



New South Wales

Maitland Local Environmental Plan 1993 (Amendment No 65)

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*. (N01/00214/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 557

Clause 1 Maitland Local Environmental Plan 1993 (Amendment No 65)

Maitland Local Environmental Plan 1993 (Amendment No 65)

1 Name of plan

This plan is *Maitland Local Environmental Plan 1993 (Amendment No 65)*.

2 Aims of plan

This plan aims:

- (a) to include definitions of ***brothel***, ***prostitution*** and ***restricted premises*** in *Maitland Local Environmental Plan 1993*, and
- (b) to allow development for the purposes of brothels and restricted premises (with the consent of the Council of the City of Maitland) only on land within the industrial zones under that Plan.

3 Land to which plan applies

This plan applies to all land in the City of Maitland under *Maitland Local Environmental Plan 1993*.

4 Amendment of Maitland Local Environmental Plan 1993

Maitland Local Environmental Plan 1993 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 How are terms defined in this plan?

Insert in alphabetical order in clause 5 (1):

Brothel means premises habitually used for the purpose of prostitution, or that have been used for that purpose and are likely to be used again for that purpose and includes premises used by only one prostitute for the purpose of prostitution.

Prostitution has the same meaning as in the *Summary Offences Act 1988*.

Restricted premises means a building or place used or intended for use as a shop in which:

- (a) any classified publications (other than unrestricted publications) within the meaning of the *Classification (Publications, Films and Computer Games) Enforcement Act 1995* are available for sale or rental to the public, or
- (b) a business is conducted involving selling or disposing of products to which section 578E of the *Crimes Act 1990* applies, or
- (c) a business is conducted, an object of which is the display or exhibition of any article that is primarily concerned with sexual behaviour, but which is not printed matter.

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

Insert “Brothel;” and “Restricted premises;” in alphabetical order in Item 5 of the matter relating to Zone No 1 (b) in the Table to the clause.

[3] Clause 16 What residential zones apply in this plan?

Insert “Brothel;” and “Restricted premises;” in alphabetical order in Item 5 of the matter relating to Zone No 2 (b) in the Table to the clause.

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Schedule 1 Amendments

[4] Clause 21 What business zones apply in this plan?

Insert “Brothel;” and “Restricted premises;” in alphabetical order in Item 5 of the matter relating to Zones Nos 3 (a) and 3 (b) in the Table to the clause.

BY AUTHORITY