

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2015SYE027
DA Number	LDA2015/0045
Local Government Area	City of Ryde
Street Address	12 Delhi Road, Macquarie Park (Macquarie Park Cemetery & Crematorium)
Proposed Development	<p>The application seeks approval for redevelopment works at the Macquarie Park Cemetery. Development consent is sought for the following works at Macquarie Park Cemetery:</p> <ul style="list-style-type: none"> i. Demolition of minor structures and outbuildings. ii. Construct a new function centre. iii. Alterations to existing administration centre. iv. Construct a new chapel. v. Construct a new pavilion. vi. Construct a new memorial garden. vii. Provision of additional 81 additional car parking spaces.
Applicant/ Owner	<p>Northern Metropolitan Cemeteries Trust</p> <p>The State Of New South Wales (Crown Land)</p>
Number of Submissions	None
Regional Development Criteria (Schedule 4A of the Act)	Crown development that has a capital investment value of more than \$5 million. The application is a Crown Development with the CIV for the project being \$14,135,827.00.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy No. 55 – Remediation of Land; • State Environmental Planning Policy (Infrastructure) 2007; • Deemed SEPP – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; • Planning for Bushfire Protection 2006; • Ryde Local Environmental Plan 2014; • Ryde Development Control Plan 2014.
List of documents attached to this report	<p>Attachment 1 – Recommended Conditions of Consent;</p> <p>Attachment 2 – Correspondence from applicant confirming acceptance of the proposed conditions.</p>

Recommendation	Approval subject to conditions
Report by	Sanju Reddy – Senior Town Planner
Report date	5 August 2015

Assessment Report and Recommendation

1. EXECUTIVE SUMMARY

The following report is an assessment of a development application for the demolition of structures and construction of a chapel, pavilion, administration building, function centre and a memorial garden. The development proposes new gross floor area of 1,718m² in addition to major landscaping work and provision of at grade parking spaces for 81 cars.

The site is zoned SP1 (Special Activities - Cemetery). The site does not have any height or FSR restrictions under the Local Environmental Plan 2014. The development generally complies with the applicable planning controls.

The development application was publicly exhibited between 18 February 2015 and 20 March 2015. During this time, no submissions were received in respect of the proposed development.

As the application constitutes a Crown development (within the meaning of Division 4 of Part 4 of the EP& A Act) and the capital investment value exceeds \$5 million, the consent authority for the purposes of determining the subject application is the Sydney East Region Joint Regional Planning Panel in accordance with Schedule 4A of the Environmental Planning & Assessment Act 1979 (as amended).

The development application is recommended for approval subject to appropriate conditions provided in **Attachment 1** of this report. Written approval of the applicant has been obtained with respect to the proposed conditions consistent with Clause 89(1)(b) of the Ep& A Act.

2. APPLICATION DETAILS

Name of applicant: Northern Metropolitan Cemeteries Trust.

Owner of site: The State Of New South Wales (Crown Land).

Estimated value of works: \$14,135,827.00

Disclosures: No disclosures with respect to the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 have been made by any persons.

3. SITE DESCRIPTION

The site is known as 12 Delhi Road, Macquarie Park and the legal description of the land is Lot 141 1148835. The site area is 57.22 hectares. The site is located on the northern side of Delhi Road and adjoins the M2.

The site fronts onto Delhi Road (frontage of 390m) and Plassey Road (frontage of 400m). The site is located within a close proximity of the North Ryde Urban Activation Precinct and the North Ryde Railway Station.

