

# ***Adult Entertainment Premises Code Amendment***

## **Engagement Report**

**Section 73(7) of the *Planning, Development and Infrastructure Act 2016***

***City of Adelaide***



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# 1 Purpose

This report has been prepared by *City of Adelaide* (the Designated Entity) for consideration by the Minister for Planning and Local Government (the Minister) in adopting the *Adult Entertainment Premises Code Amendment* (the Code Amendment).

The report has been prepared in accordance with Section 73(7) of the *Planning, Development and Infrastructure Act 2016* (SA) and Part 6 of Practice Direction 2: Preparation and Amendment of a Designated Instrument (Practice Direction 2).

The report includes:

- Details of the engagement process undertaken
- A summary of the feedback received
- A response to the feedback including recommended amendments, an evaluation of the effectiveness of the engagement, and whether the principles of the Community Engagement Charter have been achieved.

The report also confirms that engagement has been undertaken in accordance with the Engagement Plan, prepared under part 2(5) of Practice Direction 2. The report recommends amendments to the proposed Code Amendment in response to the submissions received.

## 2 Introduction

The City of Adelaide seeks to amend the SA Planning and Design Code (the Code Amendment) by introducing policies to several existing Zones and Subzones to control the use of land for the purposes of adult entertainment premises and adult products and services premises.

The Planning and Design Code recently introduced land use definitions for 'adult entertainment premises' and 'adult products and services'. These land uses are not directly referred to in the existing Zones, Subzones or Overlays applying to land in the City of Adelaide.

The proposed Code Amendment relates to land within the following existing Zones and Subzones within the City of Adelaide:

- Capital City Zone, including the City Frame Subzone
- City Living Zone, including Medium-High Intensity Subzone; North Adelaide Low Intensity Subzone; and East Terrace Subzone
- City Main Street Zone, including Gouger and Grote Street Subzone; Hindley Street Subzone, Rundle Mall Subzone; City High Street Subzone
- Melbourne Street West Subzone
- Entertainment Subzone.

The purpose of the Code Amendment is to introduce robust policies to guide these land uses within the City of Adelaide, to ensure that they are sited and developed appropriately. The Code Amendment supports the City of Adelaide's strategic context and desire to create a vibrant city that attracts and supports a growing population through the provision of entertainment and music venues, a thriving night-time economy and high-quality residential amenity.

The draft Adult Entertainment Premises Code Amendment was released for public consultation on 11 June 2024 to 23 July 2024 (6 weeks). The purpose of the engagement was to inform and consult on the proposed policies to guide the development of adult entertainment premises and adult products and services premises within the City of Adelaide.

### 3 Engagement Approach

The process for amending a designated instrument (including the process to amend the Planning and Design Code) is set out in the *Planning, Development and Infrastructure Act 2016* (SA) (the Act). The Act requires public engagement to take place in accordance with the Community Engagement Charter.

The City of Adelaide prepared an engagement plan (the Engagement Plan) to apply the principles of the Community Engagement Charter. The Minister approved the Engagement Plan on 5 December 2023. The purpose of the engagement was to provide individuals, businesses, organisations and communities interested in and/or affected by the proposed Code Amendment an opportunity to provide feedback and influence particular elements of the proposed Code Amendment during the preparation stage, and prior to the finalisation of the Code Amendment.

#### 3.1 Engagement Objectives

The engagement objectives were:

- Ensure stakeholders are aware of the Code Amendment and have the opportunity to comment.
- To make information available about the Code Amendment in ways that enable ease of understanding about what a Code Amendment is, what this Code Amendment is proposing, the rationale, how the Code Amendment relates to future development of land, and how people can comment.
- Ensure engagement of community and stakeholders so as to inform the Code Amendment in its preparation.
- Encourage stakeholders to ask questions in order to understand how it might impact them.
- Provide opportunities for the general public, landowners and occupants to comment.
- Maintain constructive relationships with stakeholders and the community through timely and direct communication.
- Follow through on commitments made over the duration of the consultation process and ensure that all documentation is easily accessible to the public.
- Integrate a feedback loop and evaluation process into the engagement process.
- Ensure that engagement with stakeholders and the community is sufficiently resourced and managed to deliver high-quality results.
- Implement an engagement approach that is directed by the principles of IAP2 and the State Community Engagement Charter in accordance with the requirements of the Planning, Development and Infrastructure Act 2016.

## 3.2 Engagement Activities

Public Engagement for the Adult Entertainment Premises Code Amendment was held for six weeks from 11 June to 23 July 2024. Engagement activities included:

Engagement Activity	Description	Target audience
Webpage on the Plan SA Portal	Relevant information including draft Code Amendment and information on the multiple ways that feedback could be accepted was included on the webpage.	All audiences
Community engagement page on City of Adelaide website	The City of Adelaide's online community engagement platform included the draft Code Amendment, FAQs, information brochure, link to Engagement Plan and Interactive Map. The frequently asked questions were in plain English.  The interactive map was a useful visual tool to illustrate the impacts of the proposed policy, locations of adult entertainment premises and sensitive receivers.	All audiences
Letters/electronic direct mail	Letters were sent to relevant state, regional and local government agencies, Members of Parliament, First Nations, and local business and community groups.  <i>56 letters/emails were sent to stakeholders</i>	Key stakeholders
Public Notice	An advertisement was placed in the Advertiser and SA Government Gazette advising of the consultation.	All audiences
Online Survey	An online survey form was linked to the website. The online survey included open ended questions to seek broad views on the draft Code Amendment	All audiences
Online and face to face meetings by request	The City of Adelaide held two meetings with key stakeholders by request.	Identified stakeholders
Phone and email contact	A phone number and dedicated email address was promoted through all correspondence as well as on the fact sheet, as a way further information could be requested or feedback provided.	All audiences
Post Engagement Evaluation Survey	A link to a post engagement survey was sent to all respondents who provided feedback to the consultation.	Those who provided feedback on Code Amendment

## 4 Engagement Outcomes

The engagement approach for this Code Amendment was designed to provide multiple ways for information to be accessed and feedback provided. Consultation feedback on the draft Code Amendment identified opposing views on the policy framework proposed in the Code Amendment. The majority of the 36 submissions received recommended changes to the draft Code Amendment. The nature of the submissions received can be categorised as follows:

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

The key themes/policy issues raised through the consultation process was as follows:

- 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.
- *Concerns regarding definition of Adult Products and Services Premises (beyond the scope of the Code Amendment)*
- *Other Zoning/Planning and Design Code comments (beyond the scope of the Code Amendment)*

Attachment 1 provides a summary of the submissions and detailed responses to each submission. Consultation responses were primarily collected through written submissions and the online survey.

### 4.1 Online Survey

The online survey was available through the City of Adelaide's Engagement platform, Our Adelaide. The engagement response was as follows:

- Twenty-eight (28) participants undertook a survey relating to the Code Amendment with nineteen (19) participants providing feedback.
- Eight (8) of the survey respondents noted in principle support for the draft Code Amendment and the concept of spatially restricting adult entertainment premises and ensuring appropriate distance

between adult entertainment premises and product and services premises and uses such as schools, childcares, places of worship and residential land uses

- Eleven (11) of the survey respondents were in opposition to the Code Amendment.
- Survey respondents included residents of the City of Adelaide, visitors, city workers, sex industry workers, patrons of adult entertainment venues and people with a general interest in the Code Amendment.

The survey included free-form responses that identified opposing views on the policy framework proposed in the Code Amendment. Most of the survey respondents recommended changes to the draft Code Amendment.

#### 4.1.1 What we heard

Some respondents considered that the policy controls should exclude land uses from more areas.

*"I would suggest reducing this distance requirement or considering additional locations outside of simply Hindley Street"*

*"A 50 metre distance is hardly a buffer zone as the proposed premises could still be located within the same city block as the above uses. Therefore, the buffer zone should be 200 metres"*

Conversely, other respondents were concerned about the impacts of the Code Amendment on the sex work industry.

*"These proposed changes will negatively impact sex workers and strippers trying to earn a living. This further stigmatises them and makes it intentionally difficult for them to work safely and easily"*

At least one respondent acknowledged the need to address a gap in planning policy.

*"It will address a gap in the current Code and provide greater clarity for Development Applications for Adult Premises"*

The survey included a response recommending changes to planning policy and zoning in the city, including the expansion of the City Living Zone which is beyond the scope of this Code Amendment.

## 4.2 Written Submissions

There were multiple ways for the community to provide feedback including via written submission through the PlanSA Portal, email or post.

A total of seventeen (17) written submissions were received. One of these submissions had 16 signatories who requested their submission be counted individually. Another submission had 6 signatories.

The City of Adelaide was also a recipient of an email distributed to various Members of Parliament. The email, containing identical wording, was distributed by 90 individuals.

The concerns raised in this email and other written submissions, have been summarised in Attachment 1 with all written submissions included in Attachment 3.

#### 4.2.1 What we heard

**Identify more locations where these uses are not appropriate and/or increase the buffer distances from sensitive uses.**

*"Increase the 'buffer distance' from existing residential uses or land used for a place of worship, childcare centre, primary school or secondary school from 50 metres to a minimum of 200 metres"*

*"A distance of 50 metres is not at all adequate to provide a reasonable buffer between a venue or business providing adult entertainment or products etc, and a school or residential building"*

**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.**

*"Concerned by the decision to omit Hindley Street from this buffer zone, reinforcing the negative perceptions that have long held back the development of this part of the city. This distinction from the rest of the city is in effect a sanctioning of a redlight district in Adelaide's West End"*

*"With the only viable location available to anyone wanting to open a purpose-built adult entertainment premises being the Hindley Street sub-zone, this has the potential to create a Red-Light district"*

**The Code Amendment is discriminatory and will impact business and the sex worker industry.**

*"The proposed Adult Entertainment Premises Code Amendments are discriminatory"*

*"The proposed amendments to the planning code seek to push adult entertainment premises/industries (and those that work within the industry) into constrained, restrictive spaces, severely impacting the safety, rights, and agency of workers"*

*"The adult retail industry is a growing sector that emphasizes education, inclusivity, and the positive impact on clients' sexual and mental health"*

*"This will significantly impact both business and individuals who are both employed by and seek these services"*

**The Code Amendment will result in fewer purpose-built premises and result in more unregulated activities.**

*"In significantly limiting suitable land for Adult Entertainment premises, the Code Amendment would restrict and impede opportunity for new venues (including sex-worker lead businesses) to gain a foothold in Adelaide's Live Adult Entertainment landscape"*

*"the restriction upon purpose-built venues, in combination with the specific exclusion of premises where sexually explicit entertainment is undertaken temporarily within the proposed amendments, directly forces workers into a gig economy".*

*"purpose-built premises bolster workplace health and safety, but it gives us greater freedom of choice as workers"*

**Buffer Distances**

*"When using the interactive map provided by the Adelaide City Council it becomes apparent that these amendments are nothing more than a thinly veiled ban on adult entertainment establishments"*

*"It is inappropriate to suggest that adult entertainment and adult products and service premises could be safely regulated based on distance from a nominated type of premises in some zones along Hutt Street. Firstly, it is a complex and challenging schema for the residents (and others) to understand. Secondly, it isn't easy to implement."*

**Definitions and Terms**

*"Recommends removing the disclaimer in the definition given for Adult Entertainment and Adult Products and Services premises that such spaces "does not include premises used for prostitution." Not only does this language not reflect that used within the industry, but this could also present issues in future should the sex industry finally be fully decriminalised in South Australia."*

## 4.3 Key themes

Several themes/planning policy matters were raised in the consultation that require further consideration and response. A summary of key issues raised, and responses follows.

### 4.3.1 Buffer distances

Submissions from stakeholders and the community raised concerns with the application of planning policy that sought Adult Entertainment Venues be located a minimum of a 50-metres from residential land uses, places of worship, schools and childcare centres.

The submissions highlighted the opposing viewpoints on the policy approach. Some respondents who supported the Code Amendment suggested an increase setback/buffer from land uses and/or use of buffers in additional locations (such as Hindley Street). Some respondents who opposed the Code Amendment suggested the buffers were too restrictive. Some respondents also noted concern about the methodology of the buffer distance and its implications, whilst others noted that buffer distances should also be applied to Adult Products and Services Premises.

#### **Response**

The Code Amendment recognises that adult entertainment premises and adult products and services are anticipated within a capital city and are part of the economy. Following consultation, the policy framework for Adult Entertainment Premises is amended to focus on managing interface issues between land uses.

The 'buffer' policy that sought Adult Entertainment Premises locate 50 metres from childcare centres, schools, residential land uses and places of worship was replaced with additional policy provisions to manage interfaces between different uses. The policy amendments apply to the existing Capital City Zone and the existing Hindley Street Subzone.

The policy seeks to:

- Guide Adult Entertainment Premises to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones
- Improve the design and sitting of Adult Entertainment Premises to mitigate conflict between different land uses
- Limit and provide discretion for advertising
- In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts.

The proposed buffer distances, while a useful communication tool, would rely on data outside of the Planning and Design Code leading to uncertainty in the development assessment process. As the mix of land uses evolves in the city, the implications of the proposed 'buffers' could result in unintended consequences of concentrating Adult Entertainment Premises. It is not the intent of the Code Amendment to preclude or stop Adult Entertainment Premises but to introduce planning policy to support development assessment of these land uses.

The purpose of the Code Amendment is to introduce robust policies to guide the development of Adult Entertainment Premises and Adult Products and Services Premises to ensure interface issues are managed and land uses conflicts are minimised.

It is noted that some respondents provided feedback that buffer distances should be applied to adult products and services premises. The policy proposed in the Code Amendment in respect to adult

product and services premises is considered to minimise the impact of these uses on the public realm and streetscape, as such, no amendments to this policy is proposed.

In the existing Capital City Zone and existing Main Street Zones (and associated Subzones), adult products and services premises would be considered appropriate subject to addressing specific policies. The policy proposed in the Code Amendment would mean adult products and services premises are not considered to meet performance outcomes in the existing City Living Zones.

#### **4.3.2 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.**

Several respondents expressed concerns with the proposed policy approach for the existing Hindley Street Subzone, including that the buffers did not extend to this area. Many noted that the distinction of Hindley Street Subzone would create a perceived 'Red Light District' leading to undesirable outcomes for the Street, businesses within the areas and for individuals who work at Adult Entertainment Venues.

##### **Response**

The Code Amendment policy be amended to replace buffers with additional policies that guide Adult Entertainment Premises to locate in areas with compatible land uses and hours of operation such as nightclubs, bars and other late-night venues.

The amendments result in the existing Capital City Zone and the existing Hindley Street Subzone being subject to a consistent policies and assessment designed to manage interface issues.

#### **4.3.3 Advertising for Adult Entertainment Premises and Adult Products and Services Premises**

Respondents were generally supportive of Adult Entertainment venues having limited or discrete advertising.

##### **Response**

The Code contains existing policy in respect to assessing advertisements from which the policy for Adult Entertainment Premises was modelled.

Following public consultation, the policy in the Code Amendment will be strengthened such that advertisements for Adult Entertainment Premises will be visually discreet and limited in size and scale.

#### **4.3.4 The Code Amendment is discriminatory and will impact business and the sex worker industry**

Several submissions raised concern that the Code Amendment was discriminatory. Respondents noted that Adult Entertainment Premises and Adult Products and Services were being treated differently from other land uses and proposed policies were unjustly restrictive. Those who opposed the Code Amendment noted that the policies proposed in the draft Code Amendment contribute to stigmatisation.



## Response

The Planning and Design Code introduced in 2021 did not include definitions for 'adult entertainment premises' or 'adult products and services premises'. Consequently, these land uses were categorised as 'licensed premises' and 'shop' and assessed as such. In June 2023, the State Government introduced definitions for Adult Entertainment Premises in the Code in response to community and local government feedback about the need for specific policies to assess these land uses, including submission by the City of Adelaide.

To be consistent with how other land uses are assessed, for example, a petrol station, dwelling, night club or hospital, the Code Amendment will introduce policies to support development assessment of Adult Entertainment Premises and Adult Products and Services Premises.

Adult Entertainment Premises and adult products and services premises are land uses that exist in a capital city. The Code Amendment does not propose to preclude or stop Adult Entertainment Premises and Adult Products and Services as a land use, it proposes to provide policy to assess such land uses.

## 5 Summary of recommended changes

Key changes to the Code Amendment arising from consultation are:

- Removal and replacement of buffer distances from schools, childcare facilities, places of worship and residential land uses, with additional policies that address proximity to sensitive land uses.
- 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 and avoid the interface of neighbourhood-type zones.
- Additional policy to limit advertisements in relation to adult entertainment premises.

The changes relate to Adult Entertainment Premises. The proposed policy framework for Adult Services and Products remains largely unchanged.

## 6 Evaluation of Engagement

To ensure the principles of the Community Engagement Charter (the Charter) are met, an evaluation of the engagement process for the Code Amendment has occurred.

### 5.1 Performance Indicators for Evaluation

The minimum mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

#### *Evaluation of Engagement by Community Members*

The minimum mandatory performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

1. That the engagement **genuinely sought** their input to help shape the proposed Code Amendment.
2. **Confident their views were heard** during the engagement.
3. They were given an adequate **opportunity to be heard**.
4. They were given **sufficient information** so that they could take an informed view.

- Informed** about why they were being asked for their view, and the way it would be considered. This evaluation was undertaken through a post engagement online survey.

This evaluation was undertaken via a survey provided to respondents to the engagement process that provided their contact details (including signatories of submissions). The survey received 14 responses (27% response rate).

In addition to the above mandatory performance indicators, respondents were also asked whether they would like to provide any additional feedback on the consultation process.

A copy of the engagement survey can be found in Attachment 2.

