



Order Paper for a meeting

HEARING OF SUBMISSIONS:

Draft Brothel Control Bylaw 2024 /

Kā Ture Whakahaere Whare Kairau

to be held on

Tuesday 25 June 2024

commencing at 10.00am

in the

Council Chambers, 10 Gorge Road,

Queenstown

9.12 Items of business not on the agenda which cannot be delayed | Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with the item and the Chairperson provides the following information during the public part of the meeting:

(a) the reason the item is not on the agenda; and

(b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

9.13 Discussion of minor matters not on the agenda | Te kōreorero i ngā take iti kāore i runga i te rārangi take

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

REFERENCE:

Queenstown Lakes District Council Standing Orders adopted on 17 November 2022 and revised on 15 February 2024.

QUEENSTOWN LAKES DISTRICT COUNCIL

HEARING OF SUBMISSIONS ON:

DRAFT BROTHEL CONTROL BYLAW 2024

KĀ TURE WHAKAHAERE WHARE KAIRAU

PANEL MEMBERS

Councillor G Bartlett

Councillor C Ferguson

Councillor C Tucker

Councillor M White

The Chair of the hearing panel will be determined at the beginning of the hearing.

The Council resolution appointing the hearing panel required three of four members to be present to achieve a quorum.

Councillor Ferguson has agreed to be the 'reserve' member if necessary.

Agenda for a hearing of submissions on the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau to be held in the Council Chambers, 10 Gorge Road, Queenstown on Tuesday 25 June 2024 beginning at 10.00am

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Hearing Panel

25 June 2024

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Strategy & Policy

Title | Taitara: Submissions on the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to present the written submissions received by the Queenstown Lakes District Council (**QLDC**) on the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau (the draft bylaw, **Attachment A**), to provide those members of the public the opportunity to be heard, and to outline options to the Hearing Panel.

Executive Summary | Whakarāpopototaka Matua

On 2 May 2024, Council endorsed a statement of proposal (**Attachment B**), which included the draft bylaw for public consultation. Submissions were received between 3 May 2024 to 5 June 2024.

Council received 20 submissions on the draft bylaw, and these are included with this report at **Attachment C**. Six submitters requested to be heard on this matter and will speak at this meeting.

The Hearing Panel is asked to receive written and oral submissions and recommend to Council a final form of the draft bylaw. At the Council meeting scheduled for 1 August 2024, officers are proposing to present the final draft bylaw to Council for it to consider and adopt.

Recommendation | Kā Tūtohu

That the Hearing Panel:

1. **Note** the contents of this report;
2. **Receive** all written submissions to the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau and hears the submitters who wish to be heard; and
3. **Recommend to Council** a final form of the Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau to be adopted, following consideration of public feedback from the submissions.

Prepared by:



Name: Carrie Williams
Title: Policy Manager
11 June 2024

Reviewed and Authorised by:



Name: Michelle Morss
Title: GM Strategy and Policy
11 June 2024

Context | Horopaki

The bylaw review process

1. Review of the Brothel Control Bylaw 2017 was approved by Council at its 2 May 2024 meeting. If a new bylaw is adopted, it would have a five-year review requirement. The bylaw review process has now reached the stage in the process for a hearing. The current progress of the bylaw is set out in the diagram below.



2. The review process and key milestones for this bylaw review are summarised below.

Date	Milestone
August 2023	Preliminary engagement – targeted emails to stakeholder groups, inviting them to provide feedback via Let’s Talk; also open to anyone in the community wishing to provide feedback.
2 May 2024	Council resolved to review the bylaw in accordance with the special consultative procedure and appointed a Hearing Panel to receive submissions.
3 May - 5 June 2024	Formal consultation period.
25 June 2024	Hearing and consideration of options by the Hearing Panel.
1 August 2024	Council to deliberate and consider adopting the bylaw.

Local Government Act 2002

3. Section 145 of the Local Government Act 2002 (LGA) sets out the general bylaw-making power for territorial authorities. It permits Councils to make bylaws for one of more of following purposes:
 - protecting the public from nuisance;
 - protecting, promoting, and maintaining public health and safety; and/or
 - minimising the potential for offensive behaviour in public places.

4. Council is responsible for ensuring that the bylaw exists for one (or more) of these three purposes. In implementing a bylaw, Council also needs to ensure the requirements of LGA section 155 are met, which include:
 - that the bylaw is the most appropriate way of addressing the perceived problem; and
 - that the proposed bylaw is the most appropriate form of bylaw; and
 - that the proposed bylaw does not give rise to any implications under New Zealand Bill of Rights Act 1990 (NZBORA).
5. Council made the determinations required under section 155 of the LGA before commencing the process of reviewing this bylaw at its 2 May 2024 meeting.

The Prostitution Reform Act 2003

6. The purpose of the Prostitution Reform Act 2003 (PRA) is to decriminalise prostitution, while not endorsing or morally sanctioning prostitution or its use, and to create a framework that:
 - safeguards the human rights of sex workers and protects them from exploitation
 - promotes the welfare and occupational health and safety of sex workers
 - creates an environment that is conducive to public health
 - protects children from exploitation in relation to prostitution.
7. There are provisions under the PRA so that councils may:
 - adopt a bylaw to manage brothel signs (section 12 of the PRA) and/or manage the location of brothels (section 14 of the PRA), or
 - manage brothel activity through a council's District Plan provisions (section 15 of the PRA).

The current Brothel Control Bylaw 2017

8. The current Brothel Control Bylaw 2017 (**Attachment D**) provides that:
 - brothels are not to be within 100m of each other
 - brothels may not be located at or below ground level
 - signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan
 - brothel activity may occur within the permitted activity areas in Queenstown and Wānaka (shown in the maps below).

Figure 1: Queenstown and Wānaka permitted activity areas in the current bylaw.



Operation of the current bylaw

9. The definition of a brothel in the current bylaw includes small owner-operated brothels (SOOBs), therefore it prohibits SOOBs from operating outside of the permitted activity areas outlined in the bylaw.
10. Brothel operators, apart from small owner-operated brothels (SOOBs), are required under the PRA to hold a valid brothel operator certificate issued via the Ministry of Justice, and brothels may be inspected by the Police to ensure compliance with the PRA's welfare requirements. Certificates must be renewed every year. There have been no registered brothels in the district since 2013.
11. QLDC has made no prosecutions under the current bylaw. Council has received eight complaints of alleged operation of brothels outside of the permitted activity areas in the bylaw in the five years since 2018, of which six related to valid breaches of the bylaw. Two complaints related to commercial accommodation, which is lawful under the bylaw, so these are outside of what a bylaw may regulate. It is permissible for sex workers to provide "out services" in places outside the permitted activity areas. Out services are when a sex worker is engaged to visit a client at a specified address, and the transaction is initiated elsewhere. Out service locations are not the sex workers' premises, which would likely be considered a SOOB under the bylaw as a being "habitually used for the purposes of prostitution".

12. The complaints have been investigated by Council and there has been no enforcement action taken aside from Council officers explaining the restrictions under the bylaw to the residents, who were provided a copy of the bylaw to educate, in accordance with Council's Enforcement Strategy and Prosecution Policy. No further action was required.
13. Matters of harassment, assault and exploitation sit within Police jurisdiction, not council bylaw powers. However, a sex worker who reports such incidents could be incriminating themselves, as the complaint might bring to light a breach of the bylaw. Anecdotally, this could have the effect of deterring the reporting of incidents. The purpose of the bylaw should not be inconsistent with the purpose of the PRA, which is to protect workers, not criminalise them.

Analysis and Advice | Tatāritaka me kā Tohutohu

14. Council received 20 submissions on the draft bylaw and six submitters have requested to be heard in support of their submission. The full submissions booklet is at **Attachment C**.
15. Of the 20 submissions, three submissions were made from people in Queenstown, four from Wānaka, and 13 from outside of the district.
16. The changes proposed in the draft bylaw that was endorsed for consultation include:
 - increasing the size of the permitted activity areas slightly
 - a new provision that states the purpose of the bylaw
 - removal of the restriction that brothels may not be located at or below ground level, within the permitted activity areas
 - adding 'District Plan' to the definitions section and an explanatory note that the requirements in the bylaw are in addition to a brothel needing to meet requirements specified in the District Plan.
17. Feedback was also sought on the provisions of the bylaw around signage and the requirement of 100m distance between brothels, where no changes are proposed,
18. The feedback is discussed below. All amendments proposed in the draft bylaw are identified at **Attachment A** by way of tracked changed text.

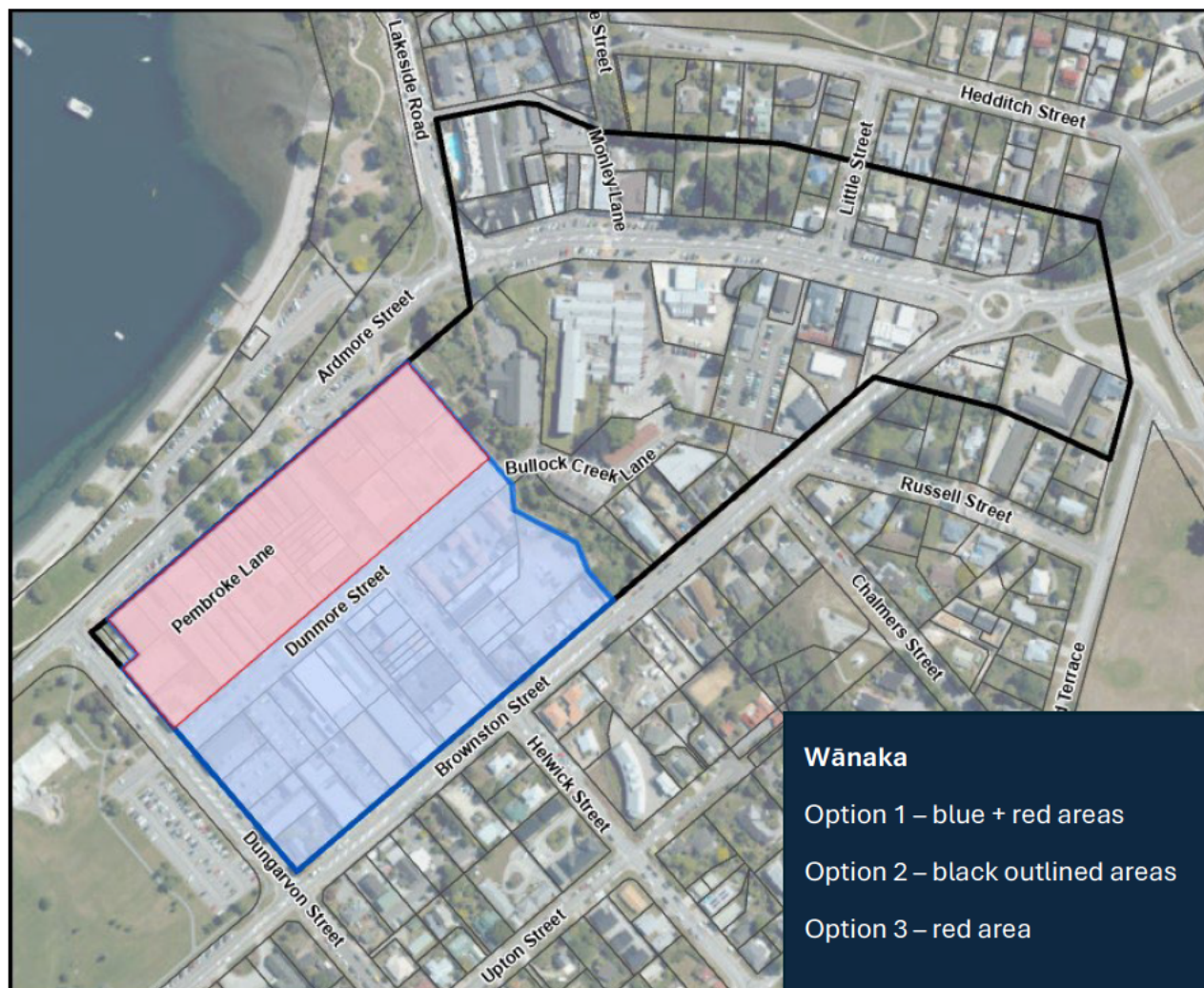
Increasing the size of the permitted activity areas

19. Council elected to consult on a draft bylaw that expanded the permitted activity areas to include the current areas (shown in red) as well as the areas shaded in blue (Option 1). The areas are considered an intermediate option as between the current bylaw (Option 3) and aligning the permitted activity area with the Proposed District Plan Town Centre Zones (Option 2). Option 4 in the survey was to regulate brothels through the district plan, and not have a bylaw.

