

ADDITIONAL INFORMATION RESPONSE

WALLACIA MEMORIAL PARK

21 MAY 2018
SA6970
FINAL
PREPARED FOR CATHOLIC METROPOLITAN CEMETERIES TRUST

URBIS

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Project Code	SA6970
Report Number	SA6970 AIR

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1. INTRODUCTION

This Additional Information Response (AIR) has been prepared by Urbis on behalf of the Catholic Metropolitan Cemeteries Trust (CMCT) to address the matters raised by Penrith City Council, the Sydney Western City Planning Panel and the NSW Office of Water and the Roads and Maritime Services.

The report has been structured in a table format which each specific item raised by the various authorities individually responded to. The report is further supported by the following documents:

- Amended Landscape Plans prepared by Florence Jacquet Landscape Architects and Botanica;
- Amended Civil Engineering Plans prepared by Warren Smith and Partners;
- Water Sensitive Urban Design Plan prepared by Stormy Waters Legal Advice regarding the sites use prepared by Allens Linklaters;
- Stormwater Management Plan prepared by Stormy Water;
- Civil Engineering Report prepared by Warren Smith and Partners;
- Vegetation Management Plan prepared by Travers Bushfire and Ecology;
- Amended Tree Report prepared by Travers Bushfire and Ecology;
- Response Letter regarding Public Health prepared by the Catholic Metropolitan Cemeteries Trust;
- Response Letter regarding Acoustic Impact prepared by Acoustic Studios;
- Response Letter regarding Groundwater prepared by Martens;
- Amended Traffic Impact Assessment prepared by The Transport Planning Partnership;
- SIDRA Modelling prepared by The Transport Planning Partnership;
- MUSIC Modelling prepared by Warren Smith and Partners in conjunction with Stormy Waters; and
- TUFLOW Modelling prepared by Stormy Waters

This AIR incorporates amendments to the design to address the issues raised by all parties, this has principally focused on the following matters:

- Removal of 1.5m headstones on the western and southern portion of the site;
- Preparation of a Vegetation Management Plan to demonstrate the future revegetation of the site; and
- Amendment to the main entrance to provide for a seagull entrance treatment;

The amended plans and the response to submissions demonstrate that the proposal balances environmental impact with community benefit and should be approved. This response and assessment of the amended plans confirm that there are no significant adverse impacts associated with the Project.

The specialist consultants have assessed the design and recommend mitigation measures to ensure the proposal will not have any unreasonable impacts on adjoining or surrounding properties or the public domain. The content contained in this AIR, demonstrates that the application should be approved subject to appropriate conditions.

2. KEY ISSUES

Information Request	Proponent Response
The crematorium appears to be a dominant use in its own right and is a prohibited land use within the E3 Environmental Management zone	<p>CMCT has engaged Allens to provide formal legal advice for the benefit of Penrith Council and the Western City Planning Panel with regards to the sites use. The legal advice has confirmed the following:</p> <p>The definition of 'cemetery' in the Penrith LEP makes reference to the interment of ashes as well as bodies, and provides that the use of the building or place need be 'primarily' for the cemetery purpose. Accordingly we consider the definition does not preclude crematorium from being considered as ancillary to a cemetery.</p> <p>The SEE indicates that the anticipated rates of cremation are expected to be equivalent to circa 26% of burials. The crematorium will not be a prominent use given that it will be situated below ground and not visible to cemetery visitors. [Further, we are instructed that the crematorium will only operate to serve the dominant purpose of the cemetery, and will not operate independently of it.] Accordingly, in our view it is well arguable that the crematorium is properly characterised as ancillary to the cemetery and as a result is to be ignored for the purposes of characterisation, and subsumed within the permissible cemetery use.</p>
The function rooms are a prohibited land use within the E3 Environmental Management zone and given their removed location relative to other Stage 1 works do not appear to be an ancillary component	<p>As noted in the legal advice prepared by Allens and attached as Appendix E if this report the existing clubhouse facilities are presently used for public functions. The site therefore benefits from the presumption of regularity' with regards to its use as a function centre.</p> <p>Regardless of the presumption of regularity the use of the function rooms for conducting memorials or wakes is properly characterised as serving the end of development for the purposes of the cemetery, and therefore is not at law a separate purpose</p>
Insufficient information has been provided with regard to flooding impacts to enable an informed assessment about the suitability of the site for this proposal	Detailed TUFLOW Modelling has been prepared for the application to allow for an informed assessment of the site with regards to floodwater. It is noted that no physical works with flood prone land is proposed with exception of the road network and a minor quantity of headstones.
The layout of various memorial styles will result in unacceptable visual impacts	<p>The location of memorial styles have been modified as part of this AIR to relocate certain memorial styles. This has resulted in the removal of 1.5m headstones from the portion of the site west of Jerry's Creek and along Park Road.</p> <p>This amendment has resulted principally from feedback received from the Western City Planning Panel</p>

Information Request	Proponent Response
<p>Traffic modelling has not considered impacts on Greendale Road.</p>	<p>An updated Traffic Impact Assessment has been prepared as part of this AIR to demonstrate the impact the proposal will have on Greendale Road. The updated Traffic Impact Assessment confirms that the proposed development is capable of being undertaken without significantly altering the Level of Service experienced on Greendale Road.</p> <p>The updated Traffic Impact Assessment is attached as Appendix D of this report and is further supported by updated SIDRA files which are submitted electronically as part of this application.</p>

