

MACARTHUR MEMORIAL PARK

PLANNING PROPOSAL

166–176 St Andrews Road, Varroville



PREPARED FOR CATHOLIC METROPOLITAN CEMETERIES TRUST
SEPTEMBER 2013



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Executive Summary

OVERVIEW

- The Catholic Metropolitan Cemeteries Trust ('the applicant') manages a number of cemeteries throughout Sydney including Crown cemeteries at Rookwood, Liverpool, Kemps Creek and Field of Mars, together with Catholic Cemeteries at North Rocks and Greendale. Catholic Metropolitan Cemeteries Trust has engaged Urbis to advise on town planning matters and prepare a Planning Proposal to allow the use of 'cemeteries' on land located at 166-176 St Andrews Rd, Varroville.
- The subject site is part zoned 7(d1) Environmental Protection (Scenic) Zone and 6(c) Open Space (Scenic) Zone under Campbelltown Local Environmental Plan – District 8 (Central Hills Lands). While 'cemeteries' are not defined in the LEP and may be classified as an innominate and permissible use, they may also be interpreted as a form of 'commercial premises' which are prohibited.
- During pre-lodgement discussions Campbelltown City Council and the applicant have agreed that the most appropriate way forward is for CMCT to request that Council amend the LEP to permit (on a site-specific basis) 'cemeteries' as an additional permitted use on the subject site.
- Given that the cemetery use will require an amendment to the existing LEP, the amendment will require an appraisal that the cemetery use is capable of demonstrably satisfying both the objectives of the LEP and those specifically applying to the above zones.
- This Planning Proposal demonstrates the strategic planning merit of accommodating 'cemeteries' on the site, and evaluates the relevant environmental, social and economic impacts of the proposed use on the site.
- The NSW Government is committed to ensuring that current and future generations have equitable and affordable access to cemetery and crematoria services, including the option of a traditional burial in a cemetery close to their community. The Government is continuing with stage two of its landmark cemeteries and crematoria reforms with the recent release of draft legislation. The new legislation will regulate cemetery and crematorium operations across all three sectors of the interment industry. Its primary purpose is to ensure that there is sufficient land to meet current and future burial needs in NSW and that people continue to have access to a range of interment options. The acquisition of this site has the approval and support of the Crown Lands Minister.

THE PROJECT

- The Planning Proposal will enable the future development of a multi-denominational general land cemetery on the subject site, which would be operated by the Catholic Metropolitan Cemeteries Trust (CMCT), on behalf of the Crown.
- Given the site's location, environmental qualities and rural character, the proposed cemetery will be designed in a manner consistent with this existing character and function as a rural, park cemetery that responds positively to these qualities. The proposal will not be providing crematorium facilities.
- The project would be long-term, and is envisaged to be developed in five separate stages, with the first stage ideally to be operational by 2014-2015, and the final stage post 2099.
- A total of 136,000 burial places as well as areas for interment of ashes for a growing community would be provided over the life of the project, and would be designed to open the site as a community asset with passive recreation space such as parks, walking tracks and lakes which respond to and enhance the environmental qualities of the site. Illustrative montages of the proposed cemetery use are contained in Figure 1 below.

FIGURE 1 – ILLUSTRATIVE PHOTOMONTAGES OF THE FUTURE CEMETERY USE (SOURCE: FLORENCE JAQUET)



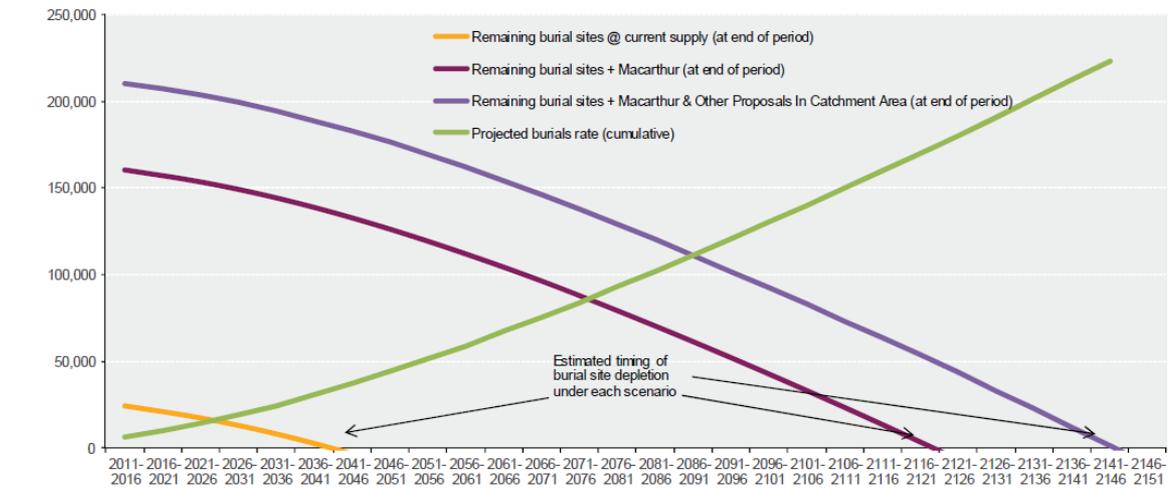
THE PROJECT NEED

- A core requirement of the Department of Planning document '*A Guide to Preparing Planning Proposals*' is for the applicant to articulate the need for the Planning Proposal.
- Urbis have separately been engaged by the CMCT to prepare a 'Cemetery Demand Assessment' which investigates the need for cemetery space in Sydney and specifically the South West Subregion to enable CMCT to forward plan and respond to the current and future demand in a proactive manner.
- The demographic profiling and market review undertaken by Urbis indicates that Sydney's cemeteries are expected to be at full capacity within the next 30 years, with approximately 283,000 burial spaces required over this period to meet the demand across the Metropolitan Area. However, as shown in the figure below, within the Macarthur Region there is growing demand and lack of supply, with an estimated 32,000 burial spaces required from 2011-2046 to respond to forecast number of deaths over this period.

FIGURE 2 – NEED FOR BURIAL SPACE IN THE MACARTHUR REGION (SOURCE: URBIS)

Need for Burial Space

CATCHMENT AREA: CAMPBELLTOWN, LIVERPOOL AND CAMDEN LOCAL GOVERNMENT AREAS (LGA)



[†] Other Proposals includes 50,000 burial spaces from proposed cemeteries in the Liverpool LGA that have yet to receive DA approval.

Source: Urbis

- Without carefully forward planning to respond to this rising demand, together with the difficulty in securing suitable sites, there will be serious supply problems over the coming years.
- The strong demand for burial space has informed the applicant’s active interest in seeking to find suitable sites in the South West Subregion, and specifically the site to which this Planning Proposal applies.

THE SITE

- Finding sites suitable to accommodate new cemetery space is challenging given the physical size requirements, competition for land from other higher and better land uses, and other relevant contextual considerations.
- The applicant has identified 166-176 St Andrews Rd, Varroville as a site that could potentially accommodate a cemetery, having regard to the location and capacity of existing cemeteries in the region and the surrounding catchment population.
- The subject site at Varroville represents a unique opportunity having a very large site area that could be released in stages, is characterised by undulating grassed hills, high scenic amenity and panoramic views to Blue Mountains, Sydney CBD and Campbelltown Valley, and topography which presents opportunities for passive spaces in conjunction with the cemetery.

INDICATIVE MASTERPLAN

- To inform the Planning Proposal an indicative Masterplan has been prepared by Florence Jaquet, a Landscape Architect who specialises in cemetery design.
- The Concept has been based on the notion that the cemetery can function as a park, sanctuary, Sculpture Park and open space available to the public. This would allow a currently privately owned and disused property to be available to the public, and managed/maintained effectively by the applicant.
- The following project objectives and criteria have informed the selection of the site, and the indicative site Masterplan.

To provide:

- Much needed burial space at affordable prices, in varied settings, for a multi-denominational community.
- A distinctive landscaped cemetery that is the pride of the industry including: A Sculpture Park, offering opportunities for local and Australian artists; - A respectful space and scenic route, open to all.
- A cemetery which respects and safe keeps the important colonial and non-colonial landscape.
- An arboretum for future preservation and education of generations to come.
- 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...)
- Concealed, private and low laying burial spaces to minimise visual impact.

FIGURE 3 – INDICATIVE MASTERPLAN (SOURCE: FLORENCE JAQUET)



ALIGNMENT WITH PLANNING OBJECTIVES

- The site has a range of unique environmental qualities that form part of the ‘Scenic Hills’ region of South-West Sydney, which are embodied in the underlying objectives of the Campbelltown LEP – District 8 (Central Hills Lands) which seeks to retain the ‘rural character’ that was envisaged during the planning that preceded the urbanisation of the city.
- Within the underlying zone that applies to the site, Council have articulated that any future uses or development would need to maintain the visual buffer to urban areas/corridors, and preserve the visual backdrop of the Central Hills.

- There are a number of examples of cemeteries in various urban and rural contexts in Sydney. However, this proposal has a very specific vision which positively responds to and aligns with the rural character of the Central Hills and surrounding context. The proposed cemetery is the result of a landscape driven design evaluation and analysis, and will ultimately function as a parkland cemetery which is focused on the environmental attributes of the site.
- Within this context cemeteries are a distinctive land use that has the ability to respond to the underlying planning policy and zone objectives.

ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

- The proposed use of cemeteries on the subject site will have a range of positive environmental, social and economic impacts on the surrounding locality which are discussed in this report. A summary of these are provided below.
 - To inform the Indicative Masterplan for the future development of the site, an Ecological Constraints Assessment, Watercourse Assessment and Bushfire Protection Assessment have been undertaken. These assessments confirm that as the proposed cemetery use would retain the majority of on-site vegetation and will be a long-term, staged development, it is not expected to cause any significant habitat loss at any point in time that cannot be compensated by revegetation works.
 - The site is located in close proximity to the local and state listed heritage item 'Varroville Homestead' which comprises of a dwelling, remnant gravelled carriage drive, lawn tennis court and glasshouse. A Heritage Assessment has been undertaken which supports the proposed use of cemeteries (and Indicative Masterplan), subject to the implementation of a heritage curtilage plan, report recommendations and design considerations. An Aboriginal Heritage Summary Report has also been prepared which demonstrates that the study area does not contain any recorded Aboriginal sites and/or places. The Summary Report recommends further detailed assessment will be undertaken in accordance with office of Environment and Heritage guidelines to inform the future development layout on the site, which will ultimately seek to preserve and enhance any Aboriginal Items if these are identified as part of the analysis.
 - The underlying need for this Planning Proposal is driven by the strong demand for additional cemetery space in Sydney, and in particular the Macarthur Region. However, In addition to the providing a supply of much needed cemetery space in Sydney, the future development on the site will provide a range of new job opportunities to the local area. For the first stage alone, this will generate approximately 68 direct and 101 indirect jobs in the construction phase, and 15 direct and 13 indirect jobs per year at the operational stage.

1 Introduction

1.1 OVERVIEW

This Planning Proposal is submitted to Campbelltown City Council (the relevant planning authority) to support a request by Catholic Metropolitan Cemeteries Trust to initiate an amendment to Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to permit (on a site-specific basis) ‘cemeteries’ as an additional permitted use in the 7(d1) Environmental Protection (Scenic) Zone and 6(c) Open Space (Scenic) Zone, in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The key objectives of the Planning Proposal are to:

- Demonstrate the strategic planning merit of accommodating ‘cemeteries’ on the site which are currently potentially prohibited in the 7(d1) Environmental Protection (Scenic) Zone and 6(c) Open Space (Scenic) Zones.
- Evaluate the relevant environmental, social and economic impacts of the proposed use on the site.

As required by Section 55 of the EP&A Act, this Planning Proposal includes the following:

- Description of the subject site and context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.
- Description of the community consultation process that would be expected to be undertaken before consideration is given to making of the planning instrument.

The Planning Proposal has been prepared having regard to the NSW Department of Planning’s ‘*A Guide to Preparing Planning Proposals*’ and ‘*A Guide to Preparing Local Environmental Plans*’.

It is requested that Council forward the Planning Proposal to the Minister for Planning for Gateway Determination in accordance with Section 56 of the EP&A Act. The Gateway determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Whether the matter should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal).
- The community consultation required before consideration is given to the making of the proposed instrument.
- Whether a public hearing is to be held into the matter by the Planning Assessment Commission or other specified person or body.
- The times within which the various stages of the procedure for the making of the proposed instrument are to be completed.

The Planning Proposal is accompanied by a range of plans and reports prepared by specialist consultants to provide a comprehensive analysis of the site opportunities and constraints. These address the key issues and impacts associated with the proposed rezoning including:

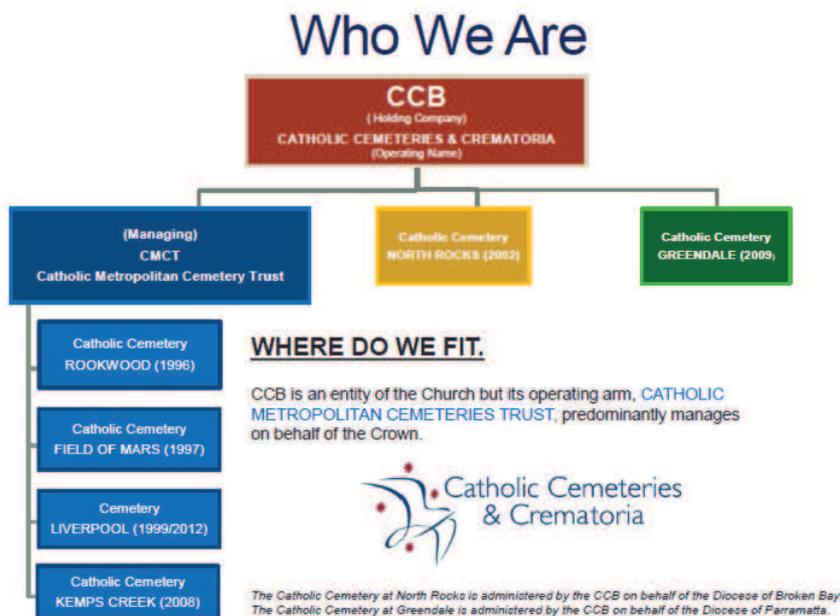
TABLE 1 – TECHNICAL REPORTS ACCOMPANYING THE PLANNING PROPOSAL

REPORT	CONSULTANT	APPENDIX
Site Survey Plan	Degotardi Smith & Partners	A
Indicative Masterplan	Florence Jaquet Landscape Architect (Cemetery Specialist)	B
Ecological Constraints Assessment	Travers Bushfire & Ecology	C
Watercourse Assessment	Travers Bushfire & Ecology	D
Bushfire Protection Assessment	Travers Bushfire & Ecology	E
Transport and Traffic Assessment	Road Delay Solutions	F
Cemetery Demand Assessment	Urbis	G
Heritage Assessment	Urbis	H
Aboriginal Heritage Summary Report	Artefact	I

1.2 THE CATHOLIC METROPOLITAN CEMETERIES TRUST

The Catholic Metropolitan Cemeteries Trust ('the applicant') manages a number of cemeteries throughout Sydney including Crown cemeteries at Rookwood, Liverpool, Kemps Creek and Field of Mars, together with Catholic Cemeteries at North Rocks and Greendale. The existing Catholic Metropolitan Cemetery Trust was appointed Trustee for the Liverpool General Cemetery Trust continuing its focus on Western Sydney.

It is important to recognise that that CMCT manage and provide all religious (and non-religious) denominations with cemetery space.



1.3 THE PROJECT

The Planning Proposal seeks to permit the use of cemeteries on the subject site (as described in Section 2). Should this be supported by Council and the LEP amendment ultimately gazetted, the applicant would seek development consent for works generally in accordance with an Indicative Masterplan which has been prepared by Florence Jaquet, a landscape architect who specialises in cemetery projects.

The Indicative Masterplan provides context to the Planning Proposal, and describes the unique qualities of the future project, a summary of which is provided below.

1.3.1 PROJECT VISION

The vision for the project seeks to provide:

- *Much needed burial space at affordable prices, in varied settings, for a multi-denominational community.*
- *A distinctive landscaped cemetery that is the pride of the industry including: A Sculpture Park, offering opportunities for local and Australian artists; - A respectful space and scenic route, open to all.*
- *A cemetery which respects and safe keeps the important colonial and non-colonial landscape.*
- *An arboretum for future preservation and education of generations to come.*
- *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...)*
- *Concealed, private and low laying burial spaces to minimise visual impact.*

1.3.2 CEMETERY DESIGN PHILOSOPHY AND FUTURE FUNCTIONS

As described in Section 2 of this report the site is located within the Central Hills Scenic Protection Zone, which has the underlying objective of being retained to provide a visual buffer to the surrounding urban areas, and a visual backdrop to the surrounding hills.

There are a range of cemeteries across Sydney, all of which have a different characteristics and attributes. However, the proposed cemetery will be unique and designed specifically to respond to the environmental qualities of the site. The Indicative Masterplan has been prepared with the following broad aims and objectives:

- *To minimise the impact on existing environment, especially the topography and the Cumberland Plains Woodland, to protect them for future generations.*
- *To protect the Colonial landscape (Scenic Hills) qualities.*
- *To provide an environmentally sensitive development.*
- *To achieve Best Management Practices in all aspects of cemetery provision, including Stormwater Management and Ecologically Sustainable Developments.*
- *To provide an exceptional open space for the community, for perpetuity.*
- *To provide a quality burial ground for the whole community.*

The cemetery will provide the following works and functions, as provided on the Indicative Masterplan:

- Chapels
- Condolence rooms
- Information and administration buildings
- Sculpture park offering opportunities for local and Australian artists
- Arboretum for future preservation and education of generations to come
- Burial areas integrated in the landform
- Memorial gardens
- Passive recreation
- Swales and ponds

1.3.3 INDICATIVE MASTERPLAN

In response to the above design philosophy, the Indicative Masterplan has been prepared to respond to the site constraints and opportunities. Excerpts from the Masterplan, including illustrative photomontages are provided below to provide an overview of the proposal.

