

MACARTHUR MEMORIAL PARK

PLANNING PROPOSAL

166–176 St Andrews Road, Varroville



PREPARED FOR CATHOLIC METROPOLITAN CEMETERIES TRUST
OCTOBER 2015



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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 and Kemps Creek, 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 and may be classified as an innominate and permissible use. Cemeteries may also be interpreted as a form of 'commercial premises' which are prohibited.
- The subject site is proposed to be zoned E3 Environmental Management and RE1 Public Recreation under the provisions of the *draft Campbelltown Local Environmental Plan 2014*. Whilst cemeteries are defined under this plan they are prohibited under the sites proposed zoning.
- 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 cemeteries and crematoria reforms following the making of the *Cemeteries and Crematoria Act 2013*. The legislation regulates 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 affordable interment options. The acquisition of this site has the approval and support of the Crown Lands Minister.
- 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 Planning Proposal was issued with a Gateway Determination under section 56 (2) of the *Environmental Planning and Assessment Act 1979* by the NSW Department of Planning and Environment in June 2015 which confirmed that the application should proceed subject to conditions identified in the Gateway Determination. This application has been prepared to demonstrate compliance with these conditions.

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, on behalf of the Crown.
- Given the site's location, environmental qualities, environmental heritage qualities and rural character, the proposed cemetery will be designed in a manner consistent with this existing character and function as landscaped garden 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 2016-2017, 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** overleaf.

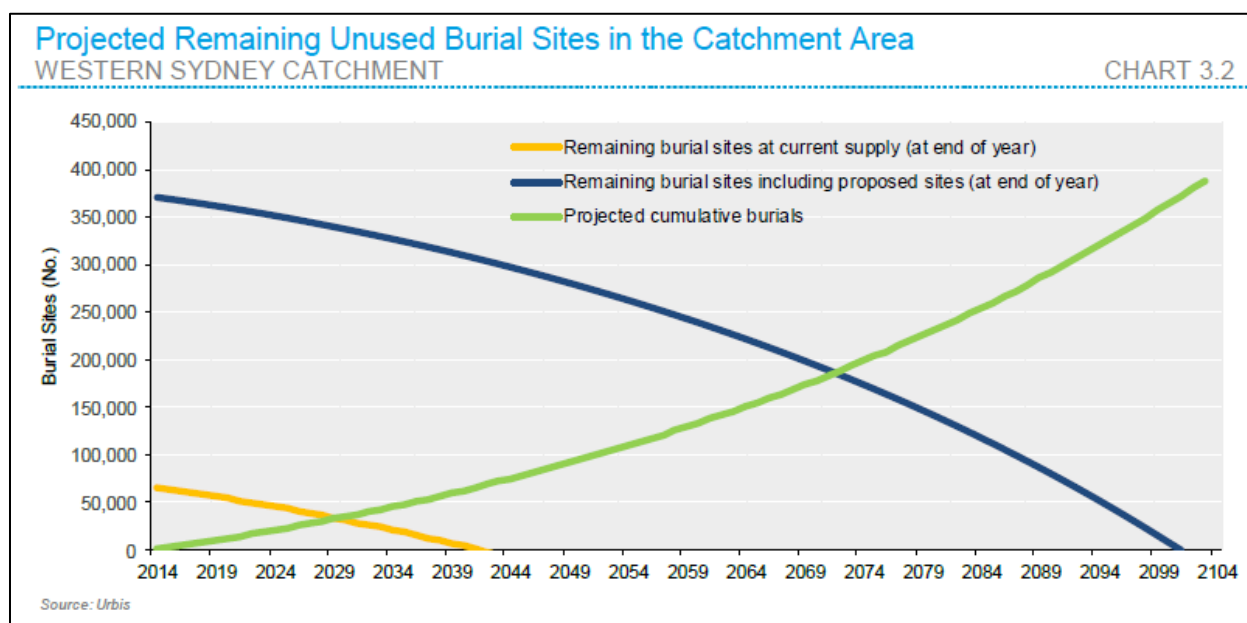
FIGURE 1 – ILLUSTRATIVE PHOTOMONTAGES OF THE FUTURE CEMETERY USE (SOURCE: FLORENCE JAQUET)



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 Catholic Metropolitan Cemeteries Trust to prepare a 'Cemetery Demand Assessment' which investigates the need for cemetery space in Sydney and specifically the South West Subregion to enable Catholic Metropolitan Cemeteries Trust 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 cemeteries in the Sydney Greater Metropolitan Area are expected to be at full capacity within the next 45 years. This capacity will be extended to 60 years with the proposed development of four major cemeteries in Western Sydney however this only represents approximately two generational periods. This is considered a critical shortage given the historic operation period of other major cemeteries in capital cities (over 150 years).

FIGURE 2 – NEED FOR BURIAL SPACE IN WESTERN SYDNEY (SOURCE: URBIS)



- Without careful 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. The topography presents opportunities for passive spaces in conjunction with the cemetery. These qualities have informed the vision for the site as proposed in the masterplan which is contained within this Planning Proposal.

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 masterplan is further supported by a built form design statement prepared by the projects architect FJMT. The built form design concept has responded to and integrates with the overall landscape masterplan.
- 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 largely unused property (we note that the site is currently used on a temporary basis for the agistment of livestock) 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 Local Environmental Plan – 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 the proposed cemetery has been designed in a way to respond to the underlying planning and zone objectives as well as be responsive to proposed site specific provisions that are aligned with existing 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 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.
 - The site is located in close proximity to the local and state listed heritage item 'Varro Ville Homestead' which comprises of a dwelling, remnant gravelled carriage drive, lawn tennis court and glasshouse. Further it is noted that whilst no statutory listing at either a local or state level applies to the subject site it includes substantial remnants of the 19th century farm complex which was previously located on the site in addition to multiple archaeological and Aboriginal heritage items located on the site.
 - In response to the heritage significance of the site a comprehensive Conservation Management Plan has been prepared for subject site to ensure that a development framework which is considerate of the heritage values of the landscape, the existing structures on the site and the Aboriginal and archaeological significance of the site is established. The implementation of the Conservation Management Plan will ensure the heritage significance of the site will be enhanced and effectively managed should development proceed.

1 Introduction

1.1 OVERVIEW

The Catholic Metropolitan Cemeteries Trust (CMCT) submitted a Planning Proposal to Campbelltown City Council in September 2013 seeking to permit the development of 166-176 St Andrews Road, Varroville for the purpose of a cemetery. Following subsequent consideration by the Sydney West Joint Regional Planning Panel in August 2014 the NSW Department of Planning and Environment issued a Gateway Determination. The Sydney West Joint Regional Planning Panel was appointed as the Relevant Planning Authority for the application in June 2015.

This revised Planning Proposal is submitted to the NSW Department of Planning and Environment on behalf of the Sydney West Joint Regional Planning Panel (the relevant planning authority) to support a request by CMCT to initiate an amendment to *Campbelltown Local Environmental Plan – District 8 (Central Hills Lands)* (CLEP) 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). Noting that Council has adopted the *draft Campbelltown Local Environmental Plan 2014* (dCLEP2014) the proposal also seeks to include provisions in this draft instrument to again on a site specific basis to permit the use of the site for a cemetery.

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 under the CLEP and which are currently proposed to be prohibited in the E3 Environmental Management Zone and RE1 Public Recreation Zone under the dCLEP2014.
- 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 which have been undertaken as part of the preparation of this planning proposal and the community consultation which is expected to be undertaken as part of the assessment of the application.

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*’.

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

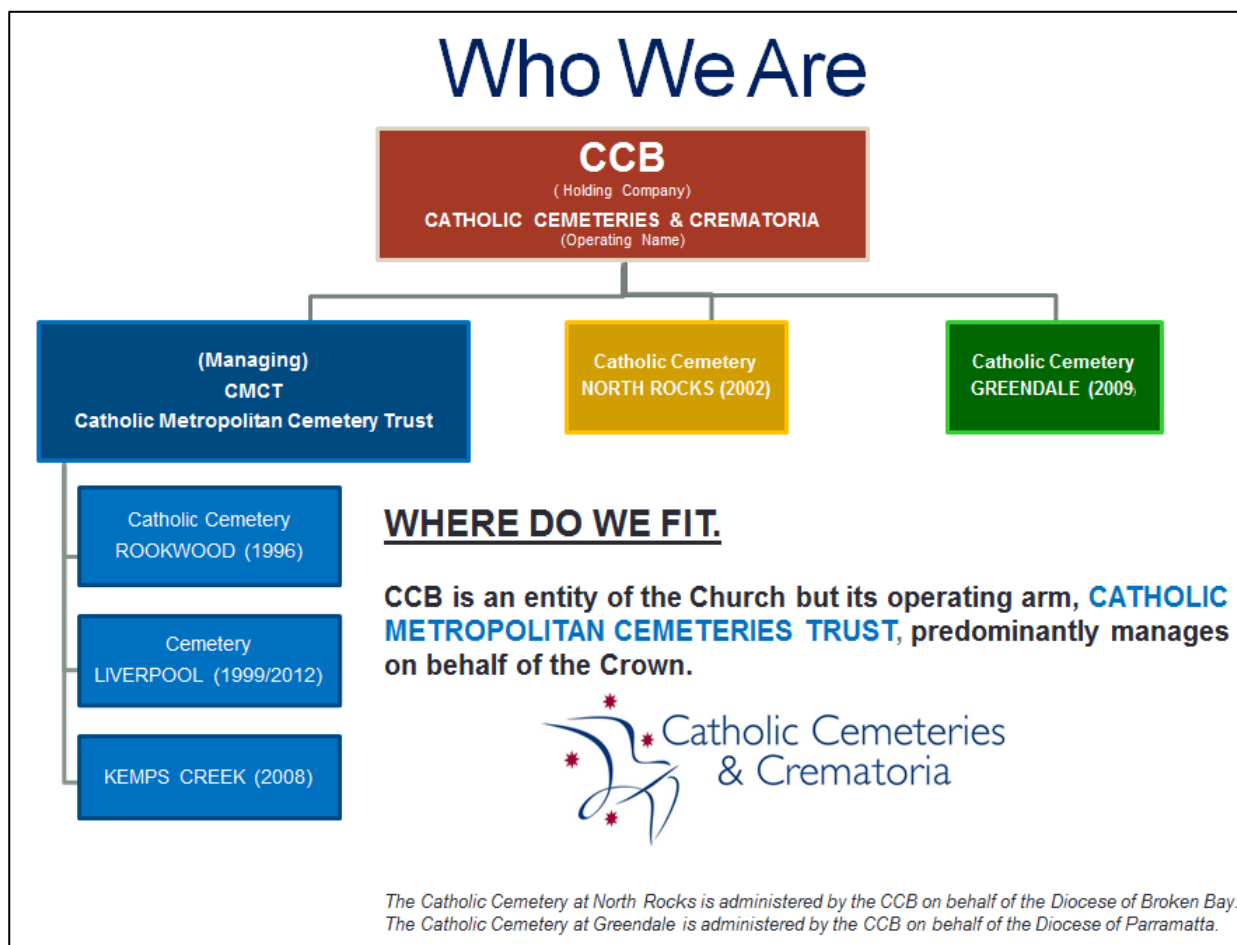
REPORT	CONSULTANT	APPENDIX
Site Survey Plan	Degotardi Smith & Partners	B
Indicative Landscape Masterplan	Florence Jaquet Landscape Architect (Cemetery Specialist)	C
Design Statement	Francis-Jones Morehen Thorp (FJMT)	D
Draft Conservation Management Plan	Urbis in conjunction with Artefact and MUSEcape	E
Visual Impact Assessment	Richard Lamb and Associates	F
Cemetery Demand Assessment	Urbis	G
Watercourse Assessment	Travers Bushfire & Ecology	H
Bushfire Protection Assessment	Travers Bushfire & Ecology	I
Ecological Constraints Assessment	Travers Bushfire & Ecology	J
Geoscientific Investigation	Red Earth Geosciences	K
Transport and Traffic Assessment	GTA Consultants	L
Macarthur Memorial Park Infrastructure Management Plan(Power and Telecommunications)	Steensen Varming	M
Infrastructure Services Report	Warren Smith and Partners	N

1.2 THE CATHOLIC METROPOLITAN CEMETERIES TRUST

The CMCT manages a number of cemeteries throughout Sydney including Crown cemeteries at Rookwood, Liverpool and Kemps Creek s, 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. A diagrammatic summary of the organisation is shown in **Figure 4** overleaf.

