

**PROPOSED BROTHELS (LOCATION AND
COMMERCIAL G9 LI 5 @SERVICES SIGNAGE) BYLAW
2012 HEARINGS PANEL AGENDA**

27 JULY 2012

AT 12.30PM

IN COMMITTEE ROOM 1, CIVIC OFFICES

Panel: Councillor Helen Broughton (Chairperson),
Councillors Jimmy Chen, Ngaire Button, Aaron Keown and Glenn Livingstone.

Principal Adviser
Mike Theelen
Telephone: 941-8281

Committee Adviser
Megan Pearce
Telephone: 941-8140

1. APOLOGIES

2. STAFF REPORT ON SUBMISSIONS RECEIVED

Staff comments on the submissions are attached as **Attachment 1**.

3. HEARING OF SUBMISSIONS

A timetable for hearings is attached as **Attachment 2**. Written submissions for hearings on Proposed Brothels (Location and Commercial Sexual Services Signage) Bylaw 2012 (separately circulated to Panel Members).

4. CONSIDERATION OF SUBMISSIONS

It is recommended that the Hearings Panel receive all written submissions (separately circulated to Panel Members).

5. HEARINGS PANEL CONSIDERATION

6. DELIBERATIONS

Proposed Christchurch City Council Commercial Brothels (Location and Commercial Sexual Services Signage): Submissions Analysis

1 Introduction

This paper provides an analysis of submissions on Proposed Christchurch City Council Brothels (Location and Commercial Sexual Services Signage) Bylaw 2012. The proposed Bylaw would restrict the location of any new operator-run brothels¹ to certain business areas of the district without providing any restriction on the location of small owner-operated brothels² (SOOBs). The Bylaw would also prohibit operator-run brothels on property immediately adjacent to important open space areas in the Central City and on property that shares a boundary with a school. The Bylaw will also provide for specified existing operator-run brothels to remain in their current locations.

The proposed Bylaw would place controls over signs advertising commercial sexual services, by only permitting signs to be displayed in the areas where brothels are allowed and placing limitations on the number, placement, content and illumination of signs.

The public consultation period for the proposed Bylaw was from Monday 11 June 2012 to Tuesday 10 July 2012. In addition to the 'Have Your Say' website and printed consultation documents, four drop-in sessions were held: at the Christchurch Netball Centre, 455 Hagley Avenue, South Hagley Park (two attendees); St Johns Church Hall, Corner St Johns Street and Ferry Road, Woolston (nine attendees); Upper Riccarton Community Library, 71 Main South Road, Sockburn (two attendees); and The Lyttelton Club, 23 Dublin Street, Lyttelton (twenty-six attendees). Also staff held a Joint Community Boards seminar and held a private meeting with the NZ Prostitutes Collective (nine attendees)

194 submissions were received and 20 submitters wish to be heard. An extra three late submissions were received – these have not been included in the analysis.

2 Analysis of submissions

The Consultation Document provided for submissions to be made through the Have Your Say website, by email or in writing either on the submission form or on plain paper. Table 1 below shows how submissions were lodged.

Table 1

Submission Form through website	Submission Form hard copy	Email	Plain paper
113	19	45	17

There were 23 submissions from organisations; these organisations and the number of people they represent, where known, are listed in the Appendix. The remaining 171 submissions were from members of the public.

The Submission Form provided submitters with an opportunity to make general comments. In addition there were five questions each with a 5 scale response option and the opportunity to give reasons for their answers, and a final question asking for any other comments.

¹ Where the operator holds an operator certificate (under section 34 (1) of the Prostitution Reform Act 2003) issued by the Registrar of the District Court in Auckland.

² Section 4 (1) of the Prostitution Reform Act 2003 defines a small owner operated brothel as “a brothel –

