



22 March 2018

Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Sent by email to: council@campbelltown.nsw.gov.au

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

This submission is made on behalf of the Scenic Hills Association Inc. regarding the above Catholic Metropolitan Cemeteries Trust (CMCT) Development Application (DA) - **File No. 3293/2017/DA-C**. We ask that the DA be rejected on the following grounds:

- It does not comply with the **Campbelltown Local Environment Plan 2015 (CLEP15)** in critical ways.
- The information base on which this DA is founded is critically flawed both now and at the time at which the DA was lodged – being either inadequate such that the decision to approve or reject cannot be made, or false due to the information being outdated and superseded by information that significantly changes the basis of the decision to approve or reject, or simply incorrectly represented.
- It is not in the public interest – of the Campbelltown Local Government Area, Western City District or the state of New South Wales.

We deal with the first two concurrently as follows:

Campbelltown Local Environment Plan 2015 and the DA's information base

Cemeteries are not permitted under the E3 Environmental Management zone and are only permitted on this piece of land at 166-176 St Andrews Road due to a site-specific rezoning in 2017 that avoided dealing with key issues, in particular those contained in s117 Directions in the *Environmental Planning & Assessment Act 1979*: **2.3 Heritage Conservation** and **4.2 Mine Subsidence**. The issues that should have been addressed under these Directions cannot be ignored at the DA stage where it is obvious that this DA cannot comply.

1. Heritage Conservation

- 1.1. Direction S.117 cl 2.3:** The emphasis here is on 'conservation'. S.117 cl. 2.3 (4) (a) states: 'A planning proposal must contain provisions that facilitate the conservation of: items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to

Scenic Hills Association Inc.



an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.'

Then in 2.3 (5) 'A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director General of the Department of Planning (or an officer of the Department nominated by the Director General) that: (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning proposal that are inconsistent are of minor significance.

The consent authority for the rezoning cannot have been satisfied that the decision to rezone this piece of land was consistent with this Direction or that its inconsistency met the conditions of s.117 2.3 (5) (a) and (b) above: the Office of Environment & Heritage (OEH), acting as delegate for the Heritage Council of NSW (NSWHC), had lodged a submission to the South West Joint Regional Planning Panel (SWJRPP) objecting to the planning proposal for a cemetery at 166-176 St Andrews Road Varroville due to its potentially adverse impact on the state heritage listed Varro Ville Homestead, and asking for the consent authority to wait until it had assessed the subject land for listing on the state heritage register (SHR) as an expanded curtilage for Varro Ville Homestead, based on a report the NSWHC had part-funded¹. It stated in its submission, the 'CMP...Visual Impact Study and Design Master Plan may all need revision...as a result of...this curtilage study' (NSWHC Submission to the JRPP 2016). The consent authority ignored this request.

1.2. New findings and statements of significance: The NSWHC has since recommended, based on this report, that the curtilage for Varro Ville Homestead be expanded to include most of the land intended for this cemetery, with revised statements of significance². The Minister has not yet dealt with the recommendation as required under the *Heritage Act 1977* and so it is yet to be gazetted. This DA is once again being pushed through in haste which is not in the interests of good planning.

Nevertheless the study on which the SHR recommendation was based - *Curtilage Study Varro Ville*, by Orwell & Peter Phillips, May 2016 (OPP16) - is being tabled for consideration in response to this DA and must be taken into account as it has been vetted and accepted by that part of government responsible for the identification and management of state heritage, and its findings update those in the DA's Conservation Management Plan, October 2015 (CMP)³. The latter did not have access to state-listed and privately owned Varro Ville Homestead in the middle of this development and relied primarily on studies several decades old by the same authors, Peter Phillips and Geoffrey Britton, who co-authored the new curtilage study OPP16⁴,

¹ *Curtilage Study Varro Ville*, Orwell & Peter Phillips, May 2016 (OPP16)

² <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5063550>

³ *Conservation Management Plan Varroville Estate: 166-176 St Andrews Road, Varroville*, prepared for the Catholic Metropolitan Cemeteries Trust by Urbis, in conjunction with Artefact Heritage and MUSEcape Pty Ltd, October 2015.