3. PERMISSIBILITY OF ASPECTS OF THE DEVELOPMENT

Information Request	Proponent Response
The refurbishment of the golf club to be used as an ancillary functions centre to the cemetery is proposed as part of the earlier stage works. Given the location and its distance from the main cemetery it is concluded that this is able to operate independently to the cemetery and is a prohibited land use.	<p>The proposed application seeks to maintain the existing use of the site as a function centre as presently occurs on the site. As noted above the site benefits from the presumption of regularity for this matter.</p> <p>Regardless of the presumption of regularity the use of the function rooms for conducting memorials or wakes is properly characterised as serving the end of development for the purposes of the cemetery, and therefore is not at law a separate purpose</p>

4. MATTERS RAISED BY THE SYDNEY WESTERN CITY PLANNING PANEL

Information Request	Proponent Response
a) Integration of the landscaping and design of the proposal with the adjacent Wallacia village taking into account its rural character.	<p>To facilitate greater integration of the design with the Wallacia Village the monumental 1.5m headstones have been removed from land west of Jerrys Creek and replaced with lawn plaques on concrete beams. This has been proposed to ensure that the rural character of the land is further maintained as a result of the proposal.</p> <p>Further it is noted that the proponent will continue to operate the clubhouse facilities in its current form ensuring the community aspect of the facility will be maintained for the site.</p>
b) The possibility of moving the taller memorial structures away from Park Road and the Western end of the site.	<p>In accordance with the feedback received from the Sydney Western City Planning Panel taller memorial structures have been removed in full from the western portion of the site and in large portions from Park Road. The remaining elements of 1.5m memorial headstones along Park Road have been located in a portion of the site which is heavily vegetated by existing planting which will be retained by the application.</p> <p>The relocation of monuments will result in the further reduction in the visual impact of the proposal in accordance with the requests from both the Sydney Western City Planning Panel but also Penrith City Council.</p>
c) Attention to impacts on the feeder roads for the locality of funeral processions, and the need for any mitigating measures.	<p>The Traffic Impact Assessment for the proposal has been amended to reflect the impact of the proposal may have on feeder roads. This report is attached as Appendix D of this report. The Traffic Impact Assessment has concluded that the proposed development is expected to generate moderate levels of traffic and would not have a detrimental impact on the existing road network.</p>

<p>d) Impacts of emissions from the crematoria.</p>	<p>The impacts of the emissions from the crematoria was considered by the Air Quality Impact Assessment prepared by Northstar and submitted as part of the application. The assessment considered a worst case scenario considering the potential worst-case weather conditions, and assumption that both cremators would be operational between 6am and 6pm.</p> <p>Based on this worst case scenario the proposal is capable of complying with both in stack emission limits and ambient air quality criteria without the need for mitigation. We note that regardless of this mitigation measures are proposed as part of the application in order to comply with the Protection of the Environment (Operations) (POEO) Act (1997).</p> <p>Based on this assessment air quality is not considered to be impacted by the proposal.</p>
<p>e) Council's concerns about permissibility should be addressed by a clear description of the proposed use(s) of the existing clubhouse building.</p>	<p>The proposed development seeks to continue the ancillary use of the site as a function centre. It is understood that the existing clubhouse is presently used as a function centre as required. This will be continued as part of the future use of the site.</p>

5. REQUEST FOR INFORMATION FROM DEPARTMENT OF PRIMARY INDUSTRIES – WATER

Information Request	Proponent Response
a) A Flood Sensitivity Analysis for riparian vegetation planting. The development has proposed that the outer 50% of the vegetation riparian zone around watercourse 2 (Jerry's Creek) will be free of under story vegetation. The watercourse assessment further proposes that this area be retained as open space. This proposal does not meet the DPI Water Controlled Activity guidelines (CAA guidelines). It is unclear as to whether this area is offset elsewhere within the development.	A Flood Sensitivity Model has been prepared for the application and is submitted electronically for further assessment by the Department of Primary Industries – Water.
b) A Stormwater Management Plan	A Stormwater Management Plan has been prepared for the site by Stormy Waters and is attached as Appendix G of this report.
c) A Vegetation Management Plan outlining the vegetation density within the vegetation riparian zone and determine the maximum vegetation density with consideration of offsite flood impacts.	A Vegetation Management Plan has been prepared for the site by Travers Bushfire and Ecology and is attached as Appendix H of this report.

