make commercial sense that a modern cemetery with a 'life' of 150+ years, which provides facilities for interment of ashes in a society in which cremation

is the preferred option, will never have a crematorium. This ongoing concern needs an honest and transparent response at this critical stage of the approval process.

Conclusion

The Statement of Environmental Effects (SEE) states that the DA is in the public interest (p.70). We disagree. The Scenic Hills is a unique and highly valued natural setting for the Campbelltown LGA. We appreciate Campbelltown City Council's firm support of its scenic protection for over 40 years. The DA does not protect the scenic, environmental, cultural and historic qualities of the Scenic Hills and the landscape setting of Campbelltown as required by CLEP 2015. Instead it will permanently alter and significantly degrade the scenic and heritage qualities of the site.

The DA does not comply with provisions in the CLEP 2015 and with Additional Local Provisions for the site. It does not respond adequately to the many constraints on the site, in particular heritage, land instability and scenic beauty. Nor does it take sufficient account of the sensitive land uses adjoining it.

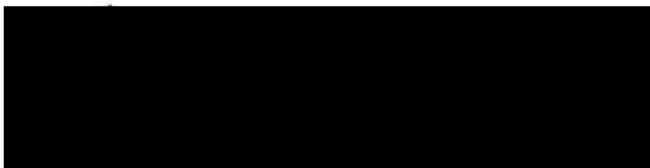
It is likely that the public benefit of additional parklands for passive recreation will be short-lived and of poor quality if St Andrews Road is upgraded. An upgrade would probably require resumption of part of the public parklands to accommodate road widening. We wonder whether there is any justification for upgrading St Andrews Road other than to support the cemetery development. An upgrade would negatively impact upon the scenic, environmental, cultural and historic qualities of Varroville and the sensitive land uses here.

The NSW Government has stated that the South-West of metropolitan Sydney is well served with cemetery capacity and that for economic and social reasons it is preferred that the overflow from other areas not be directed to Western Sydney. Instead, it recommends that further lands be identified and acquired for cemetery capacity in areas of pressing need.

On the grounds that there is no need or justification for a cemetery in South-West Sydney we think that the DA should be rejected. Additional grounds are that the site for the development is highly constrained and the DA does not comply with relevant planning controls. Therefore the development is not in the public interest.

In any event, we believe that approval should be withheld pending an independent integrated review of all the documentation submitted by the proponent and in public submissions.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Sister Jocelyn Kramer OCD