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

FIGURE 4 – CMCT ORGANISATION CHART



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 the JRPP and the planning proposal ultimately gazetted, the applicant would seek development consent for works generally in accordance with an Indicative Landscape Masterplan which has been prepared by Florence Jaquet, a landscape architect who specialises in cemetery. The Indicative Masterplan provides context to the Planning Proposal, and describes the unique qualities of the future project.

The indicative Landscape Masterplan is further supported by a Built Form Design Statement prepared by FJMT who were appointed to the project in May 2015.

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 Masterplans developed for the site have been prepared with the following broad aims and objectives:

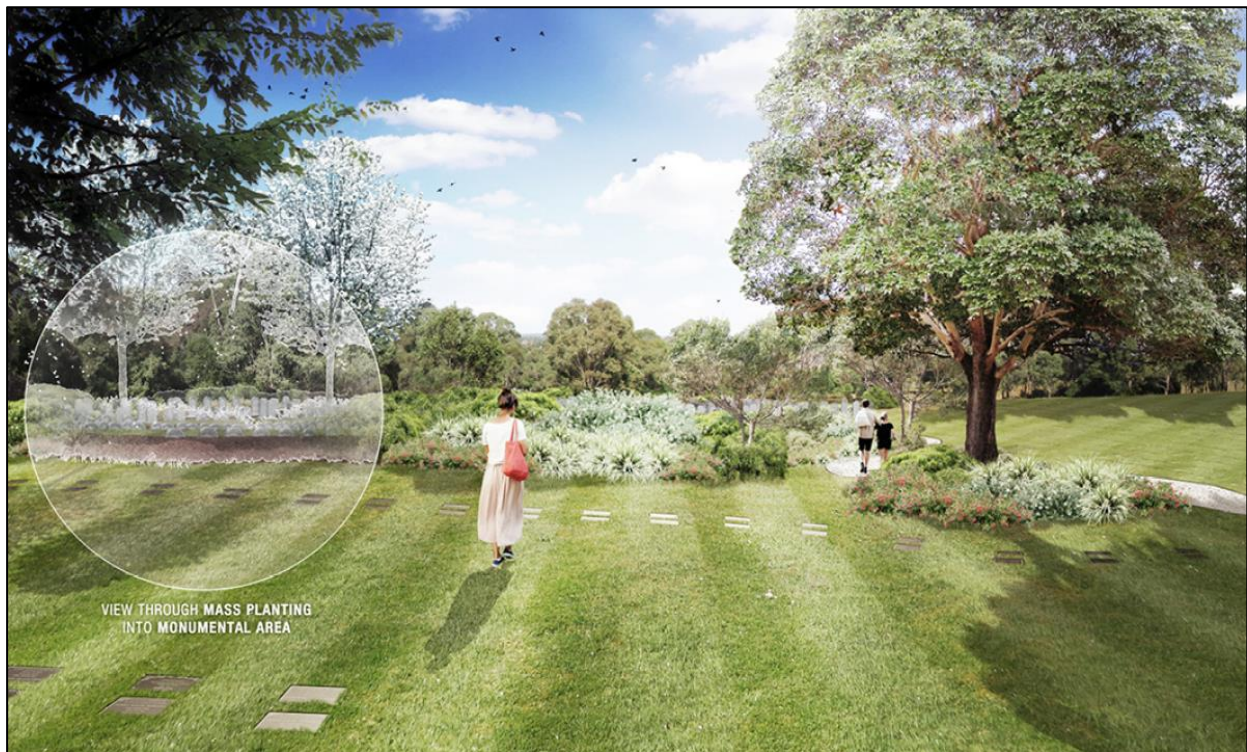
- *To minimise the impact on existing environment, especially the topography and the Cumberland Plains Woodland, to protect them for future generations.*
- *To protect the Colonial landscape (Scenic Hills) qualities.*
- *To provide an environmentally sensitive development.*
- *To achieve Best Management 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

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 in **Figures 5** and **6** below to provide an overview of the proposal. The indicative masterplan is attached as **Appendix C** of this report.

A woman in a dark dress stands on a paved path, looking towards a pond and a large tree. The path is lined with orange and green plants. A small bridge is visible in the distance.



1.3.4 INDICATIVE BUILT FORM

In May 2015 CMCT appointed FJMT to be project architects to develop conceptual built form for the proposed cemetery use. The built form is to demonstrate a high degree of architectural design excellence and at the same time be respectful and align to the landscape masterplan. The indicative built form is also consistent with the controls set under both existing and proposed planning instruments and policies which are applicable to the site. The built form will include a Condolence Room as detailed in **Figure 7** below in addition to other built form elements that are proposed in locations detailed within the masterplan for the site.

FIGURE 7 – INDICATIVE BUILDING DESIGN MONTAGE – FUTURE CONDOLANCE ROOM (SOURCE FJMT)

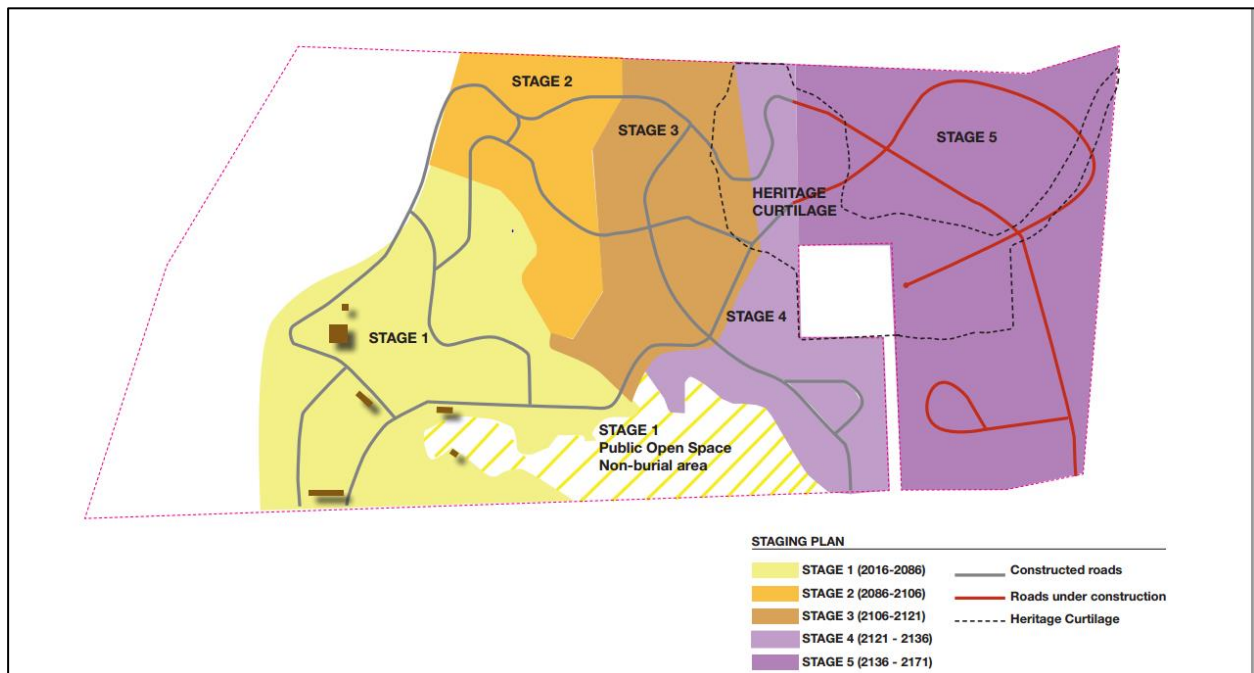


1.3.5 INDICATIVE PROJECT STAGING

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. An indicative staging plan is shown in **Figure 8** below.

Stage 1 of the project is expected to provide sufficient capacity for approximately 70 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 Conservation Management Plan that accompanies this Planning Proposal.

FIGURE 8 – 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 9 and 10** below.

FIGURE 9 – AERIAL LOCATION MAP



FIGURE 10 – 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 the Mt Carmel Catholic Retreat Centre and the Mount Carmel Catholic College to the west. The Ingleburn industrial precinct extends along the southern side of the Hume Highway to the south east of the subject property.

Some other land uses within the locality 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 (Varroville House) 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 and forming part of the Greater Macarthur region 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.

