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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

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INDEPENDENT PLANNING COMMISSION

PUBLIC MEETING

RE: CROWN CEMETERY DEVELOPMENT WALLACIA

PANEL: **DIANNE LEESON**
ROSS CARTER
ADRIAN PILTON

ASSISTING PANEL: **DIANA MITCHELL**
ANDREW McANESPIE

LOCATION: **WALLACIA HOTEL**
1590 MULGOA ROAD
WALLACIA, NEW SOUTH WALES

DATE: **9.00 AM, WEDNESDAY, 27 MARCH 2019**

MS D. LEESON: Good morning everybody. Thank you. Good morning everyone. Thank you. Thank you. Good morning everybody.

MR: Good morning.

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MS LEESON: Thank you. Before we begin this morning, I would like to acknowledge the traditional owners of the land on which we meet. I would also like to pay my respects to their elders past and present, and to the elders from other communities who may be here today. Welcome to this public meeting regarding the development application for a cemetery and associated parklands at the Wallacia Golf Club, 13 Park Road and 512 Mulgoa Road, Wallacia, submitted by the Catholic Cemeteries Trust.

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The development application relates to the progressive development of a new memorial park comprising the capacity for 88,000 burial plots, construction of two new buildings, including a chapel and administrative centre, refurbishment of the existing golf club house to host functions associated with funeral services, and various civil works to facilitate a network of internal roads with additional paths, sculptures and landscaping throughout the site. The Independent Planning Commission is responsible for finalising the assessment of the development application prior to the commission directing the Sydney Western City Planning Panel, the consent authority, to determine the application.

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My name is Dianne Leeson. I'm the chair of this independent Planning Commission panel, which has been appointed to consider this application. Joining me on the panel are Commissioners Adrian Pilton and Ross Carter. The other attendees are Diana Mitchell and Andrew McAnespie from the Commission Secretariat, who are assisting the Commission on this project. Before I continue, I should state that all appointed commissioners must make an annual declaration of interest identifying any potential conflicts with their appointed role. For the record, we are unaware of any conflicts in relation to our determination of these applications.

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You can find additional information on the way we manage potential conflicts in our policy paper which is available on the Commission's website. This public meeting gives us the opportunity to hear your views on the assessment report prepared by the Department of Planning and Environment before we direct the Sydney Western City Planning Panel to determine the application. In the interests of openness and transparency, today's meeting is being recorded and a full transcript will be produced and made available on the Commission's website. This meeting is one part of the Commission's process. On 14 February, we met with the Department of Planning and Environment and later on the same day we met with the applicant.

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On 19 February, the Commission met with Penrith Council and a site inspection and locality tour were conducted. Transcripts of these meetings and a record of the site inspection are available on our website. After the meeting today, we may convene with relevant stakeholders if clarification or additional information is required on

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matters raised. Transcripts of all meetings will be published on our website. Following today's meeting, we will endeavour to provide a direction to the Sydney Western City Planning Panel to determine the application as soon as possible. However, there may be delays if we find the need for additional information.

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Before we hear from our first registered speaker, I would like to lay some ground rules that we expect everyone taking part on today's meetings to follow. First, today's meeting is not a debate. Our panel will not take questions from the floor and no interjections are allowed. Our aim is to provide maximum opportunity for people to speak and be heard by the panel. Public speaking is an ordeal for many people and, though you may not agree with everything you hear today, each speaker has the right to be treated with respect and heard in silence. Today's focus is public consultation. Our panel is here to listen, not to comment. We may ask questions for clarification, but this is usually unnecessary.

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It will be most beneficial if your presentation is focused on the issues of concern to you. It's important that everyone registered to speak receives a fair share of time. I will enforce timekeeping as chair. I reserve the right to allow additional time for provision of further technical materials. A warning bell will sound one minute before the speaker's allotted time is up and again when it runs out. We have many speakers registered today, so I ask you to please respect the time limits. If there are issues you are unable to address, or you feel could not completely address in the allocated time, we would encourage you to provide a written submission to the Commission. Written submissions should be made to the Commission within seven days of this meeting.

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Though we will strive to stick to our schedule today, speakers sometimes don't show or decide not to speak. If you know someone will not be attending, could you please advise Andrew here on the Commission desk. If you would like to project something onto the screen, please give it to Andrew before your presentation. If you have a copy of your presentation, it would be appreciated if you could provide that copy to the secretariat after you speak. Please note any information given to us may be made public. The Commission's privacy statement governs our approach to your information. If you would like a copy of our privacy statement, you can obtain one from the secretariat or from our website.

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Finally, I will ask that everyone present please turn their mobiles to silent and we will now call the first speaker. Sorry, Andrew, I don't have a microphone over here. Sorry, I don't have a microphone across on the table. So our first speaker is David Hoy from Urbis representing the proponent.

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MR D. HOY: Can everybody hear me? Thank you. Good morning, panel members and commissioners. Thank you for the opportunity to speak this morning. My name is David Hoy. I'm a director of Urbis and we are consultants representing the Catholic Metropolitan Cemeteries Trust. Our client manages public cemeteries across Sydney on behalf of the Crown and these include cemeteries at Rookwood, Liverpool and Kemps Creek. Catholic Cemeteries is one of four trusts operating

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Crown cemeteries across the metropolitan Sydney area, and CMCTs general areas of operation span western and south-western Sydney.

5 This morning I would like to discuss four points: the strategic planning context that led to the acquisition of this site, the site selection process that CMCT went through that led to the acquisition of the Wallacia site, and talk to the DA process, particularly the consultation that we have followed, and responding to issues during the assessment process. The proposal before the Commission is a response to a looming and well-documented shortage of interment space within Sydney, as identified by Cemeteries and Crematoria New South Wales, the State Government's lead agency responsible for this industry. It has been well documented that some religious groups are expected to run out of burial space within metropolitan Sydney within the next five to 10 years.

15 Cemeteries have been recognised by the State Government, including the Greater Sydney Commission, as key social infrastructure in the Greater Sydney Region Plan, where the Greater Sydney Commission itself states that:

20 *Cemeteries and crematoria are key social infrastructure that also need to be accessible geographically and economically and reflective of the diversity of cultures and their backgrounds. A growing greater Sydney requires additional lands for burials and cremations with associated facilities such as reception space and car parking.*

25 That's a quote from the Greater Sydney Region Plan, page 54. This statement by the Greater Sydney Commission is repeated in all five complementary district plans that the Greater Sydney Commission also released in 2018. In establishing this policy position, the Greater Sydney Commission engaged with Cemeteries Crematoria New South Wales, who had undertaken a strategic review of cemetery capacity and demand across metropolitan Sydney, referencing their Metropolitan Sydney Cemetery Capacity Report 2017. This document is publicly available. Acting on this clear evidence, strategy 6.1 of the Greater Sydney Commission's Greater Sydney Region Plan states:

35 *Deliver social infrastructure that reflects the needs of the community now and in the future.*

In short, my client, the Catholic Metropolitan Cemeteries Trust, is at delivery state, consistent with the Greater Sydney Commission's own strategy. In terms of the process that CMCT led to the acquisition of Wallacia, this process commenced in 40 August 2014 when Urbis was appointed by CMCT to assist in the identification of suitable sites for potential cemetery use within the LGAs at Penrith, Liverpool and Camden. This followed its earlier acquisition of a site at Varroville in the Campbelltown LGA and which the Commission knows has a development application also before it. 45

Our methodology assessed potential sites across a range of suitability criteria, including but not limited to, flooding, geology, accessibility, servicing, flora and fauna, flight paths from the Western Sydney Airport, and, in particular, permissibility under current local planning controls. A total of 31 potential sites were identified.

5 This included two sites where speculative development applications had been approved on sites including land at Elizabeth Drive at Luddenham and at 321 Greendale Road, Greendale. In both instances, they were ruled out as being unsuitable, reflecting the fact that they were speculatively led proposals by
10 proponents who were not cognisant or operators of cemeteries. I understand that the development application at Greendale may have since lapsed.

Notably, at the time of this study that we undertook for the trust, Wallacia Golf Course was not identified as a preferred site as it was operating as a golf course. However, things change. In August 2016 the owners of Wallacia Golf Course
15 approached the Catholic cemeteries trust with the intention of selling the site. This subsequently transpired into a purchase in mid-2017, following CMCT receiving New South Wales government approval to do such.

Prior to settlement and as part of its due diligence where suitability was assessed in
20 further detail, my client and ourselves met with officers of council who indicated their willingness to consider a DA, not support a DA, their willingness to consider a DA for the site for cemetery purposes, noting its permissibility. This meeting followed a series of earlier meetings with council staff where alternative sites were presented, but there was – but were subsequently not deemed appropriate, and no
25 further investigations were taken. I draw to the commission’s attention the Cemeteries and Crematoria, New South Wales, submission to the DA dated 11th of October 2018 indicating their support for the development at Wallacia to be operated by CMCT, which states in part – and I emphasise –

30 *Crown cemetery-operators require endorsement from Cemeteries Crematoria, New South Wales, and ministerial approval prior to acquiring any land for cemetery purposes.*

This means that these sites have been acquired in accordance with legislative
35 obligations and have been supported by Cemeteries and Crematoria, New South Wales. Following the acquisition the development application that’s before the commission was lodged with Penrith Council, on the 3rd of November 2017. It was registered with the Sydney planning panel on the 21st of November 2017. The proposed development for the purposes of a cemetery on this site is permissible with
40 consent under Penrith LEP2010. An updated staging plan was provided to council at their request on the 13th of December 2017, and that staging plan supplemented an original plan submitted as part of the DA, forming part of the landscape-design strategy, which proposed the development of three – proposed the development be undertaken in three stages out to 21 – the year 2150.

45 On the 13th of December 2017, an updated staging plan was submitted, following consultation with council, and included the retention of a modified golf course as

part of a staged construction of the proposed cemetery. The application including the modified staging plan was publicly exhibited by council from the 15th of December 2017 to the 28th of February 2018, and according to our records, 94 submissions were received, six from public authorities, 66 objections and 24 letters of support. CMCT
5 also undertook its own engagement, including briefing the Wallacia progress association on the 15th of February 2018. CMCT also organised a number of community-consultation events that were held between the 20th and the 24th of February 2018.

10 On the 23rd of February 2018, council requested additional information spanning issues relating to the crematorium that formed part of the original application, further information relating to flooding, the use of the proposed function rooms, visual-impact considerations, traffic impacts, and this additional information was submitted
15 to council on the 21st of May 2018. After lodgement of the DA, CMCT held meetings, during April and May, with both the local MP and council, concerning opportunities for CMCT to consider alternate sites. This included meetings with the Western Sydney parklands trust. Following meetings held with council in May 2018, extracts of the 2014 Urbis report prepared by CMCT including the site-identification criteria was shared with council officers by email on the 24th of May
20 2018. My client has agreed to share extracts of the 2014 report with the IPC, and this will be submitted following today's meeting, but – noting that commercially sensitive information contained in that report will be redacted.

25 Despite attempts to identify potential alternate sites, no alternate sites were forthcoming from, either, council or following our meetings with the Western Sydney parklands trust in May 2018. No suitable land for cemeteries was put forward. On the 4th of June 2018 the Minister for planning delegated the matter to the IPC for its consideration. The proposal's been amended to address additional information requests and concerns raised by council, the public in response to the
30 proposal as part of council's notification as well as our own client-led engagement process. And that's led to refinements through the department of planning's own assessment process and the report that's now before the commission. This is a standard approach with any DA in this state. It results in improved design outcome.

35 In this case the opportunity for the continued use and the retention of the site for a golf course through the proposed staging process was, certainly, something which was not contemplated when the site was first acquired but is now an integral part of the proposal. The proposal's received inputs from public authorities, including Cemeteries and Crematoria New South Wales, Roads and Maritime Services, the
40 department of industries, including Office of Water, Sydney Water as well as neighbouring Wollondilly Shire Council. The changes that have been made have been considered by the department of planning and made available to the public in their assessment. These changes will be presented in greater detail by Florence, our landscape architect, who'll provide more detail after my speech. We will also be
45 supplemented by additional information to share with the commission and the public by Stephen Gray regarding flooding and groundwater.

The proposal before the IPC meeting today responds to the need to address critical shortfall of burial space in metropolitan Sydney. This has been recognised in the strategic-planning objective set by the Greater Sydney commission. This is not an ill-conceived scheme. It reflects an objective and rational approach to site selection and acquisition which has been supported by the New South Wales government, who must endorse any acquisition by the cemeteries trust – by any cemeteries trust, including CMCT, prior to their acquisition. The design has been amended since lodgement in late 2017 and in response to feedback and inputs. The approach between applicant and approval authorities as reflected in our approach is commonplace. As is the case here, the use is not only permitted with our consent but is considered suitable for the site.

These changes to the proposed – to the proposal since lodgement will be detailed as I've said, demonstrating how, through the planning-assessment process, proposals can be refined to deliver better outcomes that strike a balance that's in the public's interest. That public interest must also – must not only take into account and balance local considerations but, in this case, broader, metropolitan-wide considerations, which include the documented looming shortage of intergenerational interment space servicing – serving metropolitan Sydney. Thank you.

MS LEESON: Thank you, David. If I can now ask Florence McIver-Jacquet – thank you.

MS F. McIVER-JACQUET: Good morning. My name is Florence Jacquet. I'm the landscape architect for the project. Our client's aim is clear, as you've heard from David, is – it's to listen to the advice given by government and to prepare before Sydney runs out of burial space. And as we've heard from David, our client followed a very comprehensive due-diligence process, including multiple discussions with Penrith City Council in 2016, whilst investigating potential sites zoned for cemetery purposes. And based on these discussions our client proceeded with their masterplan preparation, and this is when our involvement began. So our client's vision for the site is clear and ambitious, as we said, for you, for Varroville. It's – as it is for all of their projects, is to design a landscaped and contemporary cemetery which will change the way the public views burial spaces.

So our task for this particular project and this masterplan was to address key aspects, is to retain as much of the existing use and features of the site for as long as possible. And the concept builds on the long vistas already created by the fairways and the existing vegetation. It's recognising the important community destination and use provided by the golf course and the club at the moment. But it also recognise – we also must recognise the social function of a cemetery. These places are for remembrance and contemplation, and they must be designed with sustainability in mind, and as a result they must be designed as parks so they can continue to perform a useful social function when full.

We've designed a cemetery which will provide a legacy to the community, with sculptures and – build up on the tree collection that already exists on site, with an

arboretum. Next we have open space, which you can see circled in green, large areas of open space. We have walking trail which links them all, which is this orange line that we have superimposed over the site. We have sustainable waterbodies. We have added some more for habitat as well. We've designed a cemetery which – next
5 – minimises the visual impact of graves by providing additional screen planting, which you can see highlighted on the outer – which is within the 15-metre buffer zone which surrounds the site. And we are endeavouring to retain some of the views into the site, which you can see in these red arrows, especially from Park Road, where existing views into the site, on to the lawn occurs.

10 Next. And also by integrating any headstones in the landscape and being mindful that not everything is a headstone – we have plaques in lawns as well, but the headstones are integrated into landscape, partially hidden behind planting or softened by planting. You see on the bottom left. But this is not another Rookwood. We've
15 designed a cemetery – next – that allows the golf course to remain for another 70 years. And our client is committed to improving the facilities, the clubhouse and the course, and the idea is to start with the cemetery on that eastern end, in the small portion, update the club and create a 13-hole golf course. I will go through a bit more detail of the progression and the staging later on.

20 Next. It also addresses some of tree decline around the site. There is a number of trees that are in poor health, which is a liability issue. We are committed to improving the course to retain all the dams, expand them, improve the riparian zones around them, improve the ecology and generally repair what is in need of repair.

25 Next, the floodplain around Jerry's Creek will be improved with additional riparian planting and treatment measures and you can see here the extent of the riparian planting. It more or less corresponds with the area of what we consider to be a pure public open space.

30 Next. And in response to community concerns, we can reaffirm – it is in a report, but we will reaffirm here verbally today that the flood-prone area are not used for burial, and to demonstrate that, I have used one of our drawings which shows – so this area here that you can see there in this green is what will be the riparian zone on
35 either side of Jerry's Creek, which runs through the middle of it. This is compliant with the Office of Water's requirement of 40 metres on either side of Jerry's Creek and that comes to this orange line on there. To highlight where the one in 100 floodline occurs is this purple line, and you can see that it is generally contained within the riparian zones, and to clarify again, we've superimposed another line which is this pink line down there, which is where the extent of burial stops and you
40 can see that it is entirely out of the one in 100 flood-prone area.

Next. And in answer to your request, Madam Chair, I will now concentrate the rest of my presentation on the changes which occur during the DA process and including the period of assessment by Department of Planning and Environment and in
45 response of the comments that we received. Next. As David highlighted, we had a series of public exhibition and public consultation. First, the public exhibition period, which lasted almost three months, during which submissions were made, then

it was followed by a public consultation in February 2018 and, in general, the feedback was – in acquisition, they were concerned about the land use. People didn't realise that the site was zoned for cemetery. Crematorium activity was an issue. Location in relation to the town, they were concerned relating to flood traffic, visual impact and potential impact on land value.

There was a general community resentment with regard to the sale of the golf course. I think it came to the community as a surprise. They didn't realise that it had been sold to somebody else before it was sold to our client and that appeared not to have been public knowledge. In support, people realised that part of this proposal was the refurbishment of the golf course and the clubhouse and appreciated that, appreciated the fact, appreciated the fact that the golf course would then be kept in operation for longer, as its current use was in doubt, and it created additional public open space. It was followed by another period or another meeting with the golf club because of that angst that was generated about the sale. Our client met with them in March. Similar feedback was received and, again, public consultation with the Penrith City Council in April raised similar feedback.

Next. So to demonstrate the changes that we have made, we will use the – some of the drawings that are in the DA package. This one is the burial plan. The burial plan shows the areas of burial within the site. In blue is what we call the high headstones. In pink is the low headstones on beams. In green are the lawn areas and in orange are lawn areas, but terraced because the area is a bit too steep. These drawings are good for introducing this revision because they are very detailed, but also because this is where we record all the revisions that occurred during the process, and for those who are not familiar with the protocols associated with drawing revisions, these changes are generally highlighted in revision clouds, which are shown as little red bubbles around areas that have changed and, for clarity, I have further circled them in red.

So the first set of changes occurred in March. That was revision A, following counsel RFI request for information, and I will go through all of these areas in detail. The first one was visual impact of some of the areas that we had highlighted as high monumental area. The bottom – the drawing on the bottom right is the DA application. So you can see that this area here is marked as blue, which was a high monumental. We revised that to a lawn area. So now the part that is closest to the house, facing Mulgoa Road, the back of that is now lawn – primarily lawn. There was also a request from the council to follow guidelines that they had found which was called the practice guidelines for burial near water environment, and when I Googled that, it appeared to come from northern Ireland and it required the – or it – the guidelines request that you keep 50 metres away from waterways.

So in complying with that, what we have done is we have – you can see that our riparian zone is this orange line that goes here. You can see now that we have a 10 metre extra buffer. Remember, we had 40 metres before. We now have added a 10 metre buffer to provide a 50 metre from waterways. So the differences between these two drawings, that this one shows larger areas of burial. These areas have been

reduced now to allow for this additional strip of burial plot being removed. Further, in the middle of the site, this area here was changed in response to concerns about the visual impact. So it was turned into lawn to provide a view through into the site and this area here is the same. It's in response to – part of these guidelines is to have 10 metres back from fill drains and swells and this – in this area of the site, we have bioretention swells.

We have reduced the burial again by 10 more metres and you can see the difference with You have some areas of orange and burial. You can see that the area is now shrunk in terms of burial. It is reduced in accordance to that and although these guidelines are from overseas, I just – out of interest, there is a lot of research that is maybe more relevant to Australia, which I would just like to table and you might be interested in the work that is done here on groundwater. It's very specific to cemetery use, which is done by Boyd Dent, and he has worked on that for many decades and this is one of the extracts that's available on the website, but I am just putting that as additional information for your consideration. The Australian guidelines required 10 metres in clay soil, not 50, so I think we are conservative requirements and you can judge for yourself.

On the eastern side of the site, same requirement, visual impact down in this corner. It was changed for – from monumental to lawn. Next set of revision occurred in March. It was relating more to the ecology and some update relating to the VMPs, the vegetation management plans, and therefore now using a plan which shows the vegetation better. In these two areas here, we have added boardwalks. There's already boardwalks all along here, but we have added sections of boardwalks to minimise the impact on existing trees and the same here. It was an extension of the extent of boardwalks that we had previously had and this one is actually self-imposed. There was a little area here of burial which made absolutely no sense, so we self-regulated and deleted it.

