

# **STATEMENT OF ENVIRONMENTAL EFFECTS**

## **Manly Cemetery columbarium, memorial garden and signage**



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## SUMMARY & BACKGROUND

This statement of Environmental Effects accompanies plans and details as follows:

Plan 1 of 8	Survey Plan	dated 21/03/19
Plan 2 of 8	Site Plan	dated 21/03/19
Plan 3 of 8	Landscape Concept Plan	dated 21/03/19
Plan 4 of 8	Landscape Details - 1	dated 21/03/19
Plan 5 of 8	Landscape Details - 2	dated 21/03/19
Plan 6 of 8	Landscape Details - 3	dated 21/03/19
Plan 7 of 8	Landscape Details - 4	dated 21/03/19
Plan 8 of 8	Landscape Details - 5	dated 21/03/19
Manly Cemetery Signage Detail undated		

Tree Audit Report prepared 13 March 2019 by Redgum Horticultural

Geotech report prepared April 2019 by Crozier Geotechnical Consultants

Heritage Report

Any other reports

The proposal is for the construction of a proposed columbarium wall and associated works at Manly Cemetery, Griffiths St, Fairlight

The cemetery is owned by Dept of Industry – Lands and managed by Northern Beaches Council.

## RELEVANT PLANNING LEGISLATION

The following planning legislation is

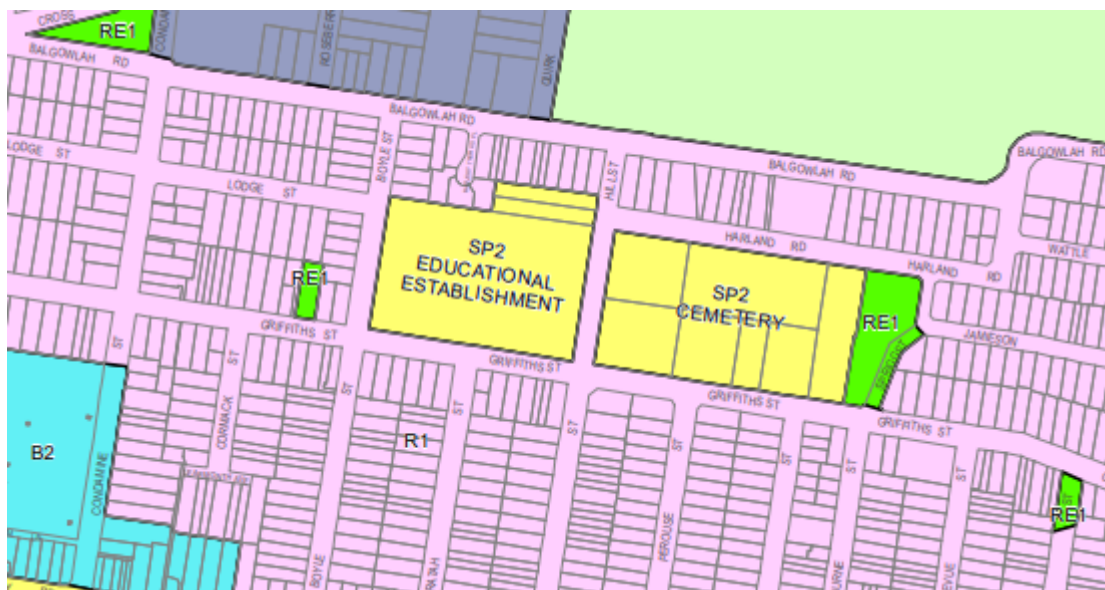
- Environmental Planning & Assessment Act, 1979 (as amended)
- Environmental Planning & Assessment Regulations 2000
- Manly Local Environmental Plan 2013
- Manly Development Control Plan

## PROPERTY DESCRIPTION

Manly Cemetery, which is located at Griffiths St Fairlight, is comprised of several parcels of land, with legal descriptions as follows:

- Lot 7006, DP 1023270
- Lot 1, DP 1121171
- Lot 1, DP 117863
- Lot 1, DP 34468
- Lot 7322, DP 1154744
- Lot 7323, DP 1154744
- Lot 7324, DP 1154744

The site is zoned SP2 - Cemetery under the provisions of Manly LEP 2013 and in this zoning the purpose shown on the Land Zoning Map is permissible with consent. As such, the construction of a memorial garden and columbarium is permissible on the site.



