

# HEATHCOTE

## District Planning Scheme

Christchurch City Council  
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# HEATHCOTE DISTRICT PLANNING SCHEME

## RECORD OF CHANGES

This report includes Operative Changes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 19, and 20.

| Date | Change No. | Subject | Replacement Pages |
|------|------------|---------|-------------------|
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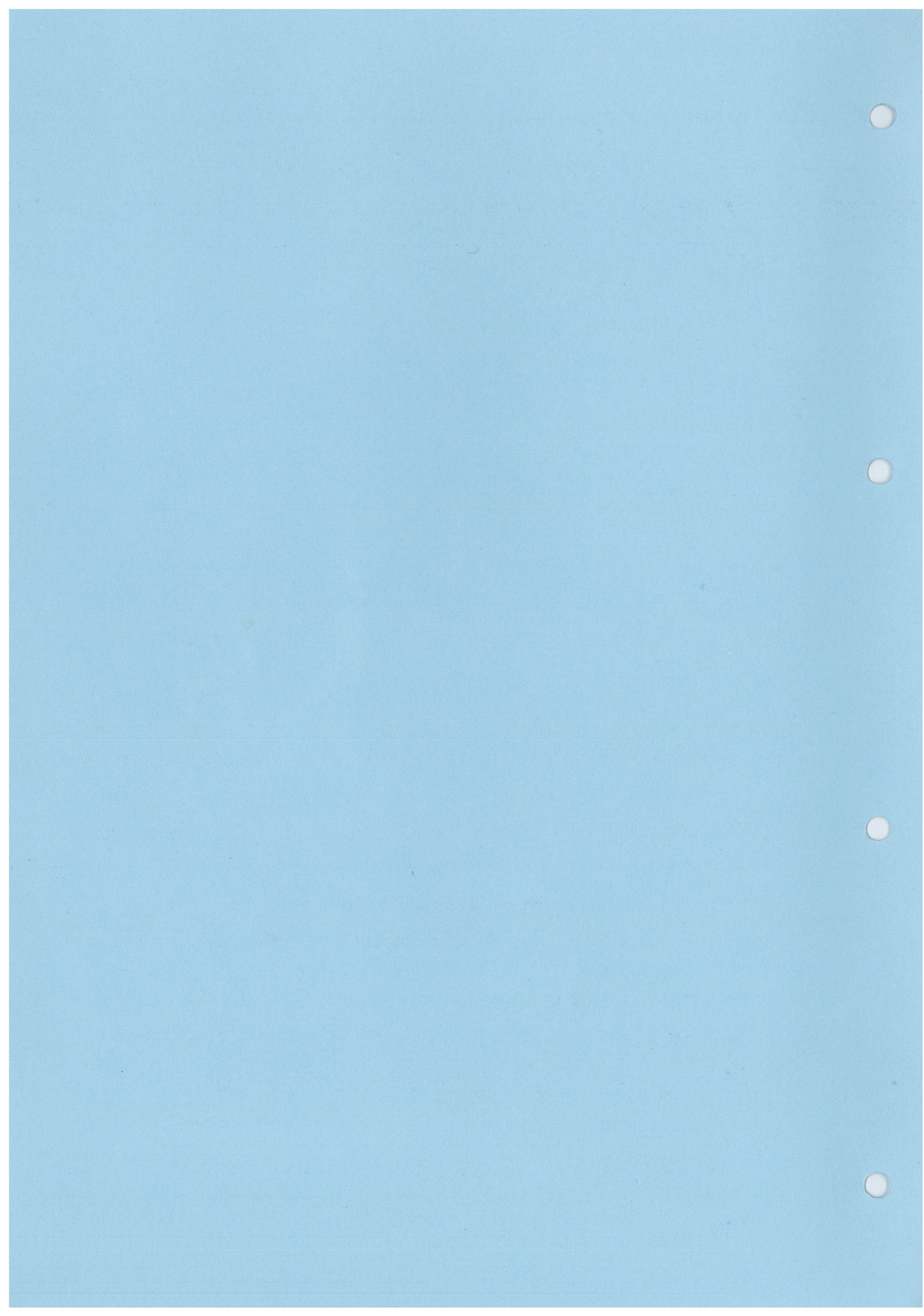
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Part 1

# INTRODUCTION







## PART 1 - INTRODUCTION

### 1.1 PURPOSE OF THE DISTRICT SCHEME

Town Planning can be briefly described as a means of systematically anticipating and regulating development within the physical environment of an area.

