



New South Wales

Tamworth Local Environmental Plan 1996 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S00/00937/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

Sydney, 6th day of July 2001.

2001 No 560

Clause 1 Tamworth Local Environmental Plan 1996 (Amendment No 14)

Tamworth Local Environmental Plan 1996 (Amendment No 14)

1 Name of plan

This plan is *Tamworth Local Environmental Plan 1996 (Amendment No 14)*.

2 Aims of plan

This plan aims:

- (a) to include a definition of *restricted premises* in the *Tamworth Local Environmental Plan 1996* and to specify the land on which development for the purposes of restricted premises may be carried out with development consent, and
- (b) to specify the land on which development for the purpose of a brothel may be carried out with development consent, and
- (c) to impose restrictions on the location of a brothel or restricted premises.

3 Land to which plan applies

This plan applies to all land within the City of Tamworth under *Tamworth Local Environmental Plan 1996* and in particular to land at Taminda as identified by diagonal hatching on the map marked “Tamworth Local Environmental Plan 1996 (Amendment No 15)” deposited in the office of the Tamworth City Council.

4 Amendment of Tamworth Local Environmental Plan 1996

The *Tamworth Local Environmental Plan 1996* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 How are types of development and other terms defined in this plan?

Insert in alphabetical order of definitions in clause 6 (1):

restricted premises means business premises or a shop that, due to its nature, restricts access to customers over 18 years of age and includes sex shops and similar premises, but does not include a tavern, hotel or brothel.

[2] Clause 6 (1), definition of “the map”

Insert at the end of the definition:

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[3] Clause 10 What rural zones apply in this plan?

Insert “restricted premises,” in alphabetical order in item 4 of the matter relating to Zone Nos 1 (a), 1 (c), 1 (d) and 1 (e) in the Table to the clause.

[4] Clause 18 What residential zone applies in this plan?

Insert “restricted premises,” in alphabetical order in item 4 of the matter relating to Zone No 2 in the Table to the clause.

[5] Clause 19 What business zones apply in this plan?

Insert “restricted premises” in alphabetical order in item 4 of the matter relating to Zone Nos 3 (a1) and 3 (a) in the Table to the clause.

[6] Clause 23 What industrial zone applies in this plan?

Insert “brothels (unless on land identified by diagonal hatching on the map),” in alphabetical order in item 4 of the matter relating to Zone No 4 in the Table to the clause.

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Schedule 1 Amendments

[7] Clause 24 What recreation zone applies in this plan?

Insert “restricted premises,” in alphabetical order in item 4 of the matter relating to Zone No 6 in the Table to the clause.

[8] Clause 25 What environment protection zone applies in this plan?

Insert “restricted premises,” in alphabetical order in item 4 of the matter relating to Zone No 7 in the Table to the clause.

[9] Clauses 52 and 53

Insert after clause 51:

52 What are the restrictions on the location of a brothel?

Notwithstanding any other provision of this plan, the Council must not grant consent to development for the purposes of a brothel unless it is satisfied that the boundary of the site of the proposed brothel will be at least 150 metres by road from any of the following:

- (a) any existing dwelling,
- (b) any residential zone,
- (c) any place of public worship,
- (d) any place designed for and utilised by children, such as any child care centre, community facility, educational establishment, entertainment facility, recreation area or recreation facility,
- (e) any other brothel.

53 What are the restrictions on the location of restricted premises?

Notwithstanding any other provision of this plan, the Council must not grant consent to development for the purpose of restricted premises unless the Council is satisfied that:

- (a) there will be no external advertising other than the name of the premises, and
- (b) there will be access to the premises via a public road, and

- (c) the boundary of the site of the restricted premises will be at least 150 metres by road from any other restricted premises, and
- (d) the boundary of the site of the restricted premises will be at least 150 metres by road from any existing dwelling.