

SUTHERLAND SHIRE

# BROTHEL'S

SUTHERLAND SHIRE  
ENVIRONMENTAL SPECIFICATION 2020



This specification is constructed as follows;

|  |          |
|--|----------|
| <b>1. Introduction</b>                                 | <b>3</b> |
| <b>2. Information for the Operation of Brothels</b>    | <b>3</b> |
| 2.a <i>General Hygiene and Cleanliness</i>             | 3        |
| 2.b <i>Showers, baths and toilets</i>                  | 3        |
| 2.c <i>Linen</i>                                       | 4        |
| 2.d <i>Sanitary Facilities</i>                         | 4        |
| 2.e <i>Maintenance of Swimming Pools and Spa Baths</i> | 4        |
| 2.f <i>Disposal of Contaminated Waste</i>              | 5        |
| 2.g <i>Provision and Storage of Condoms</i>            | 5        |
| 2.h <i>Education, Health and Safety of Workers</i>     | 6        |
| 2.i <i>Education and examination of clients</i>        | 7        |
| 2.j <i>Registration and Inspection</i>                 | 7        |

## 1. Introduction

This guide provides additional supporting information to assist in the design and ongoing operation of brothels in Sutherland Shire. Development consent is required for the establishment of a brothel, and premises are required to be registered with Council to ensure compliance with local and state-wide regulations

The locations in which brothels may be located are specified within *Sutherland Shire Local Environmental Plan 2015* (SSLEP2015), and detailed development controls are outlined in Chapter 35 of *Sutherland Shire Development Control Plan 2015* (SSDCP2015). Both documents are available to view on Council's website, and additional assistance is available by calling or visiting Council's Duty Planner between 8:30 and 4.30 pm Monday to Friday.

This guide provides health and safety information which should be the basis of the operation of a brothel to ensure the safety of staff and clients. In addition to the requirements of Council, the NSW Department of Health and the WorkCover Authority of NSW also regulate the operation of brothels, and applicants and business operators are obligated to comply with these requirements.

For further information, the NSW Department of Health's Sexual Health website is a useful resource for the operators and workers in these premises and provides a wide range of guidelines on Sexual Health and Safety. It is available from <https://www.health.nsw.gov.au/sexualhealth/Pages/default.aspx>

## 2. Information for the Operation of Brothels

The **Work Health and Safety Act 2011** and the Work Health and Safety Regulation 2017 set requirements for health and safety at work and cover every place of work in NSW, including sexual services premises (SSP).

### 2.a General Hygiene and Cleanliness

The premises should be kept in a clean condition at all times. The regular use of a contract cleaning service is recommended. Spot cleaning should be regularly carried out by staff.

Any equipment, sex toys, etc. which have contact with another person's body fluids must be covered by a new condom for each partner. After each use the condom must be removed and the equipment disinfected with a solution of one part bleach to two parts water.

### 2.b Showers, baths and toilets

Showers, baths and toilets are subject to mould growth and have the potential to harbour and spread fungi, particularly tinea. This problem is exacerbated when ventilation is inadequate. Regular physical cleaning and the use of hospital grade disinfectants are required to control mould proliferation.

The proprietor must ensure that baths and showers are cleaned and disinfected after each use, preferably with a hypochlorite based disinfectant.

## **2.c Linen**

The proprietor shall provide the following items for the use of each client:

- i. Clean linen or a clean cover; and
- ii. Clean towels

All linen, including towelling which comes into contact with clients shall be changed immediately after each use. Two receptacles shall be provided for the separate storage of clean linen and used linen.

It is recommended that proprietors use private contractors to launder towels, sheets, etc. When premises do carry out laundering on the premises, commercial/industrial equipment must be used. The following steps will assist in minimising health risks associated with linen:

- i. Separation of clean linen and used linen into two storage receptacles.
- ii. Wash linen by category in a hot water wash that is a water temperature of 70°C using laundry detergent.

## **2.d Sanitary Facilities**

The following sanitary facilities should be provided in all brothels:

- i. For employees: one (1) toilet and one (1) shower per 15 employees and one (1) hand wash basin per 30 employees.
- ii. For clients: one (1) toilet and one (1) urinal per 15 clients and one (1) hand wash basin per 30 clients.
- iii. In the work room: one (1) shower and one (1) hand wash basin per work room

Separate toilet facilities are to be provided for staff.

Hand wash basins shall be provided with an adequate supply of potable water, at a temperature of at least 40°C, delivered through an approved mixing device which can be adjusted to enable hands to be washed under hot running water.

Soap and single use towels shall be provided for all hand wash basins in the premises.

## **2.e Maintenance of Swimming Pools and Spa Baths**

Council administers the Swimming Pools Act and Regulations in the Shire and must be notified of all swimming pools and spa pools. For more information see <http://www.sutherlandshire.nsw.gov.au/Residents/Pools-and-Spas/Pool-Safety-Requirements>

Swimming pools and spas in premises providing sexual services must comply with the *Public Health Act 2010* and *Public Health Regulation 2012*. Read

NSW Health's Public Swimming Pool and Spa Pool Advisory Document  
and fact sheets

The temperature of the water in the bathing area of a spa pool should not be allowed to exceed 40°C.