The general purpose of district schemes is set out in Section 4 of the Town and Country Planning Act 1977:

"Every district scheme shall have for its general purpose the development of the area to which it relates (including, where necessary, the replanning and reconstruction of any area therein that has already been subdivided and built on) in such a way as will most effectively tend to promote and safeguard the health, safety and convenience and the economic and general welfare of its inhabitants, and the amenities of every part of the area."

A district scheme should therefore provide a rational and flexible framework for the co-ordination of land use, so that private interests may pursue their activities with due regard to the interests of the community as a whole.

### 1.2 RELATION OF THE DISTRICT SCHEME TO BYLAWS

The provisions of this District Scheme shall have effect notwithstanding any County bylaw for the time being in force in the County, and where the provisions of this District Scheme are inconsistent with the provisions of any County bylaw the provisions of the District Scheme shall prevail.

### 1.3 MATTERS DEALT WITH IN THE DISTRICT SCHEME

These are set out in the Second Schedule to the Act and can be generally summarised as:

- (a) Control of uses of land
- (b) Control of subdivision of land
- (c) Control of building size, location and design
- (d) Control of the transport system, roads, access, parking and loading
- (e) Preservation of the amenities of all parts of the County
- (f) Preservation of objects and places of historical or scientific interest or natural beauty
- (g) Designation of land or buildings for public purposes
- (h) The provision of public utilities and other services such as sewerage, drainage, rubbish disposal, lighting and water supply.
- (i) All other matters involving the principles of town and country planning.

### 1.4 PLANNING PERIOD

The District Scheme covers a term of 20 years (hereinafter called the planning period) being the years 1977 to 1996.



1.5 REVIEW OF THE DISTRICT SCHEME

The Council is obliged by Section 59 of the Act to review the District Scheme every 5 years and the planning period is correspondingly extended.

1.6 ALTERATIONS TO THE DISTRICT SCHEME

Council can alter this scheme by way of a "change", requiring public notification and calling for objections in accordance with Sections 54 and 55 of the Act.

1.7 INTERPRETATION

Throughout the District Scheme, unless the context otherwise requires, words and phrases have the meanings stated in the Interpretations Ordinance.

1.8 OBLIGATIONS TO CONFORM

Subject to the provisions of the Act and all Regulations made thereunder, and to any modification or dispensation granted in terms of any provisions to that effect in this District Scheme, no person shall depart or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person use or permit the use of any land or building or undertake or permit any new work or any reconstruction, alteration or modification of any existing work if the use, new work, reconstruction, alteration or modification does not conform with this Scheme, or does not comply in all respects with the terms of any consent, or would tend to prevent or delay the effective operation of the District Scheme.

1.9 METHOD AND RATIONALE OF THIS DISTRICT SCHEME

Section 36 of the Town and Country Planning Act, 1977, describes the form of a District Scheme and defines the manner in which it may operate.

In accordance with the Act, this District Scheme and its methods of implementation have been based on the goals and objectives of the Council in relation to different land areas and land uses and the direction of development of the County. This District Scheme is based on a rational approach to planning whereby long term goals and more specific objectives were first established. Particular policies were then determined as to the methods by which the Council intends to achieve these stated goals and objectives. The Code of Ordinances provides the means by which these policies will be administered and implemented.

This District Scheme, therefore, sets out Council's goals, objectives and policies regarding land areas, uses and the development of the County and these statements are integral parts of the Scheme. The Code of Ordinances must be read in conjunction with the goals, objectives and policies, in order to determine their particular intent and the rationale behind their formulation.

The methods of control of land use and the direction of development used in this Scheme and authorised by the Act are explained in the following paragraphs.

1.10 ZONING

Zoning was originally introduced to reduce the nuisance associated with some activities where they adjoined residential premises. Today zoning also helps co-ordinate development, prevent premature subdivision and balance the interests of the community with the rights of individuals. All land within the District is zoned as to provide and protect an appropriate range and number of the various facilities needed by the residents in the District and in some respects residents of Christchurch urban area. The location of the various zones is shown by districts



notations on the District Planning Maps.

### 1.11 SPECIAL DEVELOPMENT ZONING

A number of Special Development and Land Management zones have been devised for areas which have particular development problems. A comprehensive approach is required before development in the zone is permitted.

