

ADVICE ON PLANNING PROPOSALS
LIVERPOOL LOCAL PLANNING PANEL

3 May 2021

Held Online via
MS Teams

Panel: Michael Mantei (Chair)
Marjorie Ferguson (Expert)
Lindsay Fletcher (Expert)
Stephen Dobell-Brown (Community Rep)

There were no conflicts of interest declared by any panel members in relation to any items on the agenda.

3 May 2021

ITEM No:	1
APPLICATION NUMBER:	RZ 2/2021
SUBJECT:	Planning proposal to amend Part 7 of Liverpool Local Environmental Plan 2008 to prohibit cemeteries and crematoria in Wallacia

ADVICE OF THE PANEL

The Panel has been provided with a report prepared by Council's strategic planning officers concerning a planning proposal to amend Part 7 of Liverpool Local Environmental Plan 2008 to prohibit cemeteries and crematoria in the locality of Wallacia. The Panel was briefed by Council officers.

The Panel is required to provide Council with advice on the planning proposal prior to consideration by the elected representatives of Liverpool City Council.

The planning proposal follows previous planning proposals in 2013 and 2019 which sought amendments to Liverpool LEP 2008 to prohibit cemeteries and crematoria in various zones. The department of Primary Industry and Planning has refused to allow such a prohibition in rural and industrial zones. The current planning proposal is a direct response to a resolution of Liverpool City Council at its meeting on 24 February 2021 requiring the CEO to bring to the April Council Meeting a planning proposal similar to that of Penrith City Council seeking to amend the Liverpool LEP prohibiting cemeteries and crematoria within Wallacia.

The strategic and site specific merit for the proposal is outlined in the planning proposal justification statement dated 23 April 2021. In essence the Panel understands that the suburb of Wallacia contains areas of special scenic, environmental and agricultural value that are likely to be prejudiced by development for the purposes of cemeteries and crematoria. The Panel understands that the roads within the Wallacia locality are generally not designed to accommodate the large volumes of traffic movements that are often generated by cemeteries and crematoria.

When assessing the strategic merit of the planning proposal, the Panel must consider whether the planning proposal will give effect to the objectives and actions of the Greater Sydney Regional Plan and the Western City District Plan. As the justification statement notes, the strategic merit of the planning proposal is limited by objective 6 of the GSRP, which aim to ensure sufficient provision is made for burials and cremations and associated activities in the Sydney Metropolitan area, but is supported by objective 28 of the GSRP, and priorities 16 and 17 of the WCDP relating to the protection and enhancement of scenic and cultural landscapes.

The planning proposal does not appear to the Panel to be the result of a strategic planning exercise and does not conform with the plan making process prescribed by Part 3 of the *Environmental Planning and Assessment Act 1979*. The location of cemeteries and crematoria is a Metropolitan wide issue and requires strategic planning on a Metropolitan scale. The planning proposal before the Panel, and a similar proposal in the adjoining Penrith LGA, highlight the obvious need for the State Government to strategically address the location of cemeteries and crematoria. Apart from conflicting objectives and priorities in the GSRP and WCDP, there does not appear to be any real attempt by the State Government to plan for these types of land uses at the Metropolitan level.

3 May 2021

The Panel considers it is unable to conclude that the planning proposal has strategic merit, solely on the basis of objective 6 of the GSRP. The Panel recommends Council consider joining with Penrith and Wollondilly Shire Council to make a joint representation to the State Government encouraging it to undertake a proper strategic planning study to identify locations within the Sydney metropolitan area that are not primary production resource land, scenic or cultural landscapes, ecologically sensitive including riparian and wildlife corridors, and are provided with an appropriate level of road access.

VOTING NUMBERS:

4-0