#### *Evaluation of Engagement by the Designated Entity*

A further evaluation of the engagement process is required to be undertaken by (or on behalf of) the Designated Entity. The minimum performance indicators require an evaluation by the Designated Entity of whether (or to what extent) the engagement:

- Occurred early enough** for feedback to genuinely influence the planning policy, strategy or scheme.
- Contributed to the substance** of the final draft Code Amendment.
- Reached those identified** as communities or stakeholders of interest.
- Provided feedback to community** about outcomes of engagement.
- Was **reviewed throughout** the process and **improvements put in place or** recommended for future engagement.

The evaluation of the engagement was undertaken by Colleen McDonnell, Manager City Planning & Heritage Park Lands Policy & Sustainability on behalf of the Designated Entity. The results of the evaluation are contained in Attachment 2 to this Engagement Report.

## 5.2 Evaluation against the Charter principles

The following is a summary of the evaluation of engagement against the five principles of the engagement charter.

#### *Evaluation results – Community Members*

	Evaluation statement	Strongly disagree	Somewhat disagree	Not sure	Somewhat agree	Strongly agree
1	I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)	14.29%	14.29%	35.71%	28.57%	7.14%
2	I am confident my views were heard during the engagement (Principle 2)	7.14%	0%	71.43%	14.29%	7.14%
3	I was given an adequate opportunity to be heard (Principle 3)	21.43%	0%	50.00%	21.30%	7.14%
4	I was given sufficient information so that I could take an informed view. (Principle 3)	7.14%	7.14%	35.71%	50.00%	0%
5	I felt informed about why I was being asked for my view, and the way it would be considered. (Principle 4)	14.29%	7.14%	42.86%	21.43%	14.29%

## Charter Principle 1 - Engagement is genuine

*People had faith and confidence in the engagement process*

- The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or on-line submission through the SA Planning Portal and Council's our Adelaide website) that were reviewed and considered before finalising the Code Amendment.
- Engagement was encouraged by directly contacting key stakeholders including government agencies, community groups, industry representatives and business owners.

Community members were able to provide feedback via

- A website, direct letters, e-mails, contact City of Adelaide employees by telephone and arrange meetings by request.
- The engagement material articulated the policy proposed, potential impacts of the engagement process and how interested persons could provide their feedback. The information provided aimed to be in plain English.
- An interactive map tool was used to spatially illustrate the impacts of the proposed policy.
- The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or on-line submission through the SA Planning Portal and Council's our Adelaide website) that were reviewed and considered before finalising the Code Amendment.

The engagement evaluation survey noted that 35% of respondents were unsure if engagement genuinely sought input to shape the proposal. Public engagement occurred at the draft Code Amendment stage where there was an opportunity for feedback to genuinely shape planning policy.

The engagement evaluation survey was conducted following the consultation period, prior to a decision being made on the Code Amendment and engagement report being published. As such, respondents of the survey would unlikely be aware of how their views were considered and their impact on the the finalisation of the Code Amendment.

Evaluation statement	Strongly disagree	Somewhat disagree	Not sure	Somewhat agree	Strongly agree
I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)	14.29%	14.29%	35.71%	28.57%	7.14%

## (2) Engagement is inclusive and respectful

Feedback was received from various people/interested parties, including community groups, industry representatives, business owners, Member of Parliament, government agencies and the public. The feedback was received via written submissions and an online survey. Meetings were also conducted with key stakeholders to ensure understanding of the Code Amendment and their views.

The variety of engagement techniques were considered suitable for the identified stakeholder groups to be informed and provide feedback on the Code Amendment.

The engagement evaluation survey indicated that most respondents were not sure if their views were heard. As previously discussed, due to the timing of the engagement evaluation survey, respondents would have been unclear of how their views had influenced the outcome.

Additional comments in the feedback noted that City of Adelaide employees listened and demonstrated that they heard their views, although they were unsure if views were heard by Council. One respondent noted that they were not contacted following consultation. Written submissions were acknowledged via email. The engagement evaluation survey was sent to those all who provided feedback and contact details. The City of Adelaide Engagement Platform was also updated following consultation.

<b>Evaluation statement</b>	<b>Strongly disagree</b>	<b>Somewhat disagree</b>	<b>Not sure</b>	<b>Somewhat agree</b>	<b>Strongly agree</b>
I am confident my views were heard during the engagement	7.14%	0%	71.43%	14.29%	7.14%

### **(3) Engagement is fit for purpose**

The engagement information aimed to be presented in plain English and included graphical representation of the proposed policy changes, a frequently asked questions page, and supporting written material. An interactive map was provided to illustrate the spatial impacts of the proposed policy. Information was available in hard copy and electronically and interested parties could speak to a representative in person, via phone or email. Information was available from a range of sources, including the Planning SA Portal, City of Adelaide website and Our Adelaide Engagement webpage. The public consultation period was open for six weeks.

The survey results indicate that many of the respondents felt that sufficient information was provided to take an informed view of the decision. One third of the respondents felt that they had sufficient opportunity to be heard. Half of respondents indicated that they were unsure if they were given adequate opportunity to be heard. One respondent expressed concern that key stakeholders weren't consulted prior to public consultation. Two respondents noted that they strongly disagree that they were provided an adequate opportunity to be heard. One of these respondents noted that they only had a week to respond. The public engagement period was six weeks. Given the scale and complexity of the Code Amendment, six weeks is considered a sufficient consultation period. Based on the feedback noted, it is concluded that this respondent was not contacted directly, and as such they were unaware of the start of the public consultation period.

<b>Evaluation statement</b>	<b>Strongly disagree</b>	<b>Somewhat disagree</b>	<b>Not sure</b>	<b>Somewhat agree</b>	<b>Strongly agree</b>
I was given an adequate opportunity to be heard	21.43%	0%	50.00%	21.3%	7.14%
I was given sufficient information so that I could take an informed view	7.14%	7.14%	35.71%	50.00%	0%

### **(4) Engagement is informed and transparent**

All information, including the Code Amendment report, was available to any interested party via the PlanSA portal and the City of Adelaide's Our Adelaide Engagement webpage. Simplified information was made available via an interactive map, FAQs and graphical representation of proposed policies.

Engagement material included information regarding the Code Amendment process and how the Minister would decide on the proposed Code Amendment. As indicated in the responses received, 35% of respondents understood how their views would be considered. Although, it was apparent that there was some uncertainty about how their views would inform the final decision.

<b>Evaluation statement</b>	<b>Strongly disagree</b>	<b>Somewhat disagree</b>	<b>Not sure</b>	<b>Somewhat agree</b>	<b>Strongly agree</b>
I felt informed about why I was being asked for my view, and the way it would be considered.	14.29%	7.14%	42.86%	21.43%	14.29%

## **(5) Engagement processes are reviewed and improved**

All feedback has been reviewed and considered as part of this Engagement Report. Following Council decision on the Code Amendment correspondence will be provided to each party to inform them of the engagement outcomes and submission of the Code Amendment to the Minister. The City of Adelaide's Our Adelaide Engagement platform will also be updated.

## **7 Refer to the Minister for Planning and Local Government**

On *11 November 2024* the Designated Entity approved the Code Amendment and this Engagement Report to be furnished on the Minister for Planning and Local Government.

### **Attachments**

- 1 Summary of Written Submissions
- 2 Evaluation Results
- 3 Copy of Submissions Received

DRAFT

## Attachment 1 - Summary of Written Submissions

Stakeholder	Summary	City of Adelaide Administrative Response
1 SA Police	No comment	Noted
2 Environment Protection Authority	No comment	Noted
3 Lucy Hood MP Member of Adelaide	<ul style="list-style-type: none"> <li>On behalf of East End Residents advocated for including 'adult products and services premises' and 'adult entertainment premises' in the Planning and Design Code</li> <li>Advocated for Council to consider Adult Entertainment Code Amendment for the East End</li> <li>Notes the City of Adelaide Code Amendment, which affects the entire city including Hindley Street, is a council decision.</li> <li>East End Residents strongly oppose the presence of adult entertainment and/or adult products and services venues near the East End and support the proposed Code Amendments.</li> <li>Residents have requested an increase in the buffer distance from residential areas and locations used for places of worship, child care, and schools.</li> </ul>	<p>Acknowledge advocacy on behalf of East End residents.</p> <p>The Code Amendment aims to provide policy to guide the development of these land uses across the city.</p> <p>Applications for Adult Entertainment Premises and Adult Products and Services will be performance assessed. This method allows the City of Adelaide Assessment Manager/Council Assessment Panel to make decisions, ensuring that local issues are effectively addressed.</p> <p>The Code Amendment lists Adult Entertainment Premises as a non-conforming use within the existing City Living Zones, Rundle Mall Subzone and Rundle Street Subzone that are in the East End.</p> <p>Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>Limit advertising</li> <li>In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> <li>Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p>
	<p>Feedback from West End hospitality and accommodation businesses</p> <ul style="list-style-type: none"> <li>Concerns regarding Code Amendment effectively confining adult entertainment to the Hindley Street precinct</li> </ul>	<p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p>

City of Adelaide Administrative Response	
Stakeholder	Summary
	<p>Replacement of the buffer distances and additional policies to guide Adult Entertainment premises to be in areas with compatible land uses and hours of operation.</p> <p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p> <p>Replacement of the buffer distances and additional policies to guide Adult Entertainment premises to be in areas with compatible land uses and hours of operation.</p>
4	<p><b>A Watson</b></p> <ul style="list-style-type: none"> <li>• Support Code Amendment</li> <li>• Important in terms of management and maintain social amenity to restrict the area for adult entertainment venues.</li> <li>• Makes supervision and compliance oversight of risk much easier.</li> <li>• "Amenity of other city areas and the peaceful environments of residential areas can be enhanced"</li> </ul>
5	<p><b>East End Presiding Officers Group –</b> N Scarvelis, Dr L Ryan, G Woollard B Holton, K Hooley, C Cann, V Schulz, F Beauchamp, D Hill, D Simmons, M Young, B Jenner, R Wiskich, I Pasoce, J Linn, D Williams</p> <ul style="list-style-type: none"> <li>• Strongly opposed to any Adult Entertainment and/or Adult Products and Services venues in or near the East End precinct.</li> <li>• We therefore strongly support both proposed Code Amendments, in respect to both Adult Entertainment Premises and Adult Products and Services Premises.</li> <li>• Recommend a variation to both proposed amendments, as follows: increase the buffer distance from existing residential uses or land used for a place of worship, childcare centre, primary school or secondary school from 50 metres to at least 100 metres, but preferably 200 metre.</li> </ul>
	<p>Noted.</p> <p>Policy guides adult entertainment premises to locate in areas with compatible land uses and hours of operation.</p> <p>Acknowledge support for the Code Amendment.</p> <p>The Code Amendment lists Adult Entertainment Premises as a non-conforming use within the existing City Living Zones, Rundle Mall Subzone and Rundle Street Subzone that are in the East End.</p> <p>Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>• Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>• Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>• Limit advertising</li> <li>• In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> <li>• Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p>



	Stakeholder	Summary	City of Adelaide Administrative Response
6	<b>D Williams</b>	<ul style="list-style-type: none"> <li>For health, safety and best management that the Hindley Street precinct should be the only area for adult entertainment and services in the City.</li> <li>I agree with therefore strictly limiting where such services should be. They definitely must not be allowed where residents, churches, schools exist."</li> <li>Propose extending the buffer to 100 metres to secure the safety, the liveability and overall health of residents and workers for now and into the future as the city grows and develop.</li> <li>New facilities only to be allowed in Hindley Street precinct and existing premises not within Hindley precinct will not be allowed to extend their current leases.</li> </ul>	<p>The Code Amendment lists Adult Entertainment Premises as a non-conforming use within the existing City Living Zones, Main Street Zones (excluding Hindley Street Subzone) and Melbourne Street West Subzone. Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>Limit advertising</li> <li>In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> <li>Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p> <p>Leasing and tenure of Adult Entertainment Premises are beyond the scope of the Code Amendment.</p>
7	<b>Adult Bliss Erotica</b>	<ul style="list-style-type: none"> <li>Unsupportive of the Code Amendment.</li> <li>Adult entertainment businesses are important to the local economy.</li> <li>Implementing restrictive planning policies could lead to the closure of many businesses, resulting in significant job losses and economic downturn for the industry.</li> <li>Displacing these businesses to less visible areas might increase unregulated activities, which could pose greater risks to public safety.</li> <li>The adult entertainment industry offers cultural and social value by hosting community events and providing diverse entertainment options, enhancing Adelaide's vibrancy and appeal.</li> </ul>	<p>Noted, the proposed policy changes do not impact on the rights of existing approved premises to continue operating.</p> <p>The policies are designed to recognise that these land uses are anticipated in a capital city and seeks to manage interface issues.</p> <p>The policy framework has been amended following consultation and the existing Hindley Street Subzone and Capital City Zone are considered appropriate locations for Adult Entertainment venues, subject to meeting specific policies.</p>
	<p>Instead of implementing restrictive planning policies, recommend the following:</p> <ol style="list-style-type: none"> <li>Engage with Industry Stakeholders</li> </ol>		<p>Noted, the proposed policy changes do not impact on the rights of existing approved premises to continue operating.</p> <p>The policies are designed to recognise that these land uses are anticipated in a capital city and seeks to manage interface issues.</p> <p>Engagement has occurred with stakeholders during the engagement on the Code Amendment in accordance with the Community Engagement Charter.</p>



	Stakeholder	Summary	City of Adelaide Administrative Response
		<p>2. Enhance Current Regulations: 3. Promote Education and Awareness.</p>	<p>Regulation of the industry and education and business promotion is outside the scope of the Code Amendment.</p>
8	<p><b>Scarlet Alliance</b></p>	<p>The Council's planning code amendments, which aim to restrict purpose-built strip clubs to the existing limited locations and prevent new venues or renovations, represent a political stance against new strip clubs. By treating fixed-site adult entertainment venues differently from other permanent entertainment venues solely due to their involvement in explicit sex work (such as stripping), the Council is discriminating against individuals engaged in sex work.</p> <p>The proposal would:</p> <ul style="list-style-type: none"> <li>Prevent assessment of adult entertainment, products and services premises development applications outside Hindley Street Subzone.</li> <li>Entrench the adult entertainment industry duopoly in the Hindley Street Subzone for the foreseeable future.</li> <li>Stigmatise workers in adult entertainment venues.</li> </ul> <p>The Code Amendment would create numerous negative impacts on work health and safety in Adult Entertainment Premises, and the safety of visitors. Work Health and Safety approaches are now the primary means of regulating sex work in the decriminalised states and territories: NSW, Victoria, Northern Territory and Queensland.</p> <p>Anti-sex work policy result in discrimination, stigmatisation, and potential corruption in the planning process and lead to the disregard of planning staff expertise and reasonable development proposals for sex industry premises.</p> <p>Critical of the consultation process for the code amendment not aligning with the spirit of South Australia's planning engagement policies.</p>	<p>Since the introduction of the definition for Adult Entertainment Premises and Adult Product and Services Premises in the Code, there has been no specific policy to guide the development of these uses (as they no longer can be referred to as licensed premises under the Code). The proposed policy changes do not impact on the rights of existing approved premises to continue operating. The policies are designed to recognise that these land uses are anticipated in a capital city and seeks to manage interface issues.</p> <p>The existing Hindley Street Subzone and the Capital City Zone are considered appropriate locations for Adult Entertainment venues, subject to assessment. The amended policy seeks adult entertainment premises to be located in areas with compatible uses and similar hours of operation (e.g licensed venues).</p> <p>Noted. The Code Amendment include requirements that Adult Entertainment Premises minimise alcoves and entrapment, provide adequate entry and exit lighting and visibility, and reception and visitor assessment areas consider safety and security of employees and visitors. These requirements seek to improve the safety of adult entertainment venues for employees and visitors. Internal fit outs and work health and safety measures of the venues is beyond the scope of the Code Amendment and the Planning and Design Code.</p> <p>Noted.</p> <p>The City of Adelaide met all mandatory requirements of the Engagement Charter and consultation was in accordance with an approved Engagement Plan. Consultation involved letters to owners/operators who held a prescribed entertainment license, key industry stakeholders and</p>

Stakeholder	Summary	City of Adelaide Administrative Response
		<p>government agencies. An advertisement was also placed in the Government Gazette and Advertiser newspaper.</p> <p>The existing Hindley Street Subzone and Capital City Zone are considered appropriate location for adult entertainment venues subject to assessment. The Code Amendment does not restrict development of new premises, the policy seeks to manage interface issues and adult entertainment premises to be located in areas with compatible uses and similar hours of operation (e.g licensed venues).</p>
<p><b>9</b> <b>Sex Industry Network (SIN)</b></p>	<p>Strongly opposes the proposed changes to the Planning and Design Code.</p> <p>The restrictive nature of these amendments will negatively impact our community's industrial rights, safeguards, health, and wellbeing.</p> <p>The Adelaide City Council has provided an interactive map for the purposes of investigating the impact of proposed "buffer zones" for Adult Industry premises use or development. When using the interactive map provided by the Adelaide City Council it becomes apparent that these amendments are nothing more than a thinly veiled ban on adult entertainment establishments.</p> <p>Code amendments will confine adult entertainment premises and their workers to restricted areas, negatively affecting their safety, rights, and agency. The only viable location for new purpose-built venues would be the Hindley Street sub-zone, potentially creating a red-light district. Such a red-light district could exacerbate stigma and discrimination and reinforce the duopoly of ownership of strip clubs.</p> <p>The amendments conflict with the Adelaide City Council's 2023 \$15 million investment in transforming Hindley Street into a family-friendly area, is a contradiction and absurd misuse of taxpayer funds.</p>	<p>Acknowledge opposition to the Code Amendment.</p> <p>Noted.</p> <p>The policy framework has been amended to focus on managing interface issues and improving the design and siting of Adult Entertainment Premises.</p> <p>Noted.</p> <p>The existing Hindley Street Subzone and the Capital City Zone are considered appropriate locations for Adult Entertainment venues, subject to assessment and appropriate management of interface issues. References to setback distances from other land uses has been removed.</p> <p>The existing Hindley Street Subzone and the Capital City Zone are considered appropriate locations for Adult Entertainment venues, subject to assessment and appropriate management of interface issues. References to setback distances from other land uses has been removed.</p> <p>The City of Adelaide's Hindley Street revitalisation seeks to widen footpaths, improve street lighting and CCTV, plant additional trees and create more space for outdoor dining to encourage active daytime businesses. The project seeks to improve the street for all users.</p> <p>Noted.</p>
	<p>Recommend removal of terminology "premises used for prostitution" from the planning code as while full-service sex work is currently</p>	

