

From: [Dr Josh Fergeus](#)
To: Irrelevant
Subject: RE: Massage Parlours

Hi Irrelevant

Thanks for your emails. I have provided some responses below in red. I recognise that these responses will likely be frustrating to you, but the reality is that the Victorian Government has essentially removed almost all restrictions on sex work operation in the state. Moving forward Council will have very little role in oversight or regulation.

Best regards,

Dr Josh Fergeus
Oakleigh Ward Councillor

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From: Irrelevant

Sent: Sunday, 18 September 2022 3:44 PM

To: Geoff Lake <Geoff.Lake@monash.vic.gov.au>; Rebecca Paterson (she/her) <Rebecca.Paterson@monash.vic.gov.au>; Dr Josh Fergeus <Josh.Fergeus@monash.vic.gov.au>; Stuart James (he/him) <Stuart.James@monash.vic.gov.au>; Brian Little <Brian.Little@monash.vic.gov.au>; Theo Zographos <Theo.Zographos@monash.vic.gov.au>; Paul Klisaris (he/him) <paul.klisaris@monash.vic.gov.au>; Anjalee de Silva <Anjalee.deSilva@monash.vic.gov.au>; Nicky Luo <Nicky.Luo@monash.vic.gov.au>; Shane McCluskey <Shane.McCluskey@monash.vic.gov.au>; Tina Samardzija <Tina.Samardzija@monash.vic.gov.au>; Mail @ Monash <Mail.Monash@monash.vic.gov.au>

Subject: RE: Massage Parlours

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To all Councillors, City of Monash

C/C: Irrelevant

Greetings,

Thank you for replying to my email dated 14th of August in relation to Massage Parlours. However, I would like to have some answers to the following points:

1. Given that planning laws regulate land use can you advise on whether Council could pass planning rule changes to ban certain businesses or restrict their operations? **Council has no ability to pass local laws which contradict State or Federal legislation.**
2. To your point on future changes to land use planning, are you suggesting that in future it may be easier for brothels to operate in Monash, possibly in the same way as massage parlours? **Yes. The Victorian Government has passed legislation which makes it far easier to conduct sex work.**
3. Could you clarify how it is possible for Council to ban smoking in public places/areas

but not be able to regulate Massage Parlours in the same way? This is because the State Government does not have legislation which contradicts our smoking local laws. If we were to attempt to pass a law restricting sex work it would be in direct contravention of the State Government legislation and therefore would be unlawful.

4. In term of land use planning, is it possible to unban or decriminalise certain activities through Council, for example smoking laws? Yes, but only if the ban stems from Council's own local laws. We cannot undo State or Federal laws.

5. Has Council undertaken any health inspections of these businesses? The new State Government legislation sees Council have little or no role in regulation. Premises where sex work occurs will not have to register with Council.

6. Given the size of Council, and its expertise, how it is possible that you cannot definitely state the total number of Massage Parlours? We don't collect data on a range of shops, this is no different. The only difference has been in the past if there was illegal sex work occurring on a premise. In the future, this sex work will not be illegal, as per Victorian Government legislation.

7. Is there a maximum number of Massage Parlours that you would allow to operate in the City of Monash? The Victorian Government legislation does not require sex work premises to register and so there is no maximum number.

8. From a gender equality perspective, do these businesses discriminate by not employing male massage "therapists"? Employment law is not a Council matter, other than for Council staff.

Regards

Irrelevant