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NSW Independent Planning Commission (IPC)
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Dear IPC,

**Catholic Metropolitan Cemeteries Trust (CMCT)
A085-18 Crown Cemetery 136,000 Grave Development, Scenic Hills
St Andrews Road, Varo Ville**

The NSW Independent Planning Commission (IPC) convened a public meeting on 25th March 2019 to ascertain community views on the above proposed cemetery development. Subsequently submissions were called for. I am writing to express my opposition to the above proposal.

The first question to address is why the CMCT chose to invest in land that was zoned E3 Environmental Management, expressly prohibiting commercial use, including cemeteries. This land was purchased in 2013, at a time when there were still large tracks of land being sold in the Oran Park development.

One argument advanced by those in favour of the proposed development is that this area is projected to have growth of a large, perhaps unprecedented, kind, where a burial ground would be part of an essential service. Additionally, the argument indicated that many peoples, from a diverse range, shared in common a desire to be close to their dearly departed. This is all understandable. However, it is all the more reason, to establish a site in or near Oran Park, *where most of the development will take place*, and there is little likelihood of a zoning problem arising.

This makes the attempt, then, to request spot zoning all the more perplexing. It has never been suggested that the CMCT made an error in purchasing the land. The purchase was made in full knowledge of the zoning restrictions. Nonetheless, in pursuit of its objectives the CMCT requested a change in zoning. If this was a tactic, it follows a well-worn path where land purchased under one set of conditions becomes re-valued under another set. Appropriately, Campbelltown Council refused. The matter was then manoeuvred to the South West Sydney Joint Regional Planning (JRPP), where the zoning was, *inexplicably*, changed in a manner that is deeply troubling.

Also lacking transparency is the curious, equally perplexing matter that was voiced at the meeting: the inaction of the then Minister for Heritage. The recommendation of the State Heritage Register (SHR) sat on her desk for over twelve months. I understand, incidentally, that this is in breach of the NSW Heritage Act 1977. The then Minister had already gained an unenviable reputation for procrastination on similar matters. The local member for Camden explained these delays as the Minister following 'due process', but was unable to explain what this 'process' might be, in contrast to the one already followed, which was *and is* the only 'process' known. This delay is equally troubling.

In the meantime the CMCT continued to pursue a course of by-passing the Campbelltown Council's objections and had the Minister for Planning submit the proposal to the IPC which resulted in the Public Meeting of the 25th March, 2019.

These matters relate primarily to process, where land is re-zoned, obstacles removed, and procrastination employed as a management tool. Other questions more specific to the proposed development were aired, and these are equally concerning.

First, the nature of the land is problematic. The pasture land sits on rock which will require major efforts to dig and may well be impossible to satisfy the general standards for graveyards, where a certain amount of soil is required under each burial to allow for proper drainage. This observation was disputed in anecdotal evidence, but the fact that there is no independent expert opinion would suggest that the CMCT are either unaware or uninterested – in either case suggesting negligence.

Furthermore, an assessment regarding curtilage around the Varoville property is still being assessed, so any decision on the CMCT's proposal must be postponed until that matter has been clarified. Curtilage is a matter of some import. As was stated at the meeting, 'heritage' means more than just a building. It includes much of the surrounding area that articulates its heritage qualities. Many heritage items in the area were originally farm houses that sat on considerable acreages, and that is an important part of their value as examples of early settler existence.

The question of Blair Athol was mentioned but, unfortunately, disallowed on two bases:

- 1) that it was not relevant to the Varoville situation, and
- 2) the story was not known to the Committee.

I find both of these reasons are unsatisfactory.

Development around Blair Athol is locally at least a notorious example of mishandling of the development surrounding it. Although the group of buildings were preserved, an inadequate curtilage resulted in the house and its related buildings being 'crowded out', almost submerging it in an inundation of suburban development. Seeing the results Council vowed to never let this happen again, and that became part of their opposition to the CMCT's proposal.

Regarding the importance of curtilage the *Campbelltown Heritage Study Review* commented:

The problem arises when the surrounding land is on-sold as a parcel separate to the heritage listed farmhouse ... this has an inevitable adverse impact on the heritage significance of the historic property through the destruction of its historic curtilage and aesthetically significant setting, together with views and links between properties and vantage points including (but not limited to) the public domain. ... Curtilage should be identified proactively and reinforced through planning controls rather than being defined by the land 'left over' from subdivision.

(7. Other issues 7.1 *Protecting the curtilage of heritage items*, Page 62)

It is unfortunate that the Commission did not allow that story to be told, as it is highly pertinent to the situation under discussion. Furthermore, whilst it is not expected that the panel will be familiar with local

history, it is expected that they will hear relevant back stories that aid understanding of the larger context, especially where heritage matters are concerned.

The question of disruption, both temporary and long term was discussed. Advocates of the proposed cemetery were keen to suggest that the development would have a minimal visual and aural impact. Graveyards, they suggested, were in their nature ‘quiet’, and the infrastructure would be well integrated into the current scene. However, a detailed examination of the plan revealed that, in its very nature, the kind of infrastructure required would be both intrusive and highly visible, with roads and buildings obscuring the current rural ambience. Furthermore, the kind of road building equipment necessary to build such infrastructure would have an unprecedented impact both in noise and vibrations on both specific areas and the surrounds. Even when the most intrusive work was finished, the day-to-day routines of a commercial enterprise would be one of continual disruption both from work machinery and traffic related to the core business. This would not only affect residents, but impact severely on the Mount Carmel Retreat, limiting if not effectively extinguishing, its purpose. It is not without irony that the Catholic Church *economic* should treat the Church *Spiritual* with such indifference.

Doubts were raised as to how familiar designers were with the area. This is a recurring feature of a number of proposals locally, where designs show, at best, a sketchy understanding of the locale and surrounds – and sometimes not even that. The results are uniformly ill-considered, inappropriate, and insensitive. This proposal certainly reflects these failings, and consequently must be rejected.

Yours sincerely

David B Nethercote