	Stakeholder	Summary	City of Adelaide Administrative Response
		<p>criminalised it will present future planning code issues when South Australia inevitably updates sex industry laws.</p> <p>If discarding the amendments is not feasible, SIN suggests removing the proposed buffer zones and/or the language used in the explanation and delineation of the buffer zones.</p> <p>We suggest amending the wording to indicate certain restrictions apply during the “business hours” of prescribed premises, for example, adult entertainment premises must restrict all external advertising during the “business/opening hours” of prescribed premises (schools, child care centres, places of worship) or adult entertainment premises must restrict all external advertising during 8am and 6pm, for example.</p> <p>Again, if discarding the amendments is not feasible, we would also like to suggest a revision to and extension of the allocated sub-zone. Certain streets in the city centre, predominantly the business district, should be included in the allocated provisions for land use and design for adult entertainment venues, Currie, Waymouth, and Franklin Streets are not residential and may be flagged for use. Certain sections of King William Street, Pirie, and Flinders Streets may also be appropriate.</p>	<p>Updating the definition of Adult Products and Services premises is beyond the scope of this Code Amendment.</p> <p>The Code Amendment was amended following consultation. The ‘buffer policy’ referencing setback distances to other land uses was removed and replaced with additional written policy.</p> <p>Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>• Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>• Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>• Limit advertising</li> <li>• In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> <li>• Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p>
10	<p><b>General Managers of West End</b></p>	<p>We are extremely concerned by the decision to omit Hindley Street from this buffer zone, reinforcing the negative perceptions that have long held back the development of this part of the city. This distinction from the rest of the city is in effect a sanctioning of a redlight district in Adelaide’s West End.</p> <p>Hindley Street faces high vacancy rates and disrepair, yet it is central to Adelaide’s tourism hub, with many international hotels, a convention centre, a medical precinct, and a major stadium. The condition and tenant mix of Hindley Street affect Adelaide’s reputation locally and internationally. The street serves a diverse range of visitors, including experts attending conferences, corporate travellers, families, not just 18-24 years for a few hours on the weekends. With the highest vacancy rate in the city and with some visitors only attending their hotel and place for the purpose of their travel, do we want a red-light district to represent Adelaide, South Australia</p> <p>A complete review of the planning policy and its applications to Hindley Street should occur.</p>	<p>Noted</p> <p>The Code Amendment was amended following consultation. The ‘buffer policy’ referencing setback distances to other land uses was removed and replaced with additional written policy.</p> <p>The scope of this Code Amendment is planning policy relating to Adult Entertainment Premises and Adult Product and Services. Reviewing the zoning and policy requirements of Hindley Street is beyond the scope of this Code Amendment.</p> <p>The City of Adelaide will consider other policy amendments through its Code Amendment Program.</p>

		City of Adelaide Administrative Response	
Stakeholder	Summary		
11 The North Adelaide Society Inc	<p>Each proposed "Adult" land use is directed to an "adult" age-based cohort and purpose, and ought not be permitted, or capable of being permitted, to be at a location, or in a precinct, zone or area that is not for that purpose (i.e., an "adult" only age-based land use).</p> <p>Neither "adult" land use (premises / services) ought to be permitted within:</p> <ul style="list-style-type: none"> <li>a) Adelaide Park Lands</li> <li>b) City Living</li> <li>c) City Main Street (incl. Melb. Street West)</li> <li>d) Community Facilities</li> <li>e) That part of the Capital City that is contiguous with, or immediately adjacent to, the above zone/s or localities</li> <li>f) City Riverbank and other zone within the care and control of a government entity.</li> </ul> <p>"Adult" land uses ought not at any time or in any respect: be in a location or zone that may result in direct, indirect, transient or accidental visual or physical interaction with pre-school and school age children, and non-adults; be within a 100 metre buffer zone of a land use incompatible with an "adult" only land use (e.g., Park Land; place of worship, childcare centre, school, residential, main street).</p> <p>Subject to the buffer zone indicated herein, it is acknowledged that currently the Hindley Street zone is primarily known as an 'adult' based land use, albeit not confined to an "adult" only age-based cohort and purpose. Presumably, appropriate planning conditions will be imposed.</p> <p>To provide certainty of effect and intent, the language and expressions used in the draft code amendment ought to be clear and unambiguous</p>	<p>Noted.</p> <p>Noted.</p> <p>The existing Hindley Street Subzone and the Capital City Zone are considered appropriate locations for Adult Entertainment venues, subject to assessment and appropriate management of interface issues.</p>	<p>Noted.</p> <p>The scope of this Code Amendment is planning policy relating to Adult Entertainment Premises and Adult Product and Services. The Code Amendment introduces specific policy to assess these land uses.</p> <p>When development applications are submitted for Adult Products and Services Premises and Adult Entertainment Premises, they will be assessed against all relevant requirements of the Planning and Design Code including requirements related to advertising, noise, design and zoning requirements. If granted approval, applicable conditions will be placed.</p>
12 West End Association	<ul style="list-style-type: none"> <li>• Perplexed and concerned by the decision to omit Hindley Street from this buffer zone, especially given the significant presence of vulnerable and important tourism and community institutions within and around this area.</li> </ul>	<p>Noted.</p> <p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment</p>	<p>Noted.</p> <p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment</p>

Stakeholder	Summary	City of Adelaide Administrative Response
	<ul style="list-style-type: none"> <li>Hindley Street is frequented not only by 18-25 year olds at night but also by families and visitors attending major arts institutions, including underage events at venues like the Hindley Street Music Hall.</li> </ul>	<p>premises, subject to assessment and appropriate management of interface issues.</p> <p>References to setback distances from other land uses have been removed.</p>
	<ul style="list-style-type: none"> <li>This distinction from the rest of the city is in effect a sanctioning of a redlight district in Adelaide's West End</li> <li>Reinforces the negative perceptions that have long held back to development of this part of the city</li> <li>Maintaining this perception has led to the current dire circumstances of the street with the highest vacancy rate of any city main street.</li> <li>Adverse effects on land values have been expressed to us by concerned landlord</li> </ul> <p>State Government planning documents describe Hindley Street (east of Morphett Street) as a prime evening and late-night entertainment hub with shopping, hospitality, mixed business, and high-density living. However, this description is outdated, as there is minimal shopping or mixed business left, and evening and late-night venues are only busy 1 to 1.5 nights a week</p>	<p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p> <p>References to setback distances from other land uses have been removed.</p>
	<ul style="list-style-type: none"> <li>Is essential that there is equity in the Council's view of our city, and we believe there cannot be a different rule for the West End alone.</li> </ul>	<p>The scope of this Code Amendment is planning policy relating to Adult Entertainment Premises and Adult Product and Services. Reviewing the zoning and policy requirements of Hindley Street is beyond the scope of this Code Amendment.</p> <p>The City of Adelaide will consider other policy amendments through its Code Amendment Program.</p>
		<p>Noted.</p> <p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p>
13	<p><b>J. Hamilton</b></p> <ul style="list-style-type: none"> <li>This will significantly impact both business and individuals who are both employed by and seek these services.</li> <li>Curious whether the proposed changes will affect Fringe venues and other adult entertainment, including cabaret and burlesque, or if the City of Adelaide will ignore these impacts due to their financial significance. There are also questions about whether major theatres hosting 13+ and 18+ events will be exempt from the restrictions because they are not "strip clubs."</li> </ul>	<p>Noted.</p> <p>When the Planning and Design Code was introduced in 2021, it did not include definitions for 'adult entertainment premises' or 'adult products and services premises'. Consequently, these land uses were categorised as 'licensed premises' and 'shop'. In June 2023, definitions for these premises were introduced into the Code. The purpose of this Code Amendment is to introduce policies to address the land use.</p> <p>The Code Amendment applies to land uses that require a development application.</p> <p>The proposed changes do not include premises where sexually explicit entertainment is undertaken temporarily and in a private or ticketed event</p>



	Stakeholder	Summary	City of Adelaide Administrative Response
			<p>space. These uses are likely to be considered ancillary to the primary use of the venue as a theatre, event space, bar etc and do not trigger a need for a development application.</p> <p>Therefore, it is unlikely that most Fringe Shows that operate under the above conditions, will be impacted.</p>
	<ul style="list-style-type: none"> <li>The ad nauseum for “venues to affect schools and childcare” is a joke - none of the current or proposed venues are within that context. Many city-based artists who use these services daily are also aware of the discrimination faced in their professions.</li> </ul>	Noted.	
	<ul style="list-style-type: none"> <li>The City of Adelaide’s claim to support a vibrant city with a thriving night-time economy is undermined by the recent closure of several long-term entertainment venues, with no support or clear guidance from the council.</li> </ul>	Noted.	
	<ul style="list-style-type: none"> <li>The council’s actions to further regulate the arts and entertainment sector while promoting the Fringe Festival seem contradictory and gross misuse of council power.</li> </ul>	<p>The Code Amendment does not propose to preclude or stop Adult Entertainment Premises and Adult Products and Services as a land use, it proposes to improve how those land uses are assessed.</p> <p>In June 2023, definitions for these premises were introduced into the Code. The purpose of this Code Amendment is to introduce policies to address the land use.</p>	
14	<p><b>South Australian Stripper Hub (SASH) (late submission)</b></p>	<p>South Australia Stripper Hub (SASH) maintains that sex work is valid employment and provides valid services in all its forms</p> <p>SASH welcomes policies and reform which supports greater safety, well-being, and autonomy for workers, including that which seeks to actively counter stigmatisation and marginalisation which harms workers in the sex industry (the Industry).</p> <p>The Live Adult Entertainment landscape at present is dominated by a duopoly operating three of the four venues in Adelaide’s CBD. SASH would like to note that confining Adult Entertainment premises to the Hindley Street Subzone would further entrench the hold the duopoly has over the industry; consolidating their free rein to dictate industry norms which significantly impact workers and clientele.</p>	<p>Noted.</p> <p>Noted.</p>
	<p>The Code Amendment would significantly limit suitable land for adult entertainment venues, reducing competition and potentially lowering standards for workers. This could discourage voluntary compliance with workplace health and safety (WHS) obligations, worsening</p>	<p>Noted.</p> <p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p> <p>Buffer distances are replaced with additional written policies to guide development assessment.</p>	<p>Noted.</p> <p>Work health and safety measures of the venues is beyond the scope of the Code Amendment and the Planning and Design Code.</p>

	Stakeholder	Summary	City of Adelaide Administrative Response
		<p>power imbalances between venue owners and workers and undermining efforts by SafeWork SA and SASH to encourage proactive WHS practices and shift industry norms.</p> <ul style="list-style-type: none"> <li>City of Adelaide Strategic Plan (2024 – 2028)<sup>3</sup> espouses values of inclusivity, equality, and safety, the Code Amendment indicates these ideals do not extend to sex workers in the community. The Code Amendment also reflects multiple methods by which local and state Governments have historically been unsupportive of sex workers</li> </ul>	<p>When the Planning and Design Code was introduced in 2021, it did not include definitions for 'adult entertainment premises' or 'adult products and services premises'. Consequently, these land uses were categorised as 'licensed premises' and 'shop'. In June 2023, definitions for these premises were introduced into the Code. The purpose of this Code Amendment is to introduce policies to address the land use.</p>
	<ul style="list-style-type: none"> <li>The Code Amendment would in practice further restrict sex workers and reinforce stigmatising rhetoric which propagates harm against them</li> </ul>	<p>Noted.</p> <p>Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>Limit advertising</li> <li>In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> <li>Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p>	
	<p>Where the presence of Adult Entertainment and Product and Services premises is sought to be contained by the Code Amendment, there are alternatives to restricting land use. Adult Entertainment venues can exercise discretion, for example if advertising during daytime hours (e.g., 7am to 5pm) was to limit or exclude adult themes, or by limiting their venue advertising to include only the businesses' hours. Another option includes Adult Entertainment businesses refraining from advertising during the daytime (where the business itself is not open during daytime hours), or during opening hours of nearby premises (such as schools, childcare centres). Please note that where restrictive advertising is still discriminatory in effect towards sex workers, it presents a safer alternative to the proposed limitations on land use.</p>	<p>Noted.</p> <p>The references to setback differences to other land uses has been removed post consultation.</p> <p>The proposed policy framework seeks to limit advertising and guide hours of operations to minimise the impact of adult entertainment premises on the amenity of a locality.</p>	

City of Adelaide Administrative Response	
Stakeholder	Summary
	<p>The City Council of Adelaide proceeds in implementing the Code Amendment. SASH asks "areas where the land use is allowed" be added beyond solely the Hindley Street Subzone. This extension would allow more opportunity for prospective venues and greater agency for workers in line with our concerns. While Hindley Street presently acts as a 'hub' of Adelaide's nightlife, it is not necessarily the most nor only suitable Subzone for Adult Entertainment; nor Products and Services venues.</p>
	<p>We recommend extending beyond just the Hindley Street Subzone, this could include Currie, Waymouth, Franklin, Rundle, Pirie and Flinders Streets, in addition to sections of King William Road. Pertaining to the East End of the CBD, it is worth noting the ongoing success of Fringe shows produced by and featuring the talents of sex workers. Where adult entertainment has been recognised and awarded during Fringe season, there is some hypocrisy in classifying this Subzone as "unsuitable" during all other times of the year.</p>
15	<p><b>E Rushbrook</b></p> <p>Adult entertainment is not an appropriate land use along either side of Hutt Street from South Terrace to Bartels Road, Adelaide. This applies no matter which zone applies to Hutt Street, such as main street, capital city zone, or city living zones.</p> <p>Inappropriate to suggest that adult entertainment and adult products and service premises could be safely regulated based on distance from a nominated type of premises in some zones along Hutt Street. Firstly, it is a complex and challenging schema for the residents (and others) to understand. Secondly, it isn't easy to implement.</p> <p>Regulations and planning policy is complex - responsibility of different bodies and their underpinning legislation. This will undoubtedly lead to confusion about who regulates what. I also note that using the Internet and home-based entertainment may reduce the need for adult entertainment zones.</p>
16	<ul style="list-style-type: none"> <li>Strongly support Code Amendments</li> <li>Recommend increase the 'buffer distance' from existing residential uses or land used for a place of worship, childcare</li> </ul>
	<p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p> <p>In the existing Capital City Zone and Main Street Zones (and associated Subzones), adult products and services premises would be considered appropriate subject to meeting specific policies.</p> <p>The policy proposed in the Code Amendment would mean Adult Products and Services Premises are not considered to meet performance outcomes in the existing City Living Zones.</p> <p>Noted.</p> <p>The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.</p> <p>Noted.</p> <p>Buffer distances are replaced with additional written policies to guide development assessment.</p> <p>The policy was amended to strengthen policies relating to advertising, interface and hours of operation to help guide the development of these land uses.</p> <p>Noted.</p> <p>When the Planning and Design Code was introduced in 2021, it did not include definitions for 'adult entertainment premises' or 'adult products and services premises'. Consequently, these land uses were categorised as 'licensed premises' and 'shop'. In June 2023, definitions for these premises were introduced into the Code. The purpose of this Code Amendment is to introduce policies to address the land use.</p> <p>Acknowledges support of the Code Amendment.</p>



City of Adelaide Administrative Response	
Stakeholder	Summary
	<p>centre, primary school or secondary school from 50 metres to a minimum of 200 metres.</p> <p>Support of expanding the boundary of our East End Adelaide "City Main Street" to include Pirie Street to the South, East Terrace to the East and Pulteney Street to the West. With the objective of State Government and Adelaide City Council looking to double the residential population of our City, it is more apparent than ever that forward planning and design, to suit the use and classification of our precinct as "City Living", be implemented into strategic plans and of course premises code amendments.</p>
17	<p>Adelaide Oval</p> <ul style="list-style-type: none"> <li>No comment</li> </ul>
<b>Our Adelaide Online Survey Submissions</b>	
18	<p><b>Our Adelaide Submission</b></p> <p>Support the Code Amendment</p> <p>The boundary for City Living should be extended into consideration for upcoming potential investment into wider city living areas, like in the West-North corner of the CBD. The West End has gained significant investment through gov and local business owner to activate the area, with further city living expansion taking place around the Light Square district with more than 2,000 new residents moving into that area in the coming months with more apartment living opportunities. Please consider covering future city living areas to future proof.</p>
19	<p><b>Our Adelaide Submission</b></p> <p>I live in the City and I don't want any expansion of sexually explicit premises anywhere in the City.</p> <p>Simply – no Premises within the Adelaide City Centre will be granted permission to build or operate any sexually explicit Adult Entertainment</p>
20	<p><b>Our Adelaide Submission</b></p> <p>Do not support the Code Amendment</p> <p>Create safe areas for sex workers</p>

**City of Adelaide Administrative Response**

Replacement of the buffer distances and additional policies to guide Adult Entertainment premises to be in areas with compatible land uses and hours of operation.

The scope of this Code Amendment is planning policy relating to Adult Entertainment Premises and Adult Product and Services. Reviewing the zoning and policy requirements of Hindley Street is beyond the scope of this Code Amendment.

The City of Adelaide will consider other policy amendments through its Code Amendment Program.

Noted.

The scope of this Code Amendment is planning policy relating to Adult Entertainment Premises and Adult Product and Services. Reviewing the zoning and policy requirements of Hindley Street is beyond the scope of this Code Amendment.

The City of Adelaide will consider other policy amendments through its Code Amendment Program.

