



Panel Briefing Meeting Sydney Western City

Time & Date: 1pm, 4 June 2018

Meeting Location: Casula Powerhouse Arts Centre, 1 Powerhouse Road, Casula

followed by a Site Inspection at:

Project & DA No: 166-176 St Andrews Road, Varroville
Panel Ref: 2017SSW060
DA Ref: 3293/2017/DA-C
Lodged: 17 October 2017

Crown Development Application on behalf of the Catholic Metropolitan Cemeteries Trust for use as a cemetery and associated publicly accessible parklands / "recreation areas" including demolition of existing structures, vegetation removal, earthworks, stormwater infrastructure, landscaping, construction of six (6) new buildings, restoration of existing heritage buildings and heritage interpretation works.

166-176 St Andrews Road, Varroville
Lot B DP370979, Lot 22 DP564065 and Lot 1 DP21801

General Development over \$30 million (\$38.077 million)
Crown Development over \$5 million

Panel Members: Justin Doyle (Chair), Bruce McDonald, Nicole Gurrán, George Greiss, Darcy Lound

Council Staff: Fletcher Rayner (Executive Manager Urban Release and Engagement)
Andrew MacGee (Coordinator Planning Engagement)
Kendal Mackay (Partner, DFP Planning Pty Ltd)

Declarations of interest: None

Key Issues:

1.0 Description of the Proposal

- Site Area = 1,132,700m² (113.27ha);
- Frontage = St Andrews Road.
- Zoning = Predominantly E3 Environmental Management (cemeteries are prohibited in this zone although permissible on the Site with development consent via cl7.8A of the CLEP 2015) and part RE1 Public Recreation (cemeteries are prohibited).
- Proposed Development:
 - Demolition of some existing structures;
 - Use and operation of the site for a "cemetery" to be known as "Macarthur Memorial Park" and associated publicly accessible parklands / "recreation areas";
 - Landscaping of the entire site with associated planting strategy;
 - Burial areas and memorialisation guides;
 - Construction of six (6) new buildings on the Site (Chapel, Administration Building, Function Building, Café, Grounds Staff Buildings and Gatehouse) and the ancillary use of the buildings in association with the cemetery and parklands;

- Restoration of the historic buildings and heritage interpretation of Aboriginal and European historical elements of the site and locality;
- Public art sculptures;
- Site access via four new driveways to St Andrews Road, 345 formal on-site car parking spaces, internal roads and footpaths;
- Removal of 119 trees of which 28 are required to be removed to accommodate the development and 91 have been deemed unsafe and recommended for removal;
- Stormwater infrastructure and other site services;
- Staging of works from north to south as follows:
 - Stage 1 – New buildings, heritage outbuildings restoration work, landscaping, 3 site access points and internal roads for Stage 1 area – burial provision for 85 years;
 - Stage 2 – Landscaping and extension of internal roads for Stage 2 area – burial provision for a further 25 years;
 - Stage 3 – Landscaping and extension of internal roads for Stage 3 area – burial provision for a further 10 years;
 - Stage 4 – Landscaping and extension of internal roads for Stage 4 area – burial provision for a further 15 years.
 - Stage 5 – Landscaping and extension of internal roads and additional site access for Stage 5 area – burial provision for a further 25 years.

2.0 Background

On 20 February 2017, *Campbelltown Local Environmental Plan 2015* (CLEP 2015) was amended as a consequence of a site-specific Planning Proposal to permit development for the purposes of a “cemetery” on the Site subject to several site-specific provisions including that:

- the development will complement the landscape and scenic quality of the site, particularly when viewed from surrounding areas including the Campbelltown urban area, “Varroville” (homestead group at 196 St Andrews Road, Varroville) and the Hume Highway;
- the development will not adversely affect the visual or physical qualities of the site;
- the development will cause minimal effect on the existing landform and landscape;
- the site will also include a publicly accessible passive recreation space;
- the development will be carried out in accordance with the conservation management plan titled “Conservation Management Plan, Varroville Estate: 166–176 St Andrews Road, Varroville”, dated October 2015 and supplementary information.

On 22 May 2017, the Applicant met with Campbelltown City Council to discuss the DA proposal and Council raised concerns/required information to be submitted in respect of:

- Traffic;
- Archaeology;
- Staging of works;
- Stormwater;
- Height of the Chapel building;
- Visual Impact;
- Landscaping;
- Headstone typologies.

In June and July 2017, the Applicant undertook community consultation as part of the design development of the proposal.

