

Liverpool Local Environmental Plan 2008 (Amendment No 42) – Restricted Premises

Proposal Title : **Liverpool Local Environmental Plan 2008 (Amendment No 42) – Restricted Premises**

Proposal Summary : **The planning proposal pertains to control on the location of ‘restricted premises’ within the Liverpool Local Government Area (LGA). It is proposed to add an additional clause to Part 7 – Additional Local Provisions of the Liverpool Local Environmental Plan (LEP) 2008, relating to ‘restricted premises’. Under the proposed changes, development of this nature would be subject to greater control on their design and appearance, as well as their location.**

PP Number : **PP_2014_LPOOL_003_00** Dop File No : **14/03137**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

1. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- **NSW Police Force**
- **Adjoining Local Government Areas**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

2. Exhibited for 14 days.

3. The timeframe for completing the Local Environmental Plan is to be 6 months from the week following the date of the Gateway determination.

DELEGATION TO COUNCIL

Council intends to use this delegation to proceed with the planning proposal (see attached in Documents). It is recommended that delegation be given to Council to exercise the Minister’s plan making powers in this instance.

Supporting Reasons : **The planning proposal is supported as it would limit the permissibility of ‘restricted premises’ in inappropriate locations.**

Panel Recommendation

Recommendation Date : **27-Feb-2014** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The planning proposal should proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) **the planning proposal must be made publicly available for a minimum of 28 days; and**
- (b) **the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Planning & Infrastructure 2013).**

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Police Force
- Adjoining Local Government Areas

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has requested to be issued with delegation for this planning proposal. Council should be issued with plan making delegation because the proposal is considered to be a matter of local planning significance.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

28/2/14