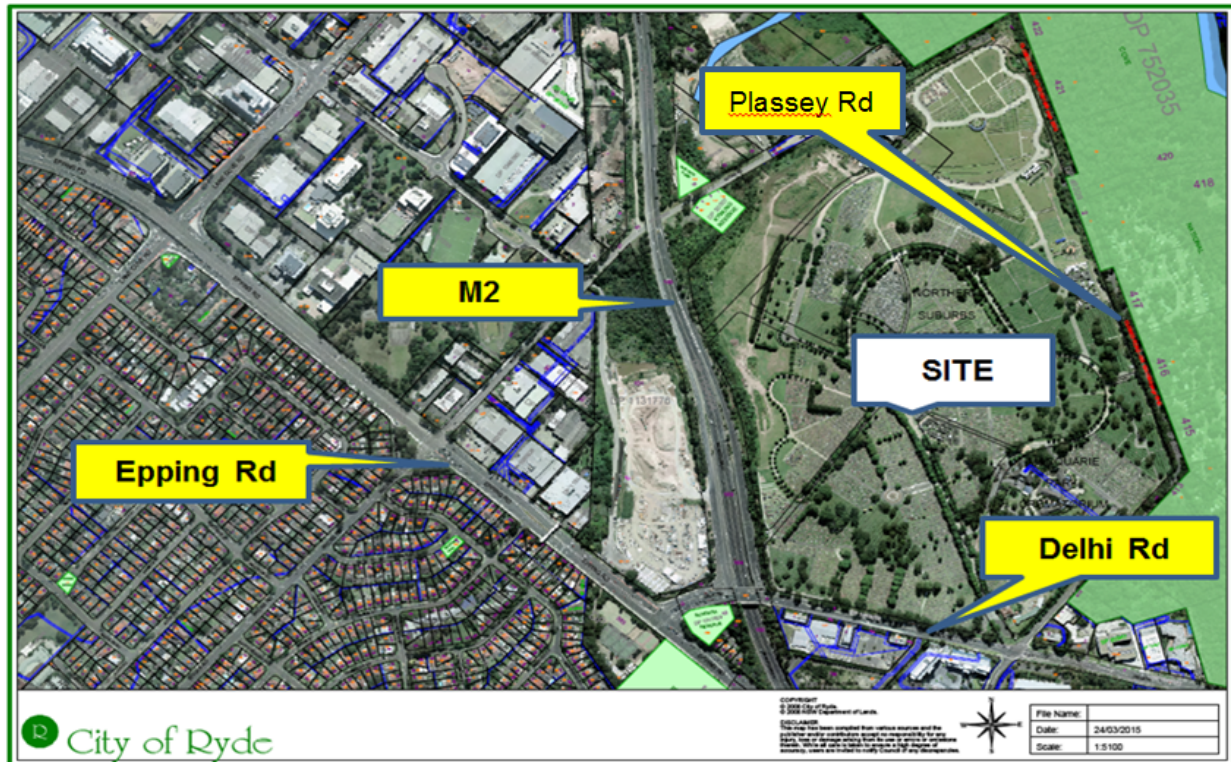


Figure 1: Location Plan

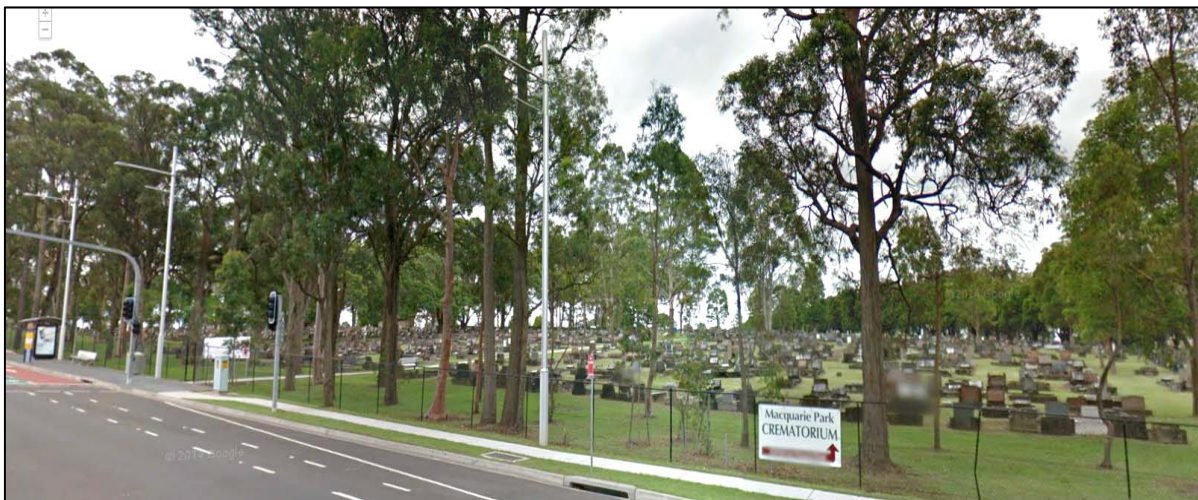


Figure 2: The above photo shows the street view of the site from Delhi Road frontage. (Source: Google Streetview) (Note: vehicular access is from adjacent Plassey Road shown in the photo below).



**Figure 3: The above photo shows the street view and access to the site from Plassey Road
(Source: Google Streetview)**

4. SITE DETAILS

Total site area:	57.22 ha.
Frontage to Delhi Road:	390 metres.
Frontage to Plassey Road:	400 metres.

5. PROPOSAL

Development Consent is sought for redevelopment works on the site involving demolition of structures, alteration and additions to existing administration building on the site and erection of new function centre, chapel and pavilion. The works will result in a net increase in gross floor area by 1,718m². The resulting total gross floor area of all development on the site will be 4,000m².

The construction details include the following works:

- i) Demolition of part of the existing administration building, minor structures and outbuildings;
- ii) Construct a new function centre comprising total floor area of 1,225m²;
- iii) Alterations to the existing administration centre resulting in an additional gross floor area of 153m² (existing is 750m²);
- iv) Construct a new chapel measuring 225m² gross floor area;
- v) Construct a new pavilion with gross floor area of 115m²;
- vi) Construct a new memorial garden;
- vii) Provision of additional 81 car parking spaces;
- viii) Landscaping and drainage works.

The site layout and location of the proposed buildings are shown on the site plan in Figure 4 below.