Figure 2: Options for permitted activity areas consulted on for Queenstown.



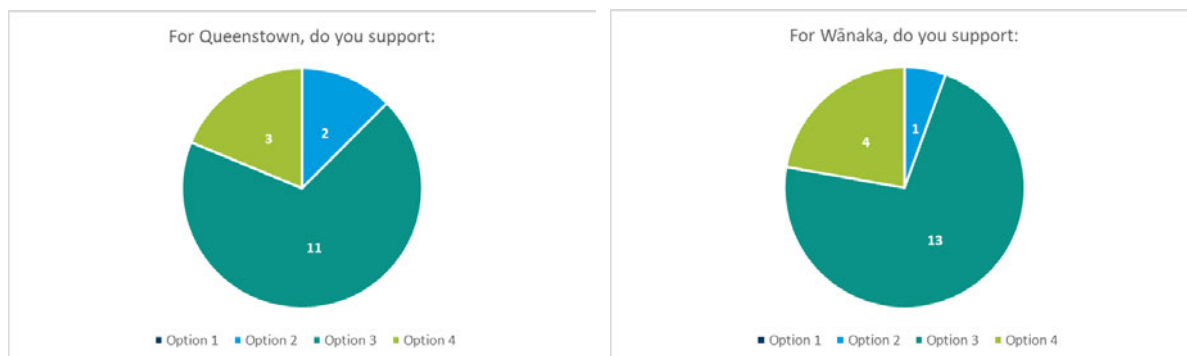
Figure 3: Options for permitted activity areas consulted on for Wānaka.



20. Respondents to the survey were asked to select their preferred option. Results are summarised in the table and graphs below.

Table 1: Submissions on permitted activity area options

Option	Queenstown	Wānaka
Option 1 (recommended in draft bylaw) moderate expansion of permitted activity area	0	0
Option 2 - aligning the permitted activity areas with the Proposed District Plan Town Centre Zones	2	1
Option 3 - keeping the permitted activity area the same as the current bylaw	11	13
Option 4 - to regulate brothels through the district plan, and not have a bylaw	3	4



21. In general, the majority of submitters favoured maintaining the permitted activity areas as per the current bylaw, with a minority preferring that brothel activity is regulated through the district plan. Backing for a middle ground of expanding the current permitted activity areas was not supported in the responses. These opposing views are also reflected in the response to the question ‘what is your position on the draft bylaw?’, with the majority (18 respondents, 95%) opposing the draft bylaw, and one respondent (5%) neutral.
22. Several submitters provided feedback that any brothel activity should be opposed, due to community sensitivities to sex work. This included perceived detrimental effects on local businesses, association of criminal activities with sex work and an increase to public health risks through the spread of sexually transmitted infections. One submitter requested that Council consider removing brothels outside the central shopping areas to ‘discrete locations’.
23. There were also comments relating to the health and safety of sex workers. The NZPC: Aotearoa New Zealand Sex Workers’ Collective (NZPC) referenced research that confining sex workers to permitted activity areas means that that people who are working in breach of laws or bylaws are less likely to report issues to the authorities. They are less likely to report violence to the police, less likely to seek medical help, and less likely to seek peer support. To address these concerns they would like brothel activity to be regulated via the District Plan as a home based occupation. Other submitters stated that the existence of brothels at all harms the people working at them.
24. There is a lack of data specific to the Queenstown Lakes District in relation to the impacts of brothel activity to the community and to sex workers. As outlined above, there are no registered brothels in the district, and Council has received eight complaints in the past five years, of which six related to valid breaches of the bylaw (i.e. brothel activity allegedly occurring outside the permitted activity areas).
25. The draft bylaw that was consulted on proposed to increase the permitted activity areas to allow more opportunities for brothel activity, in order to address concerns that the bylaw is overly restrictive. The challenge is to balance community sensitivity to sex work, with Council’s legal obligations to be consistent with the PRA that decriminalises prostitution and provide a framework for sex workers to work safely within. Regardless of an increase in size, it may still be perceived that a bylaw that restricts the locations where brothels operate is inconsistent with the PRA. Any bylaw that restricts the location of brothels has a risk of being challenged.

26. Conversely, there were several comments opposing sex work in general, and therefore against any increase in the permitted activity areas on the basis that this could be perceived to be encouraging brothel activity.

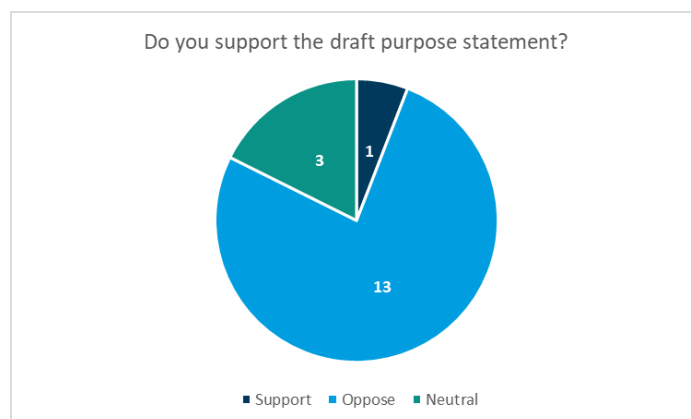
27. *Recommendation:* The permitted activity areas in the draft bylaw represent a middle ground to address the risk of challenge to the bylaw as well as community sensitivity towards sex work. The PRA decriminalises sex work, and therefore it is not open to councils to implement blanket prohibitions.

A new purpose provision

28. The draft bylaw proposes new provision that states that the purpose of the bylaw is to:

- support the purpose and intent of the PRA
- enable commercial sexual service providers to operate within the district in a manner that both meets market demand for services and addresses community concerns and sensitivities
- allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled
- control the establishment of signage associated with brothels to minimise community harm or offence.

29. Submitters were asked whether they support the draft purpose statement. Of 20 submitters, 17 responded to this question. The majority were opposed to the purpose statement, with one submitter in support and three neutral.

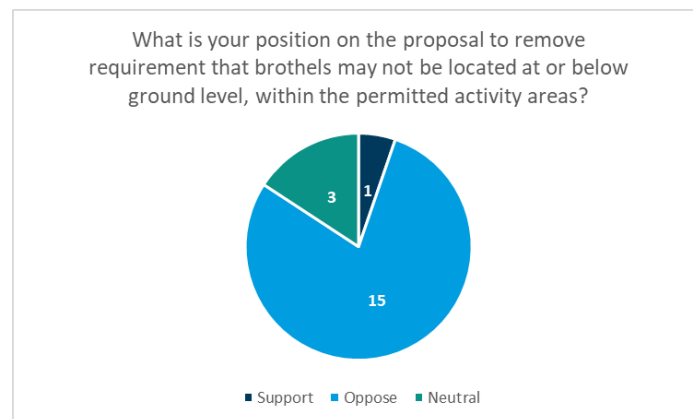


30. The NZPC provided feedback that confining sex work to permitted activity areas does not support the intent of the PRA, stating “as long as the bylaw excludes Small Owner Operated Brothels (SOOBs) from operating safely, the bylaw cannot be said to “support the purpose and intent of the Prostitution Reform Act 2003”.

31. Wahine Toa Rising opposed the purpose statement on the basis that the PRA is outdated and in need of review, and holds the view that sex work should not be decriminalised in New Zealand Aotearoa.
32. *Recommendation:* In the absence of a purpose provision in the current bylaw, the draft bylaw proposes wording in order to better give effect to the intent of the bylaw. It is open to the Hearing Panel to recommend changes to the purpose provision as an outcome of feedback received from submissions. Whilst the purpose provision proposed was largely not supported, none of the verbatim comments suggest what changes could be made to improve it. In the absence of such feedback, it is considered that wording proposed in the draft bylaw is appropriate.

Removal of the restriction that brothels may not be located at or below ground level, within the permitted activity areas

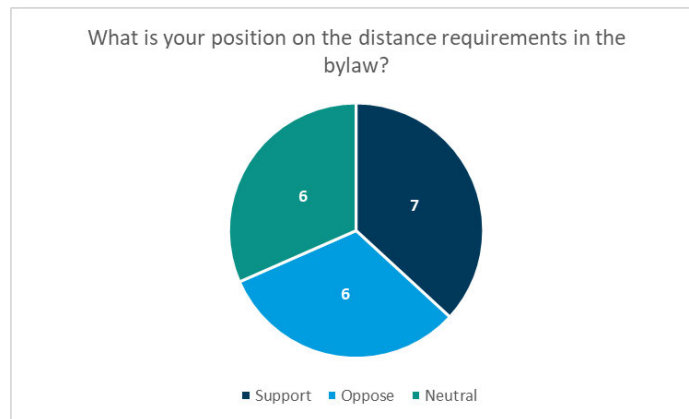
33. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. The majority of respondents who answered this question (15) were opposed to removing this requirement, 3 were neutral and 1 were in support.



34. *Recommendation:* The rationale behind the proposed change was to address the feedback that the bylaw is overly restrictive, and remove unnecessary restrictions to brothel locations within the permitted area, in line with the purpose of the PRA. Given the low level of brothel activity in the QLD (Queenstown Lakes District), officers consider that removal of this restriction provides for opportunities for brothels, increasing the bylaw's consistency with the intent of the PRA, and therefore reduces the risk of challenge to the bylaw.

Distance between brothels

35. The current bylaw requires that brothels are not to be within 100m of each other. No changes are proposed in the draft bylaw. Submitters were evenly divided on this aspect of the bylaw, with relatively consistent numbers of submitters opposing, supporting and neutral on this requirement.

