

Our Reference: ADVICE/2026/25/1

18 June 2026

Teresa Gizzi
Planning Officer
Department of Planning Housing and Infrastructure
via Planning Portal

WOLLONDILLY SHIRE COUNCIL SUBMISSION - STATE SIGNIFICANT DEVELOPMENT APPLICATION FOR DOUGLAS PARK MEMORIAL PARK – CONCEPT PLAN AND STAGE 1 DEVELOPMENT

Dear Teresa,

We appreciate the opportunity to review and provide comment in response to the public exhibition of the Environmental Impact Statement and supporting documentation for the Douglas Park Memorial Park – Concept Plan and Stage 1 State Significant Development Application (SSDA).

Wollondilly Shire Council's adopted position is to oppose the proposal, as reflected by the following resolutions of Council.

Resolution 104/2024 from the Ordinary Council Meeting held on 23 April 2024:

"That:

- 1. Council formally object to the State Significant Development for the Douglas Park Cemetery - Concept Plan and Stage 1 at 430-490 Douglas Park Drive, Douglas Park.*
- 2. Prior to any further submission a workshop be held with councillors to outline the details and concerns raised by the community.*
- 3. Council delegate to the mayor or his chosen representative to represent the governing body on any significant panel.*
- 4. This is an existing formal position of council objecting to the proposal of the cemetery.*
- 5. A community meeting be held at Douglas Park on this issue."*

Resolution 84/2026 from the Ordinary Council Meeting held on the 26 May 2026:

"That Council:

- 1. Note Council's continued strong opposition to the Douglas Park Memorial Park – Concept Plan and State 1 State Significant Development.*



2. *Thank Judy Hannan MP for her advocacy for an extension of time and note the advice from the Member for Wollondilly's Office that the due date for submissions has been extended to 18 June 2026.*
3. *Hold an Extraordinary Council Meeting at 3pm on Tuesday, 16 June 2026, to consider endorsement of the draft submission, or another suitable time determined by the Mayor prior to the submission due date."*

Resolution 123/2026 from the Extraordinary Council Meeting held on the 16 June 2026:

"That Council:

1. *Delegate to the Mayor to endorse the draft submission to the Department of Planning, Housing and Infrastructure, opposing the State Significant Development Application for Douglas Park Memorial Park – Concept Plan and Stage 1 Development and make changes to the submission prior to finalisation to reflect additional community and councillor feedback not already covered in the submission.*
2. *Table the document titled "hi all" as a submission from resident Tracy McConchie with requested points for consideration in any final submission.*
3. *Ensure that any final submission adequately address and make amendments to address the key points raised in the tabled document.*
4. *Formally object to the State Significant Development and make a submission before the project's exhibition period end date on 18 June 2026.*
5. *Request that the Minister for Planning and Public Spaces direct that a public hearing be held on the State Significant Development Application in recognition of the community interest and Council's objection.*
6. *Note that given Council's objection and the level of public interest, that the Independent Planning Commission is the likely consent authority for the State Significant Development Application.*
7. *Forward Council's submission to Judy Hannan MP, Member for Wollondilly, and formally recognise the Member's advocacy on behalf of the community on the State Significant Development Application'.*

A proposal of this scale is inconsistent with the objective of Council's Planning Proposal for Sensitive Uses in Rural Zones. This Planning Proposal seeks to introduce a local provision to better manage the size and scale of cemeteries and crematoria in rural zones where these uses are permissible with consent.

This submission identifies key issues raised by specialist Council officers from an extensive review of the exhibition material and community feedback received. Council has identified significant concerns, many of which reflect concerns raised by the community during the public exhibition period. Council does not support and formally objects to the proposal on a number of grounds including:



- Key environmental, ecological, wastewater, contamination, and design issues have not been adequately addressed or resolved.
- The traffic assessment does not adequately address cumulative network impacts associated with long-term growth in the Greater Macarthur and Wilton growth areas, nor does it appropriately consider the operational constraints and slope instability risks within Douglas Park Gorge or the implications for road network reliability over the life of the development.
- There are deficiencies in the assessment of trip generation, directional flows, peak visitation periods, funeral processions, and safety impacts at constrained locations, including the railway level crossing.
- The proposal is not in the public interest and that the matters raised by the community during consultation, particularly in relation to traffic, safety, environmental impacts and amenity, warrant significant weight in the determination process.
- Further work is required to demonstrate compliance with relevant statutory requirements, including the *Biodiversity Conservation Act 2016* and the Biodiversity Assessment Method, and to appropriately address groundwater, wastewater management, and public health considerations.

Given the volume of exhibition material and the limited time provided to prepare a submission, it is acknowledged that the draft submission will not capture all issues related to the proposal.