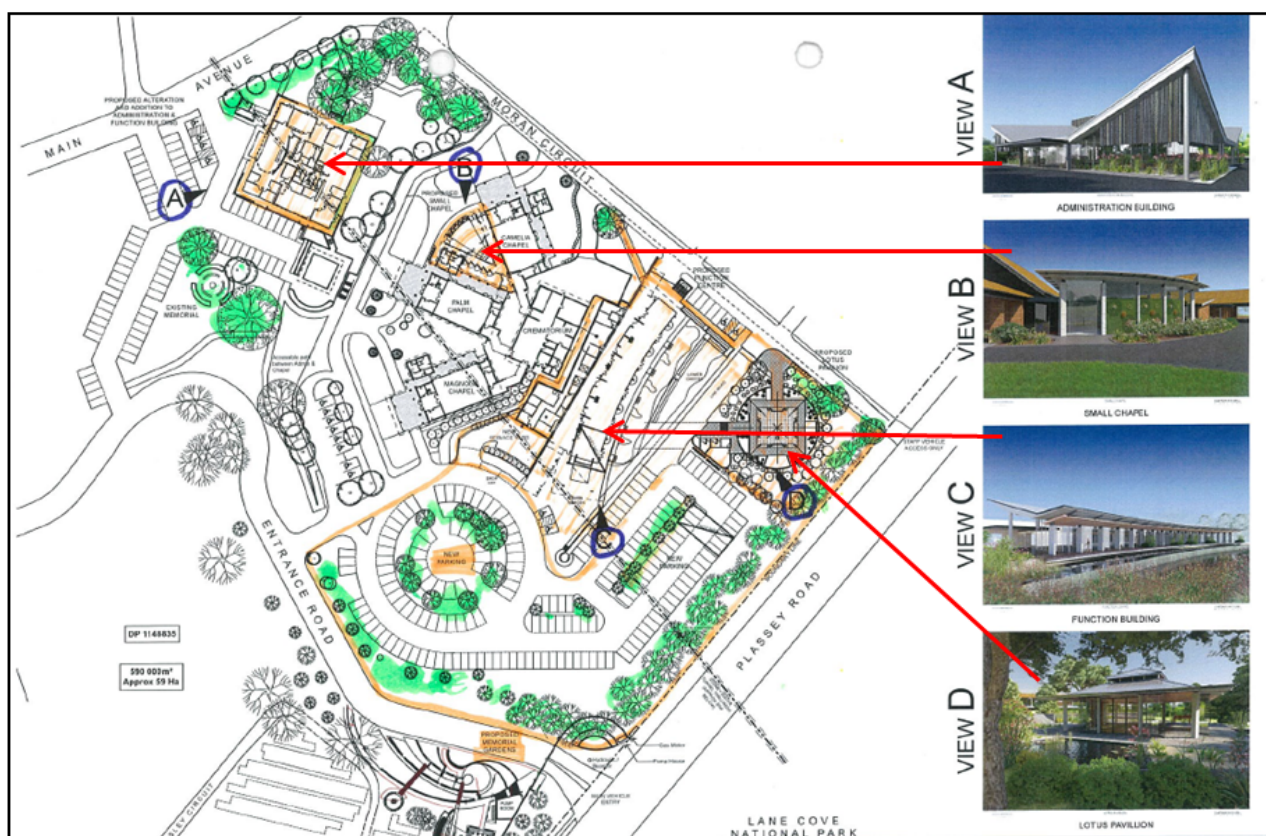


Figure 4: Site Plan

6. BACKGROUND

- The DA was submitted to Council on 2 February 2015;
- On 27 February 2015 a letter was sent to the applicant seeking a traffic report for the proposed development;
- On 2 April 2015 a second letter was sent to the applicant seeking additional information;
- On 9 April 2015 a briefing was presented to the JRPP;
- On 13 April 2015, the Rural Fire Services sent a letter to Council raising concerns in relation to proximity of the proposed pavilion to the adjoining bushland;
- On 13 April 2015, the applicant was asked to provide information as requested by the RFS;
- On 27 May 2015, the applicant provided amended details including a new Bushfire Report which was forwarded to the RFS by the applicant. Amended plans were forwarded to the RFS by Council;
- On 17 June 2015, the RFS advised that they required Council to forward all the above information and evacuation plan to the RFS;
- On 18 June 2015, the above information was sent again to the RFS;
- On 10 July 2015, the RFS provided their final approval and a 'Bushfire Safety Authority'.

7. APPLICABLE PLANNING CONTROLS

The following planning policies and controls are of relevance to the development:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- Deemed SEPP – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Planning for Bushfire Protection 2006;
- Ryde Local Environmental Plan 2014;
- Ryde Development Control Plan 2014.

8. PLANNING ASSESSMENT

8.1 State Environmental Planning Policy No 55 – Remediation of Land

The requirements of State Planning Policy No. 55 – Remediation of Land apply to the subject site. In accordance with Clause 7 of SEPP 55, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The application was reviewed by Council's Environmental Health Officer (EHO) in relation to this matter. The following advice was received:

The site has been dedicated as a cemetery since 1902. Prior to this, the site was uncleared bushland. One portion of the existing site is a workshop area which has an onsite septic tank and disposal area. The site of the existing mason's workshop is proposed to be a landscaped garden area and pavilion.

A preliminary site investigation report has been prepared by EIS Pty Ltd (Document No. E27997 dated 5 February 2015).

The report identified the following areas of potential environmental concern:

- potential importation of uncontrolled fill that may contain various contaminants;
- potential asbestos-based building materials.

