



Submission on proposal to identify large scale cemeteries as State Significant Development (SSD)

November 2021



Introduction

Blacktown City Council welcomes the opportunity to provide a submission on the proposed amendment to the State and Regional Development SEPP to identify large scale (20,000 or more grave plots) as State Significant Development (SSD).

Our submission responds to the Explanation of Intended Effects (EIE), released for comment by the Department of Planning, Industry and Environment (DPIE) on 12 October 2021.

As identified throughout the EIE, there is a short-fall in cemetery space within the Greater Sydney Region. This has been well known for some time and Council is pleased to see that actions are being taken by the State Government to facilitate delivery of cemeteries to meet these long-term future needs.

Background

Blacktown City is in the north-west of Greater Sydney and home to people in well-established and greenfield suburbs. It is one of the fastest growing cities in Australia, and within 10 years it will be home to more than 500,000 people. Consistent with our Community Strategic Plan (Our Blacktown 2036), Blacktown City Council wants to provide the people who live and work here with more opportunities, better services and the right mix of community and cultural facilities. Part of this mix is the delivery of cemetery services, facilities and associated infrastructure.

Council has worked extensively with State agencies and the community over many years on the delivery of an expanded St Bartholomew's Cemetery in Prospect. The 7 hectare expansion will provide options for remembrance whilst preserving the significant heritage site and is identified in Council's adopted Local Strategic Planning Statement as a short-term, transformational project.

Should interested parties have any questions in relation to Council's submission, initial enquiries should be forwarded to our Chief Property Officer, Mr Jey Mahendra on [REDACTED] or via email to [REDACTED].

Summary of key comments and recommendations

Issue	BCC recommendation
<p>1. Need for a strategic plan for cemeteries and consistent advice from the NSW Government, to assist in maximising the use of cemetery land for cemetery purposes.</p>	<p>The NSW Government to:</p> <ul style="list-style-type: none"> • prepare a strategic plan for cemeteries that builds on statements regarding the importance of cemeteries in its Sydney Metropolitan and District Plans • step in to resolve competing opinions between its own agencies, at the planning proposal and development application stage for new cemeteries.
<p>2. Greater co-ordination of government advice at the development application stage will assist councils in determining development applications for cemeteries of any size.</p>	<p>The NSW Government to better support councils in determining development applications for cemeteries in cases where those applications are 'integrated development' and result advice from NSW agencies that conflicts with each other and with the need to provide more cemetery space. The NSW Government can support councils by resolving those inter-agency conflicts in a timely manner.</p>
<p>3. Clear direction is needed regarding the use of flood prone land for cemetery purposes.</p>	<p>The NSW Government to examine the potential for flood prone land to be used for cemetery purposes and to provide related directions or a strategy.</p> <p>If it is found that flood prone land could be used for cemetery purposes, the NSW Government is to support a public awareness campaign that addresses concerns around matters such as drainage and health issues arising from decaying bodies during heavy rain events and floods.</p>

1. A strategic plan for future cemetery space is required

The NSW Government acknowledges in its *Sydney Region Plan - A Metropolis of Three Cities* (March 2018) that:

'Cemeteries and crematoria are key social infrastructure that also need to be accessible geographically and economically, and reflective of a diversity of cultures and backgrounds. A growing Greater Sydney requires additional land for burials and cremations with associated facilities such as reception space and car parking.'

This is supported by *'Strategy 6.2 – Optimise the use of available public land for social infrastructure'* which references the Metropolitan Sydney Cemetery Capacity Report (Cemeteries and Crematoria NSW, 2017).

The above observations regarding cemeteries and crematoria are echoed in the *Our Greater Sydney 2056 – Central City District Plan* (March 2018).