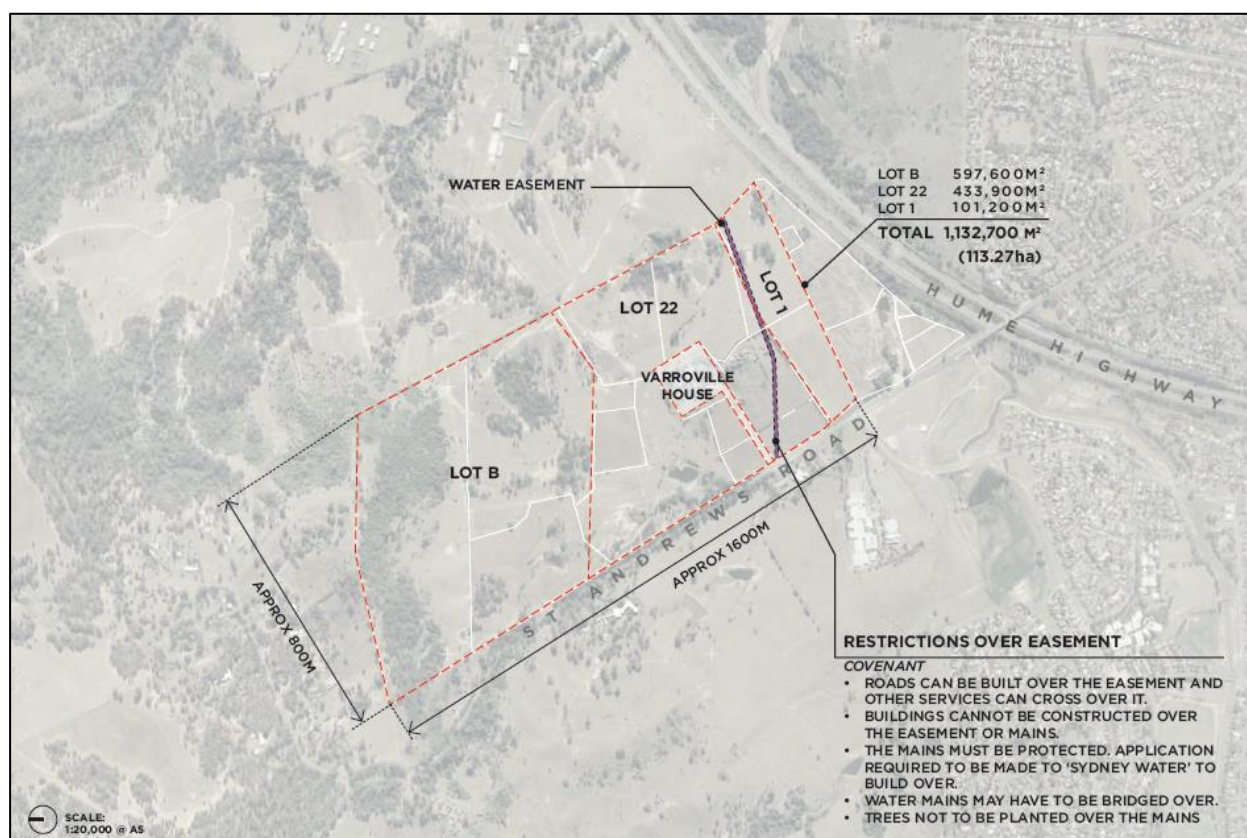
2.5 TITLE DESCRIPTION

A Site Survey has been prepared to accompany the Planning Proposal at **Appendix B**. 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 11 – 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 a separate access to St Andrews Road and is privately owned and contains the heritage listed Varroville House which is discussed later in this report. The lot forms part of a heritage item which is also 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 CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN – DISTRICT 8 (CENTRAL HILLS LANDS)

The principle planning instrument which applies to the site is CLEP. The underlying aim and objective of CLEP is:

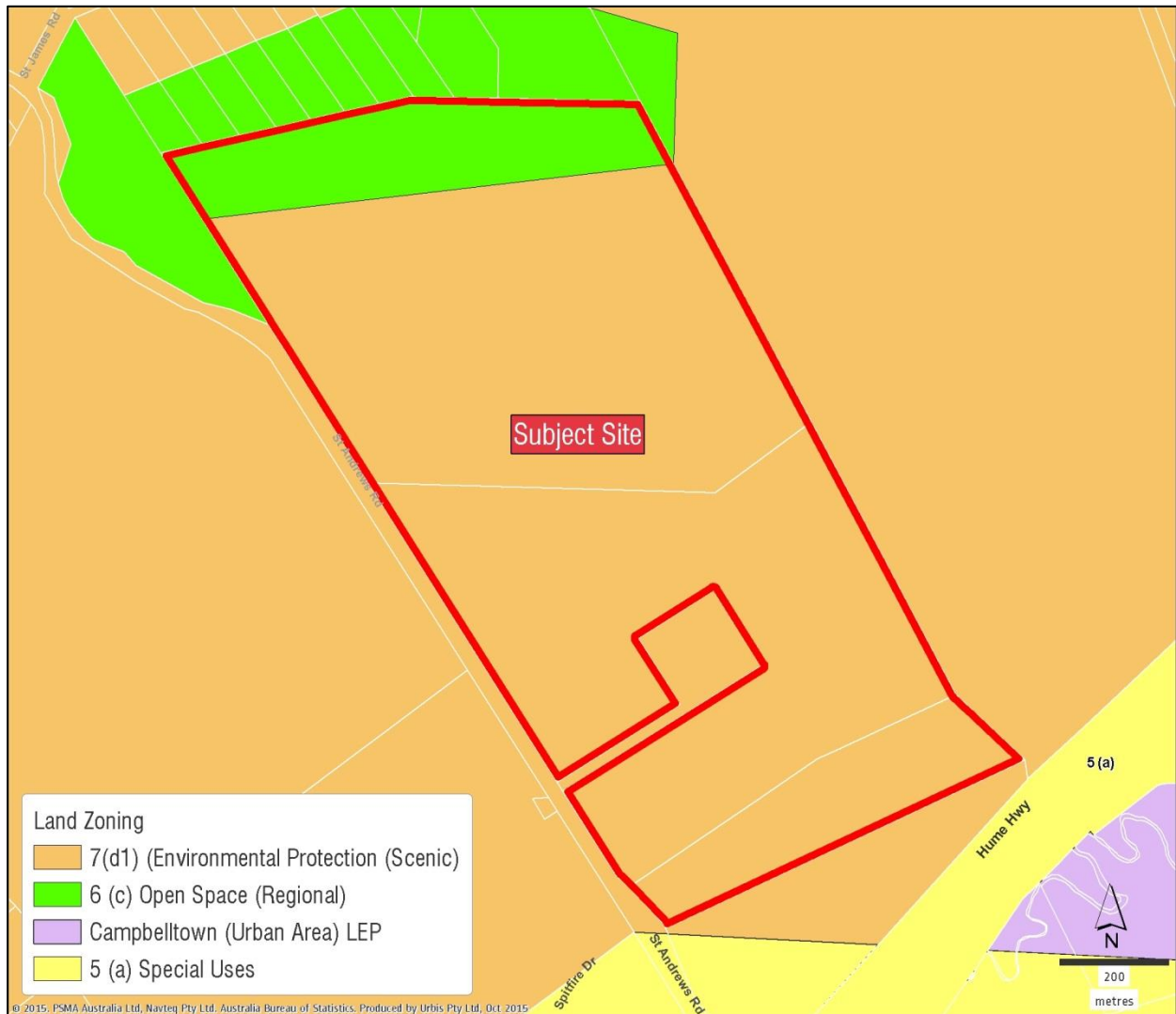
To ensure that the Central Hills Lands District of the City of Campbelltown retains the rural character that was envisaged for it during the planning that preceded the urbanisation of that City.

The proposed cemetery use will retain the rural character of the area, as it has been designed in a manner that positively responds to the existing open space and environmental qualities of the site. The cemetery will contain landscape gardens, passive recreation space and retain the important visual buffer and backdrop to surrounding urban areas.

2.8.2 ZONING

The site is predominantly zoned 7(d1) (Environmental Protection (Scenic), and in part zoned 6 (c) Open Space (Regional) pursuant to Clause 8 of the CLEP. The sites zoning is shown in **Figure 12** overleaf.

FIGURE 12 – LAND USE ZONING



2.8.2.1 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 objective of the 6(c) Open Space (Scenic) zone is:

- *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 C** 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 seek to “preserve” such activities.

2.8.2.2 PERMISSIBLE USES

Within the 7(d1) zone uses, other than the following prohibited uses below, any use is 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.

All other land uses within the 6(c) Open Space (Scenic) Zone are only prohibited under the provisions of the CLEP.

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

2.8.2.4 HERITAGE LISTING

The site the subject of this planning proposal has no heritage listing under either the CLEP or the dCLEP2014 however Varroville House located on LOT 21 DP 564065 which is not subject to this planning proposal is identified as a heritage item under both the CLEP and the DCLEP2014.

2.8.2.5 SITE SPECIFIC PROVISIONS

The whole of the site is identified as being within 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.

2.8.3 DRAFT CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2014

At an Extraordinary Meeting of Council on 28 April 2015 the dCLEP2014 was unanimously adopted by Council following revisions made as a result of the plans public exhibition. The plan if formally adopted will repeal the CLEP. As required by the Gateway Determination issued for the proposal the dCLEP2014 has been reviewed and the following sections describe its relationship to this Planning Proposal.

2.8.3.1 ZONING

The site is predominantly zoned E3 Environmental Management and is in part zoned RE1 Public Recreation under the provisions of the dCLEP2014. The zoning is shown in **Figure 13** overleaf.

FIGURE 13 – DRAFT CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2014 ZONING MAP



2.8.3.2 ZONE OBJECTIVES

The objectives of the E3 Environmental Management Zone are:

- *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 land within the zone.*
- *To allow cellar door premises, restaurants and cafes only where they are directly associated with the agricultural use of the land.*
- *To protect, and maintain the environmental, ecological and visual amenity of, the Scenic Hills, the Wedderburn Plateau and environmentally sensitive lands in the vicinity of the Georges River 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 protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands.*
- *To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.*

The objectives of the RE1 Public Recreation zone are:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To provide for land uses compatible with the ecological, scientific, cultural or aesthetic values of land within the zone.*
- *To facilitate the multiple use of certain open space areas.*
- *To facilitate development that is ancillary or incidental to the special land uses provided for in this zone.*
- *To provide for the sufficient and equitable distribution of public open space to meet the needs of the local community.*
- *To preserve and rehabilitate bushland, wildlife corridors and natural habitat, including waterways and riparian lands, and facilitate public enjoyment of these areas.*
- *To provide for the retention and creation of view corridors.*
- *To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.*
- *To preserve land that is required for public open space or recreational purposes.*

2.8.3.3 PERMISSIBLE USES

The following landuses are permissible with development consent within the E3 Environmental Management zone:

Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Drainage; Dual occupancies (attached); Dwelling houses; Earthworks; Educational establishments (Schools); Emergency services facilities; Environmental protection works; Environmental facilities; Extensive agriculture (Bee keeping; Dairies (pasture-based)); Farm buildings; Farm stay accommodation; Flood mitigation works; Home-based child care; Home businesses; Home industries; Horticulture; Places of public worship; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural workers dwellings; Viticulture; Water supply systems (Water reticulation systems; Water storage facilities; Water treatment facilities).

All other land uses including cemeteries are prohibited within the E3 Environmental Management zone.

The following landuses are permissible with development consent within the RE1 Public Recreation zone:

Boat launching ramps; Camping grounds; Car parks; Community facilities; Drainage; Earthworks; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Helipad; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads; Signage (Advertising structures; building identification signs; business identification signs); Small bars; Water recreation structures; Water supply systems (Water reticulation systems; Water storage facilities; Water treatment facilities).

All other land uses including cemeteries are prohibited within the RE1 Public Recreation zone.

2.8.3.4 PERMISSIBILITY OF CEMETERIES

Cemeteries as defined by the dCLEP2014 are prohibited within both the E3 Environmental Management Zone and RE1 Public Recreation Zone.