Revision B also pointed out that, in the back of what is a proposed chapel here, we have this cluster, a group of tree which is actually classified as Cumberland Plain Woodland. As you can see, they're not in great shape. It's not a good idea to have that sort of tree within what is calculated as being the APZ, the asset protection zone for bushfire. So that patch of Cumberland Plain Woodland was removed and, in doing so, it liberated some of the burial space and therefore we have added some of the burial around here, but next, you will see that in compensation, we had to offset it somewhere else and therefore what used to be burial in here has now been removed and turned into new Cumberland Plain full revegetation.

So all the area of red hatched is a full revegetation of Cumberland and we have tried – an ecologist has tried to locate it in a way that creates better green corridors along the northern boundary. So that has corresponded to a reduction of the burial area in this area as well as additional patches of new Cumberland Plain Woodland offers appear which reduce the burial area in that zone. We also made two modifications here to widen and strengthen the screen planting in those two particular location here.

Next. Revision C was in October, a year after lodgement which was part of the DPE assessment – Department of Planning and Environment assessment process. They asked for the removal of the Mulgoa Road exit. This is the DA drawing. It shows an exit coming out of here. We have turned that into a dead-end and it complies with a bushfire requirement of distance, you know, as required for bushfire management. So it's now turned into a dead-end and people return and come out this way.

Next. The last revision was – I was apparently one of the stragglers in the change of drawings. I had not kept up with the requirement of the crematorium being removed and it appear that one of our drawings still had a note on it. So in December, we removed the crematorium note from all of our drawings and all our reports to comply with the agreement to remove the crematorium use from the site. Next. Part of the DPE assessment process leads to a list of conditions of consent. I have listed them there – here. There's about 38 of them from memory and you can see we agree, overwhelmingly, with most of them. There is nothing in there.

Next. Agreed. Some of them might be with conditions because of wording, but you will get a full reply to these conditions. There's nothing of issue for us. Next. Yes. 38 of them which are fine by us. Next. So in conclusion, I just wanted to reiterate that we've been responsive to the community concerns, in particular, with their wish to continue to enjoy the golf course for many more years and we've provided in this scheme, an option for a refurbished club house and leaving the 18 holed golf course for the next four years until 2023. Next. Then starting the cemetery, in this corner, allowing for a golf course to remain as a 13 hole golf course for the next 56 years.

Next. Expanding the cemetery further and reducing the golf course to a nine hole for a further 15 years and there were concerns about golfers being able to look into the cemetery and we're quite happy to have temporary planting on the periphery of the site to mitigate that. Next. And ultimately, a world class cemetery and valuable open space for all. Noting that we not expecting to go – you know, as the cemetery progresses from this end to that end and eventually closer to town, next, we're not expecting to come to this end – or this side of Jerry's Creek until 2139 roughly, which is about 120 years away. So in addition to this and in conclusion, I hope we've adequately demonstrated that we followed due process; that we have been flexible in our approach and we've been responsive to comments received and generally we are in agreement with all the conditions of consent put forward by the DPE. Thank you.

MS LEESON: Thank you, Florence. If I could now ask – thank you, Florence. If I could now ask Michael Cahalane. Sorry if I've mispronounced that.

MR M. CAHALANE: Yes. That's fine. Look, I won't be representing today, but I will be supporting Stephen Gray on the flooding aspects. So he's going to do a presentation and I - - -

MS LEESON: Okay. Thank you.

MR CAHALANE: - - - I provide support as required.

MS LEESON: Okay. Thank you, Stephen.

5 MR: Steve - - -

MR S. GRAY: Thank you, Commissioners.

10 MR: Is it possible to have the volume turned up

MS: Turned up. We can't hear.

MS LEESON: As a mother of two sons, I can – my voice projects very well as a mother of two sons.

15 MR GRAY: Is that better?

MR: Yes. A lot better.

20 MR GRAY: Okay. Yes. Good morning, Commissioners, ladies and gentlemen. My name is Stephen Gray. I'm from GRC Hydro. We're the flooding consultants who were asked to work on this project. So I'm just going to take you through the work that we did to define the 100 year flood extents which you just heard Florence describe we use to plan the layout of the park. If I could have the next slide please.
25 Okay. So the site is drained by Jerry's Creek. Okay. So it's got a few tributaries on the site. So on the northern boundary, there's a tributary which flows into Jerry's Creek. But Jerry's Creek proper flows into the golf course site from the south. Okay. So Park Road bridge down there. In the 100 year event, we're looking at around about 50-odd cumec of flow. From the six square kilometre catchment, it's a
30 relatively rural catchment. A lot of grassed areas and remnant vegetation, small farm dams – things like that. But a lot of attenuation and so we get a reasonable length of critical duration that flows onto our site.

35 Could we have the next please. And, obviously, Jerry's Creek flow through our site and then crosses Mulgoa Road before it joins into Warragamba River which then, you know, continues – sorry, the Nepean River – then joins Warragamba River and continues downstream as the Nepean and because that's downstream of our drinking water supply – Warragamba Dam. So the scope of my work was to define the 100 year float extent because that would be utilised to then determine the layout of
40 portions of the park. Okay. So what we did here in terms of establishing that 100 year float extent – which you can see on the map that's on the screen right now. Council already had a modelling system. However, it was rather approximate and we went and developed our model. So that's a hydrologic model which converts rainfall into flow and then a hydraulic model which converts that flow into a level,
45 the depth and an extent as you can see plotted up there. The darker blues are deeper water. The lighter blues are more shallow water. Okay.

And so it's that 100 year flood extent, you can see, that runs from the south through to the north of the site towards the town in there. That's the main portion of Jerry's Creek on the site. But you've also, of course, got that northern tributary which you can see dances in and out of the northern boundary of our site as well. And, of
5 course, you've got a few farm dams up there too. Okay. So if we go to the next one please. So one of the main things that we were doing besides defining the one per cent flood extent was utilising this model to make sure that through the course of the development, there was no impact on any party upstream or downstream impact on private property. Okay.

10 And in the main, of course, what we're worried about is impacts on life or assets, so built assets. So what you're seeing up on screen at the moment is a 100 year flood impact map. The yellows are indicating that flood levels have gone up by more than .01 of a metre. So that's a centimetre. Yes. Generally speaking, the, sort of, lighter colours – like the greens – are where flood levels have actually gone down. Okay.
15 And unsurprisingly, because at this iteration, we actually weren't changing anything on the site. We were just defining the one per cent flood extent. The impact map turned out fine. That was no problem. Could we go to the next one. Sorry, do we have another one after that? Is that it?

20 MS MITCHELL: That's it.

MR GRAY: Okay.

25 MS MITCHELL: Yes.

MR GRAY: If we go back to the previous ones just for a tick.

30 MS MITCHELL: Yes.

MR GRAY: So following the initial report, Water New South Wales came back and they wanted to look at installing a riparian buffer. I think Florence alluded to the same. And so we implemented a fully vegetated 40 metre buffer on either side of Jerry's Creek. Okay? And so that has been included now in the updated modelling
35 from, yes, November 2018 and so that's, you know, quite a significant improvement in the sense that we're talking about a fully vegetated 40 metre buffer on either side of the creek, where at the moment, of course, we've got some remnant vegetation, but mainly sort of mown grass. So can I have the next one? Thanks.

40 Okay. So the flood modelling here has been done using the same methods utilised under the New South Wales State Government's flood risk management program. I'm a consultant who's working under that State Government program and appearing at court as an expert in those kind of matters. So I can sort of attest to this being best practice that we've utilised. We've used models that are appropriate to this area.
45 We've used best case data, which in this case was LIDAR, a sort of a plane flown laser survey. As Florence has described, the layers that we produced from this work have been utilised in order to plan the layout of interment space.

Water New South Wales have been consulted about this. In fact, they're the people who came back and asked for the additional riparian area. And I just generally say that in characterising this site and the groundwater activity, it has got a very low level of groundwater activity. We're talking about alluvial soils with a relatively
5 high clay content. What that means is that we don't have much infiltration into the soil. It's not sand. We also don't have much lateral movement in the soil horizon. Okay. So overall it's fairly stable in that regard. The main thing to watch out for is erosion and, of course, we've done that by keeping internment spaces away from those flow lines. All right. Thank you very much.

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MS LEESON: Thank you, Stephen. If Ben Salon is here?

MR SALON: Good morning, Madam Chair, panel members and members of the public. My name is Ben Salon and I am the solicitor for the proponent in relation to
15 this development application. The independent status and nature of the Independent Planning Commission is acknowledged, supported and applauded. That independence has the purpose of allowing the Commission to carry out its functions in accordance with law and free from political and other influences. On 4 June 2018, the Minister for Planning delegated his functions in relation to this DA under the
20 Environmental Planning and Assessment Act to the IPC, to the Commission.

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As mentioned already this morning, that delegation gave the Commission, amongst other things, the power to direct the Sydney Western Planning Panel on how this DA is to be determined and, as far as we are aware, those delegations remain current and
25 ongoing. In late February 2019, the Premier of New South Wales requested the Greater Sydney Commission to advise on the strategic planning considerations for the provision of new cemeteries with a focus on the Greater Sydney Region. Following that request by the Premier, on 27 February 2019 the IPC wrote to the Department of Planning and Environment seeking advice as to if the Premier's
30 request has any implications on the department's assessment of this DA.

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30

In response on 13 March 2019, the Department of Planning and Environment wrote to the IPC stating, amongst other things, that the department's assessment included a review of strategic planning documents, including the Metropolitan Sydney
35 Cemetery Capacity Report and the relevant State, regional and local planning controls. The department consulted with key agencies and stakeholders, including Cemeteries and Crematoria New South Wales, which has expressed its support for the proposed cemeteries. Concerned by reports in the media of calls for the IPC to pause in carrying out functions delegated to it by the Minister for Planning in relation
40 to this DA, on 19 March 2019 the proponent wrote to the IPC expressing those views.

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In response, on 21 March 2019, the IPC wrote to the proponent stating, amongst other things, that the Commission as an independent agency is proceeding with its
45 consideration of the DA, which will include seeking a meeting with the Greater Sydney Commission. That position and affirmation of the Commission's independence is acknowledged, supported and applauded. That planning decisions

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can be made in accordance with law and in the absence of political and other influences is a valuable benefit to the people of this State and, accordingly, that independence should be respected and preserved. Thank you.

5 MS LEESON: Thank you, Ben. If I could now ask Tanya Davies.

MS T. DAVIES: I think that's okay. Hello. Good morning, Madam Chair, Commissioners. Thank you very much to my community. Welcome. Thank you for the opportunity to address you today on what is an incredibly important and very
10 serious proposal brought to you by the Catholic Cemeteries Metropolitan Trust to, effectively, as we see out here in our community, to destroy our community. I want to state from the outset that I am wholeheartedly opposed to the Catholic Metropolitan Cemeteries Trust in their proposal to put forward a Crown cemetery development here at Wallacia. This proposal is environmentally flawed and it is
15 socially flawed, and it also in breach, I believe, of numerous government standards and guidelines, which I now would like to articulate.

First, we've had a presentation from one of the proponent's consultants in relation to flooding and, regrettably, from what I've seen in their presentation they have not
20 referred to the history of this region. There are a number of standards that indicate the dimensions calculable between tributaries or rivers that cemeteries must be set back from. But when you were talking about catastrophic floods, they all pale into insignificance. We know that the Wallacia Gold Club has Jerry's Creek travelling through it. It's a tributary of the Nepean River. I now would like to table to you
25 various photographs that I have received from my community which indicates the level of catastrophic flooding.

So, here, we have the Goddard House, which is up to the top of the windows in flood. I will table these to you, as well. We also have examples of the Wallacia
30 Village itself completely flooded, including the entire golf club – golf course. We also have records that date back from 1873 of the height of flooding in this part of the region, and those records that I currently have go up to 1992. Here is another example of the flooding that occurs in this part of our community. I have other pictures which I found online, which indicates Joann Copeman's house, and I will
35 send that to you via email, if that's okay. But some may say that these are ancient records, that they're irrelevant today.

Well, I would challenge that because those records and the impact of flooding actually become even more significant in our current region because with the growth
40 of urbanisation and the fact that the built environment is progressively taking up more and more greenspace, there is, in fact, less greenspace to accommodate flooding when it occurs. We also know as recently as June 2016 – and this is when I was personally impacted – there were persistent and heavy rains across western Sydney which led to the closing of the Wallacia Bridge, Blaxland Crossing just here,
45 Greendale Road due to rising flood waters. Mulgoa Road at Jerry's Creek was blocked by floodwater.

Wallacia Public School had to close. The caravan park at Wallacia and low-lying properties near Jerry's Creek were also impacted by the flood. These examples are presented to you today to illustrate a major failing in the Crown to select an appropriate site for a cemetery development. The Wallacia Golf Club site is
5 inherently and environmentally inappropriate for a cemetery. And to protect the health of my community, not just those sitting in the room today, but our children's children, the only way to do that is to reject this Crown cemetery development application. Secondly, a number of State and local government guidelines and strategies have been contravened by this Crown proposal, and I would like to list
10 them.

Number (1) Penrith City Council's Sport Recreational Play and Open Space Strategy, highlights the lack of sufficient sporting and recreational sites with the Mulgoa and Wallacia Valley. Approval of this Crown development will decimate
15 the main recreational and sporting facility in the Wallacia Village, the golf course. The CMCT, Catholic Metropolitan Cemeteries Trust, are proposing a reduced golf course to accommodate some remaining recreational opportunities, but we all know that once approval has been given for a cemetery, eventually it will creep further and further to the boundary, thereby eradicating any remaining recreational
20 opportunities for our community.

To protect the main recreational facility for our community, the Crown development application must be refused. Number (2) Penrith City Council's Mulgoa and Wallacia Rural Villages Strategy states that the purpose of the Village of Wallacia,
25 like Mulgoa Village, in the future will be to provide for an alternative to urban living that delivers harmony with the surrounding rural character.

To survive the pressures for redevelopment of the rural zones around the village, we need to limit subdivision. We need to promote rural uses and create a firm edge to
30 contain the village and to separate it from surrounding areas. The golf course is an existing barrier holding back unfettered development ever encroaching upon Western Sydney communities. The only way to ensure that the Mulgoa and the Wallacia valleys are protected from this urbanisation is to ensure that that barrier is maintained. That the Wallacia Golf Club Course barrier is maintained and to achieve
35 this outcome, the ground development application must be rejected.

Number (3) the New South Wales Government's local character and place guideline has been breached by this Crown development application. This guideline has been released by the Minister for Planning this year and it has been developed to align
40 with Government Architect NSW policies including better placed. The Crown development application before you contravenes this New South Wales Government direction. I quote from this document: Alison Frame, Deputy Secretary, Department of Planning and Environment – I quote:

45 *Social isolation is a symptom of low social capital and an outcome of lifestyle change. Places that do not evolve to provide enhanced communal spaces, public domain or the opportunity for social interaction can create stress and*

social isolation. They are not simply bland stagnate or characterless, but can lead to public health issues by increasing isolation – the risk of cardiovascular diseases and mental health issues. By investing in social capital and creating socially connected places, we can contribute to addressing these problems within our community. Creating places that enhance the social fabrics of our cities, towns and streets is vital.

I submit to you that the approval of this Crown Cemetery Development would destroy the Wallacia Golf Club and, thereby, destroy this community's access to facilities and places essential to maintaining socially connected and healthy lifestyles. I also reiterate that the current proposal presenting a smaller golf course as a "fair and reasonable" compromise for the community's relief is rather comical. If the cemetery received approval at some time in the future, there will not be this sporting and recreation on this space. This Crown development would annihilate this critical Government imperative and, therefore, the Crown development is untenable to our Government's vision of establishing community and protecting local character. To retain our community and character, the Crown development application must be rejected.

(4) the Greater Sydney Commission strategic review of Sydney's cemeteries' requirements are already alluded to. That has already been spoken that the Premier write to the GSC requesting they conduct a strategic review. It is now underway. Because that strategic review is underway, I do believe it is imperative that the IPC consider, with all due respect, to pausing the current proposed assessment until that overarching strategic review is completed. I believe and my community also believes that continuing to assess that in a vacuum absent from being directed by the Greater Sydney Commission strategic planning would pre-empt a possible result.

There is no urgency to finalise this development application before you. While I understand the needs that the Government has to find burial space, we all acknowledge those, Wallacia Golf Club is not that site. I have met with the Catholic Metropolitan Cemetery Trust on a number of occasions to present to them other sites that already have DA approvals for cemeteries. Three sites within a couple of kilometres from where we are standing today. I have also presented a significant opportunity for the CMCT to discuss the opportunity of the Deerubbin Lands Council – the largest landowner in Western Sydney. But disappointingly, they were dismissive of my efforts to find them alternative and better locations. The Deerubbin lands are unencumbered. They have the support of the Penrith City Council for a cemetery. They have the support of the community. Wallacia Golf Club does not.

We need to protect Wallacia Golf Club for all the reasons I've stated above. I will continue to work with the CMCT and I have done in the past to find them alternative locations that will not destroy a community, that have the Penrith City Council in support. The Crown application fails by putting my community's health at risk and the safety of our community in the event of a flood. It fails by removing social recreational and sporting needs of the community. I implore the IPC to reject this proposal and to ensure that my community's needs are fulfilled and I will continue to

work with the CMCT and find them better facilities, better land that they can proceed with full support of the local community. Thank you.

5 MS LEESON: Thank you Tanya. If I could now ask Jane McLuckie to come to the microphone.

10 MS J. McLUCKIE: Chair, some of the things I'm going to say won't actually be on my notes because I'm actually adding from some of the things that have been said this morning. And the first thing I would like and mention is that the people that have spoken, other than Tanya, are in the business of cemeteries and this is their job. The people from the community, they're actually not at their jobs this morning to present, and they're here because they care about Wallacia. There are some things that I haven't actually added into my speech and they won't be on these notes.

15 Firstly, good morning to the IPC, Honourable Tanya Davies, speakers and the Wallacia community. For those who don't know me, my name is Jane McLuckie and I'm the Wallacia Progress Association president. I represent the Wallacia community with our committee. Wallacia – WPA committee work for our benefit of the community to conserve and protect the special environment of Wallacia for
20 future generations. Our aim to enhance our local character which makes our neighbourhood distinctive. Wallacia is in the historical Mulgoa Valley and, in fact, the sister village of Mulgoa. Wallacia has its own unique history. Due to this fact, Wallacia Village is most fortunate to have many long-term residents – have been proud to call Wallacia home for many years. All of whom, purchased their homes
25 around the golf course that served the recreational space for many years since 1932.

Now, this said cemetery development will change the golf course and village in perpetuity. Our community do not want this development and object for so many reasons. Thank you Dianne Leeson, Chair, and the Commissioners of the IPC, for
30 conducting this meeting for our community today. Wallacia Village and surrounding suburbs, the Mulgoa Valley, oppose and totally object to this large scale commercial cemetery development being built on our golf course in the Wallacia Village. Our community object to the fact, the Department of Planning have not taken many important factors into consideration and have recommended approval for this said
35 development with conditions. Our community have been asked at today's meeting to view our concerns about the department's assessment report. With this in mind, I will report on just some of the deficiencies and discrepancies that need to be addressed.

40 Items are just an overview and other speakers today will elaborate and expand on items in following presentations. I've actually put 6.22 site unsuitable land. Number (1) floodplains, swamps, drainage areas to waterways are not suitable for cemeteries – Dent B. 2002. This is what Dent – Boyd Dent states:

45 *Floodplains, swamps, drainage areas to waterways – not suitable for cemeteries.*

As Wallacia is a floodplain and ground water drains from the village and Northumberland Green Estate which is not curved and gutted in Jerry's Creek and backs up into residential properties on a rain event. This cemetery development, therefore, is not suitable. See map 1, I have provided, which is GRC Hydro. Now,
5 this is the map – sorry. This is the map, I think, was it, Stephen Gray - - -

MS LEESON: Yes.

MS McLUCKIE: - - - was looking for. So I've actually got that map. So that map
10 actually shows in red the flood – sorry. It shows high hazard. Now, this map I will leave with you and perhaps we can talk about it a bit later. I actually could not scan that in because it was big and I've, sort of, made it bigger, but we can't really put it up on there.

