

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.2 Community Engagement Report - Planning Proposal to Permit Proposed Memorial Park on Lot 2 DP112382 and Lot 126 DP754881 - No.1187-1241 Old Cooma Road, Googong (Ref: ; Author: Thompson/Geyer)

File Reference: PJT0061

Summary

In 2017 Council resolved to submit a planning proposal to amend the permissible use on land at 1241 Old Cooma Road, to include a cemetery. This would allow Council to progress plans to establish the site as a proposed Memorial Park subject to future approvals. The Gateway Determination required Council to undertake a number of studies and place the reports on public exhibition.

The formal public exhibition period was undertaken from August to October 2020. Having considered the matters raised by the community during the consultation period and the concurrent change from drought to above average rainfall, it was deemed appropriate to conduct further ongoing ground water monitoring and test pumping on bores to determine flow rates and recharge rates.

This report brings all studies and consultation to Council to review. Council can now be satisfied that the potential impacts of allowing a memorial park/cemetery to be a permissible use at this location can be mitigated through appropriate engineering and management of the site.

No actual memorial park/cemetery can be commissioned without design details, a development application and a robust operational plan. Therefore, it is recommended that Council support the Planning Proposal for this initial land use planning step, and forward it and the supporting documentation to the NSW Department of Planning, Industry and Environment (DPIE) requesting the draft plan be made.

Recommendation

That Council:

1. **Endorse the Planning Proposal and supporting information to allow a cemetery as a permissible use on Lot 2 DP112382 and Lot 126 DP754881 - No.1187-1241 Old Cooma Road, Googong.**
 2. **Forward the Planning Proposal to the NSW Department of Planning, Industry and Environment requesting that the Minister for Planning make the draft plan.**
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Background

At its Ordinary Meeting of 24 June 2020, Council resolved to proceed with formal public exhibition and community consultation in respect of the proposed memorial park/cemetery on 1241 Old Cooma Road, Googong and to consider a report from staff on that consultation process prior to forwarding the planning proposal to the Minister for Planning for final determination (Minute No. 115/20). Council had previously made clear a cemetery proposal would specifically exclude a crematorium. Site selection and elements for design and operation have been informed by NSW Cemetery and Crematoria guidelines.

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Exhibited Studies

The Gateway determination for the planning proposal issued by the (DPIE) required Council to undertake a number of studies to support the planning proposal prior to commencing consultation with government agencies and the community. These were:

- Cultural Heritage Study
- Traffic and Transport Impact Assessment
- Visual and Noise Assessment
- Geotechnical Study
- Hydrological Study
- Social Impact Assessment
- Flora and Fauna Study.

An additional Social Impact Assessment was prepared by Elton Consulting on Council's behalf. This included a number of telephone interviews, a telephone survey and a focus group discussion in late 2018.

Further work was also undertaken in respect of potential flooding impacts on the site. That work concluded that flooding is not a constraint to the development of a memorial park/cemetery on the land.

Further, in response to comments received from the Natural Resource Access Regulator (NRAR), additional monitoring was undertaken over a 15 month period in respect of potential groundwater impacts on the site. The report addressing NRAR's requests was provided to NRAR for further comment as part of ongoing consultation and engagement. The report indicates that with appropriate management practices in place there are unlikely to be any significant impacts on groundwater, and that suitable areas of land are available for both burials and memorial sites to meet the needs of the community into the foreseeable future. Having regard to that report, NRAR supports the use of the site for a memorial park/ cemetery subject to several conditions which it is intended to implement.

Copies of the background studies were included with the Council report of 24 June 2020 (Item 9.2). All of the above studies were made available to the community during the formal public exhibition period. Council also exhibited a Question and Answer fact sheet about the proposal to explain the background as to the need for the memorial park/ cemetery, how the site was chosen, and the relevant planning/development processes.

Further Ground Water Monitoring

Council therefore commissioned further measurement of subsoil water levels through to February 2021. A copy of the feedback from that study is shown in Attachment 8.