6. MATTERS IDENTIFIED BY THE ROADS AND MARITIME SERVICES

Information Request	Proponent Response
<p>1. Roads and Maritime requests a Seagull intersection treatment to be provided for the main access to the site on Park Road. This would allow for a protected right turn into the site and a protected waiting area for vehicles turning right out of the site onto Park Road. Consideration should also be given to a left turn deceleration lane (within the property boundary) for eastbound traffic on Park Road into the site at the main access. The design and construction of the intersection should be in accordance with AUSTROADS and Roads and Maritime requirements and endorsed by a suitably qualified practitioner. The application including the plans should be amended reflecting the above requirement and a concept design should be provided to Roads and Maritime for review.</p>	<p>In accordance with the requires from Roads and Maritime Services a Seagull Intersection Treatment is now proposed for the main entrance from Park Road.</p> <p>A concept design is provided as part of this report for review by Roads and Maritime Services.</p>
<p>2. Clarification is required regarding the overall future operation of the golf club house and the anticipated additional traffic at the existing access to the golf club as a result of the development. It is indicated the club house will be used for functions following a funeral at the proposed new chapel. However, it seems the club house will also continue operating as a golf course. The reports do not identify the full capacity of the club house and neglects to address the parking requirement and the required access arrangements to/from Park Road. The traffic report advises a considerable number of chapel / cemetery visitors will leave the site via the club house (rather than the new main entry) having attended a function following the funeral. However, this is not reflected in the report and Sidra modelling. The existing 61 parking spaces surrounding the club house appear random and it seems access can be gained to and from adjoining properties. The above matters need to be addressed and the parking and access to the club house needs to be assessed and formalised as a result of the development.</p>	<p>The proposed development seeks to continue the use of the golf course in a modified state for the next 70 years. To this end the clubhouse will continue to operate as it presently does with the facilities themselves being upgraded. The use of the existing function centre for wakes will be offered to users of the proposed cemetery.</p> <p>It is noted that clubhouse facility is already used for “reunions, birthday parties, engagement parties, weddings, anniversaries, christenings as well as wakes” and the 61 spaces provided for the club and function centre is adequate for its purpose.</p> <p>The 61 spaces will be resurfaced as part of the proposed redevelopment. Fencing can be installed to remove access from neighbouring properties.</p>
<p>3. It is proposed to provide a ‘one-way’ internal road which links the golf club to Mulgoa Road. However, no information is provided regarding proposed access arrangement and intersection analysis at this access point on Mulgoa Road. This information is also required.</p>	<p>The proposed access point to Mulgoa Road has been removed by the amended development scheme.</p>

<p>4. Overall parking on site is based on the operational requirements of the Catholic Cemeteries. Allocations for parking are based on 1 ceremony at a time, however on occasion there may be an overlap of patrons turning up and looking for parking while another ceremony is finishing. The report refers to the additional existing 61 spaces at the clubhouse, but some of these spaces will be occupied by members of the golf club. It is stated that visitors using the function rooms following a funeral ceremony may leave their car parked at the chapel to reduce the demand on parking associated with the function centre. However this is a considerable walk and vehicles left at the chapel would restrict the access for parking if additional services taking place later. Additional information is required addressing the above concerns and how parking is managed especially when there are overlapping ceremonies</p>	<p>Services for the Wallacia Memorial Park will be offset in order that the chapel can be cleaned, flowers can be arranged, coffins can be offloaded from hearses and consequently the instance of patrons turning up and looking for parking while another ceremony is finishing is limited.</p> <p>The Wallacia Memorial Park provides for kerbside parking along the internal road network to allow people to park next to the grave/memorial stone as opposed to such parking in a central car park and having to walk to the grave/memorial stone. The subject proposal is similarly providing roads of a width suitable to allow parking to occur alongside the road so if there was a short period when the car park area was full, people could park adjacent to the roads.</p>
<p>5. It is noted from the traffic report that the Safe Intersection Sight Distance (SISD) has been estimated based on the 60 km/h and 80 km/h speed limit on Park Road. Roads and Maritime requests the SISD to be provided based on the design speed of 70km/h and 80km/h (10 km/h higher than the posted speed limit) as per AUSTROADS and submitted for review.</p>	<p>The SISD has now provided in accordance with Roads and Maritime's suggestion, that is 10km/h above the posted speed limit.</p>
<p>6. All other redundant driveway(s) on Park Road and Mulgoa Road should be removed as a result of the proposed development. This should be shown on the plans.</p>	<p>All redundant driveways have been removed on the proposed development plans.</p>
<p>7. Roads and Maritime requests Sidra analysis files for all intersections analysed to be submitted for review and assessment.</p>	<p>SIDRA Files for the proposed development have been provided electronically for assessment by RMS.</p>
<p>8. The reports refer to Park Road as local road. It is advised that Park Road is a classified road; therefore the proposed access arrangement and road works on Park Road requires concurrence from Roads and Maritime under Section 138 of the Roads Act 1993.</p>	<p>The comments regarding the nature of Park Road are noted. Consent will be sought for the application under Section 128 of the Roads Act.</p>