We note the role of the consent authority to fully consider all technical aspects of the proposal in addition to community and stakeholder feedback, including council and public agencies, in making its determination of the SSDA.

Given Council's objection and the level of public interest, we acknowledge that the Independent Planning Commission is the likely consent authority. In recognition of this community interest and Council's objection, we request that the Minister for Planning Public Spaces direct that a public hearing be held.

A detailed overview of the key issues and concerns is provided overleaf.

We appreciate the full review of these issues and those raised by the community in the consideration of this proposal.

Yours Sincerely,



Matt Gould
Mayor of Wollondilly Shire



TRAFFIC AND TRANSPORT

Council does not support the conclusions of the Transport and Accessibility Impact Assessment. Council considers the assessment is founded on unrealistic traffic distribution assumptions and fails to adequately assess the operational, geotechnical and strategic significance of Douglas Park Gorge.

Until a revised assessment is prepared that properly addresses likely travel behaviour, future traffic growth, cumulative impacts and the constraints of Douglas Park Gorge, Council does not consider that the transport impacts of the proposal have been satisfactorily demonstrated.

Even with the preferred remediation planned for the Douglas Park Gorge, it cannot accommodate the volume and platoon nature of traffic that will be generated by a cemetery and crematorium. Until such time it is fully remediated the increase in traffic would trigger the closure of Douglas Park Drive and cause unnecessary and significant disruption to businesses and residences in Douglas Park and the wider region. Even after remediation there are significant concerns about the ability for the gorge and causeway in particular to handle the proposed traffic volumes.

The transport assessment fundamentally mischaracterises how the network functions and therefore fails to assess the actual impacts of the proposal.

The assessment relies on traffic distribution assumptions that do not reflect likely travel behaviour and consequently fails to adequately assess impacts on the Douglas Park township and the Douglas Park Gorge. The assessment further fails to properly consider the unique operational and geotechnical constraints of the Douglas Park Gorge, future traffic growth associated with the Greater Macarthur region, and the cumulative impacts of directing cemetery traffic through an already constrained local road network. Until these matters are appropriately assessed and resolved, Council considers the transport impacts of the proposal have not been adequately demonstrated.

Douglas Park Gorge Is Not a Typical Local Road

The assessment treats Douglas Park Drive and Douglas Park Gorge as a conventional local road corridor. Council does not agree with this characterisation.

Douglas Park Drive functions as a low-volume arterial road that currently joins Douglas Park to adjacent residential areas such as Mitchell Place, Dredge Avenue and Wilton. It is also the shortest route between Camden and the Wilton / Wollongong region.

Douglas Park Drive between Douglas Park and the development site, runs across steep, unstable slopes along the Harris Creek cliff line before crossing the Hawkesbury-Nepean River and rising back up to the development site through a series of steep and narrow hairpins. The road was built over a hundred years ago for horse and carts with historic retaining wall structures. It has reached the end of its useful life and is at imminent risk of catastrophic failure.

Council has previously identified that increased traffic volumes, heavy vehicle movements and severe weather events are relevant considerations in managing risk within the corridor. Due to the risk of failure, the width of the traversable road has been narrowed to one lane to keep vehicles as far as practical from the edge of the road, with temporary traffic lights installed to manage the one-lane road. The road in its current form can experience significant queuing and delays at the traffic lights.

The road currently has a slope risk rating of intolerable risk (Transport for NSW (TfNSW) AM21 Guideline – Guidelines for slope asset management) and would otherwise be closed except through a Slope Risk Management Plan, which reduces the likelihood of and consequence of loss of life from embankment failure. The plan identifies three key triggers that may lead to embankment failure or an unacceptable increase in risk:

- a. high traffic volumes;
- b. excessive loading; and
- c. heavy rainfall.

When these triggers occur, such as higher traffic volumes or heavy rain forecasts, the road will be closed to minimise the risk to motorists, either daily or long-term if daily risks cannot be managed.

The increase in traffic associated with the proposed development will have the impact of increasing traffic volumes on Douglas Park Drive and, in particular, the section along the Harris Creek cliff-line. This will increase the risk due to lifting traffic above thresholds requiring intervention and trigger the closure of the road permanently.

The estimated cost of repairing the unstable sections of road to a one-lane road with permanent traffic lights is estimated to cost between \$11,000,000 and \$18,000,000 however, Council does not have sufficient budget to fund these works currently. At the Ordinary Council Meeting on 16 December 2025, Council considered a Mayoral Minute on Douglas Park Gorge and reaffirmed there are no plans to permanently close Douglas Park Drive through the Gorge. Council confirmed it is working towards repair works commencing before 2031. Council has allocated \$4 million in the 2025-2029 Capital Works Program and will continue grant-seeking and advocacy to secure full funding for the project.