7006

Figure 1: Extract from Manly LEP zoning map

The site is listed as an Item of Environmental Heritage under the Manly LEP, which includes not just the overall cemetery but a number of the trees on the site as well.

## PROPOSAL

The proposal is for the construction of a columbarium and memorial garden on the eastern side of the cemetery, and updating signage around the cemetery as follows:

The columbarium will consist of four (4) double sided walls:

*SEE – Construction of columbarium, signage and landscaping – Manly Cemetery, Hill St, Fairlight*

- The two outer walls will have dimensions of 1810mm x 650mm x 4500mm
- The two middle walls will have dimensions of 1515mm x 650mm x 4500mm

There will be a gap of 1000mm between each section with the walls to be prefabricated and made of granite.

On each end of the columbarium will be two sandstone pillars of 1865mm x 750mm x 750mm. To the west of the proposed columbarium walls will be a decomposed granite path.

The garden memorial will form a semi-circle in front of the existing columbarium, and will consist of a curved timber seat with a garden to the back, which will contain niche spaces interspersed with rosemary plants. It is also proposed to raise the existing Lord's Prayer plaque, which is currently set into the ground in front of the existing columbarium on a 750mm plinth

In total, there will be a minimum of 600 additional niche spaces available.

The signage is intended to update the existing signage which dates back to Manly Council and will be as follows:

- 3 x "park identification" signs saying "Manly Cemetery" with dimensions 1200mm W x 500mm H on posts standing a maximum of 950mm H to be located at the Hill St entrance, the Harland Rd Entrance and the Griffiths St entrance.
- 6 x "totem directional" signs indicating pictorially prohibitions and hazards, dimensions 150mm W x 1100mm H to be located at various points around the cemetery.

## BACKGROUND

There are three cemeteries in the Northern Beaches. Manly Cemetery and Mona Vale Cemetery are run by Northern Beaches Council, and Frenchs Forest Bushland Cemetery, which is privately operated on Crown Land. Some local Anglican and Presbyterian churches have small columbarium walls, however these are kept for their own parishioners and do not comprise a significant number of interment niches.

The Cemeteries and Crematoria NSW publication "*Metropolitan Sydney Cemetery Capacity Report*", dated November 2017, states there are an additional 8 cemeteries and 2 crematoria in the North Sydney district, which comprises Northern Beaches, Hornsby, Hunters Hill, Ku-ring-gai, Mosman, North Sydney, Ryde and Willoughby Councils.

Across NSW, there is an increasing shortfall of interment space, with the North Sydney district projected to run out of interment options completely by 2036 and significant shortfalls experienced as early as 2026 unless more space can be found. These shortfalls include both burials and columbarium niches. The majority of Sydney's cemeteries were established in the 19<sup>th</sup> and early 20<sup>th</sup> centuries and are now reaching capacity. It is generally accepted that people want to stay close to the area in which they lived with have access to reasonably priced, culturally appropriate interment options, and that significant distress can be caused when this is not available.

One of the key findings of the *Metropolitan Sydney Cemetery Capacity Report* is that “urgent action is required in North and South regions to provide for the future burial needs of the Central, North and South region communities”.

Of the two cemeteries operated by Northern Beaches Council, there is still both burial and niche capacity at Mona Vale Cemetery, and the Mona Vale Cemetery Plan of Management, adopted by Pittwater Council in 2012, provides for a significant increase in the number of niches. However, Manly Cemetery has been closed to new burials for some decades. While there are open sections within the cemetery, these are drainage swales unsuitable for development, grave sites purchased previously which have not yet been utilised or graves with no surface memorialisation such as a headstone. The current columbarium, which opened in 2000 with space for 512 niches, has proven to be popular with local residents, with take up of the memorial niches exceeding the projected timeframe at the time of construction. There is currently a waiting list of 36 people for additional niches.

