

# Planning Proposal

## Suburb of Wallacia

Draft Amendment 92 of Liverpool Local Environmental Plan 2008 to prohibit cemeteries and crematoria in Wallacia

31 May 2021

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## Introduction

This planning proposal relates to the suburb of Wallacia where it lies within the boundaries of the Liverpool local government area (LGA). The impetus for the planning proposal is to prohibit the development of cemeteries and crematoria within the suburb of Wallacia.

## Background

Over many years, Council has received development applications for cemeteries and crematoria in rural areas. During the assessment of these applications, residents nearby have raised concerns regarding these proposals. At its meeting of 28 September 2011, Council resolved to propose amendments to the LEP, including prohibiting cemeteries and crematoria.

In March 2012, a planning proposal was submitted to the then Department of Planning & Infrastructure (the Department) to prohibit the use of cemeteries in rural areas. This planning proposal was not supported by the Department and did not proceed to public exhibition, as the Department deemed there was insufficient consideration on the broader implications for burial space in Greater Sydney.

Following this decision by the Department, Council undertook a review of planning controls for cemeteries and crematoria, considering the broader metropolitan context and best practice.

In November 2013, a subsequent planning proposal was submitted to the Department, proposing the following amendments to the LEP:

- Removal of cemeteries and crematoria as permitted with consent within the RU1 Primary Production, RU4 Primary Production Small Lots, RE1 Public Recreation and RE2 Private Recreation zones.
- Removal of crematoria as a land use permitted with consent in the B6 Business Enterprise zone.
- Addition of crematoria as a land use permitted with consent in the IN2 Light Industrial zone.

The Department allowed the planning proposal to proceed to public exhibition, subject to amendments. The Department supported the removal of cemeteries and crematoria as a land use permitted with consent from the B6 Enterprise Corridor, RE1 Public Recreation and RE2 Private Recreation zones.

However, the Department did not support the removal of cemeteries and crematoria from the RU1 Primary Production zone and the RU4 Primary Production Small Lots zone, as further sub-regional planning for burial lands was to be undertaken. The addition of crematoria to the IN2 Light Industrial zone was also not supported due to potential land use conflict. This LEP amendment (Amendment 36) was finalised in June 2014.

Phase 1 of the Liverpool Local Environmental Plan (LEP) Review (planning proposal) undertaken by Council during 2019 proposed the removal of cemeteries from the IN1 General Industrial, IN2 Light Industrial and IN3 Heavy Industrial zones. This amendment was in response to supporting industrial land use studies. The planning proposal was submitted to the Department of Planning, Industry & Environment (DPIE) in September 2019, however the Gateway determination received in April 2020 did not support the removal of cemeteries from industrial zoned land, therefore this amendment was removed from the planning proposal by DPIE.

On 16 December 2020, Council received an application proposing the staged development of a cemetery consisting of 775,000 burial plots on the banks of the Nepean River at Wallacia. In response, Council raised a notice of motion emphasising the residents' opposition to proposed cemeteries and crematoria, and the importance of preserving the significant rural landscape, agricultural qualities, and cultural heritage values of Wallacia. Accordingly, at its meeting of 24 February 2021, it was resolved that Council:

1. *Direct the CEO to bring to the April Council Meeting a planning proposal similar to that of Penrith City Council seeking to amend our LEP prohibiting cemeteries and crematoriums within Wallacia;*
2. *Write to Wollondilly Council informing them of Penrith's planning proposal and Liverpool's proposed amendment and requesting the same; and*
3. *Notes its opposition to DA-1059/2020, a proposal for the construction of a cemetery at 1290 Greendale Road, Wallacia, housing 775,000 burials.*

This planning proposal has been prepared in response to point 1 of the above Council resolution. The planning proposal seeks to amend Part 7 “Additional Local Provisions” of the LEP to prohibit the development of *cemeteries* and *crematoria* in the suburb of Wallacia.

