

**22.11**19/01/2006  
VC37**SEXUALLY EXPLICIT ADULT ESTABLISHMENTS**

This policy applies to all land within the Capital City Zone. It applies to the use of land for an Adult Sex Bookshop, or Sexually Explicit Adult Entertainment.

**Policy Basis**

The character and amenity of the CBD is largely determined by the appearance of buildings, the nature of activities within them and the mix of people who live, work and visit the city. The responsible authority is committed to providing a welcoming, livable, attractive and supportive environment for all people in the City. Maintaining this balance is crucial to the City's vitality.

Sexually Explicit Adult Establishments can have adverse off-site impacts in terms of loss of amenity, safety, character and image of an area. These activities tend to 'block out' shopfronts, minimise active street frontages, and can lead to anti-social behaviour by patrons. These problems are exacerbated by the agglomeration of like uses that attract large numbers of people on the street outside them. Agglomeration of these uses affects the mix of people and business attracted to an area and can create de facto red light districts. This is detrimental to the image of the City and contrary to the objectives set out in the Municipal Strategic Statement. A minimum separation distance of half a city block can prevent the agglomeration of these activities.

The retail core is Melbourne's premier shopping centre. Through continuous improvement and by building on its unique attributes and activities, it should offer outstanding customer amenity and service. It is important that development and activities in the retail core contribute positively to its life, activity, appearance, character, and image. Attractive and welcoming street frontages and activities such as specialty shops and cafes are given preference. Adult Sex Bookshops and Sexually Explicit Adult Entertainment may work against these outcomes.

**Objective**

- To ensure that the location, appearance and concentration of Adult Sex Bookshops and Sexually Explicit Adult Entertainment are not detrimental to the amenity, character, image and public perceptions of the city.

**Policy**

The following matters should be taken into account when considering an application to use land for an Adult Sex Bookshop, or Sexually Explicit Adult Entertainment.

**Location**

The premises should not be located:

- Within the retail core.
- Within 100 metres walking distance of an existing Adult Sex Bookshop, or Sexually Explicit Adult Entertainment venue.

**Appearance**

- The external appearance of any building used for these purposes should not have a detrimental effect on the appearance of the street and character of the building and streetscape.
- Frontages and entries should be designed to be discrete and unobtrusive.

- Signs should be minimal and advise in simple terms the use of the premises.

### **Operation**

- Touting or spruiking will not be supported.
- No form of public address or sound amplification should be audible from outside the premises.

### **Definitions**

Sexually Explicit Adult Entertainment:

- Land used to provide nude dancing, lap dancing and all other forms of sexually explicit entertainment for adults only. It may include the provision of food and drink.

Adult Sex Bookshop:

- Land used to sell or hire sexually explicit material, including: (a) publications classified as restricted under the Classification (Publications, Film and Computer Games) (Enforcement) Act 1995; and (b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.

### **Policy Reference**

*City Plan – Municipal Strategic Statement*