Noted.

The Code Amendment does not propose to preclude or stop Adult Entertainment Premises and Adult Products and Services as a land use, it proposes to improve how those land uses are assessed.

Noted.

The Code Amendment does not propose to preclude or stop Adult Entertainment Premises and Adult Products and Services as a land use, it proposes to improve how those land uses are assessed.

Noted.

The Code Amendment does not propose to preclude or stop Adult Entertainment Premises and Adult Products and Services as a land use, it proposes to improve how those land uses are assessed.

		<b>City of Adelaide Administrative Response</b>	
<b>Stakeholder</b>	<b>Summary</b>		
<b>21</b> <b>Our Adelaide Submission</b>	The suggestion of buffer zones around certain land uses and the proposal of Hindley Street as a 'red light district' promotes a conservative approach to the adult entertainment industry, creating a culture of secrecy and shame further contributing to archaic social norms that reproduce patriarchal violence, in direct opposition to the progressive, open and inclusive city Adelaide should be aiming for.	<p>Buffer distances are replaced with additional written policies to guide development assessment.</p> <p>Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>• Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>• Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>• Limit advertising</li> <li>• In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> <li>• Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p>	
	Restricting the use of land for adult products and services premises disregards the safety of workers and the volume of people who deserve inclusive and safe access to adult products and services. Sex is a basic human right and need for wellbeing and health. It should be promoted as such rather than restricted in its place and advertisement.	<p>Noted.</p> <p>Adult Products and Services premises are not considered to meet performance requirements of the Code in the existing City Living Zone.</p>	
<b>22</b> <b>Our Adelaide Submission</b>	Do not support Code Amendment Perhaps legislation that makes it easier for venues to open and stay open would be preferable? If the council is unable to provide this, perhaps legislation that protects the women who provide this entertainment would be a bare minimum	<p>Noted.</p> <p>Legislation change is beyond the scope of this Code Amendment.</p>	
<b>23</b> <b>Our Adelaide Submission</b>	It could negatively impact my industry and the community  Just don't do it	<p>Noted. The policy framework has been amended in response to the consultation process.</p> <p>Noted. The policy framework has been amended in response to the consultation process.</p>	
<b>24</b> <b>Our Adelaide Submission</b>	These proposed changes will negatively impact sex workers and strippers trying to earn a living. This further stigmatises them and makes it intentionally difficult for them to work safely and easily.	<p>Noted.</p> <p>The proposed policy changes do not impact on the rights of existing approved premises to continue operating.</p>	

City of Adelaide Administrative Response	
Stakeholder	Summary
25	<p><b>Our Adelaide Submission</b></p> <p>Do not support the Code Amendment Support a safer environment for strippers and burlesque performers rather than outright banning the activity</p>
	<p>The policies are designed to recognise that these land uses are anticipated in a capital city and seeks to manage interface issues.</p> <p>Noted. The proposed policy changes do not impact on the rights of existing approved premises to continue operating. The policies are designed to recognise that these land uses are anticipated in a capital city and seeks to manage interface issues. The Code Amendment include requirements that Adult Entertainment Premises minimise alcoves and entrapment, provide adequate entry and exit lighting and visibility, and reception and visitor assessment areas consider safety and security of employees and visitors. These requirements seek to improve the safety of adult entertainment venues for employees and visitors. Internal fitouts and work health and safety measures are beyond the scope of the Code Amendment and the Planning and Design Code.</p>
26	<p><b>Our Adelaide Submission</b></p> <p>Support Code Amendment I wish to maintain the quiet enjoyment of our area</p>
	<p>Noted.</p>
27	<p><b>Our Adelaide Submission</b></p> <p>To keep Adult Entertainment Premises out of the East End</p>
	<p>The Code Amendment lists Adult Entertainment Premises as a non-conforming use within the existing City Living Zones, Rundle Mall Subzone and Rundle Street Subzone that are in the East End.</p>
28	<p><b>Our Adelaide Submission</b></p> <p>I am a long-term resident of East End of Adelaide. This is a long-established, quality residential area complemented by a quality mix of retail, services, and hospitality. The area attracts a diverse demographic and has strong appeal to women of all ages, and families. It is important to keep the area attractive and safe for residents and visitors. Also, as the East End is the hub of events in Adelaide and South Australia it is essential to provide local, national, and international visitors with a positive impression of the precinct.</p>
	<p>Noted</p> <p>The Code Amendment lists Adult Entertainment Premises as a non-conforming use within the existing City Living Zones, Main Street Zones (excepting Hindley Street subzone) and Melbourne Street West Subzone. Additional policy has been included for Adult Entertainment Premises the Policy has been included for Adult Entertainment Premises that seeks to:</p> <ul style="list-style-type: none"> <li>• Guide Adult Entertainment uses to be in areas with compatible land uses and hours of operation and avoid being located at the interface of neighbourhood-type zones</li> <li>• Improve the design and siting of Adult Entertainment Premises to mitigate off-site impacts</li> <li>• Limit advertising</li> <li>• In the Capital City Zone, if adult entertainment premises are proposed near schools, childcare centres and places of worship, they are closed during daytime hours to minimise land use conflicts</li> </ul>

Stakeholder	Summary	City of Adelaide Administrative Response
		<ul style="list-style-type: none"> <li>Do not operate at the interface of the City Living Zone</li> </ul> <p>This policy approach recognises that these land uses are anticipated in a capital city and seeks to manage interface issues.</p>
	<p>It will address a gap in the current Code and provide greater clarity for Development Applications for Adult Premises.</p>	Noted.
	<p>A 50 metre distance is hardly a buffer zone as the proposed premises could still be located within the same city block as the above uses. Therefore, the buffer zone should be 200 metres.</p>	Noted. Buffer distances are replaced with additional written policies to guide development assessment.
29	<p><b>Our Adelaide Submission</b></p> <p>I wouldn't like to see such venues near to where I live. The areas designated as living zones do not include the parts of Adelaide that have the highest density of residents. That is the huge number of apartment buildings in the north west of the city. These contain both elderly residents and young students who do not mix very well with the sort of people attending adult entertainment.</p>	Noted. The Code Amendment lists Adult Entertainment Premises as a non-conforming use within the existing City Living Zones, Main Street Zones (excepting Hindley Street subzone) and Melbourne Street West Subzone.
30	<p><b>Our Adelaide Submission</b></p> <p>As long as there is both discrete and non-obvious signage and appropriate security, I think these business are non-intrusive and do not cause an issue</p> <p>I would like these business to be discrete and low visibility, as these are normally more visible.</p>	Noted. The Code Amendment includes policy to ensure advertising is discrete and limited in size, scale and number.
31	<p><b>Our Adelaide Submission</b></p> <p>We should be like other cities and be promoting our night adult entertainment ...not everyone wants to go to Hindley Street ...mature age people like to be discreet and go to other parts of the city .</p>	Noted. The Code Amendment includes policy to ensure advertising is discrete and limited in size, scale and number. The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.
32	<p><b>Our Adelaide Submission</b></p> <p>Do not support the Code Amendment.</p>	Noted.
33	<p><b>Our Adelaide Submission</b></p> <p>Support the Code Amendment in part. A buffer distance should also apply to adult products and services premises; location should be 100 metres from residential or land used for a place of worship and to 200m for schools and childcare centres.</p>	Noted. Replacement of the buffer distances and additional policies to guide Adult Entertainment premises to be in areas with compatible land uses and hours of operation.
34	<p><b>Our Adelaide Submission</b></p> <p>Do not support the Code Amendment.</p>	Noted.

Stakeholder	Summary	City of Adelaide Administrative Response
35 <b>Our Adelaide Submission</b>	Do not support the code Amendment Realistically, with the proposed distance requirements, is there anywhere in the CBD that an adult entertainment venue would be allowable? I would suggest reducing this distance requirement or considering additional locations outside of simply Hindley Street. How do these proposed changes sit in line with festival season, for example Adelaide Fringe? Will venues that host shows be subject to same requirements, if the reasons for these are genuine?	Noted. The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues. A development application is not often required for venues where sexually explicit entertainment is undertaken temporarily and in a private or ticketed event space. These uses are likely to be considered ancillary to the primary use of the venue as a theatre, event space, bar etc Therefore, it is unlikely that most Fringe Shows that operate under the above conditions, will be impacted.
36 <b>Our Adelaide Submission</b>	Support Code Amendment. Resident of East End.	Noted.
<b>Other Submissions</b>		
Letter to Members of Parliament and Legislative Council (distributed by 90 individuals)	Oppose the proposed code amendments. Preventing the development of new strip clubs will negatively impact adult entertainers' ability to earn an income, reduce health and safety at work, is blatant discrimination and promotes stigma against sex workers.  Combating gender-based violence and promoting respect for women includes ensuring adult entertainers are treated with dignity and have safe working conditions.  Catering to a small number of homeowners and restricting new strip clubs while not affecting temporary venues like Fringe and Feast Festival highlights a lack of fairness and double standard.	Noted. Noted. The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues.  Noted. Internal fitouts and work health and safety measures are beyond the scope of the Code Amendment and the Planning and Design Code.  Noted. The policy was amended and proposes the existing Capital City Zone and Hindley Street Subzone, as appropriate locations for adult entertainment premises, subject to assessment and appropriate management of interface issues. A development application is not often required for venues where sexually explicit entertainment is undertaken temporarily and in a private or ticketed event space. These uses are likely to be considered ancillary to the primary use of the venue as a theatre, event space, bar etc Therefore, it is unlikely that most Fringe Shows that operate under the above conditions, will be impacted.



## Attachment 2 - Evaluation Results

### Results of the community minimum mandatory evaluation indicators

	Evaluation statement	Strongly disagree	Somewhat disagree	Not sure	Somewhat agree	Strongly agree
1	<b>I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)</b>	7.14%	0%	71.43%	14.29%	7.14%
<p>Comments: 2 responses</p> <p><i>"The staff were very friendly, however we are concerned that the workers rights implications of the proposal have been buried by Councillors who are more interested in keeping East End residents happy."</i></p> <p><i>"I heard about this from a 3rd party and had to reach out to the concerned parties on my own"</i></p>						
2	<b>I am confident my views were heard during the engagement (Principle 2)</b>	7.14%	0%	71.43%	14.29%	7.14%
<p>Comments: 2 responses</p> <p><i>"The staff listened and demonstrated they heard our views, however we are yet to see if the Council as a representative body is at all interested in the negative impacts of the proposal. Uncertain if our views were heard where it mattered."</i></p> <p><i>"No one got back to me?!"</i></p>						
3	<b>I was given an adequate opportunity to be heard (Principle 3)</b>	21.43%	0%	50.00%	21.30%	7.14%
<p>Comments: 3 responses</p> <p><i>"We should have adult entertainment venues all over Adelaide ...there is a market for these venues"</i></p> <p><i>"The staff listened and were respectful. However it is still surprising that the issue made it as far as a proposal without consultation BEFORE hand. The prioritisation of East End interests over the workers in Adult Entertainment (not just venues, but festivals, one-night shows, one-off events etc) remains a major concern"</i></p> <p><i>"I was given less than a week"</i></p>						
4	<b>I was given sufficient information so that I could take an informed view.(Principle 3)</b>	7.14%	7.14%	35.71%	50.00%	0%
<p>Comments: 3 responses</p> <p><i>"We need to be open minded not have old council members who live a sheltered life not to support these venues"</i></p> <p><i>"I would have preferred to know more about the proposal prior to it being mooted with government"</i></p> <p><i>"No one seems to be providing any actual evidence for the proposal, seems like a witch hunt to me!"</i></p>						
5	<b>I felt informed about why I was being asked for my view, and the way it would be considered. (Principle 4)</b>	14.29%	7.14%	42.86%	21.43%	14.29%
<p>Comments: 3 responses</p> <p><i>"We need another adult cinema , male sex venue , open minded adult stores and more strip clubs"</i></p> <p><i>"I had to become an expert on planning law in order to realise that the wording in the proposal did not match the impact of the proposal."</i></p> <p><i>"Again, no one contacted me after"</i></p>						

## Results and Evaluation of Designated Entity’s engagement

The engagement was evaluated by Colleen McDonnell, Manager City Planning & Heritage Park Lands Policy & Sustainability, City of Adelaide

	Evaluation statement	Response options
1	Engagement <b>occurred early enough</b> for feedback to genuinely influence the planning policy, strategy or scheme <b>(Principle 1)</b>	<ul style="list-style-type: none"> <li>▪ Engaged when there was opportunity for input into first draft</li> <li>• <i>Early engagement occurred in accordance with the approved Engagement Plan</i></li> <li>• <i>Public engagement occurred at the draft Code Amendment stage where there was an opportunity for feedback to genuinely shape planning policy.</i></li> </ul>
2	Engagement <b>contributed to the substance</b> of the Code Amendment <b>(Principle 1)</b>	<ul style="list-style-type: none"> <li>• In a significant way</li> </ul> <p><i>Following public consultation, the policy framework was amended.</i></p>
3	The <b>engagement reached</b> those identified as the community of interest <b>(Principle 2)</b>	<ul style="list-style-type: none"> <li>• Representatives from most community groups participated in the engagement</li> </ul> <p><i>The targeted stakeholders were reached, noting twelve responses to direct letters sent.</i></p>
4	Engagement included the <b>provision of feedback to community about outcomes</b> of their participation	<ul style="list-style-type: none"> <li>• Formally (report or public forum)</li> <li>• <i>Following consultation, City of Adelaide’s Our Adelaide Engagement webpage was updated to inform respondents of the outcome.</i></li> <li>• <i>Those who made a submission on the draft Code Amendment advised how to access the report when made publicly available (which will detail any proposed amendments and summary of submissions) following the consultation process.</i></li> </ul> <p><i>At the time of completing this evaluation, it is noted that further feedback to the community will be provided following Council decision and decision by the Minister. The City of Adelaide’s engagement platform will be updated, and emails will be sent to those who provided feedback advising of outcomes to close the loop.</i></p>
5	<b>Engagement was reviewed</b> throughout the process and improvements put in place, or recommended for future engagement <b>(Principle 5)</b>	<ul style="list-style-type: none"> <li>• Reviewed and recommendations made in a systematic way</li> <li>• <i>A review of the engagement process was undertaken at the completion of the consultation process in accordance with endorsed Engagement Plan to gauge the views of those who provided submissions on the Code Amendment engagement process.</i></li> </ul>
	Identify key strengths of the Charter and Guide	The key strength of the Charter and Guide is that it encourages the engagement process to be reviewed and improved.

	Identify key challenges of the Charter and Guide	<p>The timing for the feedback evaluation is difficult as it requires communicating with participants before Council has formally endorsed the final position and response.</p> <p>Feedback and closing the loop are valued and should form part of the process, although cannot be reflected in their entirety as part of the Engagement Report.</p>
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### Evaluation of Designated Entity's engagement against Charter Principles

	Charter Principle	How the engagement approach/ activities met the principle
1	Engagement is genuine	<ul style="list-style-type: none"> <li>• People were provided the opportunity to participate via website, direct letters, e-mails, contact City of Adelaide employees by telephone and arrange meetings by request.</li> <li>• The engagement material articulated the policy proposed, potential impacts the engagement process and how interested persons could provide their feedback. The information provided aimed to be in plain English.</li> <li>• An interactive map tool was also provided to illustrate the spatial application of the policy.</li> <li>• The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or on-line submission through the SA Planning Portal and Council's our Adelaide website) that were reviewed and considered before finalising the Code Amendment.</li> </ul>
2	Engagement is inclusive and respectful	<ul style="list-style-type: none"> <li>• Engagement activities tailored to different groups, with key stakeholders contacted directly.</li> <li>• An Engagement Report was prepared summarising the feedback received and how it was used to inform the decision.</li> <li>• Meetings were offered with key stakeholders.</li> </ul>
3	Engagement is fit for purpose	<ul style="list-style-type: none"> <li>• Engagement activities are tailored to different groups.</li> <li>• Identified contact for further assistance, information and advice.</li> <li>• Information provided on how to be involved in engagement process.</li> <li>• The engagement material articulated the policy proposed, potential impacts of the engagement process and how interested persons could provide their feedback.</li> <li>• An interactive map tool was also provided to illustrate the spatial application of the policy.</li> </ul>
4	Engagement is informed and transparent	<ul style="list-style-type: none"> <li>• The City of Adelaide provided information (online and hard copy) in basic language clearly articulating the policy proposed in the draft Code Amendment, potential impacts, the engagement process and how interested persons could provide their feedback/participation.</li> <li>• An interactive map tool was also provided to illustrate the spatial application of the policy.</li> <li>• An Engagement Report was prepared summarising the feedback received and how it was used to inform the decision. The Engagement Report was made publically available prior to a decision being made.</li> <li>• Identified contact for further assistance, information and advice.</li> </ul>
5	Engagement is reviewed and improved	<ul style="list-style-type: none"> <li>• An Engagement Report was prepared to evaluate the engagement process.</li> <li>• At the conclusion of the engagement process, lessons learned have been identified.</li> </ul>



**Attachment 3 – Copy of Submissions Received**

DRAFT

**Gabriella Cutri**

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**From:** Leonie McNeil  
**Sent:** Friday, 12 July 2024 2:01 PM  
**To:** PDCSA Amendments  
**Subject:** FW: Adult Entertainment Premises Code Amendment - Public Consultation  
**Attachments:** Adelaide Oval.pdf; CoA\_Adult Entertainment CA\_ Adult Entertainment.pdf; CoA\_Adult Entertainment CA\_ Adult products.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

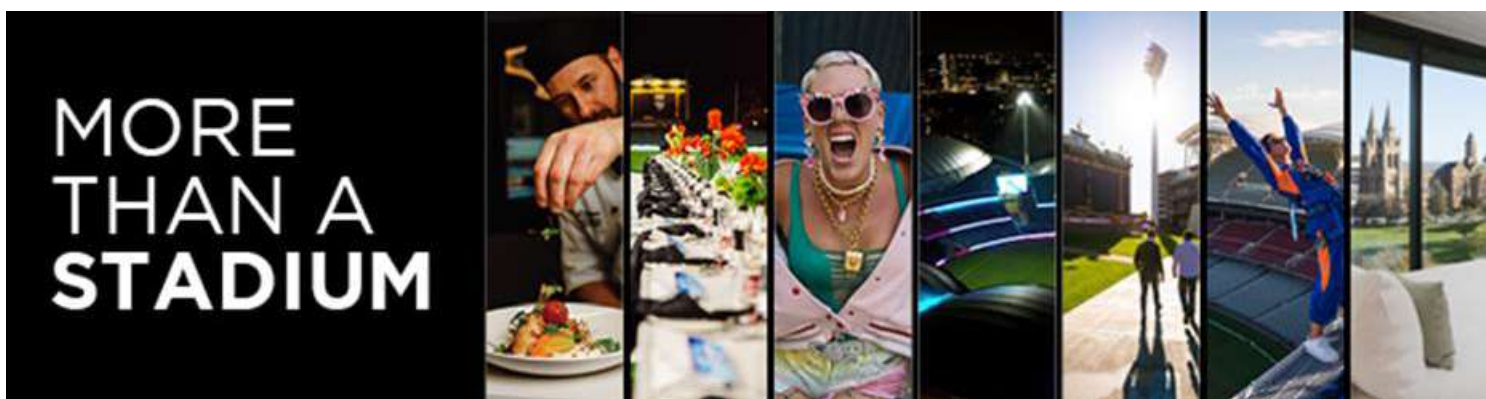
**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear City of Adelaide

Thank you, we acknowledge receipt of the email below received on 11<sup>th</sup> June 2024.

