



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

Queenstown Lakes District Council

Date of making: 1 August 2024

Commencement: 1 September 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 1 August 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”.
- 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.

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 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 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.

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 place; 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 Wānaka 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 at ground level; and
- (d) the brothel is not located within 100 metres of any existing brothel.

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

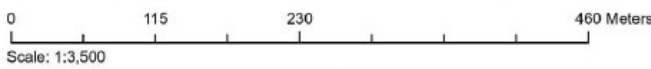
6 Powers to enforce bylaws

- 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.

Schedule 1 - Area of permitted activity - Queenstown



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



0 85 170 340 Meters
Scale: 1:2,500

Map Date:
19/03/2024



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