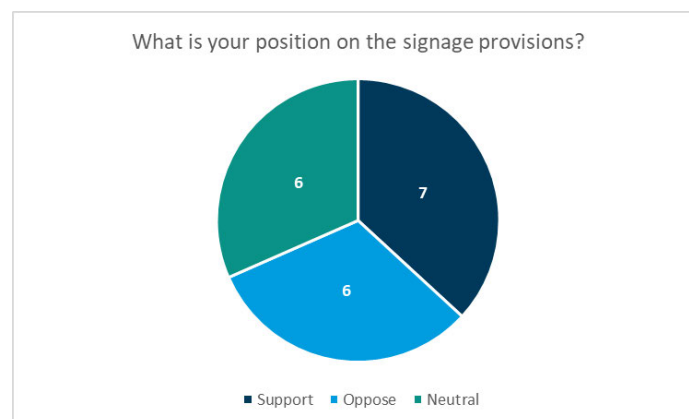


36. *Recommendation:* Officers do not consider that there is evidence, or that the submissions support any change to the requirement that brothels are not to be within 100 metres of each other.

Signage

37. There are no changes proposed in the draft bylaw around signage. The current bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan.

38. Similar to the distance requirement provision, the responses to this question were fairly evenly distributed between those that supported, opposed and were neutral on the signage provisions. One submitter commented on signage, stating that they “believe it’s best that signage isn’t offensive or explicit”.



39. *Recommendation:* Officers do not consider that the submissions support a change to the signage requirements in the bylaw. As there are no registered brothels in the district that could potentially have signage associated with them, there is insufficient information to suggest that a change to the bylaw is required.

Other feedback from submitters

40. There was a substantive amount of feedback related to the deficiencies of the PRA as a statute. Whilst Council has the ability to determine whether to regulate sex work via a bylaw and the district plan or the district plan alone, it is otherwise bound by the provisions of the PRA. The PRA provides that sex work is a legal commercial activity in New Zealand, and councils do not have the ability to prohibit brothels entirely.
41. The submission from Family First requested that Council add a provision to the bylaw to prohibit solicitation of sex work in a public place. In the absence of any information that indicates that this is an issue in the QLD, officers do not recommend including this in the bylaw, as there is no perceived problem relating to solicitation that meets LGA s.155 requirements.
42. In addition, it was requested that the bylaw introduce a distance requirement between brothels and sensitive sites. Bylaws enable councils to prohibit brothels within a certain proximity of sensitive sites, such as schools, churches or maraes. Given the small size of the permitted activity areas in the QLD and in the absence of any registered brothels in the district, introducing this type of regulation in the bylaw is not considered relevant at this time.

Summary

43. Council can make changes to the draft bylaw as an outcome of formal consultation, in response to feedback received, as long these changes are within the scope of the Statement of Proposal. Material changes to the draft bylaw proposed after consultation that come about through the submissions process but are not contemplated in the Statement of Proposal may require Council to consult again.

Options and analysis

44. This Hearing Panel is being asked to receive written and oral submissions and recommend to Council a final form of the draft bylaw.
45. At the Council meeting scheduled for 1 August 2024, officers are proposing to present the final draft bylaw to Council for it to consider and adopt. When reporting to Council, the officer's report will need to incorporate and reflect the recommendation from the Hearing Panel and any direction provided. The officer report to Council will address the requirements set out in section 77 of the LGA that local authorities must satisfy through its bylaw decision-making process and will identify and assess the reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.
46. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

47. Note that Council is currently able to make changes to the draft bylaw as an outcome of formal consultation in response to feedback received, as long as the changes are within the scope of what is contemplated in the statement of proposal. Material changes to the draft bylaw proposed after consultation that are not contemplated in the statement of proposal may require Council to consult again.
48. **Option 1:** That the Hearing Panel receive all submissions and recommend that Council endorse the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau with no changes to the draft bylaw that went out for consultation.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Council would retain the ability to regulate the locations in which brothels may operate and the signage that may be used to advertise brothel location and services through a bylaw. • Increasing the permitted activity area mitigates the risk of perception of the bylaw not satisfying s.155 of the LGA as the most appropriate way to address the perceived problem, or as not supporting the purpose of the PRA or being inconsistent with the NZBORA. 	<ul style="list-style-type: none"> • The draft bylaw may not align with some community views contained in the submissions outlined above. • Some people in the community do not support an increase in the size of the permitted activity areas. • It may still be perceived that the draft bylaw does not satisfy the requirements under s.155 of the LGA as the most appropriate way to address the perceived problem, that it does not support the purpose of the PRA, or that it is inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).

49. **Option 2:** That the Hearing Panel receive all submissions and recommend that Council endorse the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau with changes as an outcome of the consultation process.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Likely responds to information received in submissions. • Council would retain the ability to regulate the locations in which brothels may operate and the signage that may be used to advertise brothel location and services through a bylaw. 	<ul style="list-style-type: none"> • The draft bylaw may not align with all community views received through submissions as outlined above. • It may still be perceived that the draft bylaw does not satisfy the requirements under s.155 of the LGA as the most appropriate way to address the perceived problem, that it does not support the purpose of the PRA, or that it is

<i>Advantages</i>	<i>Disadvantages</i>
	<p>inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).</p> <ul style="list-style-type: none"> To avoid challenge, Council must ensure that any changes to the draft bylaw were contemplated in the statement of proposal that went out for consultation. This means that any changes to the draft bylaw should be within the scope of the statement of proposal.

50. **Option 3:** That the Hearing Panel receive all submissions and recommend that Council not endorse the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> There is no risk of perception to the bylaw as not satisfying s.155 of the LGA as the most appropriate way to address the perceived problem, or as not supporting the purpose of the PRA or being inconsistent with the NZBORA. This option would respond to some of the feedback received to regulate brothel activity through the District Plan. There would be reduced time and cost associated with implementation of the bylaw. 	<ul style="list-style-type: none"> Some people in the community may not support this approach. Council would lose the ability to specifically manage and regulate where Brothels are located through a bylaw if the bylaw were revoked or lapsed. Council would not retain the ability to regulate the signage used to display the location and services of a brothel through a bylaw if the bylaw were revoked or lapsed.

51. This report recommends **Option 1**, that the Hearing Panel receive all submissions and recommend that Council endorse the draft bylaw that went out for consultation. **Option 1** enables Council to:

- continue to regulate to regulate the locations in which brothels may operate and the associated signage restrictions through a bylaw mechanism
- mitigates the risk of challenge to the bylaw as being perceived to be inconsistent with LGA, PRA and NZBORA requirements, is consistent with the Proposed District Plan, whilst still maintaining a bylaw mechanism for Council to regulate brothel activity
- comply with the special consultative procedure requirements in the LGA.

Next steps

52. The Hearing Panel is being asked to receive written and oral submissions and recommend to Council a final form of the draft bylaw.
53. It is intended that Council will consider and adopt the final draft bylaw at its meeting on 1 August 2024. If adopted by Council, the bylaw will come into effect from 1 September 2024.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

54. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2021 because:
- the matters have minimal to moderate impact on the community
 - the proposal will not change the level of services provided by Council, or Council's capacity
 - there is a low level of financial consequence as a result of adopting the recommended option.

The persons who are affected by or interested in this matter are residents, ratepayers and visitors to the QLD, and industry stakeholders.

55. Formal consultation via the special consultative procedure has enabled feedback from the community and industry stakeholders. Council will give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter, as required by the LGA (s.78(1)).
56. The statement of proposal and draft bylaw were publicly notified by advertisement on QLDC's website and in local newspapers, including the Otago Daily Times, Mountain Scene, and Wānaka Sun, as well as on Council's Facebook page. The number of submissions received is relatively low, which could indicate that the current bylaw is working effectively, and that the community is amenable to the current bylaw as well as the proposed changes in the draft bylaw.
57. The draft bylaw, the statement of proposal and other supporting documents were made available on Council's website, at the Council offices at 10 Gorge Road, Queenstown, and 47 Ardmore Street, Wānaka.

Māori Consultation | Iwi Rūnaka

58. Through regularly hui with Council's Strategic Advisor Māori, Te Ao Marama and Aukaha were invited to provide feedback on the review of this bylaw. Te Ao Marama and Aukaha determined that it did not wish to provide a formal submission on this issue.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

59. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10026 Ineffective enforcement within the QLDC Risk Register. This risk has been assessed as having a low residual risk rating.
60. The approval of the recommended option will allow Council to retain the risk at its current level. This will be achieved by review of this bylaw to ensure that it responds appropriately to the issues regarding brothel activity in the district.

Financial Implications | Kā Riteka ā-Pūtea

61. Costs associated with this work, such as staff time and advertising, will be met within current budgets. There are no proposed changes in the draft bylaw to current operational practice that would require additional funding.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

62. The following Council policies, strategies and bylaws were considered:
- The outcomes and principles of the Vision Beyond 2050: [Our Vision and Mission – QLDC](#)
 - the QLDC Annual Plan
 - the QLDC Long Term Plan 2021-31.

63. The recommended option is consistent with the principles set out in the named instruments.

64. Provision for review of bylaws is included in the Long-Term Plan/Annual Plan.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

65. Council is bound by the LGA when making or reviewing bylaws. The base determination, notification, and consultation procedures set out under sections 155, 156 and 157 of the LGA apply. The draft bylaw and statement of proposal has been legally reviewed.
66. Council has made the determinations required under s.155 of the LGA before commencing the process of reviewing the current bylaw.
67. Consultation on the draft bylaw is following the requirements of the special consultative procedure outlined in sections 83 and 86 of the LGA.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

68. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b)

to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

69. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Schedule of submitters appearing at hearing
B	Draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau
C	Statement of proposal
D	Full submissions pack (redacted)
E	QLDC Brothel Control Bylaw 2017

Attachment A: Schedule of submitters appearing

Time	Name	Confirmed speaking
10.05am	Dame Catherine Healy NZPC: Aotearoa New Zealand Sex Workers' Collective	Speaking via Zoom
10.10am	Danna Burton	Will try to attend in person
10.15am	Jennifer Scott, SuffragettesNZ	Speaking via Zoom (or may attend)
10.20am	Janet, Women's Declaration International NZ	Speaking via Zoom
10.25am		
10.30am	Bob McCoskrie, Family First NZ	Speaking via Zoom
10.35am	Ally-Marie Diamond Wahine Toa Rising Charitable Trust	Speaking in person



Brothel Control Bylaw ~~2017~~ 2024 **Kā Ture Whakahaere Whare Kairau**

Deleted: 2017

Queenstown Lakes District Council

Date of making: ~~x 2017~~ x 2024
Commencement: ~~x 2017~~ x 2024

This bylaw is adopted pursuant to the provisions of the Local Government Act 2002 and the Prostitution Reform Act 2003 by resolution of the Queenstown Lakes District Council at a meeting of the Council on ~~x 2017~~ x 2024.

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Part 1 – Preliminary

1 Short title and commencement

1.1 This bylaw may be cited as “the Queenstown Lakes District Council Brothel Control Bylaw ~~2024~~ | ~~Kā Ture Whakahaere Whare Kairau~~”.

Deleted: 2017

1.2 This bylaw comes into force on a date specified by Council resolution.

1.3 The Queenstown Lakes District Brothel Control Bylaw ~~2017~~ is revoked on the date this bylaw comes into force.

Deleted: 2011

2 Purpose

2.1 The purpose of this bylaw is to:

- (a) support the purpose and intent of the Prostitution Reform Act 2003;
- (b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;
- (c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and
- (d) control the establishment of signage associated with brothels to minimise community harm or offence.