The report indicates that the risk of contamination is low. However, a detailed site investigation is required to confirm the presence and extent of contamination and to determine the suitability of the site for the proposed use.

Relevant conditions have been recommended to ensure that this occurs (see Condition 28 - 33).

8.2 State Environmental Planning Policy (Infrastructure) 2007

This policy identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and provides for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

The Infrastructure SEPP applies to the proposed development due to the location of the site within 90m of a classified road and the traffic generation capability. The applicable clauses under the Infrastructure SEPP are as follows:

Infrastructure SEPP	Comments	Comply
Clause 104 Traffic generating development Before determining this DA the Consent Authority must: <ul style="list-style-type: none"> Take into consideration any submission that the RMS provides in response to that notice within 21 days after the notice was given (unless before the 21 days have passes, the RMS advises that it will not be making a submission), and Take into consideration any potential traffic safety, road congestion or parking implications of the development. 	<p>The development proposal was forwarded to the Roads and Maritime Services (RMS) for comments. RMS has raised no objection to the proposed development.</p> <p>The issues of potential traffic safety, road congestion and parking implications have been considered elsewhere in the report and are considered satisfactory.</p>	<p>Yes</p> <p>Yes</p>

The comments and conditions recommended by the RMS is included in the recommended conditions (See Conditions 8 & 53).

8.3 Ryde Local Environmental Plan 2014

The following is an assessment of the proposed development against the applicable provisions from the Ryde Local Environmental Plan 2014.

Clause 2.3 Zone Objectives and Land Use Table

The site is zoned SP1 – Special Activities (Cemetery) under the provisions of the RLEP2014. The proposed development is permitted in this zoning. Under the RLEP2014, the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within that zone. The objectives for the zone are as follows:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure the orderly development of land so as to minimise any adverse effect of development on other land uses.

The proposal involves the orderly redevelopment works at the cemetery based on the current and future needs of the community. The proposed works are consistent with the above objectives.

Clause 4.3 Heights of Buildings

Under this Clause the height of a building on any land is not to exceed the maximum height as specified on the Building Heights Map. The map does not specify any height restrictions on the subject site.

All proposed building structures are no more than 2 levels. No issues are raised in relation to this matter.

Clause 4.4 Floor Space Ratio

Under this Clause the floor space ratio of any building on any land is not to exceed the maximum floor space ratio as specified on the Floor Space Ratio Map. The Floor Space Ratio Map does not specify any floor space ratio restrictions on the subject site.

No issues are raised in relation to this matter.

Clause 5.10 Heritage Conservation

Under this Clause, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned. The Macquarie Park Cemetery & Crematorium is an item of heritage significance, listed under Schedule 5 of *Ryde LEP 2014* as Item No.59.

The heritage impact has been reviewed by Council's Heritage Officer which is included below:

Statement of Significance:

The Macquarie Park Cemetery and Crematorium is of historical significance as an example of 1920s cemetery design and plantings, and as a direct historical record of local and Northern Suburbs communities.

The cemetery reflects the social and cultural history of the local area and has the ability to evoke changing funerary customs and tastes. The Northern Suburbs Cemetery has historical association with prominent persons as it contains the graves of a number of noted politicians, artists, entertainers and military personnel, who had made important contributions to the community.

The aesthetic significance of the early section of the Cemetery derives from the combined effect of a number of elements including the undulating landform, the quality of the original design, the formal and informal plantings and general uniform scale and harmonious material of monuments.

The early buildings of significance include the brick former Caretaker's residence and office building; an old toilet block and two octagonal brick shelters or pavilions. The Cemetery contains many examples of the work of local stonemasons, including the Tyrells Monumental Masons, who have operated their business within the cemetery since 1936. The cemetery has social significance for its important commemorative function within diverse religious ethnic and other groups.

The Cemetery landscape has technical/research potential in the areas of cemetery design, landscape architecture, horticulture, monumental art and social history. This potential can be realised by future studies and by interpretation of the evolution of the landscape to those visiting the cemetery and to the wider community. The Northern Suburbs Cemetery is representative of the few general cemeteries that were established around the turn of the 19th Century in the Sydney metropolitan area which are still in operation. These cemeteries represent typical early 20th Century funerary landscapes.

Consideration of the heritage impacts:

I have reviewed the proposed plans and Heritage Impact Statement (HIS) (NBRS+Partners, January 2015). The HIS provides a concise description of the built form and its setting comprising the Macquarie Park Cemetery and Crematorium, a description of the proposal and a concise heritage impact assessment, concluding that the proposed works 'do not adversely affect the identified heritage significance of the property or affect any of the significant identified landscape precincts that adjoin the entry and parking areas.'

I generally concur with the recommendation of the HIS insofar as the proposed works are limited to the areas of the site which have been considered in the 2004 Conservation Management Plan as having low significance. In summary, the proposal appears consistent with the Conservation Policies of the 2004 CMP.

I accept that the proposal is considered to be an essential component in the ongoing use and management of the places for the intended use as a cemetery and crematorium. The overall scale, form and positioning of the new buildings and landscape features (including the proposed car parking area) are all considered to have minimal physical impact on significant fabric and will not visually dominate, nor compete with the aesthetic qualities and attributes of the landscaped and built setting which comprise the cemetery. While some of the new elements will be visible from Plassey Road and the main entrance from the site, in my opinion, they will not visually compete with significant fabric or elements and will provide evidence in the continuation in the use of the site for funerary and crematoria uses.

