
REPORT 2
(1215/11/IM)

APPROVAL OF PROPOSED DISTRICT PLAN CHANGE 63: GENERAL MINOR AMENDMENTS TO DISTRICT PLAN TEXT AND MAPS

1. Purpose of Report

To obtain Council approval for Proposed District Plan Change 63 to the Wellington City District Plan to be made operative (pursuant to Clause 17 of the First Schedule RMA 1991).

2. Recommendation

It is recommended that Council:

- 1. Receive the information.*
- 2. Agree to approve District Plan Change 63 as notified on 28 February 2008 (attached as Appendix 1 to this report).*

3. Background

The Plan Change is the result of the wider District Plan maintenance and monitoring work programme that has been ongoing since the District Plan became operative on 27 July 2000. As the proposed amendments and corrections are of a relatively minor nature, it is appropriate that they be dealt with as a composite plan change.

The Plan Change proposes to:

- amend the current definition of 'Commercial Sex Activities' that applies to the Courtenay Place Area;
- amend the Suburban Centre Rules chapter by replacing the existing Appendix 5 map relating to activities in the Kiwi Point Quarry;
- amend the table of listed heritage items (Chapter 21 appendix) and relevant District Plan maps to correct two inaccurate address references and take account of the relocation of listed buildings along the recently-amended bypass route in southern Te Aro; and,
- change the land use zoning of sixteen sites (or portions of sites) owned by Wellington City Council (WCC) and two privately-owned sites (or portions of sites) to reflect current land use.

4. Discussion

Plan Change 63 was notified on 28 February 2008, with submissions closing on 7 April. Five submissions were received but were all subsequently withdrawn.

As no submissions were received, a public hearing is not necessary, and Council may approve the proposed change without further formality (pursuant to the Resource Management Act).

Following approval, the Plan Change will become *operative* on a date to be set in a public notice under Clause 20 of Schedule 1 to the Act.

5. Conclusion

As there is no opposition to the proposal following public notification, it is recommended that Council approve Proposed District Plan Change 63 as notified in the Dominion Post on 28 February 2008 (attached as Appendix 1).

Report from: Jason Jones – Planning Technician, City Planning Unit

Plan Change Document

Wellington City District Plan

Proposed District Plan Change 63

General minor amendments to District Plan text and maps III

ALTERATIONS TO THE WELLINGTON CITY DISTRICT PLAN

Detailed below are the alterations to the Wellington City District Plan to incorporate changes to the General Provisions, Suburban Centre Rules and Heritage chapters, and District Plan Maps. To assist the understanding of the new provisions, annotated copies of the Volume One chapters (Chapter 3, 7, and 21) are attached as Attachment 1 to this document. Amendments to District Plan Maps are shown on Attachment 2.

A. ALTERATIONS TO VOLUME ONE, GENERAL PROVISIONS

Chapter 3, "General Provisions." Insert new provisions by making the following **amendments**:

1. **Delete** the following text from bullet point 'a' in the definition for "Commercial Sex Activities:"

‘massage parlours required to be licensed under the Massage Parlours Act 1978,’

2. **Delete** the following text from bullet point 'b' in the definition for "Commercial Sex Activities:"

‘required to be licensed under the Massage Parlours Act 1978’

3. **Add** the following text to bullet point 'b' in the definition for "Commercial Sex Activities" after the words 'which are not:'

brothels in terms of the Prostitution Reform Act 2003.

B. ALTERATIONS TO VOLUME ONE, SUBURBAN CENTRE RULES APPENDIX 5

4. **Amend** the existing Appendix 5 map to Chapter 7 (Suburban Centre Rules) by extending the area of land described as 'B' as shown in Attachment 1 of this report.

C. ALTERATIONS TO VOLUME ONE, HERITAGE RULES (LISTED BUILDINGS)

5. **Amend** the table of listed heritage buildings in the appendix to Chapter 21 by correcting the address and/or name of items described as symbol references 92/1, 93/2, 312/1, 312/2, 312/3, 313, 324, 355/1, 355/2, 358, 360, and 373.

D. ALTERATIONS TO VOLUME THREE, MAPS 7, 10, 12, 14, 16, 20, 21, 26

6. Provide for the **rezoning** or **part rezoning** of sites as shown on maps A - F in Attachment 2 of this report.
7. **Amend** location of heritage building symbol references 92/1, 93/2, 312/1, 312/2, 312/3, 313, 324, 355/1, 355/2, and 358 to planning map 16, as shown on map G in Attachment 2 of this report.