15 MS LEESON: Thank you.

MS McLUCKIE: You can see clearly this red marks here – red – which is high hazard actually stops there. Just stops. So if you look at the extent of the map and then you see they've gone over this side with their mapping, they've just stopped it
20 there. It doesn't stop. It actually goes through residential properties. This here follows on up to an estate and the drainage from that estate comes down and enters into that gully. These orange here are actually houses that go under water and we've got photos of some of them homes under water. So if that red is the high hazard, how come this isn't in it? How come this isn't in it? Why is that stopped? This is
25 actually a swamp. Jerry's Creek becomes a swamp when it rains.

I did actually mention to you before – an email – that we've actually footage on video of the rain events that come through there. We can supply that to you as well. So this map taken from report, red is high hazard and seems to just stop. The
30 high hazard continues down at the backyards of properties – the full extent of Northumberland Green Estate. This has not been taken into consideration. The yellow highlights are extension to mapping that should have been studied before approval of this development. Orange areas are homes that are flood effected and go under water. This is local knowledge of flood incidences. Crossman Reserve that is
35 marked on the map in red is a natural water course and a swampland ecosystem. This reserve is mostly overgrown land and in water periods cannot be walked upon or used due to boggy soil and mosquitos.

Our community fear pollution of our creek ecosystem and Nepean River and the
40 people if this cemetery development is approved. We fear polluted waters will cause illness and disease when the floods ravage our town. Note of the email that we sent 18.2.19 to the IPC regarding flooding in recent Townsville environmental management is to ensure development is compatible with the environmental capabilities of the land and does not increase demand for public services or facilities.
45 Also, to minimise conflict between land users within the zone and land users within adjoining zones. Our community deems these objectives have not been met and more local research is required on this subject. The site is adjacent to residential

properties, even though CMCT reports provided to Penrith City Council state it is not. I have that reference here as well to give to you today.

5 This reporting is misleading to the department and detrimental to the outcome of this determination. I supply an Urbis report referenced to from a meeting on 15 February '18 With the Wallacia Progress Association where CMCT acknowledge residents live adjacent to the site and were actually open to discussion with residents on a case to case basis for land remuneration or compensation. That has not happened. And if
10 this proposal is approved, our community demand compensation for loss of our amenity, liveability and to vacate our homes. Many villagers choose not to live near a cemetery and will be forced to sell up and leave their homes. It has never been reported that a cemetery has been built around an already existing community.

15 Land has been sourced that will not affect the people and our community, and our community encourage this land to be obtained for the said cemetery. CMCT had a meeting with Wallacia Progress on 15.2.18. We were advised it is proposed that graves be too deep. I have that here as well to give to you. This will be a total of 176,000 dead bodies in our Wallacia Village. Why do the CMCT still advertise 88,000 dead?
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This development is non-compliant with Penrith LEP 2010. The development does not comply with key provisions of the plan, including those related to flood planning, develop on natural resource sensitive land, protection of character and landscape values, salinity, servicing and Mulgoa Valley. This was from the Penrith City
25 Council Assessment Summary point 5. Soil unsuitability: the regional geology of Wallacia Golf Club is a Bringelly shale, which is a shale member of the Wianamatta Group. The soil type of Wallacia Golf Course is Luddenham Blacktown and Richmond soils types. The department's report states at WGC are comparable to Varroville. This is incorrect as Varroville 6 on Picton soil landscape.
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The soil types between these sites are not comparable and more local data is required. These soils do not occur on the same broad soil landscape. Shallow bedrock, perched groundwater and waterlogged soils are present on WGC. Additional site-specific data is required. Inadequate data and studies have been
35 presented, with studies conducted under dry weather conditions. Traffic and access into proposed development: access into this proposed development will be catastrophic. Traffic on Park Road is excessive. Studies – traffic studies are grossly deficient and not taking into consideration traffic from new development at Silverdale where there's a new shopping centre.
40

Bringelly, Ludenham and already approved cemeteries on Greendale Road: traffic studies were not undertaken at peak times and did not factor in large trucks that come down Park Road due to other local roads being low limited, or grave digger machines, trucks with excavators to dig holes to bury, monument masonry or
45 cemetery patrons, also trucks going to and from the Norton Quarry on Norton Basin Road. Inadequate data was supplied and new studies at peak times need to be completed during these truck movements before determination is considered. Trucks

at full development will be 330 two-way vehicle trips per hour on weekends. This equates to 5.5 cars per minute, around one every 10 seconds.

5 This information is sourced from the department's assessment report 2.1. This is not what our community want for the future of Wallacia Village. The council assessment report is only a preliminary report. The Department of Planning reviewed Penrith City Council's preliminary assessment report, therefore, how could a determination be made on a preliminary council report. The council had their report taken away from them by the Minister of Planning, the Planning Minister, as
10 the CMCT decided they were taking too long. CMCT should realise that to accurately complete a report on such a large scale development takes time. The report from council used for this determination was not finalised and, therefore, deficient.

15 Engagement: the submission data presented on the Department of Planning's assessment report is inaccurate. It states 94 submission were received. On the IPC website, it clearly shows 128. They also reported 158 signatures on petitions handed into council, but there were 277 submissions on petition forms against this development handed to council. There were also three community petitions that
20 were submitted through the New South Wales Parliament by Honourable Tanya Davies on the community's behalf and there were over 500 signatures each which are on the Hansard website. I have one here for you.

25 The actual submissions are no less than 128 received, plus 207 council petitions, which is 405, and then three over 500 Hansard signature petitions. The total Hansard petitions total 2562 signatures without counting IPC submissions. The Department of Planning reports 24 submissions were in support of the proposal. Therefore, 2967 minus 24 is 2943 signatures, residents against the development proposal. Again, these figures the department have used on their reports are misleading and
30 inaccurate. The 2016 census shows a total population of Wallacia is 1700 people. This shows clearly this development is not in the public interest.

35 The submissions were for so many reasons against this. It was nothing to do with NIMBY-ism, Not in My Backyard. There are so many reasons. Please consider these reasons. Urbis published an engagement report that states, "Urbis connects the brightest people to shape cities and communities for a better future". They are using Wallacia Memorial Park as a case study for success. I have that here. They also state they are trusted advisers in engagement. Our community disagree that this proposal will shape our village for a better future. Urbis have also stated their
40 experience with Wallacia Memorial Park was managing high degrees of community concern in relation to the proposal and demystifying the project.

45 This was not the case with our community, and our community felt our questions were not answered. The CMCT and Urbis both had in mind what they were going to do and just tried to sell it to our community. Personally, I consulted at our hall on the community consultation day with Cameron Nixon, Urbis senior planner, for quite some time expressing my concerns about this proposal. He wrote them all down on a

notepad, but he did not get back to me regarding those concerns. I had no response. He did not care. Our community feels strongly this consultation was just a tick the box exercise. We did not feel they listened to the community, but they were as they had to look like they had consulted us.

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Other issues: signage and fencing, lighting and security. The CMCT have stated on response letter to Penrith City Council that no signage is proposed. How can this be? A cemetery with no signs? Will people just keep going up to the hill to Silverdale and have to turn around? Reports from the RMS dated 15.6.18 state:

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No stopping signs are to be installed across the frontage of the site.

So there are signs, but there will also be lots of other signs. There also is a pedestrian walkway proposed – from the entrance of the cemetery to the golf club. This will change the rural aspect of the land and make it look like a built-up area. There will be signage and lighting that will change the rural aspect of an entrance into our Wallacia village. Urbis Visitors and Operations Plan, WMP Plan of Management state:

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The engaged security company will be responsible for opening, closing the gates. Wallacia Memorial Park staff will provide casual surveillance during operation times. Random controls will be undertaken throughout the cemetery outside of operation hours. Surveillance cameras will be installed on gates and buildings.

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Urbis also state in their report comparison to Varroville that the cemetery will remain open and accessible to the general public for visitation at all times. This again shows discrepancies and flaws in the reporting: what actually will be happening in the cemetery; will the gate be with a guard or open at all times; why were the reports of Varroville and Wallacia combined? Separate reports would have – should have been completed.

30

Reviewing of these reports was very difficult, and errors were made. Urbis WMP plan of management, page 3, the vision of the Wallacia memorial park – at the closing of that report they talk about the plan of management. They refer to Macarthur Memorial Park, again flaws in reporting that are misleading and confusion for the department of planning. Fencing type is still unknown. Review of draft of conditions to DA – the CMCT have requested review of drafting conditions that see – the department of planning approved. And I've got a reference, number 6. And how it goes:

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The applicant agrees to all conditions except for the following, which are recommended to be amended: 3B, 5, 17, 20, 29, 31, 33, 35, 37.

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How are we, the public expected to know what these are or where to find them or what to reference them to. Conditions, recommendations for amenity, generally, requires applicant to prepare relevant documentation or undertake design work in

consultation with counsel rather to the satisfaction, approval of council. This is to encourage a more collaborative approach and to avoid unnecessary delays. Our community do not want this short cut taken. Penrith City Council know our local area and must be consulted, and they should approve any changes.

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We as a community encourage IPC to consider not allowing this condition or this development. Tourism and recreation in a cemetery – Mulgoa and Wallacia Rural Village Strategy states Wallacia Village also will be an important source of tourism within the city. Tourism provides opportunities to revitalise village but can also create potentially negative influences like traffic generation. Successful balancing of these influences is an important component to managing the future character of Wallacia. Wallacia will play an important role in capturing passing tourist trade, as it is the case for the valley generally. The open spaces in this location which attract visitors and residents alike need to be carefully managed so they can continue to provide for both tourism and rural living.

CMCT in Urbis Management Plan state they want to raise the profile of Wallacia Memorial Park as a resource for the whole of Sydney. This is not consistent with the Mulgoa and Wallacia rural-village strategy at all. We as a community do not want the Sydney – Parramatta-to-Wollongong traffic on our rural road system. Is it also the bodies from the drawing area, would be buried in Mulgoa Memorial Park. We as a community already have plenty of burial sites stated in the last community briefing, in April 2018. Our community strongly opposed to the fact CMCT have purchased land without community consultation then tells us the wider Sydney region will be promoted to visit and bury their dead in Wallacia.

No member of Wallacia Community will enjoy any recreation in a cemetery yard. Wallacia Memorial Park burial-extent map – this map is grossly inadequate. No explanation key to what burial types – how can our community review or analyse this map. How can the department of planning determine an approval with these types of inadequate maps. There's insufficient information to finalise recommendation of approval on this proposal.

In conclusion, our community request the independent planning commission, number 1A, the Hawksbury-Nepean floodplain, Infrastructure New South Wales flood factsheet, February 2018, B, Hawksbury-Nepean flood-management review, C, SES, 2015, volume 2, Hazard and Risk in Hawksbury valley, Nepean valley, number 2 soil conditions for a cemetery. The soil type at Wallacia Golf Course is Luddenham, Blacktown and Richmond soils. Shallow bedrock, perch groundwater and waterlogged soils are present. Amenity – what is amenity - - -

MS LEESON: Excuse me, Jane. Do you have much more to go?

MS McLUCKIE: No. Nearly finished.

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MS LEESON: Thank you.

MS McLUCKIE: Amenity – what is amenity? The pleasantness or attractiveness of a place. Visual impacts on our rural village with lighting, signage, noise from traffic and machinery, grave-diggers and funeral processions will adversely impact on our amenity. Wallacia Village is not the right location to site a large commercial
5 cemetery development for the greater Sydney. Wallacia Progress Association asks that the planning commission rejects the development application by the CMCT at Wallacia. Thank you.

MS LEESON: Thank you, Jane. We might ask David Marsh to speak now, and
10 then we will take a 10-minute break so everybody can stretch their legs and revitalise.

MR D. MARSH: Thank you.

15 MS LEESON: Thank you, everybody. Thank you.

MR MARSH: Madame Chair, IPC commissioners, good morning. And thank you for allowing me to talk this morning. I'm here for the approval of the DA. I'm
20 actually here in worktime, and I also care. My name is David Marsh, and I'm the group CEO of the St John's Park Bowling Club group. The St John's Park Bowling Club group currently operates three registered venues, clubs throughout New South Wales, the main club being – St John's Park Bowling Club is located in the Fairfield LGA, has been in operation for over 65 years.

25 It's currently ranked in the top 20 registered clubs in New South Wales and rated the largest lawn-bowls club in Australia, if not the world. The St John's Park Bowling Club group also operates a significant investment property portfolio and currently has net assets of – worth \$100 million. The club is highly recognised in the
30 community, and it's focussed on meeting community expectations as well as making significant financial contributions to the establishment of much-needed community facilities. The St John's Park Bowling Club group employs over 200 staff and – sorry – and is a leading employer in the industry. We currently have 44,000 members.

35 The St John's Park Bowling Club group also operates the local, Wallacia Bowling Club. In 2016 Wallacia Bowling Club was financially unsustainable, and the St John's Park Bowling Club group ensured that this important community establishment continued to trade. The Wallacia bowling club is still trading today, giving local community members a place to meet and enjoy bowls in a safe and
40 friendly environment. Becoming aware that the Panthers Wallacia club, formerly the Wallacia golf club, was up for amalgamation and realising that St John's Park Bowling Club Group was the only interested party, we made it a priority, to attempt to keep the community-based club in operation.

45 The Panther Wallacia club has had two different operators over the past 10 years and has not been profitable for any of those years. The Panthers group has chosen to part ways with the club due to financial instability of the club, which is currently losing in

the vicinity of \$200,000 per annum. This status cannot continue. In an effort to continue the operation of the club at this current time and in the future and to keep the golf course itself operational, the St John's Park Bowling Club group has partnered with the Catholic Cemeteries trust, being the current owners of this property. Our decision to partner with the Catholic Cemeteries Metropolitan trust was an easy decision for the St John's Park Bowling Club group. Our success over time has been around building ourselves relationships with reputable and respectable business partners. Our partnership with the Catholic Cemeteries Metropolitan trust is no different.

With the successful approval of the Catholic Cemeteries Metropolitan Trust development application, the St John's Park Bowling Club group is confident it can move forward and provide the local area with community facilities it deserves, including the continuation of the golf course. The golf club has a rich and long tradition in the local community. The golf club has seen many volunteers spend endless hours contributing to the ongoing operation of the club. The golf club has life members. If the development application is not approved with its current format, we will simply have to walk away. Where does this leave the club and the golf course? There won't be one, unless the Catholic Cemeteries Metropolitan trust is able to find another partner. If the current development application is approved with its current format, the Catholic Cemeteries Metropolitan trust and us can move forward together.

The future plans for St John's Park Bowling Club and the CCMT are to develop the current clubhouse and golf course over time. The clubhouse will become a leading employer in the local area as well as keeping local-earned money in the local area. The future club will provide much-needed community facilities, including state-of-the-art function rooms, a learn-to-swim centre incorporating hydrotherapy services, a bowling green and purpose-built fitness centre. Clubs play an important role in social communities. Clubs bring communities together and also provide accommodation and services during time of emergency. Clubs financially support the community, schools and sporting clubs of all types. Clubs provide a place for the community groups to come together to make their local community a better place. None of this will be possible, if the development application in its current format is not approved. Simply: no DA, no club; no club, no golf. Thank you.

MS LEESON: Thank you, David. We will take a short, 10-minute break. Everybody stretch their legs, and we will regroup in 10. Thank you.

RECORDING SUSPENDED

[10.33 am]

RECORDING RESUMED

[10.49 am]

MS LEESON: Thank you everyone. We're going to have a very slight change to our presentation sequence this morning. I'm going to ask Matthew Fowler to come and split his presentation so that he will speak for three to five minutes now on behalf of Aunty Yvonne, and then he will continue with his presentation later this
5 afternoon. So at the request of the indigenous community, who has some reservations about the speaking yesterday, we're accommodating a split in Matthew's presentation. So we will then resume the normal order with Lisa Harold after Matthew has spoken. Thanks, Matthew.

10 MR M. FOWLER: Thank you, Dianne and the Commission. As Dianne has just said, Aunty Yvonne Simms is here, who is a descendant of Na Dong, Queen Nellie, and a Mulgoa Dharug elder. And so people may not, therefore, be aware of the preminent regional sovereign authority of elders, and that's a very critically
15 established a prejudice in international law against the interference in the domestic affairs of another, in this case, Mulgoa Dharug. And we also have with us another First Nation representative, Kazan Brown, of the Gandangara.

20 And my understanding is that there are, for example, grinding grooves here at Jerry's Creek. I understand a massacre occurred here at the bridge. Aunty Yvonne, in the moment, what else would you like me to say? That's right, that you would like a Mulgoa aura sovereign land sign to be produced, negotiated through the Wallacia Progress Association. What else? I've forgotten. That's it? Okay. Well, we will be writing a submission, and that will be sent through. Thank you.

25 MS LEESON: Thank you, Matthew. Thank you. I would just ask for someone to find out whose car it is that's gone off. Someone's just gone to - - -

30 MS: just gone out to have a look.

MS LEESON: To have a look, yes. Thank you. I hope it's not mine. I apologise if it is. If I can – sorry – now ask Lisa Harold. Thank you, Lisa.

35 MS L. HAROLD: Hello. I hope that's not my car.

MS LEESON: We will find out shortly.

40 MS HAROLD: Have to – good morning, IPC. Good morning, Wallacia. And I just wanted to pay my respects and acknowledge Aunty Yvonne and any members – any other members of the Dharug clan that may be present today. So my name is Lisa Harold. I am the representative from the Mulgoa Valley Landcare Group. Mulgoa Landcare has been established in the Mulgoa Valley for over 25 years now. Our mandate is to restore the natural heritage of the Mulgoa Valley in which
45 Wallacia Town, our little sister village, sits.

So I've spent the last 25 years restoring habitat, improving ecosystems and hopefully making this place special enough to preclude this insidious development and the

pressure from insidious development that we face on a daily basis, because this really is one of life's vestiges of potential biodiversity conservation on the Cumberland Plain, the tentacles of overdevelopment and the impacts of development speculators like the Catholic Cemeteries Trust. It's an ongoing battle for us to conserve our rural landscapes and our biodiversity.

And I don't doubt this battle will be fought again by volunteers like myself. We turn out ad nauseam – here we are again – trying to defend what is precious to us. And, you know, we live in these small rural villages by choice. It's a privilege and a pleasure. We forego some conveniences; some might schools, some might say public transport. We forego that voluntarily because we embrace this lifestyle. It is a privilege to live where there is still green space. And in my opinion, Wallacia will be defined by this development. So please be very careful about what you propose to foist upon our community, our choice to live in this style of neighbourhood, because it will change forevermore. And I think we have an intergenerational responsibility to provide these sorts of opportunities to generations of the future, notwithstanding the opportunity that exists within these types of rural open areas to conserve biodiversity.

So moving right along. What – so one of the earlier comments from the Catholic Cemeteries Trust was this is a well-thought out proposal and ticks all the boxes, but, indeed I have to remind you again, as I did in my first talk, Penrith City Council, some many months ago now, that this is purely opportunistic, that cemeteries were precluded from the Mulgoa Valley, and it was a simple housekeeping oversight with a transition from SRMP 13 into the Penrith LEP 2010 that cemeteries suddenly fell off the criteria for excluded development.

What I don't think has been considered fully is the traffic impacts. I find it fascinating that we can look at these massive developments without considering what's going on and around. So could I ask that you also consider the impacts this current government is – has advised communities of Western Sydney that they intend to raise the Warragamba Dam wall by 17 metres. That will mean a five – at least a five-year construction phase of – sorry; was that a - - -

MR: That was one minute.

MS HARROLD: One minute. Construction phase lasting five years, 500 truck movements. Where are they going to come? They're going to come down Park Road. So please consider that and future impacts. The other thing is the ad hoc urbanisation of Silverdale, another rural village that's being, you know, again – developer – opportunistic developers, you know, getting spot re-zonings in in appropriate rural landscapes. That's occurring in Silverdale as well, and we're about to have another 450 homes going up there. So if you think that the traffic has been assessed fully, it simply has not been assessed fully along Park Road. Of course, this all impacts roadkill and the wallabies, wallaroos and eastern grey kangaroos that we have fought hard to retain connected corridors and landscapes for them to exist, and they still do exist.

CMCT have failed to implement the most basic of business plans, which is planning for future. Why are we at this stage now of this critical shortage – sorry. I just have a few more points to make. The microbats. 400 trees will be removed. Whether they're alive, dead, in good condition, bad condition, they're actually habitat. It will
5 take 80 years for us to actually have these trees – the ones that they're proposing to replant – actually retain hollows sufficient for nesting habitat in hollows.