The existing buildings which are proposed to be demolished have been assessed and considered to be of low significance or of a utilitarian function which represent little architectural significance. Subsequently, I have no objection to the demolition of these structures, nor do I believe that a Photographic Archival Recording is warranted in this instance.

In summary, I concur with the recommendations and assessment of the Heritage Impact Statement and the proposal can be supported on heritage grounds, subject to the imposition of the following conditions of consent:

1. **Stop Work Provisions.** *As required by the NSW National Parks and Wildlife Service Act 1974 and the NSW Heritage Act 1977, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/ discovered where they are not expected, works must cease immediately to allow a suitably qualified archaeologist to make an assessment and recommendation of the findings.*

The archaeologist may need to consult with the NSW Heritage Division of the Office of Environment and Heritage regarding Aboriginal cultural heritage relics, or the significance of historic cultural material unearthed.

If relics are encountered, the Heritage Division should be notified and further archaeological work may be required before works could re-commence. Approvals/permits from the NSW Heritage Division may also be required to disturb/relocate relics.

2. **No demolition of extra fabric.** *Alterations to, and demolition of, the existing building shall be limited to that documented on the approved plans (by way of notation) or conditioned in this consent.*

No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

Should any portion of the existing building which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of this damaged portion are to cease and written notification given to Council.

No work is to resume until the written approval of Council is obtained. Failure to comply with the provisions of this condition may result in the Council instituting legal proceedings.

The above conditions have been incorporated in the draft conditions (see Conditions 34 - 35).

Clause 6.1 Acid Sulphate Soils

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

Under the LEP2014, the Acid Sulfate Soils Map establishes five classes of acid sulfate land (classes 1 -5), 1 being most sever and 5 being least severely affected. Development consent is required (and thus a soil management plan is required) if site is located in *class 5 acid sulfate soil and works are within 500m of adjacent Class 1-4 and land which are likely to lower the water table below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land.*

The north eastern corner of the site is identified as class 5 acid sulfate soil on the Acid Sulphate Soils Map. Most of the works proposed under the current application are located outside the acid sulphate zone and additionally no significant excavation is proposed. All exposed soil will be adequately retained where applicable. Fill is proposed adjacent to the function centre which does not impact on the acid sulfate soil.

A geotechnical Investigation of the site has been carried out by JK Geotechnics. The report indicates that the site contains fill ranging from 0.7m – 3.0m in depth throughout the site. in some places. The report also confirms that any excavation proposed for the function centre will encounter deep fill. Thus there is unlikely to be any disturbance or exposure of the sulfate soil or ground water.

The report confirms that while the ground water is unlikely to be encountered during excavation (based on bore hole tests), groundwater inflows are expected to be adequately controlled using conventional sump and pump or gravity drainage.

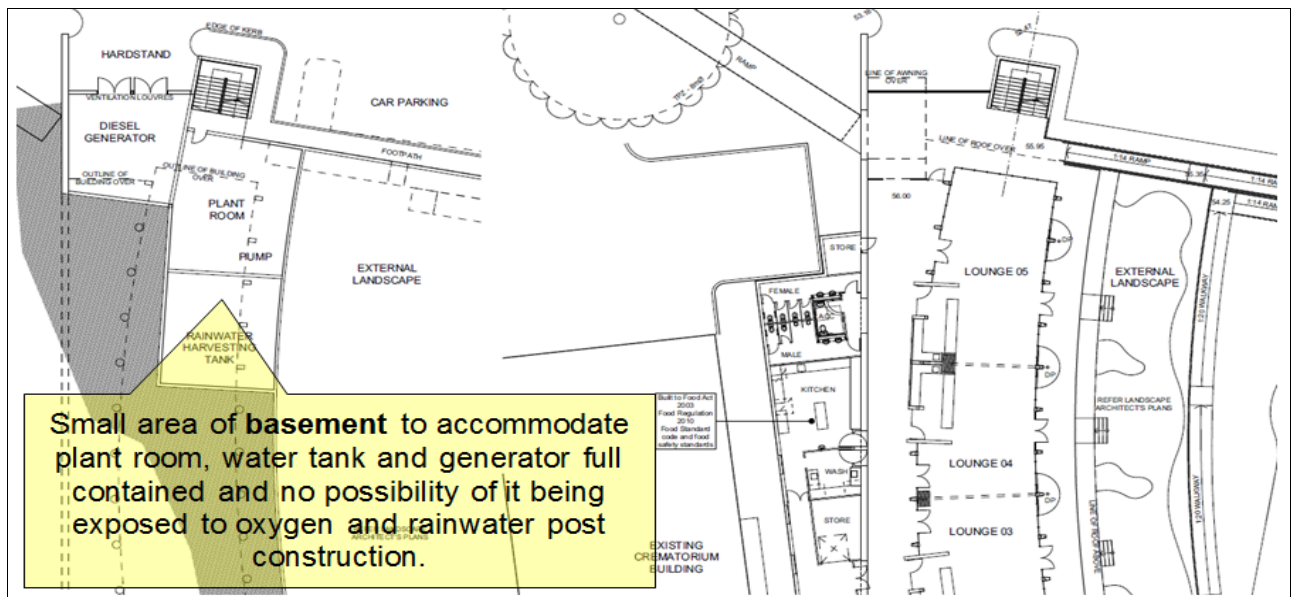


Figure 5: Showing area where minor excavation is proposed.