ANNOTATED CHAPTERS OF THE OPERATIVE DISTRICT PLAN INCLUDING PROPOSED DISTRICT PLAN CHANGE PROVISIONS

*Proposed **additions** to text are shown as underlined (abcdefghijkl) and proposed **deletions** are shown as struck through (~~abcdefghijkl~~).*

3. DISTRICT PLAN GENERAL PROVISIONS

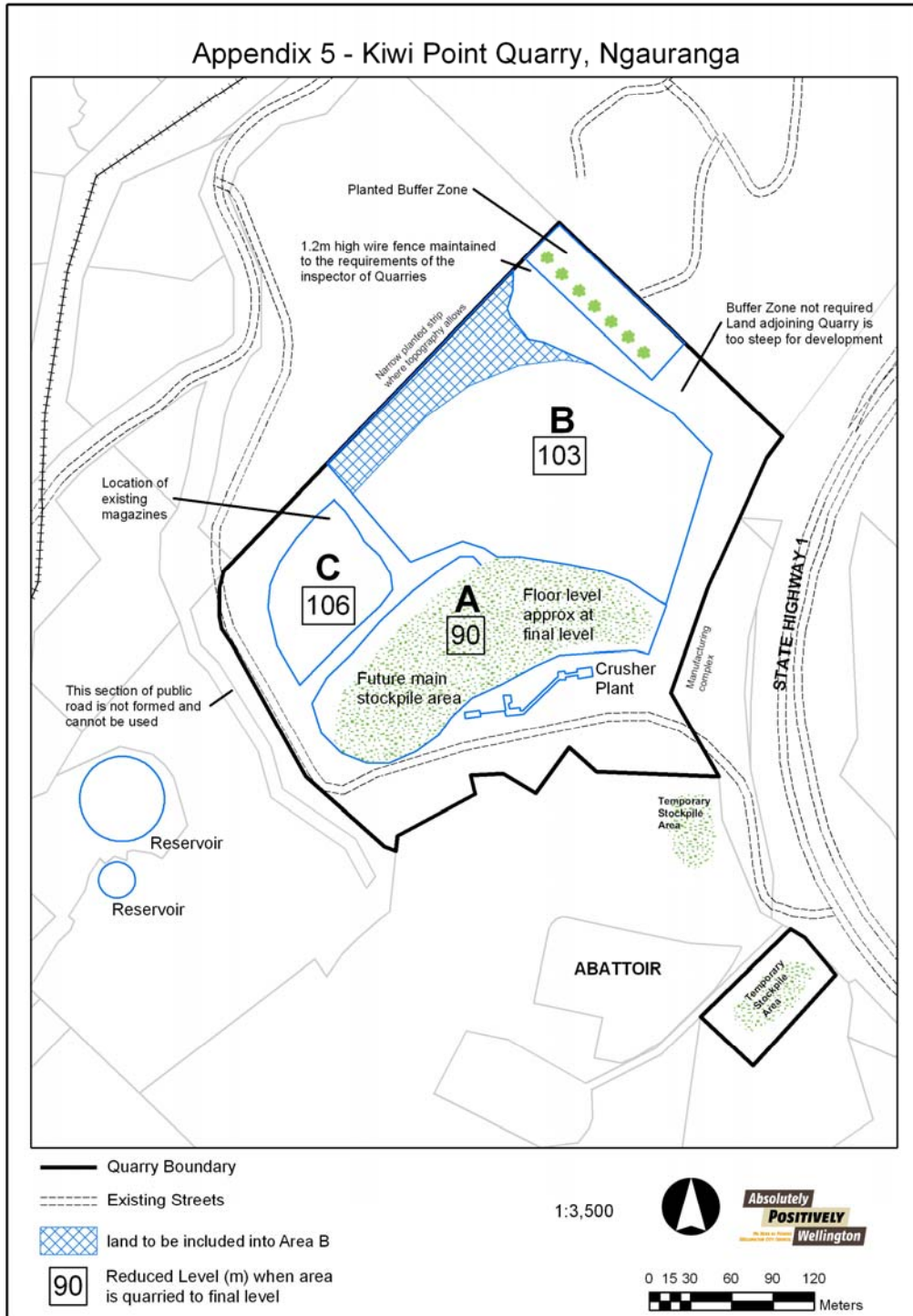
3.10 Definitions

[COMMERCIAL SEX ACTIVITIES: means activities occurring within premises used or intended to be used primarily for exposing, selling, promoting or hiring goods or services related to sexual behaviour; and

- (a) to avoid any doubt includes activities associated with strip clubs, rap parlours, peep shows, lap dancing bars, ~~massage parlours required to be licensed under the Massage Parlours Act 1978~~, escort agencies, adult bookshops, adult video shops, adult cinemas, sex shops; but
- (b) does not include activities associated with hospitals, healthcare services, chemists, community welfare facilities, or premises where therapeutic massage is offered and which are not ~~required to be licensed under the Massage Parlours Act 1978.~~[]] brothels in terms of the Prostitution Reform Act 2003.

