

WARRINGAH DEVELOPMENT ASSESSMENT PANEL MEETING

3.1	UNIT 17, 32-34 CAMPBELL AVENUE, CROMER - FITOUT AND USE OF AN EXISTING INDUSTRIAL UNIT (UNIT NO. 17) FOR THE PURPOSE OF A BROTHEL
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Panel Member**Mary-Lynne Taylor**, Chair (Environmental Law)**Steve Kennedy**, Urban Design Expert**Marcus Sainsbury**, Environmental Expert**Alan Linnell**, Community Representative**DA 2009/1445****Application Details**

Fit out and use of an existing industrial unit (unit No.17) for the purpose of a Brothel.

Site Description

Lot 2 SP 81726, Unit 17, 32-34 Campbell Avenue, Cromer.

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the WDAP Meeting. A copy of all the objection letters including the late submissions were provided to the Panel who considered the objections on the site visit. The Panel viewed the adjoining sites and were aware of the subject land having an access handle fronting Campbell Avenue.

Proceedings in Brief

At this Development Assessment Panel Meeting the Panel were addressed by three objectors, two of which were owners of units within the complex in which the proposed brothel was to be located and one was a residential owner from across the road. The objections were concerns about traffic, parking, safety of persons, impact on children at a dance studio and concern about the closeness of other uses such as a family hotel and schools. Generally speaking, however, the objectors were concerned about the morality of a brothel and being located in industrial premises. It was suggested that these uses should be in one area where there were other similar uses.

In relation to the consideration of the Draft Warringah LEP 2009, the Panel notes that both the assessment report and the subsequent memo were incorrect in stating that the land does not directly adjoin land that is zoned R2 within the Draft LEP. The Panel notes that land being 34 Campbell Ave has a land handle 103 metres long and 1.31m wide at the Campbell Ave frontage which is opposite residential landuse.

The Panel was also addressed by the applicant who explained there had been a pre Development Assessment Meeting where the Council staff had not suggested that this was an inappropriate area, that there were Department of Planning Guidelines suggesting that industrial areas were appropriate for uses of this nature, that a Plan of Management had been proposed to deal with

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concerns relating to the use and there was sufficient parking both on site within the unit, and the conditions proposed by the Council were satisfactory.

The Panel believes that the proposed use is permissible in this area and that the Draft WLEP is not of sufficient weight to refuse the application. With a Plan of Management suitable conditions can be imposed that will ensure that the proposed use can be appropriately accommodated within this industrial complex. Matters of morals, or even bad taste, are not matters for town planning assessment. The Panel was concerned about the safety of workers and recommends that within the Plan of Management there should be a requirement for sufficient outdoor lighting to provide a safe and secure area. The Panel's views of the area showed that those places where children congregated and passed along the streets, were not in front of the brothel itself as it was discreetly placed within an appropriate industrial complex.

The Panel recommends approval subject to condition No.7 being amended to include security lighting in the Plan of Management as follows:

C. Safely of the workers and premises

- (i) Installation and operation of security cameras and adequate lighting are to be provided on the entrance/exit of the premises and within the premises;
- (ii) Installation of security systems within the work rooms such as "panic buttons" so that sex workers are not at risk of harm through violence from clients; and
- (iii) Measures for the "screening" of clients on admission to the premises to minimise violence on the premises.

Reason: *Control of premises*

DECISION OF WARRINGAH DEVELOPMENT ASSESSMENT PANEL

That the recommendation of the Manager Development Assessment in the report to WDAP dated 10 March 2010 to be approved including the following amendments.

7. Plan of Management

The operation of the premises is to be in accordance with the document entitled "Plan of Management Proposed Brothel – unit 17, 32 – 34 Campbell Avenue, Cromer" dated October 2009 for proposed development.

The Plan of Management is to be kept on the premises at all time and expanded to include:

A. Business Details:

- (i) Name and contact details of the operator(s) and manager(s).
- (ii) Registered business name and trading name.

B. Compliance with:

- (i) The WorkCover NSW Health and Safety Guidelines for Brothels in NSW 2001;
- (ii) The NSW Communicable Diseases Health and Safety Guidelines for Sex on Premises Venues issued by NSW Department of Health in 2002;

C. Safely of the workers and premises

- (i) Installation and operation of security cameras and adequate lighting are to be provided on the entrance/exit of the premises and within the premises;
- (ii) Installation of security systems within the work rooms such as “panic buttons” so that sex workers are not at risk of harm though violence from clients; and
- (iii) Measures for the “screening” of clients on admission to the premises to minimise violence on the premises.

Reason: *Control of premises*

Voting 4/0