We wish to advise that we do not have any feedback on this matter.

Kind regards  
Leonie



This email message and any attachments are confidential and may contain legally privileged information. If you are not the intended recipient of this message please notify the sender immediately by return email, and destroy this message and any attachments. Although the Adelaide Oval SMA Limited has made every endeavour to ensure documents are virus free, you should scan this message for viruses. The Adelaide Oval SMA Limited will accept no liability for any loss that may occur, resulting from your recipient of this message or any attachments. You must not copy or distribute this message or any part of it or otherwise disclose its contents to anyone without the prior consent of the sender.

**From:** PDCSA Amendments <>  
**Sent:** Tuesday, June 11, 2024 2:38 PM  
**To:** Enquiries <>  
**Subject:** Adult Entertainment Premises Code Amendment - Public Consultation

Please find attached correspondence related to the proposed Adult Entertainment Premises Code Amendment.

**Planning and Design Code Amendments**  
City of Adelaide



*The City of Adelaide acknowledges the Kurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.*



**Think before you print**

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**From:** david williams Friday, 5 July 2024 1:04 PM  
**Sent:** PDCSA Amendments  
**To:** PDCSA Amendments  
**Subject:**

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I have lived in the East End of the City of Adelaide for approximately 24 years and was President of the EEGC for about 10 years.

I have always considered that, for health, for safety and for the best management that the Hindley Street precinct is the best, and should be, the only area for adult entertainment and services in the City.

I agree with therefore strictly limiting where such services should be. They definitely must not be allowed where residents, churches, schools exist.

In the given plans, however, even with the proposed 50meter buffer, areas slip through where such premises could be placed and I consider this totally inappropriate and unsafe. If Council really wants more residents then it must be very sure its planning does not allow for adult entertainment and services to slide into the cracks as demonstrated in its map.

I therefore propose extending the buffer to 100 metres to secure the safety, the liveability and overall health of residents and workers for now and into the future as the city grows and develops.

However, the other possibility is to declare that the above sites and services are to be only in the Hindley precinct, no new facilities are to be allowed outside this area and existing facilities which are at present not within the Hindley precinct will not be allowed to extend their current leases.

Thank you for this opportunity to comment.

Yours faithfully,

David Williams

**east end**



**adelaide**

15<sup>h</sup> July 2024

Julie Thomson  
Code Amendments Consultation  
GPO Box 2252  
ADELAIDE SA 5001  
[Pdcsa.amendments@cityofadelaide.com.au](mailto:Pdcsa.amendments@cityofadelaide.com.au)

Dear Julie,

**RE: ADULT ENTERTAINMENT PREMISES CODE AMENDMENT**

Please accept this submission to the Adult Entertainment Premises Code Amendment on behalf of the 15 traders and residents who make up the East End Coordination Group Committee and all the Stakeholders who live and work in East End Adelaide.

The precinct of East End Adelaide has a vibrant balance of fashion, retail, coffee and premium wine and dine destinations; it is also the residential postcode for over two thousand executives, corporates, students and creatives.

We are strongly opposed to any adult entertainment venues, suppliers or providers of adult entertainment products/services and anything related to this industry, whether it be online, in-house, exhibitions, displays, products or performances operating in or near East End Adelaide.

We strongly support both proposed Code Amendments by the City of Adelaide to Adult Entertainment Premises and Adult Products and Services Premises. We further recommend a variation to both proposed amendments as follows:

***To increase the 'buffer distance' from existing residential uses or land used for a place of worship, childcare centre, primary school or secondary school from 50 metres to a minimum of 200 metres.***

A distance of 50 metres is not at all adequate to provide a reasonable buffer between a venue or business providing adult entertainment or products etc., and a school or residential building.

In addition to increasing the buffer zone above, we are also in support of expanding the boundary of our East End Adelaide "City Main Street" to include Pirie Street to the South, East Terrace to the East and Pulteney Street to the West. With the objective of State Government and Adelaide City Council looking to double the residential population of our City, it is more apparent than ever that forward planning and design, to suit the use and classification of our precinct as "City Living", be implemented into strategic plans and of course premises code amendments.

We appreciate the opportunity to provide our submission and look forward to further correspondence when it becomes available.

Yours sincerely

Frank Hannon-Tan  
President, East End Coordination Group

## **EAST END PRESIDING OFFICERS GROUP**

**Representing 16 Strata and Community Corporations  
East End, Adelaide**

2 July 2024

The City of Adelaide

Code Amendments Consultation

Attn: Julia Thomson, per email: PDCSA.amendments@cityofadelaide.com.au

### **Planning and Design Code Amendments**

#### **Adult Entertainment Premises and Adult Products and Services Premises**

This letter is submitted on behalf of sixteen (**16**) Strata and Community Corporations in Adelaide's East End – 9 corporations in Garden East and a further 7 nearby corporations, all of whom have a direct interest in the East End precinct as well the City more generally.

Jointly we represent **712** residential apartments or townhouses, housing a residential population of (up to) approximately 1,400 people, many of whom are long term city residents (some for over 20 years).

We are strongly opposed to any Adult Entertainment and/or Adult Products and Services venues in or near the East End precinct.

**We therefore strongly support *both* proposed Code Amendments, in respect to both Adult Entertainment Premises and Adult Products and Services Premises.**

Further, we recommend a variation to both proposed amendments, as follows:

**To increase the buffer distance from existing residential uses or land used for a place of worship, childcare centre, primary school or secondary school from 50 metres to at least 100 metres, but preferably 200 metres.**

It is our strong view that a distance of 50 metres is completely inadequate to provide a reasonable buffer between such incompatible premises as “adult” establishments on the one hand and schools, places of worship and private residences on the other.

The rationale for our support of these Code Amendments and our proposed variation is as follows:

We fully recognise that any city of scale, such as Adelaide, should provide a diversity of entertainment venues and cater to all reasonable lifestyle choices. We are therefore not opposed to adult establishments per se.

The need is to balance competing interests to ensure that all sectors of the community can co-exist in relative harmony – which is why successful cities have effective Planning and Design Codes.

Given that the State Government and Adelaide City Council have the stated objective of doubling the residential population of the city, it will now be more necessary than ever to ensure that different precincts within the city are treated differently in terms of planning and design to suit different uses, in order to provide the lifestyle choices to attract those additional residents.

The East End today is a very successful, integrated mixed use precinct that comprises:

- a prime residential neighbourhood
- high end fashion and other quality retail
- professional services, office and other commercial businesses
- sophisticated dining, small bars and other diverse hospitality venues
- a hub for major tourism events such as the Adelaide Fringe, Illuminate Adelaide, Tour Down Under, Three Day Event horse trials, CheeseFest and many other events in the East Park Lands
- proximity to universities and schools
- proximity to the North Terrace cultural institutions, Botanic Gardens and Adelaide Zoo

Premises for Adult Entertainment and Adult Products and Services are clearly incompatible with the nature and character of the East End as it is today.

This is not just about those of us who are residents in and around the East End, it is also about the people who work in the East End, and the many visitors who attend East End events and attractions throughout the year – this includes people of all ages, including families.

In respect to major events attended by national and international visitors, the East End is integral to Adelaide’s tourism brand, so it is essential that it is presented in the most favourable light.

Adult establishments are simply incompatible with this, not only in their own right but also as a result of the anti-social behaviour sometimes associated with such venues, particularly in the evening when East End dining and many of the events are in full swing, and later when hospitality workers are going home.

We therefore applaud the proposed Code Amendments and look forward to their implementation, along with our proposed variation to increase the buffer zone to at least 100 metres, but preferably 200 metres.

For further information, please contact:

- Nick Scarvelis:
- Andrew Robertson:

Submitted by the Presiding Officers of the 16 East End strata and/or community corporations listed below:

<b>Presiding Officer</b>	<b>Corporation</b>	<b>Building</b>	<b>Residences</b>
Nick Scarvelis	Community Corp. 20133 Inc.	“Magarey”	29
Andrew Robertson	Community Corp. 20707 Inc.	“Maxwell”	16
Dr Lindsay Ryan	Strata Corp. 13337 Inc.	“The Townhouses”	13
Graham Woollard	Strata Corp. 13516 Inc.	“Ridgway”	37
Bob Holton	Community Corp. 20389 Inc.	“The Square”	19
Kathleen Hoey	Strata Corp. 14014 Inc.	“Brooker”	37
(Ms) Chris Cann	Community Corp. 21058 Inc.	“Union St Apartments”	24
Vern Schulz	Community Corp. 20233 Inc.	“Astoria”	34
Fiona Beauchamp	Community Corp. 20838 Inc.	“Ebenezer Apartments”	40
Diana Hill	Community Corp. 23295 Inc.	“Domain”	63
David Simmons	Community Corp. 22806 Inc.	“Alpha”	46
Mu Young	Community Corp. 23946 Inc.	“Palais”	100
Barry Jenner	Community Corp. 42062 Inc.	“Adelaidean”	74
Robert Wiskich	Community Corp. 20189 Inc.	“Botanic”	93
Ian Pascoe	Community Corp. 20863 Inc.	“Brewery”	60
Joanne Linn	Community Corp. 21197 Inc.	“Malthouse”	27

Ms Colleen McDonnell,  
Manager City Planning and Heritage,  
City of Adelaide

Email [PDCSA.amendments@cityofadelaide.com.au](mailto:PDCSA.amendments@cityofadelaide.com.au)

Dear Ms McDonnell

Thank you for your letter bringing to SECRA's attention the proposed Draft Code Amendment on Adult Entertainment and Adult Products and Services. I understand that the Planning and Development Code (The Code) does not currently include a planning policy on where adult entertainment premises or adult products and services premises should be located or assessed within the City of Adelaide. The Code Amendment proposes introducing a policy to improve the assessment of development proposals for adult entertainment and adult products and services premises.

Personally, I believe that :

- Adult entertainment zones are not an appropriate land use along either side of Hutt Street from South Terrace to Bartels Road, Adelaide.
- This applies no matter which zone applies to Hutt Street, such as main street, capital city zone, or city living zones.

This reflects the existing use of Hutt Street.

It is inappropriate to suggest that adult entertainment and adult products and service premises could be safely regulated based on distance from a nominated type of premises in some zones along Hutt Street. Firstly, it is a complex and challenging schema for the residents (and others) to understand. Secondly, it isn't easy to implement.

Hutt Street has commercial (such as Sofia), residential (Rymill House) and medical premises (Hutt Street General Practice), as well as social justice facilities (YWCA affordable housing), all of which may find close location to an adult entertainment and adult products and service premises inappropriate.

It would also compromise Hutt Street branding as a family-friendly retail strip. Schoolchildren may use Hutt Street to walk to school (CBC), as do southeast residents who go for a walk, cycle, or microtransport to the CBD. Visitors walk the street to admire the historical buildings such as the Bray residence.

As if this regulation is not complex enough, regulating other adult entertainment activities is the responsibility of different bodies and their underpinning legislation. This will undoubtedly lead to confusion about who regulates what.

I also note that using the Internet and home-based entertainment may reduce the need for adult entertainment zones.



Therefore, I believe the proposed method of regulating adult entertainment and adult products and service premises along Hutt Street is flawed.

If you should want to discuss the matter further, please email me in the first instance, Elizabeth Rushbrook, at

Yours sincerely

(Signed)

Elizabeth Rushbrook

Date 18 July 2024



**Environment Protection Authority**  
GPO Box 2607 Adelaide SA 5001  
211 Victoria Square Adelaide SA 5000  
T (08) 8204 2000 F (08) 8204 2020  
Country areas 1800 623 445

EPA 866-525

Ms Colleen McDonnell

Manager, City Planning & Heritage

Adelaide City Council

GPO Box 2252

ADELAIDE SA 5001

Dear Ms McDonnell

**Adult Entertainment Premises Code Amendment**

Thank you for providing the Environment Protection Authority (EPA) with the opportunity to comment on the Adult Entertainment Premises Code Amendment (CA).

The EPA has reviewed the CA to ensure that all environmental issues within the scope of the objects of the *Environment Protection Act 1993* and the State Planning Policies (pursuant to the *Planning, Development, and Infrastructure Act 2016*) are identified and considered. The EPA is primarily interested in ensuring that the proposed rezoning is appropriate and that any potential environmental and human health impacts that would result from future development are able to be addressed at the development authorisation stage.

The EPA provides the following comments for your consideration.

The EPA has no concerns with the proposed code amendment.

For further information on this matter, please contact Scott Douglas

Yours sincerely

Scott Douglas

**PRINCIPAL ADVISER, PLANNING POLICY & PROJECTS**

**PLANNING AND IMPACT ASSESSMENT**

**ENVIRONMENT PROTECTION AUTHORITY**

Date: 23/07/2024

---

**From:** Jaime Hamilton < Friday, 19 July 2024 12:22  
**Sent:** PM  
**To:** PDCSA Amendments  
**Subject:** Opposed - Adult Entertainment Ammendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Julia,

I am writing to express my complete disappointment in the City of Adelaide council's proposed changes to the Adult Entertainment Premises Code amendment as this will significantly impact both business and individuals who are both employed by and seek these services.

I am also curious to see how this impacts Fringe venues will the requirements and proposed changes affect cabaret, burlesque and other "adult entertainment" during fringe or is CofA willing to overlook that because it directly affects their bottom line? Including places such as the festival theatre and other major theatres who display work in both a 13+ and 18+ year old capacity - or are they exempt because they aren't "strip clubs".

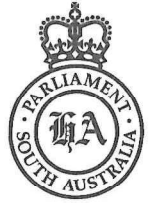
The ad nauseum for "venues to affect schools and childcare" is a joke - surely as none of the current or proposed venues are within that context - I think you'll also find a lot of the artists the reside in the city use those services for their children on a daily basis and are well aware of the discrimination faced on their professions. Also "city of Adelaide strategic desire to create a vibrant city that attracts and supports a growing population through the provision of entertainment and music venues, a thriving night-time economy" is laughable considering the council have aided and watched as more then several long term entertainment venues across the city - which is referenced in your map have closed in the last year and CoA has done absolutely nothing to support them, aided in any financial way nor provided clear or concise instructions when it comes to planning.

Should I also mention the "cranker" as well as the abysmal rates of occupancy along Hindley street, Pirie Street and other once bustling streets in the city that are now ghost towns?

For a City that spruks Fringe with all its glory i'm not sure its the best idea to push this through and further regulate the arts and entertainment sector whilst simultaneously boasting that you are here to support and create spaces for artists, it is very on the nose and quite frankly a gross misuse of your power as a council.

Should you need to contact me to discuss my details are as follows,  
Email communication preferred:

Kind Regards,  
Jaime Hamilton.



To whom it may concern,

I write to provide feedback from residents and businesses regarding the City of Adelaide's proposed Adult Entertainment and Adult Products and Services Code Amendment.

As you would be aware, the State Planning Commission through what was called a "Miscellaneous Technical Enhancement Code Amendment" last year proposed to add definitions for "adult products and services premises" and "adult entertainment premises" to the Planning and Design Code.

As a result of my advocacy, and that of East End residents, the Minister for Planning approved these changes.

Following this, I advocated to the City of Adelaide, again on behalf of residents in the East End, for the council to consider an Adult Entertainment Code Amendment for the East End.

I suggested this could be in the form of an "East End" subzone, which would designate adult entertainment premises as a "restricted" class of development in the East End.

The City of Adelaide's proposed Code Amendment went further than this, proposing a Code Amendment for the entirety of the City of Adelaide, including a specific zone for Hindley Street.

It is important to note that this was a decision of council and not a policy action local residents or I called for. Our focus has been entirely on the East End of the CBD.

### **East End Residents**

In regard to local residents in the East End, they see the Code Amendment for their area as vital in protecting its unique character as a premiere retail and hospitality destination, and residential precinct.

In addition to these primary land uses, the east of the CBD is home to more than six places of worship, four educational institutions and two child-care centres.

In contrast it has only one existing Adult Entertainment Venue (Pole Position).

I have received feedback from the presiding officers of 16 Strata and Community Corporations in Adelaide's East End who represent 712 residential apartments or townhouses, housing a residential population of up to about 1400 people.