The proposal should not be approved until Douglas Park Gorge is remediated. Otherwise, the increase in traffic would trigger closure of Douglas Park Drive and cause unnecessary and significant disruption to business and residences and the wider region.

Importantly, the issue is not whether the road currently accommodates the forecast traffic volumes from a traditional intersection capacity or Level of Service perspective. The issue is whether the proposal increases reliance on infrastructure that is already subject to significant operational, geotechnical and asset management constraints. The assessment fails to adequately consider this issue.

The Transport Assessment Does Not Adequately Address the SEARs

The Transport and Accessibility Impact Assessment does not adequately address the Secretary's Environmental Assessment Requirements (SEARs) relating to traffic, transport and accessibility. Council considers that the assessment fails to adequately assess:

- a. Realistic traffic distribution patterns;
- b. Future traffic growth associated with Greater Macarthur and Wilton growth areas;
- c. Cumulative impacts on the surrounding road network;
- d. The unique operational constraints associated with Douglas Park Gorge; and
- e. The consequences of increased reliance on a road corridor that is currently subject to significant geotechnical and asset management risks.

As a result, Council does not consider that the assessment provides a reliable basis for determining the transport impacts of the proposal.

Time Horizon for Assessment

The proposal seeks approval for a development with a very long operational life and ultimate capacity exceeding 37,000 burial plots. Despite this, the traffic assessment relies primarily on contemporary traffic conditions and does not adequately consider long-term growth forecasts associated with Greater Macarthur, Wilton and surrounding urban release areas.

The Guide to Transport Impact Assessment, Technical guidance for transport practitioners - TS 00085 | Version 1.1 requires the traffic impact assessment to consider time horizons. The Transport Impact Assessment supporting the application only assessed the year 2024, along with the following limitations:

- a) Traffic Counts were taken before the Spring Farm Parkway Interchange opening on Thursday, 29 August 2024; and
- b) Intersection Traffic counts were taken on two (2) days during school holidays.

The Traffic Impact Assessment is deficient without considering the impact of the traffic Guide to Transport Impact Assessment on the timeline and lifespan of the development, but also with respect to the other development proposed within the greater Macarthur Region.

TfNSW Greater Macarthur Mesoscopic Model is a transportation model used to assess traffic growth and infrastructure requirements in the Greater Macarthur Region. The TfNSW Greater Mesoscopic Model indicates a 400% increase in traffic by the year 2031 (from 2022). This is also supported by the Council's regional transport model, which predicts a 700% increase in traffic on Douglas Park Drive from 2026 to 2046.

The relevant planning question is not whether the road network can accommodate the proposal for just today. Rather, the question is whether the road network can accommodate the proposal throughout its operational life.

Council does not consider that this has been demonstrated.

All modelling and assumptions supporting the application are not valid as they use traffic count data obtained during school holidays and do not take into account other planned and approved developments in the region and the significant traffic growth that will accompany it.

The cumulative impact of this particular development on the road network has not been assessed as part of the application. In the short term, the impact will have unacceptable impacts on the geotechnical risk rating of Douglas Park Drive. In the medium and long term, it will significantly increase queue lengths at the one-lane sections of Douglas Park Drive.

The Assumed Traffic Distribution Is Not Credible

A fundamental assumption of the assessment is that traffic associated with the proposal will predominantly approach and depart the site via the eastern road network. Council does not consider this assumption to be realistic.

For a significant proportion of visitors travelling from Sydney, Camden, Campbelltown, Liverpool, Western Sydney and the broader metropolitan area, Douglas Park Gorge represents the shortest and most direct route to the site. Contemporary navigation systems, including Google Maps and similar platforms, are likely to direct users via Douglas Park Gorge because the alternative is 13.6km longer.

The assessment provides no convincing evidence that visitors would consistently choose longer alternative routes.

Consequently, Council considers the assessment materially underestimates the proportion of cemetery traffic likely to travel through Douglas Park township and Douglas Park Gorge.

As the traffic distribution assumptions are flawed, the resulting Traffic Impact Assessment cannot be relied upon.

There is no adequate arrangement for an entrance that would guarantee traffic took a longer and slower route around the Douglas Park Gorge, as proposed in the Traffic Impact Assessment. Intersection capacity and safety assessments should be undertaken with realistic future traffic growth and trip distribution through Douglas Park Drive and through the township.

Trip Generation

The Traffic Impact Assessment does not adequately assess how vehicle trips are generated from the proposal.

The Traffic Impact Assessment does not consider background general visitation rates or peak periods such as Mother's Day or Father's Day. It also discounts the trip generation of this cemetery compared to other cemeteries by 36% without any justification or analysis.