⁴ Ibid. p. 31, 3.1 Historical Sources.

substantially revising the prior studies' findings in relation to Varro Ville. At the very least the consent authority must take into account the new findings and revised statements of significance in OPP16 in assessing whether or not this DA complies with the heritage curtilage for Varro Ville on CLEP15. This is required under Policy 9 of the CMP: *'All future planning, management, works, and impact assessment must be guided by the statement of significance and significant spaces, landscape, fabric and building elements identified in this CMP together with any additional detailed research and assessment [our emphasis]...*' and therefore under cl. 7.8A (2) (e) of the CLEP. A principal author of OPP16, Geoffrey Britton, has made an assessment of the DA against this study and finds that it is not in accordance with CLEP15 and therefore should not be approved.⁵

This is not surprising: a comparison of the revised statements of significance for Varro Ville in this study (rated as significant at the state level on six of the seven NSWHC's assessment criteria and publicly available on the OEH's website), with those in the CMP (rated as significant at the state level on only two of the criteria) indicates that the CMP has greatly underestimated Varro Ville's heritage significance. The difference is such that the whole DA is affected by this – particularly the **Heritage Impact Statement, Urbis, October 2017 (HIS)**, which in turn affects the Landscape Masterplan and everything that flows from that, most particularly the **Visual Assessment, RLA, September 2017**. At the very least the proponent should be required to revise the DA and re-exhibit it based on this new information.

1.3. Non-compliance with CLEP15 on heritage conservation: Even excluding the new information above, the DA does not comply with CLEP15 on heritage conservation as found in cl. 5.10 (1) (a), (b) & (c), cl. 7.8A (2) (a), (b), (c) & (e), and is not consistent with the objectives of the E3 Environmental Management zone.

The development has an enormous footprint that is inconsistent with all the E3 objectives, but in particular: *'To preserve the rural heritage landscape character of the Scenic Hills'* and is contrary to cl. 5.10 and cl. 7.8A (as identified above).

It seeks development consent for:

1.3.1. **'Landscaping of the entire site with associated planting strategy'** - **Statement of Environmental Effects, Urbis, October 2015 (SOEE)**, Executive Summary p. i.

1.3.2. 136,000 graves of *all* types – headstones, monuments, family crypts and plaques - to within 10 metres of the state heritage-listed Varro Ville Homestead Lot, plus interment of ashes throughout the site.

1.3.3. Six main buildings (the chapel is actually 3 chapels in one, plus a mortuary) but there are various other buildings similarly constructed (**Appendix G Architectural Design Report**), including unspecified infrastructure buildings:

- Chapel – for 500 people at a time (intentionally visible within the side of the hill).
- Café – for 80 people (prohibited under the zoning unless associated with agriculture)

⁵ Letter from Geoffrey Britton to the owners of Varro Ville Homestead 19 March 2018.



- Function Building – for 168 people seated or 300 standing
- Crypts – unspecified number but drawings show a long building of 70+ crypts in length by five crypts high.
- Gatehouse
- Administration Building
- Garden Staff Building
- 16 'shelters' – for gatherings of up to 30 (40?) people at a time spread across the site.

1.3.4. Car parks for 350 cars at one time (93 underground), PLUS kerbside parking on all roads shown on the map turning the whole site into a car park. The roads are concrete, up to 8m wide with all but two allowing parking on both sides, and shielded only by scattered trees. Roads 1 & 11 (8m wide and parking on both sides) will cut through an area identified in the CMP as 'highly significant' (Fig. 46, p. 105 of the CMP) due to its vineyard terracing, requiring (in the CMP) an archaeological investigation⁶ and to be '*retained and conserved*' (Policy 24 of the CMP).

[Note: several roads – such as road 8, 1 & 3 – are truncated by stage 1 of the development making them nonsensical unless the road system that is scheduled to be completed in later stages is brought forward. This is unclear in the DA.]

1.3.5. Digging up most of the vineyard terracing in the area identified as 'highly significant', contrary to CMP Policy 24 (as above), on the basis that it is 'degraded' but without an archaeological impact assessment (as required under the CMP) to determine this prior to DA approval.

1.3.6. Locating its Café (prohibited under CLEP15) and Function Building on the side of rural dams, with adjoining car parks, boardwalks and modern sculptures, and then covering them in trees to hide the development so that the dams can no longer be seen as part of the current rural heritage landscape. The Function Building will be built over Dam 4, identified in the CMP as being of heritage significance and falls within the heritage curtilage on the CLEP15. CMP Policy 29 requires further archaeological investigation of the dams and those found to be colonial (of the Charles Sturt era) are to be '*retained and conserved where possible*'. The HIS seeks permission to carry out archaeological investigation *post-DA approval as part of its development*, which is contrary to Policy 29 of the CMP. This is to permit buildings that are *not even necessary* as part of a cemetery (i.e. making it *possible* to retain the dams in their current rural context.)