So it certainly will have an impact and certainly would – the light, night-lighting and the light pollution generated by this development hasn't been taken into account.
10 They hydrology, I wonder – the hydrologist – the industry of hydrology. Suddenly we have to raise the Warragamba Dam wall by another 17 metres because 64,000 homes on the Cumberland Plain are exposed to flood risk. The hydrology industry, what are you guys doing?

15 MS LEESON: Lisa - - -

MS HARROLD: So I - - -

MS LEESON: Excuse me, Lisa. Do you have much longer to go? Because - - -
20

MS HARROLD: I've just got a couple more points that I wish to make.

MS LEESON: Because I welcome you to make a submission to the Commission
- - -

25 MS HARROLD: Thank you.

MS LEESON: - - - within the next week so that we can get more clear understanding of your views.

30 MS HARROLD: Yes.

MS LEESON: Thank you.

35 MS HARROLD: So I will just make this final point.

MS LEESON: So if you could wrap up, that would be good, thank you.

MS HARROLD: That with the hydrology report, did they not realise that there's
40 been approved another 300 hectares of hard stand surface with the extension of Glenmore Park stage 3, which will drain into Mulgoa Creek catchment, which also tips just upstream of this one into the Nepean River? And we know that the hydrology of the Cumberland Plain is changing because of the wall-to-wall concreting of the Cumberland Plain. So any run-off all runs into our creeks systems.
45 It doesn't soak in any more. It all runs into our creek systems, and so the backing up of floodwater needs to be taken into account as well.

Okay. So, look – I’m sorry. I probably should’ve allocated 10 minutes instead of five because there’s a lot to be said, but I did remind you too that the claims that you’ll have 70 years of golfing, who knows if the requirements are needed? It may only last 10 years, depending on what – you know, who are we to say? Once the cemetery starts, they might see a need to only have 10 years of golfing and the – you know, I think the claims that 70 years before the whole golf course is usurped is an ambit claim.

10 MS LEESON: Thank you, Lisa.

MS HARROLD: Thank you.

MS LEESON: We welcome your contribution. If I could now ask Majid Al-Mubaraki. I hope I pronounced that properly.

15 MR M. AL-MUBARAKI: Good morning, everybody. Yes. Thank you. My name is Majid Al-Mubaraki of Mandaean Research Centre. I wish to speak a little bit about our community involvement in this area, so I prepare very few things and I said, where are the Mandaeans going to baptised? This is I’m going to say something in Mandaean. which roughly translated in English as “There is life, there is God and there is knowledge of life.” I am from Mandaean community and I have lived and – have lived in Wallacia for 20 years and I am against this cemetery proposal. It is not in the public interest and the needs of the Mandaean community have not been taken into account in the Department of Planning assessment report.

25 Some of you have never heard of Mandaeans before. We are very small group of about 60,000 people globally who used to live in south of Iraq and Iran. Nowadays, we live in more than 20 countries worldwide. In Australia, more than 10,000 live in western suburb, mainly in Fairfield and Liverpool. Every Sunday, member of our society come to Wallacia and Penrith to baptise in the Nepean River. Baptism is a sacred, frequent observance. We continue to practice baptism in clean, running water, as did our teacher John the Baptist 2000 years ago.

35 Until a few weeks ago, some of our people were baptising in the Georges River. Due to mosquitos health warning, they have been forbidden and, as a result, the numbers of Mandaeans coming to this Nepean River have almost doubled, so this river is now even more vital for our community wellbeing.

40 We, the Mandaean community, reject the cemetery proposal because it is seriously risk continuation of the river here and further downstream, along the lower Nepean, Hawkesbury Rivers. We need a clean river, not a polluted one. Running water is living water. It is a fundamental resource for life, of life. Running water is the life. We ask that authorities responsible for the – this project listen to the will of the people of this area and respect our needs, which have not been taken into account in assessment report. Thank you for your attention.

45

MS LEESON: Thank you, Majid. We now have Bernadette Cansdell. Thank you very much. Thank you.

MS B. CANSDELL: Can you hear me? Great. Is that better? Good afternoon.
5 Thank you, Chair audience. The response to Wallacia parkland
developments. My name is Bernadette Cansdell. I have lived in Wallacia for 45
years. My background is healthcare practitioner, consultant nurse and
psychotherapist. In viewing the documents, there are serious omissions that have not
10 been considered or addressed regarding the community's concern of the mitigation of
contaminants from the proposed cemetery and that proposal has potential serious
health implications for the wellbeing of the community and - - -

MS LEESON: Excuse me, Bernadette. You might just need to speak up a little so
15 people can hear you.

MS CANSDELL: Up? Is that better? I don't have a loud voice. Sorry. Thank you
very much. Is that better? Yes. Even though it appears that Stormy Water Solutions
has documented flood mitigation management and pollutant mode reductions on
20 surface pollutants, this is now questionable. In addition, they have not identified
problems that has the likelihood of limitations, variables within their systems. Peter
Gilligan, environmental engineer. For example, how to manage pollutant load
contamination from the cemetery if flood levels are not managed as predicted.
Management of contaminants from groundwater into people's properties or Nepean
River. Reference. Flood stormwater and groundwater, B6.21, 6.22. This response is
25 totally inadequate and does not relate to any completed specific geo, hydro, scientific
approach that supports fully this proposal highlighted key factors affecting
stormwater treatment and performance.

MUSIC is conceptualised too and it does not account for local hydraulic or pollutant
30 load phenomena, nor how to accommodate these in construction drawings.
Furthermore, there are certain assumptions in MUSIC too that the designer must
carry through to the construction if treatment elements are to operate as desired.
Though this is seemingly an obvious statement, this is not always the case resulting
in ineffective or underperforming systems. Treatment performance estimated in
35 MUSIC assumes that systems are functioning correctly. Unfortunately, in quite a
recent review, this performance is not always realised in the field. In the review of
the bioretention performance, found that large losses have been observed, and this is
a wide range of implications for stormwater management.

40 A broad review of themed studies on bioretention systems found significant
discrepancies between actual and modified performance. Studies show bioretention
systems act more like a sponge than a filter, resulting in a very large reduction in run-
off volume and asthma 60 per cent on average, a 10-fold increase on MUSICs
estimates. Pollutant loads appear to be reduced primarily through volumatic loss. So
45 that means when the flood comes, it gets loss in the flood. And multiple studies
found no reduction in pollutant concentrations. This has wide-ranging implications
for storm-water management. And this is just a recent review, 2017. And this is

Facing the MUSIC: a review of bioretention performance. Reference, permissibility, groundwater 6.2.2. Red Earth Geosciences assessed the Varroville site and CMCT is making a comparison suitability claim for Wallacia site, page 19.

5 This is an unacceptable comparison, using one seemingly suitable site to validate another. Implying suitability of Wallacia proposal by comparing Red Earth
10 Varroville geoscientific suitability analysis has implications in numerous aspects. Red Earth is implicated without that company knowing the anomalies, variables, controversial flood plains of Wallacia, thereby inferring to incriminate Red Earth for
15 a comprehensive analysis of a whole suitability to which they did not do. By implying suitability could validate CMCT's intention to fast-track Wallacia, without providing the reports that are required. Red Earth is also owned by Boyd Dent, the managing principal of Red Earth Geoscience and researcher. Now, Boyd Dent researched over seven years, 2002, with the supporting references of 434 documents.
20 And it recommends that no operating cemetery should be located on the land, subject to inundation of one in 100 year flood and to keep cemeteries away from waterways.

20 Furthermore, by implicating Red Earth would also imply that his research was invalid. And to this day, it is the most comprehensive research that is referenced. This is the most disturbing, is groundwater salinity and contamination. Martin's consultant engineer geo-technician and groundwater report have reported that monitoring Wallacia's proposed memorial park has been carried out during a dry weather period. Groundwater levels would vary in the short term, predominantly,
25 with minor atmospheric pressure and rainfall infiltration effects. Moderate salinity is identified. So they ensured to recommend groundwater monitoring periods includes a minimum of two to three significant wet-weather events and corresponding dry-weather periods. Details groundwater monitoring, using MODFLOW of the site to determine groundwater levels over the entire site.

30 Further assessment of groundwater conditions be undertaken for confirming of the above. And detailed servicing of the groundwater well locations are level, to obtain more accurate assessment. Bioretention systems can further raise the salinity profile of the catchment by encouraging infiltration of treated stormwater into the
35 groundwater, Blacktown City soil council's land salinity. We have got Blacktown soils. Using bioretention systems, more water enters the groundwater and groundwater level rises. As groundwater levels rise, they bring with them the salt that is in the groundwater and also dissolve the salt in the previously unsaturated part of the soil profile. Eventually, low-lying areas of valley floors may become fully
40 saturated and the amount enduring of flowing streams and rivers increases. In addition, increased salinity and flow in streams and wetlands is likely to make an issue of the salt tolerance of vegetation.

45 Many plants tolerate higher salinities in short periods, but cannot survive long periods of inundation as well. High salinity levels have been documented at Wallacia, Jerry's Creek, Mulgoa, flowing to Nepean River and Crossman Reverse. See Wallacia history of stream watch. Salination of streams: salination of rivers can

threaten ecosystems and their constitute species and may render the water unusable. Finally, it is known that soil media has no appreciation retention of salts, thus salts have a high potential for groundwater contamination and documented cases of groundwater contamination by salt exist. Increased application of stormwater infiltration practices necessitates examination of possible contamination to soil and groundwater. There is legitimate concern for the protection of human environmental health, with documented cases of bacterial contamination of groundwater do exist and certain practices may increase the risks. Pathogens may move vertically or horizontally with some surface water flow and survive for days.

The faith and survival of pathogens depends upon multiple parameters and it's not thoroughly understood. Contamination of groundwater by pathogens have been documented and thus cannot be ignored. In addition, it is known that soil neither has no appreciation for retention of salts and thus salts have a high potential for groundwater contamination and documented cases of groundwater contamination by salts exist. And there's references to everything that I've actually talked about. Wallacia being proposed as a memorial cemetery park, therefore, would have the probability of increasing contaminants in groundwater mitigation by using bioretention systems. Dietz wrote a review of studies related to stormwater infiltration systems and also discussed the potential of groundwater contamination. His review stated: for residential soil contaminations, where pathogens and salts, faecal coliform, it was stated it is often found in high concentration and may not be retained well by soil media.

Also salts are highly mobile and can easily travel to shallow groundwater. Some studies reviewed by Dietz indicated that salt concentration had been increasing in some waterways in the US. And if this trend continues, salt levels will reach levels – they are dangerous and could damage the health of the river. Dietz also concluded that certain areas may not be good choices for infiltration, with locations with steep slopes, shallow depth of three feet to bedrock or seasonal high water tables also may not be appropriate for infiltration systems. Furthermore, concentrations of the pollutants in the receiving soil may become elevated above acceptable levels. Some of the worst offences of various categories that intended stormwater regulators began in earnest in the 1990s. In addition, there is a growing concern of law suits in America regarding stormwater management and their claim for managing pollutants. And today water pollution is significant, presenting both health and ecological damage.

Stormy waters regulation is a problem that results when stormwater and other regulators programs neglect to account for limitations in scientific and technical information. There is a significant amount of information on the IPC website regarding management of runoff from stormy waters, regarding bioretention basins in regard to flood mitigation and its redirection systems concepts. It looks impressive. However, there is little emphasis placed on groundwater contamination, except what Penrith Council raised and has not been addressed and has not yet been fully investigated. Emerging data is now becoming apparent and bioretention systems are becoming more familiar and research being published with some of the

issues that may have serious or unfavourable implications long term, being through salinity of salt tables, implicating pollutant levels above acceptable levels of the Nepean River, due to groundwater contamination.

5 With bioretention systems, the probability of the resultant in adequate performance just repeating itself during ongoing high-sediment loads, little loads or public interactions, people walking on bioretention systems, inadequate edge treatment, sediment is particularly at risk to bioretention systems, bypass or overflow was occurring in many systems. There was a lot of filter blockages. Bioretention is best
10 employed only for small or medium sites, not large, and becomes expensive and the development costs, when trying to apply it to large areas. Bioretention systems can further raise the salinity profile of the catchment by encouraging infiltration of treated stormwater into the groundwater. The graves need to be dry, not wet. Bioretention swales there, as most fine particles or annex can decay away, have
15 minimal impact.

High loads of fine particles, however, can smother and coat the swale. There's common performance issues with vegetated elements. Contamination of groundwater by pathogen is a health issue and this cannot be ignored. The
20 department's permission for suitability for this proposal without full investigation of data analysis is not acceptable. By omitting critical variables to make an accurate assessment implies a severe conflict of data interests favouring the CMCT. This is unacceptable. By the CMCT making this leading comparisons and have not analysed the full necessary critical data, suitability of the cemetery, and in the best interests of
25 the village.

Documented cases of bacterial contamination of the groundwater well exists. Certain practices: pathogens may move vertically and also horizontally. I will just skip that. Almost all cemeteries have become potential for contamination in natural
30 phenomena like floods or landslides. Subsidence, settlement act on the graves or inappropriate natural subsoil drainage to streams which is at page 393. The greatest potential threat is the offsite mitigation of pathogens or viruses, not necessarily on the site. The projection of the anticipated one per cent AEP flood is only projected and does not include to account variables such as issues with the spill
35 gates opening in an emergency and uncalculated future variables such as increased flood mitigation from upstream from Camden Oran Park due to increased impermeable surfaces and urbanisation would consequently affect and the proposed cemetery with higher flood levels putting the community at risk.

40 There has been a clear acceptance that flood risk is increasing, water quality is generally not meeting desired levels, and that combined population and climate change projections pose a pressing challenge. This proposed cemetery directly affects community – Wallacia's community which is of public concern and the government's proposal had the obligation to do no harm to the community's health
45 and wellbeing. I'm nearly finished. The valuation: there is a duty of care from the IPC and the CMCT to consider to the fullest extent all matters likely to affect the

environment, or likely to affect the environment by reason of that activity: EPA Act 4.15.1(a), (b), (c), 4.15.3 1979.

5 The Protection of the Environment and Administration Act 1991, 60.36(a), (b)
protect, restore and enhance the quality of the environment in New South Wales
having regard to the need to maintain ecological, sustainable development and to
reduce that risk to human health and prevent the degradation of the environment by
means of such of the following: promoting pollution prevention, adopting the
10 principle of reducing to harmless levels the discharge into the air, water or land. For
the purposes of subsection ecological sustainability development requires the
effective integration of social, economic and environmental consideration in
decision-making. And I will skip right down.

15 But the cautionary principle I think is the most relevant to the community, namely,
that if there are threats or serious irreversible environmental damage, lack of full
scientific certainty should not be used as a reason for postponing measures to prevent
and environmental degrading. The application of the precautionary principle public
and private decisions should be guided by careful evaluation to avoid wherever
practical serious or irreversible damage to the environment and an assessment of the
20 risks and weighing consequences of various options. Therefore, I'm here to oppose
the Wallacia Memorial Park Cemetery within a flood plain of Wallacia Thank
you.

25 MS LEESON: Thank you, Bernadeta. Roger French?

MR R. FRENCH: Commission and ladies and gentlemen, I came to live in Wallacia
in 1975 and I'm a former civil engineer and formerly managing the Hopewood
Health Retreat which is in Greendale Road, a kilometre from the hotel. In 1983, my
wife and I built our home in Greendale Road half a kilometre from the hotel and
30 have lived there ever since. We chose Wallacia because it is a beautiful, peaceful,
rural village and bringing a cemetery into the village changes its nature completely.
In my – being a small village, as a book title said many years ago, Small is Beautiful
and with a small village you get a lot of social contact and, as my research as a health
educator shows, social contact is a major factor in emotional security, which in turn
35 is a major factor in health and wellbeing and that is the benefit of a beautiful, small
village.

My major objections to a cemetery in the village are summarised as, first and
foremost, I do not want our village turned into a cemetery village, and that is how it
40 will become known. Secondly, I do not want my house value reduced by maybe 12
per cent or even more, as surveys show, and it could even be difficult to sell the
home if we ever wanted to possibly. Thirdly, there's enough traffic in Wallacia
already. I do not want to see a lot more traffic congesting the village.

45 And, fourthly, David Hoy and his team who investigated other sites and found them
unsuitable, I suggest on the basis of social factors Wallacia is the most unsuitable of
all to have a cemetery right at the back of the hotel, the rural fire service and straight

across other residential properties in Mulgoa Road and straight across Park Road from other properties. It is entirely unsuitable and as Tanya said. So, in short, my objections are I do not want my village turned into a cemetery village and I do not want my house value reduced significantly. I implore the Commission to drop the proposal. Thank you.

MS LEESON: Thank you, Roger. Lyle Bell?

MR L. BELL: Thank you, everyone, for turning up today on the panel and all the people. In the CEOs of CMCT Peter O'Mara's words, "Rookwood will become a cremation centre with an infinite capacity to be there" and also stated that, "The newly acquired land at Kemp's Creek for other denominations will last well into the future". So where's the big rush putting a cemetery in the middle of the village when you've got this statement, or statements, from a person? They bring a geologist up here to – he has made his own model. He made his own model because the other one wasn't quite sufficient. Well, who's to say his was sufficient?

He didn't encroach on chemicals or pollutants that come out of the run-off. All he said about is the water. We can go on to other models. An Australian of the Year a few years ago said his model is that you will never see the dams filled again. Within a few months, Brisbane suffered its worst floods. The other model over in England on climate change, the professionals or professors have come out and admitted they got it wrong. So who is he to say that he hasn't got it wrong? Now, I don't knock people, but if you make that sort of a statement you've got to have the evidence. Now, this part here, the headline isn't right: Sydney Sydney When Flood Inundated Windsor. It has got it on there written it's a historical feature:

Such was the force and quantity of water that hurried itself over the tiny town of Wallacia that a viewer on high ground couldn't even see the settlement through the soaring fog and enveloping spray.

So the history is it's there. Mother Nature doesn't listen to us. She tells us what to do and we suffer her consequences or the greatness of her. Models will never take over Mother Nature.

Now, as I said, he encroached on water, but nowhere do we hear any of these people that come forward to talk about chemicals or pollutants. The IPC, in its wisdom, stopped the incinerator at Eastern Creek because of pollutants in the air. It's dangerous to people. So therefore, aren't the pollutants and chemicals that come away from cemeteries with underground seepage and water running over the top – do we let all our river systems become pollutant? Our creeks? The air, we don't want, so surely we do not want underground pollutants and chemicals being washed into our waters. It will wash down through Jerry's Creek right through people's properties that are market gardens in the past, and maybe in the future, into the Nepean River where Penrith Council uses that as tourist, and further down people use it for watering vegetables and drinking water.

So the pollutants will not just stop at Jerry's Creek. That's commonsense. I've been here for over 40 years, and this isn't the model. This is fact. Wallacia has been an island three times through floodwaters since I've been here. That's fact. The other thing is, they talk about – everything and anything about all committees, people and
5 everything. Councillors are voted by communities. The government is voted by communities. The council is against this cemetery. The government is against this cemetery. The community is against this cemetery. No one votes for the CMCT board, but they're for it. They're the only one that I can understand is for it. I haven't heard anyone else say that they're for it. Even our local member stood up
10 this morning and stated it. Everyone's against it that have voted for or live in the community. Why are the outside ones trying to destroy our system of voting for people to talk to us and destroy a community that has a village? We can't stop progress, but we can surely make sure progress is correct.

15 Now, in the past, cemeteries were always put on the outside of villages, towns. We didn't have cities then. Today, they want to put it in the middle of a village. Doesn't matter whether it's a golf course or a squash court or a tennis court. It's in the middle of a village, which is the only biggest green space that that village has. Why take that away from the people of that community and of the people that have voted
20 in to talk for the community? They have the landscaping part. Landscaping, I've never seen trees landscaped from a plan to stop floodwaters. I've never seen a road that dips down above a creek not flood. That's why Wallacia become an island. We have an evacuation route that's been put up on Park Road. All of Wallacia floods. That comes from the Hawkesbury flood investigation. CMCT and their people don't
25 mention that. And that's not old; that's out this year, or at the end of last year, 2018.

That's where we've got to bring evidence in that is up-to-date and learn by the mistakes of the past, not make them again. And this part here, as I've read it, the Aborigines in Windsor District knew what would happen as the locals if the rain
30 continued falling heavily during that month of March 1799, not that the settlers took any notice of their warnings. So the Aborigines were local community people. You see local community people here. They know the area. Look at it properly. They say you won't, but look at it properly with the facts, not things that are presented as models. A model doesn't mean nothing compared to Mother Nature, as I've said
35 before. Thank you very much for listening.