## Report Structure

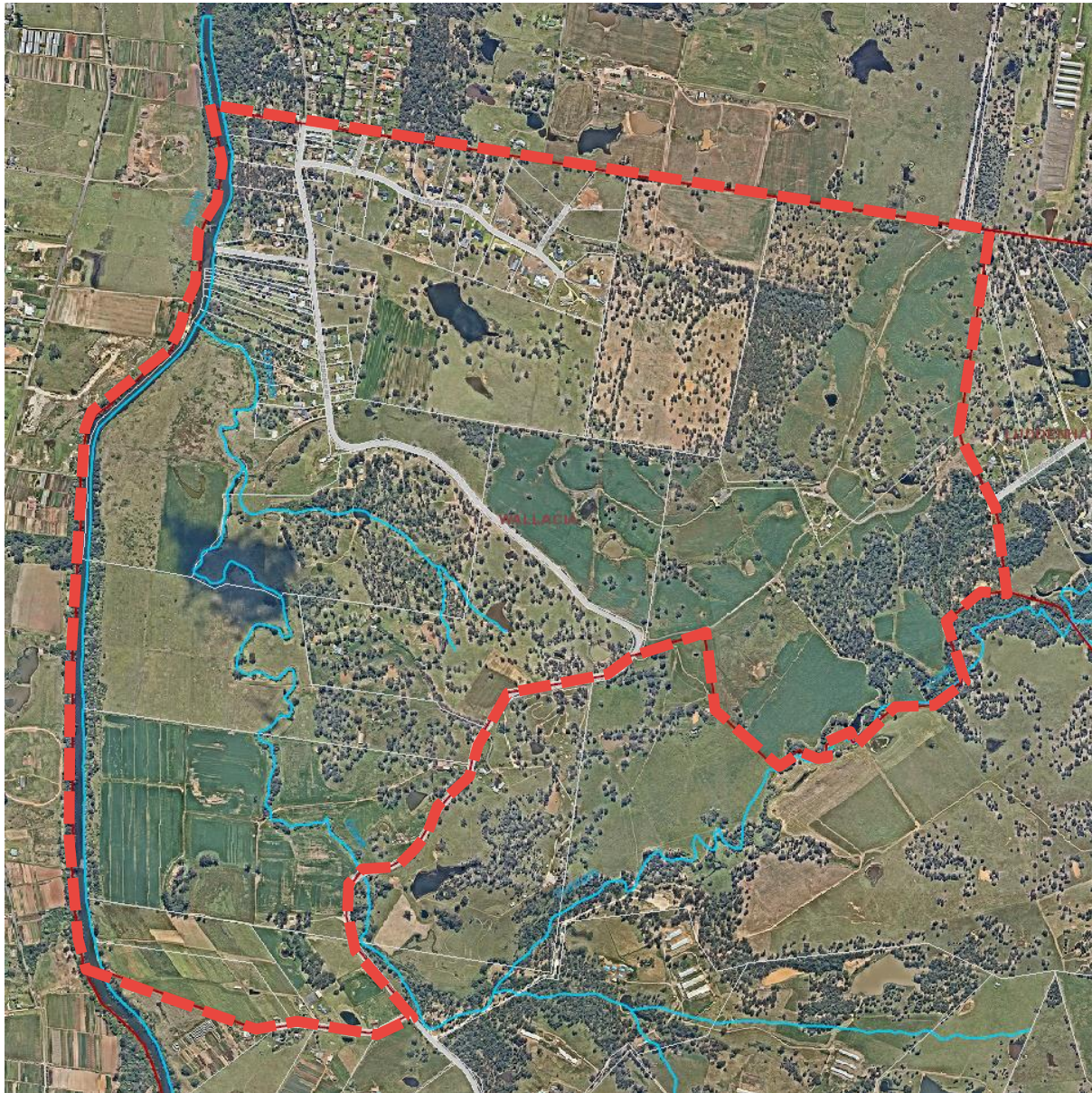
This Planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning & Assessment Act 1979 with consideration to DPIE's (formerly DPE's) 'A Guide to Preparing Planning Proposals' (December 2018). Accordingly, the proposal is discussed in the following parts:

- Site Description
- Statutory Planning Framework
- Part 1 – A Statement of the Objectives and Intended Outcome
- Part 2 – Explanation of Provisions
- Part 3 – Justification
- Part 4 – Mapping
- Part 5 – Community Consultation
- Part 6 – Project timeline

## Site Description

The suburb of Wallacia lies across the boundaries of the Penrith, Liverpool and Wollondilly local government areas (LGA) and is located approximately 70km west of the Sydney CBD and 23km west of the Liverpool city centre. The subject portion of Wallacia (i.e. within the Liverpool LGA) has an area of 676.92ha and is bound by the Nepean River to the west, the Penrith LGA to the north, the suburb of Greendale to the south and the suburb of Luddenham to the east. The subject area is predominantly characterised by rural allotments (with the minority being large residential lots) and is largely serviced by 3 roads and a tributary of the Nepean River (Duncan's Creek).





*Figure 1: Aerial view of subject area (Nearmap Oct 2020)*

## Statutory Planning Framework

### Liverpool Local Environmental Plan 2008

In accordance with the zoning map of the LLEP 2008, the subject area is predominantly zoned RU1 – Primary Production with the Nepean River being zoned W1 - Natural Waterways, and minor portions being zoned RU4 – Primary Production Small Lots and R5 - Large Lot Residential.