7. SUBURBAN CENTRE RULES

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APPENDIX 1 - ATTACHMENT 1

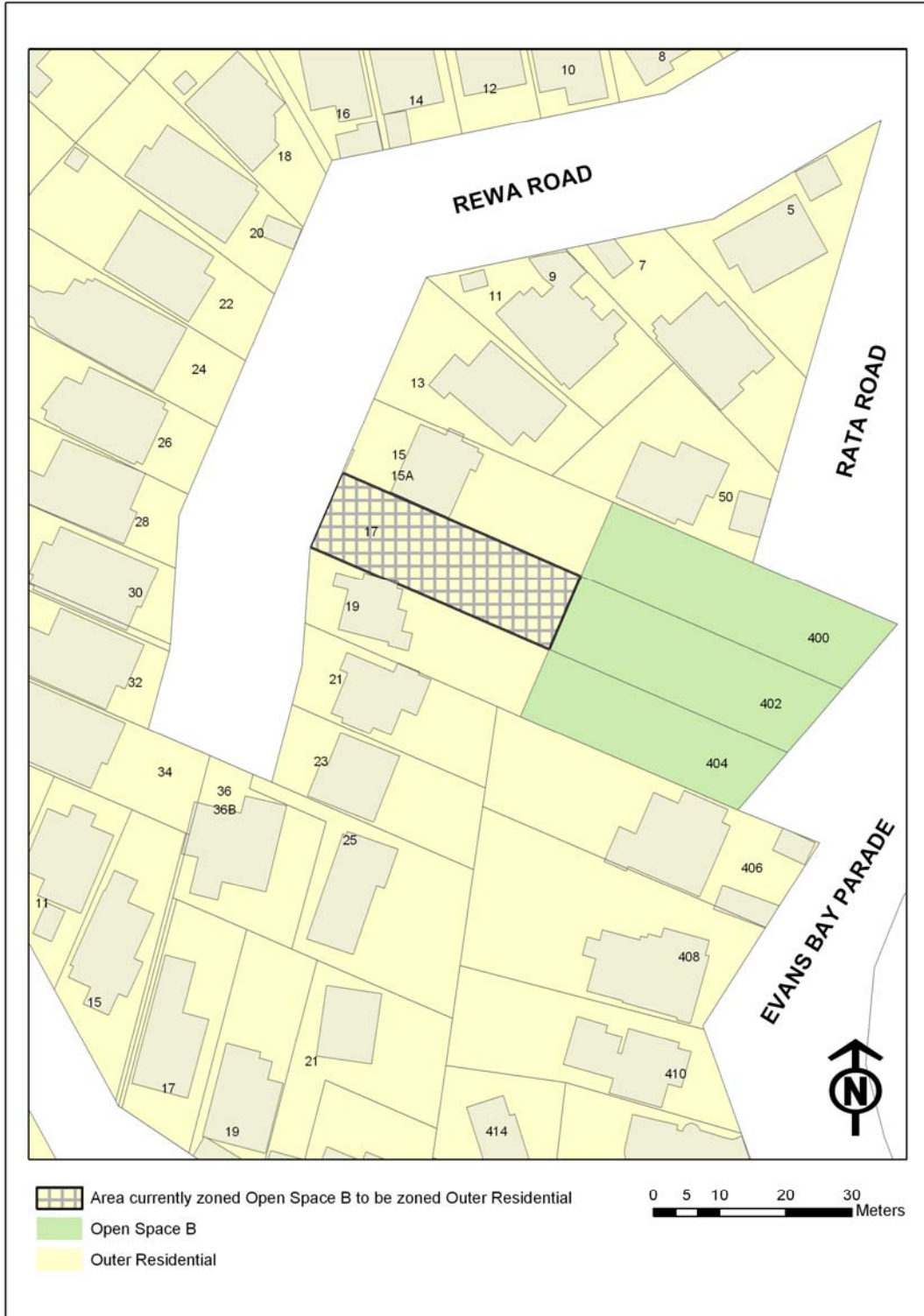
Amendments to Listed Heritage Building table – Chapter 21 Appendix