There will also be a strong directionality to the traffic flows, especially in the morning and evening peaks, which have not been assessed. The proposal will increase traffic by around 200% in the southbound and northbound directions compared to the Council traffic Counts (refer to Figures 2 and 3). This will significantly increase queue lengths.

The impact of funeral processions has also not been assessed. This is of particular importance considering Douglas Park Drive is one lane in sections, and there is a level crossing in the town.

The Traffic Impact Assessment underestimates the trips generated by the development, the time that the trips are generated, peak periods and also the directionality of these trips on the road network.

Traffic And Intersection Safety

The Traffic Impact Assessment is deficient because it does not assess the real impact of the proposal on the Douglas Park township or Douglas Park Drive.

In particular, it does not:

- a) Assess the platoon effect from traffic lights in the gorge or the railway level crossing;
- b) Funeral processions and impact on traffic lights in the gorge or the railway level crossing;
- c) Queue lengths from the traffic lights at the rail crossing; and
- d) Safety issues from traffic lights compliance, queue lengths from the traffic lights and the impact on the one-lane curved sections of the road.

The traffic behaviour generated by funeral services is incompatible with the one-way nature of Douglas Park Drive, especially with respect to the one-way / one lane traffic light system at the geologically unstable area, the one lane bends and a railway level crossing.

Community Impacts Have Been Underestimated

The assessment does not adequately address the practical impacts that cemetery traffic may have on the operation of the Douglas Park township.

During community consultation, residents consistently raised concerns regarding:

- a) Funeral processions travelling through the township;
- b) Interactions with the railway crossing;
- c) Queuing and delays on local roads;
- d) Pedestrian safety;
- e) Access to local businesses;
- f) Parking and traffic congestion; and
- g) The ongoing condition and maintenance requirements of Douglas Park Gorge.

While these issues are significant when considered individually, they become increasingly important when viewed in the context of an already constrained road network and a corridor subject to known operational and geotechnical risks.

The assessment does not adequately evaluate these cumulative impacts.

Other Matters

It is proposed that service vehicles access the site from Mitchell Place. This will impact the amenity of residents, and there is no reason why additional access is required off this quiet residential street, especially for waste and commercial vehicles.

All access to the site should be from Douglas Park Drive.

Conclusion

In summary, Council does not support the conclusions of the Transport and Accessibility Impact Assessment.

Council considers the assessment is founded on unrealistic traffic distribution assumptions and fails to adequately assess the operational, geotechnical and strategic significance of Douglas Park Gorge.

Until a revised assessment is prepared that properly addresses likely travel behaviour, future traffic growth, cumulative impacts and the constraints of Douglas Park Gorge, Council does not consider that the transport impacts of the proposal have been satisfactorily demonstrated.

ENVIRONMENTAL IMPACTS

Biodiversity Assessment and Avoidance of Impacts

The Biodiversity Development Assessment Report does not adequately demonstrate avoidance of biodiversity values in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method. The proposal relies predominantly on minimisation and offsetting of impacts rather than on demonstrable avoidance of impacts on biodiversity values across the site, including areas of derived native grassland and other native vegetation communities.

The application does not clearly demonstrate how the avoid–minimise–offset hierarchy has been applied to biodiversity values on the site, nor how impacts have been systematically avoided before considering mitigation or offsetting. As a result, the Biodiversity Development Assessment Report is considered to have inconsistencies with Biodiversity Assessment Method requirements, including Sections 7.1, 7.2 and Section 10 (No Net Loss standard), and the Council's Biodiversity Protection Principle.

Koala Habitat and Ecological Connectivity

The site forms part of a broader landscape-scale ecological corridor, including koala habitat connectivity values identified in regional mapping. While the Koala Assessment Report concludes no current koala activity on site, Council considers that insufficient regard has been given to the site's role in habitat connectivity and potential movement corridors.

The assessment does not adequately address the potential for increased vehicle strike risk to fauna associated with increased traffic generation, nor does it sufficiently integrate mitigation measures into a comprehensive ecological management framework.

Indirect Biodiversity Impacts

Indirect impacts have not been comprehensively assessed or integrated into a consolidated mitigation framework. In particular, the assessment does not adequately address:

- a) Impacts of artificial lighting on nocturnal fauna;
- b) Edge effects, including dumping and unauthorised access; and
- c) Ongoing disturbance associated with cemetery operations.

Mitigation measures are generally identified but are not consistently mapped to each identified impact or integrated into enforceable management controls.

Flora and Fauna Survey Adequacy

The Biodiversity Development Assessment Report relies on a range of flora and fauna surveys undertaken between approximately 2019 and 2025. Council considers that this survey timeframe does not adequately reflect current ecological conditions across the site.