They have made it clear they strongly oppose any Adult Entertainment and/or Adult Products and Services venues in or near the East End precinct and support the proposed Code Amendments, in respect to both Adult Entertainment Premises and Adult Products and Services Premises.

They have provided feedback that they would like to see an increase in the buffer distance from existing residential uses or land used for a place of worship, childcare centre, primary school or secondary school “from 50 metres to at least 100 metres, but preferably 200 metres”.

Residents understand the Code Amendment will not impact the current practice of issuing Prescribed Entertainment Consent for the hosting of one-off activities that may be sexually explicit in nature, for example Burlesque shows during the Fringe Festival.

However, residents would ask that there is a robust compliance system in place to ensure venues using this consent to host, for example, a Buck’s Party or Hen’s Night, are doing so correctly, and that these activities do not become the primary use of the venue.

### **West End Businesses**

I have also received feedback from hospitality and accommodation businesses in the West End, who have raised concerns regarding the Hindley Street zone within the proposed Code Amendment, which would effectively confine adult entertainment precincts to this precinct.

They say a specific zone for adult entertainment venues risks creating the impression of a “red light district” within the CBD. They believe this is at odds with the City of Adelaide’s significant \$15 million investment to upgrade Hindley Street. According to council, the investment is designed to improve the amenity and safety of the street, stimulate day-time activity, and encourage renewed business investment. The businesses’ feedback also referenced the West End’s strong links to tertiary and vocational education, and the significant hotel accommodation in the area, which in particular provides for conference and exhibition guests to our city. They say the Hindley Street upgrade is important in improving the vibrancy and safety of the area to attract more of these visitors to our CBD and the West End.

### **SIN – Adelaide (South Australian Sex Workers Peer Industry Network)**

The Peer Industry Network representing Sex Workers in Adelaide has also contacted me to provide their feedback regarding the City of Adelaide’s Code Amendment.

Whilst SIN will provide its own in-depth submission to Council, one of its concerns related to the Hindley Street zone creating a perceived “red light district” where *“workers who work in red light district are often pathologized, pitied, and seen as victims”*.

They also highlighted the direct opposition of the council's policies to invest \$15m "to re-invent Hindley Street as a family friendly area, while simultaneously branded the Hindley Street sub-zone as the only zone for adult entertainment".

Thank you for considering the feedback I have received from the local community, CBD businesses and industry organisations as part of your consultation.

If you have any questions, or would like to discuss my submission further, please contact my office on 8269 1838 or [adelaide@parliament.sa.gov.au](mailto:adelaide@parliament.sa.gov.au).

Kindest regards,



**Lucy Hood MP**  
**Member for Adelaide**

22 July 2024



---

**From:** Adult Bliss Admin <>  
**Sent:** Friday, 19 July 2024 1:18 PM  
**To:** PDCSA Amendments  
**Cc:** Premier@sa.gov.au; Lord Mayor; Minister.Cregan@sa.gov.au;  
bragg@parliament.sa.gov.au; adelaide@parliament.sa.gov.au  
**Subject:** Submission in Opposition to Proposed Adult Entertainment Premises Code Amendment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom It May Concern,

I am writing to express my strong opposition to the proposed amendments to the Planning and Design Code concerning adult entertainment premises and adult products and services premises within the City of Adelaide.

#### Impact on Local Businesses and Employment

Adult entertainment businesses play a crucial role in the local economy, providing jobs and contributing to the vibrancy and diversity of the community. Implementing restrictive planning policies could lead to the closure of many businesses, resulting in significant job losses and economic downturn for the industry. Many employees rely on these establishments for their livelihood, and restrictive measures would unfairly target a sector that is already heavily regulated during a cost of living crisis. Unfairly impacting lowing income residents.

#### Support for Inclusivity and Diversity

The adult industry is known for its commitment to inclusivity, diversity, and providing safe spaces for individuals of all sexual orientations and gender identities. By imposing restrictive zoning laws, the City risks marginalizing an already stigmatized industry and its patrons. It is essential to promote an inclusive environment that respects the rights and choices of all community members.

#### Contribution to Public Safety

Contrary to common misconceptions, well-regulated adult entertainment venues contribute to public safety by providing controlled environments for adult activities. These establishments operate under strict guidelines and are regularly monitored to ensure compliance with laws and regulations. Displacing these businesses to less visible or accessible areas could inadvertently increase unregulated activities, posing greater risks to public safety.

#### Cultural and Social Value

The adult entertainment industry offers more than just economic benefits; it provides cultural and social value. These venues often host events and activities that foster a sense of community and

provide entertainment options for adults. They contribute to the diverse cultural fabric of Adelaide, making it a more vibrant and appealing city for residents and visitors alike.

## Growth, Education, and Mental Health

The adult retail industry is a growing sector that emphasizes education, inclusivity, and the positive impact on clients' sexual and mental health. These businesses focus on providing safe, consensual, and educational environments that help individuals explore and enhance their sexual well-being. The industry operates free from criminal elements and prioritizes the health and safety of its clients, offering products and services that support mental health and foster healthy relationships.

## Recommendations

Instead of implementing restrictive planning policies, I recommend the following:

1. **Engage with Industry Stakeholders:** Establish a dialogue with industry representatives to better understand the unique needs and challenges faced by adult entertainment businesses.
2. **Enhance Current Regulations:** Focus on enhancing existing regulations to ensure compliance and safety without imposing undue restrictions on the location and operation of these businesses.
3. **Promote Education and Awareness:** Increase public awareness about the positive contributions of the adult entertainment industry to counteract stigmas and misconceptions.

In conclusion, I urge the City of Adelaide to reconsider the proposed amendments and work collaboratively with the adult entertainment industry to develop balanced policies that support economic growth, inclusivity, and public safety.

Thank you for considering my submission.

In reference to <https://www.cityofadelaide.com.au/community/get-involved/adult-entertainment-premises-code-amendment/>

On a personal note I find it sincerely disappointing and upsetting that my industry, an industry that provides so much culture, education, pleasure, and so many quality services to South Australia residents is once again being discriminated against. This legislation will drastically negatively impact our industry and not improve the life of anyone else.

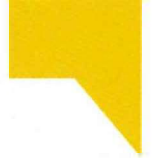
Let's call a spade a spade, this is an unconstitutional witch hunt and goes against anti discrimination practice's. Don't you have better things to do?

Sincerely,  
Monique T Turmine and Simon J Mawson  
Co owners at Adult Bliss Erotica





**SOUTH AUSTRALIA POLICE**  
**SAFER COMMUNITIES**



**OFFICIAL: Sensitive**

Your reference: 2023/00540

Ms Colleen McDonnell  
Manager, City Planning and Heritage  
GPO Box 2252  
ADELAIDE SA 5001  
PDCSA.amendments@cityofadelaide.com.au

Dear Ms McDonnell

SAPOL wish to make no comment in relation to the Adelaide City Council Adult Entertainment and Adult Products and Services Code Amendment Public Consultation Document received on 14 June 2024.

If you or anyone at Adelaide City Council wish to discuss this further please contact Chief Inspector Brett Humphrey, Officer in Charge Licensing Enforcement Branch on

Yours sincerely \_\_\_\_\_

Assistant Commissioner Narelle Kameniar

**OPERATIONS SUPPORT SERVICE**

1 July 2024



**Government of  
South Australia**

Service Integrity Leadership Collaboration Courage Respect  
South Australia Police, GPO Box 1539, Adelaide SA 5001 ABN 93 799 021 552 [www.police.sa.gov.au](http://www.police.sa.gov.au)





9 August 2024

Dear Colleen McDonnell, Members of Adelaide City Council, and other Stakeholders,

**Regarding the Adult Entertainment and Adult Products and Services Premises Code Amendment**

We are writing to express our opinion on the Adult Entertainment and Adult Products and Services Premises Code Amendment proposed in the City Council of Adelaide.

South Australia Stripper Hub (SASH)<sup>1</sup> maintains that sex work is valid employment and provides valid services in all its forms. Further, SASH welcomes policies and reform which supports greater safety, well-being, and autonomy for workers, including that which seeks to actively counter stigmatisation and marginalisation which harms workers in the sex industry (the Industry). Since mid-2023, SASH has been working with the Attorney General's Department to promote safer workplace health and safety (WHS) practices in Live Adult Entertainment venues.

**It is our belief that the proposed Premises Code Amendment (the Code Amendment) would undermine efforts SafeWork SA has undertaken with SASH to improve WHS practices in South Australia's Live Adult Entertainment venues.**

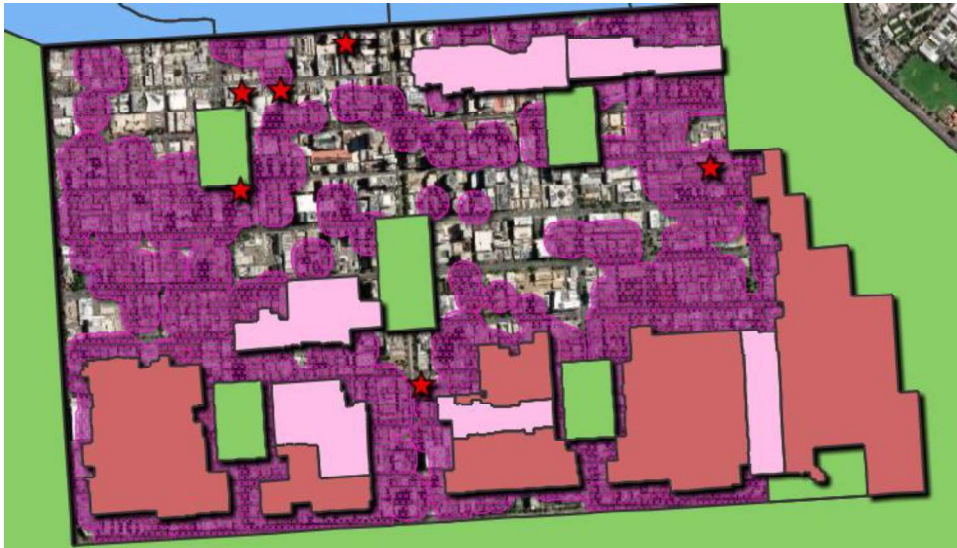
We have outlined below our concerns and recommendations pertaining to the Code Amendment.

Firstly, workers in the Industry continuously persevere in face of numerous physical and psychosocial risks in their workplaces. SASH's working with SafeWork SA reinforces that current WHS practices in Live Adult Entertainment venues do not meet acceptable standards, which will be further exacerbated by the Code Amendment.

The Live Adult Entertainment landscape at present is dominated by a duopoly operating three of the four venues in Adelaide's CBD. SASH would like to note that confining Adult Entertainment premises to the Hindley Street Subzone would further entrench the hold the duopoly has over the industry; consolidating their free rein to dictate industry norms which significantly impact workers and clientele.

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<sup>1</sup> SASH is a peer-led industry resource hub that assists strippers in South Australia exercise their rights and access their workplace entitlements ([www.southaustraliastripperhub.com](http://www.southaustraliastripperhub.com)).



**Figure 1:** *The limited options remaining after implementing 50m zoning, with applications to use these remaining spaces for Adult Entertainment still subject to meet additional criteria<sup>2</sup>.*

In significantly limiting suitable land for Adult Entertainment premises (see Figure 1), the Code Amendment would restrict and impede opportunity for new venues (including sex-worker lead businesses) to gain a foothold in Adelaide's Live Adult Entertainment landscape. The critical consequences of this are two-fold; firstly, in preventing and minimizing competition between venues to offer workers a higher standard of working conditions. Crucially, workers have greater power to negotiate terms and conditions of their engagement when they have options for where they can work. Further, in reinforcing the standing of the duopoly, the Code Amendment would disincentivise voluntary compliance with WHS obligations by current venue owners and management. The amendment would thus exacerbate already disproportionate power disparities between venue owners/management and the workers; while undermining efforts by SafeWork SA and SASH to encourage proactive WHS practices and shift Industry norms.

We also wish to note our concern regarding broader social and economic consequences of the Code Amendment. Where the City of Adelaide Strategic Plan (2024 – 2028)<sup>3</sup> espouses values of inclusivity, equality, and safety, the Code Amendment indicates these ideals do not extend to sex workers in the community. SASH is concerned the Code Amendment would in practice further restrict and 'other' sex workers and reinforce stigmatising rhetoric which propagates harm against them. The Code Amendment also reflects multiple methods by which local and state Governments have historically been unsupportive of sex workers<sup>4</sup>.

Finally, to contextualise economic repercussions for workers it must be noted many sex workers in South Australia are small business owners, and that workers and patrons often travel interstate to attend

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<sup>2</sup> City of Adelaide Council (2024), *Adult Entertainment Code Amendment*, <https://experience.arcgis.com/experience/9bd3218997fe4361b10662c5c4f2ca99>

<sup>3</sup> City of Adelaide Council (2024), *Strategic Plan 2024 – 2028*, <https://www.cityofadelaide.com.au/about-council/plans-reporting/strategic-planning/>

<sup>4</sup> Scarlet Alliance & Australian Federation of AIDS Organisations (2019), *Unjust and Counter-Productive: The Failure of Governments to Protect Sex Workers from Discrimination*, p 6-7

Live Adult Entertainment venues. Impacts to the safety and agency of sex workers yields physical, psychosocial and economic consequences, all of which restricts their engagement with South Australia's economy. For example, when WHS obligations are not met and workers are at greater risk of physical or psychosocial risk, sex workers require greater (unpaid) time away from work, and their productivity when on shift is significantly impeded. These impacts are also further reaching, to include the appeal of Adelaide's venues for interstate sex workers, and are reflected in client experiences and investment.

SASH recommends discarding the Code Amendment. Alternately, we recommend you request the following revisions:

**Recommendation 1: Focusing on visibility of Adult Entertainment services and venues rather than land use.**

Where the presence of Adult Entertainment and Product and Services premises is sought to be contained by the Code Amendment, there are alternatives to restricting land use. Adult Entertainment venues can exercise discretion, for example if advertising during daytime hours (e.g., 7am to 5pm) was to limit or exclude adult themes, or by limiting their venue advertising to include only the businesses' hours. Another option includes Adult Entertainment businesses refraining from advertising during the daytime (where the business itself is not open during daytime hours), or during opening hours of nearby premises (such as schools, childcare centres). Please note that where restrictive advertising is still discriminatory in effect towards sex workers<sup>5</sup>, it presents a safer alternative to the proposed limitations on land use.

**Recommendation 2: Revising proposed 'zoning' for Adult Entertainment Services and Venues.**

If The City Council of Adelaide proceeds in implementing the Code Amendment, SASH asks "areas where the land use is allowed" be added beyond solely the Hindley Street Subzone. This extension would allow more opportunity for prospective venues and greater agency for workers in line with our concerns. While Hindley Street presently acts as a 'hub' of Adelaide's nightlife, it is not necessarily the most nor only suitable Subzone for Adult Entertainment, nor Products and Services venues.

We recommend extending beyond just the Hindley Street Subzone, this could include Currie, Waymouth, Franklin, Rundle, Pirie and Flinders Streets, in addition to sections of King William Road. Pertaining to the East End of the CBD, it is worth noting the ongoing success of Fringe shows produced by and featuring the talents of sex workers<sup>6</sup>. Where adult entertainment has been recognised and awarded during Fringe season, there is some hypocrisy in classifying this Subzone as "unsuitable" during all other times of the year.

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<sup>5</sup> Scarlet Alliance & Australian Federation of AIDS Organisations (2019), p 6

<sup>6</sup> Including Weekly Best Dance Award 2023 'Red District' (<https://glamadelaide.com.au/award-winning-red-district-returns-to-fringe-in-a-sensual-spectacle-of-dance-and-aerial-acrobatics/>) and BANKSA Best Dance Award 2021 'HÜMAN' (<https://adelaidefringe.com.au/awards-archive>).

### **Recommendation 3: Revision of given definitions**

Finally, SASH recommends removing the disclaimer in the definition given for Adult Entertainment and Adult Products and Services premises that such spaces “does not include premises used for prostitution.” Not only does this language not reflect that used within the Industry, but this could also present issues in future should the sex industry finally be fully decriminalised in South Australia.

SASH welcomes policies and reform which promote greater safety, well-being, and autonomy for sex workers in South Australia. We feel the best outcomes for workers will extend from industry regulation rather than restrictions.

We want to thank you for your attention on this issue and the space for SASH to share our thoughts and recommendations. If you would like to contact us to discuss this further, you can do so via our email below.

In solidarity,



Website: [www.southaustraliastripperhub.com.au](http://www.southaustraliastripperhub.com.au)



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Email – info@scarletalliance.org.au  
Web – www.scarletalliance.org.au  
ABN - 86 612 112 065

23 July 2024

pdcsa.amendments@cityofadelaide.com.au

To: Colleen McDonnell, Manager City Planning and Heritage, City of Adelaide

**Re: Planning Code Amendment, Adult Entertainment**

Thank you for the opportunity to submit to the engagement process of the Planning Code proposed Amendment on Adult Entertainment.

Scarlet Alliance, Australian Sex Workers Association, is the national peak sex worker organisation.

Formed in 1989, our membership includes state and territory-based and national sex worker organisations and individual sex workers across unceded Australia.

Scarlet Alliance uses a multifaceted approach to strive for equality, justice and the highest level of health for past and present workers in the sex industry. We achieve our goals and objectives by using best practices including peer education, community development, community engagement and advocacy.

Scarlet Alliance is a leader when it comes to advocating for the health, safety and welfare of workers in Australia's sex industry. Through our work and that of our member organisations and projects, we have the highest level of contact with sex workers and access to sex industry workplaces throughout Australia. Scarlet Alliance represents sex workers on a number of government and non-government committees and advisory mechanisms.

Scarlet Alliance opposes the planning code amendment and looks forward to engaging productively with this process.