HERITAGE LIST: BUILDINGS				
Street	Number	Building and Date of Construction (if known)	Map Ref	Symbol Ref
Cuba Street	272	Building (Norml Tattoo Studio) 1896	16	92/1
Cuba Street	*	Building (Norml Tattoo Studio) 1896 (relocated from 272 Cuba Street as part of Inner City Bypass Project)	16	92/1
Cuba Street	289-291	Commercial/Residential Building 1900	16	93/2
Cuba Street	*	Commercial/Residential Building 1900 (relocated from 289-291 Cuba Street as part of Inner City Bypass Project)	16	93/2
Tonks Ave	1	Worker's Cottage 1880-90	16	312/4
Tonks Grove	*	Worker's Cottage 1880-90 (relocated from 1 Tonks Avenue as part of Inner City Bypass Project)	16	312/1
Tonks Ave	3	Worker's Cottage 1880-90	16	312/2
Tonks Grove	*	Worker's Cottage 1880-90 (relocated from 3 Tonks Avenue as part of Inner City Bypass Project)	16	312/2
Tonks Ave	5	House 1880-90	16	312/3
Tonks Grove	*	House 1880-90 (relocated from 5 Tonks Avenue as part of Inner City Bypass Project)	16	312/3
Tonks Ave	13	Stagecraft Theatre 1906	16	313
Kensington Street	*	Stagecraft Theatre 1906 (relocated from 13 Tonks Avenue as part of Inner City Bypass Project)	16	313
Vivian Street	215	Woodside 1884	16	324
Oak Park Avenue	*	Woodside 1884 (relocated from 215 Vivian Street as part of Inner City Bypass Project)	16	324
Willis Street	278	Building 1920	16	355/4
Abel Smith Street	*	Building 1920 (relocated from 278 Willis Street as part of Inner City Bypass Project)	16	355/1
Willis Street	282-286	Building (Bar Bodega) 1901	16	355/2
Willis Street	*	Building (Bar Bodega) 1901 (relocated from 282-286 Willis Street as part of Inner City Bypass Project)	16	355/2
Willis Street	319	Building 1908	16	358
Abel Smith Street	*	Building 1908 (relocated from 319 Willis Street as part of Inner City Bypass Project)	16	358
Westchester Road Drive East	300 1	Cobb House-Braid Cottage 1867	26	373
Willowbank Road, Tawa Middleton Road	29 420	Greer House	26	360

* - Buildings relocated as part of the Inner City Bypass Project. Street addresses and building descriptions will be confirmed upon completion of final survey plans for these properties.