7. ENGINEERING

7.1. STORMWATER DRAINAGE AND FLOODING

Information Request	Proponent Response
a) The Stormwater Management Plan (SWMP) by Stormy Water Solutions as referred to on page 9 of the Warren Smith and Partners - Civil Engineering Services Report dated 20 October 2017 shall be submitted for review. Please note that a design report including a stormwater drainage plan for each basin and drainage system consistent with the computer modelling layout, a summary of the DRAINS modelling results, catchment plans, all assumptions and model parameters used shall be submitted with the Development Application	The Stormwater Management Plan prepared by Stormy Water Solutions has been provided as part of this report and is attached as Appendix G .
b) The Warren Smith and Partners - Civil Engineering Services Report dated 20 October 2017 – page 9 also makes reference to a RORBS model being used to calculate the required volume of the basins/tanks. Site specific analysis shall be undertaken using an appropriate computer model, Council's preferred model is DRAINS.	The RORBS Model prepared by Stormy Water Solutions has been converted to a DRAINS Model and is submitted in conjunction with this report.
c) The Stormwater Management Plan (SWMP) by Stormy Water Solutions as referred to on page 9 of the Warren Smith and Partners - Civil Engineering Services Report dated 20 October 2017 shall be submitted for review. Please note that a design report including a stormwater drainage plan for each basin and drainage system consistent with the computer modelling layout, a summary of the DRAINS modelling results, catchment plans, all assumptions and model parameters used shall be submitted with the Development Application	As noted above a DRAINS Model has been provided and is submitted electronically in conjunction with this report.
d) OSD Systems are required to release water after the peak storm event to provide capacity for future events. Therefore, any proposed OSD systems should not include any existing ponds, rainwater tanks	As detailed in the Stormy Water WSUD Strategy the OSD System is capable of complying with the requirements of Penrith City Council.

7.2. ROAD DESIGN

Information Request	Proponent Response
a) All proposed roads shall be labelled (i.e. Road 1) and generally coincide with the Site Plans prepared by Ignite;	All plans submitted with this application have been amended to provide consistent
b) A longitudinal section of the centreline of the internal roadways showing the chainages,	In accordance with the comments received from Penrith City Council the Civil Engineering Plans

Information Request	Proponent Response
reduced level of existing surface levels, and design level of the road, design grades, shall be provided on the plans;	prepared by Warren Smith and Partners have been updated to include a longitudinal section. These plans are attached as Appendix C of this report.
c) A typical cross-section of each road shall be provided on the plans;	A typical cross section of each road has been provided as part of amended Civil Engineering Plans provided as Appendix C of this report.
d) A detailed concept plan of the intersection treatment for the Road 1 (Entrance A - Main entry access) off Park Road shall be shown on the Civil drawings in accordance with the recommendations in the Traffic Impact Assessment prepared by The Transport Planning Partnership Pty Ltd dated 26 October 2017;	<p>Detailed design of the of intersection treatment for Road 1 will be undertaken prior to the issuance of a Construction Certificate for the proposal.</p> <p>Construction of the intersection will be in accordance with the required specifications of Penrith City Council.</p>
e) A detailed concept plan of the driveway treatment for the Road 2 access off Park Road (Entrance B – Staff only access opposite existing workshop) shall be shown on the Civil drawings. Access details shall be in accordance with Council standard detail - SD1005;	<p>Detailed design of the of intersection treatment for Road 2 will be undertaken prior to the issuance of a Construction Certificate for the proposal.</p> <p>Construction of the driveway will be in accordance with the required specifications of Penrith City Council.</p>
f) A detailed concept plan of the driveway treatment for the Road access off Park Road (fronting the club house) shall be shown on the civil drawings;	<p>Detailed design of the of driveway treatment for the Road access to the clubhouse will be undertaken prior to the issuance of a Construction Certificate for the proposal.</p> <p>Construction of the driveway will be in accordance with the required specifications of Penrith City Council.</p>
g) A detailed concept plan of the driveway treatment for the Road access off Mulgoa Road (north west of the site) shall be shown on the civil drawings. Please note that the existing bus stop is within close proximity to the access point;	Access to Mulgoa Road is not feasible for the proposed application. It is requested that Penrith Council condition any consent issued for the site to require the truncation of the road between the existing Clubhouse and Mulgoa Road.
h) Traffic sign posts and pavement markings in accordance with AS 1742 – Manual of Uniform Traffic Control Devices are to be provided where required;	Traffic sign posts and paving markings will be installed for the site in accordance with as1742.
i) Engineering drawings have shown existing trees in accordance with the survey plans. However, details of trees proposed for removal shall be clearly defined.	The proposed engineering drawings have been updated to clearly demonstrate the trees which are proposed to be removed.

8. ENVIRONMENTAL WATERWAYS

8.1. WSUD STRATEGY

Information Request	Proponent Response
<p>The information submitted with the development application should also include a WSUD Strategy which includes information on the following:</p> <ul style="list-style-type: none"> a) WSUD Principles, Objectives and Targets; b) Site analysis which identifies any possible constraints for the implementation of WSUD; c) Details in the proposed WSUD measures including concept designs of the proposed measures; d) Details of proposed GPTs should also be included to ensure that the proposed devices are modelled appropriately in MUSIC and are suitable for use in the Penrith LGA. 	<p>A WSUD Strategy has been prepared for the site by Stormy Waters and is provided as Appendix C of this report. The WSUD Strategy complies with the requirements of Penrith Council as listed.</p>