### 1.12 DESIGNATIONS

In some places designations overlie zones on the District Planning Maps. In order to define and preserve an area for a particular public use, such as a library or school, the use of any land or building situated within a designated area is limited to the use which is designated or reserved for it by notations to that effect on the District Planning Maps.

### 1.13 PREDOMINANT CONDITIONAL AND CONTROLLED USES

(a) Predominant Uses are permitted as of right, and include the use of any land or building for any use specified, subject to any conditions stated in the Code of Ordinances. No town planning application need be made to Council unless the use of land involves the erection of a building, when a building permit must be obtained from Council, or unless a dispensation or waiver is sought from one or more of the standards set out in the District Scheme, in which case a non-notified planning application must be made.

(b) Conditional Uses may be as important in a zone as predominant uses but due to their nature or character cannot be located on all sites throughout a zone. A notified planning application is required and consent may be granted subject in each case to the consent by resolution of the Council and to such conditions, restrictions and prohibitions as the Council may think fit to impose.

(c) Controlled uses are uses or developments which are permitted within a particular zone but are subject to Council approval on the design and appearance of buildings, landscape design and site layout, and the location and design of vehicular access to and from the site. A non-notified application for a planning consent is required, although the Council may require the application to be notified if it considers it appropriate. Compliance with other specified standards is necessary.

#### 1.13a Design and Appearance of Buildings

While it is said that what conditions good design is often a matter of taste, nevertheless with all aspects of design there are well proven principles to be observed. These principles become more important as buildings are brought closer together with increasing density of development. They are of less importance with buildings on separate sites where the landscape is of greater consequence.

The Act enables District Schemes to have discretionary controls, in the form of a controlled use application, for the design and external appearance of buildings. In order to assess such a controlled use application, it is necessary for the Scheme to have criteria or guidelines against which to judge or measure the application. Such guidelines have been introduced for relocated buildings. Other areas or buildings may be added as other guidelines are developed.

#### 1.14 APPLICATIONS FOR PERMITS OR APPROVALS

In addition to the information required by any bylaw, the applicant for a permit for a building, subdivision or other work when making his application shall:

- (a) Supply such drawings and information in detail as may be necessary to indicate that the proposed building, or other work will when erected or carried out comply in all respects with this Scheme, and in particular that the prescribed provision has been made for off-street parking, loading and access for motor vehicles. Where a building permit for a dwellinghouse is applied for the position of a garage or possible future garage shall be shown on the site plan.
- (b) Supply where the application is for an approval for subdivision:

A scheme plan of subdivision, prepared by a registered surveyor at a scale approved by the Council, showing the proposed allotments and their areas (for rear sites separate areas for entrance strips and the balance area shall be shown), and dimensions, easements, street widening, streets, service lanes, accessways, reserves, the boundaries of existing certificates of title, existing approved allotments, the location of existing buildings and access drives, topographical details and the widths and gradients of new streets, accessways, service lanes and rights of way. In any case where the proposed subdivision is the the division of land into not more than two parts, the plan required, need not, if the Council so approves, be prepared by a registered surveyor.

- (c) Supply a legal description of the land concerned and the names of the owner or owners. In cases where the application is not made by the owner or on his or her behalf a statement that the applicant has a legal option to purchase the land must be supplied. All scheme plans shall be signed by the owner or his authorised agent.
- (d) Applications for consent to dispensations, conditional uses or specified departures shall be made according to the forms and procedures set down in this District Scheme and in Regulation 37 of the Town and Country Planning Regulations 1978.

#### 1.15 EXISTING AND NON-CONFORMING USES

The Scheme is not retrospective in its operation and does not prevent the continuation of any use which was legally in existence at the time the relevant District Scheme became operative, even though the use does not conform to the provisions of the Scheme. Change of ownership does not affect the right to continue an existing use. These matters are dealt with in Sections 90 and 91 of the Act.

#### 1.16 DISPENSING POWER OF THE COUNCIL

The district scheme provides for applications to be made for consent to depart from the specific requirements of the District Scheme applying to uses, developments or buildings which are otherwise permitted as of right (as predominant uses). Dispensations or waivers are provided for in Clause 3.16.2 of the General Ordinance for Uses page 115. Application for dispensation or waiver is normally by means of a non-notified application. The Council may grant or refuse its consent to a dispensation or waiver and in granting consent may impose such conditions or restrictions as it thinks fit.