2.8.3.5 HERITAGE LISTING

The site the subject of this planning proposal has no heritage listing under either the CLEP or the dCLEP2014 however Varroville House located on LOT 21 DP 564065 which is not subject to this planning proposal is identified as a heritage item under both the CLEP and the DCLEP2014.

2.8.3.6 DEVELOPMENT STANDARDS AND LOCAL PROVISIONS

The site is subject to the following development standards and local provisions as detailed in the dCLEP2014:

- The site is subject to a maximum building height of 9m;
- The site is identified as being within an Escarpment Preservation Area. Consent may not be granted for building works unless the consent authority is satisfied that any proposal meets prescriptive building design controls including the use low-reflective building materials of dark colour and the retention vegetation wherever possible; and
- The site is identified as being within the Campbelltown Scenic Hills. Development cannot be granted on any land having a gradient greater than 16% except with development consent.

2.8.4 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 will 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.

2.8.5 ADJOINING HERITAGE ITEM

Further to the comments made in **Section 2.8.3.5** the subject property surrounds a small 3.161 hectare parcel lot known as Lot 21 in DP 564065. This parcel contains “Varro Ville House” and is a significant historical property. The site is listed as a heritage item under the CLEP, 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 C**, 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.

To give formal heritage status to the Varroville Estate by including it in the relevant schedules to the CLEP and the dCLEP2014

Given the lack of certainty as to whether 'cemeteries' are permissible under the CLEP and the prohibition of cemeteries under the dCLEP2014 on the subject site, the key objective or intended outcome of the Planning Proposal is to amend both the CLEP and the dCLEP2014 to permit the use of 'cemeteries' on the subject site excluding the land which is currently zoned 6 (c) (Open Space (Regional)) and proposed to be zoned RE1 Public Recreation

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 under both the CLEP and the dCLEP2014. As discussed in further detail in this report, the use of the site for cemeteries would be consistent with the underlying zone objectives.

4 Gateway Determination

On 19 June 2015, in accordance with Section 55 of the EP&A Act, the Executive Director, Regions as delegate of the Minister for Planning issued a Gateway Determination for the proposal. A copy of the Gateway Determination is included as **Appendix A** of this report.

Table 3 provides a detailed summary of the individual matters listed in the Gateway Determination and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

TABLE 3 – SUMMARY OF GATEWAY DETERMINATION

GATEWAY DETERMINATION ITEM	REPORT SECTION/SPECIALIST STUDY
Prior to exhibition, the proposal should be amended to include a zoning extract which clearly shows the existing zoning under Campbelltown Local Environmental Plan - District I (Central Hills Lands).	A zoning map is provided as Figure 11 of this report which clearly indicates the zoning of the site.
Prior to exhibition the proposal should be prepared as an amendment to both the draft Campbelltown Principal LEP and, (should the proposal proceed ahead of the draft Campbelltown Local Environmental Plan 2015) the Campbelltown Local Environmental Plan - District 8 (Central Hills). The proposal should be amended to clearly outline the proposed provisions and provide mapping as follows: a) the proposed provisions for both the existing Campbelltown Local Environmental Plan - District I (Central Hills) and the draft Campbelltown Local Environmental Plan 2015.	Detailed provisions for both the CLEP and the dCLEP2014 have been prepared and are detailed in Section 5.2 and 5.3 .
b) the existing 6(c) Open Space (Regional) zone, and the proposed RE1 Public Recreation zone should not be amended to include cemetery as an additional use for the site.	The proposal does not seek to amend the 6(c) Open Space (Regional) zone or the RE1 Public Recreation zone for development as a cemetery. This is fully detailed in Section 5 of this report.
c) a map should be provided to clearly identify the land to which the additional use will apply. It is noted that such mapping should be in the form of the draft mapping series "Additional Permitted Uses Maps" drawn by Campbelltown Council for the draft Campbelltown Local Environmental Plan 2015.	An additional permitted use map is provided as Figure 13 of this report.
d) a local provision should be derived to address the scenic and rural values of the site, and should particularly address the critical view of the site when seen from the Campbelltown urban area	Local provisions to ensure the scenic and rural values of the site have been prepared in support of the application and are detailed in Section 5.3 . The proposed local provisions have been prepared having strong consideration of both the draft Conservation Management Plan and the Visual Impact Analysis prepared for the site.

GATEWAY DETERMINATION ITEM	REPORT SECTION/SPECIALIST STUDY
Prior to exhibition, further detailed heritage investigation of the cultural landscape should be carried out, particularly in relation to the area adjacent to the Varroville Homestead site and the views from the Campbelltown urban area. These investigations are to include a Conservation Management Plan (CMP) which should be prepared in consultation with the Heritage Division of the Office of Environment and Heritage. The CMP should aim to map and define significant fabric, landscape features, views and vistas and determine the level of significance. The CMP should inform the proposal's detailed visual assessment and the related local provision [2(d) above].	A Draft Conservation Management Plan (Appendix E) has been prepared for the application which details the European and Non-European heritage of the site. The report also details policies which can be adopted to ensure that the heritage significance of the area will be maintained.
Prior to exhibition, and in consultation with the Department of Primary Industries - Office of Water, the geological conditions of the site should be investigated. Such investigation should confirm that ground water protection can be achieved by reference to compliance with accepted standards for burial plots.	A Geoscientific Investigation (with special emphasis on groundwater attributes) has been prepared by Red Earth Geosciences which confirms that the proposal complies with the published guidelines from multiple worldwide organisations including the World Health Organisation. This is further detailed in Appendix G and Section 6.3.1.
Prior to exhibition, further detailed visual assessment should be developed to secure the concept outlines in the concept plan in any detailed design plan as well as providing particular measures to ensure preservation of the rural character of the east facing slope of the site, when viewed from the Campbelltown urban area. This assessment should address the visual and landscape objectives for the existing zone and the zone proposed in the draft Campbelltown Local Environmental Plan 2015. The findings of this assessment should inform the local provision proposed to address visual values and views [2(d) above].	A Visual Impact Assessment has been prepared for the project which confirms that the indicative masterplan prepared for the site will preserve the rural character of the area. The Visual Impact Assessment is discussed in Section 6.3.1 and attached as Appendix F.
Prior to exhibition, an assessment of the capacity of the local roads and the need for any upgrading must be undertaken, having regard to the traffic generation patterns of a cemetery. This traffic study should be undertaken in consultation with Roads and Maritime Services and Transport for NSW.	A Traffic Impact Assessment of the road capacity has been undertaken and detailed in Appendix L and Section 6.3.1. The assessment confirms that an upgrade to the local road infrastructure is not required to facilitate the development.
The Sydney West Joint Regional Planning Panel shall, subject to the requirements of Section 117(2) of the Environmental Planning and Assessment Act 1979, consult with the Commissioner of the NSW Rural Fire Service (RFS) and amend the proposal as requested by the Commissioner.	It is noted that the Sydney West Joint Regional Planning Panel are required to liaise with the Commissioner of the NSW Rural Fire Service.

GATEWAY DETERMINATION ITEM	REPORT SECTION/SPECIALIST STUDY
Community consultation is required under sections 56(2Xc) and 57 of the Environmental Planning and Assessment Act 1979 as follows: a) the planning proposal must be made publicly available for 28 days; and b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals	In accordance with the requirements of the Gateway Determination it is anticipated that following lodgement the application will be placed on public notification for 28 days.
Consultation is required with the following public authorities under section 56(2Xd) of the Environmental Planning and Assessment Act: a) Office of Environment and Heritage - Heritage Division a) Department of Primary Industries - Office of Water b) Department of Primary Industries - Cemeteries and Crematoria NSW c) Department of Primary Industries - Minerals and Petroleum d) Transport for NSW e) Transport for NSW - Roads and Maritime Services f) Department of Health g) NSW Rural Fire Service h) Sydney Water i) Telstra j) Endeavour Energy k) Councils in adjoining LGAs Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.	Consultation has been undertaken with all agencies as required by the Gateway Determination and is summarised in Section 7.
The proposal will require the agreement of the Secretary's delegate to its inconsistency with Section 117 Direction 6.3 Site Specific Provisions. The proposal's inconsistency with this Direction is justified, and the Secretary's delegate agrees to the proposal's inconsistency with this Direction.	As indicated in the Gateway Determination the inconsistency with the 117 is justified and has been agreed by the secretary delegate.
Prior to exhibition, the planning proposal should be updated to include a discussion regarding its consistency with 'A Plan for Growing Sydney' which was adopted by the Government in December 2014.	Detailed discussion of the proposal against A Plan For Growing Sydney has been provided in Section 6.2.

5 Explanation of Provisions

5.1 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 the CLEP and the dCLEP2014.

5.2 PROVISIONS OF THE PLANNING PROPOSAL – CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN – DISTRICT 8 (CENTRAL HILLS LAND)

It is requested that the CLEP be amended 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 3 and shown on the Additional Permitted Uses Map 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 Additional Permitted Use Map as referred above**
- 4. Add to Schedule 1 (Items of the environmental heritage) the following site details**

Varroville Estate (Lot 1 DP218016 and Lot 22 DP564065)

- 5. Add to Schedule 3 (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 Part Lot B DP 370979.*
- 2) *Development for the purpose of ‘cemetery’ is permitted with development consent.*
- 3) *Development consent must not be granted to development on land to which this clause applies for the purpose of a cemetery unless the consent authority is satisfied that the development:*
 - a) *The proposal will be undertaken in accordance with any relevant Conservation Management Plan endorsed by the NSW Office of Environment and Heritage*
 - b) *The proposal will compliment the landscape and scenic quality of the site particularly when viewed from the Campbelltown Urban Area*
 - c) *The proposal includes provision for the partial use of the site for publically accessible passive recreation space*
 - d) *The proposal will not adversely affect the physical environmental qualities of the site*

The proposed outcome of the Planning Proposal will be achieved by amending CLEP 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:

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.

The proposed Additional Permitted Uses Map and amendment to the Heritage Map by the proposed amendments are shown in **Figure 14** and **Figure 15** overleaf.