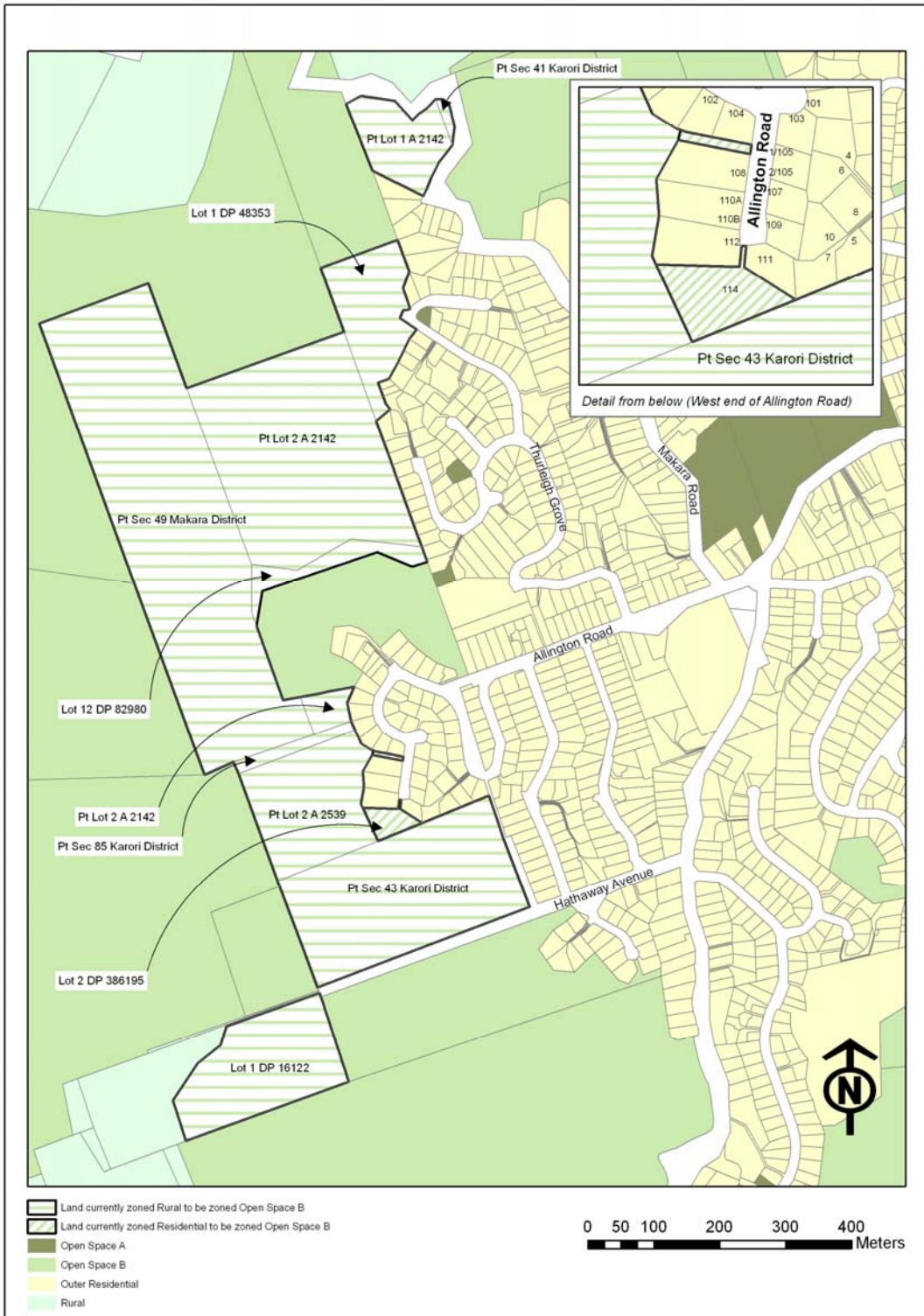
Changes to District Plan Maps

MAP A – rezoning of 17 Rewa Road, Hataitai (Planning Map 7)