3 Interpretation

3.1 In this bylaw, unless the context otherwise requires-

Brothel means and premises kept or habitually used for the purposes of prostitution but does not include premises at which accommodation is normally provided on a commercial basis if the prostitution occurs under an arrangement initiated elsewhere.

Commercial Sexual Services means sexual services that:

- (a) Involve physical participation by a person in sexual acts with, and for the gratification of another person; and

- (b) Are provided for payment or other reward (irrespective of whether the reward is given to the person providing the services or another person).

Council means the Queenstown Lakes District Council.

District means the Queenstown Lakes District.

District Plan means the Queenstown Lakes District Council District Plan

Premises includes a part of premises.

Prostitution means the provision of commercial sexual services.

Public place –

- (a) means any place that is open to, or being used by the public, whether admission is free or on payment of a charge and whether any owner or occupier of the place is lawfully entitled to exclude or eject a person from that plane; and
- (b) includes any aircraft, hovercraft, ship, ferry, or other vessel, train, or vehicle carrying or available to carry passengers for rewards

Part 2 – Brothel Control

4 Location of brothels

4.1 No persons may establish, operate, or permit the operation of a brothel unless the brothel satisfies all of the following requirements:

- (a) the brothel is located in either:
 - (i) the area of permitted activity within the Queenstown Town Centre Zone identified on the map contained in Schedule 1; or
 - (ii) the area of permitted activity within the Wanaka Town Centre Zone identified on the map contained in Schedule 2;
- (b) the brothel is located in a building lawfully established under a building consent issued pursuant to the Building Act 2004 (or its predecessor); and

- (c) ~~the brothel is not located within 100 metres of any existing brothel.~~

Deleted: <#>the brothel is not located at ground level or beneath ground level of any building; and¶

5 Regulation of brothel advertising

- 5.1 No person may erect or display any sign that advertises the business of a brothel and is visible from a public place unless it satisfies all of the following requirements:
- (a) the only information displayed on the sign is the registered name of the brothel or the name of the person who operates the brothel;
 - (b) the sign does not exceed 0.3 square metres in size; and
 - (c) must comply with all applicable requirements in the Queenstown Lakes District Council District Plan (or its successor), or be authorised by a resource consent.
- 5.2 No person may permit the erection or display of any sign that advertises the business of a brothel and is visible from a public place, unless it satisfies all of the requirements in clause 4.1 above.

Explanatory Note: Brothels are subject to the provisions of this bylaw and the Queenstown Lakes District Council District Plan, and both instruments must be complied with at all times.

Part 3 – Enforcement

6 Powers to enforce bylaws

- 6.1 The Council may use its powers under the Local Government Act 2002 to enforce this bylaw.

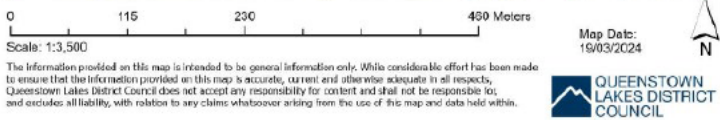
7 Offences

- 7.1 Every person who breaches this bylaw commits an offence.
- 7.2 Every person who commits an offence against this bylaw is liable on conviction to the penalty set out in Section 242(4) of the Local Government Act 2002.

Deleted: 2017

Deleted: Schedule 1 – Map of permitted areas within Queenstown Town Centre Zone

Schedule 1 - Area of permitted activity - Queenstown



Deleted: <object>

Deleted: 2017

Deleted: Schedule 2 – Map of permitted areas within Wānaka Town Centre Zone

Schedule 2 - Area of permitted activity - Wānaka



0 85 170 340 Meters
 Scale: 1:2,500
 Map Date: 19/03/2024
 N
 The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.
 QUEENSTOWN LAKES DISTRICT COUNCIL

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Statement of Proposal

Draft Brothel Control Bylaw 2024 |
Kā Ture Whakahaere Whare Kairau

Attachment C: Statement of Proposal

1 INTRODUCTION

Background

The Brothel Control Bylaw 2017 (the 'current bylaw') has been in place since December 2017 and is due for review.

Since 2003, sex work has been a legal occupation in New Zealand under the Prostitution Reform Act 2003 (PRA), subject to the same laws that regulate other businesses and workers, but with some additional requirements aimed at protecting sex workers and their clients (see sections 7 to 23 of the PRA).

There are provisions under the PRA so that councils may either manage a brothel using the District Plan (section 15 of the PRA) or adopt a bylaw to manage a brothel's signs (section 12 of the PRA) and/or manage the location of brothels (section 14 of the PRA).

Council's proposal

In August 2023 officers undertook early engagement as part of the current bylaw review.

At a Council meeting on 2 May 2024, Council considered two options in its review of the current Brothel Control Bylaw 2017:

1. Review the current bylaw and propose changes.
2. Look to managing brothels in the Queenstown Lakes District through Council's existing District Plan provisions.

Council agreed, that for the purpose of this consultation, it would continue to regulate brothel activity through a bylaw mechanism and consult with the community on a draft Brothel Control Bylaw 2024/ Kā Ture Whakahaere Whare Kairau (Draft Bylaw).

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft bylaw showing the proposed amendments to be made to the current bylaw
- information about the proposed amendments, including Council's determinations under section 155 of the LGA
- the reasons for the proposed amendments
- how you can have your say
- timetable for consultation.

2 THE REASON FOR THE PROPOSAL

The key reasons for this proposal are to:

- address the allowable locations of brothels and the restrictions on brothel signage
- seek community views on the review of a brothel control bylaw
- seek community views on the draft bylaw
- to encourage people to give feedback on the draft bylaw

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Draft Brothel Control Bylaw 2024 |
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- to let people know how they can give feedback.

The 2 May 2024 Council report contains more detailed information on these points:

<https://www.qldc.govt.nz/your-council/council-documents/agendas-minutes/full-council>

3 HOW YOU CAN HAVE YOUR SAY

Anyone can make a submission online at <https://letstalk.qldc.govt.nz>. Submissions will be accepted from 8am on 3 May 2024 and must be received by 5pm on 5 June 2024.

All submissions should state:

- the submitter's name¹
- the submitter's contact details
- whether or not the submitter would like to speak to Council about this matter.

Copies of this statement of proposal and draft bylaw may be obtained at no cost from either of the Council offices at 10 Gorge Road, Queenstown, 47 Ardmore Street, Wānaka, any Council library within the Queenstown Lakes District or the Council website at <https://letstalk.qldc.govt.nz>. If you need help submitting, please contact Council at 03 441 0499, or call in to one of Council's offices. All written submissions made to Council will be acknowledged and made available to the public.

Council intends to hold a hearing 25 June 2024. This is when anyone who has made a written submission and who has said they would like to speak to Council, can do so. This meeting will be open to the public. If you indicate you would like to be heard, Council staff will get in touch with you to arrange a time for you to speak at the hearing either in person or via audio-visual link. If at the hearing you have any requirements, please let us know.

4 TIMETABLE FOR CONSULTATION

The dates below outline the timetable for the consultation process. Any changes to these dates will be publicly advised on Council's Facebook page and website.

Date	Activity
2 May 2024	Council adopted the proposal for consultation

¹ Note: if you do not feel comfortable providing your name or contact details in a submission, please contact Council, who can facilitate an anonymous submission.

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Draft Brothel Control Bylaw 2024 |
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3 May 2024	Consultation period begins (8am)
5 June 2024	Consultation period ends (5pm)
25 June 2024	Oral submissions heard by Council hearing panel
1 August 2024	Deliberations and adoption by Council

5 INFORMATION ABOUT THE PROPOSAL

Why do we have a brothel bylaw?

Under the LGA, Council can address certain issues for our district using a bylaw, where this is found to be necessary. The issues include protecting, promoting and maintaining public health and safety, protecting the public from nuisance, and minimising the potential for offensive behaviour in public places.

In 2003 the Prostitution Reform Act 2003 (PRA) decriminalised sex work in New Zealand. Also, in 2003 Council adopted the Brothel Control Bylaw 2003 to address concerns that some members of the community had at the time regarding permitted locations and signage associated with brothels.

What is the current bylaw?

A full copy of the current bylaw can be found on our website, but a summary of its main requirements are as follows:

- brothels may only be in the areas of permitted activity within Queenstown and Wānaka as shown in the maps below:

Statement of Proposal

Draft Brothel Control Bylaw 2024 |
Kā Ture Whakahaere Whare Kairau



- brothels are not to be within 100m of each other
- brothels may not be located at or below ground level
- Signs may only display the registered name of the brothel or the person who operate the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan.

The Prostitution Reform Act 2003

The purpose of the PRA is to decriminalise prostitution, while not endorsing or morally sanctioning prostitution or its use, and to create a framework that:

- safeguards the human rights of sex workers and protects them from exploitation
- promotes the welfare and occupational health and safety of sex workers
- creates an environment that is conducive to public health
- protects children from exploitation in relation to prostitution.

There are provisions under the PRA so that Councils may:

- adopt a bylaw to manage a brothel's signs (section 12 of the PRA) and/or manage the location of brothels (section 14 of the PRA), or

- manage brothel activity through a council's District Plan provisions (section 15 of the PRA).

What are the effects and implications of the current bylaw?

The bylaw addresses issues relating to enabling commercial sexual service providers to operate within the district in a manner that meets both the market demand for these services, but that also addresses community concerns and sensitivities through allowing the establishment of brothels in areas where the effects associated with the operation can be readily controlled, but not in areas where they cannot. The bylaw also seeks to control the establishment of signage associated with brothels to minimise community harm or offence through its enforcement provisions.

QLDC has made no prosecutions under the current bylaw. Council has received eight complaints of alleged operation of brothels outside of the permitted activity areas in the bylaw in the five years since 2018, of which six related to valid breaches of the bylaw. These complaints have generally come from neighbouring properties. The complaints have been investigated by Council and there has been no enforcement action taken aside from Council officers explaining the restrictions under the bylaw to the residents, who were provided a copy of the bylaw to educate, in accordance with Council's Enforcement Policy. No further action was required.

The definition of a brothel in the current bylaw effectively includes small owner-operated brothels² (SOOBs), therefore it prohibits SOOBs from operating outside of the permitted activity areas outlined in the bylaw.

Matters of harassment, assault, exploitation sit within Police powers, not a council's bylaw powers. However, a sex worker who reports such incidents could be incriminating themselves, as the complaint might bring to light a breach of the bylaw. Anecdotally, this could have the effect of deterring the reporting of incidents. The purpose of the bylaw should not be inconsistent with the purpose of the PRA, which is to protect workers, not criminalise them.

How does our bylaw compare with other councils?

There are currently seven councils that regulate the location of brothels through a bylaw mechanism. Of these, QLDC and Hamilton City Council have bylaws that restrict the location of SOOBs. Four of the remaining five councils with bylaws exempt the bylaw from applying to SOOBs, while South Waikato District Council permits SOOBs as a Home Occupation under its district plan. Unless expressly prohibited or otherwise controlled under a district plan, the activity would need to comply with the relevant standards of the district plan that applies to each territorial authority area.