(a) at which no more than 4 sex workers work; and

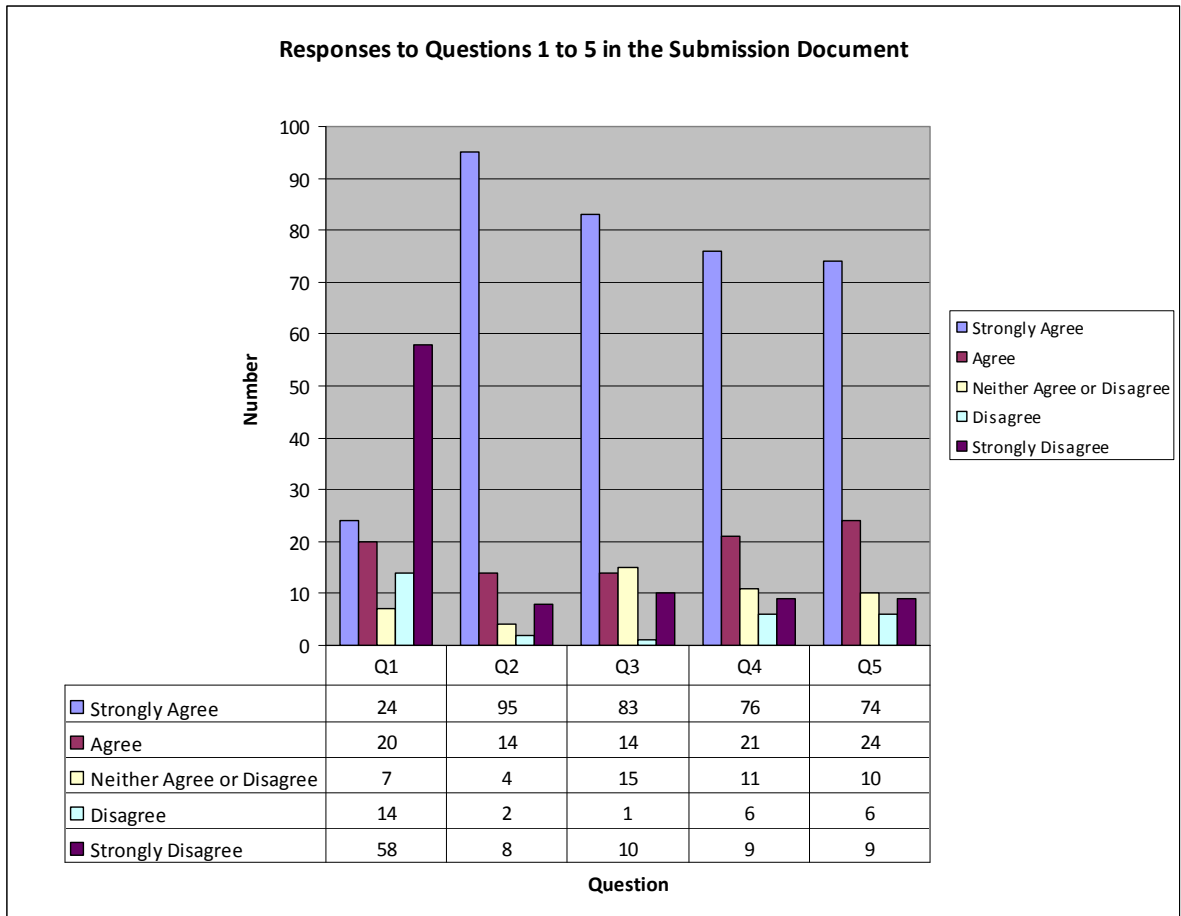
(b) where each of those sex workers retains control over his or her individual earning from prostitution carried out at the brothel.”

Rating answers to questions (agree/disagree)

Graph 1 and the associated data table below show the responses for questions 1 to 5. The questions are:

- Q1 Noting that the Council cannot prohibit brothels from all areas of the district, how much do you agree with the Council’s preferred option to restrict operator-run brothels to the specific areas within Christchurch?
- Q2 Do you agree or disagree with the Council’s preferred option to restrict operator-run brothels in any building located on a property that shares a boundary with a Registered School as defined in the Education Act 1989?
- Q3 How much do you agree or disagree with the Council’s preferred option to prohibit brothels in any building immediately adjacent to an area marked as important open space in the Central City?
- Q4 How much do you agree or disagree with the Council’s preferred option to regulate signage advertising commercial sexual services in the areas where brothels are allowed, and to prohibit it in the rest of the district?
- Q5 How much do you agree or disagree with the regulations Council proposes to control signage advertising commercial sexual services?

Graph 1



Narrative answers to questions – Why do you say that?