Mish Pony  
Chief Executive Officer

<b>Executive summary</b>	<b>2</b>
<b>What is your interest in the draft amendment?</b>	<b>3</b>
<b>Policies to best guide City of Adelaide assessment of Adult Entertainment, Adult Products and Adult Services Premises.</b>	<b>3</b>
Negative Impacts on WHS	3
The Chilling Effect of Zoning	4
Potential for Council corruption	4
<b>Do you support the draft amendment?</b>	<b>5</b>
The spirit of engagement has not been adhered to	5
The proposal should be rejected because it concentrates ownership	6
The proposed should be rejected because it favours the gig economy	7

## Executive summary

Adult entertainment venues are sex worker workplaces. While South Australia does have the capacity for state-wide standardisation of planning codes and rules, in this instance the Adelaide City Council proposal is specific to their own zones and subzones.

By seeking planning code amendments to confine purpose built stripper workplaces to the tiny duopoly already in existence and exclude other venues from renovation or permanency, Council is taking a political stance against new strip clubs.<sup>1 2 3</sup>

By seeking planning code amendments to treat permanently-located fixed-site adult entertainment venues differently to other permanent-located fixed-site entertainment venues, over the attribute of explicit sex work taking place (in the form of stripping), Council is discriminating against people undertaking sex work.<sup>4 5 6</sup>

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<sup>1</sup> Tarla Lambert. 2023. "Sussan Ley misses fundamental point in calling for strip club ban." *Women's Agenda*. 15 November 2023.

<sup>2</sup> Harry Sekulich. 2023. "Senior Liberal woman wants to stop new strip clubs from opening." *The Daily Aus*. 15 November 2023.

<sup>3</sup> The Project. 2023. "Calls for Ban on New Strip Clubs across Australia." *The Project*. 12 November 2023.

<sup>4</sup> Scarlet Alliance. 1999. *Unjust and Counter Productive; The Failure of Governments to Protect Sex Workers from Discrimination*.

<sup>5</sup> Hunt & Hunt Lawyers. 2022. *Sex Work Decriminalisation Bill 2021: Why the legislative reform?*

<sup>6</sup> Victorian Equal Opportunity and Human Rights Commission. 2024. *Profession, trade or occupation*.



## What is your interest in the draft amendment?

Scarlet Alliance members include SIN in South Australia, as well as individual sex workers, many who work in Adult Entertainment venues. We note the Engagement Plan listed our organisation as a stakeholder with 'medium' level interest in this amendment. This submission outlines why the issue is of high level importance to our organisation, our members, and the work health and safety of all those working and visiting adult entertainment venues in Adelaide city.

## Policies to best guide City of Adelaide assessment of Adult Entertainment, Adult Products and Adult Services Premises.

The Engagement Plan describes City of Adelaide's proposal as 'robust' policies to guide land use. The proposal would:

- **Prevent** assessment of adult entertainment, products and services premises development applications outside Hindley Street Subzone.
- **Entrench** the adult entertainment industry duopoly in the Hindley Street Subzone for the foreseeable future.
- **Stigmatise** workers in adult entertainment venues.

In addition, the City of Adelaide would be able to limit any new purpose-built adult entertainment, products or services premises from being assessed outside the proscribed area and those locations would not be protected with the usual SCAP accountability measures, appeals processes or transparency.

## Negative Impacts on WHS

The Code Amendment would create numerous negative impacts on work health and safety in Adult Entertainment Premises, and the safety of visitors to the same. Work Health and Safety approaches are now the primary means of regulating sex work in the decriminalised states and territories; NSW, Victoria, Northern Territory and Queensland. The following observations are relevant:

- Permanently-located workplaces at fixed-sites are able to implement structural improvements in response to WHS risks
- Workplaces with ongoing viability and security of location are more likely to be able to invest in structural improvements in response to WHS risks
- Workplaces that are temporary, fear closure, are operating without planning approval or excluded from applying for approval are less likely to invest in renovations to address safety
- When the industry is dominated by one or two operators, without alternative workplaces for workers to adopt, WHS standards are at risk of dropping
- Monopoly or duopoly ownership reduces workers ability to report WHS breaches or hazards



## The Chilling Effect of Zoning

The City of Adelaide proposal excludes all workplaces outside of Hindley street from applying for approval. Such anti-sex work zoning has a chilling effect on other, similar venues and workplaces, promoting non-compliance across the board and suggesting the local government is a foe, not a friend. The knock-on effect into other local government jurisdictions is unavoidable, and the available methods of checking compliance are all unethical. While the literature refers mainly to private sex work, massage shops and brothels, the problems with enforcement of the Planning Code Amendment as proposed by City of Adelaide should be seriously considered. Does City of Adelaide propose hiring private investigators to pretend to be customers, surreptitiously film or trick strippers into providing a service (as Victoria<sup>7</sup> and NSW<sup>8</sup> local councils have done with contact sex work)?

## Potential for Council corruption

Anti-sex work zoning policy creates a platform for corruption of Council planning processes. While the literature focuses almost solely on contact sex work, the lessons can be applied to the Planning Code Amendment. Evidence shows when Councils are permitted to act in deliberate bad faith against sex work premises, they will.

- New South Wales sex industry businesses applications, even when compliant with planning codes, have been refused by Councils for illogical moralistic reasons.<sup>9</sup>
- Queensland local authorities behaved in 'needlessly obstructionist' ways toward brothel applications for decades without fear of repercussion.<sup>10</sup>
- A Gold Coast City Councillor raised potentially fraudulent complaints against the location of the sex worker organisation and avoided censure because she had the numbers.<sup>11</sup>
- A Fairfield brothel in-situ for almost a decade then treated by the Council as undesirable, planning code applied disingenuously for forced relocation.<sup>12</sup>
- New South Wales local councils arguing predictive estimates of amenity impact in the Land and Environment Court rather than fairly evaluating actual impacts of sex industry premises.<sup>13</sup>

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<sup>7</sup> 2007. 'Some Vic councils paying for brothel sex.' *Sydney Morning Herald*. 25 Jan 2007. <https://www.smh.com.au/national/some-vic-councils-paying-for-brothel-sex-20070125-gdpbol.html>

<sup>8</sup> Eamonn Duff. 2014. 'Councils hire sex spies to catch parlours in the act.' *Sydney Morning Herald*. 21 September 2014.

<sup>9</sup> Crofts, P. (2006) Visual contamination: Disgust and the regulation of brothels. Available at SSRN: <https://ssrn.com/abstract=2826908> or <http://dx.doi.org/10.2139/ssrn.2826908>

<sup>10</sup> Easton, R. & Fear, J. (2001). Queensland Parliamentary Library Research brief: 2001/29 The Prostitution Amendment Bill 2001 (Qld), p. 23. <https://documents.parliament.qld.gov.au/explore/ResearchPublications/ResearchBriefs/2001/2001029.pdf>

<sup>11</sup> Gold Coast City Council. (2020). [Council Meeting Minutes](#). 18 February 2020. Pgs 75-97.

<sup>12</sup> SWOP NSW, ACON. (2002). [Unfinished business, achieving effective regulation of the NSW sex industry](#).

<sup>13</sup> Crofts, P. & Prior, J. (2012). 'Intersections of planning and morality in the regulation and regard of brothels in New South Wales', *Flinders Law Journal*, vol 14, pp. 329-357.

Anti-sex work policies at a local council level result in planning staff expertise being overlooked when reasonable development proposals for sex industry premises are submitted for approval.<sup>14</sup> Instead of being treated fairly like any other business, anti-sex work policies create blatant discrimination, high-profile stigmatisation and allow corruption of planning processes.

For example:

- [Queensland Chief Magistrate Tim Carmody challenges expansion of Halo Lounge Bar and Honey B's strip club near his Petrie Terrace home](#) (2013)
- [The impending arrival of another strip club at the heart of Brisbane's Caxton Street precinct has ruffled high-profile feathers, from Queensland's Treasurer down](#) (2010)
- [A campaign started by opposition to Toowoomba's CBD strip club has ended with local councils getting the power to stop adult entertainment venues](#) (2014)

## Do you support the draft amendment?

Scarlet Alliance does not support the draft amendment.

## The spirit of engagement has not been adhered to

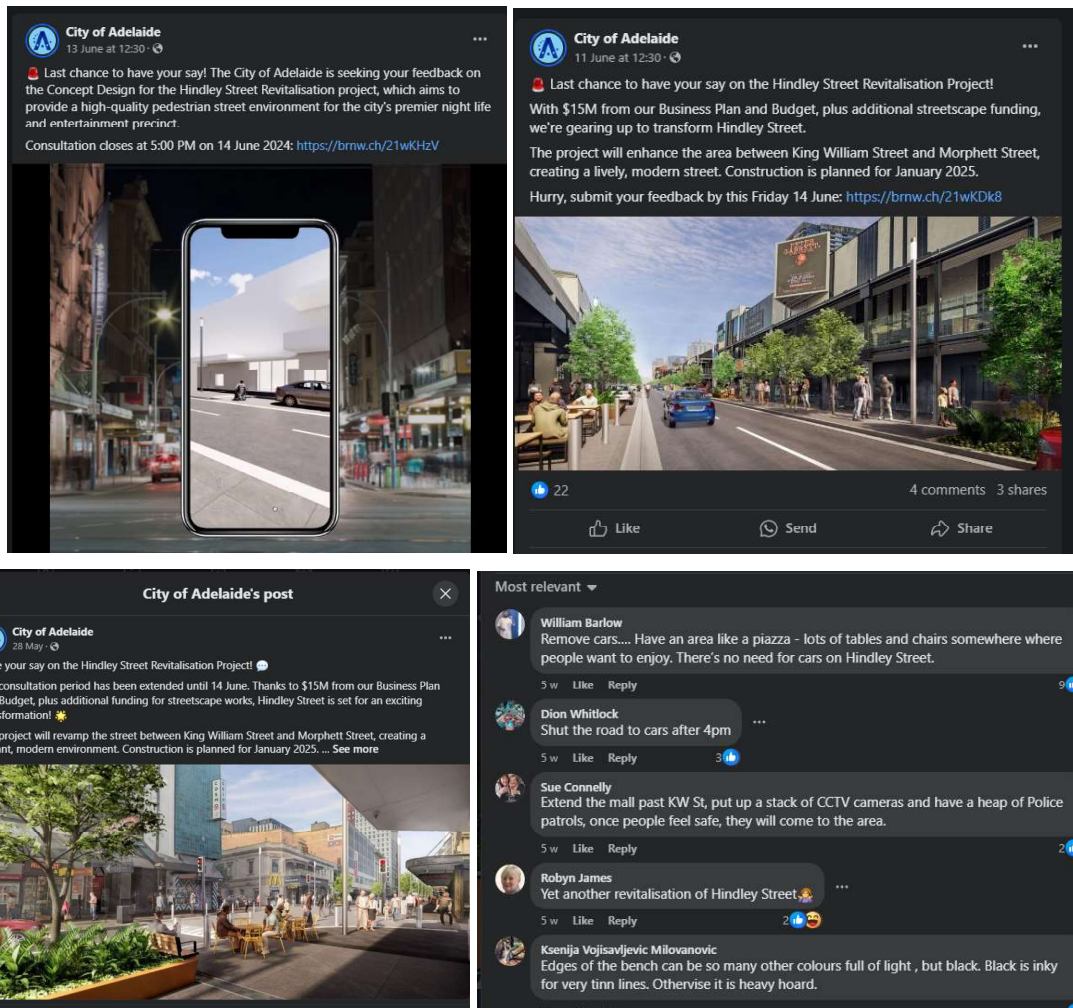
Scarlet Alliance asserts the engagement activity for the code amendment on Adult Entertainment has not been promoted with the same or comparable dedication as the other Hindley Street consultation running concurrently.

The other Hindley Street consultation was promoted on the City of Adelaide 'X' account, the code amendment was not:



<sup>14</sup> Papadopoulos, C. & Steinmetz, C. (2011). 'Why is sex so complex? An examination of commercial sex premises in the New South Wales planning system'. Paper presented at the *World Planning Schools Congress*, Perth, 4-7 July 2011. <https://apo.org.au/sites/default/files/resource-files/2011-12/apo-nid60050.pdf>

The other Hindley Street consultation was promoted on the City of Adelaide 'FaceBook' account, the code amendment was not:



Scarlet Alliance obtained a face to face meeting by request, thank you. Overall however Scarlet Alliance observes that the level of promotion of consultation on this code amendment does not match the spirit of engagement described in South Australia planning engagement policy documentation.

## The proposal should be rejected because it concentrates ownership

This code amendment will amplify existing concentration of ownership of adult entertainment venues in South Australia, and should be rejected on that basis alone. A lack of options of working locations contributes to working conditions becoming stagnant or moving backwards. This is not good for our members who work at those venues and, we propose, it is not good for those venues because it results in complacency in WHS. While not suggesting there is any corruption in those venues currently, Scarlet Alliance would like to put it on the record that concentrated ownership in any industry risks promoting corruption.

## The proposed should be rejected because it favours the gig economy

The proposal will create disincentives against new purpose built venues being developed in Adelaide city. Scarlet Alliance rejects the proposal because a planning system that favours the gig economy over more stable work in adult entertainment would create negative outcomes for our members. Adult entertainment workers should have a range of options to choose from for work; and at minimum should have the choice of more than two permanent venues in the whole of Adelaide. The code amendment, if successful, relegates adult entertainment workers to the gig economy *except for two venues*. Being pushed into the gig economy **due to a code amendment** and experiencing workplace health and safety risks and reduced human rights as a result, would be a wholly unacceptable outcome for our members.



(08)

Mile End, South Australia  
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Manager City Planning and Heritage  
City of Adelaide.  
Code Amendment Consultation  
GPO Box 2252  
Adelaide SA 5001  
Email - [PDCSA.amendments@cityofadelaide.com.au](mailto:PDCSA.amendments@cityofadelaide.com.au)

22/07/2024

To Colleen McDonnell

**Re: SIN submission to the Adelaide City Council - Adult Entertainment and Adult Products and Services Code Amendment**

Thank you for the opportunity to provide a submission addressing the proposed changes to the Adult entertainment and adult product and services code.

**This submission does not support the proposed amendments to the adult entertainment and adult product services code.**

SIN is a peer-based organisation funded to promote the health, rights, and wellbeing of sex workers in South Australia. We are funded within the Sexually Transmissible Infection (STI) and Blood Borne Virus (BBV) sector to provide best practice service delivery within a harm reduction framework. Funded by SA Health since 1986 as an arm of the now defunct AIDS Council of SA, SIN became an independent and incorporated entity in 2017. SIN's ethos is to be informed, always, by the needs of the sex work community. We value strong community ownership of our programs and seek to build capacity and power within our cohort. Sex work is real work, and all legislative frameworks must always align with this principle.

**Q1. What is your interest in the draft Code Amendment?**

SIN was contacted by the City of Adelaide for feedback as an identified priority population. As the only 100% sex worker peer led organisation in South Australia, SIN is best placed to provide commentary and feedback regarding the proposed amendments. SIN is interested in anything that interests sex workers, and these amendments will impact the industrial, personal, and professional interests of sex workers. Sex workers are diverse, and work in varied settings. The sex worker rights movement identifies erotic dancing, stripping, peep show work, and lap dancing as sex work. Sex work is real work, and legislative frameworks must always align with this principle.

SIN is committed to advocating for the rights of sex workers and we are deeply invested in policy that speaks to empowerment and agency for sex workers; policy that recognises the industrial and human rights of sex workers from all sectors of our industry.

## Q2. Do you support the draft Code Amendment?

SIN strongly opposes the proposed changes to the Planning and Design Code.

### Stigma and Discrimination

We believe the proposed Adult Entertainment Premises Code Amendments are discriminatory and fed by an alarmist and prejudiced narrative embraced by a tiny number of Adelaide City residents. We know that the restrictive nature of these amendments will negatively impact our community's industrial rights, safeguards, health, and wellbeing<sup>1</sup>. We view these amendments as a political move which panders to a vocal minority pushing their morals on others. It is this type of uninformed feedback, coupled with nimbyism, which promotes stigma, discrimination, and prejudice by framing adult entertainment (and those that work within the industry) as "other"<sup>2</sup>.

Sex workers from all sectors of the industry experience deep seated and casual discrimination and prejudice. Policy makers must take the lead on eradicating systemic and social discrimination and prejudice by embracing inclusive legislation. If these amendments pass, the Adelaide City Council will send a clear message to constituents and other business owners that sex workers and sex industry establishments sit outside of social "norms", thereby perpetuating discrimination, stigma, and prejudice.

### Buffer Zones

The Adelaide City Council has provided an interactive map for the purposes of investigating the impact of proposed "buffer zones" for Adult Industry premises use or development. *When using the interactive map provided by the Adelaide City Council it becomes apparent that these amendments are nothing more than a thinly veiled ban on adult entertainment establishments.* The buffer zone proposal, i.e adult entertainment premises needing to be 50 metres from prescribed premises, all but abolishes the creation of new adult entertainment venues. There is, quite literally, nowhere that a purpose-built adult entertainment premises may be approved except for the Hindley Street sub-zone. This is targeted and discriminatory towards sex workers as the amendments restrict our workplaces and suggest our industry requires separate and bespoke planning laws. We support adult entertainment premises being given the same considerations as licenced restaurants or bars. The implication that proximity to a sex industry business is 'undesirable' or 'dirty' is a regressive notion and perpetuates stigma and discrimination which impacts the sex industry on a daily basis<sup>3</sup>.

### Red Light District and CPTED

The proposed amendments to the planning code seek to push adult entertainment premises/industries (and those that work within the industry) into constrained, restrictive spaces, severely impacting the safety, rights, and agency of workers. With the only viable location available to anyone wanting to open a purpose-built adult entertainment premises being the Hindley Street sub-zone, this has the potential to create a Red-Light district. The creation of a red-light district perpetuates stigma and discrimination, as workers within red light districts are often pathologized, pitied, and seen as victims. There is also a failure to consider the safety of workers if a red-light district is created, with one example of negative fallout due to the creation of a red-light district being workers may not be able to arrange transport to and from work (Ubers, taxi's) due to stigma, discrimination, and fear.