In addition, the survey methodology is not clearly demonstrated as fully consistent with the Biodiversity Assessment Method, and there is insufficient justification for assumptions relating to the presence or absence of candidate species. The use of "assumed presence" for species credit calculations has not been adequately substantiated.

Compliance with Biodiversity Assessment Method (BAM)

The Biodiversity Development Assessment Report is considered to have only partial compliance with key elements of the Biodiversity Assessment Method, particularly in relation to:

- a) Application of the avoid–minimise–offset hierarchy to biodiversity values;
- b) Demonstration of avoidance in accordance with Sections 7.1 and 7.2; and
- c) Achievement of the No Net Loss standard under Section 10.

Council considers that the Biodiversity Development Assessment Report does not adequately demonstrate avoidance of impacts based on biodiversity values as defined under the *Biodiversity Conservation Act 2016* and therefore does not fully satisfy the SEARs.

Habitat Connectivity and Landscape Impacts

While the Biodiversity Development Assessment Report acknowledges habitat connectivity values, Council considers that the assessment does not adequately justify predicted impacts with reference to relevant ecological literature or landscape-scale ecological processes.

The long-term fragmentation effects of the proposal on habitat connectivity have not been fully resolved.

Tree Retention and Vegetation Impacts

The Arboricultural Report indicates a development approach that favours tree removal over retention. Council has identified many mature and high-value trees that may be capable of retention through minor design adjustments.

Opportunities for additional avoidance of significant vegetation, including potential koala feed trees and habitat trees, have not been fully explored.

Landscaping and Ecological Design

The Landscaping Plan is generally supported; however, several species selections are not considered appropriate for the locality or may present weed risk.

Opportunities exist to improve ecological outcomes through:

- a) Greater use of locally endemic species;
- b) Improved integration with water-sensitive urban design principles;
- c) Removal or replacement of potentially invasive or unsuitable species; and
- d) Adaptive management.

While the Biodiversity Development Assessment Report refers to adaptive management, Council considers that this is not sufficiently developed into a clear, enforceable framework. A standalone Adaptive Management Plan, consistent with Section 6.5(4) of the Biodiversity Assessment Method, is recommended to ensure appropriate monitoring, review and response mechanisms are established.

Ash Scattering and Soil Impacts

Potential environmental impacts associated with the scattering of ashes, including effects on soil chemistry, nutrient balance and groundwater quality, have not been fully resolved.

Council considers that additional controls are required to ensure no adverse environmental impacts occur, particularly within conservation or retained vegetation areas.

Conclusion

The proposal has not adequately demonstrated avoidance of biodiversity impacts in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method. Key deficiencies relate to the application of the avoid–minimise–offset hierarchy, treatment of biodiversity values, habitat connectivity, and the adequacy of ecological mitigation measures.

Until a revised assessment is prepared that properly addresses these matters, Council considers that the ecological impacts of the proposal have not been adequately addressed.

STORMWATER AND GROUNDWATER IMPACTS

While the Stormwater Management Report is generally consistency with Council's Integrated Water Management Policy, there may be potential impacts to groundwater and connected surface water systems as outlined below.

Geotechnical inaccuracies

There appears to be a contradiction regarding the thickness of the soil layer and where solid rock sits across Stage 1:

- The Geotechnique Report: States in its Executive Summary that "The depth to bedrock is generally less than 2.0m from existing ground surface except in the southern portion of the site or Stage 1." (II - Geot... p. 5) It further states on Page 16 that depth was generally less than 2.0m "except in one borehole BH1 located in the southern portion of the site or Stage 1." (II - Geot... p. 16)
- The Hydrogeological Report: Contradicts this regional layout by asserting that the southeastern portion of the site (defined by both reports as containing Stage 1 Burial Zones D, E, and part of B) features shallow perched groundwater precisely because of shallow bedrock with interbedded shale (Q - Hydrog... p. 25).

- Geotechnique's own data table (Table 1) disproves its summary statement (II - Geot... p. 15). Every single borehole drilled for Stage 1 hit solid rock well under 2.0 metres: BH1 (1.1m), BH2 (1.7m), BH3 (1.5m), and BH4 (1.2m) (II - Geot... p. 15). Geotechnique indicates that Stage 1 is an exception to the shallow rock rule, while its raw testing numbers prove Stage 1 consists entirely of shallow rock.

Burial Zone "A" Triple Burial Feasibility

- The Geotechnique Report: Classifies Burial Zone A as part of Hydrogeological Zone 3 on its Map extract (II - Geot... p. 16). It copies Martens' conclusion that because Zone 3 has deep groundwater (>5.0m BGL), it is perfectly "suitable for triple burial plots" (II - Geot... pp. 16, 28).
- Geotechnique establishes that the depth to medium to very high strength bedrock across Stage 1 starts as shallow as 1.0m below ground level (II - Geot... pp. 6, 20). To build "Triple Burials" in Zone A, the developer must excavate to a design depth of 2.85m (II - Geot... pp. 5, 27).
- By focusing purely on *water tables*, both reports label Zone A "suitable" for deep triple plots, and ignoring that the developer must structurally quarry out up to 1.85 metres of solid, high-strength sandstone bedrock across hectares of land to physically fit the graves.

