

Planning Proposal

40 Ramsay Road, Rossmore (Rossmore Grange)

Amendment 93 of Liverpool Local Environmental Plan 2008 to permit, with development consent, an animal boarding or training establishment at 40 Ramsay Road, Rossmore

18 October 2021

Table of Contents

<u>Introduction</u>	2
<u>Background</u>	2
<u>Report Structure</u>	3
<u>Site Description</u>	3
<u>Statutory Planning Framework</u>	5
<u>Liverpool Local Environmental Plan 2008</u>	5
<u>Delegation of plan making functions</u>	7
<u>Part 1 – Objectives and Intended Outcomes</u>	7
<u>Part 2 – Explanation of provisions</u>	7
<u>Part 3 – Justification</u>	7
<u>Section A – Need for the planning proposal</u>	7
<u>Section B – Relationship to strategic planning framework</u>	7
<u>Section C – Environmental, social, and economic impact</u>	12
<u>Section D – State and Commonwealth interests</u>	15
<u>Part 4 – Mapping</u>	16
<u>Part 5 – Community Consultation</u>	16
<u>Part 6 – Project Timeline</u>	16

List of tables

<u>Table 1 - Site Specific Merit</u>	9
<u>Table 2 - Assessment against the LSPS</u>	10
<u>Table 3 – Consistency with State Environmental Planning Policies</u>	10
<u>Table 4 - Ministerial Directions Compliance</u>	11
<u>Table 5 – Anticipated Project Timeline</u>	16

List of figures

<u>Figure 1: Aerial view of subject site (Nearmap Jan 2021)</u>	4
<u>Figure 2: Regional Context Map (Google Maps)</u>	5
<u>Figure 3: Existing land use zoning in the LEP (subject site outlined in red)</u>	6
<u>Figure 4: Land identified on the Biodiversity Values Map (DPIE)</u>	13

Introduction

This planning proposal relates to 40 Ramsay Road, Rossmore (the subject site) which is legally described as Lot 1016 DP 258344. The Council owned site is also known as Rossmore Grange and is categorised as community land. The impetus for the planning proposal is to enable the development of a future animal shelter on the site despite the RE1 – Public Recreation zoning that applies.

Background

On 1 December 2016 Council took over the operation of the Renbury Farm Facility at Austral and renamed it Liverpool Animal Shelter. The original lease was for two years and a subsequent lease extension lapsed on 20 March 2020.

Prior to expiration of the lease, Council at its meeting on 26 February 2020, resolved to explore options for the establishment of a permanent animal holding facility and to develop concept plans for such a facility on land owned by Council. In accordance with the Council resolution, an extension of the lease for Liverpool Animal Shelter was also agreed upon until 19 July 2020.

Upon cessation of the lease, Council at its meeting on 29 July 2020 considered a report for the Liverpool Animal Shelter. The report identified that a further report would need to provide options for a permanent future site for the Liverpool Animal Shelter.

After consideration of various options, it was recommended that Council endorse Rossmore Grange (Lot 1016 DP 258344) as the preferred site for the provision of a permanent Liverpool Animal Shelter. Accordingly, at the 27 October 2020 Council meeting, it was resolved, among other things, that Council:

1. *Endorse Rossmore Grange, Austral (Lot 1016 DP 258344) as the preferred site for the Liverpool Animal Shelter on the basis that it would incur no additional land cost to Council with further detailed studies of the site being required;*
2. *Direct the Acting Chief Executive Officer to proceed with the process required to amend the plan of management and prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to permit, with development consent, an “animal boarding or training establishment” on the site, including an appropriate budget allocation for the necessary studies to support the planning proposal;*
3. *Note that a further report will be submitted to Council regarding the progress of the planning proposal, including the advice of the Liverpool Local Planning Panel and detailed design/costings*

This planning proposal has been prepared in response to the above Council resolution. The planning proposal seeks to amend Schedule 1 “Additional Permitted Uses” of the Liverpool Local Environmental Plan 2008 (LEP) to permit an *animal boarding or training establishment* with consent on the subject site.