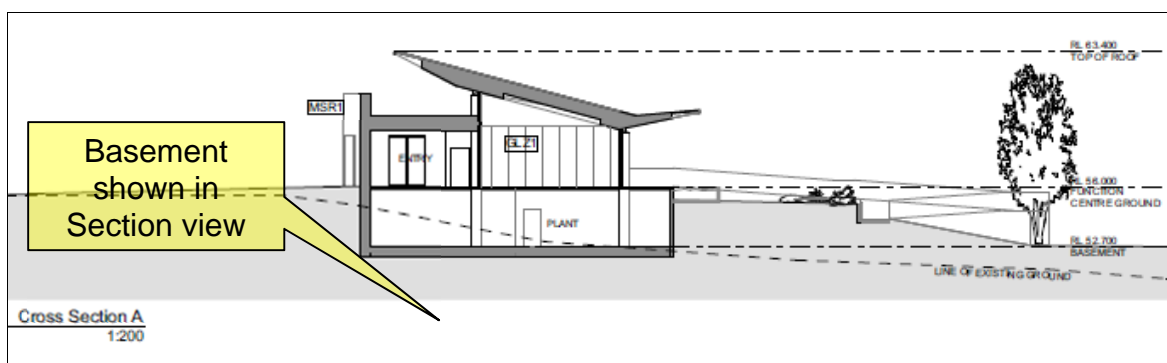


Figure 6: Showing basement section underneath the function centre.

The nearest class 1-4 classification soil is along the Lane cove river (which is approximately 500m away from the site) in the easterly direction. The site levels are 57-60 AHD. Given that the ground water will be unaffected by the proposed development and minimal excavation is proposed. The proposed is satisfactory with respect to the requirements under this clause.

Clause 6.2 Earthworks

Development consent is required for the earthworks associated with the development. Before granting consent for earthworks the consent authority must consider the following matters:

- *The likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality*
- *The effect of the proposed development on the likely future use or redevelopment of the land*
- *The quality of the fill or the soil to be excavated, or both*
- *The effect of the proposed development on the existing and likely amenity of adjoining properties*
- *The source of any fill material and the destination of any excavated material*
- *The likelihood of disturbing relics*
- *Proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

The proposed development includes only minor excavation under the proposed function centre to house the plant room, water tank and generator. The Heritage Officer raises no issues with the proposed works. Council's Development Engineer requires a condition be included in the consent to address sediment and erosion control measures (see Condition 57). The development is considered satisfactory in respect of this clause.

8.4 City of Ryde DCP 2014

The proposed development has been assessed against the above DCP and its compliance with the relevant provisions are noted below:

Part 7.1 – Energy Smart/Water Wise

The proposed development has incorporated energy and water efficiency features. These include:

- use of water conservation measures by reuse of grey water for toilets and landscape irrigation;
- use of insulation and natural lighting
- Use of water saving devices, for example, toilets, taps, washing and irrigation system.

Part 7.2 – Waste Minimisation and Management

A Waste Minimisation and Management Plan has been submitted by the applicant which is satisfactory (see condition 31 & 64 - 65).

Part 8.1 - Construction Activities

The main construction issues relevant to this proposal will be managing water quality by preventing soil erosion, the management of construction traffic and parking of builder's vehicles, construction noise, dust and the like.

These matters have been addressed by way of appropriate conditions of consent.

Part 8.2 – Stormwater and Floodplain Management

Council's Development Engineer has reviewed the proposed development and advised that the stormwater design concept complies with the requirements of Part 8.2 of DCP 2014. Conditions have been recommended to ensure compliance with this requirement (Conditions 36-39, 54-61).

Part 9.1 – Advertising Signs

The proposal does not involve the erection of any signage (see condition 3).

Part 9.2 – Access for People with Disabilities

The Statement of Environmental Effects indicates that all facilities will be designed to be accessible. The design intent is to ensure the whole premises will be accessible for disabled persons, and will comply with the detailed requirements of AS1428 and the intent of the Disability Discrimination Act. The premises as designed will meet the requirements of the Building Code of Australia. Design certification will be required prior to the commencement of development works on the site. Appropriate conditions have been recommended to ensure compliance with this requirement (condition 16).

Part 9.3 – Car Parking

The existing gross floor area equating to 2,282m² will be retained on the site. The proposal creates an additional floor space of 1,718m². The resulting total gross floor area of all development on the site will be 4,000m².

Council's car parking rates for a funeral chapel is:

- Whichever is the greater of:
1 space / 10 seats OR
1 space / 10 m² GFA.