Q1

- As the graph above shows, a majority of those who answered this question disagreed with the proposal. Their comments on their reasons for disagreeing in general did not include the restriction to given areas. Rather, many submitters stated that brothels should not be permitted in particular areas largely because they are residential, close to residential, close to schools and/or close to churches and recreation areas. These submitters named these areas as Lyttelton, Burnside (Sir William Pickering Drive and Roydvale Avenue), Wainoni/Aranui (the block bounded by Shortland Street, Wainoni Road, Bickerton Street and Pages Road), Riccarton, Tussock Lane (Ferrymead), Armagh Street between Montreal and Durham Streets, Buchanans Road (Yaldhurst), areas adjacent to Wigram Road (Wigram/Halswell), Victoria Street between Bealey Avenue and Salisbury Street, Main North Road and the central city.

Table 2: Location where submitters say brothels should not be permitted

Name of area	Number of submitters
Lyttelton	59
Burnside	28
Wainoni/Aranui	32
Riccarton	8
Tussock Lane and Settlers Crescent	4 plus 121 supporting signatures
Other	6

- Most of the submitters who commented on this question either reiterated the comments they had made, or made similar comments to those others had made, in the General Comments section below.
- Some submitters were concerned that if it was known there was a brothel in the area that property values would drop, in additions to concerns already expressed about potential problems to do with crime, alcohol and drugs.
- A few submitters felt that brothels were a necessary evil and that regulation was a good thing as it improved the health and safety of sex workers and their clients.

Q2

- The majority of submitters agreed with this question. Their reasons, for those who commented on it, were that children and young people should not be exposed to such activities.
- Some commented that the preferred option did not go far enough: brothels should not be allowed close to schools, or on routes students use to walk to school.
- Some submitters considered that brothels should be no closer than a given distance, such as 200m, from schools or early childhood education premises.

Q3

- The majority of submitters that commented on this question agreed with it. They considered brothels should be kept away from places where people congregate and socialise and where children play. None of these submitters were referring to the areas marked on the map of the Central City. They were referring to areas in their own suburbs.
- Some of those who disagreed were Lyttelton residents who considered that Lyttelton town centre was important open space as it is used for community gatherings and it should be protected.
- Others who disagreed were Burnside or Wainoni/Aranui residents who considered their open spaces were for recreation and quiet enjoyment and they should be protected.

Q4

- The majority of submitters that commented on this question agreed with it. Their comments tended to reiterate what the question said.
- A few submitters said they were against prostitution and any advertising should be kept to a minimum.
- A few commented that those who want to use brothels will find them whether they are advertised or not.

Q5

- The majority of submitters that commented on this question agreed with it. Their comments echoed those that were made in question 4.
- Some people commented that signs should be discreet as they did not wish to see them in inappropriate places.

General Comments – Location (Includes answers to question 6 – Any other comments?)

- A few submissions stated brothels should be restricted to the Central City or within the Four Avenues only.
- Many submitters thought brothels should be located away from schools, pharmacies, doctors' clinics, kindergartens and pre-schools, churches and recreation areas.
- Many submitters linked prostitution with drugs, alcohol and crime and felt they would make areas unsafe and unpleasant unless well policed.
- As noted under Question 1 above, many submitters stated that brothels should not be permitted in particular areas largely because they are residential, close to residential, close to schools and/or close to churches and recreation areas.
- Some submitters appeared to misunderstand the purpose of the Bylaw. They queried why the Council is providing areas where brothels are allowed, apparently unaware that currently there are no restrictions on where brothels may set up.

In addition to these general comments:

- Many of the Lyttelton submitters state Lyttelton's commercial business zone is the site of the proposed civic square (Lyttelton Master Plan) and not appropriate for brothels.
- Many of the Lyttelton submitters state London Street is not appropriate – it is an area people socialise in, have street parties in, it has a pharmacy, it is close to a GP, a school, kindergarten and Plunket and is a family area. They also considered that Lyttelton township is a small area and it would be hard to avoid a brothel anywhere there.
- Some Lyttelton submitters thought Norwich Quay would be an appropriate location. However, others mentioned it was a place where people, including school students, caught buses and was not ideal. In general, Lyttelton submitters did not want brothels to be allowed anywhere in Lyttelton.
- Most of the Burnside and Wainoni/Aranui submitters felt their suburbs were quiet and peaceful and that allowing brothels in their areas would destroy these characteristics.
- Many of the Wainoni/Aranui submitters pointed out that their suburbs had been very hard hit by the earthquakes and allowing brothels to operate within them was counterproductive to the efforts the communities were making to rebuild themselves.
- In general, submitters thought small owner-operator brothels (SOOBs) are acceptable.
- Some submitters recognised that the Christchurch City Council cannot ban brothels across the city and that the Council had found a good balance between the legal right of brothels to exist and the concerns of the community.