1.3.7. Obliterating Varro Ville Homestead's state heritage-rated pastoral setting and public views to and from St Andrews Road over the dams and to the east which is within the CLEP15

⁶ Appendix C of the CMP **Artefact Heritage – Historical Archaeological Assessment, October 2015** states at 7.2 Recommendations (p. 25, second dot point) '*An archaeological impact assessment [AIA] should be prepared for future development applications within areas 1 and 2. Area 3 does not require approvals...*' The vineyard terracing is in area 2.

heritage curtilage. See photo below by landscape heritage consultant Geoffrey Britton. Dense tree plantings, only partly hiding the cemetery development, will remove the long viewlines, while 8m concrete roads (with kerb parking) will separate the Homestead from its outbuildings and from the vineyard terracing. A burial room with above ground headstones is to be located hard up against the Homestead's rear boundary, and the historic driveway from St Andrews Road to the outbuildings will be destroyed.



The DA admits that the visual impact within the site **'will be significantly changed'** (SOEE, p.61, Visual Impact), stating *'the internal character of views in the parts of the Site that are of low sensitivity to external views will be significantly changed, however the character of the Scenic Hills as perceived from Campbelltown and surrounding and adjacent landholdings would be maintained.'* Thus what is regarded as being of 'low sensitivity' is only assessed from outside the site rather than from the heritage perspective. This is not in compliance with cl. 5.10 (1) (a) & (b), cl. 7.6 (1) (a), (b), (c) & (d) and cl. 7.8A (2) (a), (b) & (c) of the CLEP15.

We also believe that those landholdings adjoining this site and which are elevated in relation to it e.g. the Carmelite Nuns, Varro Ville Homestead and the Public Lookout on the top of Bunbury Curran Hill (noting that this is owned by Campbelltown Council and is already available to the public, contrary to the DA's claim) will have significantly altered views of the site.

The SOEE also admits that *'The road alignment has been developed to promote ease of access between buildings and through burial areas. The Road Masterplan has been developed to align with the existing topography and to minimise cut and fill.'* In other words the road network has been designed with regard to issues other than heritage conservation including within the CLEP15 heritage curtilage. The resulting adverse impacts are confirmed by the prior analysis in this submission.

In response to the DA's compliance with cl. 7.8A (2) (a), the SOEE claims (p.50) ***'The cemetery will be developed as a contemporary memorial park, which will resemble landscaped parklands [our emphasis].'*** The HIS (p. 82) similarly claims *'The landscape design and siting of new built forms has been carefully considered to maintain the green character [our emphasis] of the site.'*

This is not responding to the scenic qualities, character and values (as per the E3 zoning objectives) of the site under the CLEP15 which are ***'rural heritage landscape'***. The DA and its design response is not consistent with either the values of the Scenic Hills or the heritage

conservation objectives embodied in CLEP15. The landscape, particularly within the heritage curtilage, is an open, grassed pastoral setting that has existed since at least the time of Judge Cheeke when he bought Varro Ville in 1858, or even Charles Sturt who claimed to have cleared 600 acres of the 1000-acre Varro Ville by 1839⁷. What part of the dictionary definition does the cemetery designer not understand? Macquarie Dictionary, Sixth Edition – '*Pastoral: of or relating to the raising of stock, especially sheep or cattle on rural properties; used for pasture, as land...*'

The DA cannot pick bits out of the site for 'conservation' or 'restoration' and satisfy the requirements of the CLEP15 when the overall impact is one largely of destruction. For example, the DA seeks to conserve and restore the Varro Ville outbuildings while destroying the context which allows the buildings to be effectively interpreted, and while fatally compromising the heritage significance of the Homestead.

This destruction of heritage in this DA is facilitated by the philosophy of the HIS, expressed in its **Conclusions and Recommendations** (part 7, p.126) which is not one of 'conservation', but of 'record, destroy and commemorate with interpretation'. In other words the DA seeks to remove actual heritage and replace it with history plaques and/or a re-imagined Disneyland version of what existed previously. This is contrary to the Burra Charter⁸, to the principles expressed in **Direction S.117 cl 2.3** and to all the clauses within CLEP15 relating to heritage conservation.