The Planning Proposal was submitted to DPIE for gateway determination in May 2021. A gateway determination to proceed was given on 16th September 2021, subject to the following:

Prior to exhibition, the planning proposal should be updated to include the following information:

- (a) *additional justification in relation to the reduction in accessible public open space as a result of the planning proposal, such as how Council plans to manage the residual RE1 zoned land.*

(b) option analysis of potential locations within the RE1 zoned land taking into account any flooding, bushfire, Aboriginal and European heritage, land contamination or other constraints, amenity impact on the surrounding residential properties, future operational requirements of the facility (such as access) and with a view to minimise impact on the RE1 Public Recreation zoning objectives.

Accordingly, the Planning Proposal Justification Report has been revised to address the above conditions.

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 subject site is known as 40 Ramsay Road, Rossmore (Rossmore Grange) and is legally described as Lot 1016 within DP 258344. The site has an area of 81.09ha and is irregular in shape. The site is currently used for passive recreation purposes and predominately consists of grassland, with vegetation being concentrated along the South/Wianamatta creek to the west. The site is located to the southwest of the Western Sydney International (Nancy-Bird Walton) Airport (WSA) that is currently under construction and lies within the 'non-initial' Rossmore precinct of the Western Sydney Aerotropolis Plan as well as the Rossmore and Rossmore North precincts of the Growth Centres SEPP.



Figure 1: Aerial view of subject site (Nearmap Jan 2021)

