

AMENDED APPLICATION (September 2015)

STATEMENT OF ENVIRONMENTAL EFFECTS

**THAT ACCOMPANIES A DEVELOPMENT APPLICATION
FOR A CEMETERY & ASSOCIATED SERVICE HALL WITH
ACCESS ROADS,
CAR PARKING AND TOILETS WITH SHELTERS
At**

247 Highland Way, Marulan



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INTRODUCTION

This application seeks approval for a Cemetery on the property at 247 Highland Way being Lot 1 of DP 548883; Lot 150 of DP 750053 and Lot 13 of DP 700290. (Lot 13 of DP700290 also fronts the Hume Highway as No 15213). Part of the old Crown Road Reserve is now owned by the Applicant, being Lot 1 of DP 1208363. The cemetery is located on lot 13 and the access road over or on the other three lots noted above.

The subject land is zoned E3 – Environmental Management in Council's LEP 2009 and a Cemetery is a permissible use in that zone, with council's approval.

The Dictionary in Council's LEP defines a cemetery as follows:

“a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services”.

The definition includes *“an associated building for conducting memorial services”*. The purpose of the associated building is for memorial services which are carried out as part of the cemetery use. This building provides space for cemetery related activities, including space for memorial services, toilets, a small kitchen and hallways as well as a wake room and family room. There is also an “office” and rest room for a minister of religion and a reception counter. It also includes an arcade or a verandah on all sides of the building.

The deceased's Body will be prepared at a Mortuary before the body is brought to the site for the funeral.

Amenity Blocks in the Cemetery

The cemetery design includes two “amenity” blocks, essentially both toilets for males and females with a shelter/awning included. One amenity block is located just inside the cemetery (best placed to serve the Stage 1 and 2 burial areas) and the other in the centre of the cemetery. Both amenity blocks are of the same design. The reports prepared by Marten's Consulting Engineers covers the effluent disposal from the amenity or toilet blocks in the cemetery.

Provision has been made for a limited number of car parking spaces located on the road within the cemetery. This was done to cater for the hearse and some extra spaces for the elderly or disabled who would not have been able to walk or have difficulty walking from the Service Hall.

It should also be noted that the plans of the cemetery provide a 30 metre setback of the burial plots from the dam.

Building Areas

The approximate areas of the building that is a part of the cemetery that have been provided by the architect are as follows and are rounded for ease of use.

Total roof area:	actually 1177sqm, but say 1180sqm
Arcade or Verandah area:	375.8sqm, but say 380sqm
Total building area, excluding arcade:	801.2sqm, but say 800sqm
Service Hall:	464.2sqm, but say 465 sqm
Supporting Rooms:	337sqm, but say 335 sqm

Supporting rooms include the family and wake room, kitchen, toilets, hallways, Minister's office and rest room and reception area.

The various rooms are shown labelled on the architect's plans.

Attendance numbers

The typical attendance is expected to be about 60-80 people per service with a maximum attendance to be about 150 people per service. This is an average of about 100 people per service. The application proposes a maximum attendance of 300 people no more than 10 times a year.

Traffic generated by such attendance can be accommodated on the surrounding roads and intersections with the Highway as demonstrated in the traffic report prepared by Traffix which forms part of th application. Management of these numbers and the traffic associated with it also forms part of the management plan that forms part of this application.

Amount of Parking and Revised Traffic Report

The number of proposed parking spaces to be sealed will be 69 as well as 4 for the disabled. There are also 11 spaces for mini buses close to the hall. There is space for up to 84 cars to park on the grass to the west of the existing car park as well as space on the eastern side of the main access road in the unlikely event that such extra spaces will be needed.

The Water Cycle Management Study of the Hall and Access

The Water Cycle Management Study by Harris Environmental Consulting has been updated to reflect the amended access arrangements, the different car park surface, and the use by up to 300 people. In addition, and in response to some community concerns, Martens Consulting Engineers were commissioned to prepare "Additional Groundwater Assessment Information" which is included in their report.