2. Scenic Impact

The special provision that was inserted into the CLEP15 states:

*CI7.8A (2) Development for the purposes of a cemetery is permitted with development consent, but only if the consent authority is satisfied that: (a) the development will **complement the landscape and scenic quality of the site, particularly when viewed from surrounding areas including the Campbelltown urban area, "Varro Ville" (homestead group at 196 St Andrews Road, Varroville) and the Hume Highway [our emphases].***

The word 'complement' means 'to add to'. Thus the hurdle that this provision in the CLEP15 requires of the consent authority is that it be satisfied that views are '*complemented*' i.e. *made better*, including to and from the Homestead. The view from St Andrews Road across the dams to Varro Ville, showcasing it in its 19thC rural landscape setting, will disappear behind modern buildings, concrete roads, carparks, boardwalks and sculptures all surrounded by trees and vice versa (refer **Varroville Landscape Drawings** at Appendix B). The proponent and its consultants did not have access to Varro Ville Homestead to assess the views from the Homestead, which are critical to the approval of this DA. The owners of Varro Ville Homestead have provided their own heritage assessment in their curtilage study (OPP16) and an accompanying letter from one of the principal authors of that report, Geoffrey Britton, with their submission on this DA, attesting to the fact that this DA does not meet this requirement.

⁷ Advertisement for the sale of Varro Ville in the *Sydney Monitor*, 13 February, 1839, p.1, and *The Australian*, 31 January 1839

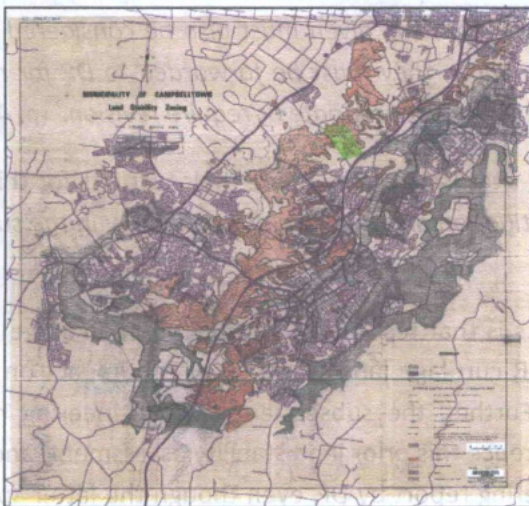
⁸ <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

3. Land Stability

3.1. Direction S.117 cl 4.2 states: '(1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable... and '(2) This direction applies to land that...(b) has been identified as unstable land', and '(3) This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that...(b) has been identified as unstable in a study, strategy or other assessment undertaken: (i) by or on behalf of the relevant planning authority, or (ii) by or on behalf of a public authority and provided to the relevant planning authority'.

The land to which this DA (and the prior rezoning) applies was identified as unstable land by the NSW Geological Survey, documented in a report by Pogson and Chestnut 1968⁹. It was used by the State Planning Authority for *The New Cities of Campbelltown, Camden, Appin Structure Plan*, 1973. In that plan, the Scenic Hills were set aside as an Environmental Protection Area not only for their visual beauty as a backdrop to Campbelltown, but also because of the identified land instability (p. 48). The survey remains current. Thus it is hard to understand why Campbelltown Council or the Department of Primary Industries did not give this survey to the SWJRPP given its importance to the Escarpment Preservation Area. However this must now be addressed in the DA in relation to cl. 7.8 of the CLEP15.

We had the latest Google maps overlaid on one of the land stability maps that was included in the Pogson and Chestnut report and these are shown below. This suggests that approximately 60% of the site is unstable land.