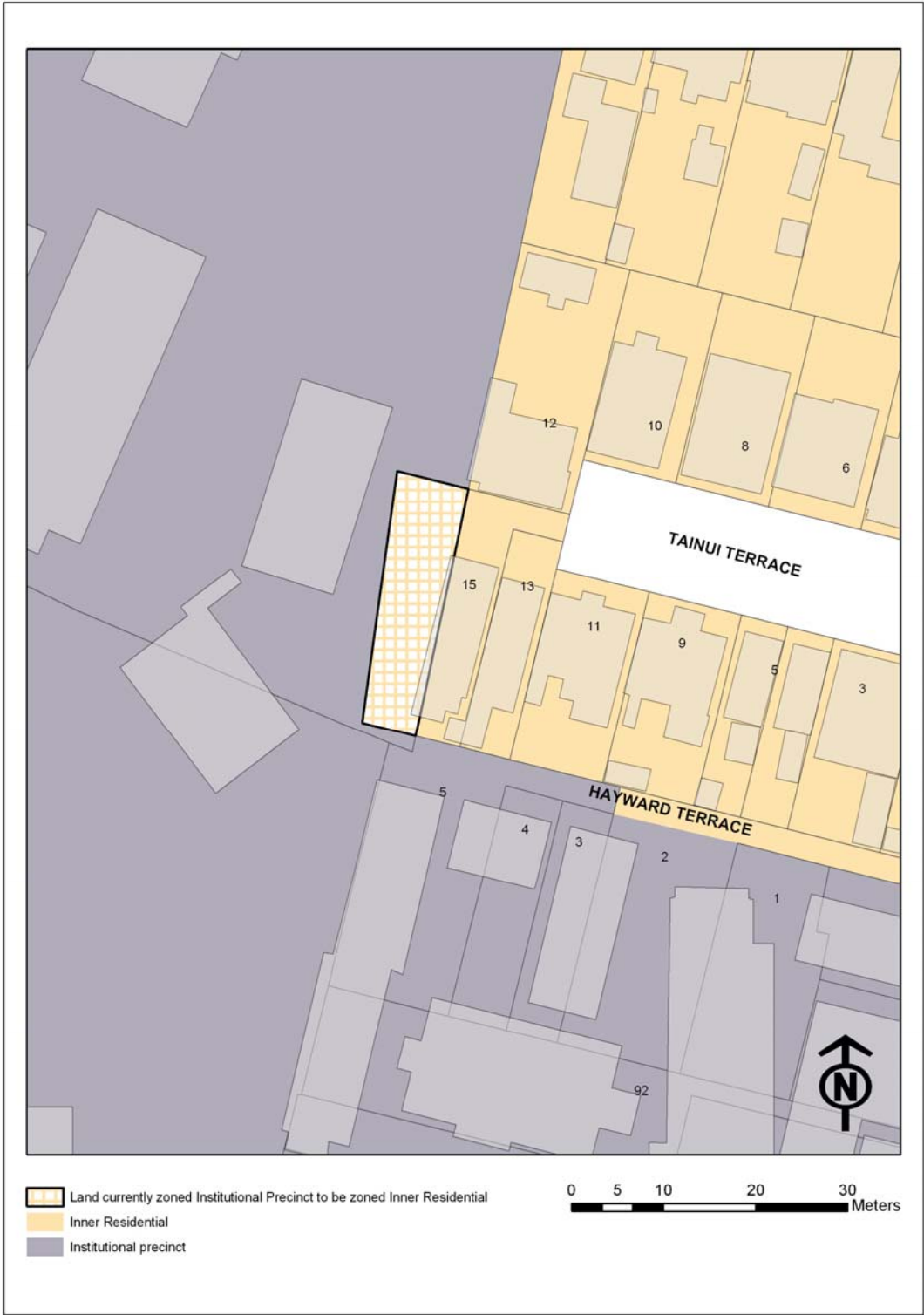
APPENDIX 1 - ATTACHMENT 2

MAP B – rezoning or part rezoning of 12 sites, Makara Peak Mountain Bike Park, Karori (Planning Map 10)