6 PROPOSED CHANGES

Council is proposing the following amendments in the draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau (the draft bylaw):

- increasing the size of the permitted activity areas slightly. This would provide a larger area within

² A small owner-operated brothel (SOOB) is defined in the PRA as a brothel at which not more than 4 sex workers work and where each of those sex workers retains control over his or her individual earnings from prostitution carried out at the brothel (PRA s.4).

Statement of Proposal

Draft Brothel Control Bylaw 2024 |
Kā Ture Whakahaere Whare Kairau

which brothel activity is permitted and is show in the maps below.

Schedule 1 - Area of permitted activity - Queenstown



Scale: 1:3,500
Map Date: 19/03/2024
The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.

Schedule 2 - Area of permitted activity - Wānaka



Scale: 1:2,500
Map Date: 19/03/2024
The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.

- a new purpose provision. It is important that Council updates the bylaw to include a purpose. This ties the bylaw into the PRA, making its purpose consistent with the purpose of the PRA. The purpose of the draft bylaw is to:
 - support the purpose and objectives of the PRA
 - enable commercial sexual service providers to operate within the district in a manner that both meets market demand for services and addresses community concerns and sensitivities
 - allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled. This may include changes to the permitted area so that these areas are not inconsistent with the PRA, and do not curb the activity and remove the rights and freedoms of sex workers to engage in a legal activity except where justified, in accordance with the principles of NZBORA.
 - control the establishment of signage associated with brothels to minimise community harm or offence
- removal of the restriction that brothels may not be located at or below ground level, within the permitted activity area. This removes unnecessary restrictions to locations within the permitted area in line with the purpose of the PRA.
- adding 'District Plan' to the definitions section and an explanatory note that the requirements in

Statement of Proposal

Draft Brothel Control Bylaw 2024 |
Kā Ture Whakahaere Whare Kairau

the bylaw are in addition to a brothel needing to meet requirements specified in the District Plan.

All proposed amendments are identified in the draft bylaw by way of tracked changed text (strike-through and underline).

As with the formal review, or making, of any bylaw, it is open to Council to consider other amendments that could be included in the bylaw.

During the consultation process, Council may consider community views that seek to:

- make changes to the issues that are regulated in the draft bylaw, including to the size of the permitted activity areas
- add additional issues that are regulated by the draft bylaw
- make additional changes to the draft bylaw
- not adopt a bylaw.

Before adopting the final bylaw, with any additional amendments, Council will consider whether there has been adequate consultation and, under section 155 of the LGA, must determine that a bylaw is the most appropriate way of addressing the perceived problems, that the proposed bylaw is in the most appropriate form, and that it does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

Council has made these determinations in relation to the draft bylaw, discussed below. Any further changes after the consultation period concludes could be subject to further consultation, if the changes are material and go beyond the scope of the draft bylaw and this statement of proposal.

7 DETERMINATIONS UNDER SECTION 155 OF THE LGA

Council is empowered to make the bylaw in accordance with the Local Government Act 2002, which also requires Council to make the following determinations.

The draft bylaw is the most appropriate way of addressing the perceived problem – The draft bylaw is to ensure that commercial sexual service providers operate within the district in a manner that meets both the market demand for services, but that also addresses community concerns and sensitivities through allowing the establishment of brothels in areas where the effects associated with the operation can be readily controlled but not in areas where they cannot.

The draft bylaw also seeks to control the establishment of signage associated with brothels to minimise community harm or offence. Council has resolved that a bylaw is the most appropriate way to address the problems associated with brothels in the district, because it addresses specific issues around location, enforcement and signage related to brothels.

The draft bylaw is the most appropriate form of bylaw – The draft bylaw clarifies the purpose of the bylaw in order that it is consistent with the PRA. Council resolved that the draft bylaw is the most appropriate form of bylaw

The draft bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 – The draft bylaw is designed to regulate the locations in which brothels may operate, and the signage

Statement of Proposal

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associated with brothels within the district to enable the provision of commercial sexual services to meet demand but to also addresses community concerns and sensitivities.

Section 13(2) of the PRA allows Council to make provision in a bylaw relating to signage for brothels even if, contrary to s.155(3) of the LGA, that it is inconsistent with the NZBORA. The draft bylaw allows brothels to operate within areas of permitted activity within Queenstown and Wānaka town centre.

Any restrictions contained in a bylaw need to be considered in light of the NZBORA because restrictions may impinge on the rights and freedoms of sex workers to engage in a legal activity. Any restrictions under a bylaw must be within the “reasonable limits prescribed by law as can be justified in a free and democratic society.”

Current restrictions under the bylaw prohibit a brothel from operating except within the areas of permitted activity in Queenstown and Wānaka. It could be argued that this is an unreasonable restraint on trade given that the PRA is intended to subject sex work to the same laws that regulate other businesses and workers. A bylaw must be consistent with this purpose.

Council has resolved that the draft bylaw does not give rise to implications under the NZBORA.

8 WHAT HAPPENS NEXT?

After it has received written and oral submissions, Council will make decisions on the draft bylaw in August 2024. Council may make other changes to the draft bylaw in response to feedback, but anything that is a significant departure from the options set out in this proposal may require further consultation.

Council will consider the following options about how to proceed:

- **Option 1** – adopt the draft bylaw
- **Option 2** – adopt an amended bylaw
- **Option 3** – do not adopt the draft bylaw.

Attachment D: Full Submissions Pack

**Draft Brothel Control Bylaw 2024 / Kā Ture Whakahaere Whare Kairau
Submissions pack**

25 June 2024

	Name	Organisation (if any)	Speaking to submission	Page #
1.	Joelene Pagan			2
2.	Helen Victoria Paulin			4
3.	James Meharg			6
4.	Claudia Wallace			8
5.	Dame Catherine Healy	NZPC: Aotearoa New Zealand Sex Workers' Collective	Yes	10
6.	Rena Cowie			13
7.	Jeanette Ellen Lewthwaite			15
8.	Aftaab Sandhu			17
9.	Ian Hyslop			19
10	Jennifer Scott	SuffragettesNZ	Yes	21
11	Janet Alexandra		Yes	23
12	Jill Ovens	Women's Rights Party		25
13	Thomas Harold Everitt			27
14	Margaret L Hall			29
15	Anna McKendry			31
16	Juliana Venning			33
17	Danna Burton		Yes	35
18	Stephanie McMullan			37
19	Bob McCoskrie	Family First NZ	Yes	39
20	Ally-Marie Diamond	Wahine Toa Rising Charitable Trust	Yes	42



Respondent No: 1

Login: Anonymous

Email: n/a

Responded At: May 04, 2024 09:42:37 am

Last Seen: May 04, 2024 09:42:37 am

IP Address: n/a

Q1. Full name:	Joelene Pagan
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	not answered
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Support

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Support</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p> <p>I do not want this activity to seep further into the community, keep current areas imposed. Absolutely not increased into isle street etc. I believe it's best that signage isn't offensive or explicit. While this activity might be legal, it's not something I want to see an increase in activity, let's keep our towns a safe & enjoyable places for families.</p>	



Respondent No: 2

Login: Anonymous

Email: n/a

Responded At: May 11, 2024 16:24:53 pm

Last Seen: May 11, 2024 16:24:53 pm

IP Address: n/a

Q1. Full name:	Helen Victoria Paulin
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Oppose

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Oppose</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p> <p>not answered</p>	



Respondent No: 3

Login: Anonymous

Email: n/a

Responded At: May 12, 2024 09:13:57 am

Last Seen: May 12, 2024 09:13:57 am

IP Address: n/a

Q1. Full name:	James Meharg
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Neutral
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Neutral

- Q11. **There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?** Neutral
-
- Q12. **The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?** Neutral
-
- Q13. **For Wānaka, do you support:** not answered
-
- Q14. **For Queenstown, do you support:** Option 2: black outlined area expands the permitted activity areas to align with the Proposed District Plan Town Centre Zones.
-
- Q15. **Is there any other feedback you wish to share about the draft bylaw?**
- Option two (Queenstown) puts the boundary far too close to St Joseph Primary School. The zone needs to be modified to keep it well away from the school. At a minimum, the boundary should change to run along Stanley St and up Ballarat St to Henry St. NOT up Betham St. This gives a much larger buffer for the Primary School, just like QPS has been given a wide berth of the proposed change.
-



Respondent No: 4

Login: Anonymous

Email: n/a

Responded At: May 12, 2024 10:03:56 am

Last Seen: May 12, 2024 10:03:56 am

IP Address: n/a

Q1. Full name:	Claudia Wallace
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Support

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Support</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>

Q15. Is there any other feedback you wish to share about the draft bylaw?

Subject: Concerns Regarding the Expansion of the Red Light District in Queenstown and Wanaka
Dear Council Members, I am writing to express my deep concerns regarding the proposal to expand the red light district in Queenstown and Wanaka. While I understand the need for balanced urban development, I believe this particular initiative could have detrimental effects on our communities. Expanding the red light district can contribute to various social and ethical issues, including:

- Negative Impact on Community Image:** Queenstown and Wanaka are renowned for their natural beauty and family-friendly atmosphere. Introducing or expanding a red light district could tarnish this image, potentially deterring tourists and investors.
- Safety Concerns:** Red light districts often attract criminal activities, including drug trafficking, human trafficking, and prostitution-related violence. Expanding such areas could jeopardize the safety and well-being of both residents and visitors.
- Public Health Risks:** Encouraging the growth of the sex industry can exacerbate public health challenges, such as the spread of sexually transmitted infections (STIs) and other health risks associated with the sex trade.
- Impact on Local Businesses:** The presence of a red light district may negatively impact nearby businesses, as some patrons may avoid areas associated with adult entertainment.
- Ethical Considerations:** Promoting the expansion of the sex industry raises ethical questions about the commodification of human bodies and the exploitation of vulnerable individuals, particularly women and marginalized communities.

Rather than expanding the red light district, I urge the council to focus on initiatives that enhance the quality of life for all residents and preserve the unique character of our communities. This could include investing in infrastructure, supporting local businesses, and promoting cultural and recreational activities that align with our values and aspirations. In conclusion, I respectfully request that the council reconsider the proposal to expand the red light district in Queenstown and Wanaka, taking into account the concerns raised by myself and other concerned citizens. Together, we can work towards building vibrant, inclusive communities that prioritize the well-being and prosperity of all residents. Thank you for your attention to this important matter. Sincerely, Claudia



Respondent No: 5

Login: Anonymous

Email: n/a

Responded At: May 13, 2024 13:13:08 pm

Last Seen: May 13, 2024 13:13:08 pm

IP Address: n/a

Q1. Full name:	Dame Catherine Healy
Q2. Organisation name:	NZPC: Aotearoa New Zealand Sex Workers' Collective
Q3. Email address:	info@nzpc.org.nz
Q4. Postal address:	PO Box 11-412 Manners St, Wellington 6142
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	Yes
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	[REDACTED]
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Neutral
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Oppose

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Neutral</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Support</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.</p>

Q15. Is there any other feedback you wish to share about the draft bylaw?