MS LEESON: Thank you, Lyle. Can we have Darrell Bell.

40 MR D. BELL: Hi to everybody that doesn't know me. My name is Darrell Bell, lived in Wallacia for 46 years opposite the golf course, been in the building industry for 55 years, held a licence, a builder's licence, full builder's licence since it was introduced in New South Wales in the first year. I have got a bit of experience on site investigations, and I don't believe that – I'm sorry, IPC, but I don't think that the one that was done where the people were left out of was long enough. 15 minutes to
45 do a 42-hectare development worth \$26 million doesn't take 15 minutes. It takes more than 15 minutes. That's all I will say on that part of it. I just don't agree with what was done there.

Now, I will move on to the flooding. Continuation from Lyle. I will give you the model of nature in 1978. Okay? This model is factual. And I don't if people know that district of Robinson. Now, the district of Robinson controls basically the Nepean catchment and the Warragamba catchment and the Blue Mountains. Now, it
5 controls that. In 1978, in one hour, Robinson received 600 millimetres – and this is fact – 600 millimetres of rain in one hour. Now, that all comes across and it comes right the way through. In seven day – sorry, in six days, they received 915 million – millimetres, which all comes across. Now, that comes down the Nepean River. The Nepean River comes down, and with all this water coming in the Nepean River is
10 rising and rising, Warragamba Dam is rising and rising, so it gets to the stage where Blaxland Crossing, the bridge gets cut. So we're looking at – it starts to trickle across the road down on Park Road, starts to trickle across there.

Okay. That comes down, it gets higher and higher. The next thing is Warragamba,
15 the dam. It's getting to a crisis point. So the next thing is the floodgates open. Down it comes. The Nepean River – Jerry's Creek runs into the Nepean River. The Nepean River runs into the Warragamba River, the Warragamba River. The Nepean River runs into the Warragamba Dam, not the opposite way. Okay. And that runs into it at the junction, what's known as the junction going against the flow of the
20 Warragamba River. Now, that pushes the Nepean River back. All the flood is starting to come back. Nature again. What happens? Anybody guess?

MS: Yes.

25 MR D. BELL: The Hawkesbury River is in high tide. You say, "What's the Hawkesbury River got to do with it?" The Hawkesbury River has got a lot to do with it. It's saltwater. It's pushing it back. High tide is pushing back. And around the Windsor area, around the Windsor area it's holding the Nepean River back, and the Nepean River is still coming down, the Warragamba River is still coming down,
30 can't go anywhere, so it starts to come back up. Three days it takes for the Jerry's Creek to get to the height of four metres above Park Road. Four metres. I measured it out of the canoe. Four metres. Okay. That four metres stayed there for another three days. Six days it took for that to – Jerry's Creek to come up to its highest level and to go back down to its highest level.

35 So what happens, the water's just laying there, isn't it? There's no tidal rush or anything like that. So all the pollutants, all the garbage that's in that water drops down to the bottom. Down to the bottom. And because there's not a rush going back out, it stays on the bottom. So all our pollutants and everything are still there.
40 We do get rainwater in Wallacia too, which is run-off. Run-off will come down and run into Jerry's Creek as well. Pollutants again. You know, like, this is just rubbish what this model – where – the guy is gone. Well, no wonder he's gone. He hasn't got a clue on what to do with his model. I can tell you that now. That's fact. We had three floods in Wallacia in that year. Three floods.

45 The one I'm describing was the biggest flood, and that was the one in 100. I've got a – and from the landscape artist there, a map which shows a 100 in 100 level, I've got

the map here – and 100 in 100 level at the one in 20 level. You know, it's just ridiculous what these people have done and put on these maps. You only have to look at the AHD marked on the gutter over just down from the fire station. There's the badge there. 45.8 is the Australian Height Datum and that's what we're working
5 on. I've got all the contour map here. I just don't want to waste my time, sort of, getting them all out while talking.

MS LEESON: Darrell, if you make that – put that to us in your submission.

10 MR D. BELL: There's the contour map.

MS LEESON: Yes.

MR D. BELL: You know, they're all there. You know, and these levels that we've
15 been given by the CMCT and Urbis – just ridiculous. Just ridiculous. And to show the water stopping at the other side of Park Road, again, is ridiculous. We've got Denton Place. All the houses there go under water. Look at – why do you think we've got a two-storey house down the corner here just – down the road here just before Jerry's Creek. The council has that because it has to be out of the water. The
20 house this side of it goes over the windows. The house on this side of it – three houses up – will go through the house. My property in itself opposite the fire station is in the flood zone. You know, what are they going to do? The next thing is the landscape artist – well, architect says that there's no need to worry about it or anything like that. I've lost my train of thought at the moment. But the thing is the
25 whole lot of it is put together to suit the cemetery people.

The other thing that I was going to say was that sure, she says that they're 50 metres away – will go 50 metres away. Not from the low riverbank. 50 metres has to be from the highest flood levels. When you consider we had three floods in one year,
30 you know, why have it down at the bottom? You got to have it up at the top where it's going. And if you take it from the highest flood level this way, you will be putting the grave sites on Mulgoa Road and then if you go the other way, you've got Northern – from the northern side – and it has to come across, cuts the land out again, and then you've got it going up the hill from Jerry's Creek – cuts it out.
35 Where you're going to put your cemetery? You got no room there. And it has to come from the top of the water level – of the flood water level. Not down in the creek or anywhere else. You know, worldwide opinion is that you don't put cemeteries near rivers or wetlands. You don't put it. All countries say that.

40 What are we doing here in Australia? Wallacia. We will whack one in beside all the flood areas. You know, this can't be on. You know, it's just ridiculous. The whole lot of it. You know, and you get down to – like the residents – sorry. You know, it says there that the residents can be worked in with all this sort of thing and that, you know, and it can be good for them. It's not good for them. The residents don't want
45 it. Never been asked did they want it. Just CMCT rode into town and says, "We're putting a cemetery. You are going to like it." You know. Was that right or wrong?

MR: Right.

MR D. BELL: Right.

5 MS: Wrong.

MR D. BELL: Yes. Well, you know, as far as I'm concerned - - -

MS: - - - right. Yes.

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MR D. BELL: You know, we've - - -

MS LEESON: Thank you.

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MR D. BELL: We've got another thing here. Propaganda, of course. I go back to the last panel meeting – Sydney Western panel meeting. Mr David Hoy stated, “Most people prefer to be buried within 15 kilometres of where they live.” Well, that's fair enough. But now he's saying the resources are for the whole Sydney area. Well, as far as I'm concerned, we don't get much further out than Northern Road, Warragamba, Mulgoa. You know, that's your 15 kilometres. Why you want to do it now? He has got a map in here. We're going to take up the 15 kilometres, you know. We're going to go out into the ocean of Sydney. There it is. Go down the ocean, you know. I don't know who's out there – fishing boats or something. I wouldn't know. And then - - -

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MS LEESON: Thank you Darrell. Do you have any more to add to that because we welcome your submission. I think we've got your points around the flooding and - - -

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MR D. BELL: Yes.

MS LEESON: - - - the consultation and community sentiment. Was there anything especially that you needed to raise today?

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MR D. BELL: Well, there is one thing I would like to express and I will do it very quickly for you.

MS LEESON: Please.

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MR D. BELL: It's just on – I have a thing here. It has got financial hardship – was a thing put into for the Cemetery where when they were going to lose the land. They looked like losing land – the heritage land – which will mean 32.96 per cent of their income and that will be lost. Okay. If that's the case, they're saying financial hardship, how much hardship are they going to have now when they've lost 64 per cent of their financial gain by deleting the crematorium. Now, if you go back to the New South Wales report, it says 34 per cent of people prefer to be buried. 66 per cent of people prefer to be cremated. So they're only a minority, aren't they? Isn't

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that a minority? In my books and my calculation, I only went to third year and got You know, but I don't – know a little bit about maths and that seems to be – it looks like this mob might end up in the bankruptcy court.

5 MS: That's right.

MR D. BELL: Thanks very much.

MS LEESON: Okay. Brad McLuckie.

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MR B. McLUCKIE: Thanks for the opportunity to speak today. My name is Brad McLuckie. I'm a resident of Wallacia and have lived in this area for almost 20 years and I object to this DA application. Today, we are here to speak in response to the planning department's assessment of the CMCT DA for a cemetery here in Wallacia. 15 The planning department deemed it to be in the public interest and it gave their tick of approval with no consultation with the residents of Wallacia who as the public they see as interested. Surely without a proper investigation as to who will be directly affected by this development to give such approval should be considered somewhat naïve or misled. If they had considered all or even some of the issues 20 surrounding this DA, consulted with local residents or community groups or investigated properly some of the many flaws within the DA itself, such approval would not have been granted.

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The arrogance of the CMCT is astonishing with a contradictory and misleading information within the DA. Here, in my hand is basically an advertisement for the Wallacia Memorial Park and even here it states, you know, in regards to the golf course, maintain the current golf course for five years. Now today, we've heard it's four years reduced to a nine hole golf course for future years, up to 50 years at least. So is it up 50 years or at least 50 years. And then it says:

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Ensure the golf course is maintained and available for use as long as possible.

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Like, we don't know what they're doing with it. Then we heard from David Marsh from St Johns Park Bowling Club today. Well, the community heard nothing about what they plan to do with the golf club. What we have though heard is that St Johns Park want to close Wallacia Bowling Club and possibly redevelop the property which leave no bowling club in Wallacia and no more recreation space. And also, I'm guessing the venture with the CMCT is a lease agreement which means that time spent in the golf club is probably determined by its profitability. Look, I just urge 40 the IPC to thoroughly investigate all the evidence presented today from the people who care about the community of Wallacia and the Wallacia Village. There are many other much more suitable parcels of land available, some already approved for cemeteries which don't negatively impact on existing towns or the amenity of residents. Thanks.

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MR J. MURRAY: Morning, Madam Chair, panel members. I'm a resident of Wallacia Village since 1999. My family is raised here, and we love our village. I comment on the assessment report regarding DA171092 and have many concerns and objections. I'm allowed eight minutes; I could speak for hours. I note all
5 reports, CMCT, Urbis-appointed consultants, government departments and supplementary technical reports are all prefaced or conclude with a disclaimer, being a statement that denies something, especially responsibility, or an act of repudiating a claim, warranty or bequest.

10 I refer to current proposal which is disingenuous. Burial plots in New South Wales under the Act at this moment now have an interment right of 25 years. You can apply for up to 99. This proposal under the Act – sorry – allows for, we believe, one plot of three deceased, thus making this proposal in grand scale of 264,000 burials, to which many can be reused after 25 years. I note that 66 per cent of populous are
15 cremated, 34 per cent are buried, under statistics by government departments.

I refer to the permissibility, being the statement that the CMCT has taken off the application DA for two times crematorium. This is disingenuous, and it does not stop the CMCT in any way applying for this after and if this current DA is approved.
20 I also note under the current Act, cemeteries and crematoriums allow for pets. Landscape and visual amenities, numerous world reports have stated that adverse impact to cemeteries and crematoriums being placed within near water run-offs, waterways, catchments, swales, creeks, etcetera, etcetera. The topography of Wallacia Village is a valley, which is defined as a low area of land between hills and
25 mountains, typically with a river or stream flowing through it.

After living in the Mulgoa Valley, I would describe Wallacia Village as being a lower bowl of Mulgoa Valley, all of which would be backed by Australian height datum to which Luddenham east, Mulgoa north, Silverdale west and Greendale
30 support to the south. Permissibility, in summary, states that Wallacia Golf Course utilises a functions facility. As a resident of 20 years, I do not believe that as truth. I also – it also states, regarding the need:

...and its additional cemetery space.

35 We believe four sites – Greendale Road and Elizabeth Drive – have recently been approved, this negating any stated burial space shortages for at least 25 to 30 years. We also believe the CMCT has been offered a Penrith site that would be more than adequate to cope with Sydney's future needs. However, the CMC has refused this,
40 we believe on commercial grounds.

Mention is made of the PLEP 2010. The truth is, cemeteries and crematoriums, by error and omission when drafting these documents Act criteria, were excluded. And recently, a strategic review has been requested by Premier Berejiklian to address this
45 issue. I cannot see how this deficient proposal meets the criteria dot points of the Greater Sydney West region regarding lifestyle, green space, etcetera. To suggest a cemetery, crematorium is an open space for recreation defies plausibility, and I, as a

father of five, grandfather of five, would not be allowing my children to be playing in a cemetery. This does not take into account recently approved sites and the offer to CMCT by government to a site in northern side of Penrith.

5 Much has been said about floodwater. I directly live off this floodwater. Floodwater and stormwater management, as stated, Wallacia Village sits in a bowl, which is a unique ecosystem. This system interconnects Wallacia Golf Course, surrounding acreage, swales, dams, Jerry's Creek and Crossman Reserve. Perusing the GRC Hydro document, which I will give to the Commission, which I believe was prepared
10 by CMCT, Urbis and utilised for approvals, I see many flaws. In red refers to high-hazard and refers to Crossman Reserve. This red just stops adjacent to Lark Place to its west. This high-hazard area should include all properties to the south, up to and further than Matingara Way.

15 My property borders Crossman Reserve with a one-in-100 flood line. Where I have numerous building restrictions, I believe video recording will be presented to the panel from the Wallacia Park Association, which shows the panel the super storm that occurred 13.12.2018 which hit our village. These are not uncommon to occur here. Crossman Reserve is also predominantly home to flora, animals, reptiles,
20 wombats, kangaroo, etcetera, etcetera. And as recently as December 2018, reports were filed with WIRES after my family and I have seen an echidna, of all things, that sat on our veranda for up to 24 hours. We were advised by WIRES to leave it alone and it would find its way back home, which is Crossman Reserve. Local Wallacia Village residents have experienced numerous flooding, whereby boats are being used
25 to row in and out of our village. Now, all this runs into the Nepean catchment area and into Nepean River.

Concluding, this proposal has been approved, in principle, by the New South Wales Planning Department within on the grounds of the public interest, being defined as –
30 and there is many definitions of this. It's a very – like, a subdued sort of opinion. So the public interest is reasonably defined as a common concern among citizens in management of affairs of local, state and national government. It does not mean mere curiosity but is a broad term that refers to the body politic and the public wheel. Most of the public we speak to have no idea what is happening in the proposal for
35 Wallacia Village, which is the gateway to Warragamba Dam. I've only just got one more paragraph.

I believe our community wellbeing in this instant outweighs public interest, which is the combination of social, economic, environmental, cultural and political conditions
40 identified by individuals and their communities as essential for them to flourish and fulfil their potential. Wallacia Gold Club and that land is the heart of Wallacia. It's all we've got. Wallacia Village thanks you, and we await your decision. Madam Chair.

45 MS LEESON: Thank you.

MR MURRAY: Thank you. I also want to present – we've done GIPA applications. These are the items we're still waiting on.

5 MS LEESON: Thank you. If - - -

MR MURRAY: We can't get it.

10 MS LEESON: If you can give them to the secretary, we will follow that through. Thank you. And - - -

MR MURRAY: And that was - - -

MS LEESON: And that one too.

15 MR MURRAY: My property is down here.

MS LEESON: Right.

20 MR MURRAY: Thank you.

MS LEESON: Thank you, James. We might hear from Justine Louis, and then we might take another short break. Justine. Justine. No. Sorry. Joe Grech is not speaking today. Sorry. We have a written submission, I believe. No.

25 MR AL-MUBARAKI: Justine?

MS LEESON: Justine, thank you.

30 MS J. LOUIS: I just wanted to give you guys a photo.

MS LEESON: Thank you.

35 MS LOUIS: That's from my backyard. I will let them know that I've given you that. As you can see, my lovely - - -

MS LEESON: Thank you. Thank you.

MS LOUIS: - - - husband there in the shadow on my back fence.

40 MS LEESON: Just to clarify, Joe Grech has opted - - -

MS LOUIS: That's my back fence. He took the photo back fence. God bless him.

45 MS LEESON: - - - to not speak today, so we will be receiving a submission. And so now we're moving on to Justine.

MS LOUIS: My apologies. You were speaking. I've just - - -

MS LEESON: Ross is just explaining. This is taken from - - -

5 MS LOUIS: Yes, that is my husband through my fence, and that's looking down the 10th, which I will be mentioning.

MS LEESON: Thank you. Thank you everybody. If you can be quiet for Justine. Thank you.

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MS LOUIS: Good morning, ladies and gentlemen. Before I start, I would just like to let you know that I'm speaking on behalf of residents from Regal Oaks that live across the road on Park Road. Some of the residents have asked me to speak on their behalf; also, Kerry and Terry Reid. They live up the back of the golf course. They border the property. And I also live down on Mulgoa Road and I have my backyard, as you guys have just got a photo of. That is my backyard is the golf course. I will just let you all know I gave them a photo from my back fence of the 10th, as it's commonly known. I don't have the privilege of a PR company writing my speech, but I've got a lot of passion about my home and this is what we're talking about today.

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It's not future development. It's my home. We're here, you know, today to discuss a club, but it's not just that. It's not just a golf course and it's not just where we bury people. It's my home. It's my back fence. It is the fate of my home and my home, my backyard, is my oasis. I bought my property because of my backyard. I came off 500 acres up the road up a bit further, and I couldn't deal with three Colorbond fences after living on 500 acres. I chose that property because it backs onto the golf course. I actually had no fence when we first got the property. I built a pool-style fence so I could look straight over the property. That's the best that I could do. I couldn't be fenced in after living on 500 acres.

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This is not just my home. The residents at Regal Oaks are devastated. It is their homes that we're talking about. We're not talking about for the next 10 years, 20 years. This is our home forever, and I think a lot of people forget this: that it's our way of life which will be destroyed. It's everything will be gone. It's not just a little development for this year, or this year, or this much. Our whole way of life will be destroyed if this goes ahead. I know that there are several golfers that are very keen on it going ahead. I don't think that they've ever thought of the effect that it will have on our town, as well as besides golf. There's a lot of reasons that people came to Wallacia to live here.

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Mine, as I just said, is for the golf course and a lot of people it is for the golf course. Regal Oaks was built because of the golf course. It's an over 55s village with a club across the road, shops up and coming to be a supermarket, which the gentleman that was going to make a supermarket has already commented, "Why would I go that far if it's going to be a cemetery?" But Regal Oaks and our town was built in the shape that it is because of that golf course. That is the whole reason that everything is

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where it is today because that was the starting point. That and this building here was the starting point of Wallacia before any of the developments went ahead to what have, you know, like, today.

5 Like I said to you, though, my backyard is my everything. It's my escape from traffic noise. It's my entertaining area. I have a beautiful big pizza oven. It's my peace and my serenity. It's an absolutely lovely area and it will be ruined for me to sit there and watch burials all day, every day. I couldn't even bear the thought of watching such sorrow all day long. I don't care how you want to make it sound
10 pretty. "I'm going to put a bush here and you won't see anything". That's rubbish. I am going to watch people being buried all day long. That's the reality of it and it horrifies me. As for traffic, you have heard plenty, but daily –I work at the golf club. I've worked there for 15 years.

15 Daily, I hear complaints from the elderly trying to come across Park Road how dangerous it is, let alone the people walking their children to school. They've got to cross Park Road. It's deadly now. I've got one elderly gentleman who lives across here who takes his life in his hands to get on his Gopher to get across Mulgoa Road. The traffic is horrendous now. It's – like, Mulgoa Road is not meant for the traffic
20 that it has now. We've got developments up at Silverdale and Warragamba that belong to another council. They don't think about the repercussions coming back this way and, as I said, we're already suffering because of it. The Park Road, they're talking about the entrance on Park Road. The congestion is going to be horrendous.

25 They're talking about a right-hand access coming from Northern Road. Now, in the suggestion by Catholic Cemeteries that there would be approximately 300 car movements a day because of the cemetery, I had to laugh when I read that and I laughed very loudly. The last funeral I went to at Pine Grove, I was one of 500 people at one funeral. They have a funeral every half an hour; maybe two, every
30 half an hour.

Now, that was 500 people at one funeral, only one. They've quoted three hundred car movements a day. How can that be factual is beyond me. I'm no mathematician, but I only have to stand at the front of Pinegrove for a day, and I'd be counting more
35 than 300 cars. I could do that quite easily.