Soil Permeability

The two reports use opposite technical definitions for the exact same physical soil types:

- The Hydrogeological Report: Records a very low hydraulic conductivity summary statistic (K_{sat}) geometric mean of 0.0011 m/day / 1.2×10^{-8} m/s) (Q - Hydrog... p. 21). The Hydrogeological report text claims: "*These values reflect the high permeability of local clay soil...*" (Q - Hydrog... p. 21).
- The Geotechnique Report: Evaluates the site under Australian Standard AS2870 guidelines (II - Geot... p. 22). On Page 14 (Table 8 Note), Geotechnique defines the exact opposite properties: "Soil Condition B = low permeability soils (e.g. silts and clays)" (II - Geot... p. 22).
- Martens labels the clay "high permeability" to support fluid flow modelling, while Geotechnique labels the clay "low permeability" to align with foundational structural standards.

Ground Excavation vs. Inflow Management Assumptions

Geotechnique assumes the digging environment will be dry and not requiring chemical soil management plans, while Martens warns that deep excavations will likely require active dewatering setups that demand regulatory licenses.

Inappropriate Industrial Mining Scale

Burial Zone A is designated for triple-layer plots requiring an excavation depth of 2.85 metres. Because bedrock begins at 0.7m to 1.5m, the developer must carve out up to 1.85 metres of medium to very high strength sandstone bedrock across multiple hectares. This requires 30 to 40-tonne heavy excavators equipped with hydraulic rock-hammers, ripping tines, or rotary saws to extract 22,000 cubic metres of solid sandstone.

The developer must fund independent, comprehensive structural dilapidation reports for all residential properties, civil infrastructure, and outbuildings along Mitchell Place, Douglas Park and within a 250m radius of the earthworks before any work commences on site.

Seismic and noise monitors must be installed on the property boundaries of Mitchell Place. Operations must immediately cease if vibration levels breach German Standard DIN 4150 (Structural Damage to Buildings).

Impact of rock hammering on hydrogeology

The Hydrogeological report fails to list heavy rock-sawing or extended hydraulic hammering as a risk to the local groundwater network. Heavy hammering can exacerbate or open localized mine subsidence micro-fractures in the Hawkesbury Sandstone

Omitted Noise Modifiers

The applicant's acoustic model implies that construction noise affecting Mitchell Place and the St Mary's Retreat Centre will fall within legally acceptable management levels.

Under the NSW EPA Interim Construction Noise Guideline (ICNG), 30-tonne rock-breaking excavators may require a mandatory +5 dB(A) modifying factor penalty for impulsive noise (rock-breaker, hammer).

The predicted noise levels may therefore be artificially deflated. When the legal +5 dB(A) penalty is applied, the real noise hits 79 to 83 dB(A), exceeding the NSW legal "Highly Noise Affected" threshold of 75 dB(A).

Flaw of the Clay Liner

A 150mm impermeable clay liner over the surface to block surface water infiltration may not be feasible. When a mini-excavator punctures that clay sheet to dig a new grave, the hydraulic seal is broken permanently. Surface rainwater falling on the rest of the hard clay lawn will sheet horizontally until it hits the looser, freshly dug grave or damaged liner. The grave will act as a structural funnel, filling with water and creating a muddy, saturated bog that may force concentrated leachate into the bedrock fractures below.

Table 13 (Item 1) of the Hydrogeological report lists *"Place clay capping material over burial zones to limit infiltration"* as a primary impact mitigation measure to protect groundwater quality (Q - Hydrog... p. 26). The report treats the clay liner as a perfect

static barrier, completely failing to account for the operational reality that a cemetery is constantly dug up, punctured, and re-excavated.

Conclusion

Council is not satisfied that stormwater and groundwater impacts have been adequately addressed. This is demonstrated by inaccuracies and conflicting information in the proposal supporting documentation.

Given the sensitivity of the receiving environment, Council recommends that groundwater-related impacts be subject to independent peer review.

STRATEGIC PLANNING

Council is currently progressing a Planning Proposal (PP-2025-1410) on the NSW Planning Portal to review sensitive land uses in rural zones, including cemeteries and crematoria within the RU1, RU2 and RU4 zones of the Wollondilly Local Environmental Plan 2011.