The NZPC: Aotearoa New Zealand Sex Workers' Collective (NZPC) was founded in 1987 as a peer-based organisation to provide sex workers with information on their rights, safety, health, and well-being. We currently contract to Health New Zealand to provide community-based projects pertaining to sexual and reproductive health. We provide a range of services to sex workers throughout the country, including the operation of clinics. NZPC is concerned about the proposed bylaw of the Queenstown Lakes District. It is our understanding the preferred option by Council will extend the area that is currently available for the location of brothels in Queenstown and Wanaka. While we acknowledge this is an improvement in the sense that it extends the existing area into a mix of commercial and residential, we believe the area is far too restrictive, and does not allow for affordable properties for sex workers to operate from. Sex workers need options other than managed brothels, as they do not all like to work for a managed brothel, but prefer to be self-managing and providing scope for sex workers to operate privately, for themselves or with another sex worker, without a manager accomplishes this. They prefer to work discretely, and not draw attention to themselves. Ideally, we would like to see the ability of sex workers to work from home under the same regulations that apply to home-based occupations. Unfortunately, the proposed bylaw does not do so. Furthermore, we note with concern that Clause 2 of the proposed bylaw states that the purpose of the bylaw is to: "support the purpose and intent of the Prostitution Reform Act 2003" However, the purpose of the Prostitution Reform Act is to: "decriminalise prostitution (while not endorsing or morally sanctioning prostitution or its use) and to create a framework that — (a) safeguards the human rights of sex workers and protects them from exploitation: (b) promotes the welfare and occupational health and safety of sex workers: (c) is conducive to public health: (d) prohibits the use in prostitution of persons under 18 years of age: (e) implements certain other related reforms." As long as the bylaw excludes Small Owner Operated Brothels (SOOBs) from operating safely, the bylaw cannot be said to "support the purpose and intent of the Prostitution Reform Act 2003". Councils which had put into place bylaws that supported the rights, safety, health, and well-being of sex workers from the beginning realised they could continue to support these through their District Plan, while councils that had put no bylaws into place and allowed sex work to be integrated into current laws and plans supporting home-based businesses and entertainment businesses found there were no issues. Councils that had previously had more conservative bylaws, learned from these councils and allowed larger brothels to be controlled by their entertainment bylaws and/or sections of their District Plan and SOOBs to be controlled by their Home Occupation rules. Research indicates that people who are working in breach of laws or bylaws are less likely to report issues to the authorities. They are less likely to report violence to the police, less likely to seek medical help, and less likely to seek peer support. As a result of this they are more likely to feel isolated and vulnerable (Bennachie et al, 2021). Conclusion We are deeply concerned that it's nearly impossible for sex workers to work within the current and proposed bylaws in the Queenstown Lakes District. It's 20 years since the Prostitution Reform Act 2003 and most councils with previously restrictive bylaws, have repealed these, and adopted a more realistic approach that doesn't create outcomes where sex workers are forced to work in ways that compromise their safety and health. It's extremely difficult for sex workers to find venues to work from that meet the distance requirements for the location of brothels. Consequently, if sex workers have a problem and need to seek support, they are less inclined to do so if they are working in breach of a by-law. It appears to be unreasonable. I would appreciate an opportunity to speak to the Council by Zoom or other video format to speak to our concerns about the Council's proposed bylaw. Dame Catherine Healy National Co-ordinator NZPC: Aotearoa New Zealand Sex Workers' Collective. References Bennachie, C., Pickering, A., Lee, J., Macioti, P.G., Mai, N., Fehrenbacher, A.E., Giametta, C., Heidi Hoefinger, H., & Musto, J., (2021). Unfinished Decriminalization: The Impact of Section 19 of the Prostitution Reform Act 2003 on Migrant Sex Workers' Rights and Lives in Aotearoa New Zealand, *Social Sciences* 10: 179, available <https://doi.org/10.3390/socsci10050179>



Respondent No: 6

Login: Anonymous

Email: n/a

Responded At: May 13, 2024 13:19:33 pm

Last Seen: May 13, 2024 13:19:33 pm

IP Address: n/a

Q1. Full name:	Rena Cowie
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Oppose

Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?

Oppose

Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?

Oppose

Q13. For Wānaka, do you support:

Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.

Q14. For Queenstown, do you support:

not answered

Q15. Is there any other feedback you wish to share about the draft bylaw?

I cannot support the brothel industry being a part of our Wanaka community in any shape or form or regulation.



Respondent No: 7

Login: Anonymous

Email: n/a

Responded At: May 14, 2024 14:08:08 pm

Last Seen: May 14, 2024 14:08:08 pm

IP Address: n/a

Q1. Full name:	Jeanette Ellen Lewthwaite
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	not answered
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Oppose

Q11. **There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?**

Oppose

Q12. **The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?**

Oppose

Q13. **For Wānaka, do you support:**

not answered

Q14. **For Queenstown, do you support:**

not answered

Q15. **Is there any other feedback you wish to share about the draft bylaw?**

not answered



Respondent No: 8

Login: Anonymous

Email: n/a

Responded At: May 16, 2024 14:33:30 pm

Last Seen: May 16, 2024 14:33:30 pm

IP Address: n/a

Q1. Full name:	Aftaab Sandhu
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Neutral
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Neutral
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Support

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Support</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p> <p>Keep everything the same as the current bylaw. Do not change anything.</p>	



Respondent No: 9

Login: Anonymous

Email: n/a

Responded At: May 17, 2024 13:24:25 pm

Last Seen: May 17, 2024 13:24:25 pm

IP Address: n/a

Q1. Full name:	Ian Hyslop
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Neutral

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Oppose</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p>	
<p>I am a Presbyterian Minister in Wanaka and do not support any extension of the proposed area as this is an area heavily populated by families who visit our town and area. A number of people in our community including myself would have significant concerns about the area being extended beyond its current boundary. I don't think the bylaw change being proposed addresses adequately 'community concerns and sensitivities' -in fact it would place potentially a brothel in an area near the current Wanaka New World and very near a number of B and B establishments which I think would be detrimental and not helpful for both families and young people who holiday or live in our community. The intent of the Prostitution Reform Act was never to allow Prostitution in family and residential areas -yet this has been the outcome. of the flawed and unhelpful legislation. It is one thing to have the prostitution industry in red light areas that families can avoid but to allow brothels in family shopping areas, tourist areas frequented by families holidaying is unacceptable for our community. The decriminalisation of prostitution has been a community disaster harming families and the welfare of workers caught in the industry.</p>	



Respondent No: 10

Login: Anonymous

Email: n/a

Responded At: May 25, 2024 07:51:21 am

Last Seen: May 25, 2024 07:51:21 am

IP Address: n/a

Q1. Full name:	Jennifer Scott
Q2. Organisation name:	SuffragettesNZ
Q3. Email address:	[REDACTED]
Q4. Postal address:	7 Dickson Street
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	Yes
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	[REDACTED]
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Neutral

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Neutral</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p>	
<p>I will be speaking at the Submission hearing against any changes to the current bylaw and the selling of womans bodies for pleasure and profit.</p>	



Respondent No: 11

Login: Anonymous

Email: n/a

Responded At: May 25, 2024 15:02:04 pm

Last Seen: May 25, 2024 15:02:04 pm

IP Address: n/a

Q1. Full name:	Janet Alexandra
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	Yes
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	[REDACTED]
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Neutral

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Neutral</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>

Q15. Is there any other feedback you wish to share about the draft bylaw?

Brothels harm women and perpetrate violence towards women .The Prostitution Reform Act 2003 was supposed to be regularly reviewed and it hasn't been. It was introduced in the first place as an experiment, so see if this furthered the rights and safety of women. When the Act was finally, once, reviewed by the government, and also by other researchers, it was shown that this was not achieved. Violence towards women in prostitution has increased since the passing of the Act. We need new legislation to introduce the Nordic model which criminalises buyers and brothel owners, but does not criminalise women in prostitution. While the current law is in place, Councils should restrict the operation of brothels as much as the law allows them to do so. Furthermore the Council (and Government) should provide funding to help women leave prostitution, including for housing, education, employment training, health services, and psychological support services, There are very good reasons to keep brothels out of tourist, urban and commercial areas. The presence of brothels not only harms the women exploited within them, but harms all women and girls who pass by them and are reminded that women's bodies are viewed merely as objects and commodities to be bought and sold.



Respondent No: 12

Login: Anonymous

Email: n/a

Responded At: May 27, 2024 09:14:16 am

Last Seen: May 27, 2024 09:14:16 am

IP Address: n/a

Q1. Full name:	Jill Ovens
Q2. Organisation name:	Women's Rights Party
Q3. Email address:	[REDACTED]
Q4. Postal address:	32A Gilmore Road, RD1, Waiuku 2681
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Support
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Support

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Support</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p>	
<p>The Prostitution Reform Act 2003 (which is sometimes known as the New Zealand Model) stopped the prosecution of women in prostitution, which was seen as progressive at the time. However, by decriminalising the buyers, pimps and brothel owners as well, it has created an environment where prostitution is being normalised, and has increased. This is reinforced by the widespread use of pornography that sends a message that exploitation of women, including so-called "rough sex", is acceptable when clearly it is not. The increased violence in pornography has made the sex trade even more dangerous for the women involved. The Prostitution Reform Act provided for brothel inspections to detect instances of violence, trafficking, rape of those under 18, or other illegal activities. Sadly women prostitution survivors report that regular inspections are not happening, and they have testified that decriminalisation has increased the buyers' sense of entitlement, and has reduced women's ability to refuse a buyer's demands. The language in the reporting of the Queenstown by-law debate reinforced the normalisation of behaviour that is not at all acceptable by community standards by describing the sex trade as being "just like any other small business". This was the argument of one of your Councillors. If this was the case we would not have any regulation of the sex trade. Both Health NZ and the Sex Workers Collective argue that having any restriction on their activities makes women vulnerable as they are acting outside the law. This is a circular argument. The women are vulnerable because prostitution is by its very nature exploitation of women. Women in the sex trade are seen by buyers as commodities to be bought and by brothel owners and pimps to be sold. It is better to support the women of Queenstown and Wanaka with liveable wages, affordable housing, and effective exit services than to support a situation where women are forced to enter prostitution in order to survive economically in the district. We note that Queenstown Lakes is one of only seven Councils with by-laws restricting the sex trade as provided for in the Prostitution Reform Act 2003. Queenstown and Wanaka are important international and domestic destinations with unique natural environments that are key to their attraction. The last thing we need is to turn them into sex trade destinations. On a personal note, I am a frequent visitor to both Queenstown and Wanaka with family members who live and work both cities. The district is idyllic, but it has very real economic issues with low wages and unaffordable housing. I urge the Council to focus on these issues, rather than destroying the lake fronts by creating larger "red light" districts.</p>	



Respondent No: 13

Login: Anonymous

Email: n/a

Responded At: May 28, 2024 14:24:41 pm

Last Seen: May 28, 2024 14:24:41 pm

IP Address: n/a

Q1. Full name:	Thomas Harold Everitt
Q2. Organisation name:	not answered
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Support

Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?

Support

Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?

Neutral

Q13. For Wānaka, do you support:

Option 3: red area keeps the permitted activity areas the same as the current bylaw.

Q14. For Queenstown, do you support:

not answered

Q15. Is there any other feedback you wish to share about the draft bylaw?