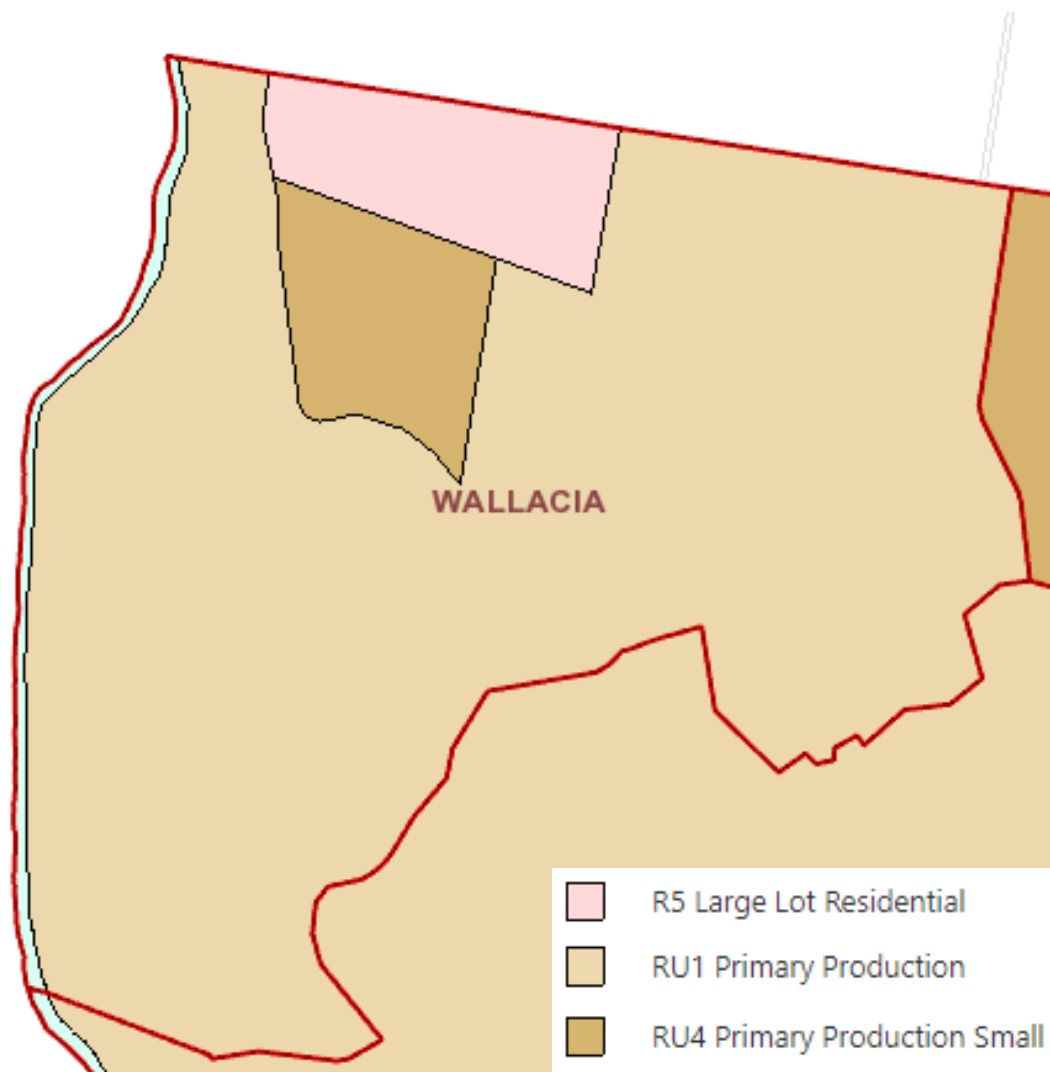


Figure 2: Existing land use zoning in the LEP (subject area outlined in red)

The objectives of the RU1 – Primary Production zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that development does not unreasonably increase the demand for public services or public facilities.*
- *To ensure that development does not hinder the development or operation of an airport on Commonwealth land in Badgery's Creek.*
- *To preserve bushland, wildlife corridors and natural habitat.*

The prohibition of cemeteries and crematoria will meet the objectives of the RU1 zone as it will ensure that land is preserved for bushland, wildlife corridors, natural habitat, and primary industries. Cemeteries and crematoria are crucial to the local community however, their location within rural areas can mean these uses are ill-equipped to deal with the proper drainage and water treatment facilities which can result in the enhanced risk of bacteria and viruses migrating off-site into the natural and built environs. Additionally, many rural roads are not capable of dealing with the additional traffic generation posing traffic safety concerns and increased road maintenance costs to Council.



The objectives of the RU4 – Primary Production Small Lots zone are:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The prohibition of cemeteries and crematoria will meet the objectives of the RU4 zone as it will minimise potential conflict between existing and proposed land uses and ensure that land is preserved for primary industries in perpetuity. Additionally, cemeteries and crematoria are not considered to be intensive in nature. These uses are therefore not in line with the objectives and should be removed from rural land in Wallacia.

The objectives of the R5 - Large Lot Residential zone are:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that a high level of residential amenity is achieved and maintained.*
- *To provide for complementary uses that are of low impact and do not unreasonably increase the demand for public services or public facilities.*

Cemeteries and crematoria are already prohibited in the R5 zone.

The objectives of the W1 - Natural Waterways zone are:

- *To protect the ecological and scenic values of natural waterways.*
- *To prevent development that would have an adverse effect on the natural values of waterways in this zone.*
- *To provide for sustainable fishing industries and recreational fishing.*
- *To enable the recreational enjoyment or scientific study of the natural environment.*
- *To allow development for water recreation purposes that does not have a significant adverse effect on the natural values of waterways in this zone.*

Cemeteries and crematoria are already prohibited in the W1 zone.

## **Delegation of plan making functions**

This planning proposal seeks to make a minor amendment to the Liverpool Local Environmental Plan 2008. As such, Council is seeking authority of plan making functions pursuant to Section 3.36 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act").

## **Part 1 – Objectives and Intended Outcomes**

The objective of this planning proposal is to amend the LLEP 2008 to prohibit the development of cemeteries and crematoria in the suburb of Wallacia.