8.2. MUSIC MODELLING

Information Request	Proponent Response
<ul style="list-style-type: none"> a) The modelling completed shall be revised to inform development of a stormwater treatment system and WSUD strategy for the development site. The design must meet the following environmental pollutant retention criteria: <ul style="list-style-type: none"> i. 90% Gross Pollutants ii. 85% Suspended solids iii. 60% Phosphorus iv. 45% Nitrogen, and v. There are also requirements to meet water conservation and flow management targets (refer to WSUD Policy) 	<p>MUSIC Modelling has been completed for the project by Warren Smith and Partners and is submitted electronically as part of this report.</p>
<ul style="list-style-type: none"> b) The MUSIC model needs to include a report which clearly identifies catchment breakup, splitting of surface types and all other assumptions that have been made in the model. This must include detail down to the sub-catchment level. Electronic copies of the modelling are also to be submitted to Council for review. 	<p>A report regarding the MUSIC Model has been provided as part of the Stormy Water Water Sensitive Urban Design Strategy and Storm Water Management Plan. This is provided as Appendix C and G of this report.</p>
<ul style="list-style-type: none"> c) Modelling parameters for the determination of the size and configuration of WSUD elements must be in accordance with MUSIC Modelling Guidelines for New South Wales (eWater User Guide which is provided with the MUSIC Software (2011) and with the parameters developed for use in Penrith. Council has developed a range of parameters to be used in the Stormwater modelling which is available in Council's WSUD Technical Guidelines (available www.penrithcity.nsw.gov.au). You are 	<p>The MUSIC Modelling has been prepared in a manner consistent with the requirements of Penrith City Council.</p>

Information Request	Proponent Response
encouraged to use MUSIC link which is available in the latest version of MUSIC as it allows the model to be prepared using Council's required parameters.	

8.3. CONCEPT PLANS

Information Request	Proponent Response
The plans shall be prepared in accordance with Council's WSUD Technical Guidelines and include Cross-section details (showing filter depth, extended detention, media layers and sub-soil drainage detail etc.), basin sizing details and planting details (vegetation type and density). The type of device / treatment measures and location including details on access for maintenance must also be shown on the plan.	Concept Plans for the WSUD have been prepared for the site by Stormy Waters and is attached as Appendix C of this report. The concept plans are consistent with the requirements of Penrith City Council.

8.4. OPERATION AND MAINTENANCE

Information Request	Proponent Response
<p>A Draft Operation and Maintenance manual should also be provided of for the proposed stormwater treatment measures. The manual should include details on the cleaning / maintenance requirements as well as provide an estimation on the annual and lifecycle costs associated with the proposed treatment measures.</p> <p>Council's WSUD Technical Guidelines are available on Council's Website and were prepared to outline how to comply with the requirements of Council's WSUD policy and outline Council's requirements in relation to the contents of a WSUD Strategy and detail required for concept designs to be lodged with the development application. The guidelines refer to resources which guide the development of suitable plans for submission with a development application.</p>	An Operation and Maintenance Manual will be prepared as part of the detailed stormwater Management Plans prepared during the construction phase of the project. A copy of the Operation and Maintenance Manual will be provided to Penrith Council for formal approval prior to the use of the site commencing.

8.5. GROUNDWATER / WATER MANAGEMENT

Information Request	Proponent Response
The recommendations provided in relation to the management of groundwater in the report prepared by Martens shall be completed prior to the approval being granted. Specifically, further assessment of groundwater condition be undertaken for contamination of the groundwater risk and management considerations, including:	<p>Martens have provided a formal response to Penrith City Council which is attached as Appendix L of this report. The Martens report confirms:</p> <ul style="list-style-type: none"> • The location of the groundwater wells • The monitoring period which we note remains in place

Information Request	Proponent Response
<ul style="list-style-type: none"> a) Detailed surveying of the groundwater well locations and levels to obtain more accurate groundwater data, b) Ensure groundwater monitoring period includes a minimum of 2-3 significant wet weather events and corresponding dry weather periods, and c) Detailed groundwater modelling (using MODFLOW) of the site to determine groundwater levels over the entire site. <p>Further information is required on the interactions between the ground water and proposed stormwater treatment measures as well as existing waterbodies and bores located within the vicinity of the proposed development including offsite.</p>	<p>The interaction between the proposed stormwater treatment measures and the existing waterbodies of the site has been considered by both Stormy Water and Warren Smith and Partners in their respective reports attached as Appendix D and E of this report.</p>

9. PUBLIC HEALTH

Information Request	Proponent Response
<p>a) Confirmation is required as to whether the premises is conducting body preparation and/or embalming if so, the location of the body preparation rooms and compliance under the Public Health Regulation, disposal of bodies. Should the bodies be prepared on site the following information is required:</p> <ol style="list-style-type: none"> location of hand wash basin supply of warm water and hands free construction and locations of slabs/tables and fittings to comply with smooth impervious and can be effectively cleaned location of one or more impervious containers, each fitted with an elbow operated or foot operated closed lid, for the reception and storage of solid waste arising from the preparation of bodies and storage of all screenings from floor drains floor drains location and materials of drains for the removal of body waste. waste licensing details for the removal/collection of the body fluids 	<p>CMCT has confirmed that the preparation of deceased bodies will be undertaken off site. This is detailed in the letter prepared by CMCT, dated 8 March and attached as Appendix J of this letter.</p> <p>Compliance with this statement can be enforced by means of an operational condition of consent as part of any development consent issued for the site.</p>
<p>b) Confirmation that item 4 called mortuary is:</p> <ol style="list-style-type: none"> area for refrigeration of bodies or holding of unrefrigerated bodies (statement required) size of the mortuary big enough to hold adult bodies 	<p>The area shown as item 4 is designed for the sole use as a mortuary. The facility will be suitably refrigerated and capable of storing 12 deceased in suitable coffins.</p> <p>A copy of a statement by CMCT addressing the above is provided as Appendix J of this report.</p>
<p>c) Body holding room</p> <ol style="list-style-type: none"> A statement confirming that the body is to be kept for no longer than 48 hours Information on disposal bins and waste services provided for body bags and clinical waste Plant room for ventilation and refrigeration compressors/fans/equipment 	<p>The operation of the mortuary will be in accordance with the NSW Health Regulations 2012 which requires bodies be held for a maximum of 48 hours from time of receipt.</p> <p>No preparation of deceased bodies will occur on site. Disposal bins and waste services are therefore not required to be provided.</p> <p>A copy of a statement by CMCT addressing the above is provided as Appendix J of this report.</p>
<p>d) Confirmation that all bodies will be buried no less than 900mm below the natural surface level of the soil where the body is buried. A statement to be provided that should 'shallow burial' be approved, compliance with NSW Health Policy Directive 'Shallow Burial Document Number PD2013_045</p>	<p>The proposal does not seek consent for burials without the minimum 900mm soil coverage as required by the Cemetery and Crematorium Act and the NSW Health Regulation 2012.</p>
<p>e) Confirmation that bodies to be placed in vaults are prepared off site (has been embalmed and hermetically enclosed)</p>	<p>Above ground burial structures are not proposed by the application.</p>