On 28 September 2017, the NSW State Heritage Register Committee recommended to the Minister for the Environment and Minister for Heritage that the State Heritage Listing for “Varroville” be amended to include its extended curtilage. This extended curtilage includes land which is part of the Site (known as the “Outbuildings Precinct”). As of May 2018, the State Heritage Listing for Varroville and its extended curtilage has not been formally amended.

On 17 October 2017, the DA was lodged with Council.

On 22 December 2017, the Applicant referred the DA to the Minister for Planning for determination in accordance with Section 4.33(5) of the EP&A Act. Accordingly, the Panel’s proposed determination and reasons for that proposed determination of this matter must be forwarded to the Minister in accordance with Section 4.33(7).

Between 7 November 2018 and 23 March 2018, the DA was publicly notified.

On 29 May 2018, Council issued to the Applicant a request for additional and amended information.

3.0 Key Issues

1. Heritage – Part of the Site is listed as a Local Heritage Item known as the “Varro Ville Estate” established c1812 and this part of the Site surrounds an adjoining parcel which is a State Listed Heritage Item known as “Varroville”, which contains a large homestead built c1858-9 to replace an earlier house c1813. That part of the Site listed as a Local Heritage Item contains a small group of six (6) historic buildings/structures known as the Outbuildings Precinct, with these structures associated with the Varroville homestead on the adjoining land. These outbuildings are located in the “extended curtilage” recommended by the State Heritage Register Committee and a “No Build” (other than lawn cemetery and fencing) area designated in CLEP 2015.

Of particular note, Varroville Homestead and Estate were owned by Charles Sturt between 1836-1839 and several of the dams on the Site can possibly be attributed to his tenure.

The DA proposes partial demolition of some of the outbuildings, restoration works to some buildings, a new internal road and car parking between Varroville and the outbuildings and other landscaping works in the vicinity of the outbuildings and Varroville.

The NSW Heritage Office has provided comments on the proposed development and made recommendations and comments including:

- Preparation of a Development Control Plan (DCP) prior to determination of the DA;
- Insufficient details of proposed landscape furniture have been provided to properly assess the impact of the proposal on the heritage values of the Site and adjoining Varroville State Heritage Item;
- The proposed access road, toilet block and carpark area should all be relocated as currently these structures are located within the “No build” area designated to reduce the impact to the State Heritage Register Listed Item - Varroville Homestead. This area is highly significant as part of the wider landscape of the homestead and any new structures, and specifically a car park in this area, will affect that relationship and significance;

- The proposed road width and verges are excessive and intrusive within the wider Varroville landscape;
- The proposed Access C is too close to the existing driveway for Varroville Homestead and should be relocated further away;
- The loop road (Road No.10) connected to Road No. 3 from proposed Access C should be redesigned as a pedestrian walkway to reduce the amount of hardstand close to Varroville Homestead.

The above comments/recommendations are generally concurred with other than the request to prepare a DCP prior to determination. This is because the DA is supported by a Heritage Impact Statement, Conservation Management Plan, Plan of Management, Landscape Masterplan, Interpretation Strategy and Sustainability Strategy, all of which have the capability (subject to amendments) to provide sufficient information to guide future development of the Site. The Applicant has been requested to review the proposed designs for land in the “extended curtilage” and provide amended plans and supporting material.

2. Visual Impact – The Site is within the Campbelltown Scenic Hills which is a landscape ridgeline extending in a south west direction from Liverpool to Mt Annan. The proposal will result in removal of some existing vegetation, new landscaping (including sculptures and associated landscape furniture), new buildings, new internal roads. Lawn burials with ground level burial plaques, landscaped burial “rooms” with headstones up to 1.2m, natural burial areas and ash internments.

The DA includes a detailed Visual Impact Assessment (VIA) which assesses close, medium and long-range views to the Site. The Site is generally not visible to the unaided eye from long-range views from east of Campbelltown, medium-range views from Kearns and Raby are limited by buildings and landscaping in those residential areas. The VIA demonstrates that no proposed buildings or significant structures would be visible from close-range views from St Andrews Road although there will be an impact on the visual context of Varroville House. The VIA does not include any impact assessment on views to/from Varroville House from within the Site and additional information has been requested in this regard.

3. Building Height Non-compliance – The proposed Chapel is the largest building proposed on the Site with a maximum height of 11.596m which does not comply with the 9m height limit which applies to the Site. However, the Applicant contends that the non-compliance is as a consequence of an architectural roof feature and a c14.6 variation request is not required. Notwithstanding, a c14.6 Request does accompany the DA. The area of non-compliance is considered to be minor and as demonstrated in the VIA, this building will not be visible from the public domain other than perhaps one small part of the Site frontage along the upper part of St Andrews Road.