FIGURE 4 – INDICATIVE MASTERPLAN (SOURCE: FLORENCE JAQUET)



FIGURE 5 – ILLUSTRATIVE PHOTOMONTAGES OF PROJECT (SOURCE: FLORENCE JAQUET)

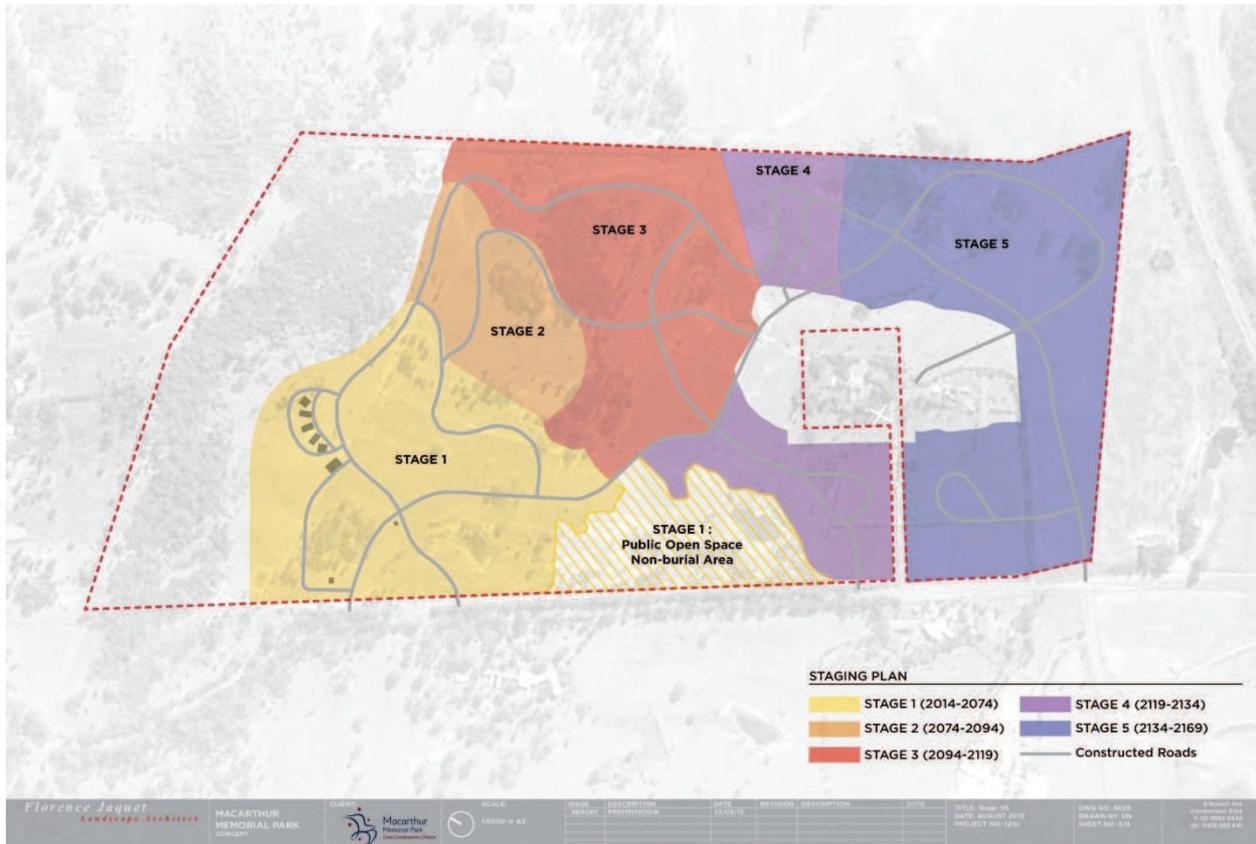


1.3.4 INDICATIVE PROJECT STAGING

The project will be staged to respond to the ongoing spatial demands for cemetery space, with each stage typically representing 5-10 years of burial demand, slowly extending the footprint of the cemetery as required.

Stage 1 of the project is expected to provide sufficient capacity for approximately 60 years, with subsequent stages to follow depending on demand but at this point in time broadly reflective of the above take up. Note that the diagram below details an indicative curtilage around Varroville House, reflective of the conclusions of the specialist Heritage Assessment that accompanies this Planning Proposal.

FIGURE 6 – STAGING PLAN (SOURCE: FLORENCE JAQUET)



2 Land to which the Planning Proposal Applies

2.1 SITE DESCRIPTION AND LOCATION

The subject site is located off the north eastern alignment of St Andrews Road, to the immediate north of the Hume Highway in the non-urban area of Varroville.

Varroville is located within the Local Government Area of Campbelltown, within the south western suburbs of the Sydney metropolitan area. The property is located approximately 7.5 kilometres (by direct line) north east of Campbelltown City Centre and approximately 38 kilometres (by direct line) south west of the Sydney Central Business District (CBD).

Specific location and setting of the property is identified within the aerial photograph and location map in the figures below.

FIGURE 7 – AERIAL LOCATION MAP



FIGURE 8 – THE SUBJECT SITE



VIEW EAST ACROSS THE SUBJECT SITE (INCLUDING ONE OF THE STURT DAMS) FROM THE ENTRY TO ST ANDREWS ROAD ON THE NORTH SIDE OF THE SITE



GENERAL SITE VIEW SHOWING THE CLEARED UNDULATING TOPOGRAPHY

2.2 GENERAL LOCALITY

The property is located within a rural setting and is surrounded by rural residential landholdings to the north, the Hume Highway and the suburb of St Andrews to the south, the Scenic Hills Riding Ranch and rural land to the east, and Our Lady of Mt Carmel Catholic Church and Mt Carmel Catholic Retreat Centre to the west. The Ingleburn industrial precinct extends along the southern side of the Hume Highway to the south east of the subject property.

The subject property is located to the south east of land earmarked for future urban development under the NSW Department of Planning and Infrastructure's *Draft South West Subregional Strategy*.

Some key landmarks within close proximity to the site are:

- St Gregory's College, a Catholic secondary and boarding school for boys (approximately 5.5 kilometres south west).
- Camden Valley Way, a major north-south sub-arterial road that connect Camden with Liverpool (approximately 3.1 kilometres north west).
- Eagle Vale Marketplace (neighbourhood shopping centre) (approximately 3.5 kilometres south east).
- Minto Mall (neighbourhood shopping centre) (approximately 3.9 kilometres south east).
- Mount Annan Christian College (approximately 5 kilometres south west).
- Campbelltown CBD (approximately 7.4 kilometres south west).

2.3 VISIBILITY AND ACCESS

The property has a natural ridgeline along the rear, northern escarpment boundary of the site. The land falls steeply to a valley along the western boundary, before rising again to a knoll on which a historical homestead is located. The historic Homestead site is a separate lot and is not part of the subject property. The natural topography of the site falls from the rear northern boundary, downwards to the southern boundary adjacent to the Hume Highway. The escarpment ridgeline forms part of the Scenic Hills sightline of Campbelltown, and is partially visible from neighbouring suburbs on the southern side of the Hume Highway.

The subject property has an extensive frontage to St Andrews Road. Access to the site is currently available directly from St Andrews Road. There are no paved internal roads located on the site, and internal access roads are limited to unsealed tracks.

2.4 LOCAL AREA DEMOGRAPHIC CHARACTERISTICS

The Local Government Area of Campbelltown had a population of approximately 143,076 people as per the Australian Bureau of Statistics 2011 Census. The Local Government Area of Campbelltown together with surrounding localities has been identified as one of the main Sydney population growth centres.

Several new residential development areas are located to the west of the subject site and include the Gregory Hills development, Harrington Park development, Oran Park development, and The Hermitage development on Camden Valley Way. These developments will significantly increase the supply of housing in the area in the immediate future. These residential projects are under construction and are located within an 8.0 kilometre radius of the subject property.

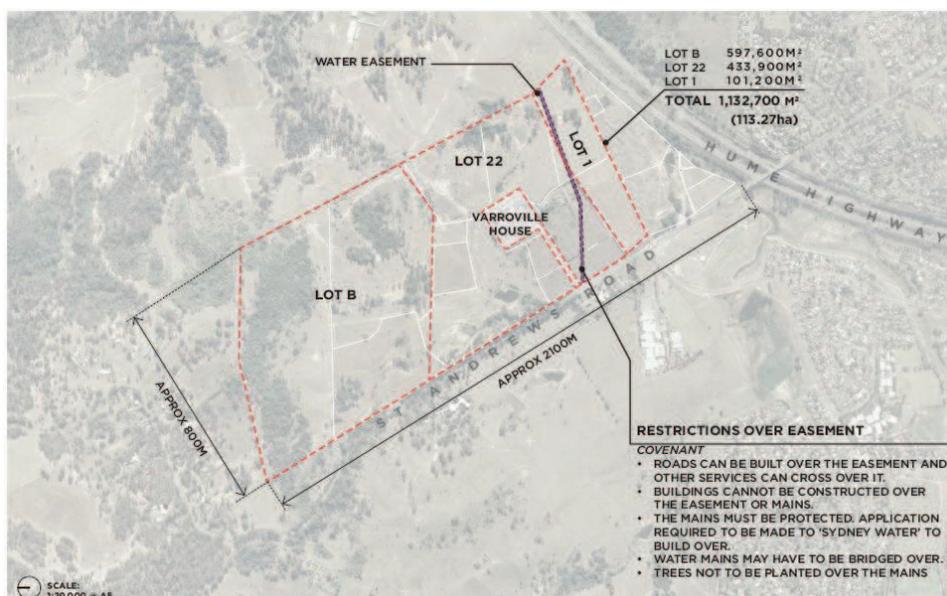
2.5 TITLE DESCRIPTION

A Site Survey has been prepared to accompany the Planning Proposal at **Appendix A**. The legal description of the subject property comprises three separate lots, including:

- Lot B Deposited Plan 370979
- Lot 22 Deposited Plan 564065
- Lot 1 Deposited Plan 218016

Please note that the Survey Plan also includes adjoining Lot 4 DP 239557 located immediately to the south of Lot 1. Lot 4 DP 239557 does NOT form part of this Planning Proposal.