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<sup>1</sup> Scarlet Alliance. 1999. *Unjust and Counter Productive; The Failure of Governments to Protect Sex Workers from Discrimination.*

<sup>2</sup> Hunt & Hunt Lawyers. 2022. *Sex Work Decriminalisation Bill 2021: Why the legislative reform?*

<sup>3</sup> Crofts, P. (2006) Visual contamination: Disgust and the regulation of brothels. Available at SSRN: <https://ssrn.com/abstract=2826908> or <http://dx.doi.org/10.2139/ssrn.2826908>



We believe that the creation of a red-light district through the proposed amendments do not align with Crime Prevention Through Environmental Design (CPTED) principles as set out by both Adelaide City Council and SA Police (SAPOL). It is important to note that the CPTED encourages legitimate activities, *and adult entertainment is a legitimate activity under the law.*, Adult industry workers must be treated with dignity and respect, and we ask the Adelaide City Council to recognise the industrial and human rights of sex workers Workplace health and safety in adult venues is not less worthy than any other workplace.

## **Duopoly**

There are currently three (3) strip clubs within the Hindley Street sub-zone. Of these three (3) premises, there are two (2) owners. The proposed restrictions upon purpose-built adult entertainment premises and segregation to the Hindley Street sub-zone further plays into this adult entertainment duopoly. Intel gathered from adult entertainment workers demonstrates that owners of current Hindley Street establishments will (and have) actively lobby against the opening of any new premises. Only having two workplace options (regarding ownership) to choose from is problematic economically, but more importantly it removes agency from workers. The proposed amendments will allow this duopoly to remain without challenge, creating space for collusion and corruption. Moreover, the restriction upon purpose-built venues, in combination with the specific exclusion of premises where sexually explicit entertainment is undertaken temporarily within the proposed amendments, directly forces workers into a gig economy. Not only do purpose-built premises bolster workplace health and safety, but it gives us greater freedom of choice as workers<sup>4</sup>.

## **Family Friendly Investment**

The proposed amendments, specifically the flagging of the Hindley Street sub-zone as the only viable area for adult industry establishment use or development, are in direct contrast to the Hindley Street Main Street Project. In 2023 the Adelaide City Council announced a 15-million-dollar investment into re-inventing Hindley Street as a family friendly area<sup>5</sup>. This family friendly investment in Hindley Street, while simultaneously restricting all adult entertainment into the Hindley Street sub-zone, is a contradiction, and an absurd waste of taxpayer funds. The idea that Adult Industry establishments are solely night-time activities is a misguided myth. Does the Adelaide City Council feel confident that an evening red-light district (as will be created by the proposed changes to the planning code) will easily pivot to a family friendly space during the day? The investment plan and the proposed amendments are incongruous at best, and strategically designed at worst. We have serious concerns that the million-dollar investment will further cement the existing duopoly paradigm.

## **Q3. Do you have any suggested changes to the draft Code Amendment?**

We recommend the Adelaide City Council discard the proposed amendments.

We also recommend removal of terminology “premises used for prostitution” from the planning code as while full service sex work is currently criminalised it will present future planning code issues when South Australia inevitably updates sex industry laws.

If discarding the amendments is not feasible, SIN suggests removing the proposed buffer zones and/or the language used in the explanation and delineation of the buffer zones. We suggest amending the wording to

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<sup>4</sup> Tarla Lambert. 2023. “Sussan Ley misses fundamental point in calling for strip club ban.” *Women’s Agenda*. 15 November 2023.

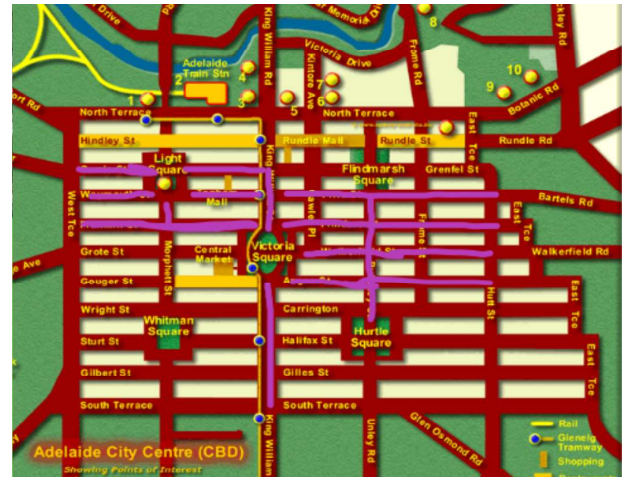
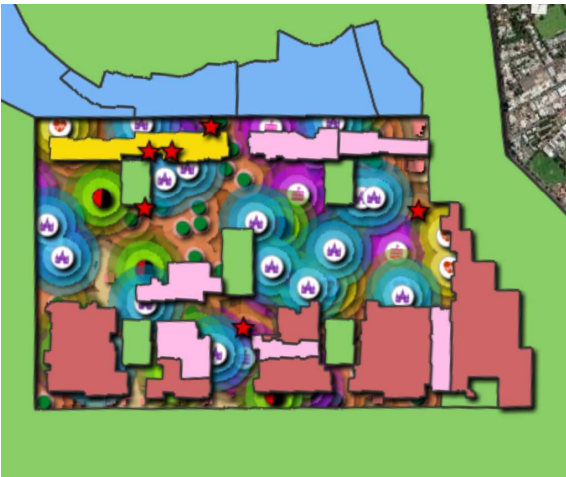
<sup>5</sup> City of Adelaide, 2023, Hindley Street Revitalisation, available at:

[www.cityofadelaide.com.au/development-infrastructure/infrastructure/infrastructure-projects/hindley-street-revitalisation/](http://www.cityofadelaide.com.au/development-infrastructure/infrastructure/infrastructure-projects/hindley-street-revitalisation/)



indicate certain restrictions apply during the “business hours” of prescribed premises, for example, adult entertainment premises must restrict all external advertising during the “business/opening hours” of prescribed premises (schools, child care centres, places of worship) or adult entertainment premises must restrict all external advertising during 8am and 6pm, for example.

Again, if discarding the amendments is not feasible, we would also like to suggest a revision to and extension of the allocated sub-zone. Certain streets in the city centre, predominantly the business district, should be included in the allocated provisions for land use and design for adult entertainment venues. Currie, Waymouth, and Franklin Streets are not residential and may be flagged for use. Certain sections of King William Street, Pirie, and Flinders Streets may also be appropriate.



Current proposed Buffer Zones  
Interactive map supplied by Adelaide City Council  
[Adult Entertainment Code Amendment \(arcgis.com\)](http://arcgis.com)

Suggested additional zones for Adult Entertainment  
Premises use (in purple)

If you would like to to discuss this further please contact:

**Kat Morrison - SIN GM**

# SUBMISSION



THE NORTH ADELAIDE SOCIETY Inc.

23.07.2024  
By email only

**TO:** Corporation of the City of Adelaide      *Attn: Julia Thomson*  
PDCSA.amendments@cityofadelaide.com.au      Code Amendments Consultation

**Re:**                      **draft Adult Entertainment Premises Code Amendment**

The draft code amendment in respect of:

1. "Adult Entertainment Premises"; and
2. "Adult Products and Services",

are conditionally supported, subject to the comments herein.

## COMMENTS

1. Each proposed "Adult" land use is directed to an "adult" age-based cohort and purpose, and ought not be permitted, or capable of being permitted, to be at a location, or in a precinct, zone or area that is not for that purpose (i.e., an "adult" only age-based land use).
2. City Living (i.e. residential) zones and sub-zones, and their adjacent "main street" or neighbourhood centre (howsoever described), and the Adelaide Park Lands, contemplate and promote use of land by non-adults (i.e., children), who ought not be subjected to a land use that is wholly for an "adult" age-based cohort and purpose.
  - 2.1 Neither "adult" land use (premises / services) ought to be permitted within:
    - a) Adelaide Park Lands
    - b) City Living
    - c) City Main Street (incl. Melb. Street West)
    - d) Community Facilities
    - e) That part of the Capital City that is contiguous with, or immediately adjacent to, the above zone/s or localities
    - f) City Riverbank and other zone within the care and control of a government entity.
3. Each of the proposed "adult" land uses ought **not** at any time or in any respect:
  - 3.1 be in a location or zone that may result in direct, indirect, transient or accidental visual or physical interaction with pre-school and school age children, and non-adults;
  - 3.2 be within a 100 metre buffer zone of a land use incompatible with an "adult" only land use (e.g., Park Land; place of worship, childcare centre, school, residential, main street).
4. Subject to the buffer zone indicated herein, it is acknowledged that currently the Hindley Street zone is primarily known as an 'adult' based land use, albeit not confined to an "adult" only age-based cohort and purpose. Presumably, appropriate planning conditions will be imposed.
5. To provide certainty of effect and intent, the language and expressions used in the draft code amendment ought to be clear and unambiguous (e.g., not use "in general" or "generally").

*The North Adelaide Society Inc. (est. 1970)*

J

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Thursday, 20 June 2024 4:14 PM  
**To:** PDCSA Amendments  
**Subject:** Public Consultation submission for Adult Entertainment Premises Code Amendment

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Colleen McDonnell, Manager City Planning and Heritage, City of Adelaide,

### Submission Details

Amendment: Adult Entertainment Premises Code Amendment

Customer type: Member of the public

Given name: Andrew

Family name: Watson

Organisation:

Email address:

Phone number:

My overall view is: I support the Code Amendment

Comments: I that it is very important in terms of both management of risk and maintaining social amenity to restrict the area for adult entertainment venues. By restricting such developments to the Hindley Street area, it makes supervision of compliance and oversight of risk much easier. It also means that the amenity of other city areas and the peaceful environment of residential areas can be enhanced.

Attachment 1: No file uploaded

Attachment 2: No file uploaded

Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: PDCSA.amendments@cityofadelaide.com.au

The Right Honourable The Lord Mayor of Adelaide  
Dr Jane Lomax-Smith AM  
City of Adelaide  
GPO Box 2252

Dear Lord Mayor, City Councillors and Stakeholders

Re: The Draft Adult Entertainment Premises Code Amendment released for public consultation from **11 June to 23 July 2024**

On behalf of the Adelaide West End Association, I am writing to express concerns regarding the Adult Entertainment Premises Code amendments proposal to implement a buffer zone in the city, which notably excludes Hindley Street.

We understand and fully support the Council's efforts to enhance the urban environment and ensure safety and liveability for all residents and visitors. However, we are perplexed and concerned by the decision to omit Hindley Street from this buffer zone, especially given the significant presence of vulnerable and important tourism and community institutions within and around this area.

This distinction from the rest of the city is in effect a sanctioning of a redlight district in Adelaide's West End.

This reinforces the negative perceptions that have long held back to development of this part of the city and as we stand on the precipice of an important evolution for Hindley Street, it is imperative that any amendments to urban planning policies take into consideration the future aspirations and needs of this community.

Maintaining this perception has led to the current dire circumstances of the street with the highest vacancy rate of any city main street. Given its adjacency to Rundle Mall this is clearly an unacceptable situation.

Hindley Street and its immediate surroundings are home to numerous educational institutions and schools, including those servicing students under 18. Additionally, the street abuts various student accommodation buildings, many of whom are young residents and international students. The area also boasts the largest concentration of international hotels, they are also a key provider of accommodation services to major conventions at the Adelaide Convention Centre.

The Condition and tenancy mix of Hindley Street effects the local, national and international reputation of the city as a whole.

Hindley Street is not just for 18-25 year olds visiting the area at night for 6 hours/week. It is also frequented by families visiting Adelaide, and major arts institutions that regularly hold underage programming, including nighttime events at venues like the Hindley Street Music Hall.



adelaide west end association

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Furthermore, the potential adverse effects on land values have been expressed to us by concerned landlords. The exclusion of Hindley Street from the buffer zone could lead to a decline in property values and deter future investments, undermining the long-term growth and development plans for the area.

These realities raise substantial concerns about the rationale behind the exclusion of Hindley Street from the proposed buffer zone. Not only does this decision overlook the diverse demographic that frequents the area, but it also poses a risk to the significant investments being made into the redevelopment of Hindley Street.

We need to change the narrative if the future vision and potential for the West End is to be achieved. It is crucial to understand that the West End is not merely a nighttime adult economy and it never in truth has been, it is at its best a genuine mixed-use community at its worst a street of empty shops; it is a vibrant and diverse community that deserves equitable consideration to rest of the city.

We note that the current State Government planning documents describe Hindley Street (east of Morphett Street) as the pre-eminent evening and late-night entertainment hub for metropolitan Adelaide with complimentary shopping, hospitality, mixed business and high density living” If only this was the case, there is very little shopping or mixed business left on the street and the evening and late night venues only are busy for 1 to 1.5 nights a week.

In any instance does the pre-eminent evening and late-night entertainment hub imply it is also the red-light district? The community needs some leadership from the City of Adelaide to challenge this assumption

The Association are eager to work collaboratively with Council and State Government towards a solution that benefits all stakeholders. We hope to schedule a meeting with all concerned parties to discuss these issues in greater depth, involving representatives from tourism, education, hospitality, and the arts sectors.

It is essential that there is equity in the Council's view of our city, and we believe there cannot be a different rule for the West End alone. Let us work together to ensure a thriving, inclusive, and vibrant future for all of Adelaide.

Yours sincerely,

**Taren Hocking**  
**President**

for and on the behalf of The Adelaide West End Association inc.



adelaide west end association

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The Right Honourable The Lord Mayor of Adelaide  
Dr Jane Lomax-Smith AM  
City of Adelaide  
GPO Box 2252

Dear Lord Mayor, City Councillors and Stakeholders

CC: Minister Zoe Bettison – Minister for Tourism, Minister Lucy Hood Minister for Adelaide

Re: The Draft Adult Entertainment Premises Code Amendment released for public consultation from **11 June to 23 July 2024**

On behalf of the Accommodation General Managers of the West End, including Hotel Grand Chancellor Adelaide, Holiday Inn Express, Miller Apartments, Mayfair Hotel, Rockford Hotel, Sofitel Adelaide, Chancellor on Currie, The Playford Hotel – M Gallery and Mercure Grosvenor, I am writing to express concerns regarding the Adult Entertainment Premises Code amendments proposal to implement a buffer zone in the city, which notably excludes Hindley Street.

We understand and fully support the Council's efforts to enhance the urban environment and ensure safety and liveability for all residents and visitors. However, we are extremely concerned by the decision to omit Hindley Street from this buffer zone, reinforcing the negative perceptions that have long held back the development of this part of the city. This distinction from the rest of the city is in effect a sanctioning of a redlight district in Adelaide's West End.

As we embark on an important evolution for Hindley Street, it is imperative that any amendments to urban planning policies take into consideration the future aspirations and needs of this community.

Hindley St is in dire straits; it has the highest vacancy rate of any city main street and is in a state of disrepair. However, Hindley St and its surrounding areas also boast the Tourism Hub of Adelaide. With 10 international hotels feeding into this street (The largest concentration of hotels within the city), a Convention Centre, a World Class Medical Precinct, as well as the Adelaide Oval, arguably the best stadium in Australia, it is perplexing to make any economic sense of why this decision would be made.

The condition and tenancy mix of Hindley Street effects the local, national and international reputation of the city. Hindley Street is no longer a street dedicated to the nighttime economy, nor is it just for 18–25-year-olds visiting the area at night for 6 hours/week. It is visited by world class experts in their fields attending conventions, heads of companies on corporate travel, families attending world class events, underage visitors attending Hindley Street Music Hall and ASO to name but a few. With the highest vacancy rate in the city and with some visitors only attending their hotel and place for the purpose of their travel, do we want a red-light district to represent Adelaide, South Australia?

These realities raise substantial concerns about the rationale behind the exclusion of Hindley Street from the proposed buffer zone. Not only does this decision overlook the diverse demographic that frequents the area, but it also poses a risk to the significant investments being made into the redevelopment of Hindley Street by council as well as the push by Renew Adelaide to secure tenants into the vacant tenancies within Hindley St.

We note that the current State Government planning documents describe Hindley Street (east of Morphett Street) as the “pre-eminent evening and late-night entertainment hub for metropolitan Adelaide with complimentary shopping, hospitality, mixed business and high density living” If only this was the case, there is very little shopping or mixed business left on the street and the evening and late night venues only are busy for 1 to 1.5 nights a week. In any instance does the pre-eminent evening and late-night entertainment hub imply it is also the red-light district? The community needs some leadership from the City of Adelaide to challenge this assumption

Now is the time to change the narrative of Hindley St. Not only should a buffer be applied to Hindley St, a complete review of the zoning of Hindley St needs to be undertaken. If the Adelaide City Council and the South Australian Government are serious about attracting international and domestic conferences and events along with permanent investment from these markets into Adelaide, Hindley St needs a new story.

We call on Adelaide City Council to no longer single out Hindley St and allow Hindley St to be treated like the rest of the city. Furthermore, we call on the South Australian State Government to review the zoning of Hindley St, allowing the street to live up to its potential as one of the great West Ends of the world.

Yours sincerely,

**Tony Scrivener**

**General Manager – Hotel Grand Chancellor Adelaide**

**On behalf of**

**Alex Schumann                      Group General Manager Miller, Franklin and Frome Apartments**

**Alison Baker                        Hotel Manager Mayfair Hotel**

**Hope Donaldson                    Hotel Manager Holiday Inn Express Adelaide**

**Neil Paterson                        General Manager Grosvenor Hotel Adelaide**

**Peter Emery                         General Manager Rockford Adelaide**

**Scott Eger                            General Manager Sofitel Adelaide**

**Steve Finlayson                    General Manager The Playford Adelaide**

**Tim Shih                             Hotel Manager The Chancellor on Currie**

**Tony Scrivener                      General Manager Hotel Grand Chancellor Adelaide**