The Planning Proposal seeks to introduce a local provision to better manage the size and scale of cemeteries and crematoria where these uses are permissible with consent. It responds to potential land use conflicts associated with regional-scale cemetery developments and recognises the need for these uses to be appropriately located and supported by site capability.

At this stage, the proposed provision is intended to include the following standards for cemeteries:

- a) No more than 5,000 interments;
- b) Not located within the Sydney Drinking Water Catchment Area;
- c) Not located on steep land, except where the use is for low-density natural burial or low-density lawn burial;
- d) Retain the landscape character of the area;
- e) Not located where the only access requires vehicles to pass through a town or village centre; and
- f) Restrict monumental burials to land not exceeding 10% slope.

In addition, the provision also requires consideration of following for cemetery and crematoria:

- a) Capacity of the local road network, including road width, pavement condition, turning areas, sight distances and intersections; and
- b) Impacts on surface water and groundwater systems, local amenity, landscape character, and native vegetation.

The Planning Proposal intends to support cemetery development that meets local needs at an appropriate scale in rural areas, while requiring regional-scale proposals

to proceed through a rezoning pathway where site-specific merit can be properly assessed.

The Planning Proposal has received a Gateway determination to proceed but has not yet been publicly exhibited and is not yet a draft environmental planning instrument. It is expected to reach draft status before the determination of the subject application.

This Planning Proposal is relevant to the subject application and should be considered in the assessment of the proposal, including the intent of the Planning Proposal and the scale of the proposed development.

Conclusion

The scale of the proposal subject to the SSDA is inconstant with the objective of Council's Planning Proposal for Sensitive Uses in Rural Zones. This Planning Proposal seeks to introduce a local provision to better manage the size and scale of cemeteries and crematoria in rural zones where these uses are permissible with consent.

ENVIRONMENTAL HEALTH (GENERAL)

Concept Development

Waste storage rooms/bin storage areas are not shown on plans for any building. Reliance on a large pump-out sewage system raises concerns regarding sustainability and long-term financial burden (pump-out fees). No alternative wastewater systems (e.g. mound or scalable on-site systems) have been demonstrated or explored. A net cut of approximately 6,900m³ is proposed, with no details on classification and disposal controls for removed material.

Acoustic Issues

Consideration should be given to including a general condition prohibiting amplified music or amplified services outside the chapel in the burial zones.

Air Quality Issues

The information provided includes an air quality assessment prepared by Neo Consulting. The report indicates that the future Stage 2 crematorium can comply with the relevant criteria. However, it is noted that this is based on the concept design, and any future crematorium will need to be designed according to the requirements of the report.

Updated detail assessment should be required as part of future applications for Stage 2, including detailed design of the crematorium.

An updated assessment should be required at Stage 2 to confirm compliance based on the final design.

Crematorium / Public Health Issues

The hearse parking and body transfer area is not adequately screened from public view. The design requires further review at the detailed design stage to ensure compliance with Public Health Regulations.

It is also noted that on 30 July 2022 the Wollondilly Shire Local Planning Panel (LPP) approved a Concept development approval for a Cemetery, including earthworks, landscaping, water storage, roads and car parking and approval for building envelopes (DA/2018/780/1) on the proposal site.

In making its determination, the LPP included Condition 17 for the Occupation & Use which included the following:

“These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation:

(1) This consent does not authorise the use of the site for a crematorium.”

The Notice of Determination is available on the [Wollondilly DA Tracker](#).

Stage 1 – Café / Food Premises Issues

Insufficient detail has been provided to demonstrate compliance with the Food Act 2003 and AS4674. No adequate provision is shown for essential operational areas, including:

- a) Refrigeration / cold storage;
- b) Food preparation space;
- c) Cooking appliances;
- d) Cleaning facilities; and
- e) Waste storage.

The layout does not demonstrate compliance with food premises design requirements. Key compliance risks include:

- a) Wall, floor, and ceiling finishes (AS 4674 requirements);
- b) Pest control and hygiene risks (shadow lines, drop ceilings, cavity spaces);
- c) Insufficient detail on fixtures and equipment layout;
- d) Unclear sink provision and separation of functions;
- e) Inadequate demonstration of storage capacity;
- f) Unclear mechanical exhaust requirements for cooking appliances;
- g) Insufficient detail on waste storage and drainage of bin areas;

The proposed cafe design is not suitable for assessment without detailed fit-out plans.

ENVIRONMENTAL HEALTH (CONTAMINATION)

The Preliminary Site Investigation identifies Areas of Environmental Concern and data gaps requiring further investigation and potential remediation, which have not been resolved for the subject application.