Information Request	Proponent Response
f) Confirmation bodies brought to the crematorium is cremated within 4 hours of the delivery. If body is placed in a holding room, statement confirming this is required	<p>As noted by CMCT the mortuary facility proposed for the site allows for deceased bodies to remain on premises for 48 hours in line with the Cemetery and Crematorium Act and the NSW Health Regulations.</p> <p>This can be enforced as a condition of consent.</p>
g) Confirmation of registers for all activities (cremation, mortuary) to be created and kept on site	<p>A register for all activities will be created and maintained by CMCT for the Wallacia Memorial Park.</p> <p>This can be enforced as a condition of consent.</p>
h) Statement confirming compliance with clause 57 of the Public Health Regulation 2012 a person must, when carrying out any procedure on a body, comply with the guidelines specified in Part B of the Australian Guidelines for the Prevention and Control of Infection in Healthcare as published by the National Health and Medical Research Council.	<p>As noted previously body preparation will not be undertaken on the site. In his scenario clause 57 of the Public Health Regulations 2012.</p> <p>This can be enforced as a condition of consent.</p>
i) Lower level floor plan catering: <ul style="list-style-type: none"> i. Compliance with AS4674-2004 Design Construction and Fit out of a food premises. ii. The function of the 'kitchen on the lower level floor' Is the kitchen used for full food preparation or plating up only of food for the conference rooms. Additional details on the kitchen to show compliance with the Australian Standards based on its function/use iii. Bar area specifically hand washing facilities; warm water common spout and hands free, slop sink for waste liquids, floor waste drainage or mop sink Cool room connected to sewer for the waste water from the condenser. 	<p>Demonstrating detailed compliance with the Building Code of Australia is therefore considered to be an unreasonable and unnecessary request for the purposes of a Development Application. We would propose to ensure compliance with the BCA the following condition is enforced on an consent issued for the site:</p> <p><i>All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:</i></p> <ul style="list-style-type: none"> a) <i>complying with the deemed to satisfy provisions, or</i> b) <i>formulating an alternative solution which:</i> <ul style="list-style-type: none"> • <i>Complies with the performance requirements, or</i> • <i>Is shown to be at least equivalent to the deemed to satisfy provision, or</i> c) <i>a combination of (a) and (b).</i>
d) Ground floor plan: <ul style="list-style-type: none"> i. Compliance with AS4674-2004 Design Construction and Fit out of a food premises for the kitchen and bar area. Details of the following are required: ii. Hand washing facilities warm water common spout and hands free 	<p>As per item i above the above request can reasonably be enforced through a condition of consent requiring all works to comply with the requirements of the BCA.</p>

Information Request	Proponent Response
<ul style="list-style-type: none"> iii. Staff toilets (including hand washing facilities) iv. Fixtures fittings and equipment locations in the bar and kitchen including materials to be used; smooth impervious and can be effectively cleaned v. Floor waste drainage locations or mop sink vi. Exhaust system location and compliance with AS1668.1 & 1668.2 vii. Wash up areas (double bowl sink or dishwasher that is capable for sanitizing of equipment) Cool room connected to sewer for the waste water from the condenser 	
<p>e) Must comply with AS4674-2004 Design Construction and Fit out of a Food Premises in relation structure being smooth impervious, fitted with a hose tap connected to a water supply, graded and drained to a waste disposal system.</p>	<p>As per item i above the above request can reasonably be enforced through a condition of consent requiring all works to comply with the requirements of the BCA.</p>

