



New South Wales

Baulkham Hills Local Environmental Plan 2005 (Amendment No 22)

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. (10/12397)

TOM GELLIBRAND
As delegate for the Minister for Planning

2010 No 434

Clause 1 Baulkham Hills Local Environmental Plan 2005 (Amendment No 22)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Baulkham Hills Local Environmental Plan 2005 (Amendment No 22)*.

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 the land to which *Baulkham Hills Local Environmental Plan 2005* applies.

Schedule 1 Amendment of Baulkham Hills Local Environmental Plan 2005

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

brothel has the same meaning as in the Act.

home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any notice, advertisement or sign, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

[2] Clause 13 Zone objectives and development control table

Insert “brothels;”, “home occupations (sex services);” and “; sex services premises” in alphabetical order in item 4 of the matter relating to Zones 2 (a), 2 (a1), 2 (a2), 2 (a4) and 3 (a) in the Table to the clause.

[3] Clause 13, Table

Insert “brothels;”, “home occupations (sex services);” and “sex services;” in alphabetical order in item 4 of the matter relating to Zones 2 (a3), 2 (b), 2 (b1), 3 (b), 3 (c) and 10 (a).