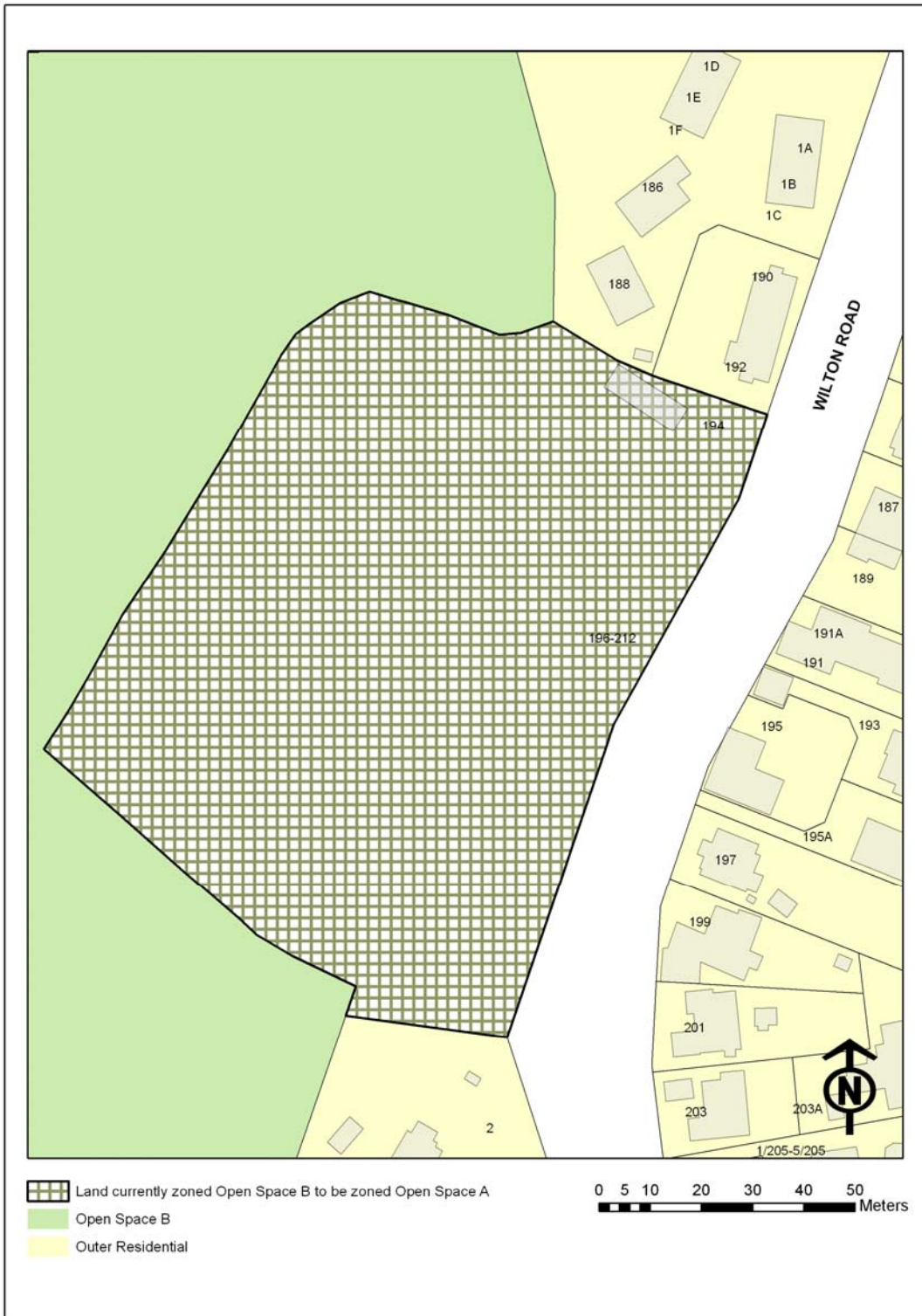
APPENDIX 1 - ATTACHMENT 2

MAP C – rezoning of 15 Tainui Terrace, Mt. Cook (Planning Maps 12 & 16)



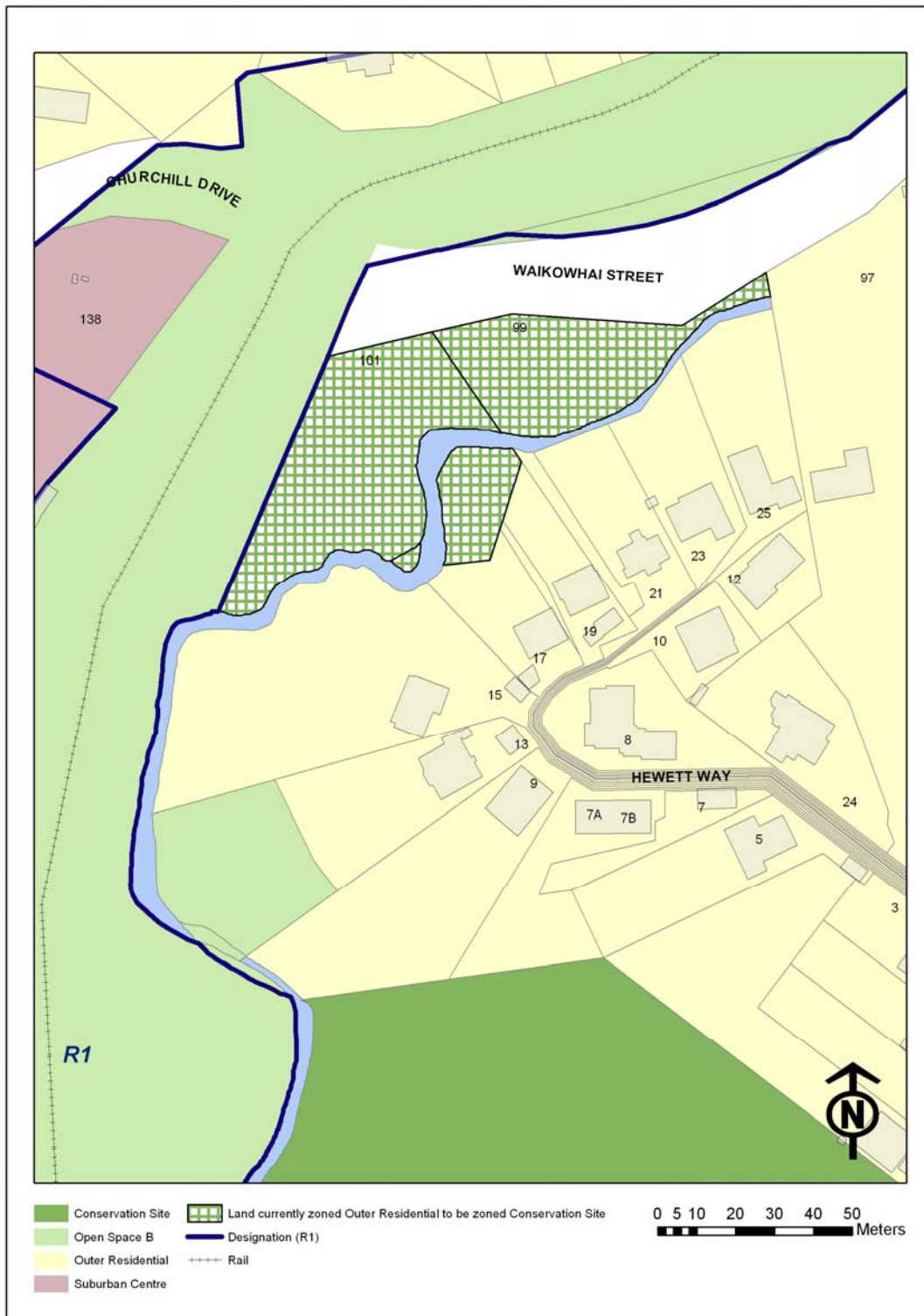
APPENDIX 1 - ATTACHMENT 2

MAP D – rezoning of part of LOT 5 DP 64470, Wilton sportsground (Planning Map 14)