In this instance, this rate is not considered appropriate. The intent of the development is to provide an improved level of services and amenity to the users of the cemetery that comprises of a chapel, administration building, function centre, pavilion etc. The Traffic Report accompanying this DA indicates that the proposal will provide upgraded facilities eliminating the need for occasional temporary marquee use and informal overflow parking. Whilst it is considered that there are moderate increases in additional floor area due to the new function centre, it is pertinent to note that the staff numbers remain relatively unchanged and that the parking capacity of the site has not been greatly expanded to the maximum requirement.

There is a low availability of on street parking in this area, not only due to the parking demand of surrounding business but also due to the limited extent of road network surrounding the site presenting a low parking capacity. Accordingly the applicant has recognised that operations on the site are limited by the properties capability to accommodate the parking demands of its own business and so the developments intentions in which to provide upgraded service facilities are plausible.

The current application proposes to increase the car parking number by 81 to make a total of 260 parking spaces on the site (including 16 accessible parking spaces). Based on the above, the parking is considered satisfactory.

Access to the proposed development has been proposed via the existing internal roads and site entry and exit off Delhi Road. The carparking layout proposed is considered satisfactory and in accordance with AS 2890.1-2004. No objections have been raised by Council's Traffic and Development Engineer in relation to this matter.

9.0 Section 94 Development Contributions Plan 2007 (Amendment 2010)

Development Contributions Plan – 2007 (2010 Amendment) allows Council to impose a monetary contribution on developments that will contribute to increased demand for services as a result of increased development density / floor area.

The contributions that are payable with respect to the increased floor area are based on the following figures being outside Macquarie Park:

Contribution Plan	Contributions
Community and Cultural Facilities	\$67,448.68
Open Space and Recreation Facilities	\$0
Civic and Urban Improvements	\$107,254.74
Roads and Traffic Management Facilities	\$15,118.40
Cycleways	\$9,139.76
Stormwater Management Facilities	\$20,890.88
Plan Administration	\$2,473.92
Grand Total	\$222,326.38

Notes:

Condition 46 requiring the payment of a Section 94 contribution has been included in the recommendation of this report which will further be indexed at the time of payment if not paid in the same quarter.

10. LIKELY IMPACTS OF THE DEVELOPMENT

Many of the impacts associated with the proposed development have already been addressed in the report. Other likely impacts are discussed below:

10.1 Tree Removal

The site has landscaped setting and adjoins the Lanecove National Park. The development will result in the removal of a number of trees. Thirty four trees are

proposed for removal subject to replacement planting. An arborists report submitted with the application supports the removal of trees which are unlikely to survive or which have lower retention value. The matter of tree removal, retention and replacement planting has been reviewed by Council's Consultant Landscape Architect and has been supported subject to conditions.

The applicant has submitted a detailed landscaped plan which proposes a significant amount of replacement planting. The replacement planting addresses the location of the car park and proposed buildings and appropriate species have been selected. The replacement planting will compensate for the loss of the existing trees as well as improving the long term landscape treatment of the site. All proposed landscape elements are consistent with the recommendations contained in the arborists report.

Council's consultant landscape architect has reviewed the application and has recommended approval subject to conditions (see Condition 11-14).

10.2 Traffic

The proposed works will result in a net increase in gross floor area by 1,718m², resulting in a total gross floor area of 4,000m². Currently a number of functions are held throughout the year (based on demand) in the outdoor area using marquees. The property currently provides 179 formal parking spaces with parking overflow served by an unpaved area, capable of accommodating some 60-80 parking spaces. The proposed works will provide 81 new formal parking areas reflecting the increase in floor area. The intent of the development (as stated in the SEE) is to provide an improved level of service and amenity to the users of the cemetery.

This matter has been reviewed in details by Council's Traffic and Senior Development Engineer. The following comments were provided after a detailed review of the proposal:

The Traffic Report notes, "to provide upgraded function facilities eliminating the need for occasional temporary marquee use". Whilst it is considered that there are moderate increases in additional floor area due to the new function centre, it is pertinent to note that the staff numbers remain relatively unchanged and that the parking capacity of the site has not been greatly expanded than which could be (informally) be provided.

There is a low availability of on street parking in this area, not only due to the parking demand of surrounding business but also due to the limited extent of road network surrounding the site presenting a low parking capacity. Accordingly the applicant has recognised that operations on the site are limited by the properties capability to accommodate the parking demands of its own business and so the developments intentions in which to provide upgraded service facilities are plausible.

The submitted Traffic Report has provided an extensive and detailed level of traffic survey data (3.5 months of counts) of the facility to gauge the existing traffic generation and parking demands. Accordingly the sampled data presents considerable more validity than the rates provided in the RMS Guidelines and Councils Parking DCP.

The traffic report has presented that the current development has peak traffic periods occurring between 10am and 4pm. Peak traffic movements of some 200 vehicles per hour were experienced on a Thursday however throughout the week, peak movements were in the order of 125 vehicles per hour. This is equivalent to a lowly trafficked local road during the morning commute. The applicants SIDRA results have indicated that the typical level of traffic generation in the midday periods does not impact the operation of the road network.

As stated above Council's review identifies negligible impacts from the proposed traffic generation. In addition, the RMS has raised no objection to the proposed development.