There is no data provided to the public which supports a demand from brothel users or brothel owners for a larger area of permitted activity. Such demand is one of the factors said to be taken into account when deciding whether there should be changes to the 2017 bylaw. Without that manifest data no extension to the area of permitted activity can be justified. There is also a discrepancy in the versions of the two Wanaka maps, the map in schedule 2 does not include the areas of Ardmore street and Lake road and the extension of Brownston street that are incorporated in the map of permitted activity attached to page 8 of the Statement of Proposal. Both maps are dated 19 03 2024. It is misleading to claim the proposed increase in the Wanaka area of permitted use is, "slight", when the area proposed in both versions of the maps is DOUBLE the current area of permitted activity! the map on page 8 is more than double the current area of permitted activity. To use the word "slightly" in the first option choices misrepresents the facts of the proposed increase in the permitted area of activity.



Respondent No: 14

Login: Anonymous

Email: n/a

Responded At: May 29, 2024 15:00:49 pm

Last Seen: May 29, 2024 15:00:49 pm

IP Address: n/a

Q1. Full name:	Margaret L Hall
Q2. Organisation name:	None
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Oppose

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Oppose</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>not answered</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p>	
<p>I am against having brothels of any sort in our town of Wanaka and cannot understand why this activity is being allowed in this beautiful area.</p>	



Respondent No: 15

Login: Anonymous

Email: n/a

Responded At: May 30, 2024 08:01:58 am

Last Seen: May 30, 2024 08:01:58 am

IP Address: n/a

- Q1. Full name: Anna McKendry
-
- Q2. Organisation name: not answered
-
- Q3. Email address: [REDACTED]
- Q4. Postal address: [REDACTED]
- Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing? No
- Q6. Please confirm your phone number so our Governance team can arrange a speaking time: not answered
- Q7. I understand that all submissions will be treated as public information. I understand
- Q8. What is your position on the draft bylaw? Oppose
- Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement? Oppose
- Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw? Neutral

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Neutral</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Oppose</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 3: red area keeps the permitted activity areas the same as the current bylaw.</p>

Q15. Is there any other feedback you wish to share about the draft bylaw?

Prostitution is an incredibly exploitative, depraved industry. Most prostituted women are drug addicts, victims of violence and abuse, many are trafficked, pimped and abused and have NO POWER. Prostitution IS NOT WORK. The longer a woman stays in this industry the WORSE her life outcomes will be. NO OTHER WORK is so regressive. The MONEY men pay to enter the body of a woman is dirty money, most of them hate it. The MONEY buys the compliance & silence of prostituted women who DO NOT enjoy what they are doing. STOP trying to elevate prostitution to a legitimate type of work because it isn't. <https://psyche.co/ideas/the-reality-of-prostitution-is-not-complex-it-is-simple> I have had countless holidays in the Queenstown / Wanaka area all my life. People VALUE the area for outdoors, natural environment, child friendly, water sports, biking, skiing, hiking, restaurants, the lake fronts and shops. Encouraging more prostitution, more seediness into this prime areas of natural environmental significance will increase the sex trade, make Central Otago a sex trade destination and DE-VALUE the status of the entire region. Don't be so bloody stupid. The commercial expansion of Wanaka and Queenstown have gravely affected the natural environment already; the LAST THING WE WANT is for these prime NZ locations to become known as places where women are further exploited by pimps and entitled sex buyers, where tourism will be extended to sex tourism and the enjoyment of families is sabotaged. You need to read the truth about prostitution; we DO NOT WANT Queenstown & Wanaka to be the next Thailand or Amsterdam. Decriminalisation of prostitution HAS NOT given prostituted women more rights or safety, it has not protected them and in fact has made their lives worse. DO NOT ENABLE MORE PROSTITUTION and DO NOT RUIN QUEENSTOWN & WANAKA.



Respondent No: 16

Login: Anonymous

Email: n/a

Responded At: Jun 01, 2024 14:45:56 pm

Last Seen: Jun 01, 2024 14:45:56 pm

IP Address: n/a

Q1. Full name:	Juliana Venning
Q2. Organisation name:	BirdCottage
Q3. Email address:	[REDACTED]
Q4. Postal address:	[REDACTED]
Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?	No
Q6. Please confirm your phone number so our Governance team can arrange a speaking time:	not answered
Q7. I understand that all submissions will be treated as public information.	I understand
Q8. What is your position on the draft bylaw?	Oppose
Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement?	Oppose
Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw?	Oppose

- Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?**
-
- Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?**
-
- Q13. For Wānaka, do you support:**
-
- Q14. For Queenstown, do you support:**
-
- Q15. Is there any other feedback you wish to share about the draft bylaw?**
- In NZ one in three women are sexually assaulted by age 16. Prostitution reinforces male entitlement. It is not work but is always exploitation.
-

Oppose

Oppose

Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.

Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.



Respondent No: 17

Login: Anonymous

Email: n/a

Responded At: Jun 05, 2024 14:45:50 pm

Last Seen: Jun 05, 2024 14:45:50 pm

IP Address: n/a

- Q1. Full name: Danna Burton
-
- Q2. Organisation name: not answered
-
- Q3. Email address: [REDACTED]
- Q4. Postal address: [REDACTED]
- Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing? Yes
- Q6. Please confirm your phone number so our Governance team can arrange a speaking time: [REDACTED]
- Q7. I understand that all submissions will be treated as public information. I understand
- Q8. What is your position on the draft bylaw? Oppose
- Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement? Oppose
- Q10. The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw? Neutral

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>Neutral</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>Neutral</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 4: is to regulate bylaws through the District Plan, and not have a bylaw.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p>	
<p>QLDC should revoke the bylaw and allow brothels to operate as a commercial activity under the District Plan. The draft Brothel Control Bylaw 2024 does not support the intent of the Prostitution Reform Act 2003, s3(a) safeguards the human rights of sex workers and protects them from exploitation: (b) promotes the welfare and occupational health and safety of sex workers: The prohibitive approach taken under the draft bylaw is excessively detrimental to small business owners (SOOB), impacting on their health and safety, as well as their ability to operate efficiently and financially responsibly. The restrictive allowable location to operate under the draft bylaw restrains trade to such an extent as to render the SOOB extinct. Further, the current bylaw and the proposed draft bylaw is inconsistent with the New Zealand Bill of Rights Act 1990. In my verbal submission I will provide substantial case law that supports this as well as the invalidity of the Bylaw, both current and proposed. The Queenstown Lakes District Plan is sufficiently capable to regulate Brothels and SOOB's commercial activity, as it does with any other commercial activity operating in the district. To treat the sex work industry differently than any other legal commercial activity is discriminator and stigmatizes sex work and those who provide and/or use those services. It has been over two decades since sex work was decriminalized. By treating this particular legal industry definitely from others, continues to create stigma by creating negative beliefs born from a lack of understanding and education. I welcome the opportunity to speak June 25, 2024.</p>	



Respondent No: 1

Login: [REDACTED]

Email: [REDACTED]

Responded At: [REDACTED]

Last Seen: [REDACTED]

IP Address: [REDACTED]

- Q1. Full name: Stephanie McMullan
-
- Q2. Organisation name: not answered
-
- Q3. Email address: [REDACTED]
-
- Q4. Postal address: not answered
-
- Q5. You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing? No
-
- Q6. Please confirm your phone number so our Governance team can arrange a speaking time: not answered
-
- Q7. I understand that all submissions will be treated as public information. I understand
-
- Q8. What is your position on the draft bylaw? Neutral
-
- Q9. The draft bylaw proposes the following purpose statement: The purpose of this bylaw is to:(a) support the purpose and intent of the Prostitution Reform Act 2003;(b) enable commercial sexual service providers to operate within the District in a manner that both meets community demand for services and addresses community concerns and sensitivities;(c) allow the establishment of brothels in areas where the effects associated with the operation can be readily controlled; and(d) control the establishment of signage associated with brothels to minimise community harm or offence.Do you support the draft purpose statement? not answered
-
- Q10.The current bylaw requires that brothels are not to be within 100 metres of each other. No changes are proposed in the draft bylaw. What is your position on the distance requirements in the bylaw? not answered
-

<p>Q11. There are no changes proposed to the bylaw around signage. The bylaw requires that signs may only display the registered name of the brothel or the person who operates the brothel, it must not exceed 0.3 square metres in size, and must comply with all applicable requirements in the District Plan. What is your position on the signage provisions?</p>	<p>not answered</p>
<p>Q12. The draft bylaw proposes to remove the requirement that brothels may not be located at or below ground level, within the permitted activity areas. What is your position on the proposal to remove this requirement?</p>	<p>not answered</p>
<p>Q13. For Wānaka, do you support:</p>	<p>Option 2: black outlined area expands the permitted activity areas to align with the Proposed District Plan Town Centre Zones.</p>
<p>Q14. For Queenstown, do you support:</p>	<p>Option 2: black outlined area expands the permitted activity areas to align with the Proposed District Plan Town Centre Zones.</p>
<p>Q15. Is there any other feedback you wish to share about the draft bylaw?</p> <p>I fully support increased activity in line with the PRA.</p>	



Queenstown Lakes District Council Brothels Control Bylaw 2024 SUBMISSION

May 2024

This submission is being made by **Family First NZ**, a charitable trust that researches and advocates on family issues in the public domain.

Family First NZ **OPPOSES** the proposed Bylaw.

Brothels in Public Areas

Family First supports the existing bylaw although we would argue that the law should also prohibit brothels within 100m of sensitive sites such as playgrounds, schools & churches.

Brothels **CAN** be restricted from sensitive sites and the Hamilton High Court (*Conley v Hamilton City Council 2007*) supports this stance.¹

When introducing the provisions to give control of the placement of brothels to local councils, the Minister of Justice, the Hon Phil Goff said: *"..I believe that although most New Zealanders would agree that criminalisation of prostitution is futile and probably counterproductive, most would also clearly desire, in the event of decriminalisation, some controls to prevent the establishment of places of prostitution where they are offensive or inappropriate. Most of us would not want to see brothels established in residential areas or adjacent to preschools or schools. My amendment would allow the local territorial authorities, the councils, to prohibit the establishment of, or order the removal of, a brothel in an area where it would cause a nuisance or serious offence to ordinary members of the public. That would not enable territorial authorities to place a general ban on brothels."*

The overriding principle is that the public should be protected from the sex industry and families should have the ability to avoid 'red light' districts. To allow brothels in central shopping areas frequented by families and children is unacceptable.

Family First has received accounts of brothels where men willing to pay for sex are visiting nearby businesses trying to find the brothel. We must not expose our children, families, business owners to that. There are also concerns about noise, traffic, and late-night visits.

Brothels in CBD

The community does not want brothels in public shopping areas. Some families would even choose to avoid shopping in those areas. The protection of families should be paramount.

¹ <https://www.scoop.co.nz/stories/AK0711/S00298/court-of-appeal-upholds-prostitution-by-law.htm>

Discreet locations are for both the benefit of the general public to avoid unnecessary exposure to activities that they may find offensive, and is also preferred by those in the industry according to the Prostitutes Collective.

Brothels should not be anywhere near the central shopping district. They should be in industrial areas or more discrete areas – usually termed ‘red light’ districts. Families then have the option to avoid these areas.

Street Prostitution

Family First is also asking for a restriction on street soliciting. The last thing Queenstown and Wanaka wants and needs is street prostitution.

Summary

An indepth review of the effects of the 2003 prostitution law change has revealed a huge gap between the reputation of the law and its actual impact.