FIGURE 14 – PROPOSED CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN – DISTRICT 8 (CENTRAL HILLS LANDS)
ADDITIONAL PERMITTED USES MAP

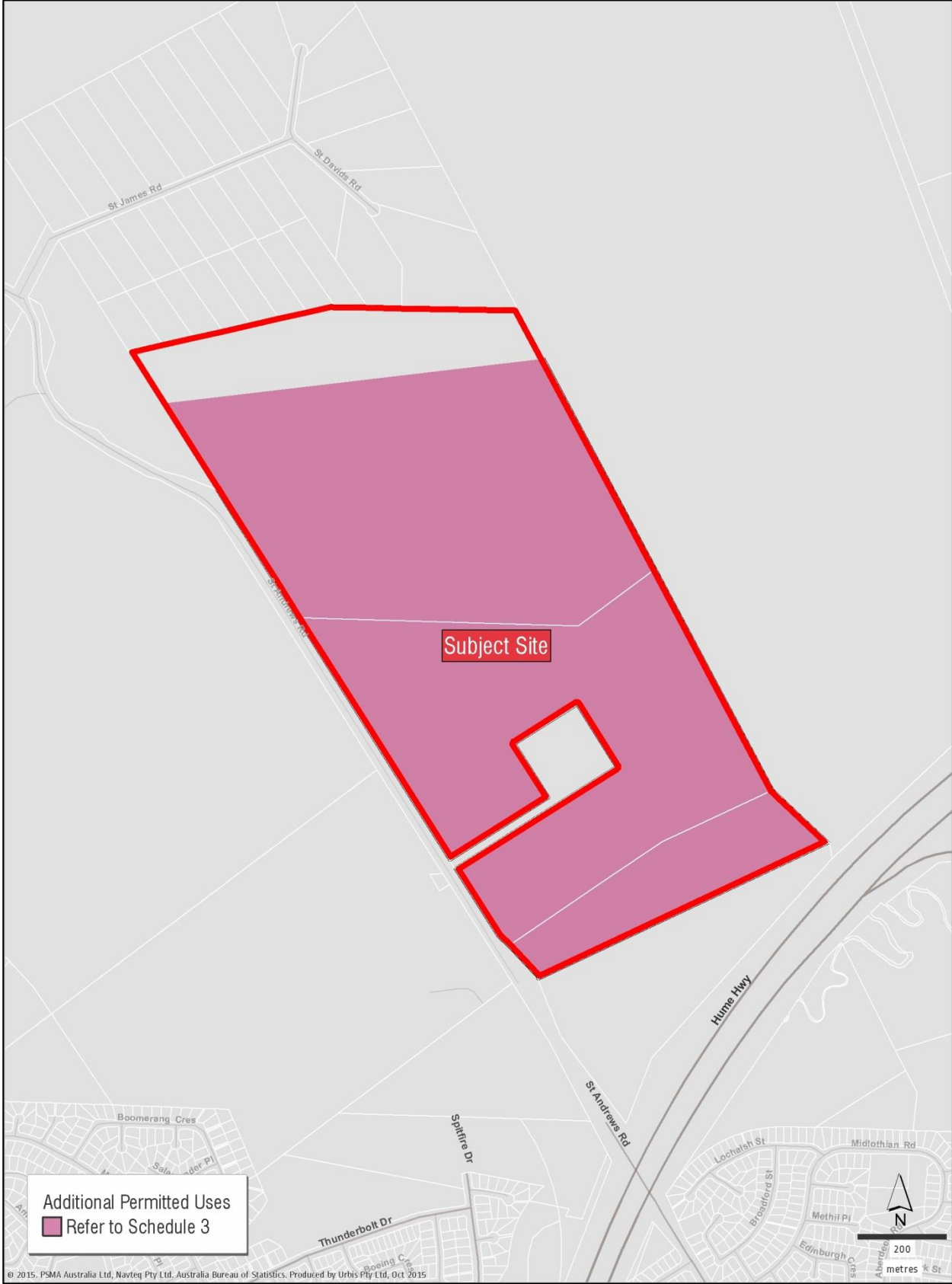
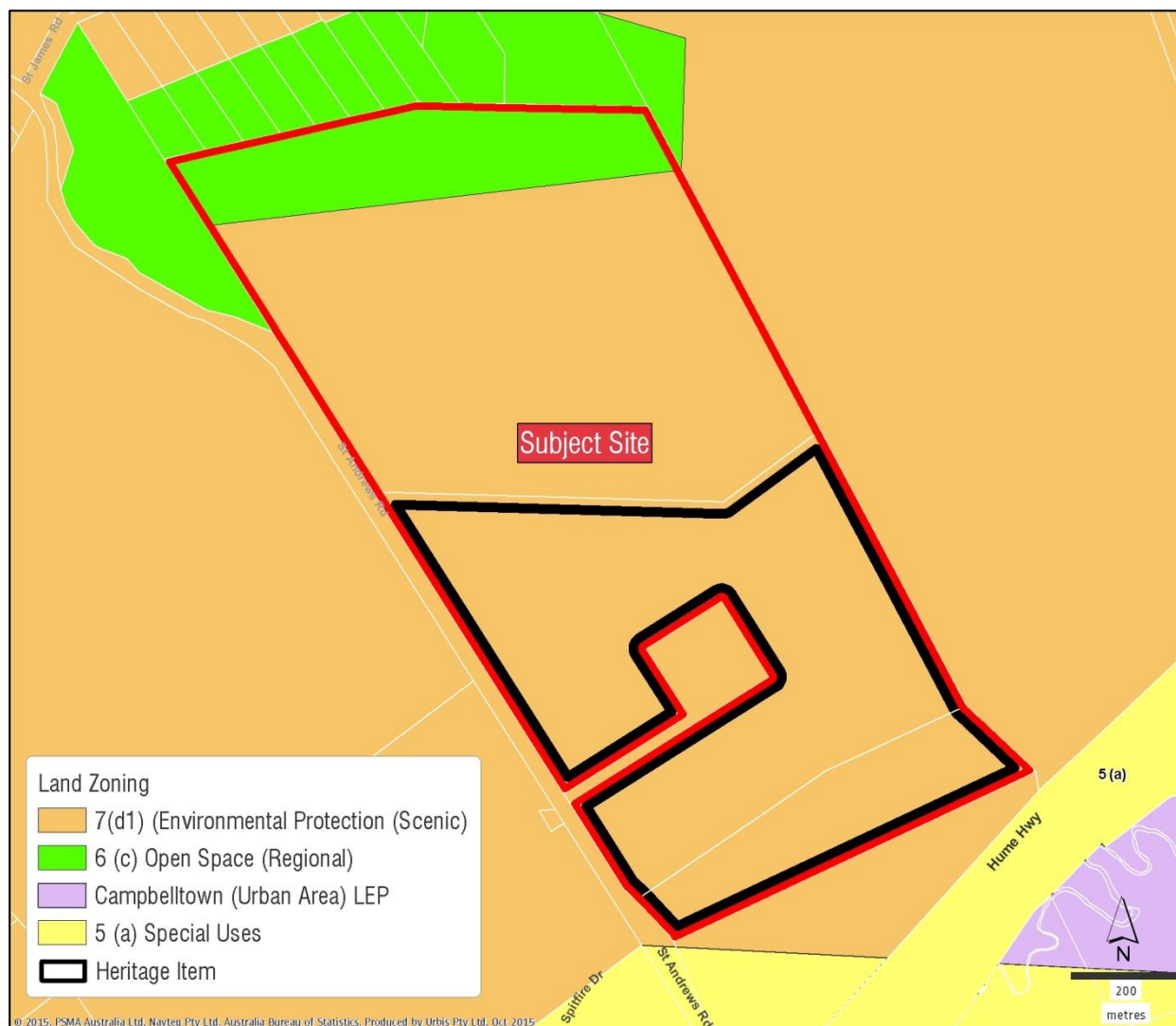


FIGURE 15 – PROPOSED CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN – DISTRICT 8 (CENTRAL HILLS LANDS) HERITAGE MAP



5.3 PROVISIONS OF THE PLANNING PROPOSAL – DRAFT CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2014

It is requested that the dCLEP2014 be amended in the following manner:

1. Add additional Local Provision (Clause 7.20) titled Development for the purpose of a Landscaped Garden Cemetery within the Campbelltown Scenic Hills Area

- 1) The objective of this clause is to preserve the historical, scenic and environmental quality of the Campbelltown Scenic Hills
- 2) This clause applies to all land identified as Lot 1 DP 218016, Lot 22 DP 564065 and Lot B DP 370979
- 3) Development consent must not be granted to development on land to which this clause applies for the purpose of a cemetery unless the consent authority is satisfied that the development:
 - a) The proposal will be undertaken in accordance with any relevant Conservation Management Plan endorsed by the NSW Office of Environment and Heritage
 - b) The proposal will compliment the landscape and scenic quality of the site particularly when viewed from the Campbelltown Urban Area

- c) The proposal includes provision for the partial use of the site for publically accessible passive recreation space
- d) The proposal will not adversely affect the physical environmental qualities of the site

2. Add additional Clause (clause 14) to Schedule 1 Additional Permitted Uses as follows:

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

- 1) This clause applies to land identified as Lot 1 DP 218016, Lot 22 DP 564065 and Lot B DP 370979 as shown marked on the Locality and Site Identification Map.
- 2) Development for the purpose of a cemetery is permitted with development consent

3. Add to Schedule 5 (Environmental Heritage) the following site details

Varroville Estate (Lot 1 DP218016 and Lot 22 DP564065)

Amendments to the Additional Permitted Uses Map and Heritage Map of the dCLEP 2014 to further support by the proposed amendments are shown in **Figure 16** and **Figure 17**.