Our community like – the traffic is bad enough, but our community is going to suffer. This was always meant to be a community facility. That was what it was intended for. Our properties will be devalued, a fact nobody likes to touch, because
40 nobody wants to give anybody compensation. But the devaluation – how can you put a price on killing my home, my oasis. I lose it. There's no price on that, of actually destroying it.

45 Catholic Cemeteries has marketed the grave-yard as some kind of park, which is ridiculous. You tell me who would want to cop a golf ball in the back of the head or have children play or you – somebody walking their dog, which is how they've marketed this, people jogging through while you're burying your loved one. How

would you feel. Now, I have many golf balls in my back yard. Golfers aren't accurate – seriously, are not. But how would you feel? You picture it in your mind. You're burying your loved one, and then there's a ball come over. How would you feel. How would you feel, if there was kids playing there or somebody jogging.

5 This is how it's marketed. You saw the pictures earlier. This is how it's been marketed, as a park for the community. I don't – my children are a little bit older, but I, personally, wouldn't be letting my children play in a grave-yard. It's not a place for children.

10 We don't have green space in Wallacia, and – I'm guessing at a size. I didn't measure it. We have a little park down the corner. I would be guessing it'd be 600 square metres, and I think I'm being overgenerous. That's our green space. That's it. We don't have any more. We're going to have an airport three minutes' drive away, three minutes' drive to the airport, and we've got 600 square metres of green
15 space. We have nothing else. We don't have soccer fields. We don't have football. There's no netball courts. There's no nothing. The golf course is all we've got. And many people do use it for walking on and walking their dogs, hopefully, not while people are playing golf, but we don't worry about that.

20 It was only a few months ago, that – it was in one of the papers – that the premier said that round our lovely new airport we're going to have a leafy aerotropolis with mature trees, we're not going to kill all the trees and plant little saplings. What a joke, when we're going to remove 400-plus trees to bury people straight up. The airport is three minutes away. We're not an hour's drive away. It is in our back
25 yard. We're going to be affected by noise, pollution, and this is what the premier said. It's in writing. I nearly posted it back to her and said "Can you please help", because it just amazes me.

We are zoned semirural for a reason. Now, we choose to live like this. We choose
30 to take the bad parts. Unfortunately, my house is in a flood zone. I'm the third house as you come into town. Now, under council restrictions – I'm in a one-in-a-hundred-year-flood zone. And as you've heard from previous people, my house has been flooded before I owned it. I'm hoping that it doesn't happen again. Now, as a semirural I'm not – I can't even build a granny flat. I can't have a garage facing the
35 road. It's not acceptable for the area. But you can bury 200,000 people in my back yard. How is this possible.

Now, Kerry and Terry Reid, the ones that live right up the top of the golf course – it was last year, I think, 2017. They had building restrictions placed on their property –
40 it was called an S149 – by Penrith Council, because they're affected by flooding as well. Now, if you draw a direct line from my property to the top of the golf course – they're above the golf course. They're higher than the golf course. When you draw a direct line between my property and their property – that's the entire golf course. So how can council say I'm affected, they're affected but the golf course is –
45 hallelujah in sunshine – not affected. It's not possible. It is not possible.

Wasn't ready for that. Sorry. Got a bit more to go. One of the things, though – a lot of the threat – and it's been passed off to the golfers as well – that Catholic Cemeteries will land-bank this land – this is common knowledge, that this will be land-banked, if it's not approved. Why would they want to land-bank it, if it can't be a cemetery. Why would they need to keep it, if this can't be the case. A lot of golfers have been told this. So they want it all to happen, because we don't want it land-banked.

One of the things that's, obviously, said a lot was about it not making money. I'd just like to say a little bit more about that. Excuses of being unprofitable and un-financial and struggling has always been a good excuse to palm it off. It's good. Every business – if you don't have a strong business model, a strategic management or a desire for growth, being unprofitable is very easy. I really hope that St John's, you know, do want to be profitable. I'm nearly finished. Sort of – but, honestly, give us a chance. We haven't been given a chance. I really hope that another club gets a chance to run the place properly, run it well. But once again I've only touched very lightly.

There's a lot of hurt in this town, because there was no due diligence to the people of this town – none. We didn't even get to ask questions when Catholic Cemeteries did their information sessions. That was for information, not for questions and answers. There never has been. We've all been stabbed in the back, and we all feel very much like this. But when you do make this decision – once again I ask you to remember it's our home.

It's not a golf course. It's not this. It's not that. This is the whole town, our home. It's my oasis. I will not live here, if that's a grave-yard, and many people feel that way. I love living here. I know everybody. It's great, absolutely wonderful. That will be destroyed. Where is our future infrastructure for our community and future employment and growth. There's no growth with a cemetery. Where's the employment growth. Where's the infrastructure growth. There's none, absolutely none. Don't kill our town. Thanks.

MS LEESON: Thank you, Justine. We might take just a five-minute break, just let everybody stretch their legs again and regroup, and then we will come back with Bernadeta on behalf of Joe. Thank you very much.

RECORDING SUSPENDED [12.12 pm]

RECORDING RESUMED [12.18 pm]

MS LEESON: Now, I did indicate that Bernadeta was going to speak for Joe Gretch. Bernadeta's voice is failing her, so Darrell Bell has now been asked to give Joe's presentation. So, Darrell, over to you. Thank you.

MR D. BELL: You've all heard me before, but Joe has asked me to do this for him. He is not up to it. He has I will read it for you. I've only just – so I might make a few mistakes, but anyway. I have looked at the proposal and I am impressed with the detail that he has shown regarding groundwater runoff, drainage ponds, plus all
5 the fine details of vegetation and so on. In regard to the floods, there is also a large amount of work that has been done by hydrologists and is quite detailed regarding rainfall, water flow rates, water retention, ground contours and so on. What amazes is that with all the data collected and transferred to computer controlled modelling, giving everybody detailed, colourful maps with corresponding graphs, no-one has
10 included what happens when the Warragamba Dam opens its main spillways.

A simple solution would have been to actually come to Wallacia and ask the local people what really happens in this area during heavy rainfall. They would have been told that while the Nepean River is flowing in – it – flowing, it slowly rises in level
15 due to the natural restrictions at Nepean Gorge. When the water level gets to the ground – to around 43 metres AHD water, starts to top the Blaxland Crossing bridge. Jerry's Creek stops flowing into the river and starts backing up and eventually goes over Park Road, which gets cut off at 39.8 AHD. Mulgoa Road gets cut off even earlier. Sorry about that. AHD is Australian height data. This has not been shown
20 on very detailed reports we have seen, but in my opinion, a considerable amount of data has not been added or used in the plan.

What we don't see is when the dam opens its spillways to release water for safety reasons. The extra water flowing down the Warragamba River to Norton's Basin,
25 joining the Nepean River, actually slows down the flow of the Nepean River, causing the river to back up at Wallacia. While most of the flood data in this plan is based on 1 per cent AEP, there is no mention at all of levels after the Warragamba Dam opens its spillways. In the report, a flow rate of the proposed catchment draining into Jerry's Creek is started at 0.9 to 3.4 cubic metres per second, which is all well and
30 good until the Nepean River rises to a level of the same height as Jerry's Creek. While I am by no means a hydrologist, I know – I can't pronounce that word. I know that water can't flow if there is nowhere for it to go.

So if the river rises due to the backing up caused by the released water from
35 Warragamba Dam, Jerry's Creek will also rise, throwing all of the fancy maps, graphs and computer models for the proposal out the window. Flood waters sometimes backflow from the Nepean River into Jerry's Creek. If it is still raining in the Wallacia floodplain, runoff will still be coming into Jerry's Creek and, with the floodwaters not flowing, into the river. The level of Jerry's Creek can only go up
40 even higher. Looking at the old graphs taken of the floods at Wallacia will show the level of some of the flooding. Classic photographs are the aerial photographs taken by the RTA in 1964, which was a one in 30 or three per cent AEP, annual exceeding probability event, figures from Molino Stewart, Hawkesbury-Nepean Food Damages Assessment Report 2012.

45 It is in stark contrast of the one per cent or one in 100 that the modelling for this proposal is showing figure 3, flood depth levels one per cent, flood event Wallacia

by GRC hydro and It clearly shows the huge difference from a projected model map and the actual levels in the real life. This proves that a model or a projected plan is only as good as the information put into it. The differences between the 1964 actual flood and the one per cent model is influenced by the water released from
5 Warragamba Dam. The true levels of floodings in Wallacia are burned in the minds of the people who lived through them. I'm one of them. In one picture, there is water over Park Road with the water level near the top of the power pole. That is approximately 4 point - - -

10 MS: Darrell, that's - - -

MR D. BELL: 4.5 metres – 44.5 metres of water over Park Road. Mulgoa Road, at the bridge, disappears completely. So does Porter Street on the Silverdale Road bridge. Water level is just below the streetlights. In the past, during a flood, people
15 were too busy trying to help their neighbours move stock and belongings to the safe ground, not looking for a camera and a roll of film to take pictures. We are lucky to have some photos. Today, with model – with mobile phone cameras, a flood can be shown all over the world in minutes. I personally have seen Jerry's Creek over Park Road with floodwater up to the upper windows of the house on the corner of
20 Golfview Drive and Park Road and the house on the left of Mulgoa Road, just north of Jerry's Creek bridge, with water over the roof. The Sydney water sewerage pumping station on Park Road near the fire station was designed to be flooded over and it's approximately 43 metres AHD.

25 Locals have seen previous floodwater lapping at where the fire station is now and most of Wallacia School playground underwater. In 1867, the water level reached near where the hotel is today. With climate change today, the rain is especially unpredictable. A PMF could happen at any time. Look at what happened at
30 Wivenhoe Dam in Queensland in 2011. A wave of water flowing into the river that came close to Brisbane. Whether you believe in climate change or not, we are getting more storms and heavier rainfall, plus extreme weather conditions. A PMF event, one in four – in 45,000 or 0.002 per cent flood could occur. It occurred – it requires only 11 millimetres per hour over the catchment area for the 72 hours.

35 With a full and saturated catchment area, it could trigger an event at Warragamba Dam. Wollongong, 1984: 440 millimetres fell in six hours over a 100 square kilometre area. That is 73 millimetres per hour. Another way to look at it is if the PMP, probable maximum precipitation, occurred in the Warragamba catchment, it would be at a critical level for Warragamba Dam in 24 hours. It would probably
40 trigger the emergency spillway. Information from volume 2 of the Hazard and Risk in Hawkesbury-Nepean valley.

A flood around 47 metres equivalent to 1867 flood is estimated at a one in 170, or a 0.4 per cent, would also trigger the emergency spillways: sourced from New South
45 Wales SES 2005, Hawkesbury-Nepean Flood Emergency Sub Plan. A probable mean flood, PMF, event could see flood levels at Wallacia reach as high as 60

millimetres AHD leaving a – 60 metres, sorry, 60 metres AHD leaving a small strip island on Greendale Road.

5 The emergency spillway, this was built to protect the main dam wall from over
topping. It is a fused flood type wall 190 metres wide and 14.5 metres down from
the maximum water level to the emergency spillway floor. It is designed to wash
away when the water levels reaches a pre-designed level, the danger being more
water coming into the catchment than what can be released by the normal spillways,
causing a gradual build-up of water. When this emergency spillway opens, an
10 additional 18 million litres per second will go down the river. It is fully automatic
with no way of stopping it at all. Activation of this emergency spillway will drop the
water level of the whole Burraborang catchment behind the dam by 14 metres and
will remain at that level until the wall gets rebuilt.

15 All that water must go downstream and back towards Wallacia. Modelling of a flood
zone is a good tool for general conditions. Wallacia has a unique problem in that
there are two types of flooding. One is with normal river rising and can be modelled
with rainfall, water flow and water levels. The other is water input into the Nepean
River from the Warragamba River. When the Warragamba Dam main spillway
20 opens, this is when the river starts to slow down to the Nepean Gorge restrictions and
can backflow into Jerry's Creek. Any competent hydrologist should – I can't say
that word – should know the consequences of massive dam fitted with an emergency
fuse plug spillway only a few kilometres away from a major project with a direct
connection between the Nepean River and Jerry's Creek.

25 In a PMF event, the highest point of the golf club grounds could be six to 10 metres
underwater for weeks, depending on tide levels in the Hawkesbury-Nepean River
system due to the bathtub effect caused by the natural choke points in the system. In
the plan, it states the development will be outside the one in 100 AEP, yet real time
30 photographs clearly show the level of flooding of an actual one in 40 AEP flood
event in 1964. The discrepancies are not small. They are huge. The water level
reached in 1964 was recorded at 43.9 metres at Wallacia Weir. The Wallacia Weir,
by the way, is downstream from the Wallacia Bridge on the bend and it has to go
around the bend, for anybody that doesn't know and I take it there's a few people
35 here who don't.

This proves that modelling of this area requires special parameters. A one per cent
AEP would have a river level of around 46 metres AEP, or a higher depending on the
release duration of the water from Warragamba Dam. That means 46 metres AHD at
40 Park Road, yet your plan shows a one per cent AEP, only having .3 of a metre of
water over Park Road. If the river height at the weir is between 45.8 metres and 46
metres in height during a one per cent AEP and Jerry's Creek is connected to the
Nepean River, how is it in any way possible that there is only a .3 of a metre of
floodwater over Park Road? Maybe the Catholic Cemetery people have Moses on
45 speed dial. That's not my words. I probably agree with it.

In my simple way of thinking, a one per cent or one in a 100 flood is much bigger than a 2.5 per cent or 1.4 flood which happened in 1964, and also very similar in 1978. So a one per cent AEP could have water over Park Road at a height of approximately 46 metres AHD, with the Warragamba Dam main spillway open, but not the emergency spillways: above figures from Hansard and Risk in Hawkesbury-Nepean Flood Plan Volume 2. I would like the IPC to stop, or at least put a hold on, a decision until all these relevant flood information I have spoken about is checked. The mainly hydraulics laboratory it did have a scale working model of Warragamba Dam and the Hawkesbury-Nepean system.

I had the ability to have water flows using the normal spillways and the emergency spillways operating showing downstream flooding. If the model is not available, they should have all the data on file as it was used for the modelling of the emergency spillway construction for Sydney Water and the catchment authority. The facts are that I am not an expert in this field, just an old retired mechanic, and I found a lot of this information and much more in a few days. There is a lot of data missing, accidentally or

From the model presented, how can a commercial, ethical or moral decision be made with only selected or partial information provided for the proposal? by Joe Gresham, March 2019, automotive engineer retired, former president of the Wallacia Progress Association was a member of the Warragamba Dam Auxiliary Spillway Construction Committee Liaison Committee, also was a member of the Sydney Water and Sewerage Scheme for Mulgoa Wallacia Silverdale and Liaison Committee: Joe Gresham.

MS LEESON: Thank you. If you can give that to Andrew, Andrew will make sure that we get the copy. Thank you. So if we can now take – thank you, Darrell, for that. If we can now go to Richard Ung. And if I could just remind people to be quiet while – to not have conversations while the presentations are on because we need to be careful to make sure that we can hear everything properly and it's courteous to others. So thank you. Thank you, Richard.

MR R. UNG: Firstly, to the panel, thank you for the invitation to participate in this meeting and I speak for residents on Park Road and farming businesses within the vicinity of the site, including the winner of the Sydney Markets Grower of the Year Fresh award in 2016, also finalists of the award in 2018. By way of introduction, 22 years ago I finished primary school locally at Wallacia and a farewell party was held in this room. I went on to graduate high school in Penrith Selective. I eventually left for the bright lights and the city because limited economic opportunities were available in the village at the time. I return her today in an effort to ensure the same does not happen to the present and future generations of children in Wallacia.

Much wind from my sails has been taken from the presentations given by the community already, but there are a couple of deficiencies in the application that I wish to address in supplement to what has already been said. So, for example, in relation to the Berejiklian government's promise to deliver a 17 metre increase in the

dam height, we can only assume that that will collect far more water and cause more spillage in storm time to the Jerry Creek system and the Nepean River. So that needs to be factored into the modelling. It hasn't been seen. Secondly, I believe the architectural work by Florence that refers to the water retention basins in the golf course area designed to capture water, presumably to make the place look pretty, but also to water the environs.

The last thing the community wants to see is a tragedy that repeats from the Murray-Darling system, where water is captured and riparian flows are affected by the cemetery's operation. So I think that also needs to be considered, dry times and also wet times. The other major blind spot I see in the analysis by the department and the applicant is in relation to the visual amenity. Something that has not been considered is the effect and its proximity to the airport.

We will be welcoming visitors to our state, our city, to a visual amenity of a graveyard that is bigger than a township. That cannot be mitigated. It is an aerial view. It has not been considered. It needs to be considered. Turning to the next part of my presentation, this is something I'm very passionate about, and that's the future site and the possibilities of this site.

We can have development, which is both sustainable, that respects heritage, the environment and conservation, while also bringing economic prosperity to the community. We are just minutes away from a second aerotropolis. We are part of the Western Sydney City deal, which is an intergovernmental agreement to develop this area. Putting a cemetery smack bang in the middle of the town is not development. That's destruction.

If there's one thing the commission should take away from today's public meeting, it's the gravity of knowing that dedicating this land to a cemetery results in the perpetual consignment of the land and future usage of it exclusively to burial space, because we know that burial space, once dedicated, is unlikely to be recovered for more valuable use. I would also underscore the fact that nobody attends a cemetery for recreation and tourism. Just a few more matters.

I also want to address the Mills Oakley comment in relation to the IPC requesting information from the department as to the consultation that has happened through this process. The panel would have spoken with the council on 19 February. And during that meeting, the council actually expressed the first time it knew about the department's report was actually when the residents of Wallacia communicated that to council.

So there was no consultation with a critical stakeholder, being the consent authority and council. That's just ridiculous. And that has earmarked and represented the level of consultation with the community at large. Okay. This land does not need to be wasted on burial space. It is on the immediate fringe of Sydney's second aerotropolis. As the state's leading planners, the commission has a duty to ensure the

application is assessed on its true and proper merits. And I submit that once this is done, the application will be found against the public interests. Thank you.

MS LEESON: Thank you, Richard. Melissa Pulo.

5

MS M. PULO: Thank you. Sorry. I'm a little bit unwell with a cough, so please excuse me in advance. Okay. My name is Melissa Pulo. I've lived in Wallacia for 19 years and have experienced rural living, peace and quiet, also floods within this time. I have seen the impacts of the disturbance of these floods and also traffic
10 congestion, also the population growth that is occurring rapidly in Sydney and especially the greater west, which is here at our doorstep. I sincerely believe that Wallacia Memorial Park is not in the local and public interest here in Wallacia. To the board of the IPC, the panel members, commissioners, I thank you for the opportunity to speak. I live on Park Road, Wallacia. I strongly object to the
15 Wallacia Cemetery proposed development.

We are the first five-acre block coming down Park Road, backing onto the fifth hole in the top corner of the golf course. This cemetery will impact our property severely. It will impact our lives, especially our health and wellbeing, and our future, also of
20 the lives of our adult children and our grandchildren, which are at the local schools and at the local childcare. We are hardworking, local Australian citizens and taxpayers. Our five-acre block is our retirement. If this cemetery goes ahead, it will ruin our retirement and will devalue our property, as is proven with other surrounding properties around cemeteries. And it is now proposed to have high
25 headstones over our back fence. I ask you, the IPC, do you really care for us, the people, all of us locals in our community. If you truly do so and are listening and are taking everything into consideration, this cemetery today is not an option.

I am bewildered as to why the IPC would consider taking away an existing
30 recreational facility, a large portion of the golf course, and replace it with a cemetery, especially when there are other sites in neighbouring suburbs already designated and approved for such use within approximately 10 to 50 kilometre radius maximum. The CMCT already owns Greendale Cemetery, with approximately 85,000 burial plots, times two deep now equates to 170,000, and Kemps Creek Crematorium &
35 Cemetery, which is easily expandable also. Why do CMCT want another in such short proximity to the existing facilities? In total of cemeteries, which we do have information for, is 246,000 burial plots, which is also blown out. We also know that Penrith, St Mary's and Emu Plains still have capacity for burial plots. Why put it in the centre of our village. Sorry. Luddenham Memorial Park has been approved for
40 38,000 burial plots and, if two deep, also equates to 76,000.