Brothel owners wishing for exemptions

Any brothel owners who requested an exemption as an existing brothel were asked to supply the following information:

- 1 How long the brothel has been in its location
 - 2 A copy of the operator's license
 - 3 Whether the owner is able to operate or not, and why
 - 4 If the owner is not currently operating their business, when they expect to be back in business again
 - 5 Effects on the owner and their business if they are not allowed to re-establish
- One submitter requested an exemption for his business at 163 Manchester Street. However he did not provide any of the information requested and has not been further in touch.
 - One landlord who owns three properties in which brothels are operating (181 and 183 Bealey Avenue and 8 Sherbourne Street) requested these three properties be added to the list of existing brothels operating in Christchurch. The owner of one of these brothels requested an exemption and provided the required information.

General Comments – Signage (Includes answers to question 6 – Any other comments?)

The vast majority of submitters thought signage advertising commercial sexual services should only be in areas where brothels are located, and signage should be small and discreet.

3 Conclusion

The majority of submitters disagreed with the Council's preferred option to restrict operator-run brothels to particular areas. Their comments on their reasons for disagreeing in general did not include the restriction to given areas.

Many submitters considered some of the areas where it is proposed owner-operated brothels may locate and requested these areas be removed or altered. In particular all the submitters commenting on the Lyttelton zone considered that London Street should not be included and many of them considered that Norwich Quay should not be included either. In other words, they considered there should not be any area in Lyttelton where large brothels may locate.

Many other submitters stated that brothels should not be permitted in particular areas largely because they are residential, close to residential, close to schools and/or close to churches and recreation areas. These submitters named these areas as Lyttelton, Burnside (Sir William Pickering Drive and Roydvale Avenue), Wainoni/Aranui (the block bounded by Shortland Street, Wainoni Road, Bickerton Street and Pages Road), Riccarton, Tussock Lane (Ferryroad), Armagh Street between Montreal and Durham Streets, Buchanans Road (Yaldhurst), areas adjacent to Wigram Road (Wigram/Halswell), Victoria Street between Bealey Avenue and Salisbury Street, Main North Road and the central city.

Appendix 1

Name of organisation	Number of people represented
Body Corporate # 33513 (55 – 57 Armagh Street)	12
Ferrymead Dental Centre	8
Stark Bros Ltd	45
Charleston Neighbourhood Association Inc	12
Bells Pharmacy	7
Ken Orr	
Riccarton Wigram Community Board	
Spreydon Heathcote Community Board	
238 Stanmore Road Residents	7
Lyttelton Lions Club	12
Lyttelton Anglican Parish	26
Recycle Kingdom Investment Trust	8
ANZCO Foods Ltd	
Victoria Neighbourhood Association	60
Canterbury Westland Kindergarten Association	360+
Chester Street East Residents' and Avon Loop Planning Associations	
Cath Bidwell	4 plus 121 supporting signatures
NZ Prostitutes Collective Christchurch Branch	
ICON (Inner city west neighbourhood inc)	
Medical Officer of Health Canterbury	
Lyttelton Mount Herbert Community Board	
Burwood Pegasus Community Board	

**PROPOSED CHRISTCHURCH CITY COUNCIL BROTHELS
(LOCATION AND COMMERCIAL SEXUAL SERVICES SIGNAGE) BYLAW 2012
SUBMITTERS WHO WISH TO BE HEARD**

