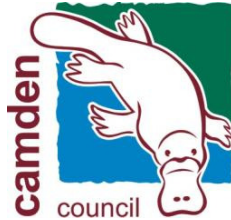


**Submission  
No 41**

## **INQUIRY INTO THE REGULATION OF BROTHELS**

**Organisation:** Camden Council  
**Name:** Mr Daniel Streater  
**Position:** Acting Director - Planning & Environmental Services  
**Date Received:** 17/08/2015



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**TRIM:**

14 August 2015

The Committee Manager  
Select Committee on the Regulation of Brothels  
Parliament House  
Macquarie St  
Sydney NSW 2000

Dear Mr. Henskins,

**RE: Submission to Inquiry into the Regulation of Brothels**

I thank you for the opportunity for Council to provide comment on the Inquiry into Brothels in NSW.

Council, at its meeting on 11 August 2015, were briefed regarding the current concerns pertaining to both legal and illegal brothels in NSW, and resolved to forward this submission to the NSW Government in response.

To date Council has limited experience with both legal and illegal brothels, however the issues experienced by Local Government are well documented.

It is Council's opinion that the key issues faced by Council's can be best summarised as follows.

- While the location of Brothels can be controlled by Planning Instruments, many illegal brothels are set up in massage premises which have development consent, and are permitted in a variety of different areas and zonings.
- Massage operators are not stringently regulated and it is difficult for Council's to establish the legitimacy of massage establishment through the development assessment process.
- Massage premises can be established in existing premises under Exempt or Complying development provisions as a change of use, and as such without the prior knowledge of Council.
- Compliance options for Council's attempting to close illegal brothels are onerous and cost prohibitive.

While Council is supportive the key objectives already put forward by the committee, it is recommended that the following issues also be explored:

- Improved decision making in planning for sex services premises to ensure that planning decisions about the number and location of sex services premises are made according to standard (evidence-based) principles. This could be done through guidance and policy at a State level, such as planning controls contained within a State Environmental Planning Policy.
- That consideration is given to whether it is appropriate that massage premises can be established under the Exempt and Complying Development provisions.
- That a system of regulating or licensing legitimate and remedial massage practitioners be established. This would also include recording the actions of rogue operators, similar to that currently used for licensing of the building industry. This action would help to address the issue of operators of illegal massage premises moving between Local Government areas to avoid compliance action.
- That the inconsistencies between the definition of "**brothel**" in the *Restricted Premises Act 1943* and the *Environmental Planning & Assessment Act 1979* be addressed.

Should you or your officers require any further information, please do not hesitate to contact me on [REDACTED].

Yours sincerely,

[REDACTED]

**Mr Daniel Streater**  
Acting Director - Planning & Environmental Services