A report commissioned by Northern Beaches Council in 2017 “Creating Opportunities for Growth – Strategies to Rejuvenate Manly Cemetery” highlights various options for increasing the number of interment locations at the cemetery, and suggests an additional columbarium as a suitable option.

Income from sale of niches in the proposed columbarium will be useful in helping maintain the cemetery as there are a number of existing safety issues. The cemetery is ageing, with the majority of graves over 50 years old and thus require increasing maintenance to remain safe and not present a hazard to users of the cemetery. . Moreover, there are increasing competing uses in the cemetery, which is a popular dog walking and exercise locality in addition to being used by school children as a route to school.

As such, development consent is sought for the erection of an additional columbarium wall at Manly Cemetery, so that people local to the southern section of the Northern Beaches have an opportunity to memorialise their loved ones in their local community.

## DESIGN RATIONALE

The location for the new columbarium wall was chosen due to its proximity to the existing columbarium and location on the edge of the cemetery, where it will formalise the boundary between the cemetery and the park. It is designed to be relatively unobtrusive, and will be constructed from light coloured granite, in keeping with the beachside locality of the cemetery. The openings between each section of the wall and the light coloured granite will avoid an overly heavy, dominating presence in what is a generally open, expansive cemetery vista. Due to the

As the site is a cemetery, there is the possibility that unmarked graves or remains may be located during the course of the build. Should any such remains be discovered during the construction of the columbarium walls, we will stop work to evaluate the type and location of the remains, and the best way forward to address the issue in a respectful manner.

The new signage utilises Council’s heritage signage colours and in line with Council’s Branding Policy. Council’s heritage signage is intended to be neutral and recessive so as to provide information and wayfinding without being obtrusive within the curtilage of heritage buildings and places.



## LOCATION



The site is located in the block bounded by Harland Road to the north, Hill Street to the west, Griffiths St to the south and Weerona Park to the east. It covers a total area of 21.19 hectares. The site is mostly covered with gravestones of varying ages and condition, although there is a columbarium in the south eastern corner of the site, which was opened in 2000. There are a number of mature trees scattered around the site, and the site is traversed by two drainage swales. The site has a gently slope from the north west to the south east corner, and the park to the east of the site has play equipment and gentle mounding between it and the cemetery.

Opposite the cemetery to the west is Manly West Public School and to the north and south are a variety of residential buildings.

## PLANNING HISTORY

*Development Application 271/08:* Consent refused for the construction of a 1.8 metre high tubular steel security fence with gates around the perimeter of Manly Cemetery as it was considered to be out of keeping with the heritage nature of the cemetery.

*Development Application: 293/97:* Consent granted for the construction of a columbarium wall and path, which have since been built.

## RELEVANT PLANNING LEGISLATION

The following planning legislation is relevant to this application

- Environmental Planning & Assessment Act, 1979 (as amended)
- Environmental Planning & Assessment Regulations 2000
- Manly Local Environmental Plan 2013

*SEE – Construction of columbarium, signage and landscaping – Manly Cemetery, Hill St, Fairlight*

- Manly Development Control Plan

## **MANLY LOCAL ENVIRONMENTAL PLAN 2013**

### **Clause 2.3 Zone objectives and land use table**

The site is zoned SP2 – Infrastructure – Cemetery under the provisions of the Manly LEP 2013. . The objectives of 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 minimise loss of views to, from and within heritage items and minimising intrusion on the heritage landscape and visual curtilage of heritage items.*

The proposal is aimed at addressing the shortage of options on the Northern Beaches for people wishing to memorialise their loved ones .In an area with significant land constraints, where people are increasingly opting to cremate rather than bury their loved ones, a columbarium wall is a space and cost efficient way to provide this service to our residents.