FIGURE 16 – PROPOSED DRAFT CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2014 ADDITIONAL PERMITTED USES MAP

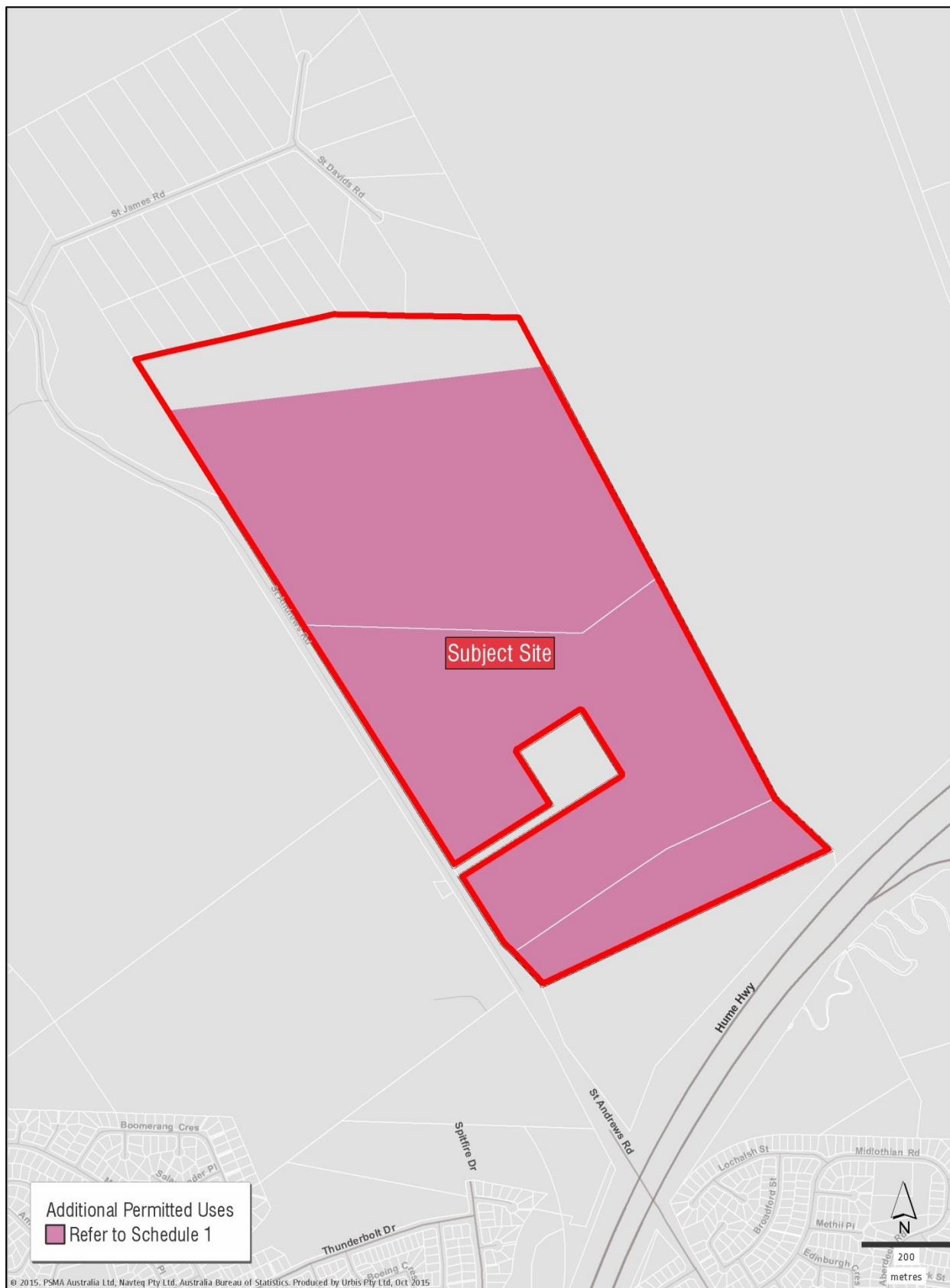
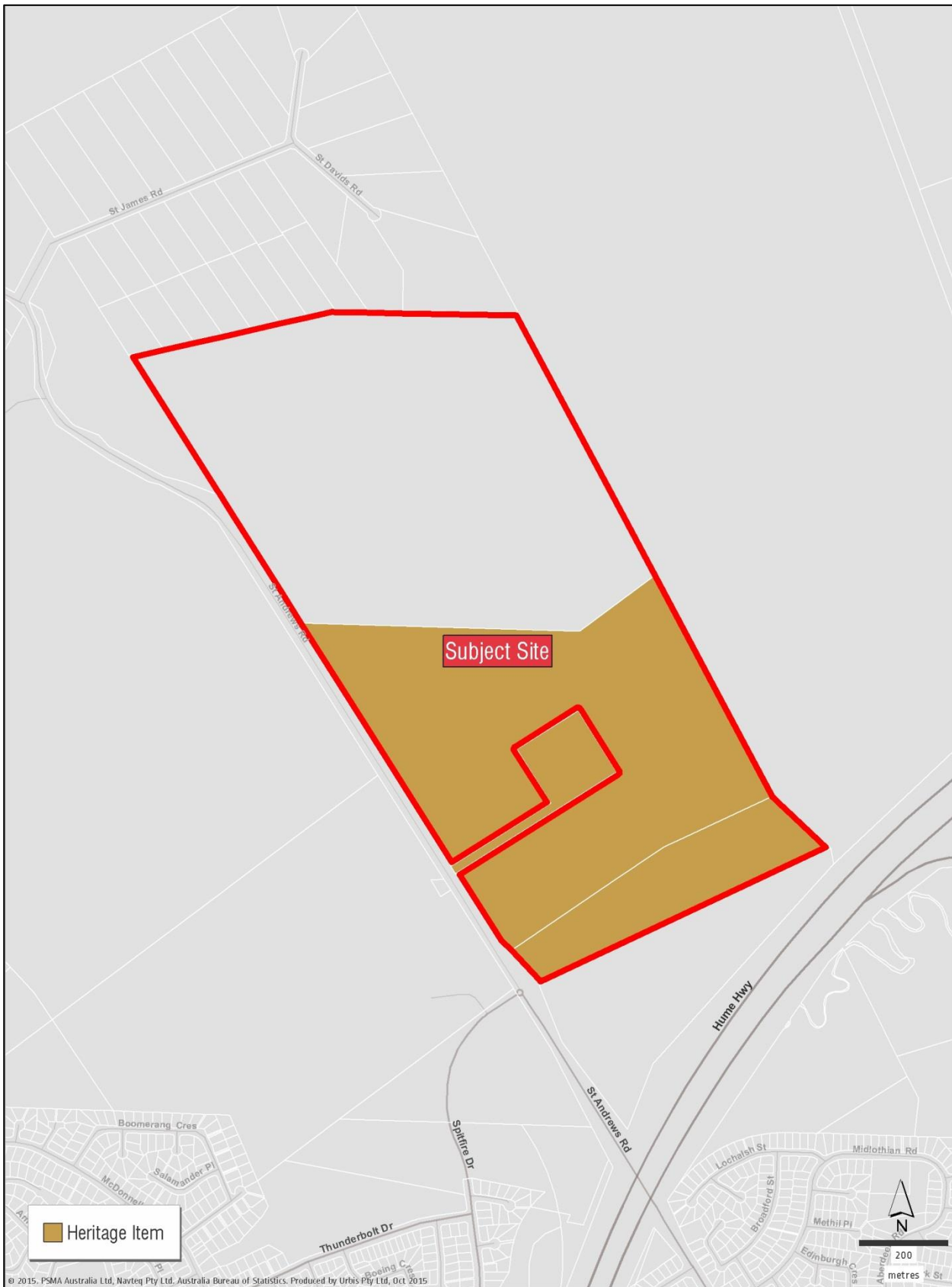


FIGURE 17 – PROPOSED DRAFT CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2014 HERITAGE MAP



6 Justification for LEP Amendment

6.1 NEED FOR THE PLANNING PROPOSAL

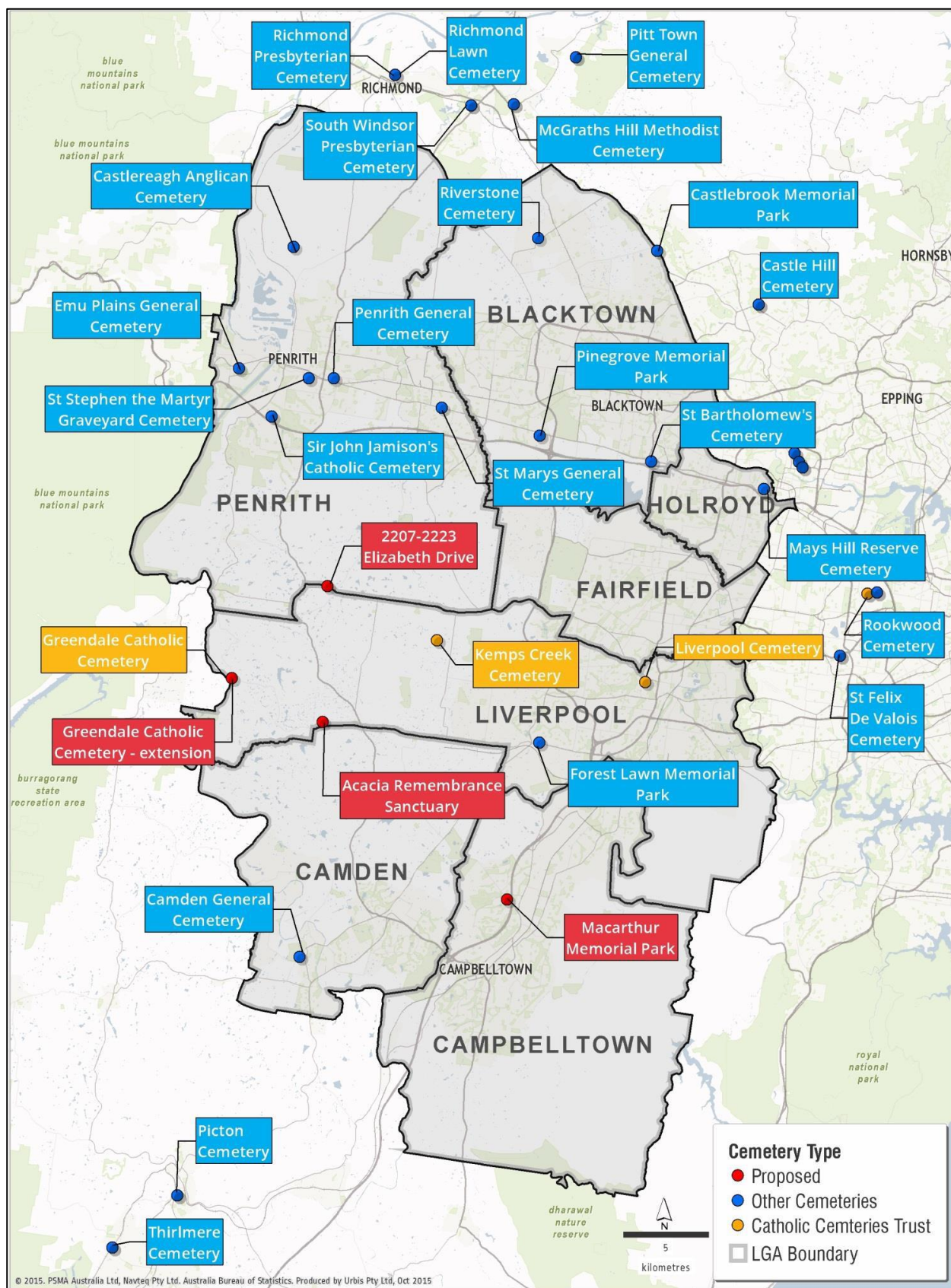
The Department of Planning document “*A Guide to Preparing Planning Proposals*” includes the following questions in describing the need for the Planning Proposal.

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 Western Sydney Region.

