



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

## **Liverpool Local Environmental Plan 2008 (Amendment No 42)**

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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.