### **Clause 4.3 Height of Buildings**

The definition of “building” in the Manly LEP is the same as that in the Environmental Planning & Assessment Act, 1979 and “includes part of a building, and also includes any structure or part of a structure”. It is considered that the columbarium can reasonably be defined as a “structure”.

Manly LEP does not have a height restriction over the cemetery, however the proposal meets the objectives of the clause. The design of the columbarium has been carefully planned to sit within the landscape and will not impact on the neighbouring dwellings. The columbarium has a maximum height of 1.865 metres at the each column end with the two outside walls sitting at 1.81 metres and the two middle wall at 1.515 metres and as such is well below the height of any surrounding structure, and similar in height to the existing semicircular columbarium. It will sit at least 35 metres away from the nearest properties in Griffiths St, and the existing mounding and vegetation in the cemetery and Weeroona Park will effectively screen views to and from these properties.

As such, it is considered that the proposal complies with the objectives of Clause 4.3.

### **Clause 5.10 Heritage conservation**

Manly Cemetery as a whole is listed as having local heritage significance under Schedule 5 of the Manly LEP. This heritage significance derives from the age of cemetery, which was consecrated in 1857 but may contain earlier burials, and being the burial place of many of Manly’s earliest white residents. It also relates to the evidence of 19<sup>th</sup> century burial practices on display. In addition to this, the street trees along the Griffith St frontage are also listed as items of local heritage significance.

A Heritage Impact Statement has been prepared detailing how the proposed columbarium impacts on the heritage character and fabric of the cemetery and street trees and is attached to this report.



A Conservation Management Plan for Manly Cemetery was prepared in 2006 around the time that Manly Cemetery was nominated for state Heritage Listing, which ultimately did not proceed. Chapter Six - Conservation Policies and Management Guidelines for Manly Cemetery recommends that no new columbarium should be placed within the cemetery.

From reading the CMP it appears to have been predicated on the use of the cemetery being solely as an historic artefact, rather than its continued use as an operational cemetery. Since this document was published, the nature and use of cemeteries and their place in the wider community has changed. The adoption of the Cemeteries and Crematoria Act 2013, which includes the objective “to ensure that sufficient land is acquired and allocated so that current and future generations have equitable access to interment services” is probably the most important of these changes. It has led the way for cemeteries to be seen in a more holistic manner not only as historic monuments, but also modern memorials and also as areas of green open space in our built up areas.

It should also be noted that heritage listing in and of itself does not mean that a cemetery cannot be used in the future for different types of interment. Rookwood Cemetery and Necropolis in Sydney’s western suburbs is listed on the State Heritage Register and still functions as an operational cemetery. It includes expanded sections for non-Christian religions reflecting the changes in Sydney’s cultural landscape over the 150+ years of the cemetery’s existence.

Notwithstanding the recommendations of the CMP, the location of the columbarium has been carefully designed to minimise impact on the heritage section of the cemetery while recognising that it is still an operational cemetery that is in use by the local community, as stated earlier in this report. It is considered that the proposal complies with the requirements of Clause 5.10.

Manly Cemetery signage will also be updated, to reflect the new Council entity and provide sympathetic and appropriate wayfinding signage which is currently lacking at the cemetery. All signage will be comprise standard Council branded signage in Council’s Heritage Signage style. This style has been designed as a simple recessive format to unite and complement Council’s many disparate heritage sites and is considered suitable and appropriate for Manly Cemetery.

### **Clause 6.1 Acid sulfate soils**

The proposed columbarium is located on land classified as Acid Sulfate Class 5. As such the development is unlikely to trigger this control.

## **MANLY DEVELOPMENT CONTROL PLAN**

Council’s Manly Development Control Plan provides a range of outcomes and controls which form the primary criteria control for development within the subject locality.

