

## **PROPOSED PLAN CHANGE 5 - PROSTITUTION REFORM ACT 2003**

---

The main features of this proposed Plan Change which include amendments to Issues, Objectives, Policies and Rules are as follows:

- (a) Brothels and commercial sexual services are Discretionary Activities in the area shown in Appendix Central Commercial 6.
- (b) Brothels and commercial sexual services on the ground floor of buildings are Discretionary Activities in Petone Commercial Activity Area 1 and the Suburban Commercial Activity Area.
- (c) Brothels and commercial activities in the Central Commercial, Petone Commercial Activity Area 1, Suburban Commercial Activity Area, and General and Special Business Activity Areas that abut, adjacent to or are on the opposite side of the road of schools, pre-school facilities, churches and other similar religious establishments or a residential activity area are Discretionary Activities.
- (d) Brothels and commercial sexual services not falling within the ambit of home occupations are Discretionary Activities in the General Rural and Rural Residential Activity Areas.

### **Changes to Chapter 3 - Definitions**

Chapter 3, "Definitions". Make amendments to the following:

1. **Add** to Chapter 3 the following definitions:

"Brothel - as defined in the Prostitution Reform Act 2003."

"Commercial sexual services - as defined in the Prostitution Reform Act 2003."

### **Changes to Chapter 5 - Commercial**

Chapter 5A, "Central Commercial Activity Area". Make amendments to the following:

2. **Add to Rule 5A 2.3 "Discretionary Activities"** the following:

“Brothels and commercial sexual services on a site abutting, adjacent to or on the opposite side of a road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.”

3. **Add to Rule 5A 2.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services in the area shown in Appendix Central Commercial 6.”

Chapter 5B, “Petone Commercial Activity Area”. Make amendments to the following:

4. **Add to Rule 5B 2.1.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services on the ground floor of buildings.”

“Brothels and commercial sexual services on a site abutting, adjacent to or on the opposite side of a road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.”

**Add to Rule 5B 2.2.1 “Permitted Activities”** the following:

“Brothels and commercial sexual services.”

Chapter 5C, “Suburban Commercial Activity Area”. Make amendments to the following:

5. **Add to Rule 5C 2.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services on the ground floor of buildings.”

6. **Add to Rule 5C 2.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services on a site abutting, adjacent to or on the opposite side of a road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.”

Chapter 5D(ii), “ Special Commercial Activity Area - Boulcott Village”. Make amendments to the following:

7. **Add to Rule 5D(ii) 2.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services on a site abutting, adjacent to or on the opposite side of a road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.”

### **Changes to Chapter 6 –Business**

Chapter 6A, “General Business Activity Area”. Make amendments to the following:

8. **Add to Rule 6A 2.4 “Discretionary Activities”** the following:

“Brothels and commercial sexual services on a site abutting, adjacent to or on the opposite side of a road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.”

Chapter 6B, “Special Business Activity Area”. Make amendments to the following:

9. **Add to Rule 6B 2.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services on a site abutting, adjacent to or on the opposite side of a road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.”

### **Changes to Chapter 8 – Rural**

Chapter 8A, “Rural Residential Activity Area”. Make amendments to the following:

10. **Add to Rule 8A 2.3 “ Discretionary Activities”** the following:

“Brothels and commercial sexual services not falling within the ambit of home occupation.”

Chapter 8B, “General Rural Activity Area”. Make amendments to the following:

11. **Add to Rule 8B 2.3 “Discretionary Activities”** the following:

“Brothels and commercial sexual services not falling within the ambit of home occupation.”

## Changes to Chapter 14B - General Rules Signs

12. **Add to Rule 14B 2.3 “Restricted Discretionary Activities”** the following:

“In all Activity Areas all signs advertising brothels and commercial sexual services.”

13. **Add to “Matters in Which Council has restricted its discretion and Standards and Terms”** the following:

“In all Activity Areas all signs advertising brothels and commercial sexual services.”

- (i) Design, location, size and appearance of signs

The extent the design, location, size, height and appearance of signs will have adverse effects on the amenity values of the area.

The extent the design, location, size, height and appearance of signs are likely to cause a nuisance or serious offence to ordinary members of the public using the area.

Whether the design, location, size, height and appearance of signs are likely to be incompatible with the existing character or use of the area.

- (ii) Traffic effects

The extent to which the proposed signs will adversely affect traffic safety.