Figure 1 below shows the depth at which subsoil water was encountered at three bore sites across the site. The graph covers the period from January 2019 to February 2021. The blue jagged line at the top of the graph indicates rain events. The yellow, green and brown lines reflect subsoil water levels below ground level at various bores across the site. The solid red line shows the Cumulative Deviation from Mean Rainfall. Basically when the red line goes up the daily rainfall is greater than average, when it goes down, lower than average. The dotted red line is the ideal subsoil water level (3m below ground level) for managing a cemetery without intervention to control subsoil water levels. The graph is reproduced to a larger scale in Attachment 7

The first half of the graph indicates infrequent and intermittent rain events (often storms) and reflects the last 12 months of the drought that culminated in the devastating bushfires in the region in late 2019/early 2020. During this period subsoil water levels slowly fell across the site.

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From March 2020 onwards it can be seen that rainfall events increase in both frequency and intensity. This is reflected in a steady and cumulative rise in subsoil water levels with a peak associated with sodden ground due to farm dams being at capacity in November 2020. These results are not surprising given the weather patterns of these two respective years, being drought followed by above average rainfall.

It should be noted that the Lawn Cemetery located in Lanyon Drive has also experienced high ground water during this period requiring management of subsoil water conditions.

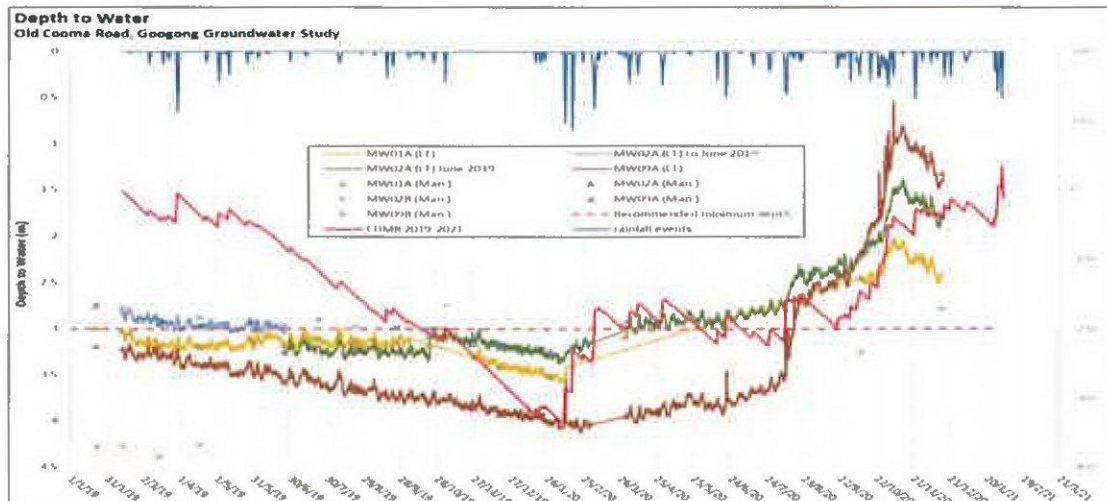
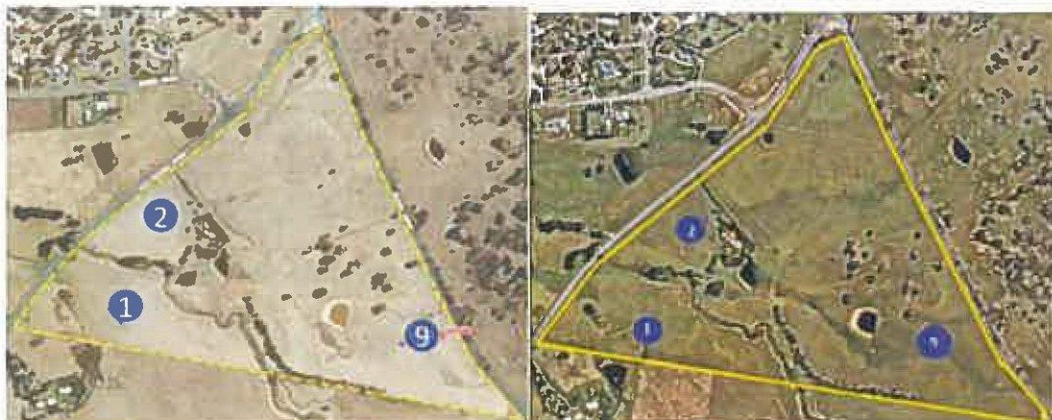


Fig 1. Monitoring Data Showing Level of Subsurface Soil Water Below Ground



**Fig 2. Test Bore Locations Dry (left) and Wet (right).
Sites 1, 2 and 9 relate to the Yellow, Green and Brown Lines in Figure1 Respectively**

While it is apparent, ground water is not an issue during average and dryer rainfall periods, engineering solutions to manage subsoil water levels will be required for longer periods of wet weather.