### ***Part 3 – General Principles of Development***

#### **Section 3.2 Heritage Considerations**

The site is not only listed as an Item of Environmental Heritage in the Manly LEP 2013, but has street trees listed as items of Environmental Heritage adjacent to the Griffith Street frontage.

Manly DCP sets a number of criteria to assess development on or near an item of heritage significance. The majority of these relate to new construction or alterations and additions to building that are, or are near, heritage items.

As stated above, a Heritage Impact Statement assessing the impact of the proposed columbarium and landscaping on the existing cemetery, and it is considered that the proposal does not detract or alter the heritage significance of the cemetery. Rather, it adds to the history and story of the cemetery through the inclusion of a columbarium which will not only give local residents the opportunity to memorialise their loved ones, but will provide another chapter in the story of Manly Cemetery and how it has adapted and grown over the years in response to the changing population and desires of the local residents.

The columbarium wall has been located so as to provide a subtle backdrop to one section of the park and retain the views to and from the cemetery and playground to each other. The proposed materials have been carefully chosen to provide a beachside aesthetic in keeping with Manly's seaside location, and the gaps between each of the four walls are large enough to allow for people to walk through and break up the massing of the structure. It has been designed to be undoubtedly of the 21<sup>st</sup> century, while still blending harmoniously with the 20<sup>th</sup> and 19<sup>th</sup> century elements that make it worthy of heritage listing. It has been sited on the eastern edge of the cemetery to ensure that the open feel of the historic graveyard is not impacted, and that the design of the columbarium is unquestionably modern.

### **Section 3.3 Landscaping**

No significant alteration to the existing landscaping on the site is proposed and the proposal has been carefully located to ensure that no negative impact to the heritage listed trees should occur. It is proposed to modify the landscaping around the existing columbarium to provide for a curved timber reflection seat with memorial garden to the rear, and raising the Lord is My Shephard prayer, currently sited at grade within the existing columbarium, onto a raised plinth to make it more readable.

The memorial garden will feature plants associated with mourning, including Rosemary. These will blend with the existing vegetation in the cemetery which are a mix of exotic and native.

### **Section 3.4 Amenity (View, Overshadowing, Overlooking/Privacy, Noise)**

The columbarium is sufficiently distant from neighbouring properties that it will not impact on solar access or overshadowing to any neighbouring property.

Views are unlikely to be impacted by the proposed columbarium. The closest dwellings are to the east, at 47 Jamieson St & 94 Griffiths St Fairlight. These dwellings are between 40-50 metres distant from the columbarium location and have a ground/floor level of at least 3 metres higher. As such, they will be able to look over the columbarium to the remainder of the cemetery.

Aside from inevitable construction noise, the proposed columbarium will generate no additional noise to neighbouring properties.

### **Section 3.6 Accessibility**

The cemetery is currently not fully accessible, however when development consent was sought and granted for the existing columbarium, it included an accessible path designed in accordance with Australian Standard 1428.2 and suitable for wheelchair access. This will be continued along the western side of the proposed columbarium.

### **Section 3.7 Stormwater Management**

No stormwater or drainage works are proposed.

### **Section 3.8 Waste Management**

A Waste Management Plan has been prepared and is attached to this submission, which details how waste associated with construction of the columbarium will be managed.

### **Section 3.10 Safety & Security**

The columbarium has been located so that open sight lines between the cemetery and the adjoining playground are maintained, and is low enough that people to the east will be able to look over the top of it, in addition to being able to look through the gaps in the structure. As such, it is considered that the proposal complies with the requirements of the control.

## ***Part 4 Development Controls and Development Types***

### ***Section 4.4 Other Development (all LEP zones)***

*4.4.1 Demolition* - No demolition is proposed as part of this application.

*4.4.2 Alterations and Additions* - No alterations and additions to a building are proposed as part of this application.

*4.4.4 Awnings* – No awnings are proposed as part of this application.