The submission of a Detailed Site Investigation before the Construction Certificate is considered insufficient for Stage 1 works, particularly where contamination may exist beneath inaccessible structures and has not been fully characterised. The approach does not provide certainty on the extent of contamination, timing or method of remediation, and no Remediation Action Plan (RAP) has been provided to address identified risks and data gaps. Supporting documents, including the demolition and asbestos management plan and hazardous materials survey, are noted but are not sufficient on their own to address these uncertainties.

ENVIRONMENTAL HEALTH (WASTEWATER)

While the proposed pump-out system, with removal of effluent off-site by pump-out truck to a licensed facility, maybe appropriately sized, its feasibility is questioned. Its long-term viability threatened by high ongoing pump-out costs and the potential for misuse and poor practices.

Concern is raised as to whether all on-site effluent disposal options have been fully explored, and whether adequate justification has been provided for why alternative systems are impracticable and why pump-out is considered acceptable. Consideration should be given to alternative approaches, including initial on-site treated effluent disposal to land during early stages while capacity is available, followed by a staged transition to pump-out as the development expands, or alternatively, a partial pump-out system incorporating a combination of on-site disposal with excess flows directed to pump-out.

WASTE MANAGEMENT

The swept path plans require updating to demonstrate Heavy Rigid Vehicle (HRV) access into the designated bin storage area in both forward and reversing directions to confirm waste collection vehicle access can be achieved. The Waste Management Plan identifies an indicative outdoor bin enclosure design and notes bins will be placed “as required”. The expected number and location of bin enclosures across the site are not confirmed on plans to demonstrate adequate coverage and reduce the risk of windblown litter, particularly in higher traffic areas such as the café and chapel.

In addition, consideration should be given to implementing operational controls to limit or prohibit the use of plastic ornaments on grave sites, encouraging the use of natural or biodegradable alternatives.

BUILDING CERTIFICATION

Access for people with disabilities is to be provided in accordance with the National Construction Code, relevant Australian Standards and the *Disability Discrimination Act 1992*; it is noted that compliance details are not demonstrated. The building/s are also required to comply with the relevant fire protection measures and fire safety systems under Sections C, D and E of the Building Code of Australia, as well as Sections F and J of the Building Code of Australia for the relevant classification.

Insufficient detail has not been provided to confirm compliance with these requirements.

COMMUNITY SENTIMENT

On Wednesday, 3 June 2026, Council held a Community Drop-In Session at the Douglas Park Community Hall to provide information on the proposal, listen to the concerns of the community, and collect feedback regarding the proposal. 54 members of the community attended the drop-in session.

The key issues and concerns raised during the session are summarised below:

Traffic and Access

- a) Increased traffic associated with the development;
- b) Impacts of funeral processions on traffic movements, particularly in conjunction with the nearby railway crossing;
- c) Existing congestion within the Douglas Park township and concerns regarding impacts on access to local businesses and parking;
- d) Additional traffic associated with the development would place further pressure on existing infrastructure;
- e) Traffic queuing and safety impacts arising from delays to funeral processions;

Road Infrastructure

- f) The current condition of local roads and the ongoing maintenance requirements of the Douglas Park Gorge;
- g) Additional traffic associated with the development could contribute to the deterioration of the Douglas Park Gorge and affect its long-term viability;

Site Suitability

- h) The site is not suitable for burials due to shallow soil depths and the presence of sandstone, necessitating the importation of fill material and resulting in increased truck movements, traffic and noise;

Utilities and Servicing

- i) Availability of services and infrastructure, including but not limited to gas servicing within Douglas Park;

Environmental Impacts

- j) Impacts on existing vegetation, native wildlife, koala habitat, nearby waterways and the broader natural environment;
- k) Groundwater contamination associated with burial activities, site geology and historic mining activities;
- l) Impacts on aquatic species and ecological values associated with the nearby Hawkesbury-Nepean River;
- m) Historical vegetation clearing on the site and the environmental history of the land;

Public Health and Pollution

- n) Air quality, dust, silica emissions and public health impacts associated with the construction and operation of the development, including the crematorium facility;
- o) Effluent disposal and wastewater management associated with the development, including potential impacts on groundwater quality, surrounding waterways and the local environment;

Construction and Operational Amenity

- p) Traffic impacts during construction and acoustic impacts associated with the construction and ongoing operation of the development;

Bush Fire and Emergency Management

- q) Bush fire risk, evacuation procedures and the capacity of the local road network to accommodate emergency evacuations;

Scale and Character

- r) The scale and nature of the development is not considered compatible with the rural character of the area;
- s) The provision of additional burial space should not come at the expense of appropriate planning outcomes;
- t) Additional landscape screening should be considered along site boundaries;

Assessment and Compliance

- u) Council's ability to monitor and enforce compliance with any future conditions of consent; and
- v) Reliance on specialist technical reports and whether potential environmental, geotechnical, and groundwater impacts have not been adequately assessed.