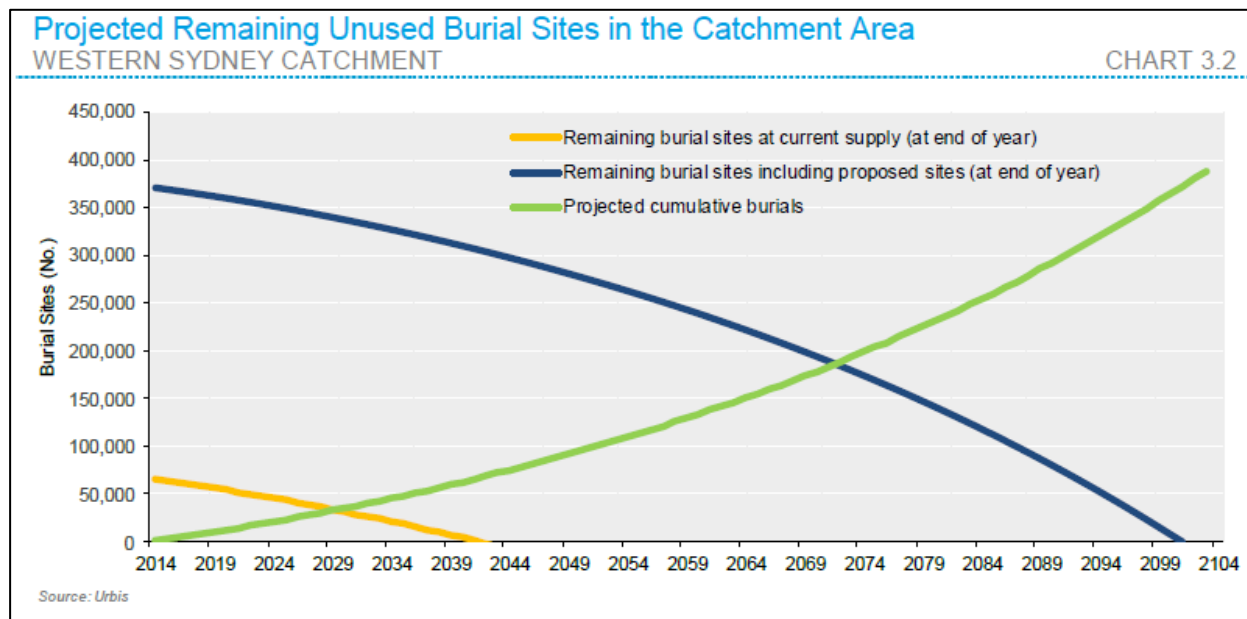
Urbis have undertaken a Cemetery Demand Assessment to investigate the need for cemetery space in the Western Sydney Region. The assessment considered the demographic profile of the catchment area (population growth, age distribution, household incomes, ancestry, religious affiliations etc) and the location 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 18** overleaf).

FIGURE 18 – CEMETERIES IN CATCHMENT AREA (SOURCE: URBIS)



The key findings of the Cemetery Demand Assessment are that there is a very strong need (see **Figure 19** below) for future cemetery space in Western Sydney. It is estimated that if no further burial sites become available capacity will be reached in the next 45 years.

FIGURE 19 – NEED FOR CEMETERY SPACE (SOURCE: URBIS)



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 concluded public exhibition of the dCLEP2014 which will continue to prohibit the development of the site as a cemetery. Consequently there is no alternative option available to avoid a standalone Planning Proposal.

6.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

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

A Plan for Growing Sydney was adopted by the NSW Government in December 2014 and replaces the Metropolitan Plan for Sydney 2036. The plan provides a high level strategic framework for the future ongoing development of the Sydney Metropolitan Area and details four overall goals. **Table 4** overleaf provides an assessment of the planning proposal against these goals.

TABLE 4 – ASSESSMENT OF THE PLANNING PROPOSAL AGAINST THE GOALS OF A PLAN FOR GROWING SYDNEY

GOAL	PLANNING PROPOSAL
Goal 1 A competitive economy with world-class services and transport	The proposal will provide the appropriate planning framework is in place to ensure the availability of burial plots and crematoria infrastructure to be constructed on the site. This will make a significant contribution to the long term planning for cemeteries and crematoria infrastructure which is identified as a key action of Goal 1.
Goal 2 A city of housing choice, with homes that meet our needs and lifestyles	The proposal will have no impact on the housing choice of the area. Based on a number of factors including heritage the site is considered inappropriate for development as housing.
Goal 3 A great place to live with communities that are strong, healthy and well connected	The proposal will provide the appropriate planning framework for the sites masterplan to be adopted. The masterplan will ensure the site will be used as a community facility including a sculpture garden which is considered valuable community infrastructure. The proposal is therefore considered to contribute to the creation of greenspaces within Sydney.
Goal 4 A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	The Planning Proposal is supported by watercourse, ecology and bushfire assessments which have been prepared for the subject site. The reports confirm that development of the site as a cemetery in accordance with the indicative masterplan will not differentially impact the natural environment.

The Strategy identifies the Campbelltown LGA as being within the South West Subregion. Three key priorities have been identified for the South West Subregion. **Table 5** below provides a summary of this priorities and how the proposal satisfies these priorities:

TABLE 5 – ASSESSMENT OF THE PLANNING PROPOSAL AGAINST THE RELEVANT PRIORITIES OF THE SOUTH WEST REGION

PRIORITY	PLANNING PROPOSAL
A competitive economy	The proposal will provide the appropriate planning framework for the sites masterplan to be adopted. 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.
Accelerate housing supply, choice and affordability and build great places to live	The proposal will have no impact on housing supply, choice or affordability. The proposal will however provide the appropriate planning framework for the site to be used as a community facility including a sculpture garden which can be considered valuable community infrastructure.
Protect the natural environment and promote its sustainability and resilience	The indicative masterplan prepared for the site identifies a land use which will respect the land, its landform and ecology by carefully laying roads and any built environment and limiting their “footprint” whilst promoting public access and green space for the local community through the sculpture garden which will be proposed under future development applications for the site.

PRIORITY	PLANNING PROPOSAL
	The significant revegetation works which will occur for the site as part of any future development approval issued for the site regarding its use as a cemetery will promote the resiliency of the flora and fauna in the area.

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 as summarised in **Table 6** below

TABLE 6 – ASSESSMENT OF THE PLANNING PROPOSAL AGAINST THE OBJECTIVES OF THE CAMPBELLTOWN COMMUNITY STRATEGIC PLAN 2013 - 2023

OBJECTIVE	PROPOSAL RESPONSE
A 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 and the proposals compliance are identified in **Table 7** below.

TABLE 7 – COMPLIANCE OF THE PLANNING PROPOSAL WITH RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

POLICY	DETAILS
State Environmental Planning Policy (State and Regional Development) 2011	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. Cemeteries are not currently identified within any of the relevant schedules of the SEPP nor are deemed as State or Regional Development.
State Environmental Planning Policy (Rural Lands) 2008	Campbelltown City Council is excluded from this Policy. It is therefore of no relevant to the Planning Proposal.

POLICY	DETAILS
State Environmental Planning Policy (Infrastructure) 2007	This SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. While not specifically relevant to this Planning Proposal, future infrastructure works may not require development consent in accordance with the SEPP.
State Environmental Planning Policy 55 Remediation of Land	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. 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 as part of any future Development Application lodged for the site.
State Environmental Planning Policy No 44 - Koala Habitat Protection	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. 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. 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.

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 summarised in **Table 8** below.

TABLE 8 – SECTION 117 DIRECTIONS

DIRECTION	COMMENT
2. Environment and Heritage	The subject site is located within an Environment Protection Zone.
2.1 Environment Protection Zones	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.

DIRECTION	COMMENT
	A Watercourse Assessment (Appendix H) and Ecology Constraints Assessment (Appendix J) have been undertaken to inform the future design of the cemetery. These reports demonstrate that the potential impacts of the proposal are reasonable.
2.3 Heritage Conservation	In accordance with the requirements of the Gateway Determination a draft Conservation Management Plan has been prepared for the site (Appendix E) The Conservation Management Plan details the heritage significance of the site and its surrounds and identifies appropriate policy which can be enacted to ensure the heritage significance of the site is maintained.
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. A full site and desktop assessment of the watercourses on site has been undertaken by Travers Consultants at Appendix H . This led to a validation of a number of watercourses and riparian zones, all of which informed the Indicative Masterplan.
4.4 Planning for Bushfire Protection	A bushfire protection assessment (refer to Appendix I) 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.
7. Metropolitan Planning	As discussed in Section 4.2 the Planning Proposal is consistent with the objectives and actions of the A Plan For Growing Sydney.
7.1 Implementation of A Plan For Growing Sydney	

6.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

6.3.1 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.

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 if 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 as part of any Development Application lodged for the site 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:

- Heritage Conservation
- Bushfire Management
- Water Management
- Groundwater
- Traffic Impact
- Visual Impact

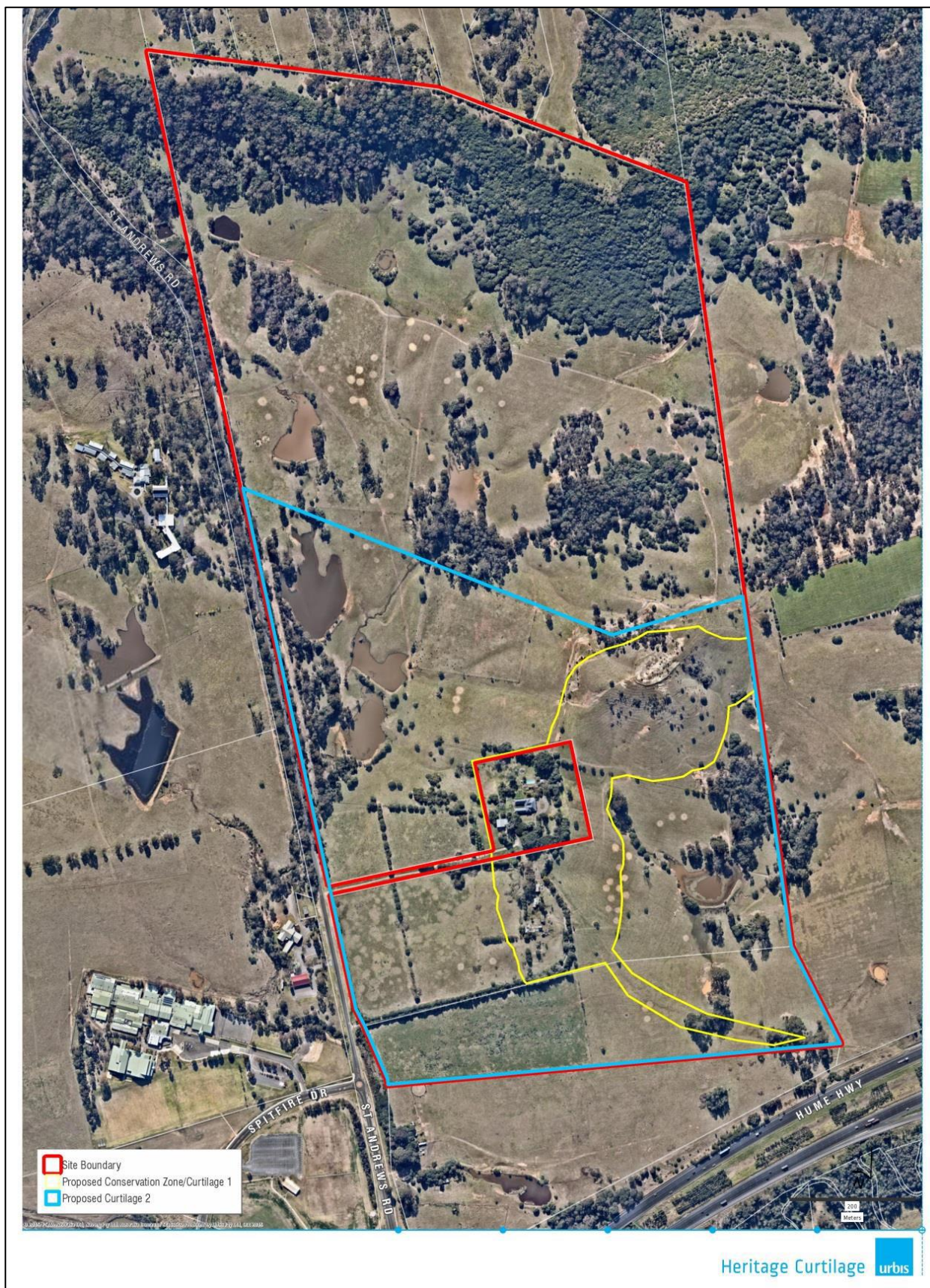
Heritage Conservation

A draft Conservation Management Plan (dCMP) has been prepared for the proposal by Urbis (see **Appendix E**). The dCMP has considered the Archaeological, Aboriginal and European heritage of the site against the relevant legislation and has confirmed that on heritage grounds the site is capable and appropriate for development as a cemetery if the Conservation Management Plan is adopted and implemented as part of any future development of the site. Key recommendations of the dCMP are as follows:

- Both Lot 1 in DP 218016 and Lot 22 in DP564065 be listed as heritage items under the provisions of both the CLEP and the dCLEP2014 to provide formal heritage protection for these sites.
- Extension of the heritage curtilage of Varro Ville House to include outbuildings, the former drive and remnant vineyard terraces at a minimum as shown in **Figure 21**.