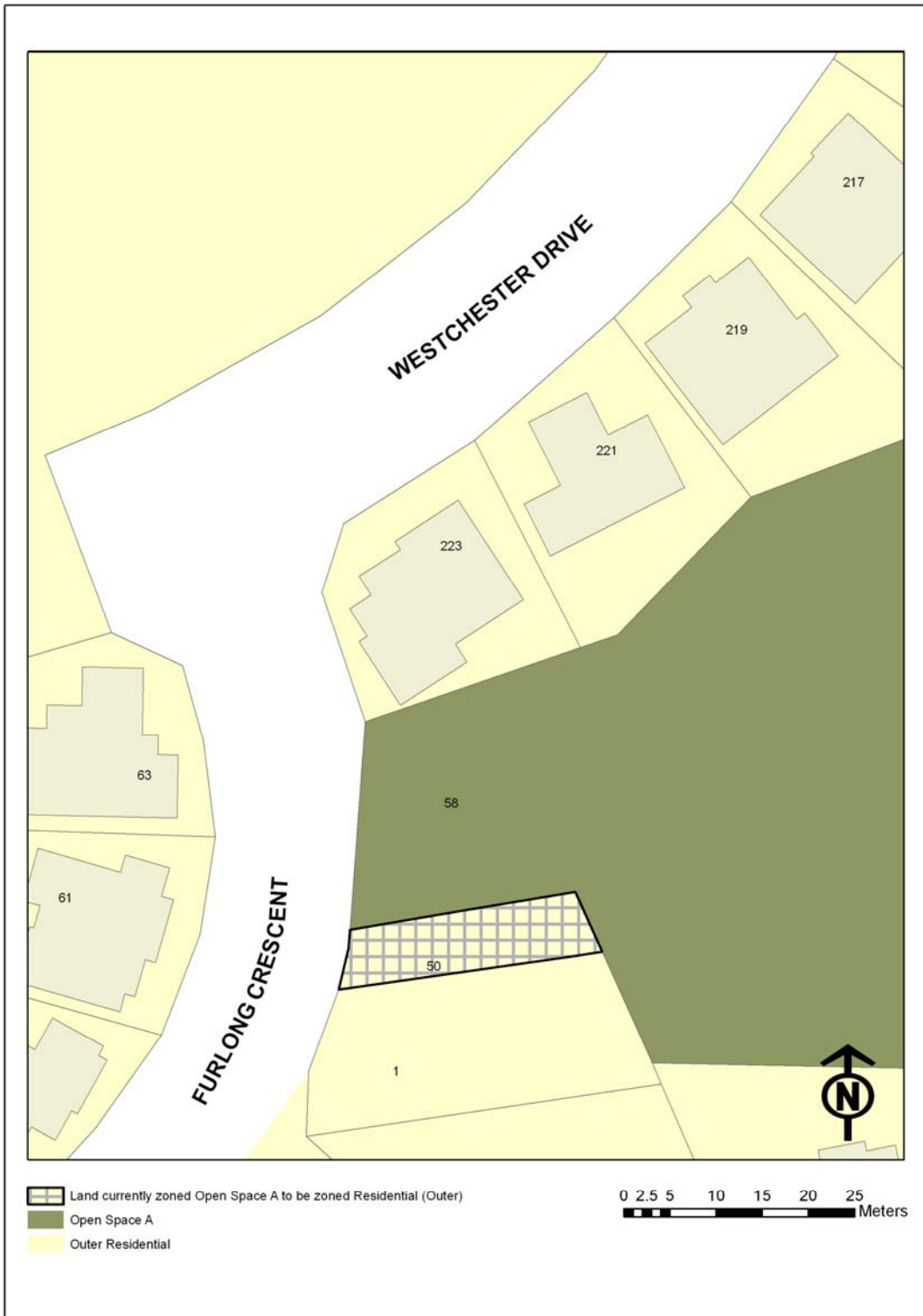
APPENDIX 1 - ATTACHMENT 2

MAP E – rezoning of 99 and 101 Waikowhai Street, Ngaio (Planning Maps 20 & 21)



APPENDIX 1 - ATTACHMENT 2

MAP F – rezoning of 1 Edington Grove, Churton Park (Planning Map 26)



APPENDIX 1 - ATTACHMENT 2

MAP G – Amendment to Heritage notations (Planning Map 16)