FIGURE 9 – TITLE DESCRIPTION DIAGRAM (SOURCE: FLORENCE JAQUET)



2.6 DIMENSIONS & SITE AREA

The subject property is an irregular shaped parcel of land. The property has a total area of approximately 113 hectares which comprises:

TABLE 2 – SCHEDULE OF AREAS

LOT & DEPOSITED PLAN	AREA (SQ.M.)	AREA (HA)
Lot B DP 370979	597,600	59.76
Lot 22 DP 564065	433,900	43.49
Lot 1 DP 218016	101,200	10.12
Total	1,132,700	113.37

There are natural ridgelines and troughs that extend throughout the subject property. The natural topography of the land slopes from the northern escarpment boundary, downwards to the southern boundary, adjacent to the Hume Highway.

The subject lots surround a 'battle-axe' shaped lot, which was subdivided from the main site in 1973 (Lot 21 in Deposited Plan 564065). This lot has separate access to St Andrews Road and is privately owned. The lot forms part of a heritage item which is discussed later in this report. This lot has a total area of approximately 31,610 square metres (3.161 hectares).

2.7 SERVICES

The subject property has extensive frontage to St Andrews Road in Varroville along the western boundary of the site. This direct street frontage provides options for ingress and egress to the site, and this is especially important having regard to the need to conserve and separate various buffer and riparian zones on the site.

Power, water and sewer mains are in close proximity to the site.

2.8 PLANNING CONTEXT

2.8.1 STATUTORY ZONING

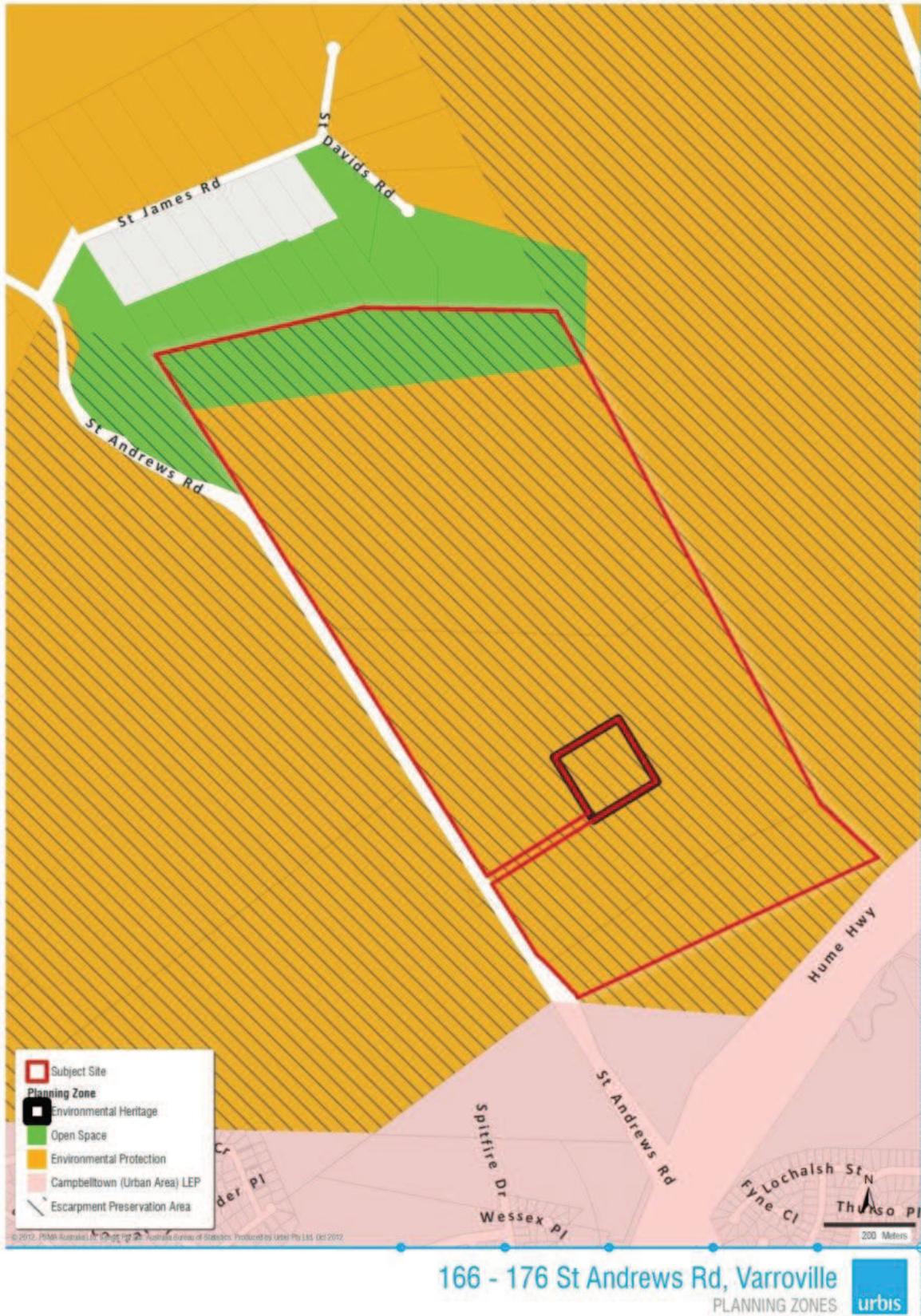
The principle planning instrument which applies to the site is Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) (CLEP). The underlying aim and objective of CLEP is:

To ensure that the Central Hills Lands District of the City of Campbelltown retains the rural character that was envisaged for it during the planning that preceded the urbanisation of that City.

The proposed cemetery use will retain the rural character of the area, as it has been designed in a manner which is consistent with a rural, park-like cemetery that preserves and enhances the existing open space environmental qualities on the site. The cemetery will contain landscape gardens, passive recreation space and retain the important visual buffer and backdrop to surrounding urban areas.

The site is predominantly zoned 7(d1) (Environmental Protection (Scenic)) pursuant to Clause 8 of the CLEP, and in part zoned 6 (c) Open Space (Regional). The zoning map also identifies an 'Escarpment Preservation Area' across the entire site. This is illustrated in Figure 10.

FIGURE 10 – LAND USE ZONING



2.8.2 ZONE OBJECTIVES

The objectives of the 7(d1) zone are:

To set aside certain land as a protected scenic environment;

To ensure that that land will remain a rural environment providing visual contrast to the urban areas of Campbelltown, Camden and Liverpool;

To ensure that the inhabitants of Campbelltown will continue to have views of, and access to, a rural environment;

To maintain a stock of land that is capable of being developed for the purpose of providing recreation establishments of the kind that require large areas of open space; and,

To preserve existing farming and agricultural research activities.

The objectives of the 6(c) Open Space (Scenic) zone are:

The objective of this zone is to recognise the regional open space that has been identified by the Department of Environment and Planning.

In summary, the above objectives seek to protect the scenic and rural character of the Central Hill Lands, and provide regional open space for the surrounding local government areas. There is demonstrable achievement of the zone objectives by the adoption of a specific, tailored landscape design approach for the site. The Masterplan document contained in Appendix B provides a detailed analysis of how the proposal responds to and will be thus capable of satisfying zone objectives. It is worth noting that there is no “*existing farming and agricultural research activities*” carried out on the site which renders this objective redundant insofar as the proposed use is concerned. This is because the objectives seeks to “*preserve*” such activities.

2.8.3 PERMISSIBLE USES

Within the 7(d1) zone uses, other than the following prohibited uses below, are permissible with development consent:

Aerodromes; animal boarding or training establishments; airports; boarding-houses; bulk stores; bus depots; car repair stations; caravan parks; clubs; commercial premises; drive-in theatres; entertainment and amusement parks; extractive industries; gas holders; general stores; generating works; hotels; heliports; industries (other than home industries or rural industries); intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; mines; motels; motor showrooms; places of assembly; recreation facilities; refreshment rooms; residential flat buildings; roadside stalls; sawmills; service stations; shops; tourist facilities; transport terminals; warehouses.

Within the 6 (c) Open Space (Scenic) Zone, the following uses are permissible with development consent:

Buildings which are used in connection with a purpose referred to in this Item and which are under the care, control and management of the Council; drainage; forestry; recreation areas; refreshment rooms; roads.