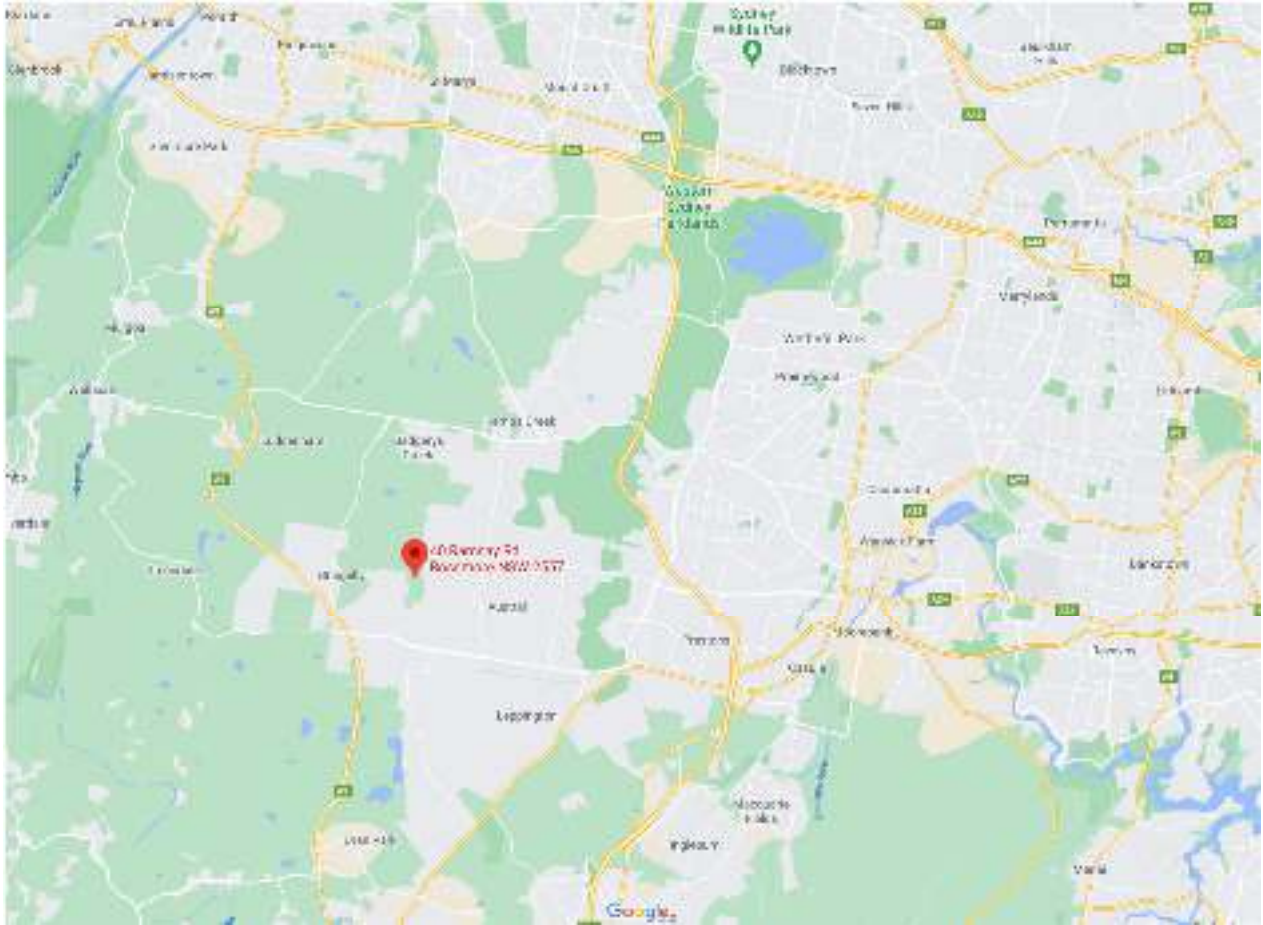


Figure 2: Regional Context Map (Google Maps)

Statutory Planning Framework

Liverpool Local Environmental Plan 2008

The land is partially zoned RE1 – Public Recreation in accordance with the zoning map of the LLEP 2008. The remainder of the site is zoned under the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020. The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 also applies to the land, and whilst the land is not zoned as per that instrument, the site is subject to a biodiversity certification order conferred as per the SEPP. The proposal only applies to the RE1 zoned portion under the LLEP 2008.