11. THE PUBLIC INTEREST

The development is considered to be in the public interest as it is consistent with the relevant planning controls and will provide an improvement to the facilities and level of service currently provided by the Cemetery to the local community. No objections were received to the proposed development from any external authorities or the local community.

12. REFERRALS

External referrals

Roads and Maritime Services, 25 February 2015: No objections have been raised to the proposed development with suggested conditions requiring a Construction Traffic Management Plan and that the development to occur within the site (see Conditions 53).

Rural Fire Services, 10 July 2015: After review of amended details The RFS provided the following comments and conditions:

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

- 1. Asset Protection Zones: At the commencement of building works and in perpetuity, the property from the proposed footprints up to the south eastern boundary of the subject site shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.*
- 2. Water and Utilities: New works for water, electricity and gas provisions shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.*
- 3. Access: New internal access roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.*

4. *Evacuation and Emergency Management: An emergency/evacuation plan shall be prepared or updated with regard to the proposed development to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.*
5. *Design and Construction: New construction on all elevations of the proposed function centre shall comply with Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' section 3 and section 5 (BAL 12.5) and section A3.7 of Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.*
6. *Landscaping: Landscaping to the site shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'. In this regard the following landscaping principles are to be incorporated into the development:*
 - *Suitable impervious areas being provided immediately surrounding the building such as courtyards, paths and driveways;*
 - *Grassed areas/mowed lawns/ or ground cover plantings being provided in close proximity to the building;*
 - *Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building; Maximum tree cover should be less than 30%, and maximum shrub cover less than 20%;*
 - *Planting should not provide a continuous canopy to the building (i.e. trees or shrubs should be isolated or located in small clusters);*
 - *When considering landscape species consideration needs to be given to estimated size of the plant at maturity;*
 - *Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;*
 - *Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;*
 - *Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);*
 - *Avoid climbing species to walls and pergolas;*
 - *Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;*
 - *Locate combustible structures such as garden sheds, pergolas and materials such timber garden furniture way from the building; and*
 - *Use of low flammability vegetation species.*

The above conditions have been included in the recommended conditions (see Conditions 40-54).

Internal Referrals

Development Engineer, 18 April 2014: Raised no objections subject to conditions of consent (see Conditions 36-39 & 54-61).

Consultant Landscape Architect, 24 February 2015: This matter has been discussed in detail earlier in the report. The Landscape Plan prepared by Matthew Higginson Landscape Architecture Pty Ltd is generally in accordance with the City of

Ryde DCP 2014 and is considered acceptable by the Consultant Landscape Architect subject to the following requirements:

- Tree planting is to (at a minimum) replace the 34 trees nominated for removal as part of the Arborist report. Details of tree planting are shown on the landscape plan.
- The minimum container size for replacement planting shall be 75L and trees are to be grown according to NATSPEC requirements.
- Canopy trees are to be planted around the proposed car parking area to provide shade. Some shade tree planting has been nominated on the plans by Matthew Higginson Landscape Architecture (Project #14114 Sheet LP02).
- Where trees are located within a traffic island in close proximity to an OSD tank it is recommended that tree pits be vaulted to ensure adequate soil volume can be achieved for the future establishment of the nominated species.

In general, no objection was raised in relation to the proposed tree removal and protection measures as recommended in the Arborists Report and to the proposed landscaping scheme subject to conditions (see Conditions 11 - 14).

Public Domain Coordinator, 21 August 2013: No objection has been raised as there are no requirements in relation to this matter.

Traffic Engineer, 2 March 2015: Raised no objection to the proposed development subject to a condition requiring the submission of a Construction Traffic Management Plan (see Condition 53).

Heritage Officer, 18 February 2015: Raised no objection to the development subject to conditions (see Conditions 34- 35).

13. PUBLIC NOTIFICATION AND SUBMISSIONS

The proposed development was advertised and notified on 18 February 2015. The submission period ended on 20 March 2015. During this time, no submissions were received.

14. CONCLUSION

The proposal provides for the expansion of services currently provided at the Macquarie Park Cemetery and is considered to be an essential component in the ongoing use and management of the cemetery and crematorium. The overall scale, form and positioning of the new buildings and landscape features will have a minimal impact on the heritage significance of the site. The potential impact on existing vegetation on the site has been considered and is deemed acceptable. Traffic impact emanating from the site with the slight increase in formal parking spaces will be negligible as advised by Council's Engineers.

Under the terms of the Environmental Planning and Assessment Act, the application constitutes a Crown development. In accordance with Clause 89(1)(b) of the Act, the consent authority must not impose a condition of its consent, except with the written approval of the Minister or the applicant. The applicant has agreed to the attached

conditions of consent. On this basis, it is recommended that the application be approved subject to conditions included in **Attachment 1**.

15. RECOMMENDATIONS

- A. Pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, the following is recommended:
- (a) That the Sydney East Region Joint Regional Planning Panel grant consent to development application LDA2015/0045 for the redevelopment works at No. 12 Delhi Road, Macquarie Park, subject to the Conditions of Consent in Attachment 1 of this report.
- B. That a copy of the development consent be forwarded to the Rural Fire Services.

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Attachments:

1. Attachment 1 – Recommended Conditions of Consent.
2. Attachment 2 - Applicant's agreement to proposed conditions of consent.