



New South Wales

Liverpool Local Environmental Plan 2008 (Amendment No 42)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**TANYA O'BRIEN, MANAGER OF STRATEGIC PLANNING,
LIVERPOOL CITY COUNCIL**
As delegate for the Minister for Planning

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1 Name of Plan

This Plan is *Liverpool Local Environmental Plan 2008 (Amendment No 42)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to all land to which *Liverpool Local Environmental Plan 2008* applies.

Schedule 1 Amendment of Liverpool Local Environmental Plan 2008

Clause 7.35

Insert after clause 7.34:

7.35 Location of restricted premises

- (1) The objective of this clause is to ensure that restricted premises are not visually prominent from public places or other locations regularly frequented by children.
- (2) Development consent must not be granted to development for the purposes of restricted premises if the premises would be located on land that adjoins land, or is separated only by a road from land:
 - (a) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential, or
 - (b) that is used for the purposes of a child care centre, a community facility, an educational establishment, a place of public worship, a recreation area, a recreation facility (indoor), a recreation facility (major) or a recreation facility (outdoor), or
 - (c) that is used for the purposes of restricted premises or sex services premises, or
 - (d) in relation to which development consent has been granted for the purposes of a child care centre, a community facility, an educational establishment, a place of public worship, a recreation area, a recreation facility (indoor), a recreation facility (major), a recreation facility (outdoor), restricted premises or sex service premises.
- (3) Before granting development consent for the purposes of restricted premises, the consent authority must take into account:
 - (a) the impact of the proposed development on places of high pedestrian activity, and
 - (b) the impact of the proposed development on land frequented by children for care, recreational or cultural purposes, and
 - (c) whether the appearance of the restricted premises is sufficiently discreet.