

Our Economy

Draft Adult Entertainment Premises Code Amendment Consultation Summary Workshop

The purpose of this workshop is to communicate key themes from the public consultation on the draft Code Amendment and seek feedback on proposed changes to the Code Amendment arising from the consultation

Park Lands, Policy & Sustainability
Sarah Gilmour

Workshop Purpose

- The purpose of this workshop is to:
 - Inform Council Members of the key themes from the public consultation
 - Discuss changes to the proposed Adult Entertainment Premises Code Amendment policies proposed following consultation.
- Consultation feedback on the draft Adult Premises Code Amendment identified opposing views on the policy framework proposed in the Code Amendment.
- The draft Code Amendment that was on consultation does not propose to preclude or stop Adult Entertainment as a land use, it proposes to improve how those land uses are assessed noting there is currently limited policy in the Planning and Design Code.
- The majority of the 36 submissions to the consultation sought changes to the Code Amendment.
- The final Adult Entertainment Premises Code Amendment will be presented to the Council for decision in November 2024.
- If endorsed the proposed Adult Entertainment Premises Code Amendment will be sent to the Minister of Planning for final consideration and approval.

Key Question

KEY QUESTION

What are Council Members' views on whether the proposed amended policy in the Adult Premises Code Amendment achieves the Council's objectives?

Policy Context

- 2021, 2022 and 2023: City of Adelaide made submissions to State Government seeking definitions and additional policy to be included in the Planning and Design Code (the Code) for Prescribed (Adult) Entertainment.
- 1 June 2023: State-wide Miscellaneous and Technical Enhancements Code (by the State Government) introduced land use definitions for Adult Entertainment Premises and Adult Products and Services Premises.

Code Amendment Process



Code Amendment Timeline

- 8 August 2023 Council endorsed a request to the Minister for Planning to initiate the City of Adelaide Adult Entertainment Premises Code Amendment
- 5 December 2023 The Minister for Planning endorsed the proposal to initiate the Code Amendment
- 5 March 2024 Council endorsed the draft Adult Entertainment Code Amendment for public consultation
- 11 June - 23 July 2024 Public consultation

Purpose of the Code Amendment

- Identify suitable and unsuitable locations for adult entertainment premises and adult product and services premises.
- Recognise that there is a place for all types of land use in the city subject to consideration of how they work with other land uses.
- Identify policy to support development assessment of applications for adult entertainment premises and adult product and services premises.
- Align with Adelaide's strategic goals for a vibrant city, growing population, entertainment venues, thriving night-time economy, and high-quality residential areas.
- Achieve desirable planning outcomes:
 - Reduce land use conflicts.
 - Improve certainty in the development assessment process.
 - Clarity and create efficiency in planning and licensing of premises.

Participation in the Public Consultation

- Seventeen (17) submissions were received during the public consultation period from industry groups, community groups, residents, and individuals.
 - One of these submissions had 16 signatories.
 - One of these submissions had 6 signatories.
- Nineteen (19) participants provided their feedback via a survey relating to the Code Amendment.
- The City of Adelaide also received an email that was distributed by 90 individuals to various members of Parliament in South Australia.
- Administration met with stakeholders as requested.

Nature of Submissions to the Public Consultation

Submissions have been summarised into the following five categories:

Nature of the Submission	Count
Support the Code Amendment subject to increasing the buffer distance or increasing the number of zones where the buffer distance applies	12
Do not support the Code Amendment as it is perceived to negatively impact the sex worker industry	10
Neutral	5
Adult Entertainment should not be directed primarily to Hindley Street which should have the same controls as the rest of the city	3
Support the Code Amendment	2
Opposed to Adult Entertainment in the city	2
Do not support the Code Amendment (no reason provided)	2

Key Themes arising from the Consultation

- Identify more locations where these uses are not appropriate and/or increase the buffer distances from sensitive uses.
- The Code Amendment creates a perceived 'Red Light District' in Hindley Street and Hindley Street should be treated the same as the rest of the city.
- The Code Amendment is discriminatory and will impact business and the sex worker industry.
- The Code Amendment will result in fewer purpose-built premises and result in more unregulated activities.
- Support for Adult Entertainment venues having limited advertising and discrete advertising.

Proposed amendments arising from consultation

- Some respondents are concerned that the buffers are too restrictive while other respondents sought an increased size of buffer and/or use of buffers in additional locations (such as Hindley Street).
- To balance mixed views about the use of buffers, the proposal is to replace the role of the buffer with additional policies that address proximity to sensitive uses and siting of adult entertainment premises near compatible uses. For example:
 - Adult Entertainment Premises are designed and sited to mitigate off site impacts, so as to not unreasonably impact the amenity of places of worship, childcare facilities or schools in the locality.

Proposed amendments arising from consultation

- Respondents generally support Adult Entertainment Premises being located away from sensitive uses such as schools.
 - Noting the proposal to remove buffers from sensitive land uses, the proposal is to include additional policy to manage interface issues between Adult Entertainment Premises and other land uses by guiding Adult Entertainment uses to be in areas with compatible land uses and hours of operation. For example:
 - Land uses typically open during night-time hours, including adult entertainment premises are located in areas that have land uses with compatible hours of operation.
- Respondents generally support Adult Entertainment venues having limited advertising and discrete advertising.
 - The proposal is to include additional policy to limit advertisements in relation to adult entertainment premises. For example:
 - Advertisements for adult entertainment premises should be discreet and limited to advertisements that identify the location of premises and business name.

Rationale for policy changes

- The Code Amendment recognises that adult entertainment premises uses are anticipated within a capital city, are part of the economy and includes additional policy to guide development of premises and manage interface issues.
- The amended policy proposes the Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.
- The proposed buffer distances, while a useful communication tool, would rely on data outside of the Planning & Design Code leading to uncertainty in the development assessment process and are removed from the proposal.
- Consultation highlighted that policy is supported to ensure adult entertainment premises and associated signage and advertising is discrete.

Next Steps

- November 2024 Public consultation summary and assessment, and amended Code Amendment presented to City Planning, Development and Business Affairs Committee and Council for decision
- December 2024 Engagement report and amendment Code Amendment presented to State Government Agencies Planning and Land Use Services to prepare advice to the Minister for Planning
- 2025 Minister decides the Code Amendment.
- The Code Amendment and Engagement Report are published on the SA Planning portal and the Code Amendment comes into operation.
- The Minister tables the Code Amendment to the Environment Resources and Development Committee in Parliament.

Key Question

KEY QUESTION

What are Council Members' views on whether the proposed amended policy in the Adult Premises Code Amendment achieves the Council's objectives?