The DA also indicates that there will be sculptures and public art on the Site up to 10m in height although no details of these sculptures have been provided and no impact assessment of them has been undertaken.

4. Vegetation Removal – The Site contains 6 vegetation communities including 2 endangered ecological communities (EEC) being Cumberland Plain Woodland (CPW) and Moist Shale Woodland (MSW). In addition, the Site contains a significant infestation of African Olive within the north western portion of the Site. The proposal is to remove the African Olive and replant these areas with CPW species. Whilst this is likely to have a positive long-term ecological outcome, concern is raised in regard to potential land slip and interim visual impacts and further information has been requested with regard to the proposed replanting practices (e.g. slope stabilisation techniques) and staging of works as well as amended information to address

significant inconsistencies between various reports.

In addition, additional information has been requested to address possible inconsistencies between the recommendation of the Bushfire Impact Assessment report which requires APZs around new buildings and the Vegetation Management Plan and accompanying documents that propose replanting within the APZs.

5. Fauna Impacts – Additional information has been requested to assess the impacts on EPBC migratory species, koala habitat and habitat trees. In addition, updated plans and reports have been requested to address significant inconsistencies in the information and recommendations of various plans and reports.
6. Earthworks and Land Slip – The Site topography comprises a series of ridgelines, gullies and flatter pastures with the ridgeline in the northern part of the Site containing steep slopes down to the south-east of 13-30%. The overall relief from the northern highpoint of Bunbury Curran Hill to the south western site boundary is approximately 85 metres.

The proposal involves building works and landscaping works on areas of steeply sloping land and concern is raised with regard to potential for short term landslip (i.e. during revegetation works) and the future hazard risk to new structures.

7. Stormwater – Council's Engineering Officers require additional information with regard to stormwater impacts and the proposal includes construction of the chapel building straddling an existing overland flow path with steep land above and potential for landslip.
8. Traffic – The proposal involves four new driveway access points to St Andrews Road and the Transport Impact Assessment (TIA) submitted with the DA forecasts that 70% of the expected vehicle movements from the proposed development will travel to/from the Site via St Andrews Road south of Spitfire Drive (to Campbelltown Road) and that 30% will travel via Spitfire Drive.

Only the intersection of St Andrews Road / Spitfire Drive and the main Site Access have been modelled and the RMS and Council Officers have requested the Applicant to undertake additional intersection modelling in the wider network and to consider special occasion peak traffic generation and cumulative impacts.

The proposed Site Access points all require vegetation removal and boundary treatment modifications to attain the necessary sight distances for safety although no details have been submitted in this regard. The Applicant has been requested to provide additional information with regard to the extent of vegetation removal and if necessary, amended plans.

9. Noise – The Acoustic Assessment lodged with the DA only addresses part of Stage 1 of the proposal and concludes that there will be an adverse acoustic impact arising from road traffic noise. The report provides broad recommendations to ameliorate this impact although the inclusion of such measures is not addressed in the DA documentation, an updated acoustic assessment of such measures is required and additional assessment of all stages and all future activities within the site needs to be undertaken.
10. Bushfire – The RFS has provided conditions of consent requiring compliance with *Planning for Bushfire Protection 2006* and the Bushfire Impact Assessment report lodged with the DA although the existing DA documentation does not provide adequate information regarding how compliance can be achieved on a per stage

basis.

11. Contamination – A Detailed Site Investigation has been undertaken which has identified localised areas of contamination although no Remediation Action Plan (RAP) has been submitted. Council has requested that a RAP be prepared and submitted prior to determination of the DA.
12. Waterbody Safety – The proposal includes new buildings, open space areas and children’s playgrounds on the banks or very close to existing dams although no assessment has been undertaken of potential personal safety risks associated with such uses in close proximity to dams that are part of an active water management strategy.
13. Public Submissions – Approximately 70 public submissions have been received with approximately 30 being in support of the proposal and approximately 40 objecting to the proposal on the following grounds:
 - Visual/Scenic Impact;
 - Heritage
 - Noise
 - Traffic
 - Car Parking
 - Vegetation removal
 - Road Infrastructure
 - Access to emergency water supply
 - Air Quality
 - Failure to notify the DA correctly
 - Failure to allow copies to be made of the DA
 - Inadequacies in the DA documentation
14. Agency Submissions – Referrals comments have been received from DPI Water (no Integrated Referral required), RMS (see “Traffic” above), RFS (see “Bushfire” above), Sydney Water (conditions recommended) and the Heritage Council (see “Heritage” above).

Problem with Government Agency: Nil

Possible Determination Date: August/September 2018

Assessment Report date 31 May 2018

Other Matters: None