2.8.4 PERMISSIBILITY OF CEMETERIES

A “cemetery” is not a specifically defined use under CLEP and since it is not expressly prohibited in the 7(d1) zone, it may arguably be classified an “innominate” or undefined use. Innominate uses are permissible subject to consent granted by Council.

However, for a cemetery to operate, a financial transaction does occur to secure either burial spaces or ashes interment. As such, a cemetery potentially constitutes a “commercial premise” which is an expressly prohibited land use within the zone. The commercial nature of the use as a cemetery hinges on the fact it is open to the general public and is operated as a business; with burial plots and spaces for

ashes interment sold to the public. This is regardless of the fact that the CMCT is a not-for-profit organisation.

As such, a Planning Proposal prepared in accordance with Act would be required to amend the provisions of the existing planning controls to enable subsequent development approval of for use of the site as a cemetery.

Given that the cemetery use will require an amendment to the existing LEP, the amendment will require an appraisal that the cemetery use is capable of demonstrably satisfying both the objectives of the LEP and those specifically applying to the above zones.

2.8.5 DEVELOPMENT STANDARDS

The whole of the site is identified as being with the “Escarpment Preservation Area”, as defined under Clause 13 of the CLEP, which states:

- A person should not to carry out development or clear vegetation from land within an Escarpment Preservation Area without consent of the Council;
- In deciding whether to grant consent for development Council shall have regard to the existing vegetation on the allotment concerned, and any provision made in the relevant development application for the planting of vegetation; and
- Proposed development is required to adopt prescriptive building design controls including maximum building height of 7.6m, use low-reflective building materials of dark colour and retain vegetation wherever possible.

2.8.6 CAMPBELLTOWN DEVELOPMENT CONTROL PLAN (DCP)

Campbelltown DCP contains more detailed provisions that apply to all forms of development in the LGA. The provisions of the DCP, particularly Part 2 of the document will be relevant in the design development phase and will be matters for consideration in the assessment of any future DA lodged for the project. That said, these matters should be taken into account in the early conceptualisation phase of the project.

Notably, Part 2 contains provisions relating to:

- Preservation of views and vistas;
- Management of cut and fill as part of the construction process; and
- Cultural heritage noting the DCP contains maps of sensitive cultural heritage environments; Flora and fauna.

2.8.7 PLANNING HISTORY

The site has been subject to previous development schemes, including a proposal to use the site as a business park. However, no formal development application was received by Campbelltown City Council.

2.8.8 ADJOINING HERITAGE ITEM

The subject property surrounds a small 3.161 hectare parcel lot known as Lot 21 in DP 564065. This parcel is known as “Varroville” and is a significant historical property. The site is listed as a heritage item under the Campbelltown 2002 Local Environmental Plan, and is also listed on the NSW State Heritage Register (SHR) under the NSW Heritage Act 1977 as item 737. The National Trust also lists the property as item 10651.

3 Objectives and Intended Outcomes

As discussed in the Indicative Masterplan at **Appendix B**, the applicant's vision for the site is to provide:

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

A distinctive landscaped cemetery, the best of its kind, the pride of the industry

A Sculpture Park, offering opportunities for local and Australian artists

A respectful space and scenic route, open to all,

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

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

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...)

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

Given the lack of certainty as to whether 'cemeteries' are permissible under Campbelltown Local Environmental Plan – District 8 (Central Hills Lands), the key objective or intended outcome of the Planning Proposal is to amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to permit the use of 'cemeteries' on the subject site.

This intended outcome does not require the current zoning of the site to change, however this will require 'cemeteries' to be added as an additional permitted use on a site-specific basis in both the 7(d1) and 6(c) Zones under the Campbelltown Local Environmental Plan – District 8 (Central Hills Lands). As discussed in further detail in this report, the use of the site for cemeteries would be consistent with the underlying zone objectives.

4 Explanation of Provisions

4.1 OVERVIEW

This section of the Planning Proposal provides a more detailed statement of how the objectives or intended outcomes are to be achieved by means of amending Campbelltown Local Environmental Plan – District 8 (Central Hills Lands).

The proposed outcome of the Planning Proposal will be achieved by amending Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to include the use of a ‘cemetery’ as defined in the Standard Instrument – Principal Local Environmental Plan on the land to which this Planning Proposal applies. This definition is:

Cemetery means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.

The future works envisaged by the applicant include a cemetery and various ancillary uses including passive recreation spaces and walking trails, gardens, roads, and landscape embellishments. These uses should fall within the definition of a ‘cemetery’. As this use is not defined within CLEP the applicant would seek to adopt the definition of ‘cemetery’ from the Standard Instrument – Principal Local Environmental Plan.

4.2 PROVISIONS OF PLANNING PROPOSAL

It is requested that Campbelltown City Council amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) in the following manner:

- 1. Add the definition of ‘Cemetery’ (as referred above) to Clause 5 (Interpretation)**
- 2. Add a new Clause to Part 3 (Special Provisions) titled ‘Additional Permitted Uses for Particular Land’ including the following text:**

(1) Development on particular land that is described or referred to in Schedule X may be carried out:

(a) with development consent, or

(b) if the Schedule so provides—without development consent,

in accordance with the conditions (if any) specified in that Schedule in relation to that development.

(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

- 3. Add to Schedule X (Additional Permitted Uses) the following site details:**

Use of certain land at St Andrew’s Road, Varroville

- 1) This clause applies to land at St Andrew’s Road, Varroville, being legally described as Lot 1 DP 218016, Lot 22 DP 564065 and Lot B DP 370979.*
- 2) Development for the purpose of ‘cemetery’ is permitted with development consent.*

5 Justification for LEP Amendment

5.1 NEED FOR THE PLANNING PROPOSAL

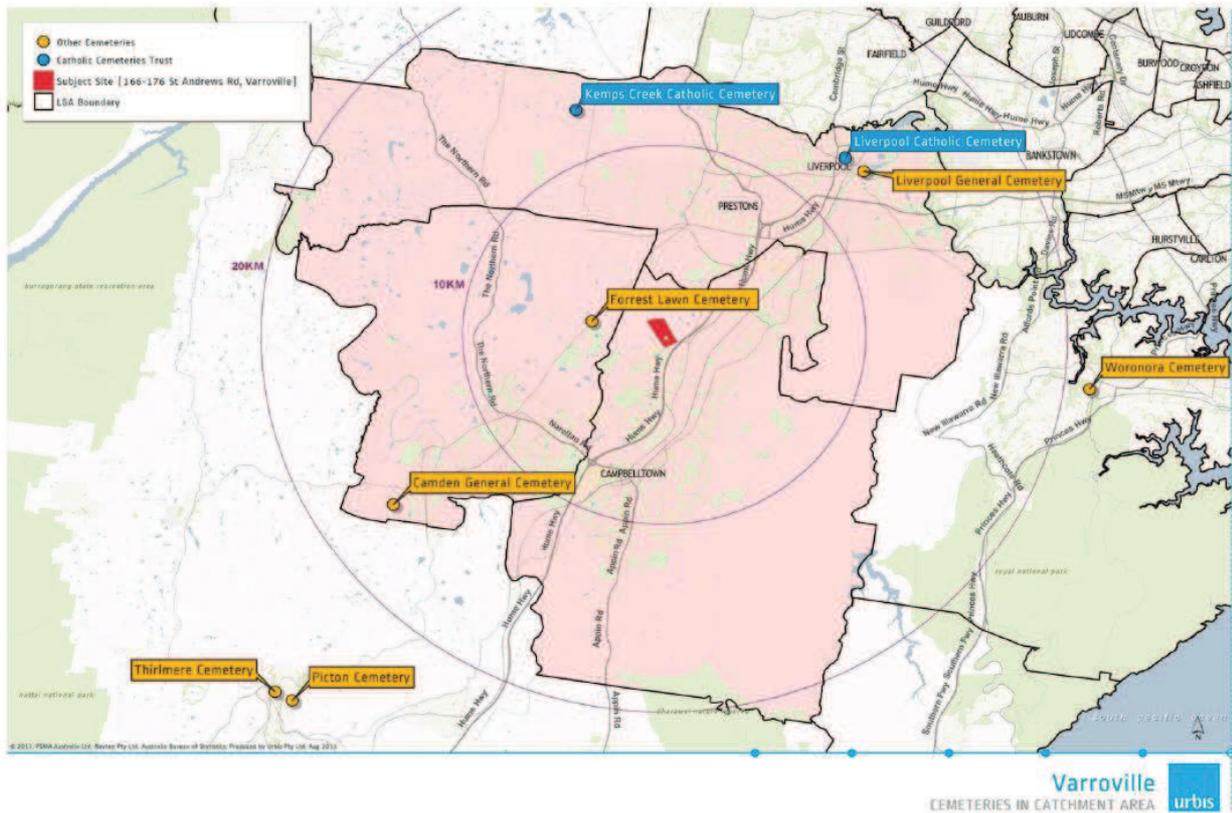
The Department of Planning document “A Guide to Preparing Planning Proposals” includes the following questions in describing the need for the Planning Proposal.

Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal is not directly the result of any strategic study or report. However, the Planning Proposal has arisen following a detailed analysis of the site and surrounding context, the suitability of the site to accommodate the proposed cemetery use, and the strong demand for the proposed use in the Macarthur Region.