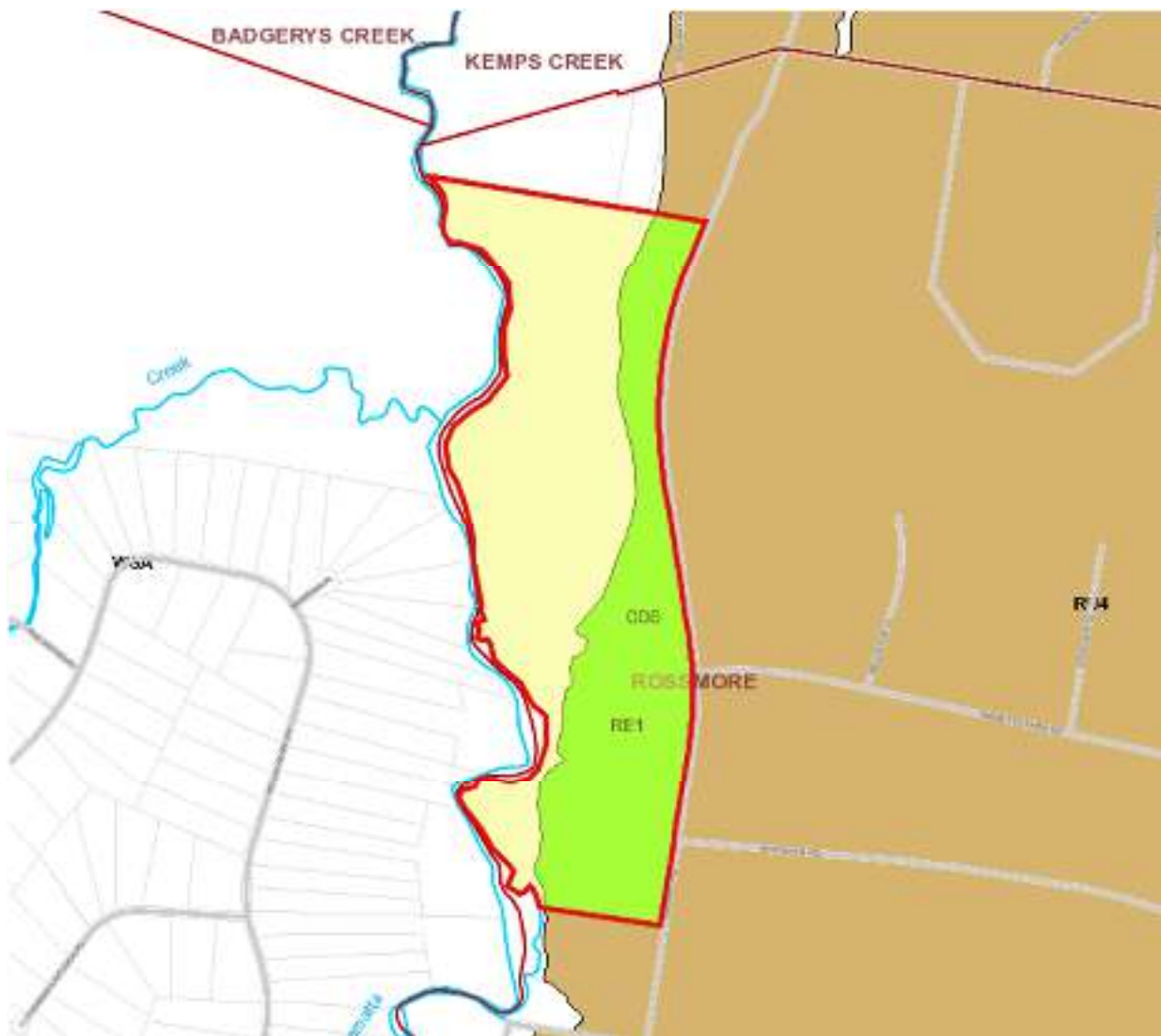


Figure 3: Existing land use zoning in the LLEP 2008 (subject site outlined in red)

The objectives of the RE1 – Public Recreation zone are:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To provide sufficient and equitable distribution of public open space to meet the needs of residents.*
- *To ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land.*

The proposal will maintain the objectives of the RE1 zone as any proposed ‘animal boarding or training establishment’ will be designed to be compatible with the existing recreational uses on site. Thereby ensuring that the site will primarily be used for recreational purposes and that the natural environment will be protected from the additional permitted use.

Additionally, Rossmore Grange has a total area of approximately 82 hectares (including land zoned under the Western Sydney Aerotropolis SEPP). The site for the animal shelter will occupy approximately 2 hectares of this area with the residual RE1 zoned land to be managed in accordance with Council’s Plan

of Management (PoM). The PoM will ensure that there will be sufficient and equitable distribution of public open space to meet the needs of residents.

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 permit the development of an animal boarding or training establishment at Rossmore Grange with consent. This objective applies to the subject site only.

Part 2 – Explanation of provisions

The objective of this planning proposal is to be achieved through an amendment to Schedule 1 of the LLEP 2008. The amendment proposes a new clause for the additional permitted use of an animal boarding or training establishment within the RE1 – Public Recreation zone of the subject site (40 Ramsay Road, Rossmore).

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 schedule 1 amendment proposed is a rezoning of the site to a zone that permits an 'animal boarding or training establishment' with consent. It is recognised that this would achieve the intended outcome of enabling the development of an animal shelter on the subject site. However, this would also permit additional uses on the site that are not desired, or appropriate given the nature and use of Rossmore Grange.

The schedule 1 amendment proposed will allow for an animal boarding or training establishment on the site whilst avoiding any risk of losing the existing recreational uses on the site or introducing inappropriate or incompatible uses.

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 6 of the GSRP is of relevance to the proposed amendment. This objective being “*Services and infrastructure to meet communities’ changing needs*”. The proposed amendment will allow for the provision of a crucial, permanent animal detention and rehoming service that would otherwise be unavailable within the local government area.

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 households in Liverpool LGA are expected to grow by 91%.

Planning Priority W3 of the WCDP is “*providing services and social infrastructure to meet people’s changing needs*”. The priority is further detailed in the following action:

“Deliver social infrastructure that reflects the needs of the community now and in the future.”

The proposed facility will provide a service that meets a critical need for the wider community. This is evident in the way that temporary facilities have helped to control the prevalence of stray animals and provide an educational service for local pet owners. A new, permanent Council-owned facility will ensure that residents would not have to travel beyond Liverpool to access this critical community service.