To assess what engineering solutions might be available, bore flow rates and recharge rates were measured to determine options for management of the site during wet periods. The tests showed that rapid pumping drew down the bores quickly, however recharge was also rapid. Slower pumping rates indicated a slower draw down, 200-300lt/day, and consistent pumping could maintain levels, but levels rose again if pumping stopped and results are localised due to clay content.

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Figure 3 below reflects the above comments and includes an explanation from the groundwater specialist.

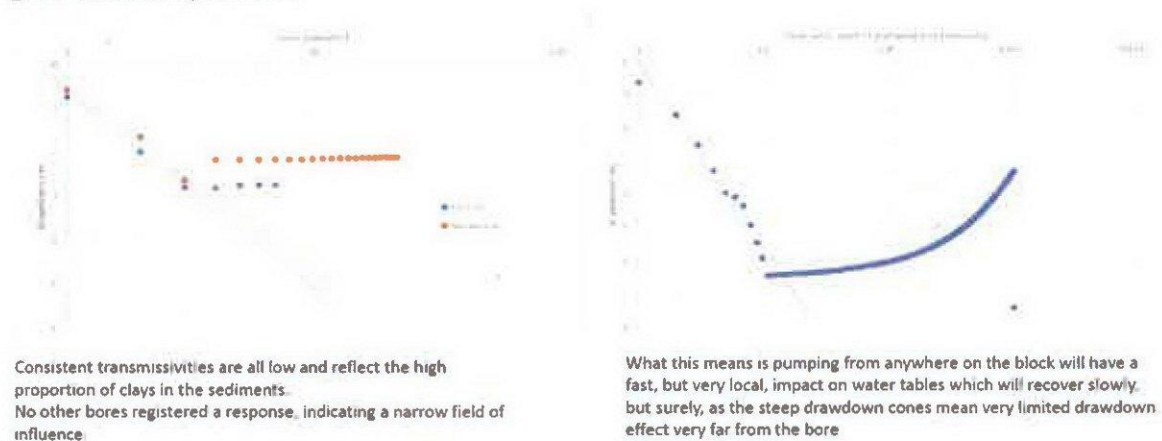


Fig.3 Trials on Pumping Rates

This result indicates multiple management tools need to be applied in an integrated water management system and relying solely on pumping during these wet periods is not suitable. It does however, indicate any leachates within the property can be relatively easily retained onsite.

As the site is at the base of surrounding hills, gravity will naturally bring water to and through the site. Localised ground water levels clearly increased once the farm dams reached capacity and held back water allowing surrounding soil to become saturated. Engineering solutions such as contouring, decommissioning two small dams and adding cut off drains are some of the options for managing water onsite, without altering the flow rates entering or leaving the property.

These engineering solutions are common in the mining industry and many other cemeteries across the country. Horticultural solutions are also available. A single eucalypt tree can transpire 200L of water per day (Floyde Storm Water Bulletin 2001) whereas a deep-rooted oak tree can transpire 400L per day (USGS 2021). It is not critical to manage ground water over the entire 36ha, only those specific areas dedicated for inground interments. Areas to be used for landscaping and other services can be left unaltered.

It is however, prudent to remember that the current exercise is a land use Planning Proposal, not the detailed development application or operational plan for a memorial park. At this later stage, it will be appropriate to invest in a professionally developed Integrated Water Management Plan for the site with strategies for ongoing water monitoring and a range of management tools for the life of the facility.

Implications

Legal

The planning proposal has been progressed consistent with the requirements of the *Environmental Planning and Assessment Act, 1979*.