Urbis have undertaken a Cemetery Demand Assessment to investigate the need for cemetery space in the Macarthur Region. The assessment considered the demographic profile of the catchment area (population growth, age distribution, household incomes, ancestry, religious affiliations etc) and the location and capacity of existing cemeteries in the study area. The catchment area for a cemetery on the subject site was defined having regard to the location and capacity of existing cemeteries in the region (see Figure 11 below).

FIGURE 11 – CEMETERIES IN CATCHMENT AREA (SOURCE: URBIS)

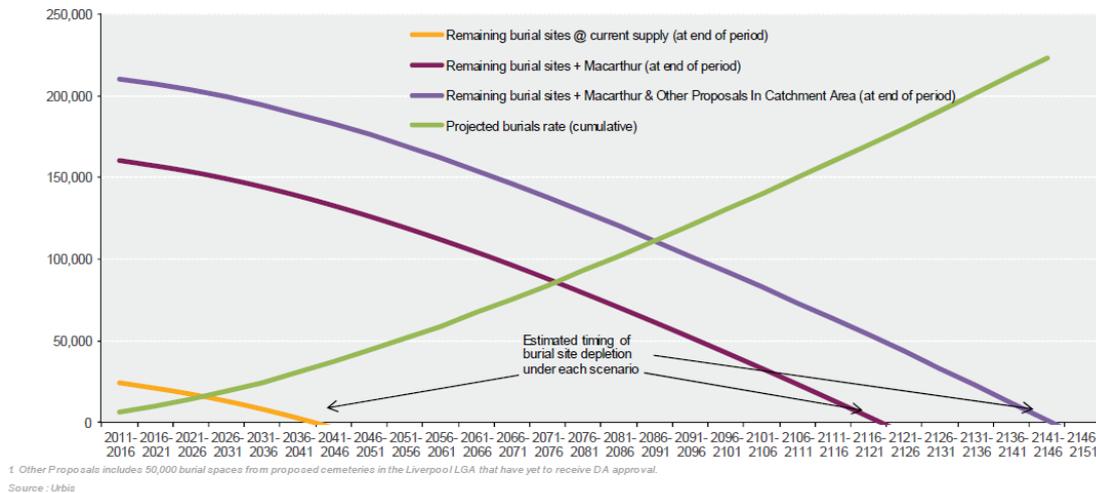


The key findings of the Cemetery Demand Assessment are that there is a very strong need (see Figure 12 below) for future cemetery space in the Macarthur Region. It is estimated that if no further burial sites become available, capacity will be reached in the next 30 years.

FIGURE 12 – NEED FOR CEMETERY SPACE (SOURCE: URBIS)

Need for Burial Space

CATCHMENT AREA: CAMPBELLTOWN, LIVERPOOL AND CAMDEN LOCAL GOVERNMENT AREAS (LGA)



In response to this need, the Planning Proposal seeks to respond positively to this demand and will enable future applications for burial space (in a staged manner) to be permissible, and determined by Campbelltown City Council.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means to achieve the objectives and intended outcomes described in Section 3 of this report for the following reasons:

- The current zoning of the site is ambiguous in relation to the cemetery use, and may be viewed as a prohibited use. In order to accommodate this use an LEP amendment is required, as requested in Section 4.2 of the report.
- Campbelltown City Council has not placed their Draft Standard Instrument LEP on public exhibition, nor are there any alternative options available to avoid a standalone Planning Proposal.

5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The site is located in close proximity to St Andrew’s a ‘Neighbourhood Centre’ and Ingleburn a ‘Town Centre’. Varroville is not formally identified on the current *Metropolitan Plan for Sydney 2036* or *Draft Metropolitan Strategy for Sydney to 2031*. However, the site is in a hatched part of the Strategy identified broadly as ‘Rural Lands’.

The Draft Subregional Strategy (South West) seeks to maintain rural activities and resource lands for their agricultural, environmental, mineral and extractive resources, recreational and tourism opportunities. The Planning Proposal will enable the use of cemeteries on the site, which will maintain the general rural character of the land, and allow opportunities for ongoing maintenance and upkeep of the environmental qualities of the site.

Is the planning proposal consistent with the local council’s Community Strategic Plan, or other local strategic plans?

Campbelltown City Council’s Community Strategic Plan (2012-2022) reinforces the key local matters relevant to the LGA, including environment, economy, accessibility, safe/healthy communities and responsible leadership.

The Planning Proposal is consistent with the following relevant objective of the Community Strategic Plan:

- Sustainable Environment – The use of cemeteries on the subject site will not give rise to any unreasonable impacts on the natural environment. The indicative masterplan drawings demonstrate that future use of the site would have limited impacts on the site by working with the existing topography, vegetation and water bodies in a sustainable manner.
- A Strong Local Economy – To inform the Planning Proposal a ‘Cemetery Demand Assessment’ has been undertaken to gauge the demand for cemeteries in the surrounding catchment area. This assessment indicates that there will be a requirement for additional cemeteries in Sydney in the long term, and a particular need for a cemetery in the study area. The proposed use will provide local job opportunities and respond to the lack of current supply which responds positively to this local community theme.
- A Safe, Healthy and Connected Community – The Planning Proposal will enable an important and much needed use in response to forecast demand which requires long term planning. This will enhance the range of services available to local residents in the Campbelltown LGA.

Is the planning proposal consistent with applicable state environmental planning policies?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified below.

Policy	Details
SEPP (State and Regional Development) 2011	<p>The aims of this Policy are to identify development that is State significant development, State significant infrastructure and critical State significant infrastructure and to confer functions on joint regional planning panels to determine development applications.</p> <p>Cemeteries are not currently identified within any of the relevant schedules of the SEPP nor are deemed as State or Regional Development.</p>
SEPP (Rural Lands) 2008	<p>Campbelltown City Council are excluded from this Policy. It is therefore of no relevant to the Planning Proposal.</p>
SEPP (Infrastructure) 2007	<p>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.</p> <p>While not specifically relevant to this Planning Proposal, future infrastructure works may not require development consent in accordance with the SEPP.</p>
SEPP 55 Remediation of Land	<p>SEPP 55 introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.</p> <p>The site has historically been used for grazing and agricultural uses but this has ceased many years ago. Consequently risk of contamination is considered to be low. However, the applicant will undertake a Phase 1 Assessment post Gateway and following Council’s initial assessment of this proposal.</p>

Policy	Details
SEPP No 44 - Koala Habitat Protection	<p>SEPP 44 Koala Habitat Protection applies to land within Local Government Areas (LGAs) listed under Schedule 1 of the Policy. In addition, Part 2 of the Policy outlines a three (3) step process to assess the likelihood of the land in question being potential or core koala habitat. Part 2 applies to land which has an area of greater than 1 hectare or has, together with any adjoining land in the same ownership, an area of more than 1 hectare.</p> <p>The study area is required to be considered under SEPP 44 as it falls within the Campbelltown LGA, which is listed on Schedule 1 of this Policy. In addition, the total area of the study area is greater than 1 hectare, hence Part 2 – Development Control of Koala Habitats, of the Policy applies.</p> <p>The Ecological Constraints Assessment notes that no Koalas were directly observed at the time of fauna survey, which included diurnal searches of trees and spotlighting. In addition, there was no secondary evidence of Koala habitation in the area including characteristic scratches on trees and scats beneath trees.</p>

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal has been assessed against the s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

TABLE 3 – SECTION 117 DIRECTIONS

DIRECTION	COMMENT
2. Environment and Heritage	The subject site is located within an Environment Protection Zone.
2.1 Environment Protection Zones	<p>The proposed use of the site as a cemetery seeks to protect and conserve the environmentally sensitive parts of the site. The Indicative Masterplan for the site has been designed in a manner which uses the environmentally sensitive parts to connect with the functionality of the cemetery and ancillary uses.</p> <p>An Ecology Constraints Assessment (Appendix C) and Watercourse Assessment (Appendix D) have been undertaken to inform the future design of the cemetery. These reports demonstrate that the potential impacts of the proposal are reasonable.</p>
2.3 Heritage Conservation	The Planning Proposal is accompanied by European and Aboriginal heritage assessments, as the site adjoins a local and state listed heritage item known as 'Varroville', and the surrounding locality contains potential Aboriginal artefacts. See Section 4 below for further discussion on this matter.
4. Hazard and Risk	There are number of dams and lakes on the site.
4.3 Flood Prone Land	It is expected that the size of all ten lakes may vary depending on climatic conditions. Although the main lakes have great potential to enhance the proposal as ornamental water features, a Stormwater Management Study will ultimately determine their final size and capacity.

DIRECTION	COMMENT
4.4 Planning for Bushfire Protection	<p>A full site and desktop assessment of the watercourses on site has been undertaken by Travers Consultants at Appendix D. This led to a validation of a number of watercourses and riparian zones, all of which informed the Indicative Masterplan.</p> <p>A bushfire protection assessment (refer to Appendix E) has been prepared and submitted with the Planning Proposal as the site is considered to be bushfire prone. This assessment has established the required asset protection zones for the development, taking into account the slope and vegetation characteristics.</p>
7. Metropolitan Planning 7.1 Implementation of the Metropolitan Plan	As discussed in Section 4.2 the Planning Proposal is consistent with the objectives and actions of the Metropolitan Plan for Sydney 2036 and draft Subregional Strategy (South West).

