

Adrian Hohenzollern

Director Western
Place, Design and Public Spaces Group
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and Environment

Sent by email: metroparra@planning.nsw.gov.au

**Re: Draft Liverpool Local Environmental Plan 2008 Amendment 89
Planning Proposal to to amend Schedule 1 to permit, with development consent,
a recreation facility (outdoor) at 25 Dwyer Road, Bringelly**

Dear Adrian,

Pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), Liverpool City Council submits the planning proposal for Draft Liverpool Local Environmental Plan 2008 (Amendment 89).

On 28 August 2020, a Mayoral Direction was determined by the elected Mayor of Liverpool City Council pursuant to her policy-making responsibilities under Section 226(d) of the *Local Government Act 1993*. This Mayoral Direction required an issues and options report to be considered by Council at the 30 September 2020 meeting that detailed options available to Council to amend the Liverpool Local Environmental Plan 2008 (LEP) to permit, with development consent, a recreation facility (outdoor) at 25 Dwyer Road, Bringelly.

At the 30 September 2020 Council meeting, it was resolved that Council:

Directs the Acting Chief Executive Officer to prepare a planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly and delegates authority to the Acting Chief Executive Officer to forward the planning proposal to the Department of Planning, Industry, and Environment seeking a Gateway determination.

This draft planning proposal justification report has been prepared in response to the Mayoral Direction and subsequent Council resolution. The draft planning proposal seeks to amend Schedule 1 "Additional Permitted Uses" of the LEP to permit with consent a recreation facility (outdoor) at the subject site.

Given the minor nature of the proposal, it is understood that there is no requirement for the planning proposal to be considered by the Liverpool Local Planning Panel (LPP). The *Local Planning Panels Direction – Planning Panels* issued by the Minister for Planning & Public Spaces under Section 9.1 of the Environmental Planning & Assessment Act states:

1. *A council to whom this direction applies is required to refer all planning proposals prepared after 1 June 2018 to the local planning panel for advice, **unless** the council's general manager determines that the planning proposal relates to:*
 - a. *the correction of an obvious error in a local environmental plan,*
 - b. *matters that are of a consequential, transitional, machinery or other minor nature, or*
 - c. ***matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.***

(Emphasis added)

It is considered that this planning proposal would not have any significant adverse impact on the environment or adjoining land that can't be appropriately managed through the merit assessment of a development application, and if considered appropriate to approve, with conditions. Therefore, the planning proposal has not been reported to the LPP in accordance with the above Section 9.1 Ministerial Direction.

The relevant documentation has been uploaded to the Department's Planning Portal. Council requests Gateway determination in accordance with Section 3.34 of the Act.

Should you wish to discuss this matter further, please contact me on (02) 8711 7886 or ostel@liverpool.nsw.gov.au.

Yours sincerely



Luke Oste
Executive Planner