Spa baths must be drained after each use so they can be cleaned and refilled with fresh water.

Spa pools must be drained each day so they can be cleaned and refilled with fresh water.

Spa pools should be provided with a system of automatic analysis and dosage control equipment that will maintain the level of disinfectant.

Tests shall be done on every swimming or spa pool before the pool or spa is opened each day, and every four (4) hours when the pool or spa is in use. The proprietor must keep on the premises an accurate kit used for testing of pool water. The kit must be able to determine the concentration of:

- i. Free chlorine, total chlorine, and combined chlorine; or
- ii. Total bromine; or
- iii. Baquacil; and
- iv. pH; and
- v. Reserve alkalinity.

A log book of the pool or spa water quality must be kept by the proprietor and may be checked upon inspection by Council officers.

## **2.f Disposal of Contaminated Waste**

All contaminated waste must be disposed of in Environment Protection Authority licensed waste collectors.

Used condoms should be double bagged in plastic and placed in the waste receptacle on the premises.

All sharps shall be placed in non reusable sharps containers which comply with AS 4031-1992. The clearly marked sharps containers shall be placed in all work rooms, and rooms containing sanitary facilities.

The proprietor is to ensure that storage, handling and transportation of contaminated waste is in accordance with the Contaminated Waste Guidelines published by the NSW Health Department and the Environmental Protection Authority.

## **2.g Provision and Storage of Condoms**

The practice of safe sex should be the basis on which a brothel operates.

The manager of the premises must provide an adequate supply of condoms of a variety of size and thickness, dental dams, gloves (and any other approved latex products) and water based lubricants free of charge to the sex worker

and their clients. These products must comply with the relevant Australian Standards.

Condoms and other safe sex products must be distributed directly to the worker at the time of meeting the client or be freely available in every room.

Condom vending machines are not permitted as a means of supply.

Condoms should be stored away from light and heat which may contribute to premature deterioration.

The proprietor must ensure that workers are well-informed of the need to use condoms and water based lubricant, and well instructed in their use.

All sex workers must wash hands thoroughly after disposal of condoms.

## **2.h Education, Health and Safety of Workers**

There must be no evidence of coercion to work as a prostitute, or inducement to practice unsafe sex.

Working conditions must be reasonable, and take into consideration the hours and days worked, the provision of adequate breaks between shifts, and sick leave.

The proprietor must educate sex workers about the transmission, symptoms and treatment of sexually transmitted infectious diseases to enable the sex workers to perform their work in a manner that is safe and with minimum risk to public health.

Operators must be aware that under the Public Health Act 2010 it is an offence for an owner or an occupier of a brothel to knowingly permit another person with a sexually transmitted disease to have sexual intercourse at the brothel without taking reasonable precautions:

(<https://www.health.nsw.gov.au/phact/Pages/pha-s79.aspx>)

The proprietor shall develop procedures for the safe handling and disposal of sharps and provide such information to sex workers. If a sex worker has difficulty communicating in the English language, the proprietor must provide the information in a language with which the sex worker is familiar.

The proprietor shall ensure that all sex workers are immunised against hepatitis B, and they are not yet immunised, a course of immunisation should be commenced as soon as possible. It is also important that sex workers regularly attend a sexual health centre or private doctor for sexual health assessment.

## **2.i Education and examination of clients**

The proprietor shall provide written information that is clearly visible and readily provided about the transmission of sexually transmitted infectious diseases in a variety of languages at the brothel for the use of clients and sex workers.

The proprietor shall take reasonable steps to ensure that any information about sexually transmitted infectious diseases provided at the brothel for the benefit of clients or sex workers is medically accurate.

Before any sexual encounter each client should be examined by the worker to detect any visible evidence of sexually transmitted diseases (STD's). Common signs of diseases which may be detected in this way include:

- i. Any sores, ulcers, lumps, warts or blisters on the genitals or surrounding area.
- ii. Any evidence of penile discharges.
- iii. Pubic lice or eggs.
- iv. Any signs of itching or rashes in the genital or anal area.
- v. Cold sores on the mouth.
- vi. Jaundice.

Good lighting is essential for such an examination. The presence of pubic lice is suggestive of possible infection with other STDs and the client should be referred for medical consultation.

The examination of clients must not be seen as an alternative to, or lessening the need for using condoms and water based lubricant.

## **2.j Registration and Inspection**

All brothels are required to be registered with Council

Inspections by Council staff will be conducted to monitor compliance with all relevant regulations, Council's health and development controls and conditions of development consent.

The brothel must allow entry to authorised persons from Council, NSW Department of Health, or Sex Workers Outreach Project workers. These persons may enter, without paying any admission fee, and inspect any premises containing a swimming pool, spa pool, kitchen, bar, and work room at any time that the premises are open to the public.

The operation of the brothel shall also be in accordance with the requirements of the NSW Department of Health and the Workcover Authority.