



New South Wales

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P02/00180/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 5)

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1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 5)*.

2 Aims of plan

The aim of this plan is to amend *Campbelltown (Urban Area) Local Environmental Plan 2002 (the principal plan)*:

- (a) to allow development for the purposes of sex industry premises (being any brothel, restricted premises or sex-on-premises establishment) with the consent of the Council of the City of Campbelltown in Zones 4 (a) (General Industry Zone), 4 (b) (Industry B Zone) and 4 (c) (Industry C Zone) under the principal plan and to prohibit development for such purposes elsewhere in the City of Campbelltown, and
- (b) to provide definitions of *prostitution*, *restricted premises*, *sex industry premises* and *sex-on-premises establishment* for the purposes of the principal plan, and
- (c) to exclude prostitution from the definition of *home activity* for the purposes of the principal plan.

3 Land to which plan applies

This plan applies to all land within the City of Campbelltown to which *Campbelltown (Urban Area) Local Environmental Plan 2002* applies.

4 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

Campbelltown (Urban Area) Local Environmental Plan 2002 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

- [1] **Clauses 9 (5), 10 (5), 11 (5), 14 (5), 19 (5), 23 (5), 24 (5), 25 (5), 26 (5), 27 (5), 28 (5), 29 (5) and 30 (5)**

Omit “brothels;” wherever occurring.

- [2] **Clause 61**

Insert after clause 60:

61 Development for the purpose of sex industry premises

- (1) Development of land to which this plan applies for the purposes of sex industry premises must not be carried out except as provided by this clause, despite any other provision of this plan.
- (2) Development of the kind referred to in subclause (1) may be carried out on land within Zone 4 (a), 4 (b) or 4 (c) but only with development consent.
- (3) In this clause:

brothel means premises habitually used for the purposes of prostitution, whether or not by only one prostitute.

restricted premises means a building or place, other than a newsagency or pharmacy, where:

- (a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are exposed, exhibited, displayed or sold or otherwise made accessible or available to the public, or
- (b) a business is conducted to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies, or
- (c) a business is conducted, an object of which is the display or exhibition of any article that is primarily concerned with, or is used or intended to be used in connection with, sexual behaviour, but which is not printed matter.

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Schedule 1 Amendments

sex industry premises means any brothel, restricted premises or sex-on-premises establishment.

sex-on-premises establishment means any premises that gain income from entrance or membership fees (or both) for the use of booths or any other area on the premises designated for casual sex between patrons, but does not include a brothel.

[3] Schedule 3 Dictionary

Omit the definition of *brothel*.

[4] Schedule 3, definition of “home activity”

Insert at the end of paragraph (f):

, or

(g) the use of the site for the purposes of prostitution.

[5] Schedule 3

Insert in alphabetical order:

prostitution means the provision of a sexual act or sexual service in return for payment or reward.

BY AUTHORITY