These strategic statements have been ineffective

Our experience has been that, despite these strategic statements and the well documented shortage of burial space in the Sydney Metropolitan Region, the NSW Government has struggled to address competing issues relating to the recent planning proposal to rezone 8.5 hectares of land for cemetery purposes, adjoining an existing cemetery at St Bartholomew's. Due to the insistence by NSW Environment Energy and Science (EES) to zone 1.5 hectares of isolated and poor-quality Cumberland Plain Woodland as E2 Environmental Conservation, Council decided to extract 1.5 hectares from the planning proposal. This decision came after months of negotiating with DPIE and EES.

The result has been that 1.5 hectares of potential cemetery land (and estimated 3,000 burial plots), in a relatively non-controversial location (i.e. next to an existing cemetery, cut off from adjoining development by the M4 Motorway and Great Western Highway) has been lost.

We have also encountered heritage advice that has hampered the timely progression of a master plan DA proposal for the cemetery expansion. The heritage values of the locality have been top-of-mind throughout the design development process and are key to the character and ongoing use of the cemetery for cemetery purposes. Yet differing personal opinions within State government agencies has resulted in significant delay, cost and downward revision of cemetery capacity as a result.

Summary of conflicting issues regarding St Bartholomew's Cemetery expansion

The conflicting issues we have encountered are summarised as follows:



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- the NSW Government transferred 7 hectares of former regional open space land to Council, for the expansion of St Bartholomew's Cemetery (with a further 1 hectare in the now excluded CPW area, intended for future transfer)
- the EES insisted on 1.5 hectares of isolated and poor-quality Cumberland Plain Woodland being conserved and excluded from cemetery use
- Heritage NSW insists on maintaining views between the State heritage listed St Bartholomew's Church and Cemetery and Old Prospect Post Office, which have since been blocked by trees
- Heritage NSW insists on maintaining a 'rural feel' along the former alignment of the Old Great Western Highway (which is now surrounded or directly impacted by an urban fabric) which will further reduce the number of burial plots and/or supporting infrastructure.

A strategic plan for cemeteries is required

A strategic plan is required to provide greater certainty for future cemetery space, and to support the more timely determination of rezoning and development proposals for cemeteries, by:

- identifying locations for cemeteries
- addressing how potential competing issues (e.g. biodiversity, flooding, heritage, adjoining uses) could co-exist with a cemetery use
- promoting the potential dual-use of cemeteries for recreation purposes.

2. Greater co-ordination of government advice at the development application stage will assist in the timely delivery of cemetery space

The proposed designation of large scale (20,000 plots or more) cemetery proposals as State Significant Development (SSD) is a positive step in elevating the importance of such infrastructure. However, it is unclear how this threshold was determined and it undervalues the cumulative contribution that smaller cemeteries make to the broader catchment and to local communities.

The *11th hour - Solving Sydney's Cemetery Crisis* report identifies that the one large cemetery approved in recent years would only provide 10 years capacity, and that:

'land for new cemeteries needs to be acquired immediately to meet this projected demand, especially given the current protracted and uncertain planning approvals process for cemeteries'.

The need for the NSW Government's support for cemeteries all sizes is immediate, especially within the Greater Sydney Region. We believe that local councils, with their in-depth knowledge of local issues, are well placed to process development applications for any size cemetery. Where issues and delays can occur is when an application is 'integrated development' and needs to be referred to State government agencies and those agencies identify requirements that are at odds with:

- the need to provide much needed cemetery space
- another agency's requirements.

This is where the NSW Government can provide practical assistance by ensuring that advice by its agencies is co-ordinated and thereby ensure that cemeteries are delivered equitably, effectively and efficiently.

3. Clear direction is needed regarding the use of flood prone land for cemetery purposes

There are large areas of flood prone land in the Blacktown LGA and broader Western Sydney Region, with limited land use options. The potential exists for this land to be used for cemetery purposes. However, there is much uncertainty around the suitability of flood prone land for cemetery uses. A thorough examination of this potential use of flood prone land by the NSW Government and related directions would be welcomed.

If it is found that flood prone land could be used for cemetery purposes, it must be accompanied by a public awareness campaign that addresses concerns around matters such as drainage and health issues arising from decaying bodies during heavy rain events and floods.