The Pogson and Chestnut report is referenced in the DA's **Geoscientific Investigation, by Boyd Dent of Red Earth Geosciences November 2014** into groundwater at the site, which was originally submitted as part of the planning proposal for the land in 2014. Boyd Dent states in

⁹ Preliminary geological investigation of land instability in the Municipality of Campbelltown, Rept. Geol. Survey. NSW, by D.J. Pogson and W. S. Chestnut, GS 1968. This report can be found on the following link:
[https://search.geoscience.nsw.gov.au/report/R00013769?q=pogson%20d%20i&sort=score%20desc&t=digs&a=true&p=false&wkt=POLYGON\(\(150.5%20-34.5,150.5%20-34,151%20-34,151%20-34.5,150.5%20-34.5\)\)&s=true](https://search.geoscience.nsw.gov.au/report/R00013769?q=pogson%20d%20i&sort=score%20desc&t=digs&a=true&p=false&wkt=POLYGON((150.5%20-34.5,150.5%20-34,151%20-34,151%20-34.5,150.5%20-34.5))&s=true)

relation to the NSW Geological Survey that *'Careful attention was paid to slope instability and maps were prepared with the idea of informing zoning decisions for development...and were subsequently acted on.'* He states (p. 14) that *'These matters are discussed in terms of landscape aspects later'*. However they are not further discussed, and Boyd Dent was not re-engaged for the DA. His report however is included at Appendix U, but we note that this was omitted from the online documents, so was not equally available to the public for this exhibition.

Instead, a report into land stability has been included with the DA at Appendix R¹⁰. The authors - Douglas Partners (DP) - have confirmed prior findings of land instability and have risk-rated the whole site. Of note, the buildings claim to be in an area of 'moderate risk' but appear to be located in the area designated as 'high risk'. We also note that a major landslide apparently occurred in the 1980s on Bunbury Curran Hill in the vicinity of the proposed Chapel location, and can be clearly seen by the infestation of African olives that grew in place of the native trees.

Most importantly however is that while most of the site is designated 'low risk', the authors have noted that this rating only applies *'unless major changes to site conditions occur'* (p. 9).

The report is highly qualified by the repeated assumption (apparently given to the DP by the client) that *'only minor earthworks are planned for the proposed development.'* (p. 10)

In the report (dated March 2017) the authors emphasise *'As detailed design of the proposed development has not been undertaken, the comments given must also be considered as being preliminary in nature. Once details are available, they must be forwarded to DP for review to determine if comments given within this report are appropriate or require revision.'* (p. 4).

DP restrict their findings and advice to the sites where they made their test pits for this report, due to the *'preliminary nature of the investigation and potential for variability in the subsurface condition across the site.'* (p. 13)

What is concerning about these comments is that test pits were only made in Stage One and none were made within the proposed SHR curtilage land where they can impact on heritage items including the heritage landscape. Further, the subsequent civil engineering report of August 2017 (at Appendix P) does not reference this prior land stability assessment, and in turn, there is no assessment of the civil engineering report by DP, even though the latter specifically requested that detailed plans be sent to them to enable a review of their advice.

The land stability assessment must thus be regarded as inadequate and unreliable.

Since the DA is for all stages of the development, the land stability assessment cannot be limited to Stage 1 and needs to be carried out against the detailed civil works for the whole site, in particular for the proposed SHR curtilage land. As such this part appears to be critically flawed with a domino effect on other assessments of the site notably its heritage and associated visual impacts.

¹⁰ Report on Preliminary Stability Assessment Proposed Memorial Park 166-176 St Andrews Road, Varroville, prepared for Catholic Metropolitan Cemeteries Trust by Douglas Partners, March 2017.

The implications for the heritage of the site are discussed in detail in the submission from the owners of Varro Ville Homestead and will not be repeated here.

However, this is of such fundamental importance to any consideration of development of this site that the DA should be rejected or at the very least substantially revised and re-exhibited. The DA does not otherwise provide the means by which the consent authority can assess its compliance with **cl 7.8 Development on steep land in the Scenic Hills (4)(b)** and the community has the right to see and understand the impact this may have on the other aspects of the DA.

The development is not in the public interest

The DA's SOEE makes a number of representations about the public interest which we refute. These are summarised in its Executive Summary, pp. i & ii. and on p.70, along with other misrepresentations scattered throughout the SOEE. The following is not intended to be comprehensive:

1. Project Need

The CMCT continues to wrongly claim that this cemetery is required to meet a burial shortage in South West Sydney and Macarthur. The SOEE (Executive Summary, p. i) states *'The application is based [on] the strong demand for additional cemetery space in Sydney with a particular focus on South Western Sydney and the Macarthur Region. The demand was documented in specialist reports considered as part of an earlier Planning Proposal for the site...'*

The state government's own cemetery capacity report¹¹ was released in November 2017 and shows that the CMCT's claims about a shortage of burial space in Macarthur, South West Sydney and/or Western Sydney (variously used in the SOEE) are not true. While the SOEE is dated October 2017, we know from a search under the *Government Information (Public Access) Act 2009 (GIPAA)* that the findings were made available to crown cemetery operators on request as early as August.