Flora and Fauna

The Flora and Fauna report was reviewed and the requested extra information is provided in the consolidated revised report.

Emergency Access

The proposed development has emergency access available to it through the connection to the Hume Highway, with the front gate locked and only to be unlocked at the time of an emergency. In such cases, it is proposed to have a person on duty to direct the traffic south towards Goulburn.

PLANNING ASSESSMENT

SECTION 79C (1) MATTERS FOR CONSIDERATION

- 4.1 The following section addresses the Heads of Consideration under the provisions of Section 79C of the Environmental Planning & Assessment Act 1979.

(a) The provisions of any environmental planning instrument, and draft environmental planning instrument, and development control plan, and any matters prescribed by the regulation that apply to the land to which the development application relates.

State Environmental Planning Policy (Infrastructure) 2007

- 4.2 The proposed site has frontage to Hume Highway which is a classified road. Clause 101 of the SEPP is relevant.
- 4.3 Earlier in 2013 the Roads and Maritime Services (RMS) was consulted about a new centrally located direct road access from the Highway to the car park and cemetery. RMS responded to this consultation and advised (26 March 2013) that they would not support the relocation of the access point opposite Red Hills Road nor the intensification of use of the existing access in its current location.
- 4.4 The vehicular access issue is addressed in detail in the Traffic and Parking Assessment by Traffix. The existing vehicular access to from the site in Emergencies is proposed to be from the Hume Highway. The cemetery users will access the site on the new road from Highland Way and the design details for this road are submitted on the plans.
- 4.5 There will be a relatively low level of traffic generated as a result of the proposed development. No funeral processions will be permitted with burials in the cemetery. Bodies arrive prior to the funeral service. Car occupancy rates have been assessed using the conservative number of 2-3 persons per vehicle. It is estimated that traffic generated by the proposed development per hour (before and after the burial) will be a maximum of between 28 and 33 vehicles.
- 4.6 The Traffix report concludes that the additional traffic volume generated by the proposed development does not present any unsatisfactory traffic safety or capacity issues on the surrounding road network except at times of high flows south on the Hume Highway.
- 4.7 Further, development generating 50 or more car parking spaces will be referred to RMS under clause 104 of the SEPP. This referral will form part of the DA process by Council and the proposed parking is addressed in the Traffix report.

- 4.8 It is considered that the proposed development as modified and constrained on Sundays does not compromise the operation or function of the Hume Highway and meets the objectives and requirements of the SEPP.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

- 4.9 The SEPP aims to provide for healthy water catchments that will deliver high quality water while permitting compatible development. The SEPP states that development consent cannot be granted unless it has been demonstrated that there will be a neutral or beneficial effect on water quality. Harris Environmental Consulting was commissioned to address the water cycle management of the proposed Hall and access and Martens for the burial area with the roadways etc
- 4.10 The Harris Environmental Consulting report and Martens Consulting Engineers report conclude that the design of the proposed access arrangements, associated building and cemetery development will have a neutral or beneficial effect on water quality and therefore meets the objectives and requirements of the SEPP.

Goulburn Mulwaree Local Environmental Plan 2009 (LEP)

Zoning

- 4.11 The northern part of the whole property is zoned RU2 – Rural Landscape and the southern part of the property is zoned E3 – Environmental Management under the Goulburn Mulwaree LEP 2009.
- 4.12 The proposed cemetery with the associated building, car park and access road are within the E3 - Environmental Management zone. Cemeteries and roads are permissible with consent in the zone. The use of the associated building will be for memorial services and administration associated with the cemetery use and is therefore permissible in the zone.