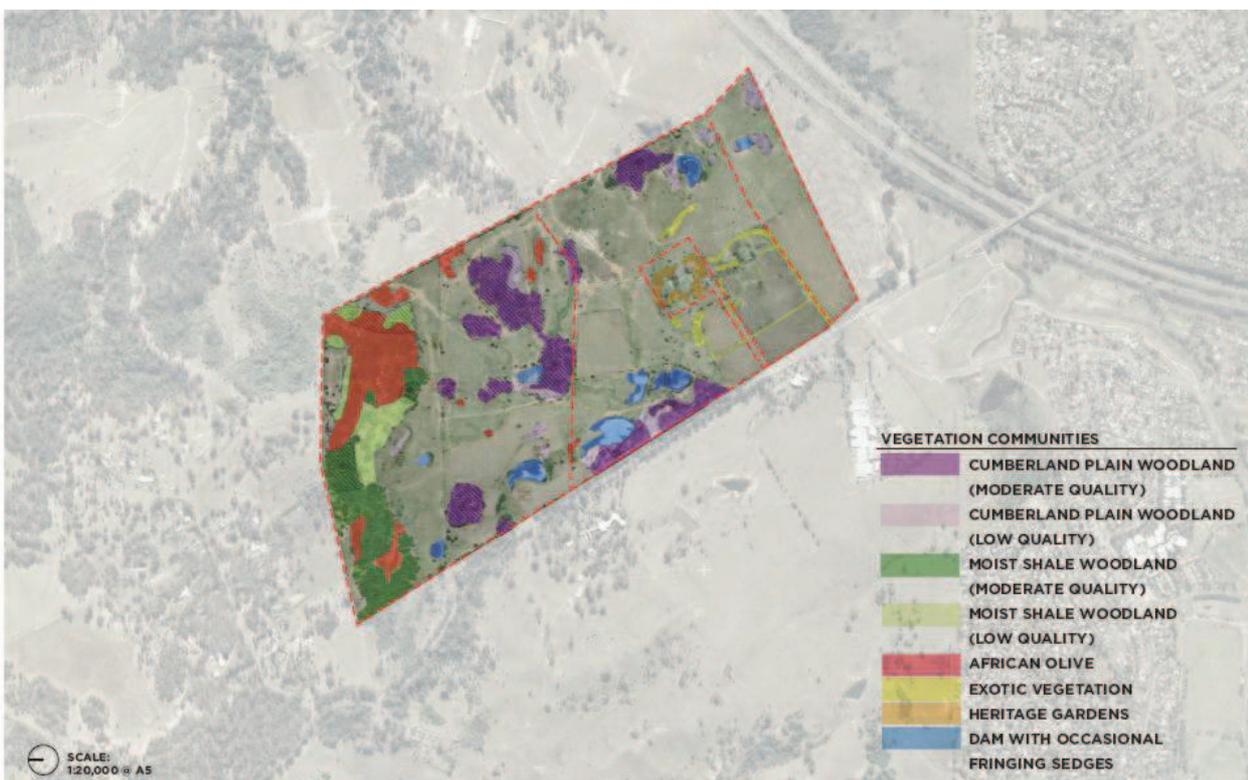
5.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.3.1 ENVIRONMENTAL

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

As shown in the figure below, the subject site containing areas of steep topography, Moist Shale Woodland and Cumberland Plain Woodland, riparian zones and waterways, historical water bodies, and the potential for bushfires. In response to the unique site qualities, a range of technical studies accompany the Planning Proposal to evaluate the potential impacts on critical habitats, threatened species, populations and ecological communities.

FIGURE 13 – ECOLOGY MAP (SOURCE: TRAVERS ECOLOGY)



Travers Ecology have undertaken an Ecological Constraints Assessment in accordance with relevant legislation including the Environmental Planning and Assessment Act 1979, the Threatened Species Conservation Act 1995, the Environment Protection and Biodiversity Conservation Act 1999 and the Fisheries Management Act 1994.

The assessment makes the following observations and conclusions with regard to Threatened Species:

The proposed cemetery proposes works that are unlikely to cause any significant impact on threatened species, endangered ecological communities or populations.

Given the low level impact of the proposed cemetery, the proposal will not cause a significant impact on any listed matters of National Environmental Significance.

The rural nature of the landscape and highly fragmented vegetation has resulted in a low level impact on any vegetation and habitat within the site. Consequently the impacts caused are not considered to be significant. The proposed cemetery landscape proposes to retain the majority of onsite vegetation remnants and has clearly demonstrated an approach that avoids causing direct impacts.

Over the life of the project, the proposed cemetery will result in a maximum loss of Loss of 1.14Ha of moderate quality Cumberland Plain Woodland affecting 4 vegetation remnants Potential loss of hollows suitable for hollow-dependent threatened fauna. As the cemetery will be staged it is not expected to cause mass habitat loss at any point in time that cannot be compensated by re-vegetation works. Approximately 7.19Ha of riparian lands are available to be used for restoration of Cumberland Plain Woodland.

Travers Bushfire & Ecology recommends that a vegetation management plan to be prepared that stages the restoration works and outlines the vegetation and fauna habitat enrichment works that can be undertaken to achieve an overall positive biodiversity conservation outcome onsite.

In respect of matters relative to the Fisheries Management Act 1994, no suitable habitat for threatened marine or aquatic species was observed within the study area and there are no matters requiring further consideration under this Act. The proposed cemetery proposes works that are unlikely to cause any significant impact on threatened marine or aquatic species.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Other potential environmental matters that have been evaluated as part of the Planning Proposal include:

- Bushfire Management
- Water Management
- Traffic

Bushfire Management

A bushfire protection assessment (see **Appendix E**) has been undertaken by Travers Ecology which identifies matters for consideration for the planning proposal and highlights the required bushfire protection measures, including asset protection zones (APZs), for future development under the *Environmental Planning and Assessment Act (EP&A Act), Section 117 Direction 4.4* and in accordance *Planning for Bush Fire Protection 2006 (PBP)* and *Community Resilience Practice Note 2/12 Planning Instruments and Policies*.

The key principle for the proposal is to ensure that future development is capable of complying with *PBP*. Planning principles for the proposal include the provision of adequate access, including perimeter roads, establishment of adequate APZs for future building construction and the introduction of controls which avoid placing inappropriate developments in hazardous areas and placement of combustible material in APZs.

The assessment by Travers Ecology clarifies that bushfire can potentially affect future buildings on site from the forest and woodland vegetation proposed to be retained and rehabilitated on site, resulting in possible ember attack, radiant heat and potentially flame attack. However, the bushfire risk to the planning proposal can however be mitigated if appropriate bushfire protection measures (including asset protection zones) are put in place and managed during each stage of the development and in perpetuity. The assessment has concluded that future development on site will provide compliance with the planning principles of *PBP* and *Community Resilience Practice Note 2/12 – Planning Instruments and Policies*.

Water Management

A watercourse assessment report has been prepared by *Travers bushfire & ecology* to verify the existing watercourses onsite and to identify riparian buffer (VRZ) constraints in accordance with the NSW Office of Water *Controlled Activities On Waterfront Land - Guidelines for Riparian Corridors on Waterfront Land* (July 2012). The report makes the following conclusions with regard to water management:

A riparian protection zone has been identified for rezoning purposes which identifies the waterfront lands to be protected. For the purposes of a rezoning, waterfront lands and their management is consistent with zone E3 Environmental Management.

All works within the riparian protection zone and ongoing management will be in accordance with NSW Office of Water Controlled activities on waterfront land - Guidelines for Riparian Corridors on Waterfront Land (July 2012) and the issued General Terms of Approval for future development applications.

Alternative solutions are appropriate for highly degraded watercourses and approvable under a Controlled Activity Approval from the NSW Office of Water in accordance with the requirements of the Water Management Act 2000. This will require the preparation of a vegetation management plan for all retained watercourses to accurately define planning layout inclusive of densities, spacing and plant species to be used.

Traffic

A preliminary assessment of the traffic and transport conditions has been undertaken (see **Appendix F**) which demonstrates that the proposed parking provisions and internal road system will adequately meet the demands of the proposal.

Preliminary investigations suggest that a detailed strategic assessment, in collaboration with key stakeholders, will be required as part of any future Development Application (DA) process, given the planned expansion of the South West Growth Centre. The estimated traffic generation from the proposed memorial gardens and cemetery should be considered, over time, with the growth in traffic anticipated on St Andrews Road, and the appropriate method of traffic management adopted.

5.3.2 SOCIAL & ECONOMIC EFFECTS

How has the planning proposal adequately addressed any social and economic effects?

As discussed throughout this report, the underlying need for this Planning Proposal is driven by the strong demand for additional cemetery space in Sydney. Urbis has undertaken a Cemetery Demand Assessment (**Appendix G**) to investigate the need for cemetery space in Sydney, and within the South West subregion specifically, comprising the Campbelltown, Liverpool and Camden LGAs.

The Cemetery Demand Assessment makes several observations which have informed the Planning Proposal, including:

From 2011 to 2036 there is expected to be more than 69,000 deaths in the catchment area. By 2036, the number of deaths each year is expected to be more than double the current rate.

