

30 November 2021

Department of Planning, Industry & Environment
Locked Bag 5022
Parramatta NSW 2124

Attn: Ben Lusher - Director Systems and Productivity Policy Planning & Assessment

**Re: Submission to Proposed Amendment to SEPP (State and Regional Development) 2011
Large Scale Cemeteries as State Significant Development**

Dear Ben,

The Office of OneCrown Cemeteries NSW (OneCrown) is responsible for, the day to day operation of 4 existing metropolitan Crown cemeteries and acquiring and developing new cemeteries, to ensure cemetery space is accessible and affordable for everyone.

OneCrown's submission to the exhibited Explanation of Intended Effect (EIE) which proposes to include large scale cemeteries as State Significant Development, through an amendment to the SEPP (State and Regional Development) 2011 (SRD SEPP) is outlined below.

OneCrown is supportive of the move to identify cemeteries as State Significant Development (SSD) noting that this is consistent with Recommendation 7.17 of The11th Hour Report – Solving Sydney's Cemetery Crisis.

This recommendation reads as follows:

“Cemeteries and crematoria be recognised as State Significant Developments, reflecting their status as key social infrastructure, in the State Environmental Planning Policy (SEPP) framework.

The Government to consider two options for delivering SSD status:

Site specific - State Environmental Planning Policy (State and Regional Development) 2011 (Schedule 2 – specific site), sufficiently sized and located cemetery and crematorium precinct(s) within a defined geography of Sydney.

General – State Environmental Planning Policy (State and Regional Development) 2011 (Schedule 1 – General), a state-wide provision for a cemetery or crematorium over a specified size (investment value or capacity).”

The current threshold proposed at 20,000 burial plots will capture larger scale cemetery proposals which will be of limited benefit to alleviating the immediate shortage of accessible cemetery land facing the metropolitan crown sector. This change, as currently proposed, will essentially capture very few, if any, proposals in the metropolitan crown cemetery sector over the next ten (10) years.

This scale of proposal requires longer term strategic planning and significant financial commitment before being development ready. Furthermore, given the limited permissibility of cemeteries within the planning framework generally, the scale of such a proposal will more than likely require a Planning Proposal.

As the EIE and The 11th Hour Report referenced, there is currently an acute shortage of burial space within the Sydney Metropolitan Area, with particular geographical areas being at a critical point. This means that there is an immediate need to provide additional burial plots through smaller scale proposals – often within established areas. OneCrown currently has three (3) proposals under consideration for burial plots between 2,000 to 7,000 plots – which would not fall within the threshold proposed, yet would provide vital supply to the existing acute shortage. These projects have an indicative capital investment value (CIV) of between \$15 million to \$50 million.

As currently proposed, the approval pathways for cemeteries are:

- Development at or under \$5 million (Crown) – Local Council (LPP in Metropolitan areas) or exempt/complying development;
- Development over \$5 million (Crown) – Regional Planning Panel (schedule 7, clause 4 Crown Development over \$5 million);
- Development at or below \$30 million (private operator) - Local Council (LPP in Metropolitan areas);
- Development over \$30 million (private operator) – Regional Planning Panel;
- Development at or more than 20,000 burial plots (any operator) – Minister or (IPC) – (SSD).

These differing determining authorities and different thresholds for different applicants is problematic.

While the limitation of using CIV as a threshold is acknowledged, it is noted that social infrastructure such as schools are categorised as SSD via CIV– for alterations and additions to an existing school, (CIV of \$20 million). Any new school irrespective of CIV or size is SSD. Hospitals, as another example, are SSD at a \$30 million CIV threshold. It is important to note that, unlike schools and hospitals, cemeteries do not require the same level of above ground built infrastructure, and accordingly do not require the same level of capital investment to deliver.

To ensure a coordinated approach to this important sector of social infrastructure, a consistent approvals framework is critical, particularly in order to address the contextual and locational complexities of these types of proposals. For this reason OneCrown’s position is that any new, and alterations and additions to existing cemeteries should be considered under the SSD Approval Pathway.

Given the complexity of the problem, it is OneCrown’s position that adopting burial plots as a threshold will not address the issues surrounding the assessment and determination of cemetery applications in the short to medium term.

It is OneCrown’s submission that cemeteries should be considered similar to the criteria adopted for schools – but with a lower CIV threshold.

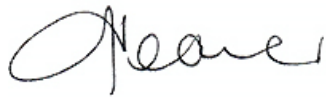
The threshold for cemeteries as SSD should be as follows:

- Development for the purpose of a new cemetery (regardless of capital investment value);
- Development that has a capital investment value of more than \$5 million for the purpose of alterations and additions to an existing cemetery.

This approach will ensure that the complexity of the applications are assessed in a consistent way with one approval authority (not multiple) to ensure that this vital infrastructure is both planned for and delivered in the short to medium term.

We would appreciate the opportunity to discuss our position. Should you wish to discuss any aspect of this submission, please do not hesitate to contact me direct on [REDACTED] or by email at [REDACTED]

Yours sincerely,



Lee Shearer APM
Administrator
Office of OneCrown

Cc: Tarek Barakat
Executive Director – Cemeteries Review Taskforce