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
<p><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>	<p>It is noted that the site contains:</p> <ul style="list-style-type: none"> • <i>Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion</i> • <i>Coastal freshwater lagoons of the Sydney Basin Bioregion and South East Corner Bioregion;</i> • <i>Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion; and</i> <p>The proposed facility would be principally located within cleared land and impacts to biodiversity will be minimised. Any future DA will be required to address this further. In terms of hazards, the subject site is bushfire affected. This is further addressed in section 3.8 of this report.</p>
<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>	<p>The proposed amendment will not impact on the existing character of the area.</p> <p>It is noted that the entire locality of Rossmore will experience changes as the Western Sydney Aerotropolis develops into the future. It is not anticipated that the proposed amendment will impact these future uses given the minor scale and low-impact nature of the facility.</p>
<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>	<p>The proposed animal shelter will not require services and infrastructure above and beyond that of a standard animal boarding and training establishment. It is deemed that a future animal shelter as facilitated by this planning proposal will not put undue pressure on existing services and infrastructure available within the locality.</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 6 High-quality, plentiful and accessible community facilities, open space and infrastructure aligned with growth</i>	<i>Liverpool City Council is committed to the delivery of high-quality facilities and services that are attractive, flexible and address the needs of the general community.</i>	The proposed amendment will facilitate the delivery of an important facility that provides a valuable service to the community.

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 (Western Sydney Aerotropolis) 2020</i>	The proposed amendment will not impact on the achievement of the objectives, planning principles and priorities of the Western Sydney Aerotropolis.
<i>SEPP No. 55 Remediation of Land</i>	Any proposed development will be required to adhere to Clause 7 of SEPP 55 at the DA stage.
<i>SEPP No. 64 Advertising and Signage</i>	Any advertising signage proposed will be required to adhere to SEPP 64 at the DA stage.
<i>SEPP (Sydney Region Growth Centres) 2006</i>	<p>The site lies within the yet to be released suburb of Rossmore. The SEPP (Sydney Region Growth Centres) 2006 identified Rossmore as a future urban release area. However, this designation has been superseded by future plans as outlined under the Western Sydney Aerotropolis Plan (WSAP).</p> <p>Nevertheless, the site is still subject to the biodiversity certification orders as outlined under the SEPP (Sydney Region Growth Centres) 2006. The site has been identified as being non-certified, therefore any potential impacts to biodiversity will be considered at DA stage.</p> <p>Accordingly, the proposed amendment will not impact on the achievement of the objectives, planning principles and priorities of the South West Growth Centre.</p>
<i>SEPP No. 19 Bushland in Urban Areas</i>	Any proposed removal of vegetation will be required to adhere to SEPP 19 at the DA stage.

<p><i>Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No. 2 – 1997)</i></p>	<p>Although the site is bordered by the South/Wianamatta Creek to the immediate west, the planning proposal is unlikely to affect the objectives within this policy, or the environmental health and quality of the Hawkesbury Nepean River Catchment.</p>
--	--

3.6 *Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 directions)?*

Table 4 - Ministerial Directions Compliance

Ministerial Direction	Justification	Consistent
<p><i>2.3 Heritage Conservation</i></p>	<p>The site is not a listed heritage item, however it has an Aboriginal Heritage Information Management System (AHIMS) recording and two known potential historical archaeological deposits. Accordingly, subject to a future Council resolution, it is intended to prepare a an Aboriginal and European Heritage Assessment prior to the issuance of a Gateway determination, to ensure that site - specific merit can be achieved.</p>	<p>Yes</p>
<p><i>2.6 Remediation of Contaminated Land</i></p>	<p>The existing site has been used for agricultural/horticultural activities in the past. However, the proposed amendment will facilitate an <i>animal boarding and training establishment</i> which exhibits similar characteristics to the formative land use on the site.</p> <p>Additionally, the land is currently used for passive recreation activities and minimal complaints have been made regarding the illegal dumping of waste. Accordingly, subject to a future Council resolution, it is intended to prepare a preliminary site investigation prior to the issuance of a Gateway determination to ensure that site - specific merit can be achieved.</p>	<p>Yes</p>
<p><i>3.2 Caravan Parks and Manufactured Homes</i></p>	<p>The proposal will retain 'Caravan Parks' as a permitted use in the RE1 zone.</p>	<p>Yes</p>
<p><i>3.4 Integrated Land Use and Transport</i></p>	<p>The inherent traffic impacts would be negligible as the proposal would only facilitate one animal shelter. A traffic investigation will accompany any development application relating to the future development of the site.</p>	<p>Yes</p>
<p><i>3.5 Development Near Regulated Airports and Defence Airfields</i></p>	<p>The site is located within 3km of the proposed Nancy - Bird Walton International Airport. Should the proposal receive Gateway determination, then the relevant authorities will need to be notified as part of the post Gateway Determination process. Any future application for the animal shelter will need to include plans indicating that the height of any building would be less than the Obstacle Limitation Surface as identified under the SEPP (Western Sydney Aerotropolis) 2020.</p>	<p>Yes</p>
<p><i>4.3 Flood Prone Land</i></p>	<p>The site is identified as flood prone land. However, the RE1 zoned portion of the site is not flood prone. Therefore, for the</p>	<p>Yes</p>

