



Brothel Control Bylaw 2017

Queenstown Lakes District Council

Date of making:

Commencement: [Insert]

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 [].

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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