*4.4.3 Signage* The proposal includes new directional signage to be installed in the cemetery, replacing the existing signage which is at the end of its functional life and branded with the Manly Council logo. The proposed signage will comprise 3 “park identification” signs, one each to be located on the Harland Rd, Hill St and Griffiths Street frontages and which identify Manly Cemetery. In addition there will be 6 additional “totem directional” signs which inform pictorially the hazards and prohibitions in the park.

Council's heritage signage style has been designed to be simple, neutral and recessive so as not to detract from the heritage significance of the building or site and moreover able to unite Council's disparate range of heritage sites. All signage will have a charcoal grey background with natural hardwood timber accents uprights which are designed to weather and fade to an attractive silvery grey.

The proposed new signage will complement the existing heritage nature of the cemetery as it is a simple form that harmonises with the natural appearance of the

cemetery and will not cause visual clutter. The identification signage sits low in the landscape, allowing a view over the top of the signage to the cemetery beyond. The totem directionals are a slimline design which, when located around the perimeter of the cemetery, will not impinge on the open vistas available across the site.

## **Schedules**

### **Schedule 3 Part A1 - Parking & Access**

#### *Part A1 – Parking Rates & Requirements*

There are no stated carparking requirements in either the DCP or the RMS guide to Traffic Generating Developments for cemeteries. Currently parking at the cemetery is provided by 25 nose/rear to kerb spaces in Harland Road close to the intersection with Hill Street and street parking along Harland Street, Hill Road and Griffiths Street.

No additional carparking is proposed, as there is no additional space it could be located. A search of Nearmaps over the last 10 years indicates that there is ample street parking during the day when the majority of visitors would be likely to visit the proposed columbarium. Moreover, unlike the traditional burial ceremony, where a graveside ceremony is held, ashes are generally interred in a columbarium some days following a funeral at a private, more informal occasion. As such, the need for parking to accommodate funeral attendees is absent.

The cemetery is also served by public transport, including the Council run Hop, Skip & Jump, with the Manly-Swim Centre and Manly – Fairy Bower circuits running along Griffith St. The location of the columbarium will also be around a five (5) minute journey on foot from Sydney bus services along Sydney Road.

Given that ample on street parking exists in the vicinity of the columbarium, it is not proposed to provide additional parking for the columbarium.

### **Schedule 3 Part A2 – Parking Rates and Requirements for Bicycles**

There is no formal bicycle parking within the cemetery, however it would be possible for bike users to safely park bicycles at various places around the cemetery, as they currently do. As such, no additional bike parking is proposed.

## **Schedule 4 - Trees**

All existing landscaping to be retained, with the only addition being the garden setting around the memorial seat as discussed earlier. An arborist report has been attached to this application.

## **Schedule 5 - Accessibility**

See discussion under Section 3.6

## **Schedule 8 – Recommended Building Timbers**

All wood will be eco certified and no rainforest timbers will be used.

## **9. MATTERS FOR CONSIDERATION UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

### **The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the relevant supporting Council policies. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

There are no other environmental planning instruments applying to the site.

### **Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

There are no draft environmental planning instruments on the site.

### **Any development control plan**

The application has been prepared having regard to the requirements of the Manly DCP.

It is considered that the proposed design respects the desired character objectives of the DCP in that it provides for the ongoing use of a heritage site in a sensitive manner that is compatible with the existing uses surrounding the site.

### **Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.**

No matters of relevance are raised in regard to the proposed development.

### **Any matter prescribed by the regulations that apply to the land to which the development relates.**

No matters of relevance are raised in regard to the proposed development.

### **Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979).**

No matters of relevance are raised in regard to the proposed development.



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

There will be no impacts on the amenity of the surrounding built or natural environment. The community will benefit from having more options to memorialise their loved ones in their local community.

**The suitability of the site for the development**

The subject land is currently zoned SP2 Infrastructure (cemetery) under the Manly Local Environmental Plan 2013 and is considered suitable for the proposed development.

**Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

**The Public Interest**

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

## **10. CONCLUSION**

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining properties, the issue of Development Consent is requested.