## **Part 2 – Explanation of provisions**

The objective of this planning proposal is to be achieved through an amendment to Part 7 (Division 2) of the LLEP 2008. The amendment proposes to include an additional local provision that:

- Prohibits 'cemeteries' and 'crematoria' in Wallacia (the subject area);

- Excludes the operation of Clause 5.10 (10) *Conservation incentives*; and
- Overrides any other provision of the LEP as it relates to cemetery and crematorium development in the subject area.

## Part 3 – Justification

### Section A – Need for the planning proposal

#### 3.1 *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

The planning proposal is not a result of any strategic planning statement, strategic study or report.

#### 3.2 *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is considered the best means of achieving the objectives and intended outcomes as indicated in Part 1 of this planning proposal. The alternative to the proposed Part 7 amendment is a rezoning of the subject area to a zone that prohibits ‘cemeteries’ and ‘crematoria’. It is recognised that this would achieve the intended outcome of prohibiting such land uses in Wallacia. However, this would also permit additional uses in Wallacia that are not desired, or appropriate given the significant rural landscape and agricultural qualities of the locality.

The proposed Part 7 amendment will prohibit the development of cemeteries and crematoria in Wallacia whilst avoiding the introduction of inappropriate or incompatible uses and maintaining the existing amenity of the subject area.

### Section B – Relationship to strategic planning framework.

DPIE’s Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic merit and site-specific merit. It is considered that the planning proposal meets these tests as outlined in the following sections.

#### 3.3 *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

##### a. Strategic Merit

The planning proposal will give effect to the relevant regional, sub-regional or district plan or strategies. The most relevant State and District plans that guide the land use direction for the site, are

- Greater Sydney Regional Plan – A Metropolis of Three Cities (GSRP); and
- Western City District Plan (WCDP).

#### Greater Sydney Regional Plan – A Metropolis of Three Cities (GSRP)

A Metropolis of Three Cities – The Greater Sydney Region Plan (GSRP) aims to rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney. The plan is built on a



vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

Objective 28 of the GSRP is of relevance to the proposed amendment. This objective being “*Scenic and cultural landscapes are protected*”. The proposed amendment will protect the existing character of Wallacia and the broader Metropolitan Rural Area by prohibiting land uses which would detract from the scenic quality of the subject area in perpetuity.

It is noted that Objective 6 (*Services and infrastructure meet communities’ changing needs*) of the GSRP addresses cemeteries and crematoria:

*“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 limits the strategic merit of the planning proposal, in proposing to prohibit cemeteries and crematoria from the suburb of Wallacia. Be that as it may, Council staff see strategic merit in prohibiting such uses in Wallacia to ensure scenic and cultural landscapes are protected and enhanced.

#### Western City District Plan (WCDP)

The Western City District Plan provides planning priorities to guide the sustainable growth of Western City over the next 20 to 40 years. The District’s population is expected to grow by around 464,000 (between 2016 and 2036), and the number of households in Liverpool LGA are expected to grow by 91%.

Planning Priority W16 of the WCDP is “*Protecting and enhancing scenic and cultural landscapes*”. The priority is further detailed in the following action:

*“Enhance and protect views of scenic and cultural landscapes from the public realm.”*

Planning Priority W17 of the WCDP is “*Better managing rural areas*”. The priority is further detailed in the following action:

*“Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.”*

Cemeteries and crematoria impact on the viability of agricultural activities as they take up large land holdings in perpetuity and remove the potential for other land uses to occur in the future.

As mentioned in relation to the GSRP, Planning Priority W3 of the WCDP speaks to the future planning of cemeteries and crematoria. As discussed, this limits the strategic merit of the subject proposal. Nevertheless, Council staff see strategic merit in prohibiting such uses in Wallacia to ensure scenic and cultural landscapes are protected and enhanced.

This planning proposal is consistent with the WCDP as it will foster the long-term preservation of the natural environment and scenic landscape within the Metropolitan Rural Area. The proposal takes a place-based approach to removing an inappropriate land use from a specific locality, thereby ensuring that the land is maintained for rural/agricultural purposes, and that residents’ concerns are allayed. Accordingly, the proposal will deliver positive environmental, social, and economic outcomes.