10. BIODIVERSITY

Information Request	Proponent Response
a) An amended Tree Assessment report shall be submitted rectifying all the discrepancies between the tables and the maps.	<p>An amended Tree Report has been prepared as part of this response documentation and is attached as Appendix I of this report.</p> <p>The amended Tree Report has corrected the discrepancies between the tables and the maps</p>
b) A 'weed' species shall be prioritised for removal above the removal of an native species. There are instances where privet is retained instead of natives.	Instances where privet is retained instead of natives have been removed from the proposed development plans.
c) Additional consideration is to be given to the retention of the following trees: T133, T238, T244, T247, T784, T876, T877, and all habitat trees/hollow-bearing trees. The trees in the patch of Cumberland Plain Woodland that falls within the APZ area of the Chapel should also be reconsidered. As stated in the Flora and Fauna Assessment Report, it is unlikely that clearing will be required for the APZ as they already generally meet the IPA requirements. No native trees should be cleared without a clear and demonstrated need and unless all alternatives have been considered.	As noted in the Tree Report T133, T244, T247, T876 and T877 are now retained by the proposed development. T238 and T784 by virtue of their location and existing health can not be safely retained on the site.
d) A Vegetation Management Plan is to be prepared for the site. The VMP is to be jointly prepared by a Landscape Architect and an Ecological Consultant or Bush Regenerator with theoretical and practical experience in bushland restoration and management on the Cumberland Plain (a Certificate IV in Conservation and Land Management or equivalent is required as a minimum). It is to be informed by both the Flora and Fauna Assessment Report and the Landscape Masterplan.	A Vegetation Management Plan has been prepared for the site by Travers Bushfire and Ecology and is attached as Appendix Hof this report.

11. ENVIRONMENTAL MANAGEMENT

11.1. ACOUSTIC

Information Request	Proponent Response
a) Further information shall be provided on the operating hours of the clubhouse including delivery times of goods and services associated with the operation and maintenance of the clubhouse;.	The clubhouse facility by virtue of DA379/87 is permitted to operate between 8am and midnight, seven days a week. No change is proposed to the operating hours of the clubhouse facility.
b) Clarification is needed indicating that the distance the noise meter was located from the most affected sensitive noise receiver (INP states if this is more than 30m from the residence, the logger should be located at the most affected point within 30 m of the residence);	Acoustic Studios prepared the Acoustic Assessment of the application and have confirmed the following: <i>The noise logger (unattended meter) was located <30m from the nearest and most affected residential boundary and facade (115 Park Road), and therefore representative of the noise environment for the surrounding sensitive receivers. Attended measurements further support that the residents at 115 Park Road are the nearest and most affected receiver</i>
c) While a statement indicating sound mitigation measures will be implemented for the furnaces (and number of) and mechanical plant, further acoustic information and compliance with NSW INP and POEO Act 1997 will be will need to be provided once the specific brand of furnace has been decided. Location of flue will also need to be provided;	As noted by the attached Acoustic Studio attached as Appendix K of this report detailed assessment of plant selections and layout of typical building services (including furnaces) will be carried out during design development and prior to Construction Certificate documentation. To ensure that the project complies with the NSW INP and the POEO Act 1997 it is recommended that the following condition is enforced as part of any consent issued for the application: <i>Noise levels from the premises shall not exceed the relevant noise criteria detailed in the report titled "Acoustic Assessment of Operation and Construction Noise and Vibration for Planning Application" prepared by Acoustic Studio and dated 24 October 2017 (ref: 20171024CMC3216.0001.Rep.RevA.docx. Revision: Issue 2). The recommendations provided in the abovementioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application. A certificate is to be obtained from a <i>qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to Council prior to the issue of an Occupation Certificate. The provisions of the Protection of the</i></i>

Information Request	Proponent Response
	<i>Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise</i>
d) Noise level predictions have been provided for 1 furnace from 7am- 6pm, however the development states that 2 furnaces will be operating on a worst case scenario of 24 hours a day 365 days/year. Further detailed assessment needs to be provided on source noise levels of the furnace and equipment mechanical plant for day, evening and night;	<p>The Air Quality Assessment undertaken by Northstar and submitted as part of the Development Application has assumed a worst case scenario being operation of the furnaces on a of 24 hours a day 365 days/year basis.</p> <p>Consent is not sought for the use of the furnaces 24 hours a day 365 days/year basis but rather between 8am and 5pm between Monday and Friday. As the furnaces will not be used during the evening and night period an assessment of the noise levels is not required.</p>
e) Further detailed assessment needs to be provided on accumulative operational noise impact from building services equipment day, evening and night; noting that evening background noise 29dBA at the most sensitive receiver allows for maximum noise output of 34dBA;	As noted by the attached Acoustic Studio attached as Appendix K and item c above detailed assessment of plant selections and layout of typical building services (including furnaces) will be carried out during design development and prior to Construction Certificate documentation
f) No information has been provided on noise sources from mechanical equipment operating from the kitchen or catering area. Further detailed assessment needs to be provided on the operational noise impact on residence from the cool room compressor fans and exhaust fans for day, evening and night	As noted by the attached Acoustic Studio attached as Appendix K and item c above detailed assessment of plant selections and layout of typical building services (including furnaces) will be carried out during design development and prior to Construction Certificate documentation

11.2. WASTEWATER

Information Request	Proponent Response
a) Further information on sediment control for washing of vehicles needs to be provided. Identification of areas where truck are to be hosed down and location of storm water drains to be identified. Sediment erosion controls measures need to be detailed around areas where pollution could occur from liquid waste;	A detailed erosion and sediment control plan has been prepared for the application and is provided as part of the Civil Engineering Plans prepared by Warren Smith and Partners and attached as Appendix B of this report.