Time	Submission No	Submitter	Page No
12:30 PM	7466	Riccarton/Wigram Community Board - Mike Mora	1
12:40 PM	7572	Lyttelton/Mt Herbert Community Board - Paula Smith	3
12:50 PM	7513	Chester Street East Residents Association & Avon Loop Planning Association - Carla Humphrey	5
1:00 PM	7472	Residents of 238 Stanmore Road - Lindsay Carswell	7
1:10 PM	7435	Scott Hardwick	9
1:20 PM	7464	Right to Life - Ken Orr	11
1:30 PM	7471	Roy and Shirley Fear	13
1:35 PM	7497	John Frizzell	15
1:40 PM	7538	Libi Carr	17
1:45 PM	7561	Mr Paul D Farrow	19
1:55 PM	7527	Lyttelton Community Association Incorporated - Ken Maynard	21
2:05 PM	7536	Burnside Community Transformation Trust - Matt Watts	23
2:15 PM	7439	Ghaisan Tariq Moosa Alzadjali	25
2:20 PM	7427	Mrs Clare Mouat	29
2:25 PM	7560	Doug Watt and Brendan Suckling	33
2:30 PM	7567	ICON (Inner City West Neighbourhood Inc) - David Thornley	35
2:40 PM		AFTERNOON TEA	
2:55 PM	7565	New Zealand Prostitutes Collective - Anna Reed	37
3:05 PM	7445	Hereford Holdings Limited - Antony Gough	41
3:10 PM	7344	Kate Henry	43
3:15 PM	7522	Liz Briggs Consulting - Liz Briggs	45

**PROPOSED CHRISTCHURCH CITY COUNCIL BROTHELS
(LOCATION AND COMMERCIAL SEXUAL SERVICES SIGNAGE) BYLAW 2012
SUBMITTERS WHO NO LONGER WISH TO BE HEARD**

	Submission No	Submitter	Page No
	7329	Mr Mark Cox	51
	7389	Laura Hopper	53
	7410	Sarah Gaw	57
	7419	Lynnette Baird	59
	7436	Riccarton Baptist Church - Max Palmer	61
	7437	John Kelly	63
	7443	Robin Frost	67
	7477	Robin Kerr	69
	7495	Simon	71
	7515	Clare Thompson	73
	7564	My Lady Felicity & NZPC Nelson - Felicity Maera-Wallace	75

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SUBMITTERS WHO DO NOT WISH TO BE HEARD**

	Submission No	Submitter	Page No
	7316	Michael Schlumpf	81
	7322	Michelle Kemp	83
	7323	Michal Zlotkowski	85
	7324	Brenda Daniel	87
	7325	Yvonne Gourlay	88
	7326	Mark Penrice	89
	7327	Russell Horlor	90
	7330	Justin Chalmers	91
	7331	Faye Liang	92
	7332	Liza Rossie	94
	7334	Mary Botha	95
	7337	Smruti Pavlov	96
	7338	Joy McLeod	98
	7341	Christy Martin	99
	7342	Ingrid Mesman	101
	7343	Kate & Stewart Henry	102
	7345	Michael Merrylees	103
	7346	Mary Jamieson	105
	7348	Stark Bros Ltd - Andrew Stark	106
	7390	Tender Touch	109
	7391	Rowena Laing Odering	113
	7393	Martin Hill	114
	7394	Jean Tompkins	116
	7395	Tara Ross	118
	7396	Cath Bidwell	121
	7397	Daniel Martin	122

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	Submission No	Submitter	Page No
	7398	Brian J S Craig	123
	7399	LindaJean Kenix	124
	7402	Charleston Neighbourhood Association Inc - Jennifer Hoskin	125
	7403	Bells Pharmacy Lyttelton - John Thrupp	129
	7405	Elizabeth Mangan	131
	7406	Gerard Timings	134
	7407	Jennifer Kenix	135
	7408	Wendy Everingham	137
	7409	Keryn Beveridge	138
	7413	Catherine Blummont	142
	7414	Juliet Neill	144
	7415	John D Mahony	146
	7417	Elise Bryant	148
	7418	Millicent Smith	151
	7420	Deborah Rowley	153
	7421	M F and H M Mangan	155
	7424	Charmayne Forster	156
	7425	Ray Blake	157
	7426	John and June Shoemith	161
	7428	Body Corporate #335113 (55-57 Armagh Street) - Garry J Forward	163
	7429	Ferrymead Dental Centre - Wyn Mossman	167
	7430	Helen Spear	170
	7431	Melanie Betts	172
	7432	Burwood/Pegasus Community Board - Linda Stewart	174
	7433	Emily Rudkin	176
	7434	Barbara Lee	178