#### Local Strategy

Assessment of the proposal with regards to the Liverpool Local Strategic Planning Statement (LSPS) – *Connected Liverpool 2040* is detailed in Section 3.4.

#### b. Site Specific Merit

In addition to meeting at least one of the strategic merit criteria, a Planning proposal is required to demonstrate site-specific merit against the following criteria in Table 1 below.

*Table 1 - Site Specific Merit*

Criteria	Planning Proposal Response
<i>Does the planning proposal have site specific merit with regard to: the natural environment (including known significant environmental values, resources or hazards)?</i>	<p>It is noted that the subject area contains:</p> <ul style="list-style-type: none"> <li>• <i>Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion; and</i></li> <li>• <i>Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain Sydney Basin Bioregion.</i></li> <li>• <i>Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion.</i></li> </ul> <p>The establishment of cemeteries and crematoria (and their associated buildings, infrastructure and increased traffic and general activity), has the potential to adversely affect critical habitat or threatened species, ecological communities, or their habitat. By prohibiting these uses, the likelihood of adverse effects upon flora and fauna is minimised.</p>
<i>The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal?</i>	<p>The proposed amendment will enhance the existing character of the area through the prohibition of land uses which would detract from the scenic quality of the subject area.</p> <p>It is anticipated that the proposed amendment will protect existing and future land uses by ensuring that large land holdings and agricultural lands are not sterilised from further development or cultivation in perpetuity.</p>
<i>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?</i>	<p>The proposed prohibition will not incur the need for any additional services and infrastructure.</p>

### 3.4 Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

#### Liverpool Local Strategic Planning Statement (LSPS) – Connected Liverpool 2040

The Local Strategic Planning Statement (LSPS) – *Connected Liverpool 2040* is Council's long-term plan to shape Liverpool's future which will help guide the development of Liverpool's suburbs and balance the need for housing, jobs and services as well as parks, open spaces and the natural environment.

Table 2 below demonstrates how the proposed amendment will give effect to the LSPS:

*Table 2 - Assessment against the LSPS*

Local Planning Priority	Extracts	Assessment
<i>Local Planning Priority 16: Rural lands are protected and enhanced</i>	<p><i>Ensure agricultural land is protected and enhanced to support the rural economy, ecosystem services and natural scenic landscapes.</i></p> <p><i>Manage land use conflict by supporting pre - existing agricultural land uses in the case of nuisance complaints and in a manner consistent with the Right to Farm Policy.</i></p>	<p>The proposed amendment will enhance the existing character of the area through the prohibition of land uses which would detract from the scenic quality of the Metropolitan Rural Area.</p> <p>It is anticipated that the proposed amendment will protect existing and future land uses by ensuring that large land holdings in the Metropolitan Rural Area are not sterilised from further cultivation in perpetuity.</p>

### 3.5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

Several State Environmental Planning Policies apply to the land. The consistency of the planning proposal with pertinent SEPPs has been provided in Table 3 below. SEPPs which the planning proposal will not materially impact nor undermine are omitted from Table 3.

*Table 3 – Consistency with State Environmental Planning Policies*

State Environmental Planning Policy (SEPP)	Comment / Consistency
<i>SEPP (Infrastructure) 2007</i>	The Planning Proposal does not include any provisions which would preclude the operation of this SEPP over the subject land.
<i>SEPP No. 55 Remediation of Land</i>	The subject area is predominantly occupied by agricultural land uses, however the Planning Proposal does not propose any development, rather it seeks to prohibit the development of cemeteries and crematoria. Therefore, the proposed prohibition is unlikely to affect the objectives within this policy.
<i>Sydney Regional Environmental Plan No.</i>	The subject area is bordered by the Nepean River to the immediate west and includes one of its tributaries (Duncan's Creek). The proposed

20 – Hawkesbury Nepean River (No. 2 – 1997) -	prohibition is unlikely to affect the objectives within this policy, or the environmental health and quality of the Hawkesbury Nepean River Catchment.
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### 3.6 Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?