11.3. OPERATIONAL WASTE

Information Request	Proponent Response
a) Further information is required on liquid, clinical or hazardous waste relating to the body preparation prior to burying or cremating needs to be identified with nominated waste facility stipulated.	As previously noted all body preparation will be undertaken off site.

11.4. GEOTECH REPORT

Information Request	Proponent Response
<p>Detailed plans of the burials be provided indicating the layout of the burial plots. The following must be take into consideration (practice guides cemeteries burials and the water environment):</p> <p>a) Burial plots should be at least 250 m away from a borehole, spring or well used for the supply of drinking water.</p>	<p>No boreholes, springs or wells which are used for the purpose of drinking water are located on the site.</p>
<p>b) Burial plots should be at least 50 m away from all other boreholes, springs or wells</p>	<p>Burial plots proposed by the application are located a minimum of 50m from all other boreholes, springs or wells</p>
<p>c) Burial plots should be at least 50 m away from a river or wetland</p>	<p>Burial plots proposed by the application are located a minimum of 50m from all other boreholes, springs or wells</p>
<p>d) Burial plots should be at least 10 m away from field drains (this also includes old agricultural drainage systems no longer in use as they can act as preferential pathways).</p>	<p>Burial plots are not proposed within 10m of field Drains are not proposed as part of the application or located on the site.</p>
<p>e) If bedrock is encountered in the trial pit, that area of the site should not be used for burials</p>	<p>The comments in regards to bedrock are noted. This can be enforced as part of any condition of consent issued for the site.</p>
<p>f) The area of the site is not suitable for burial if there is standing water at the bottom of the burial pit when first dug.</p>	<p>The comments in regards to standing water are noted. This can be enforced as part of any condition of consent issued for the site.</p>

12. LANDSCAPE STRATEGY

Information Request	Proponent Response
<p>The location of different monuments raises concerns given that 'high headstones' are generally located in areas close to Park Road and visible from the rural village. The visual impact would be vastly reduced where smaller monuments are located to the perimeter of the site to the south and west.</p>	<p>Noting the feedback received from Council the location of monuments has been rearranged throughout the site. Specifically, this has resulted in the monumental 1.5m headstones located to the west of Jerrys Creek have been removed entirely.</p> <p>1.5m monuments have also been removed from the Park Road frontage of the site with the exception of a small pocket approximate to Jerry's Creek. This pocket is significantly screened by existing vegetation that will be maintained by the application and will not be visible by those travelling along Park Road.</p>

13. CONCLUSION

This Report has considered the responses received from Penrith City Council, the Sydney Western City Planning Panel the NSW Office of Water and the Roads and Maritime Services for the development of the Wallacia Memorial Park. The proposal has been refined, where appropriate, to respond to comments raised by all stakeholders. The SEE and the AIR confirm that there are no significant adverse impacts and the proposal should be approved.

The proposal is considered appropriate for the location and should be supported by for the following reasons:

- The proponent has appropriately responded to the queries raised by Penrith City Council, the NSW Office of Water and the Roads and Maritime Services
- The proposal has been designed to comply with all state and local planning provisions which apply to the site with specific reference to the site-specific provisions detailed in the Penrith Local Environmental Plan 2010 and the Penrith Development Control Plan 2014.
- The design responds positively to the site conditions and the surrounding environment. The design has been formulated having close regard to the known scenic, environmental and topographical qualities of the site. The proposed design is highly sympathetic and responsive to site context, conditions and values.
- The proposal provides for opportunities for positive ecological outcomes by the integration of these values into the proposed built form and landscape design.
- The proposal does not give rise to any significant upgrading of public assets and infrastructure, notably Park Road, to support it.
- The proposal responds to the demonstrable need and demand for cemetery space in Sydney and the Western Sydney region, with limited sites and opportunities to meet the long-term spatial requirements of the applicant. The proposal will provide an inter-generational piece of social infrastructure that will provide lasting social benefits, operated by CMCT who have a record of managing such facilities dating back 150 years in Sydney.
- Accordingly, the proposal is in the public interest as it will long term relief to the identified shortfall in burial plots within the Western Sydney Region; and facilitate public access to a previously privately owned element of the Penrith LGA at no cost to the community. Further it is noted that 42 hectares of the site will be made available for publicly accessible passive recreation. This reflects an emerging global trend in cemetery design and embodies principles of social connectedness and passive celebration of lives past within a parkland garden setting.

In summary, the development warrants the support Penrith City Council and ultimately approval from the Western Sydney Planning Panel subject to conditions

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A AMENDED LANDSCAPE PLANS

APPENDIX B

AMENDED CIVIL ENGINEERING PLAN

APPENDIX C CONCEPT WSUD PLANS

APPENDIX D

AMENDED TRAFFIC IMPACT ASSESSMENT

APPENDIX E LEGAL ADVICE

APPENDIX F CIVIL ENGINEERING REPORT

APPENDIX G STORMWATER MANAGEMENT PLAN

APPENDIX H VEGETATION MANAGEMENT PLAN

APPENDIX I AMENDED TREE REPORT

APPENDIX J CMCT RESPONSE LETTER

APPENDIX K

ACOUSTIC STUDIO RESPONSE LETTER

APPENDIX L MARTENS RESPONSE LETTER



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