- The schedule of conservation works be undertaken as a priority to stabilise the outbuildings.
- Any proposed new use of the Varroville Estate should be compatible with the nature and identified significance of the place such as a cemetery.
- Additional built form should be minimised to that which is identified within the indicative masterplan.
- Future development of the site should be informed by the Archaeological Survey Report and the management strategy presented therein should be adopted.

FIGURE 20 – PROPOSED CURTILAGE MAP (SOURCE URBIS)



Bushfire Management

A Bushfire Protection Assessment (see **Appendix I**) 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 should the subject planning proposal be approved. 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 (see **Appendix H**) 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 the purposes of the planning proposal which identifies the waterfront lands to be protected. For the purposes of a planning proposal, 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.

Groundwater

An assessment of the Groundwater conditions of the site has been undertaken by Red Earth Geosciences (see **Appendix G**) in order to ensure that the existing soil conditions of the site can readily accommodate burial plots.

The Geoscientific Investigations have confirmed that there is no groundwater resource present or related to the site and that there is no recognised underlying aquifer system and no groundwater abstraction sites on or near the proposed site.

It is therefore considered that the proposed use of the site as a cemetery will have a negligible effect on the natural groundwater aspects of the site as the pathways available for movement of any pollutant (including pathogens) load from decomposing bodies are extremely limited and comprised of a soil matrix which will rapidly attenuate them.

It is also further noted that the Geoscientific Investigation has assessed the application against the terms of published guidelines from multiple worldwide organisations including the World Health Organisation and has confirmed that the site will meet any concerns of these guidelines.

Traffic Impact

An assessment of the traffic and transport conditions has been undertaken by GTA Traffic Consultants (see **Appendix L**) which demonstrates that the proposed parking provisions and internal road system will adequately meet the demands of the proposal.

- The proposed site can clearly accommodate the parking requirements of the subject site.
- Access into the site can be provided by means of a rural basic right turn treatment.
- Stage 1 of the development of Macarthur Memorial, which will take place up until 2073, is expected to generate some 30 trips in the peak hours and up to 105 in the busiest hour.
- Ultimately, the full development of the site, (assuming the same traffic generating characteristics occur over that period) might generate 139 trips in the road network peak hour and some 486 in the off peak periods hour in the year 2163 when the development is complete.
- There is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development.
- The Glenfield to Macarthur Urban Renewal Corridor Strategy proposes an upgrade of St Andrews Road to a sub arterial linking to Campbelltown Road. This is likely to result in an increase in traffic capacity along St Andrews Road which even allowing for potential future traffic growth along this corridor, should be more than adequate to accommodate traffic from the proposed cemetery

Visual Impact

A Visual Assessment has been undertaken in support of the Planning Proposal by Richard Lamb and Associates (see **Appendix F**). The purpose of the Visual Assessment was to demonstrate that the subject site was capable and appropriate from a visual standpoint for the sites development in accordance with the indicative masterplan.

3D modelling of the site and rendered photomontage of representative views show that the proposed use of the site in the Master Plan by FJLA would not significantly degrade the quality or significantly alter the character of the site. In the intervening period, before the part of the site that is visible in these localised views would be put to cemetery use, which would be generations into the future, conservation works would have been long completed in relation to the setting of Varroville House outside its house lot, as required in the CMP. This would include conservation of heritage fabric, both built and landscape, management and interpretation of landscape associated with extant structures, vegetation management including removal of invasive vegetation and its replacement with more appropriate species, interpretation of significant heritage items such as the original access from the south east to Varroville House and of the terraced areas of former vineyards. Minimal infrastructure would be established consisting of minimal roads and of vegetation to assist in providing grassy landscape 'rooms' and interfaces to St Andrews Road and the southern boundary of the site.

An analysis of the performance of the planning proposal against the objectives of the existing and intended future zones for the land found that the acceptance of the proposal would comply with those objectives. Certainty that the proposal can satisfy those objectives is provided by the Master Plan and the policies and implementation of the CMP.

6.3.2 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 (see **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 recommends that serious consideration be given to planning for future cemetery capacity that will provide for future long term supply well in excess of current levels and makes several additional observations which have informed the Planning Proposal, including:

- *From 2014 to 2039 there is expected to be more than 214,000 deaths in the catchment area. By 2039, the number of deaths each year is expected to be more than 37% higher than the current rate.*
- *It is estimated that some 292,000 burial sites will be required across Sydney GMA from 2014 to 2039. This represents almost 53% 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 2059). This is considered to be a relative short timeframe in the planning and operation of cemeteries. The proposed development of four major cemeteries in Western Sydney would extend this out to approximately 2075 with no other burial spaced being added, however this only represents approximately two generational periods.*
- *Within the catchment area, there is projected to be a need for some 58,000 burial sites based on projected death rates. All existing burial sites within the catchment area are expected to be absorbed within the next 30 years in the absence of new supply. If all proposed cemetery sites are included in the supply, these burial plots would last until the beginning of next century (less than 100 years) which represents approximately three generational cycles. 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.*

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.

An Infrastructure Services Report and Infrastructure Management Plan have been prepared in support of the application and are attached as **Appendix M** and **Appendix N**. The reports confirm that subject to reasonable and appropriate augmentation appropriate public infrastructure exists within the

7 Community Consultation

In accordance with the requirements of the Gateway Determination the proponent has consulted with multiple government agencies prior to the application being lodged. Details of this consultation is summarised in **Table 9** below.

TABLE 9 – RECORD OF COMMUNITY CONSULTATION

AGENCY	CONSULTATION
Office of Environmental Heritage – Heritage Division	The Office of Environmental Heritage – Heritage Division was advised that Urbis Heritage were preparing a Conservation Management Plan in August 2014. As the Heritage Division is a potential endorser of the Conservation Management Plan no further consultation was requested.
Department of Primary Industries - Office of Water	CMCT advised the Office of Water of the application on 9 September 2015. The Office of Water advised they will not consider the application until such time that a Development Application was lodged for the site.
Department of Primary Industries - Cemeteries and Crematoria NSW	CMCT manages burial grounds on behalf of the crown and reports directly to Cemeteries and Crematoria NSW and the Minister for Primary Industries. Both parties have been comprehensively briefed on the application since its inception in 2013.
Transport for NSW	A briefing session was held between GTA Consultants and Transport for NSW in September 2015. Matters raised in this meeting regarding the capacity of St Andrews Road is detailed in the GTA Transport Impact Assessment attached as Appendix L of this report.
Transport for NSW - Roads and Maritime Services	A briefing session was held by GTA Consultants for Roads and Maritime Services in September 2015. Matters raised in this meeting regarding the capacity of St Andrews Road is detailed in the GTA Transport Impact Assessment attached as Appendix L of this report.
Department of Health	A briefing session was held between CMCT and the Department of Health on 10 September 2015. No objection was raised regarding the proposal.
NSW Rural Fire Service	No consultation has been undertaken with the NSW Rural Fire Service. It is noted that item 7 of the Gateway Determination requires the Sydney West Joint Regional Planning Panel to consult with the Commissioner of the NSW Rural Fire Service as part of the assessment of the Planning Proposal. The NSW Department of Planning and Environment has confirmed this is acceptable.
Sydney Water	Both Warren Smith and Partners and Steensen Varming have liaised with Sydney Water. A feasibility application has been made to Sydney Water in relation to obtaining direction for connecting the development to its water and sewer assets. It is expected to have a response from Sydney Water in late October/early November.
Telstra	Steensen Varming has liaised with Telstra throughout September. The liaison has confirmed that ground copper and fibre service cables distributing within the project boundary. An Application for Reticulation to support the application has also been lodged with Telstra.

AGENCY	CONSULTATION
Endeavour Energy	Consultation between Steensen Varming and Endeavour Energy has confirmed that Energy have no substation assets within, or near, the project boundary. Therefore a new substation will need to be constructed in order to provide the proposed developments with an electricity service. A Substation will be proposed as part of any future Development Application lodged for the site.

As required under both Section 57 of the *Environmental Planning and Assessment Act 1979* and the Gateway Determination issued for the project the application is required to be publicly exhibited for community consultation for a period of 28 days. This exhibition would be conducted in accordance with Department of Planning and Environments policies for community consultation.

It is also noted that CMCT has undertaken two Community Information and Feedback Sessions held at the Mount Carmel Catholic College and Campbelltown Catholic Club. Results from these consultation sessions have informed the Planning Proposal.

8 Conclusion

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* 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 both the *Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)* and the *draft Campbelltown Local Environmental Plan 2014*, and is supported on the following grounds:

- The use of ‘cemeteries’ are not specifically prohibited under the *Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)*, 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. It is further noted that the use of the subject site as a cemetery is prohibited under the *draft Campbelltown Local Environmental Plan 2014*.
- 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 Catholic Metropolitan Cemeteries Trust.
- 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. These reports have confirmed that the site is capable and appropriate for use as a cemetery.
- 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.

Overall, it is considered that the Planning Proposal is satisfactory and that the site is capable and appropriate for development as a cemetery. It is requested that Sydney West Joint Regional Planning Panel take the necessary steps to enable an amendment to be made to both the *Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)* and the *draft Campbelltown Local Environmental Plan 2014*.

Disclaimer

This report is dated October 2015 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

Gateway Determination

Appendix B

Site Survey Plan

Appendix C

Indicative Landscape Masterplan

Appendix D

Design Statement

Appendix E

Draft Conservation Management Plan

Appendix F

Visual Impact Assessment

Appendix G

Cemetery Demand Assessment

Appendix H

Watercourse Assessment

Appendix I

Bushfire Assessment

Appendix J

Ecological Constraints Assessment

Appendix K

Geoscientific Investigation

Appendix L

Transport Impact Assessment

Appendix M

Macarthur Memorial Park Infrastructure Management Plan(Power and Telecommunications)

Appendix N

Infrastructure Services Report

MACARTHUR MEMORIAL PARK

PLANNING PROPOSAL

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