I wonder truly if each council talked to each other, why do they seem to put large proposals on the edge of council borders and not plan for problems that will disturb infrastructure, the quality of living for all of us people, rural living of our people, the
45 health, the native fauna, wildlife and our environment, which is vastly important today, as you are fully and completely aware. I mention this with compassion and empathy, that a cemetery is a place of death, sadness and morbidity. It is a place for

the dead to rest and for people to grieve, which never ceases, not to play golf around, walk a dog through all around a cemetery and to maybe do its business on a headstone, and a place to not even jog through.

5 A cemetery is not a place for recreation to be surrounded with and is certainly inappropriate for this to be even suggested and allowed here on this land. The celebration of life is whilst we are living, not dead. I ask the IPC, are you going to be responsible for the prolonged life of people in our area. Are you? I certainly trust you do and hope so.

10 This can only happen by not allowing this cemetery to go ahead, or are you going to be responsible for the faster deaths of people, as that will happen if this site goes ahead, by the increase of deaths and accidents on our roads, the shortness of lives from health and wellbeing issues that will impact our area, our village from such a sight, and also on – and pressure on the greater west over the years to come. The impact of traffic from so many cemeteries for our local village is not factored into. Okay.

20 What I can gather from the Wallacia proposal is this is not factored into with the traffic. Therefore, many cars will be parked on Park Road and surrounding streets. Park Road is already a busy road, with traffic coming from Silverdale, Wallacia, Mulgoa, Glenmore Park, Penrith and from the south, such as Narellan, Wollongong, The Oaks, further south, such as Thirlmere and Picton. We are already congested and it is increasing daily.

25 The only response for the CMCT proposal is a negative response from the community. And it has been suggested that it has been an underhanded deal. Wallacia is in a flood zone. And even though they believe that they control the flood, this is ridiculous. And, furthermore, it is difficult for me to understand the hydrology aspect. All I know is when anything seems too good to be true, it generally is. There is always something they are not revealing or purposefully hiding. The problems then arise to try and fix them up in the backend, when the proposal is established for their interests and not in the community or environmental interest.

30 35 Sorry. One more second. Okay. The question lies that if you know the possibility of something that could happen, you have allowed it to happen, affecting people's lives, then it is not in the public community interest or appropriate to commence, and it is responsible for the death of the people, the death of the village, the health and wellbeing today of the future in Wallacia. I'm nearly finished. I've come dressed today in my recreational sportswear, as I've been to the gym, which has a great atmosphere, is a place of health and fitness, not a place of death, sadness and grief.

40 45 I choose to go there. I choose to go to a park with swings down by the river to do yoga rather than a cemetery for any recreational activities. I trust my statement will be considered when your decision is handed down and just like Justine said, please don't kill our town. Thank you.

MS LEESON: Thank you Melissa. Judy Dwyer. Thanks Judy.

MS J. DWYER: Hello. I'm Judy Dwyer. I live on Park Road at the back of the
5 golf course, so in other direction to that and I overlook and I just wanted to give my
story as to why I believe the cemetery shouldn't go ahead at Wallacia. Yes. So last
Saturday morning, I just went down to the golf course and took some photos. Just
happened to be a couple of Japanese tourists there that happen to say to me, "What a
nice place to take photos," which it truly is. Okay. I just took some candid shots of
10 the Wallacia Hotel which is heritage listed.

MS: Sorry. We can't hear you.

MS DWYER: Okay. I just took – that's better. Sorry. I took some candid shots
15 just of the Wallacia Hotel which is heritage listed, which we happen to be in right
now, and that we have a service station opposite and just our community shops there
– the takeaway. My husband and I used to be proprietors of the takeaway in the late
nineties/early 2000s. And one of the things that we did was we sold picnic baskets
for tourists visiting Bents Basin, Nortons Basin and Warragamba Dam. That's the
20 view opposite the shops to show that, you know, Wallacia is the gateway to major
tourist destinations in New South Wales. Warragamba Dam being one of them. And
then Bents Basin which is in the State Recreation is another.

And I might just add there that in the past, I actually have dropped a canoe in down
at Blaxland Crossing and have canoed all the way to Penrith, slept overnight in a
25 campsite on the injunction of the Warragamba River and the Nepean River, so I do
understand exactly what you were saying before about the backflow issue when the
gates are opened, and it was a very lovely trip. I just popped in a touristy type photo
of Warragamba Dam and I just wanted to say that Warragamba Dam gets thousands
of visitors each year as well as thousands of students which I've just put up there in
30 the heading. That's looking back towards the Wallacia Golf Club house and on the
left there is the rural fire station and next door to that is a church and on Saturday,
just happen to be holding a fete. So there was, sort of, overflow car parking there
and just to, sort of, say that, you know, the community could be affected by traffic, as
everybody has already mentioned, and probably not very nice to be having a fete
35 next to a cemetery.

I took this photo here just to highlight that, here we go, that there is housing along
the boundary here and Justine mentioned that she is one of those properties and will
be adversely affected if that is all turned into a cemetery. Okay. This is the real
40 estate brochure from 1993 that we purchased our property off and has outstanding
valley views. I wanted to say that there were nine property owners in that release
and it was a large investment back in 1993 and, you know, having scenic views was
part of the selling of it and we always believed that we would always be overlooking
a golf course and I also wanted to say that at that time, we also looked around the
45 Windsor and Richmond area to purchase and we did pay quite a premium to
purchase in Wallacia. I've also considered Wallacia the Double Bay of Sydney.

Okay. This is from the private road at the back of the golf course and I have lived there for 25 years and I'm a regular walker along that road and I often see low cloud lying over the golf course. So if the crematorium ever snuck in, it would have an adverse effect on the immediate residents in terms of the air quality because there's

5 always low cloud there and mist, and I'm sure other residents can attest to that and I said, you know – and this was taken – that photo was only taken last week in the morning, so it's quite a recent one. So we're not really sure whether or not we can stop any future development application being altered to actually put crematoriums back on the agenda.

10 I read the air quality report that was commissioned by the CMC – CMCT – and they said there was going to be air quality sensors and we're one of the ones just up here on the hill. I also notice Wallacia Public School is also going to have an air quality sensor. On the report, they actually did analysis of the predominant wind direction

15 and the predominant wind direction on most days will come from the south west which means people on the north east above will be the most adversely affected. These were just some of the emissions that came in that report that's listed, so there's – you know, there's lead and there's mercury that's going to be in the air.

20 And one of the maps here was the dispersion rate on the one hour interval of mercury and – yes. And this is where we're located up here with one of those sensors. So we would be affected at whatever rate of mercury being released. And up here is a large dam which I know the market gardeners next door pump from daily to the growing of their plants and they supply the cherry tomatoes up at Dave's stall at Luddenham

25 which, you know, people from the local community purchase. So any kind of air pollution that drops down on the dam may affect the health and well-being of locals as well as the greater community.

30 We got slapped with a section 149 certificate last year – well, actually in 2017. So it's not last year. And we tried to appeal it and we – it sort of pointed out that you actually had to refer to this overland flow study from 2006. So these are two images that I took out from it. I wanted to show that Jerry's Creek clearly does flow into the Nepean River. On some maps, you actually can't see that very clearly. And over here is the one in 100 year flood and the one in 20 year flood intervals and you can

35 see that Jerry's Creek here does run right through the middle of the Wallacia Golf Course and up here in the hills, this is where we were affected and that's why we couldn't get the 149 off our property and they just said it would restrict any future development that we wanted to submit to the council.

40 I just referred to my notes here just to see if I had anything else to say regarding that. I'm just saying that about the flooding, everyone else has talked about that and it's really to do with, you know, potentially polluting our water table and that can go into the water. I also had a conversation recently that someone said, you know, that people can be, actually, a little bit radioactive at times when they're having medical

45 treatment and that, you know, they could still be radioactive when they're buried in the ground. So some of those kind of things can pollute the water as well. I have

seen this photo already, but I just wanted to show that I – actually the reference – where that came from on the internet if anyone else wants to verify that.

5 MS: Can I just say – that’s my house.

MS DWYER: Is it really?

MS: And it’s off Water Street down here, below the school.

10 MS DWYER: Yes.

MS: And that was ’78. And in ’64, it went about two metres above the point of that house.

15 MS DWYER: Yes. Okay.

MS: After they built Warragamba.

20 MS DWYER: All right. Thanks for that. It’s quite a graphic photo.

MS: Yes. I know.

25 MS DWYER: So that’s why I used it as well. I did some research, and the Daily Telegraph published a story in June 2016, which really isn’t that far away, about all the roads being cut off around here and that Park Road was the only road that was open. But all the bridges were closed. Our children did go to the local primary school here, and there were many times when the school was closed due to the flooding locally.

30 I actually read – I did some more research, and I found a national big-tree register that lists one tree on the Wallacia golf course. And it is the largest specimen of that particular type of tree, which is a broad-leaf – says “a broad-leaf apple tree”, but it’s from the Angophora family. It is 375 years as at 2012, and there’s the reference for it. That was just a candid photo here that I took, but the tree-assessment report failed
35 to list that tree. So it was just a bit of an omission, and the Penrith local council didn’t believe it was a – didn’t have it on their significant-tree register either, even though I did find it on the national big-tree register, which is run by botanists.

40 I also found that the Wallacia area was investigated for an alternative, drought source of water. They did drilling here, and they did like a study. I think it was between 2004 and 2016, and they actually did discover that it was a suitable source of potable water, if ever there was a drought. And so I’ve just notated this source, and you can refer to it in the future, if you wish. They actually said they didn’t go ahead with this because of the dam being raised in 2008, even though this symposium was held in
45 2009. I just thought it was interesting. So it’s another reason for not polluting the groundwater. And that’s all my references for the articles. And really I just want to

say that I'm not for a cemetery there. It's not an appropriate land use. Okay. Thank you for listening.

MS LEESON: Thank you, Judy. So we now have Matthew Fowler back.

5

MR M. FOWLER: Thank you again. My grandfather built this hotel with his brothers on my great-grandfather's sorghum patch. And my great-grandfather bought all of this 111 years ago, in fact, the other day, because – my great-uncle Arn was born as a result of the journey from Mulgoa in 1908, on the 25th of March. So my Y chromosomes have been around for that long here, and my – so my father is the last living life member of Wallacia Golf Club, and thanks to [REDACTED] here. He has caused me to have my permanent paid membership suspended for four years, because I asked [REDACTED] – and I will ask you again. How much - - -

15 MS LEESON: Excuse me, Matthew.

MR M. FOWLER: No? Okay.

MS LEESON: This is not a public-debate forum.

20

MR M. FOWLER: Well, I asked [REDACTED] three times how much would he – because my grandfather bought this golf course from his other brothers in 1962, and so the issue there is one of equity law, because - - -

25 MS LEESON: I think [REDACTED] – Matthew – sorry. If I can stop you there – what I don't want to get into today is some debate about property transactions and equity issues.

MR M. FOWLER: It's not a matter of debate.

30

MS LEESON: Well, that's - - -

MR M. FOWLER: It's true, that clause 7 of the memorandum and articles of association explicitly states that property can only go to another club with similar objects or to charity, and if not, we all have to go before the chief judge of equity.

35

MS LEESON: Then I think, if you would care to put that into a written submission to us - - -

40 MR M. FOWLER: I have.

MR M. FOWLER: That will be fine. What I'd like to hear today, what the panel would like today from you are issues about the merits and the concerns and issues you have about the proposal.

45

MR M. FOWLER: Sure. Well, this is the Diuris species – yes. Well, of course. That's one of the fundamentals, because, obviously, as we've – well, I will get – this

is a photograph that my cousin Peter Metcalf took, in 1961, of the Diuris donkey orchid. It's an unnamed undescribed endemic found nowhere else on the planet. And the DNA has just been initially assessed by the national botanic gardens as being of particular interest, and so it's – you can see a donkey orchid, and so they've
5 co-evolved with – whilst the male – they exude a pheromone, and so they – the male wasp will think they're a female to copulate with, and so that's how they get cross-fertilised. So – like bees do with other flowers. So they're very small. Any golfer wouldn't even, probably, realise what they were. They may have thought that they were a daisy.

10 You may have noticed in the report there's a very cursory sort of reference to them. They're a terrestrial ground orchid. So we need to be looking from July through to October, around the particular – now I've lost it. Is it the 13th fairway? But anyway, it's got particular grey podzolic soils. And so the rhizome is underground. It's a –
15 the seed isn't actually its true seed. It's a kind of embryo, and it actually requires a particular fungus that must be associated with that particular soil to actually germinate. So it's a symbiotic relationship, to germinate. And so it's these sort of fine nuanced aspects of the ecology, the natural environment that as – we were talking earlier about blind spots. I think it's really important, to not – to seriously
20 consider.

Another aspect with the ecology – we were just talking earlier about the heavy metals like mercury and the radio-active isotopes. We're talking earlier about the flooding, but then there are times with the el Niño southern oscillation that we don't
25 have floods. We have the reverse, and the river actually stops flowing. So I think – Richard mentioned earlier about environmental flows, and so the dissolved oxygen in the Nepean river, because the Jerry's creek, obviously, flows in there – any pathogens, whether they be bacteria and, obviously, fungi and viruses – but on top of that there's the water-soluble nutrients, nitrates, nitrites, potassium. They all go into
30 the river, and so – the river at Wallacia Weir ceases to flow.

My father is the largest-land owner downstream of Jerry's Creek mouth, which also has a breeding population of platypus that Dick Dunbar saw only a decade ago, and we have breeding platypus down in Nepean Gorge, and we have another iconic or
35 environmental-indicator species, being the water rat. And it's like the Australian ecological equivalent of an otter. So we have elvers, baby eels, migrating up river.

We have, then, the mature eels going down river. We have the catfish nesting. They will actually build a nest in the riverbed, and my father actually owns half of the
40 riverbed halfway, all the way down, as it was mentioned earlier, to Horse-shoe Bend. So – from this bridge all the way down, 350 acres. And so that's why I'm an ecologist, because I grew up in this environment. Like Dr David Suzuki, you got to think global and act local. And that's what we're doing. The point here is that, clearly, there are a lot – far too many blind spots.

45 If you wouldn't mind showing that flood – I think this – there's a PDF with the – if – yes. Just come down. It shows the map that is significantly different to the ones

we've shown – been shown so far. So it goes to show what Darrell Bell was demonstrating about the backup with the Hawkesbury, and you can see how large these basins, seriously, actually are. And I think like – we were talking about modelling. In computers we talk about GIGO, garbage in and garbage out. And like
5 Sir Humphrey Appleby said to Bernard in “Yes, Minister”, you can prove anything with statistics, Bernard, even the truth. So the point there is that modelling is only going to be as good as the information we put in. Clearly, these are very simplistic models. We're only talking one in a hundred. We haven't even touched on the one in a thousand.

10

So – and if we come down again, you can actually see the table with the actual – as you can see, it's that 1867. I think it was you, Darrell, or somebody mentioned it was the highest, obviously. And so you can see down the bottom there, at 12.5, 1873. There's a carving in my father's 19th-century colonial barn, which was a
15 museum for the heritage of this valley, and then old Billy Banes put a sandstone block with a brass plaque on top. So that shows quite clearly how high that was in 1873. So – the point being that – sorry.

MS LEESON: Excuse me. If we could - - -

20

MR M. FOWLER: And so the point being – is that there's a lot of information that we haven't really even touched on, and you can see over there there's a huge pile of books. White Australia has a black history, and that's all to do with the local
25 Mulgoa, Dharug, Gandangara, and so it's a foot high, and it demonstrates that we White fellows have very – our cross-cultural competence is very questionable, and so – as I indicated earlier, there's grinding grooves down in Jerry's creek. There was a massacre that occurred here with respect to the Gandangara, and according to Kazan, who's a Gandangara woman from the Burragorang, which is now drowned under a dam, they would come to Mulgoa, which in Dharug means “black swan”. So they
30 hosted the Burraburangul from the north Aunty Yvonne is descended from Queen Nellie, who's Nadung, and so she was a Mulgoa woman.

And it's really important, that we show real respect instead of – and that's one of the references, care and respect, and I mean – his holiness's Roman Catholic church
35 should be showing a lot more Christianity, not just Catholicism, in terms of actually – the second commandment is to love one another or love thy neighbour as yourself, and at the moment I'm not feeling that love, and I'm absolutely astounded by the behaviour, because we as a community – we have that unity, and we've all inherited that. So I think that's almost it.

40

My father is 86 years old. He had a stroke a year ago. So he can't be here. Given your offer to go to La Perouse, my invitation is that you also show respect to my father as the last living life member since 1962. He was born in the year that the club was started, in 1932, and that was – the first six sand greens were built by my great-
45 uncle Arn in 1928. And he was the one that was born here, and he was Christened “Arnold Wallace”. So you can hear that there is a significant connection,

intergenerational, and my great-grandfather John Fowler Junior planned – gave the land for the school, gave the land for the church.

5 And with respect to the golf course, as I said, my grandfather bought it from his
Fowler brothers with my great-uncle Cecil Monte Montefiore and Arthur Downs,
who MC'd my 21st birthday party 33 years ago. And they sold it to the members for
60,000 pounds in debentures, and then I'm a permanent paid member because my
grandmother paid for my brothers and I, and there's 97 other permanent paid
10 members at a thousand dollars each with respect to equity. So we've all got
connection that's really particularly important for us. I just got my final points that I
made earlier, but I think I'm pretty much down now.

MS LEESON: Thank you, Matthew.

15 MR M. FOWLER: Okay.

MS LEESON: I think, if there is anything further, you can pop it into a submission.

20 MR M. FOWLER: Yes. I will, as we've agreed. Yes. Thank you. Cheers.

MS LEESON: And just to clarify, the earlier conversation with Matthew around the
visit to La Perouse was based around the fact that Aunty Yvonne could not stay and
- - -

25 MS: Can't hear you.

MS LEESON: Sorry. Sorry. Sorry. Just to clarify the conversation that was had
during the earlier break when Aunty Yvonne was here and said she couldn't stay to
speak and there had been some confusion about indigenous speakers at today's
30 meeting, we suggested that they make a submission to the commission and we would
consider whether it was beneficial for us to visit La Perouse rather than somewhere
else out here. So that's a matter that we will take on board and think about when we
have a look at the submission and work out the need or otherwise to – excuse me –
for such a visit. So thank you, Matthew. So if I now call Edward McGovern. Thank
35 you. Edward has just given us a photograph album of flood issues to have a look at
while he speaks. So we will work out how – put them aside.

MR E. McGOVERN: I will try. Here we go. Good morning, Commissioners.
Thank you for the opportunity today to present to you. I am totally opposing the
40 CMT Cemetery commercial development proposal in our village, Wallacia, on our
treasured 18-hole golf course. Please consider the following points before you
approve this development. My family moved to rural Wallacia in 1994, some 25
years ago. We moved to Wallacia to enjoy the quiet rural lifestyle that is currently
enjoyed. We would like to keep our amenity and enjoyment.

45 The community were notified in November 2017 via a letter from Penrith City
Council about this large commercial cemetery development. We then discovered

that this land, our golf course, had had authorisation to be sold to the CMCT for a cemetery. This was with no community consultation whatsoever. My question to you would be why we were – the community were not consulted before this only recreational land and enjoyed by our local community was sold? If the CMCT
5 get the authorisation to build this commercial cemetery development, will this, as a village, be incumbent not only 88,000 bodies, but they have quoted burials up to three-deep which would be 264,000. As recently literature states, they are considering burials three-deep. The pollution from these decomposing corpses will affect our waterways and environment, possibly cause smell and discomfort to our
10 wellbeing.

My family that grew up in our family home and grandchildren do not want to be looking out of our lounge room at visits to headstones and the grieving families mourning. This will not be a pretty sight for us to endure. We will not visit the
15 cemetery for recreational purposes. Our property is straight across the road from the cemetery proposed, and we have a natural causeway coming off from the golf course under Park Road. There is a culvert, and the water off the drains, into the dams, into the back of our garden. Before that, it flows through two other properties in Park Road. This water travels through a chain of ponds, four others, then under the road
20 at Montelimar Place, then into Jerry's Creek, then this flows in the Nepean River.

If this cemetery development is approved, this water run-off will be polluted and then bacteria and other disgraceful pollutions. In any rain event, my property gets flooded four inches or more. My garage and front patio has water up to the
25 weepholes. My concerns are if the water is polluted, it will cause me illness. The mud and the run-off gets into my house and garage. I already get mud segments in my drains and grates, rain – in any event rain from the golf course. It takes me hours to clean it up after a normal rain event.