The detailed analysis challenges the assumption that the decriminalisation of prostitution has been a success, finding the benefits of the Prostitution Reform Act 2003 (PRA) have been exaggerated and its shortcomings ignored, denied or hidden.

Based on Government data and multiple Official Information Act (OIA) requests over several years, “*IS IT WORKING? An evidenced-based review of the decriminalisation of prostitution in New Zealand*” was written by Auckland researcher Tony Pitt and UK-based Helen Johnson from Stand Against Sexual Exploitation (SASE) and published by Family First.²

The report highlights several significant concerns:

- **Health and safety violations – and the reality of violence.** Continuing health and safety violations include coercion into unwanted sex acts, high levels of violence, physical injury, unsafe sex, and exploitative practices such as long working hours. Violence is a risk every prostitute takes on a daily basis. Assault, rape and strangulation are not uncommon.
- **Low rates of reporting and prosecuting violations.** Fewer than 20% of those who had been physically assaulted reported it to the police. Since 2003 there have been only two prosecutions for coercion - committed usually by women’s managers (pimps) - despite repeated reports that it happens frequently.
- **The black market.** The industry realities of gang involvement, child exploitation and internal trafficking are largely denied or ignored by the NZPC. The Ministry for Children confirmed that under-age prostitution was not a target area and that no funding had been made available to tackle it.
- **Lack of support for exiting the industry.** No resources have been provided to support women who wish to exit the industry. When the law reform was being debated, it was promoted as helping to prevent entry and facilitate exiting, however the NZPC does not support that approach.
- **Brothel inspections: mandated but not happening.** Only 11 brothel inspections were made across the whole of New Zealand in a decade.
- **Failure to implement recommended changes:** A review of the law reform in 2008 made 28 recommendations, however, only 11 have been followed through in any way.

² <http://familyfirst.org.nz/wp-content/uploads/2021/11/IS-IT-WORKING-An-Evidenced-Based-Review-of-the-Decriminalisation-of-Prostitution-in-New-Zealand-Report.pdf>

Despite dangerous conditions continuing, New Zealand's prostitution law reform has been widely lauded - particularly overseas - as beneficial for the women involved. The report identifies the main reason for this misinformation: the conversation is dominated by the New Zealand Prostitutes Collective (NZPC), a lobby group whom the Government relies on overwhelmingly for information regarding any issue related to prostitution. The report finds that the NZPC does not provide support for those wishing to exit, has no official contact with the black market of prostitution, and plays down the industry-wide realities of violence and exploitation - denying the existence of under-age abuse and internal trafficking, rejecting the voices of exited women, and amplifying the voices of pimps.

When the law reform was being debated, many MPs had misgivings about supporting it. They told their fellow politicians that nothing in the proposed Prostitution Reform Act increased the protection of the human rights of any prostitute. In particular, they claimed the legalisation of pimps, previously classified as criminals, along with simultaneously putting constraints on the police, made it doubtful the promised intentions of the law could be enforced. This report fully vindicates their concerns.

Recommendation:

Our recommendation is that the Council keep the existing bylaws.

We would also encourage the Council to remove brothels out of the CBD and have an explicit ban on street prostitution.

We would encourage the Council to communicate to central government that the Prostitution Reform Act is creating uncertainty for local councils and exposing them to potential litigation when simply reflecting the wishes of their local ratepayers.

We wish to be heard at the public council bylaw hearing.



Bob McCoskrie JP

CEO / Founder – Family First NZ



Submission: Draft Brothel Control Bylaw 2024



Full name Ally-Marie Diamond

Organisation name: Wahine Toa Rising

Email address: [REDACTED]

Postal address: [REDACTED]

Contact phone number: [REDACTED]

1. Wahine Toa Rising is a New Zealand Registered Charitable Trust. Our purposes include respecting and implementing the dual heritage of the partners of Te Tiriti o Waitangi; supporting and empowering wāhine and tamariki of childhood trauma, family violence, exploitation, trafficking and sexual abuse past and present; advocating and lobbying for law and policy changes by working with the community, the legal sector, lawmakers and government, and advocating for stronger legal protections for those who are, or are at risk of, being exploited.
2. Wahine Toa strongly opposes any changes to the current bylaw that will enable the proliferation of sex trade operations in Queenstown and Wānaka. We consider increasing the area where sex trade operations can be located, and changing the requirements that brothels may not be located at or below ground level will simply increase opportunities for sex buyers and pimps to traffick and exploit women and young people and cause harm to individuals and the local community - harm the QLDC acknowledges in its consultation material but by its own admission, does nothing to prevent or alleviate. Regardless of whether or not the proposed bylaw is adopted the permitted activity areas must stay the same size or preferably, shrink.
3. We oppose the draft purpose statement. The Prostitution Reform Act 2003 is outdated and urgently in need of review. We refer Council to the recently published report¹ by the UN Special Rapporteur on Violence Against Women and Girls, Reem Alsalem, which examines violence against women and girls as a form, cause and consequence of prostitution. The report criticises New Zealand's decriminalisation approach for aiding traffickers, boosting sex tourism, and expanding the prostitution market. It states that this approach has not discouraged unsafe sexual practices and has led to an increase in violence against women and girls. It highlights the increase in demand and the creation of incentives for traffickers to exploit women and girls. The current proposed bylaw of the QLDC is as clear an example of these failings of the PRA as it is possible to imagine - yet Council is proposing to further exacerbate them.

¹ [*Prostitution and violence against women and girls - Report of the Special Rapporteur on violence against women and girls, its causes and consequences*](#). A report to the 56th regular session of the United Nations Human Rights Council, June-July 2024

4. We urge Council to heed the concerns of its Councillor, Lisa Guy, recently quoted in a *New Zealand Herald* article:

“With our local high turnover of travelling young people, there may be coercion to join a SOOB, with scouts targeting rangatahi to work, with examples of this happening through meetings in social, casual settings, such as interactions in night clubs, with the promise of easy cash and limits to what they will be required to do.” She said she had little faith that all SOOBs were owner-operated with full control over their earnings without undue external influence. “Anecdotally there is evidence to the contrary,” she said.²

5. The current bylaw is not fit for purpose in preventing the harm inherent in the sex trade and prostitution system from occurring, but the measures proposed in the new bylaw will only increase the levels of that harm. For that reason alone, we support retaining the current bylaw, inadequate though it is, for want of an option that genuinely seeks to prevent harm to women and young people - especially those of indigenous or minoritised ethnicities, who are overrepresented in the sex trade. This includes our reluctant support for:

- requiring that brothels are not to be within 100 metres of each other.
- no changes to the bylaw around signage
- retaining the requirement that brothels may not be located at or below ground level within the permitted activity areas.

6. With regard to the size of the permitted activity areas, we support, again for want of a better alternative, Option 3 which keeps the permitted activity areas the same as the current bylaw in both Wānaka and Queenstown, as opposed to potentially increasing them by more than 400% and 500% respectively, according to our calculations.

7. The QLDC must refuse to facilitate the expansion of Wānaka and Queenstown as sex trafficking and sex tourism destinations³ and take its harm prevention responsibility seriously. Instead of pandering to sex trade lobbyists who seek more opportunities to profit from the exploitation of vulnerable women and young people, QLDC should look instead at funding and promoting support to those harmed in the sex trade in its district, such as trauma informed services, exit services, education and prevention resources.

8. I understand that all submissions will be treated as public information. I wish to speak at the hearing.

² [Queenstown and Wānaka brothel zones could be extended, prompts call for better sex worker safety](#). Ben Tomsett, New Zealand Herald, 12 May 2024

³ [Queenstown resort brothel busted, sex workers deported](#). Daisy Hudson, New Zealand Herald, 18 Jan 2019



Brothel Control Bylaw 2017

Queenstown Lakes District Council

Date of making: 25 may 2017
Commencement: 14 December 2017

This Bylaw is adopted pursuant to the provisions of the Local Government Act 2002 and the Prostitution Reform Act 2003 by resolution of the Queenstown Lakes District Council at a meeting of the Council on 14 December 2017.

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Part 1 - Preliminary

1 Short title and commencement

- 1.1 This bylaw may be cited as “the Queenstown Lakes District Council Brothel Control Bylaw 2017”.
- 1.2 This bylaw comes into force on a date specified by Council resolution.
- 1.3 The Queenstown Lakes District Brothel Control Bylaw 2011 is revoked on the date this bylaw comes into force.

2 Interpretation

- 2.1 In this bylaw, unless the context otherwise requires–

Brothel means any premises kept or habitually used for the purposes of prostitution but does not include premises at which accommodation is normally provided on a commercial basis if the prostitution occurs under an arrangement initiated elsewhere.

Commercial Sexual Services means sexual services that:

- (a) involve physical participation by a person in sexual acts with, and for the gratification of another person; and
- (b) are provided for payment or other reward (irrespective of whether the reward is given to the person providing the services or another person).

Council means the Queenstown Lakes District Council.

District means the Queenstown Lakes District.

Premises includes a part of premises.

Prostitution means the provision of commercial sexual services.

Public place –

- (a) means any place that is open to, or being used by the public, whether admission is free or on payment of a charge and whether any owner or occupier of the place is lawfully entitled to exclude or eject a person from that place; and
- (b) includes any aircraft, hovercraft, ship, ferry, or other vessel, train, or vehicle carrying or available to carry passengers for reward.

Part 2 – Brothel control

3 Locations of brothels

3.1 No person may establish, operate, or permit the operation of a brothel unless the brothel satisfies all of the following requirements:

- (a) the brothel is located in either:
 - (i) the area of permitted activity within the Queenstown Town Centre Zone identified on the map contained in Schedule 1; or
 - (ii) the area of permitted activity within the Wanaka Town Centre Zone identified on the map contained in Schedule 2;
- (b) the brothel is located in a building lawfully established under a building consent issued pursuant to the Building Act 2004 (or its predecessor);
- (c) the brothel is not located at ground level or beneath ground level of any building; and
- (d) the brothel is not located within 100 metres of any existing brothel.

4 Regulation of brothel advertising

4.1 No person may erect or display any sign that advertises the business of a brothel and is visible from a public place, unless it satisfies all of the following requirements:

- (a) the only information displayed on the sign is the registered name of the brothel or the name of the person who operates the brothel;
- (b) the sign does not exceed 0.3 square metres in size; and
- (c) must comply with all applicable requirements in the Queenstown Lakes District Council District Plan (or its successor), or be authorised by a resource consent.

4.2 No person may permit the erection or display of any sign that advertises the business of a brothel and is visible from a public place, unless it satisfies all of the requirements in clause 4.1 above.

Part 3 – Enforcement


5 Powers to enforce bylaw


- 5.1 The Council may use its powers under the Local Government Act 2002 to enforce this bylaw.

6 Offences

- 6.1 Every person who breaches this Bylaw commits an offence.
- 6.2 Every person who commits an offence against this Bylaw is liable on conviction to the penalty set out in Section 242(4) of the Local Government Act 2002.

The common seal of the Queenstown Lakes District Council is attached in the presence of:

Mayor: 

Chief Executive: 

Schedule 1 - Map of permitted areas within Queenstown Town Centre Zone



Schedule 2 – Map of permitted areas within Wanaka Town Centre Zone

