

16 SEX SERVICES PREMISES

This section of the DCP only provides Council's specific requirements for Sex Services Premises. Other requirements that must be addressed are contained in the relevant general development part (Parts 2 to 7) and/or Area Plans (Parts 10 to 12) of this DCP. Where a conflict exists between this section and the general development part of LM DCP 2014, this section prevails.

Objectives

- a. To ensure that Sex Services Premises operate in a discrete and orderly manner, and are positioned with consideration to surrounding land uses.
- b. To ensure that Sex Services Premises provide safety for staff and clients including suitable provision for occupational health and safety measures.
- c. To ensure that any hygienic sanitary or clinical-related wastes are able to be appropriately managed through provision of suitable waste separation, storage and collection infrastructure, information provision and management planning.

Controls

1. The location of a Sex Services Premises must be in accordance with the Planning Principle established by the Land and Environment Court in *Martyn v Hornsby Shire Council* [2004] NSWLEC 614.
2. The entrance or exit to a Sex Services Premises must not be located within pedestrian view of land used or reserved for a place of public worship, hospital, school, childcare centre, or a place frequented by children.
3. The entrance or exit to a Sex Services Premises must not be visible from the entrance of a dwelling house and must be a minimum of 100 metres walk from a dwelling house.
4. Sex Services Premises should not occur in a clustered fashion, and should be positioned at least 100 metres apart.
5. Sex Services Premises must not contain more than five rooms where sexual services and related activities occur.
6. Signage is limited to one sign per premises, and must be less than one square meter in area and only contain business name, address and telephone number.
7. Signage must not contain any images or other material that may offend.
8. Each room used, or available for acts of prostitution must contain, or have direct access to its own shower and hand basin facilities, for the use of both sex workers and their clients.
9. The entrance and exit to a Sex Services Premises must be discrete and discourage clients gathering or waiting within view of a street or other public place.
10. Waste management for Sex Service Premises must comply with "Guidance to Meet Operational Controls - All Zones" in the Lake Macquarie Waste Management Guidelines, with the following modifications:

Waste types

 - i. Any hygienic sanitary or clinical waste that is generated by a Sex Services Premises must be separated and managed accordingly, and collection must be undertaken by an appropriately licensed waste collector. Plans for management of this waste must be included in the Operational Waste Management Plan.

A Crime Risk Assessment must be submitted to Council. See Council's [Crime Prevention Through Environmental Design Guideline](#) to this DCP for further information.

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