I have spoken to the council and the state representatives and was told that this is an RMS road and they could not do anything for me. They did a quick fix to divert the water that is not efficient in any way. I live right opposite on the bend of Park Road coming into Wallacia Village. The speed limit there is 80 kilometres, then it drops to 60. Where the proposed right turn is, I think this is a most dangerous spot, as there
30 have been four fatalities in the past 10 years. 15.11.18, a car came through my fence.
35

MR D. BELL: Ed can't continue at the moment, so I will try and read this:

I live right on the bend of Park Road coming into Wallacia Village. The speed limit is 80 ks, then drops to 60 ks. Where the proposed right turn is, I think this is a most dangerous spot, as there has been four fatalities in the past 10 years. On 15.11.18, a car came through my front fence, damaging my front fence, 32/22 metres, and landing 20 metres down my driveway. The traffic on Park Road is already busier now with massive trucks going to the quarry up Rangers Hill, Wallacia Heights, taking fill from the constructions all around Sydney. We do not need any more traffic on the road.

40
45

Funeral processions will hold up heavy trucks up to 38 to 40-tonne. Trucks will not stop in a short distance if any car turns in front of them. Wet days will be most dangerous. The Seagold entrance that is proposed will stop access to Park Road for right-hand turns.

5

So in other words, Ed's not going to be able to turn out of his driveway and turn right to go up Park Road. So to do it safely, he'll have to drive all the way up Park Road, turn left on to Northern Road, go to the roundabout, turn around the roundabout, come back, turn right into Park Road, come down Park Road and turn left into his driveway. You know, it just cuts him out completely. This poor fellow, he just can't do a right-hand turn out of his driveway. We will have to travel down to the roundabout, which is the other way, and come back. And if they decide to turn right into his driveway, he can't turn right into his driveway when he's going back east:

15 *I feel the engineers have not assessed the traffic appropriately and the road traffic studies are both insufficient and inaccurate. School buses and tourism visiting Wallacia, Warragamba, Wallacia Hotel, Wallacia Caravan Parklands, horse and sporting events at Luddenham Showground, and not to mention all residents of Wallacia, Mulgoa, Silverdale, Greendale, Luddenham, Bringelly, Penrith, Nancy-Bird Walton Airport and other visitors to our LGA will be inconvenienced with masses off traffic banked up for funeral processions.*

20 *There are many reasons why this large commercial cemetery development should not be sited on the Wallacia Golf Course, and there are but just a few. I ask you, as Commissioners of the IPC, to consider all of the above points I have made, and I hope you make the determination that you have insufficient and flawed information to pass this development that will affect so many lives if approved. Regards, Edward McGovern and family, a very concerned resident.*

25
30 MS LEESON: If I can now ask Jo-Ellen Thorpe.

MS J. THORPE: Commissioners, my name is Jo-Ellen Thorpe, president and business owner of Silverdale for the past 40 years. I'm the current ladies' captain and paid life member playing golf at Wallacia Golf Club since 1985. The facts and state of play, as I understand them, are Panthers sold the golf club to a private party. The private party then on-sold it to the Catholic Cemetery Trust, who now own the land, all without any input from the golfing membership or the surrounding community.

35
40 We understand that there will be significant community benefits if this proposed development goes ahead, not only for the community in the form of a proposed new clubhouse, bowling green, possible gym and swimming pool, but us, the golfers, to continue playing on an 18-hole golf course until 2023, and then possibly a nine-hole to 13-hole till 2095. If this development doesn't go ahead, then all we will have is an overgrown, unsightly paddock with no club facilities for all the community.

45

I ask the community, what do you want? Overgrown paddock or a brand new clubhouse with a nine to 13-hole manicured golf course for all the community to enjoy, plus local jobs. St Johns Park Bowling Club have a vision to unite the bowlers and golfers, sporting groups in a 21st century facility. This community and
5 future generations can only benefit from this development, allowing the younger generations to compete locally. I feel for the community, but I'm a golfer. I want the golf club to go ahead. I do understand it's going to be a cemetery. Can't stop that. They own the land. What are we going to do? Shut the gates? No one's going to run a golf course.

10 MR: So what about the Panthers? They all this stuff.

MS LEESON: Excuse me. Sorry. Sorry. Thank you. Thank you.

15 MS THORPE: So that is my facts. They own the golf course. We've got no choice.

MR: Load of rubbish.

20 MS LEESON: Thank you. Thank you. We have, you know, given courtesy to everybody – all the other speakers. I ask that for the remaining speakers, we afford the same courtesy. If I can now ask Margaret Stepniewski.

MS M. STEPNIEWSKI: Good afternoon, Commissioners, and thank you for this
25 opportunity to speak. And I've lived in Mulgoa and Wallacia for 30 years, and we moved here to enjoy the semi-rural village environment and the strong community, and when I first heard about this development, my first reaction was that a cemetery on the edge of the village, that didn't seem to be quite so bad. But when I found out more information from our local progress association, I soon realised that the scale of
30 this development was just totally out of proportion to the village, and that there were some very serious consequences.

I since joined the progress association committee, and the more information that I've
35 found is that the situation has just got worse and worse, and many people here have taken up so much of their time and energy working to find out about all the processes that have gone on behind this, and it has caused a lot of anger, stress and anxiety about the future of the community. It didn't seem possible that the Department of Environment and Planning could recommend this development for approval when there had been so many commonsense objections from Penrith Council and the legal
40 – and the local community, as well as all the legal planning issues.

Now, we've already heard all the objections by now about the unsuitability of the soil, the flooding and the water pollution, as well as the traffic and the impact on the landscape. And so here today, I want to state that this is definitely not in the public
45 interest for the Wallacia community. The department's assessment was that it is satisfied that sufficient information is available or can be provided prior to development commencing to ensure the impacts of the development can be managed

to acceptable levels. The assessment has been based on documents commissioned by the CMTC, and we've heard they've got many flaws that have been addressed by other people, and there are other issues that have not even been taken into account. But surely it's the residents of Wallacia who can decide if the impacts of the development can be managed to acceptable levels.

We're a small, established and historic village that's being encroached on by fast-growing new developments, south the airport, and to the west in Silverdale and Warragamba. These developments are generating increasing traffic through Wallacia, and the prospect of the additional traffic from the cemetery is just too much. These new communities will be looking for recreational activities, and Wallacia Golf Course can provide a much-needed resource for this wider area. It may be that the golf course has not been viable in the past, but we have got this huge development with the airport close by, and you can be fairly certain that any of these new developments with the infrastructures are not going to include a new golf course. The one that we have here is a very precious asset that we absolutely have to maintain for the golfers.

This – the golf course is our only large area of open green space, and it could realistically be used for different sporting facilities in the future. If a golf course was not the best option, there are other sport facilities that we could use, and the proposal by the St Johns Club with the bowling greens and the swimming pool and the gym, that all sounds very impressive, but there's no reason at all why there couldn't be some other development in the future by – to provide these kind of options as well. It doesn't mean that we have to have a cemetery at the same time. So the proposal about the public benefit of a landscape site open to the public, which is obviously part of the proposal here, again, it might sound quite good, but it's just not practical.

As we've heard here, people don't want to be taking children into a cemetery. They don't want to go running. They don't even want to walk their dogs through a cemetery. There's always that possibility that you're going to meet somebody who has just been to a funeral or who are there mourning in quiet contemplation, and this is just something that, you know, you do not want to be disturbing at the time. And although there might be plenty of open space to begin with as the various stages develop, these spaces are going to get smaller and smaller, and as the cemetery grows, eventually it's just going to be too late. As we all know, Western Sydney is suffering from increasingly hot summers, and we're becoming a heat sink. All the surrounding developments are not helping with the sea of rooves, driveways and roads.

We need more trees, more green spaces, and this cemetery development is going to mean the loss of mature trees that have been there for many years, as well as all the habitat for the flora and the fauna and the endangered bats, and if we say that the existing area around Jerry's Creek and other areas on the site where we've got degraded trees, these can all easily be improved in the future without a cemetery being imposed on us. So a cemetery is no value to our community. We've got more than enough cemeteries in our area around here, and there's also plenty of spaces in

the columbarium walls of St Thomas Anglican Church in Mulgoa for the ashes of local loved ones. Why should our village be a dumping ground for the dead bodies of other areas?

5 The golf course is the only direction in which our village can expand in the future. The value of the land must be worth more for any other kind of development. Much as we want to keep the golf course, maybe there's some opportunity for having the golf course redesigned with a development – small development of housing, some way in which the golf course can be maintained and provide the recreation for the
10 village and for the other around areas, but also be a viable asset for the future. And although we can appreciate that Sydney is short of burial spaces, we've got more than our fair share here.

And just – my last point here is that the entrance to Wallacia Village, along Park
15 Road, it's just a really lovely welcome landscape of open land, and the cemetery is going to define our village by dominating us. This is not at our back door. This is at our front door, and the whole identity of Wallacia will change, and will just feel suffocated by this totally inappropriate development. Please listen to the people who really care about Wallacia. We care. The people who have chosen to live here care.
20 And the dead don't care. Wallacia should be for the living, not the dead. Thank you.

MS LEESON: Thank you, Margaret. If Ken Samuels could come to the microphone.

25 MR K. SAMUELS: Forgive me. I thought I was going to be following lunch and that I would have time to get a file up on the screen. I just need to get some assistance. Thank you for the opportunity to speak with the commission. I certainly appreciate the opportunity. I wish to express my strong objection to the development for a number of reasons, many of which have already been covered very well by
30 other residents of our community.

But just to briefly touch again on a few: Wallacia is a wonderful community, with a rural village landscape and feel, precisely why and many others are attracted to live here, rather than more heavily-developed areas. Construction of a cemetery and
35 crematorium immediately adjacent to the Wallacia village, within 60 metres initially and then eventually within 100 metres, is inappropriate and a grossly unfair imposition on those who invest heavily in their homes and currently enjoy living in the area.

40 The proximity of the cemetery to the village centre, its location on one of the two main arterial roads and the scale of the development will overshadow the entire community. I do not consider this an exaggeration to embellish my point. Should the development proceed, then I share a real concern of many of the residents of the community that Wallacia will become infamous as the region's graveyard or dead
45 centre. A truly appalling thing for residents of the village to have forced upon us. To illustrate the point, I would like to refer the panel to an aerial image of the site,

which gives an appreciation of the scale and proximity of the proposed development to the village. So comparably the area in the three-staged development - - -

MS LEESON: There is a pointer there somewhere, Ken, if - - -

5

MR SAMUELS: Is there? Thank you. Great. Thank you, Dianne. The red button. Okay. So here is the development, obviously the golf course area. And here is the village, approximately the same areas. Cemeteries are necessary, but nobody in their right mind would choose to live in proximity to or, worse still, in full view of one.

10 The site of a graveyard leaves one feeling empty. The site of smoke or steam during winter and perhaps the smell of the crematorium furnace in operation would surely be a sickening thing to all. Both should be located well away from established residential areas.

15 The development will substantially devalue property in the village. And my property is within 120 metres of the site. And I believe, from my research, it is likely that the devalue its worth by between 10 and 20 per cent. I do not accept that I and others should personally suffer a very substantial financial loss while CMCT gain massively as a result of the development. Now, I note that in some of the notes from the
20 commission's meeting with the department of planning that there was a question put to them about property devaluations. And the response from the department was that:

25 *Property values is not a planning consideration, so that's not something that we really – well, we really look at, in terms of our assessment.*

Frankly, I find that simply unjust. And, I mean, it's beyond belief. It should be a major consideration. Where is the fairness? So I've got some empirical evidence from overseas to support, you know, devaluations as a result of cemeteries, etcetera,
30 on properties. Now, a portion of the site – so here again we're looking – this was stage 1 in the development plan that I saw and others would have seen. Earlier on we heard from CMCT, now that the – stage 1 is really going to be about this area. Coincidentally, this area here all has a fairly significant downward hydraulic grade to a culvert that runs under Park Road here. So this area here drains south to this area.
35 Are you dinging me already? 10 minutes, I thought I had.

MR McANESPIE: Five.

40 MR SAMUELS: No. It was 10, I thought. Anyhow, let me keep going. I will try to speed it up. These are a series of ponds. That one there is on my property. It drains through to another one and then out through Jerry's Creek and into the river. I'm not a hydrologist, but I know a bit about soil movement through various soil types – water movement through various soil types. There will be migration of sorts from the cemetery, down through here, including onto my property, with a dam
45 about 30 per cent of my one and a half acres property. It's a big part of it. And I really don't want that in there. You can't push it back uphill that way. That's the

only way that it's going to drain. So that first stage of the development will drain through into this area.

Another couple of points, which I will skip over. They've been covered already.
5 The point I would really like to make is why is it that we're here today. This DA thing by CMCT has been passed around from pillar to post in pursuit of their achieving a green light for their proposed cemetery and crematoriums. The facts are that the strategically-located site was swooped upon by CMCT at a bargain price, once they realised the oversight error of council in not having carried over the
10 previous longstanding prohibition of cemeteries in the Mulgoa-Wallacia Valley areas. The argument is that the golf course was financially not viable. Unlike cemeteries, this one for CMT would have an MPV of around point 5 to 1.5 billion, I've calculated, over the life of the project.

15 The site became available to CMCT through Panthers having broken a clear commitment to the Wallacia Golf Club members and the greedy profit opportunity they placed in the lap of an associated profit developer. Rightly so, Panthers, hang your head in shame. Open space in Wallacia and surrounding villages seems abundant now, but that will soon change in a monumental way, with a massive
20 explosion of looming airport, commercial, industrial, retail and residential development in and around it.

Not long from now, open and recreational space will then be a scarce and very precious asset. The site is the only sporting recreational space of consequence in
25 Wallacia. It has been that way since the Fowlers practically gifted the land last century. It should be that way into the next cemetery and beyond for the enjoyment of current residents and visitors and for following generations.

I understand that this development is a highly-attractive financial proposition for
30 CMCT, but I see it as having a very negative impact upon me and others, as neighbouring residents of Wallacia, and our surrounding communities. There are other sites available for the benefit of burying the dead. Astonishingly, the executive summary of the assessment report by the New South Wales Department of Planning and Environment, dated 21 December 2018, signs off that the development is in the
35 public interest in its approval.

Really, how can that be the case. Impartial commonsense by those of authority must surely agree that the Wallacia Golf Course recreational club site should remain as it is for the continued enjoyment and pleasure of the living, rather than be turned
40 permanently into a graveyard for the benefit of the dead. Commissioners, please hear our objections and prevent this development proceeding. Thank you. A copy of the report.

45 MS LEESON: Thank you, Ken. Apologies if there was a mistake in the time allocated. I call our final speaker now, John Fowler.

MR J. FOWLER: Thank you for letting me speak today. It is really unfortunate to come at the end because there's not a lot more that's new I can say. But if I could probably introduce myself. I'm – I was raised here behind the post office and lived most of my life through those floods that you've seen that went over the houses in
5 '63 and again in '78 and, of course, as a kid I was very much aware of the weather and the surrounding areas and how it impacted on the place. And I recall that the fact that Wallacia was an island and, of course, now and then, of course, it wasn't sewerred but now it is and so, of course, there's an impact there on those small things again when these things happen.

10 I'm the son of Marge Fowler, who was a very stalwart golfer and I'm not quite sure where she would be today if she were with us because she would really want to have that convenient golf course right around the corner, even if it was nine holes or 13 holes. So I was thinking about that as I drove up this morning. But I'm also still a
15 ratepayer and I also still own land here, and I also still believe that as a landowner and though not a resident, that I have a right to make an issue about what is to happen in the future of this village because the local government has completely and continually made reference to the fact that this is a village and the village nature of this space is to be maintained and enhanced.

20 I don't believe that this is going to be something that will enhance that because I believe in many cases this is an ambit claim and will probably – possibly be knocked back, although, usually, when a government puts a Commission forward, they usually have the answer already before they have a Royal Commission or a
25 Commission of Inquiry, and I suspect the government already has the answer, judging by the recent election where nobody came out and said, "Yay" or "Nay" on it. On top of that, to introduce myself, I got into local government because I was living in a place where the government of the day then decided that heritage wasn't an issue because they decided to put a freeway through the eastern suburbs of – inner
30 eastern suburbs of Sydney from Woolloomooloo through to Darlinghurst, which, of course, now is the Eastern Distributor Tunnel.

But the residents fought that issue and they fought it on the fact that it was their
35 houses and the land around them that was going to be demolished and greatly affected because there would be eight lanes of freeway standing there where there used to be two blocks of city land. For my pains in that issue, I then became a local councillor for 15 years. However, after that I then got a Masters of Planning and I do believe that in the study of that Masters of Planning that one of the real issues of the EP&A Act, which this is being put through under, is the fact that it has to be in the
40 public interest. Now, the only public interest that there is here is that we die and that we all will possibly one time need a cemetery.

But as has been pointed out, there are in the region large numbers of spaces where
45 people can be buried and many people, as has been pointed out, don't even want to be buried. So I would suggest to you that the question of the assessment of this has to be done under the broad reference of the EP&A Act and this ancillary legislation which is the Heritage Act specifically. And that has been included here by many of

the speakers in relation to the fauna, the flora and the water because the natural environment here will be greatly affected.

5 And those things that really matter are the things that this – the IPCC is here to assess because it also has become very complicated by the change of ownership, which has antagonised the community and has created a certain amount of antipathy towards the current owners and whatever may be the position of what they may come to do in the future when they apply to put some application on the land. As has been pointed out, they may well do at any time and, of course, we will have to come back and do
10 this again because the landowner has practically most rights in this. The heritage study that the Penrith City Council undertook some eight to 10 years ago made a reference that most of the 20th century heritage in this town was built around tourism.

15 We're standing in the place where that was really important because in the '30s this was built to encourage motor-based tourists to come and visit here, and there were dozens of spaces for them to stay at: Marina Flats across the road, Gowen Brae around the corner, Thistledome, even Hopewood, as it was then before was a guesthouse, and the place was geared to a different industry. That industry may change – we don't know – in the future. But, certainly, the aspect of the natural
20 environment of this place was the reason why this building was built and why the golf course was built, and why the golf course was so successful over 60 to 70 years. So what you would be doing by removing the golf course would be removing one of the last slabs, along with the hotel, of that 20th century heritage of the town.

25 Now, that, I think, is very important because it was that issue that made this town grow and become popular during the 20th century and why many of the people as kids came out here and then in a latter stage came and lived here and bought houses here, and there is still quite a demand for those houses and that land. And I suspect in the reality of land always comes back around again to be used, but that will be the
30 ambit claim. I mean, nobody really wants a cemetery, but, hey, other people want to buy a house and live there. So we will probably end up with the loss of the golf course inevitably by this landholder and then some other development will come here. I hope not.

35 But that's the case because the golf course is a very important part of the social fabric of the town and I believe of the wider, so extended, community. Obviously, as you've heard today, the residents don't support this application. There are a number of reasons: the pollutants that relate to it, the fact that there is a precautionary principle which is the essence of town planning, "Will it be a good thing and does it
40 have a great negativity?" and this does have many negative factors. So I would suggest to you that we have one group of people supporting it and they're the owners and, presumably, the former owner, reasonably. But we haven't really heard a lot of support for it outside of it. I mean, elected representatives, do they support it?

45 Well, we just had an election and it was very, very large issue at the election. But we know that the MLA – current MLA who was re-elected does – doesn't support it. So the question is what is the public interest in this application. And I think the

Commission has heard today a reasonable number of quite distinct and quite different issues that concern the public, whether it's the pollutants on the flooding, the loss of recreational land, the loss of the recreational service of the golf course, or, indeed, the change to the character of the town. I would thank you again for having
5 given the time to come out to see the people here, and I think that you may have learned a lot more of the background of the information on the application, and I hope it assists you in your deliberation. Thank you very much.

MS LEESON: Thank you, John. Well, that was the last public speaker for the
10 meeting today and that will conclude our proceedings for today. From here we will take into consideration all the views and issues that have been raised today. There may be some further things that we need to investigate a little more and understand a little more clearly, and I think you've given us quite a bit there to work with. We will do our work as quickly as we can, but we will do it properly and as thoroughly
15 as we possibly can.

So if that requires us to get a bit more information from some places, or to seek clarification on certain matters, then we will do that. But we will do it, as I say, as quickly as we can, but as thoroughly as we need to do. So I would like to thank you
20 all very much for your participation today. It has been quite a long morning. We squeezed in a couple of quick breaks. But thank you and we will commence our considerations now.

25 **RECORDING CONCLUDED**

[1.49 pm]