Vegetation

- 4.13 The objective of clause 5.9 - Preservation of trees or vegetation is to conserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation. Laterals Environmental was commissioned to prepare a Flora and Fauna Assessment of the site. The proposed development is located in an area of open pasture. Woody plants are infrequent and include a *Pinus radiata* (Radiata Pine) and *Acacia decurrens* (Wattle). About two thirds of the property includes established and dense vegetation which is unaffected by the proposed development. A minor amount of vegetation trimming and clearing will be necessary as a result of the provision of the vehicular access on the site but this is not considered to have a significant environmental impact. Use of the existing track line is positive because there will be minimal additional vegetation clearing required.
- 4.14 The proposed development is considered to meet the objectives and provisions of Clause 5.9.

Flora and Fauna

- 4.15 There were no threatened flora or fauna species observed or found to potentially occur or potentially visit the site or property. There were no protected migratory species recorded on the property. Further there were no endangered ecological

communities listed under any relevant NSW legislation found on the property. The flora and fauna report by Laterals Environmental concludes that the area is of limited habitat value and the proposed development will not significantly alter the habitat availability or fauna populations in the area.

Other Affectations

- 4.16 The site or property is not affected by a heritage or conservation area listing or flooding, terrestrial biodiversity or mineral resources mapping.

Conclusion re the LEP

- 4.17 The proposed development is considered to meet the objectives and provisions of the LEP.

Goulburn Mulwaree Development Control Plan 2009 (DCP sections referred to in brackets)

Archaeology

- 4.18 The indigenous and archaeological issues have been addressed in relation to the proposed development (DCP section 3.2). In their assessment Kayandel Archaeological Services stated that the site “has undergone significant amounts of disturbance in the form of vegetation clearance and ground surface disturbance in the past”. Surveys on the site resulted in 4 “isolated finds”. Harm has been avoided to the known Aboriginal sites by amendments in the design to ensure a 20 metre buffer is implemented in respect of each of the sites.
- 4.19 The assessment determined that an Aboriginal Heritage Impact Permit (AHIP) prescribed under s.90A of the National Parks & Wildlife Act 1974 will be required for the proposed development if it is approved to proceed.
- 4.20 As a result of the requirement for an AHIP a process of consultation with Aboriginal stakeholders will be required to be undertaken in accordance with the specifications of Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010a). It was necessary to prepare a Cultural Heritage Assessment Report (CHAR) to the specifications of OEH 2011 and this Report accompanies the application.
- 4.21 The assessment made the following 8 recommendations:
- 1. The majority of the proposed works are able to proceed with caution. These works are those that are in excess of 100m from identified Aboriginal Objects (See Figure 4). If Aboriginal objects are identified whilst works are occurring, works must cease, and OEH must be notified. If human remains are located, works must cease, the site be secured and the NSW Police and OEH must be notified;*
 - 2. An Aboriginal Heritage Impact Permit (AHIP) will be required from the Office of Environment and Heritage in relation to the proposed works in the vicinity of the Aboriginal Sites of MC-IF-001, MC-IF-002 and MC-IF-003;*
 - 3. No works are currently proposed that will affect MC-IF-004, to avoid inadvertent use of the track in its vicinity it is proposed to install a barricade across the entire width of the cadastre road at the edge of works for the access track (See Figure 4);*
 - 4. As a result of Recommendation 2, a process of consultation with Aboriginal stakeholders will be required to be undertaken in accordance with the*

specifications of Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010a);

5. *As a result of Recommendation 4, it will be necessary to prepare a Cultural Heritage Assessment Report (CHAR) to the specifications of OEH 2011.*
6. *Should the design and/or extent of the proposed development be altered, further archaeological assessment may be required;*
7. *The location of the Aboriginal sites (including a protective buffer area of 50m) identified in this study should be included on all plans and noted as areas in which no activity should occur.*
8. *The proponent should advise all relevant personnel and contractors involved in the design and construction of the project of the relevant legislative requirements, and recommendations of this assessment in relation to Aboriginal heritage management requirements.*

Car Parking

- 4.21 The relevant car parking rate requirement is 1 space per 10 sq. m of a “place of public assembly” floor area. The proposed associated building has an area of 467 sqm. The proposed development provides a total of 69 car spaces, plus 4 for persons with a disability. In addition there will be an area for overflow car parking catering for a further 84 vehicles on a grassed area. i.e. a total of 157 spaces for cars plus 11 for mini buses.
- 4.22 Where it is proposed to use mini buses space has been allocated in the proposed parking area for this purpose. This will reduce the demand for car parking spaces on the site. Detailed engineering design plans will be prepared in accordance with AS2890.1:2004 prior to the application for a Construction Certificate subject to Council approval.
- 4.23 The proposed development complies with Council’s car parking requirements (DCP section 3.4).