Table 4 - Ministerial Directions Compliance

Ministerial Direction	Justification	Consistent
1.2 Rural Lands	<p>The Planning Proposal does not seek to rezone land from a rural zone to a residential, business, industrial, village or tourist zone. It does not contain provisions that will increase the permissible density of land within a rural zone.</p> <p>The objective of this direction is to protect the agricultural production value of rural land. Cemeteries and crematoria generally use the land in perpetuity. This Planning Proposal seeks to remove cemeteries and crematoria from the subject area, therefore maintaining the land for rural land uses.</p>	Yes
2.3 Heritage Conservation	<p>This planning proposal seeks to facilitate heritage conservation by including a provision that prohibits cemeteries and crematoria in the subject area, while overriding the operation of Clause 5.10(10) <i>Conservation incentives</i> as it relates to cemeteries and crematoria. This is appropriate due to the presence of a heritage item (Remnants of former farm homestead - "Pemberton") within Wallacia.</p> <p>A proponent can seek development consent for a prohibited land use on land containing a building that is a heritage item under Schedule 5 of the LEP. Therefore, the planning proposal seeks only to restrict the operation of Clause 5.10(10) as it applies to the subject area and development for cemeteries and crematoria. It's operation within the subject area will be otherwise unaffected and will result in an outcome consistent with this direction.</p> <p>The Planning Proposal does not propose changes to existing LEP clauses or maps relating to heritage. All future Development Applications will be required to comply with the relevant provisions within the LEP and the Heritage Act.</p>	Yes
2.6 Remediation of Contaminated Land	<p>The subject area includes rural land used for agricultural/horticultural activities. However, the proposal does not seek to rezone land from a rural zone to a residential, business, industrial, village or tourist zone. Nor does it contain provisions that will increase the permissible density of land within a rural zone.</p> <p>The proposal only seeks to prohibit the development of cemeteries and crematoria. Therefore, a preliminary site investigation is not required for this proposal.</p>	Yes
3.5 Development Near Regulated	The site is located within 2.5km of the proposed Nancy - Bird Walton International Airport. The proposed prohibition of	Yes

<b>Ministerial Direction</b>	<b>Justification</b>	<b>Consistent</b>
<i>Airports and Defence Airfields</i>	cemeteries and crematoria will not affect the Obstacle Limitation Surface as identified under the SEPP (Western Sydney Aerotropolis) 2020.	
<i>4.3 Flood Prone Land</i>	The subject area contains flood prone land, particularly on RU1 zoned allotments within the vicinity of the Nepean River and Duncan's Creek. As this proposal only relates to the prohibition of cemeteries and crematoria, it is considered that there will be no inherent flooding impacts.	Yes
<i>4.4 Planning for Bushfire Protection</i>	The subject area is predominately identified as bushfire prone land (with a few allotments being partially bushfire prone). However, this proposal does not propose any development, rather it seeks to prohibit the development of cemeteries and crematoria. Therefore, it is considered that bushfire mitigation measures are not required.	Yes
<i>5.10 Implementation of Regional Plans</i>	Consistency with Greater Sydney Region Plan - A Metropolis of Three Cities is demonstrated in Section 3.3 of this report.	Yes
<i>6.1 Approval and Referral Requirements</i>	The planning proposal does not contain provisions requiring additional concurrence, consultation or referral to a Minister or public authority for future DA's.	Yes
<i>6.2 Reserving Land for Public Purposes</i>	The proposed amendment is for a specific clause to prohibit the development of cemeteries and crematoria within the suburb of Wallacia. The proposal does not affect any land reserved for acquisition.	Yes
<i>6.3 Site Specific Provisions</i>	The proposed amendment is for a specific clause to prohibit the development of cemeteries and crematoria within the suburb of Wallacia. No development standards or requirements are imposed in addition to those already contained in the LEP.	Yes

## Section C – Environmental, social, and economic impact

### 3.7 *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The subject area contains the following vegetation:

- Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion;
- Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain Sydney Basin Bioregion; and
- Grey Box - Forest Red Gum grassy woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion.



