



PCU028067

File no: RZ-11-1986

14 November 2011

Peter Goth
The Regional Director
Sydney West Region
Department of Planning and Infrastructure
Locked Bag 5020
PARRAMATTA NSW 2124



Dear Peter,

Planning Proposal to amend Clause 42A of Blacktown Local Environmental Plan (BLEP) 1988 to Increase the Distance Separation between Brothels from 200m to 400m

Council, at its Ordinary Meeting of 8 June 2011 resolved to prepare a Planning Proposal (pursuant to Section 55 of the Environmental Planning and Assessment Act 1979) to amend Clause 42A of Blacktown Local Environmental Plan (BLEP) 1988 to increase the distance separation between brothels from 200m to 400m. The Planning Proposal is a direct result of a recent Development Application to use certain premises located at the front of an industrial complex at 18 Forge Street, Blacktown, as a brothel. It is worth noting that the same applicant has also lodged a Development Application for another brothel in Foundry Road, Seven Hills.

Council is concerned that the current 200m distance separation is inadequate in preventing a proliferation of brothels in industrial estates as these have been identified as employment land in the North West Subregional Strategy. Part of Seven Hills and Blacktown industrial areas fall within Urban Renewal Precincts (URPs) that have been identified for improvement and redevelopment as part of Council's Standard Instrument LEP. Consequently, Council, on 5 August 2011, requested advice from the Department of Planning and Infrastructure (DPI) on the likely prospects of a Planning Proposal being supported at the Gateway Determination. The DPI responded by indicating that the Planning Proposal would be assessed on its merits and against the relevant strategic planning framework. In addition, Council has also been requested to provide maps showing the areas where brothels are able to be developed currently in the Blacktown LGA (with the current 200m distance separation), and where brothels will be able to be developed under the new 400m distance separation criteria.

Therefore, in order for the Planning Proposal to be supported in the review process and proceed to Gateway Determination stage, Council has provided the following maps with the Planning Proposal at Attachment 1, 2 and 3 showing:

- Existing Land available for brothels in the Blacktown LGA (Attachment 1).
- Proposed Land available for brothels in the Blacktown LGA (Attachment 2).

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- A theoretical analysis indicating 35 additional brothels that will be able to be developed under the new distance separation of 400m as per Council resolution (Attachment 3).

The Planning Proposal has also been assessed against the draft North West Subregional Strategy, Sydney Metropolitan Strategy and S117 Ministerial Directions.

Council Officers have considered the Planning Proposal and are satisfied that the document meets the Gateway Determination criteria and the LEP amendment is considered appropriate for a number of reasons, being, it will:

- reduce a possible proliferation of brothels that could lead to the industrial areas becoming "red-light" districts which in turn can result in the downturn in trade or investment in the area.
- ensure that industrial areas, including the renewal areas (URPs) within these industrial areas, encourage redevelopment and are walkable, safe and convenient places to work.
- maintain the health of local and regional economies to create additional employment and provide economic benefits to the area.
- enable an uplift to the character of the local area.
- ensure that inappropriate locations of brothels do not create offence to the community or create adverse social impacts.
- ensure that industrial areas remain a major employment facilitator.
- assist in facilitating additional business and industrial-related activities.
- ensure that existing employment lands in industrial areas do not become redundant or underutilised.

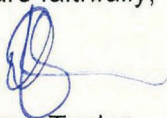
Also attached for your reference and information (in addition to the maps) are:

- A copy of Council Resolution (dated 10 August 2011) regarding a request for Planning Proposal to increase the distance separation between brothels;
- A copy of the Planning Proposal itself (dated October 2011), which contains a detailed justification and deals with the issues relating to this draft LEP; and

Council now forwards the Planning Proposal to the DPI to enable a Gateway Determination to occur pursuant to Section 56(1) of the Environmental Planning and Assessment Act 1979.

Should you require any further information regarding this matter, please contact Council's Strategic/Policy Planner, Ms Kaushal Nair on 9839 6094 or Team Leader Planning Policy, Ms Sue Galt on 9839 6216.

Yours faithfully,



Trevor Taylor
MANAGER DEVELOPMENT POLICY & REGULATION