According to the official cemetery capacity report, South West Sydney is currently 'well served' (p.39) and will only run out of burial space in 2056 because it will be taking South Sydney's dead from around 2020 (p.34). The report clearly states that there is a need for cemeteries in the South and North districts of Sydney instead. It states (p.39): *'Provision of capacity in the North and South regions would sustain the desirable distribution of cemetery infrastructure across the planning regions of Sydney, maintain reasonable equitability of access to cemeteries for the communities of the Central, North and South regions, and provide for burials close to the region of the life and social networks of deceased persons. This outcome would also sustain positive effects in respect of costs and visitation for those communities, as compared with an outcome where limited land availability and affordability require the direction of burial activity from all the regions of metropolitan Sydney toward Western Sydney.'*

It is hard not to feel that there was an intention to mislead the public and the consent authority.

¹¹ https://www.industry.nsw.gov.au/data/assets/pdf_file/0014/143402/CCNSW-Metropolitan-Sydney-Cemetery-Capacity-Report.pdf

2. Publicly accessible passive recreation space on land that was previously privately owned

While 7.8A (2) (d) only requires that this be provided, there is an assumption that it will be used or useable as such and that this was not previously available to the public. We have addressed this claim in prior submissions and in the community consultation, thus we feel we can rightly assume that again there is an intention to mislead.

The SOEE claims it will allocate over 36 hectares to 'publicly accessible passive recreation space', however it appears that it will do so *only* where it cannot put graves, i.e. on the steep slopes of Bunbury Curran Hill and along watercourses. There is no evidence that people use cemeteries recreationally. Instead this cemetery will permanently alienate the land for true public (active) recreational purposes, such as when the Riding School used the whole site over decades. The SOEE wrongly claims it will open Bunbury Curran Hill lookout to the public, but this is owned by Council and already publicly available. The CMCT's land merely adjoins it.

3. Restoration of the historic buildings for the benefit of the community

We criticised this claim in its community consultation material, pointing out that it was misleading because Varro Ville Homestead is not included. Indeed the Homestead's maintenance will suffer as a consequence of the loss of value from being surrounded by the development, made worse by this DA's insensitivity. Yet the SOEE continues to make this claim in its summaries – people have to read the detail to understand that the Homestead is not included, but will not find anywhere that its heritage significance and value will be adversely affected.

4. Agricultural uses of the land have fallen into a state of 'disuse and decline' (SOEE, p.7); 'largely unused property' (SOEE, p. i)

The land has been in continuous use for grazing and some associated farming since the Macquarie land grant in 1810, interrupted only by its use as part of the adjoining Riding School and for a short time between agricultural leases or ownership changes. Again, this is a claim that we have previously refuted in submissions but it does not seem to suit the proponent or its consultants to state the truth. Further, the claim that cattle-grazing is degrading the vineyard terracing (HIS, p.120) as a justification for digging it up for graves is absurd. The land is being degraded by poor land care, not grazing, resulting in weed infestation and erosion. This could easily be solved by putting conditions in the agricultural lease to ensure proper environmental care.

5. The cemetery will be affordable and accessible to all members of the public (SOEE, p.45)

We can find nothing in the DA that ensures the burial spaces here will be more or less affordable than anywhere else, including nearby private cemeteries. Further it is not *equally* accessible to all members of the public. The conditions of land purchase (accessed under the GIPAA) indicate that 45% of the burial space will be reserved for Catholics and 55% for all others. We feel that crown cemeteries should come under secular management to ensure equitable treatment under the Crown.

6. The cemetery has been designed to 'preserve and respect its rural landscape and the visual qualities of the Scenic Hills...heritage values and visual landscape.' (SOEE, p.48)

This is not correct and has already been addressed in this submission.

7. Community Consultation feedback 'has directly impacted the overall design' (SOEE, p.48)

We complained to Campbelltown Council about the community consultation: that it was based on misleading material, was poorly constructed, was limited to two sessions and feedback was distorted or ignored. For example, members of our committee (landowners adjoining the proposed development) organised a separate meeting with Urbis. In that meeting Urbis requested that we not record it, that the notes it took would be sent to us for our confirmation before publishing. We heard nothing further, only to discover that notes from our meeting were published in its report without our consent and were not an accurate representation of the meeting. The consultant who had led the meeting had left the company and was travelling overseas. This was, in our view, deeply unethical behaviour. Further, the issues we raised have been completely ignored in the final design.