Ministerial Direction	Justification	Consistent
	purposes of this planning proposal it is considered that there will be no inherent flooding impacts.	
<i>4.4 Planning for Bushfire Protection</i>	<p>The site is identified as bushfire prone land. This affectation will be considered in the final design of the animal shelter, with a future development capable of complying with the Rural Fires Act 1997 and the NSW Rural Fire Service 'Planning for Bushfire Protection' guidelines 2019, subject to concurrence from the NSW Rural Fire Service.</p> <p>It should be noted that the site is mostly covered by grassland of introduced pasture and weed species that can be easily cleared with no adverse biodiversity impacts. Consequently, appropriate asset protection zones (APZ's) can be established around a future animal shelter to ensure bushfire risks are mitigated.</p>	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 site-specific clause to allow an animal boarding or training establishment to be permitted with consent on the subject site. The proposal does not affect any land reserved for acquisition. The site will remain classified as community land.	Yes
<i>6.3 Site Specific Provisions</i>	The proposed amendment is for a site-specific clause to allow an animal boarding or training establishment to be permitted with consent on the subject site. No development standards or requirements are imposed in addition to those already contained in the LEP.	Yes
<i>7.8 Implementation of Western Sydney Aerotropolis Plan</i>	The site lies within the non-initial (yet to be released) precinct of Rossmore. The Western Sydney Aerotropolis Plan (WSAP) provisionally identifies the RE1 zoned portion of site as being subject to a future 'Urban Land' designation. Accordingly, the proposed amendment is unlikely to impact on the achievement of the objectives, planning principles and priorities of the WSAP.	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 site contains the following vegetation:

- Coastal freshwater lagoons of the Sydney Basin Bioregion and South East Corner Bioregion;
- Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion; and
- Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain Sydney Basin Bioregion.

The proposed facility would be predominantly located within cleared land and impacts to biodiversity will be minimised. It is also noted that the site is non-certified for the purposes of biodiversity conservation under the SEPP (Sydney Region Growth Centres) 2006. Some small portions of land are identified on the Biodiversity Values Map (*Figure 4*), which forms part of the Biodiversity Offsets Scheme Threshold (under the Biodiversity Conservation Act 2016).



Figure 4: Land identified on the Biodiversity Values Map (DPIE)

It is noted that the siting of a future animal shelter can avoid impacting on these small portions with relative ease. Nonetheless, any potential impacts to biodiversity will be considered at DA stage.

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

Bushfire

The entire site is bushfire prone with the land predominately being subject to Vegetation Category 3 (Medium hazard – Grassland) and the remainder being identified as Vegetation Category 1 (High hazard - Forest) along South/Wianamatta creek. The site is mostly covered by grassland of introduced pasture and weed species that can be easily cleared with no adverse biodiversity impacts. Consequently, it is deemed that appropriate asset protection zones (APZ's) can be established around a future animal shelter to ensure bushfire risks are mitigated.

The site for the proposed development is identified as affected by bushfire risk, being vegetation category 3 (grasslands). This category typically consists of unmanaged grasslands, that is, largely perennial grasslands that are not subject to regular slashing / mowing broadly a development must ensure that future land uses minimise the risk to life and property from bush fire threats and that any development will include bush fire protection measures to ensure that the development can comply with the Aims and Objectives of Planning for Bush Fire Protection (PBP) Guidelines. Grasslands are relatively easy to manage, as regular mowing can satisfy the requirements as per Planning for Bushfire Protection, without the need for clearing or removing substantive vegetation (such as trees). A Bushfire Constraints Assessment can be submitted with any DA indicating that the proposed development can comply with the Rural Fires Act 1997 and the NSW Rural Fire Service 'Planning for Bushfire Protection' guidelines.