It is estimated that some 283,000 burial sites will be required across Sydney GMA from 2011 to 2036. This represents around 45% of all available burial plots in Sydney GMA currently. If no additional plots are made available the current stock would be fully absorbed in approximately 45 years from now (approximately 2058). This is considered to be a relative short timeframe in the planning and operation of cemeteries. The proposed development of a cemetery at Varroville would extend this out to approximately 2069 with no other burial spaced being added.

Assuming that Catholic people – who represent 28% of the Sydney GMA population – have a preference to be located in Catholic cemeteries, there would be a need for around 79,000 plots in Catholic cemeteries from 2011 to 2036.

Within the catchment area, there is projected to be some 69,000 deaths over the period 2011 to 2036 resulting in a need for some 19,000 burial spaces. All existing burial spaces within the catchment area are expected to be absorbed within the next 30 years.

There is a very substantial Christian, in particular Catholic, population in the catchment area who might be inclined to be buried in a Catholic cemetery. The future need for burial plots in Catholic cemeteries within the catchment area from now till 2036 is estimated to be somewhere in the order 6,100 plots.

In addition to the providing a supply of much needed cemetery space in Sydney, the future development on the site will provide a range of new job opportunities to the local area. For the first stage alone, this will generate approximately 68 direct and 101 indirect jobs in the construction phase, and 15 direct and 13 indirect jobs per year at the operational stage.

Social Effects

European Heritage

Urbis has prepared a Heritage Assessment (**Appendix H**) which states that the proposed rezoning and concept master plan for a cemetery use is considered sympathetic to the heritage character of the subject site and associated Varroville homestead. The proposed use enables interpretation of the cultural landscape and retains the undeveloped rural character of the site.

This concept plan may be further refined after further detailed investigation of the cultural landscape in the area adjacent to the Varroville Homestead site to ensure that any roads or services respect any elements that may be uncovered during further investigation.

The concept plan is supported subject to the following recommendations:

- A Conservation Management Plan (CMP) should be prepared for the estate. The CMP should aim to map and define significant fabric, landscape features, views and vistas and determine the level of significance. It should also consider opportunities for development and new works as well as making recommendations with regard to interpretation. The CMP should also provide detailed conservation and maintenance schedules for the outbuildings and consider sympathetic future uses.
- An Historic Archaeological Assessment should be undertaken to determine the archaeological potential and significance of the site. Where possible, the assessment should aim to define the extent of the former vineyards and define significance of known remains in the vicinity of the dairy and cottage buildings.

- A structural assessment of the outbuildings should be undertaken by a suitably qualified engineer with experience in heritage buildings. The assessment should, at minimum, include assessment of the timber dairy building and the former stable.
- Future detailed design proposals and works to the site should ensure the following:
 - The historic setting of Varroville should be retained and conserved and remain able to be interpreted as part of the cultural landscape;
 - Significant views and vistas to and from Varroville and the estate (including those to and from Bunbury Curran Hill, views to and from St Andrews Road and views to other historic properties including Macquarie Fields House and Robin Hood Farms) should be retained and conserved;
 - Significant landscape features including the dams, the former carriageway and remnant vineyard terracing should be retained and conserved;
 - Significant outbuildings should be retained and conserved;
 - The archaeological resource should be conserved. Works may be subject to approvals and should be undertaken in accordance with the recommendations of the required Historical Archaeological Assessment.

Aboriginal Heritage

A preliminary Aboriginal Heritage Report has been undertaken by Artefact to accompany the Planning Proposal (see **Appendix I**) to assess the potential of Aboriginal heritage items on the site. This report builds on an earlier Aboriginal Heritage Assessment undertaken in 2008 in relation to an alternative development scheme on the site.

From a desktop evaluation, the report demonstrates that the study area does not contain any recorded Aboriginal sites and/or places. Importantly the Report confirms that further assessment will be required in accordance with Office of Environment and Heritage guidelines to inform the future development layout on the site, which will ultimately seek to preserve and enhance any Aboriginal Items if these are identified. state and commonwealth interests.

Is there adequate public infrastructure for the planning proposal?

Existing infrastructure is available to in proximity to the site as follows:

- Electricity: Aerial power lines run inside the site alongside the western boundary, exiting the property near the Varroville House entry gate. At that point a branch, running eastward in a diagonal across the property, supplies Varroville house.
- Water: Sydney water mains traverse the property south of Varroville House, in an easement which is host to a 600mm and 375mm diameter mains.
- Telecommunications: An underground telephone line runs alongside St Andrews Road as far as the Mount Carmel Retreat Centre.
- Sewer: The closest sewer is located adjacent to the Hume Freeway.

6 Community Consultation

Prior to the lodgement of this Planning Proposal, CMCT has provided project briefings to:

- Campbelltown City Councillors and staff on the 27th August 2013
- The owners of Varroville House on the 28th August 2013

CMCT also provided a media briefing and project launch that was attended by invited key stakeholders on the 28th August 2013. This has been supported by a project communications including the establishment of the project website that includes publication of key information.

Following lodgement of the Planning Proposal CMCT proposes to commence a formal community consultation process that is likely to involve Community Information and Feedback Sessions. Depending on the feedback from these sessions, CMCT engage with Council to determine what other means of community consultation may be required.

7 Conclusion

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal provides a comprehensive justification of the proposed amendment to CLEP, and is supported on the following grounds:

- The use of 'cemeteries' are not specifically prohibited under CLEP, and may be permissible under the current zoning. However, they may also fall under the definition of 'commercial premises' which is why a Planning Proposal has been prepared under the circumstances.
- The proposal has a very specific vision which positively responds to and aligns with the rural character of the Central Hills and surrounding context. The proposed cemetery is the result of a landscape driven design evaluation and analysis, and will ultimately function as a parkland cemetery which is focused on the environmental attributes of the site. Within this context cemeteries are a distinctive land use that has the ability to respond to the underlying planning policy and zone objectives.
- There is a demonstrable need and demand for cemetery space in Sydney and Macarthur Region, with limited sites and opportunities to meet the long-term spatial requirements of the applicant. This is based on sound evidence. Without the provision of supply in the short and long-term, there is likely to be a severe shortage in coming years.
- The subject site represents a unique opportunity to introduce a cemetery functionality with the environmental qualities on the site to enable it to function as a park, sanctuary, Sculpture Park and open space available to the public. This would allow a current private property to be available to the public, and managed/maintained effectively by CMCT.
- The proposal will have a range of positive environmental, social and economic impacts on the surrounding locality which are discussed in this report. A range of technical reports including ecology, bushfire protection, heritage and traffic have been prepared to evaluate these potential impacts in accordance with relevant planning policy and legislation.
- The proposal is consistent with the objectives and actions contained in the applicable regional and sub-regional strategy, and Council's Community Strategic Plan. It is also consistent with applicable State Environmental Planning Policies and Section 117 Directions.
- CMCT propose consultation with the community to accompany the Planning Proposal process, with Community Information and Feedback Sessions scheduled for September 2013.

Overall, it is considered that the Planning Proposal is satisfactory and it is requested that Campbelltown City Council take the necessary steps to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

Disclaimer

This report is dated August 2013 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (Urbis) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Catholic Metropolitan Cemeteries Trust (Instructing Party) for the purpose of Planning Proposal (Purpose) and not for any other purpose or use. Urbis expressly disclaims any liability to the Instructing Party who relies or purports to rely on this report for any purpose other than the Purpose and to any party other than the Instructing Party who relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events including wars, civil unrest, economic disruption, financial market disruption, business cycles, industrial disputes, labour difficulties, political action and changes of government or law, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or made in relation to or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

Urbis has made all reasonable inquiries that it believes is necessary in preparing this report but it cannot be certain that all information material to the preparation of this report has been provided to it as there may be information that is not publicly available at the time of its inquiry.

In preparing this report, Urbis may rely on or refer to documents in a language other than English which Urbis will procure the translation of into English. Urbis is not responsible for the accuracy or completeness of such translations and to the extent that the inaccurate or incomplete translation of any document results in any statement or opinion made in this report being inaccurate or incomplete, Urbis expressly disclaims any liability for that inaccuracy or incompleteness.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the belief on reasonable grounds that such statements and opinions are correct and not misleading bearing in mind the necessary limitations noted in the previous paragraphs. Further, no responsibility is accepted by Urbis or any of its officers or employees for any errors, including errors in data which is either supplied by the Instructing Party, supplied by a third party to Urbis, or which Urbis is required to estimate, or omissions howsoever arising in the preparation of this report, provided that this will not absolve Urbis from liability arising from an opinion expressed recklessly or in bad faith.

Appendix A

Site Survey Plan

Appendix B

Indicative Masterplan

Appendix C

Ecological Constraints Assessment

Appendix D

Watercourse Assessment

Appendix E

Bushfire Protection Assessment

Appendix F

Preliminary Transport Assessment

Appendix G

Cemetery Demand Assessment

Appendix H

Heritage Assessment

Appendix I

Aboriginal Heritage Summary Report

MACARTHUR MEMORIAL PARK

PLANNING PROPOSAL

166–176 St Andrews Road, Varroville

Sydney

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