8. Consistency with A Plan for Growing Sydney (SOEE pp. 44-45)?

The SOEE selects only two Action items: 1.11.5 *Deliver Long-term Planning for Cemeteries and Crematoria Infrastructure*, and 4.1.2 *Prepare a Strategic Framework for the MRA to enhance and protect its broad range of environmental, economic and social assets*.

Both of these appear to be 'plans' which this DA pre-empts. As these plans develop (as per the recently released government cemetery capacity report) it becomes increasingly clear that this development is in the wrong location for a massive new crown cemetery.

More important it is what this cemetery conflicts with in A Plan for Growing Sydney. For example:

8.1. It directly contradicts 4.1.2 *'minimise the adverse impacts on existing primary industry and productive agriculture'*.

8.2. It is contrary to (or pre-empts) Goal 4.2.3: *'Map Natural Hazard Risks to Inform Land Use Planning Decision'*

8.3. It conflicts with Goal 3 – Sydney's Great Places to Live

8.3.1. It's badly located – should be in Southern Sydney

8.3.2. It will strain road networks – affecting schools, churches, monasteries

8.3.3. It destroys character – rural pastoral heritage, heritage significance of Varro Ville and scenic qualities

8.3.4. It degrades liveability, given its prominent location, exposing many to viewing the cemetery on a daily basis – contrary to health and well-being

8.3.5. It is anti-multicultural harmony – catering to the cultural practices of a minority (only a third opt for burial¹²) at the expense of the Australia's cultural heritage

¹² See p. 29 in: https://www.industry.nsw.gov.au/data/assets/pdf_file/0014/143402/CCNSW-Metropolitan-Sydney-Cemetery-Capacity-Report.pdf

8.3.6. It is contrary to the objective of 'building safe communities' – it will increase security risks as cemeteries are magnets for vandalism. The site can only be protected by destroying the visual amenity of the site.

8.3.7. It directly conflicts with Direction 3.2, 3.3 and 3.4. It will record history after destroying the heritage to which it relates. The history already exists. The only point of re-recording it on site (instead of in a library) is to better appreciate the heritage...but this will no longer exist on site. The OPP 16 study records the potential for much more on the site – a rich resource. The development is contrary to the Australia ICOMOS Burra Charter.

8.3.8. It will be an economic net loss for Campbelltown: The CMCT pays no rates, taxes, or (apparently) infrastructure contribution; it will provide few jobs, will lower home values, its prominent position on a hilltop overlooking Campbelltown and along M31 and Campbelltown Road will degrade Campbelltown's liveability and attractiveness, making it the butt of jokes like Rookwood: 'Crook as Campbelltown', 'Macarthur's Dead End'.

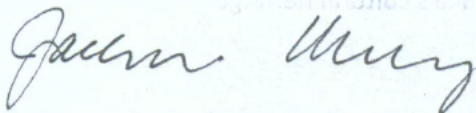
Conclusion

The Scenic Hills are highly valued in Campbelltown. The opposition to this cemetery has been evident in the two local newspapers, from the three local MPs, and the local Council that voted 11-2 against the proposal in 2014. This proposal has been creating great anxiety in the community over more than four years. This affects people's mental health and wellbeing. It is well known by real estate agents and valuers that most people do not want to live near a cemetery or within view of one, and the prominence of the site and the value that people place on the Hills makes its financial and emotional impact widespread.

The unsympathetic, intensive and invasive nature of these plans will be a net loss for Campbelltown, Western City District and NSW. It will destroy local and state significant heritage (as assessed) for an ultra-modern development catering to a minority practice that could be accommodated in many other more suitable locations. It is based on a flawed information base and assessment, and is contrary to the objectives and provisions (as discussed) of the CLEP15. It removes a previously valued recreational area from further use in perpetuity. So much greenspace is being taken for housing in the Macarthur area that there is a need to preserve that which cannot be used for housing as true sustainable green space. There is nothing sustainable about a cemetery. This proposal will radically alter what most people here value in its current form...and it is not even needed.

We ask that the consent authority reject this DA on planning grounds and in the public interest.

Yours sincerely



Jacqui Kirkby
Convenor