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Environmental

A number of environmental studies have been prepared for the site as required by the Gateway determination. Additional groundwater monitoring was also required by NRAR and this has now been undertaken.

Having regard to the outcomes of the studies, it is intended to retain remnant native vegetation on the site and to undertake ongoing monitoring and development of an integrated water management plan if the Planning Proposal proceeds and a development application is to be lodged.

Social / Cultural

A Social Impact Assessment (SIA) was carried out as part of the planning proposal. The SIA found potential social impacts included levels of community trust in the planning decision, perceptions that existing traffic congestion will be exacerbated, perceived changes to the rural character of the area, and fear of potential decreased property values

This SIA found that these potential negative social impacts are likely to be primarily and intensely felt among a relatively small number of people made up of predominantly existing residents who currently live in immediate geographical proximity to the site, and some people who are planning to move to the area surrounding the site in the near future (less than 2 years).

As a result, the SIA recommended as a mitigation response that if the proposal proceeds QPRC undertake a robust, proactive and comprehensive communications and engagement strategy designed to ensure a high level of community awareness that the site would be developed as a memorial park/cemetery. This would include provision of genuine opportunities for the community to collaborate with QPRC on future memorial park/cemetery design.

If the proposal proceeds it is intended to pursue this recommendation and include a comprehensive communications plan moving forward.

Strategic

The provision of cemeteries is considered critical infrastructure for a community for both health and social reasons. The need for a new memorial park/cemetery to service the Queanbeyan, Jerrabomberra and Googong communities is becoming increasingly urgent with Lanyon Drive cemetery rapidly approaching its capacity. The proposal to identify a site and develop a new memorial park/cemetery has been acknowledged as a major strategic project for Council since 2012, with the subject planning proposal commencing in 2017.

Engagement

Community engagement was conducted over a six-week period from 24 August 2020 to 5 October 2020, with submissions being received up to 6 October 2020.

The community consultation process included:

- placing all background studies and reports associated with the planning proposal on public exhibition;
- conducting an independently facilitated public meeting with interested members of the community and preparation of a "Listening Report",
- direct consultation via Council's "Your Voice" webpage,
- consultation through social media channels.

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The public meeting component of the community engagement was conducted on 15 September 2020 via Zoom due to COVID-19 restrictions on public gatherings. The meeting was well attended with approximately 50 registered participants. Participants were able to submit questions in advance of the meeting or during the meeting itself (79 questions submitted and responded to). A short survey of those participants undertaken by the facilitator at the end of the meeting indicated 79% felt the meeting was either "Informative" or "Highly Informative". Further, 95% of participants believed the facilitator was "Effective" or "Highly Effective".

In addition, participants in the meeting and other members of the community were provided with an opportunity to submit questions in respect of the proposal directly to Council for a response. Staff have subsequently answered all questions submitted and these responses have been placed on the Council's website for public viewing.

The following documents are attached for Council's information:

- A summary and analysis of submissions received during the public exhibition period (Attachment 1).
- Copies of all community submissions received during the public exhibition period (Attachment 2).
- The questions submitted by the community for the Online Community meeting and staff's responses to these (Attachment 3).
- The questions submitted by the community during the public exhibition period and staff's response to these (Attachment 4).
- the "Listening Report" from the public meeting prepared by the facilitator (Attachment 5).
- The Question and Answer sheet circulated during the exhibition period (Attachment 6).

During the public exhibition period:

- 67 submissions were received through "Your Voice" or direct to Council.
- 45 questions from the community were received prior to the public meeting and responded to.
- 8 presentations were made by community members at the public meeting held to inform the planning proposal.
- 79 questions from the community were received and responded to.

Following the public meeting, the independent facilitator produced a "Listening Report" and Council's staff completed a "Your Voice" engagement report. Additionally, staff also prepared an analysis of the submissions received during consultation.

As noted, all these reports and questions are attached for Council's review.

Across the submissions, seven common areas of concern were highlighted including, Aboriginal Heritage, Traffic and Access, Groundwater Contamination and Flooding, Environmental, Mental Health, Property Values, Process and Communication. A summary of the submissions and Council's response to the matters raised is provided in Attachment 1.