Land Contamination

The existing site has been used for agricultural/horticultural activities in the past. However, the proposed amendment will facilitate an *animal boarding and training establishment* which exhibits similar characteristics to the formative land use on the site. Additionally, the land is currently used for passive recreation activities and minimal complaints have been made regarding the illegal dumping of waste.

A preliminary site investigation will need to be submitted with any DA indicating that the proposed development can comply with SEPP 55.

Flooding

The site is impacted by 1% AEP flood and PMF flood extents, and any development should minimise flood risks by proposing compatible uses within the flood zone with appropriate flood risk management strategies and mitigation measures to be put in place. The proposed development is located in the RE1 zoned portion of the site, which sits outside of the high and medium risk flood risk categories. Therefore, for the purpose of this planning proposal it is considered that there will be no inherent flooding impacts.

Aboriginal Heritage

A Cultural and Heritage assessment report prepared by Gondwana consulting and, Associates in April 2006 classified the proposed site as low Aboriginally culturally sensitive land. Any development on the site should promote the conservation of, and minimise the impact of development on, heritage items and Aboriginal objects and places of heritage significance. An Aboriginal Cultural Heritage Assessment Report will be required to address the impact at the Development Assessment stage.

European Heritage

No European heritage items are identified on the site.

Traffic and Parking

The proposed amendment will not create capacity issues in relation to the local road network, given the nature of the proposed use and surrounding area. The traffic caused by the development will be minor, and

the surrounding road network is not constrained by any capacity issues currently. In relation to parking, any future DA will be required to ensure parking provision is provided.

Noise

The proposed amendment will facilitate the operation of an animal shelter in a permissible manner. A future DA will require noise impacts to be addressed and managed appropriately.

Amenity impact on surrounding residential properties

The site has been investigated for the new animal shelter as the land is already owned by Council and is located in a semi-rural area with fewer sensitive receivers when compared to urban locations. Amenity impacts on sensitive receivers emanating from an animal shelter are likely to include noise, odour, light spill and traffic impacts. Impacts regarding noise and traffic are described above.

Issues relating to odour

Odour impacts on the site cannot be determined at this stage. The design of the building and the operational management plans are to be submitted at the Development Assessment stage and will be required to address minimising and managing issues arising from odour.

Issues relating to light spill and glare

Lighting for all proposed buildings and carparks associated with the development will need to be designed to minimise the effects of light spill and glare on nearby residences, nocturnal native fauna and airport operations. The development needs to take into consideration and be designed in accordance with Australian Building Standards and Specifications as well as the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 Part 3 Section 23 relating to lighting.

Amenity impacts resulting from the development are likely to be easily mitigated and will be addressed and managed appropriately during the Development Assessment stage of the proposed development.

Further operational requirements of facility

An updated Plan of Management (PoM) is currently being prepared for the site. An operational management plan will also be required to be submitted at Development Assessment stage.

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

The planning proposal is expected to result in positive social and economic impacts by providing a valuable service to the community. The proposal would facilitate a positive economic impact in the locality through the capital investment value of the future animal shelter, the creation of construction jobs, and the employment of local residents. Inherent social benefits will be realised through the reestablishment of a much needed, permanent animal shelter that provides a benevolent service for the community.

Section D – State and Commonwealth interests

3.10 Is there adequate public infrastructure for the planning proposal?

Given the nature of the additional permitted use proposed, there is little to no demands for public infrastructure.

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.

Part 6 – Project Timeline

An anticipated project timeline is shown in *Table 5*.

Table 5 – Anticipated Project Timeline

Timeframe	Action
May 2021	Submission of Planning Proposal to DPIE
September 2021	Gateway Determination issued
October 2021	State agency consultation
November 2021	Community consultation
December-January 2022	Consideration of submissions and proposal post-exhibition
February 2022	Post-exhibition report to Council
March 2022	Legal drafting and making of the plan