The establishment of cemeteries and crematoria (and their associated buildings, infrastructure and increased traffic and general activity), has the potential to adversely affect critical habitats, threatened species and ecological communities. Accordingly, the proposed prohibition will reduce the likelihood of adverse effects upon flora and fauna.

### *3.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The proposed prohibition of cemeteries and crematoria will *minimise* the occurrence of the following adverse environmental effects:

- Land and groundwater contamination;
- Air pollution;
- Land use conflicts;
- Rural character and visual impacts; and
- Loss of productive agricultural land in the Sydney Basin

### *3.9 Has the planning proposal adequately addressed any social and economic effects?*

Although there are economic benefits associated with the establishment of cemeteries and crematoria (including employment and the establishment of ancillary business), such land uses adversely impact on the potential for agricultural activities to occur.

Cemeteries and crematoria take up large land holdings in perpetuity. This removes the potential for other uses in the future. This planning proposal seeks to remove an inappropriate land use from the subject area thereby opening the land up for rural/agricultural purposes and encouraging local production of fresh food.

Further, this planning proposal seeks to eliminate cemeteries and crematoria from areas where they are not appropriate, thereby directing these uses to more appropriate areas and zones. Council advocates that planning for cemeteries and crematoria would be better considered at the Greater Sydney level, to ensure a broader strategic approach for these facilities.

The protection of rural lands for other economic uses and future residential growth will be achieved with the implementation of this planning proposal. Cemeteries and crematoria are an important social service ideally located along the periphery of economic centres which enhances their integration into open space networks and visitor frequency as these areas are not too far from public transport hubs and employment centres. When these uses occur in rural areas they are often isolated with their visitor frequency limited to private transport modes with little other purpose of travelling to the rural destination other than for burial services or visitation reasons. These uses (outside of their ancillary uses) provide little to no economic or environmental benefits to the local community.

This planning proposal is in accordance with all the planning directives and objectives that recognise the need for the provision of burial space and associated uses, appropriately provides for social infrastructure and services required for the function and use of cemeteries and crematoria, protects rural economies and primary agricultural lands, reserves land for the eventual transition into residential growth areas, mitigates pollution and health concerns associated with cemeteries and crematoria, and protects and conserves the environmental and recreational areas and open space networks. The proposal only has positive social, environmental, and economic outcomes with little to no negative consequences.

## Section D – State and Commonwealth interests

### 3.10 *Is there adequate public infrastructure for the planning proposal?*

There will be no demands for public infrastructure as part of the proposed prohibition.

### 3.11 *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

As a part of the Gateway determination, the relevant public authorities will be identified who are to be consulted in relation to the planning proposal. The referral advice provided by the public authorities will be considered, following consultation in the public exhibition period.

## Part 4 – Mapping

No changes to LEP mapping are required as part of this proposal.

## Part 5 – Community Consultation

Schedule 1, Clause 4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination. The planning proposal will be publicly exhibited for at least 14 days in accordance with DPIE's A Guide to Preparing Local Environmental Plans. The planning proposal exhibition will also be carried out in accordance with Council's Community Participation Plan.

At a minimum, the notification of the public exhibition of the Planning proposal is expected to involve:

- Notification on the Liverpool City Council website

## Part 6 – Project Timeline

An anticipated project timeline is shown in Table 5.

*Table 5 – Anticipated Project Timeline*

Timeframe	Action
June 2021	Submission of Planning Proposal to DPIE
July 2021	Gateway Determination issued
July 2021 – August 2021	State agency consultation
July 2021 – August 2021	Community consultation
August 2021	Consideration of submissions and proposal post-exhibition
October 2021	Post-exhibition report to Council
November 2021	Legal drafting and making of the plan