Water Cycle Management

- 4.22 There is a proposed water cycle management plan for the proposed development. It concludes that the proposed development will have a neutral or beneficial effect on water quality (DCP section 3.15) by incorporating the following stormwater management measures:

Building, car park and south draining section of access driveway

- 100kL rainwater tank for drinking water, indoor re-use for toilet flushing and outdoor re-use to water gardens and lawns; and
- A 300sqm (300 cu.m permanent capacity) pond to treat runoff from the southern draining section of access driveway, runoff from the car park and overflow from the rainwater tank.

North draining section of access driveway

- Grass buffer off the shoulder road, at least 0.5 metre wide;
- 60 sq.m grass swale; and
- 2x 200sqm ponds (200 cu.m permanent capacity)

Water and Soil Management

- 4.23 The appropriate soil and water management works have been designed for the construction phase of the proposed burial area, hall and parking area development.

Conclusion in regard to the DCP

- 4.24 The proposed development is considered to meet the objectives and requirements of the DCP.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Existing Dwellings

- 4.24 There are no dwellings in the vicinity of the proposed development except the existing houses on the site that will be renovated and occupied by a resident, resident caretaker and staff. The caretaker and staff will manage the use of and provide security for the site. The caretakers dwelling is located approximately 500 metres south of the edge of the proposed cemetery. It will continue to use its existing groundwater bore for water and a septic tank and absorption trench for sewer. The dwelling and shed on 247 Highland Way will continue to be used as a residential premises.
- 4.25 The existing internal access driveway which runs past the caretaker's house and up the ridge past the site of the proposed car park will be upgraded for emergency use. The electricity supply, water supply and sewerage disposal facilities for the houses will be retained.

Visual Amenity

- 4.26 The area where development is proposed is framed by existing substantial vegetation. It is not visible from surrounding vantage points. It's setting will provide amenity to visiting mourners including visual enclosure, and privacy. The proposed development is approximately 300 metres from the Hume Highway. Vehicles are travelling at around 110kph on a relatively straight section of the Highway and will not be able to see the burial ground. There are no significant impacts on surrounding rural land uses as a result of the proposed development.

On Site Waste Water and Waste Management

- 4.27 On site wastewater and waste management for the proposed associated building is addressed in a consultant's report. The report is by Harris Environmental Consulting. The wastewater treatment system will require capacity to treat 3500L/day. The peak wastewater load is expected once a week (estimated to be 1800L/week) and possibly once a fortnight depending on the frequency of funerals. A 10000 L balancing tank will be installed to hold at least twice the anticipated daily flow. The tank will have flow regulating means so that the maximum amount of wastewater to be discharged is 257L/day. A 33 sq m soil absorption bed is also proposed.

- 4.28 There are no plans to irrigate or re-use the effluent for any other purpose. The four domestic groundwater bores on adjoining land are in excess of 100 metres from the proposed Effluent Management Area.
- 4.29 The proposed on site waste, wastewater and effluent disposal system for the Hall has been designed in accordance with agency and Council requirements, and best practice in on-site waste design principles and procedures.

Weed Management

- 4.30 Laterals Environmental has designed a Weed Management Plan to reduce the weed management risk associated with the change of use of the site and property. The site and property is relatively free of weeds as it has a good coverage of desirable grasses. The previous use of grazing is likely to be less frequent and vegetation will have to be actively managed through mowing and slashing of grasses. This change in vegetation management may result in invasive weed species becoming more prolific on the site. The Plan outlines a number of measures that will enable weeds to be removed or treated before they become a problem. These measures will significantly reduce the cost of weed management and the damage they will have on the environment as well as nearby agricultural operations.