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	Submission No	Submitter	Page No
	7438	Wendy Williams	180
	7440	Nico Durrer	182
	7441	Halswell Baptist Church and The Acorn Trust - Sybrand van Schalkwyk and Roger Spicer	184
	7442	Lynette Hale	186
	7444	Mrs V Kelly	188
	7446	Chao Chin-Hsia	190
	7447	Mark	192
	7448	Maan Alkaisi	194
	7449	Elaine N Roberts	196
	7450	Kate Jones	198
	7451	Anna Crighton QSO JP	200
	7452	K Mitchell	201
	7453	Austin Kim	203
	7454	Nicola Jane Coppell	205
	7455	Sameer Roy	207
	7456	Ross Elliott	209
	7457	Daisy Wong	211
	7458	Nguk Siew Ling	213
	7459	Derek McCullough	215
	7460	Gina Irish	217
	7461	R and C Palmer	219
	7462	Warwick & Michele Pascoe	221
	7463	Alan and Elizabeth Eagle	223
	7465	Advertising Standards Authority of New Zealand (Inc) - Hilary Souter	225
	7467	Spreydon/Heathcote Community Board - Phil Clearwater	233
	7468	Kelly Gibson	235

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	Submission No	Submitter	Page No
	7470	Mrs Christine Robertson	237
	7473	Pamela June Honey	239
	7474	Lyttelton Lions Club - M Jamieson	243
	7475	Lyttelton Anglican Parish - Andrea King	246
	7476	Tracy McKenzie	250
	7478	Geoff Edwards	253
	7480	Averil & David Moyle	255
	7481	Martin Saysell	257
	7482	Amy Cheng	259
	7483	Rodger Vickers	261
	7484	Lynne Balcar	266
	7485	Margaret Carol Saysell	268
	7486	Ken Matthews	271
	7487	ANZCO Foods Ltd - Tania Hill	273
	7488	Rachael Monson	275
	7489	Terry Baty	277
	7490	Jennie Brittenden	279
	7491	Les Brighton	281
	7492	Helma & Tony Fox	284
	7493	Renee Watkinson	285
	7494	Sharon Trotter	286
	7496	Christina McAllister	287
	7498	Michelle Dyer	288
	7499	Emma Robertson	289
	7500	Ian Hua Hieng Yong	293
	7501	Carol Wong	295

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	Submission No	Submitter	Page No
	7502	Rachel Randrup	297
	7503	Phillip Davis	299
	7504	Patrina Nuu	300
	7505	John Fox	301
	7506	Helen Macdonald	304
	7507	Jade	309
	7508	Victoria Neighbourhood Association Inc - Dave Kelly	311
	7509	Les Walker	313
	7510	Miss Glenys Brunt	315
	7511	Vanessa O'Brien	317
	7512	Kidsfirst Kindergartens - Sherryl Wilson	318
	7514	Rachel Gardner	321
	7516	Mrs Patricia Bunting	322
	7517	Racheal Abernethy	324
	7518	Penny Carnaby	326
	7519	Lois Moore	328
	7520	Cathedral House - Bishop Barry Jones	330
	7521	Lolohea Tapu	332
	7523	Marion Abrams	334
	7524	Cath Bidwell	345
	7525	Glenn and Louise Suckling	363
	7526	Jennifer Tainui	364
	7528	Helen Cameron	366
	7529	Alison McMillan	367
	7530	Laurence Ennor	369
	7531	Michael Fairhurst	371

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	Submission No	Submitter	Page No
	7532	Rebecca Skinner	373
	7533	Martin Cullen	375
	7534	Christopher John Orr	377
	7535	Vikki Davis	379
	7537	Phoebe Sutcliffe	381
	7539	Sharon Trotter	383
	7540	Raymond Ivory	385
	7541	Kirsty Olding	387
	7543	Rebecca Milburn	389
	7544	Levi Moon	391
	7545	Jane Ross	393
	7546	Kurt Ivory	395
	7547	Martin Taylor	397
	7548	Tineke Susan Wolters	399
	7549	RPB Ltd - Philip Ivory	401
	7550	Rachel Smith	403
	7551	Grace Fairhurst	405
	7552	Sharleen Linton	407
	7553	Neil Kelly	409
	7554	Rachel Ross	411
	7555	Aimee Ross	412
	7557	Philip Meguire	413
	7558	Katie Le Roux	415
	7559	Christina Troup	416
	7562	Hineata McGregor	419
	7566	Julie Mackey	423

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	Submission No	Submitter	Page No
	7568	Community and Public Health - Dr Ramon Pink	425
	7569	Luao and Dean Te Hae	430
	7570	Aliesha Claire Whiunui	432
	7571	Amy Turner	433
	7573	Childs Play Clothing Limited - Bridget Sullivan	434