

Nothing About Us Without Us is an unfunded, volunteer, loose collective of sex workers who formed to ensure a sex worker voice is maintained in the efforts to keep, defend and create the decriminalisation of sex work in NSW.

We welcome the opportunity to write a submission to the review of Planning legislation in NSW.

We welcome the expertise of Mr Brad Hazzard on this issue, and his experience in treating sex worker issues within the realm of small business and those who work from home; not treating sex work as a moral issue.

The Chair Tim Moore of the review has been a Commissioner of the Land & Environment Court, presiding over a number of brothel appeals and with knowledge of these issues; treating sex work within the realm of amenity impact, not treating sex work as a moral issue.

Both are very familiar with the Sex Services Premises Planning Guidelines (SSPPG 2004) which has been entered into evidence at the Land and Environment Court and have been used by sex worker advocates to guide Council planning decisions. The NSW Labor Government was frightened by voter backlash and refused to genuinely adopt those Guidelines. This does not detract from the importance of this document.

The Guidelines recommend that sex workers who work from residential areas ought not to be subject to the DA process, the arguments against such a process are based on the interests of public health and in an effort to create reasonable regulation.

We understand the review is considering a New Planning Act, New Planning Act Objectives, How many Acts should relate to Planning (ie maybe one for Planning and one for DA Approvals), Plan Making, Development Assessments, Appeals, Reviews, Conciliation, Enforcement, Brothel Closure Orders and Building Regulations Generally.

We will comment on only two areas of policy.

1) Joint Regional Planning Panels

The Review is considering widening the accessibility of the Joint Regional Planning Panels. NAUWU support this move.

The Joint Regional Planning Panel could act as an approvals body for trans-Council developments (ie railway lines that go through a few councils) and/or controversial developments (ie low income housing and brothels etc). This body may be a way to ensure these decisions are made in a reasonable way, and in an environment that is less politically charged than Local Council. NAUWU support this move.

2) Public Health interests in the Objectives of the Planning Act

Public health needs could be articulated and be added to the Objectives of the Planning ACT. **NAUWU support this move.**

In the interests of public health Brothel Closure laws should simply be under the jurisdiction of business closures generally. Brothels do not need special laws; all businesses that are non-compliant with council should be treated equally. **NAUWU supports this move.**

In the interests of public health private sex workers working from residential areas should be subject to the same

DA requirements as any other small business. Private sex workers do not need special laws; all small businesses that create an amenity impact should be treated equally by council, with a complaints triggered process. NAUWU supports this move.

Any planning law that treats sex work different than other work or businesses will create a barrier to good public health outcomes. Planning regulation needs to treat sex work without morality. Planning regulation needs to treat sex work equitably and fairly. Anything else will be a health risk to sex workers. NAUWU supports this move.

Thank you so much for this opportunity, we look forward to seeing the next round of discussion papers.

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<http://www.nothing-about-us-without-us.com>