Bushfire Risk

- 4.31 Harris Environmental was commissioned to undertake a Bush Fire Assessment. The property is identified as bushfire prone land. The assessment considers the service hall and the internal access road. The associated building is potentially affected by bush fire hazard consisting of woodland to the north, south and east. It needs to be located a minimum of 29 metres from any vegetation to the north and south and 24 metres from vegetation to the east to retain a BAL-19 construction standard. The final location and dimensions of the service hall will be determined by the distance from vegetation to meet Fire Safety standards.
- 4.32 There is an existing static water supply and electricity supply on the site. There is no gas supply on the site.
- 4.33 The electricity supply from the existing house will be extended to the proposed service hall without affecting any vegetation.
- 4.34 The assessment concludes that the proposed building and access driveway from Highland Way can be located and constructed to meet the required bush fire protection measures.

Conclusion

- 4.35 The environmental impacts of the proposed development have been minimised with water, effluent disposal, archaeological, bushfire and vegetation issues being addressed in the supporting specialist consultant reports. Safety risk issues for Hume Highway users, visitors and the resident caretaker have been considered in this SEE. Ongoing management of the site will ensure that there is no negative environmental impact within the site or on surrounding properties.

(c) The suitability of the site for the development

- 4.36 The site is well suited to the proposed use because it is in a scenic location in a private rural setting. It is on relatively level land and it is suitable for the required on site waste water treatment and effluent disposal. With the proposed low traffic volumes it has no significant impact on the surrounding road network or rural land uses.
- 4.37 There are no significant environmental constraints to the proposed development on the site.

(d) Any submissions made in accordance with the Act or Regulations

- 4.38 In March 2013 the Roads and Maritime Services (RMS) were consulted with the proposal using a new road access directly from the Hume Highway. Based on preliminary information on the scale of the proposal, RMS advised (26 March 2013) that they would not support the relocation of the access point opposite Red Hills Road nor the intensification of use of the existing access in its current location.
- 4.39 Since that time the RMS has been given more detailed information on the low traffic generation resulting from the proposed development i.e. 28-33 vehicles per hour once or twice per month. Further, the proposed vehicular access now entails the provision of a new access private road from Highland Way. This has been discussed earlier in this SEE.
- 4.40 It is considered that a suitable driveway access together with a traffic management plan for burial services has been presented in this SEE.
- 4.41 The RMS will be formally consulted as part of the development application process.
- 4.42 If any further submissions are received during the public exhibition period they will be addressed as part of the development application process.

(e) The public interest

- 4.43 The capacity of the existing burial grounds in Sydney is very limited and a new cemetery is required (see submission from cemetery association which forms part of the application). The proposed development would provide for this essential and important need. It would also be open to all persons of all faiths who wish to use the facility.
- 4.44 This SEE has found that the proposed development can be catered for on the site without affecting the social and economic and environmental quality of its surrounds. The proposed development is compatible with surrounding land uses.
- 4.45 It is considered to be in the public interest.

5. CONCLUSION

- 5.1 The proposed development is for a cemetery with the provision of an access road from Highland Way with an associated car park and building. This SEE has determined that the proposed development is permissible under the E3 Environmental Management zone and meets the broader and zone specific objectives of the Goulburn Mulwaree LEP 2009. In particular, it has minimised the risks due to environmental hazards and risks to important environmental elements in the local government area of Goulburn Mulwaree, particularly in relation to vegetation and water quality.
- 5.2 The proposed development also complies with the requirements of the Goulburn Mulwaree DCP 2009.
- 5.3 The proposed development is considered to be satisfactory when assessed against the considerations under s.79 (c) of the Environmental Planning and Assessment Act 1979. It has considerable merit and is worthy of Council's approval.