There was both opposition and support for the planning proposal, with one submission being essentially neutral.

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None of the reports or findings have identified significant reasons why the planning proposal should not proceed. There are a number of recommendations that will be addressed at development application (DA) and detailed design phase should the Planning Proposal be successful, and a number that will be incorporated into a long-term operations management plan for the site if approved.

One recurring concern of the community was impact on groundwater and that testing was conducted during drought. The report does address this in that rainfall data and test results were correlated and indicated initial effect or storm events spiked quickly but also receded quickly. However, it was felt that further monitoring was in the public interest and the cumulative impact of the current above average rainfall should also be assessed.

Further community engagement will occur during design and development application stages, should the proposal progress to that point.

Financial

While Council has identified the initial need for loan funds to develop and establish a new memorial park/cemetery site, the project is anticipated to be fully self-funded with acquisition and development costs being recouped through income from reservation and internment sales and services. A business plan would be prepared subsequent to the decision of the NSW Minister for Planning, and a Council decision to progress to full design, DA and procurement.

Resources (including staff)

The planning proposal and community engagement has required staff and consultant resources from Land-use Planning, Community Engagement and Urban Landscapes over a three-year period. Should the proposal be approved, considerably more work will be required to prepare subsequent development applications, detailed designs, and a Business Operation Plan for the site.

Integrated Plan

The proposed new memorial park/cemetery has been identified within Council's strategic planning documents since 2012.

Conclusion

Council has now completed all the required studies identified in the Gateway Determination issued by the State government, including additional ground water monitoring conducted at the request of NRAR.

Where relevant, the reports have made recommendations in respect of any future DA or Operational Plan for the proposed memorial park/ cemetery. Although it is expected, conditions would be applied, there is nothing identified that would prevent this land use Planning Proposal proceeding noting that detailed design and specific management strategies would form part of a future DA, should it proceed to that point.

Accordingly, staff are now recommending that the Planning Proposal and supporting documentation be forwarded to the Department of Planning, Industry and Environment (DPIE) requesting the Minister for Planning (or delegate) to make the draft plan to enable the land to be used as a memorial park/cemetery.

- 008/21 **9.2 Community Engagement Report - Planning Proposal to Permit Proposed Memorial Park on Lot 2 DP112382 and Lot 126 DP754881 - No.1187-1241 Old Cooma Road, Googong**
- RESOLVED (Hicks/Biscotti)**
- That Council:
1. Endorse the Planning Proposal and supporting information to allow a cemetery as a permissible use on Lot 2 DP112382 and Lot 126 DP754881 - No.1187-1241 Old Cooma Road, Googong.
 2. Forward the Planning Proposal to the NSW Department of Planning, Industry and Environment requesting that the Minister for Planning make the draft plan.
- For: Crs Biscotti, Harrison, Hicks, Noveska, Overall, Schweikert and Taylor
- Against: Crs Marshall and Winchester

- 009/21 **9.3 QPRC Draft Waste Strategy Exhibition**
- RESOLVED (Schweikert/Marshall)**
- That Council:
1. Include Scenario 3 with Rating Approach D as the preferred scenario in the draft QPRC Waste Strategy.
 2. Place the draft QPRC Waste Strategy (as amended by this report) on exhibition for 28 days.
 3. Seek input from Veolia and CRJO on the draft strategy and on their projects and strategies relating to waste management in the region.
 4. Hold a workshop to consider the input and submissions before adoption.
- The resolution was carried unanimously.

- 010/21 **9.4 New Tariff Structure for the Palerang Communities Water and Sewerage Schemes**
- RESOLVED (Marshall/Schweikert)**
- That Council:
1. Adopt the new pricing and tariff structure for the Palerang Communities Water and Sewerage Schemes.
 2. Include the provisions of option 1 (50:50) of the tariff structure contained in table 2 of this report in the draft Operational Plans for 2021/2022, 2022/2023 and 2023/2024 for the targeted Typical Residential Bill (TRB) for water of \$1,060 (2019/2020\$) per assessment (adjusted for inflation).
 3. Increase the targeted TRB (water) to \$1,160 (2019/2020\$) per assessment (adjusted for inflation) in line with option 1 (50:50)