## 1.17 PUBLIC UTILITIES IN RELATION TO ZONING

Section 64 of the Town and Country Planning Act 1977 specifies the range of public utilities any local authority or public authority is authorised to establish in any zone within the County. As some essential public utilities are not provided for under this section of the Act the types of public utility permitted in each zone is specified in the Scheme together with the conditions necessary to ensure the public utilities are in character with their surrounding neighbourhoods.

## 1.18 DESCRIPTION OF COUNTY

### (a) Location, Areas and Functions:

Heathcote County contains 3411 hectares (8428 acres) and is located within the Christchurch Urban area, south and southeast of the central city.

The County is bounded to the west by Worsleys Road and extends south to the Summit Road, where it follows the Summit ridge east to Mt. Pleasant. The boundary then continues east of Mt. Pleasant Road until it reaches Barnett Park, then west following Mt. Pleasant Road for a short distance; extending further west to Major Hornbrook Road and eventually meeting Bridle Path Road. The boundary then follows Bridle Path Road north to the Heathcote River which forms the northern boundary, except between Cumnor Terrace and Burnbrae Street where the boundary deviates towards the hills of Hillsborough, Murray Aynsley and Huntsbury.

Heathcote County is classified as an urbanised county fulfilling a residential suburban role in relation to the remainder of Christchurch Urban area.

### (b) Physical Characteristics

#### (i) Geology and Topography:

The County covers the northern slopes of the Port Hills between Worsleys Road and Mt. Pleasant and includes the valleys and slopes between the foot of the hills and the Heathcote River. The Port Hills are composed of igneous rocks, chiefly volcanic basalts, which have mantled the layers of wind-blown loess derived from the greywacke rocks of the Southern Alps. Much of the loess has been eroded from the steep slopes and narrow ridge crests leaving exposed rocky outcrops and cliffs. Most of the hilly and rolling land has a continuous loess mantle reaching a thickness of more than 8 metres on some of the lower slopes.

The northern slopes of the hills rise to a height of 500m and consist of long moderately gentle spurs and ridges, separated by steep sided valleys with scattered outcrops of basalt. Extensive areas of lowland (swamp land before European settlement) lie between the fan of the Waimakariri River and the Port Hills and in the valleys at the foot of the hills. These flatlands have been formed in post-glacial times by streams from the Port Hills which have spread fine-textured alluvium across their flood plains.

#### (ii) Soils - Land Use Capability:

The soils of the hilly and rolling slopes of the Port Hills are formed mainly on the loess mantle covering the hills, and to a lesser extent on the igneous bedrock. The soils of the hills are silt loams, which are droughty during the summer and have moderately restricted drainage. The steepland soils along the Summit Road and the sides of the valleys have been formed on

a mixture of loess and basalt with steep rocky outcrops and cliffs. These soils have a low value for food production and are best suited to recreation reserves or some extensive grazing. The rolling ridges and slopes of the Port Hills have been formed on a thick loess mantle and are suited to moderately intensive grazing or urban use. The Heathcote soils of the gentle foot slopes have the highest value for food production and should be retained in agricultural production for market gardening, fruit and flower growing, e.g. Avoca and Horotane Valleys.

The soils of the flat valley floors or flatlands beyond the hills have an adequate moisture status, but are subject to flooding and waterlogging after rain and in the winter. These soils have a high value for food production but drainage is needed before the soils can be used intensively for market gardening, dairying or intensive grazing. The soils of Heathcote Valley and along the margin of the Estuary have a high saline water table and need to be freed from salt before being intensively used.

(iii) **Climate:**

Heathcote County has a low rainfall of about 500 to 750mm per year. The summers are warm with occasional hot foehn north-westerly winds giving temperatures above 32 degrees C. Drought conditions sometimes occur during summer and early autumn, especially on the hill-slopes.

The winters are cool with frequent frosts and occasional light snowfalls, particularly on the summit of the hills. The heaviest frosts are experienced on the flatlands at the foot of the hills and fog often lies in these areas on winter nights. This is due to the temperature inversion effect that occurs over the low-lying Christchurch area. Warmer temperatures are

experienced on the higher slopes of the hills. Horotane and Avoca Valleys

are small sheltered and warm valleys which are almost frost-free compared with other flat areas of Christchurch. These valleys are particularly suited to the growing of early vegetables and stone fruit produce.

The prevailing wind is from the north-east with south-westerlies predominating in the winter. The County is mainly sheltered from the easterly wind except on the summit of the hills.

(c) **History of Heathcote:**

In the early 18th Century the Ngai-Tahu tribe from the North Island settled along the east coast of the South Island. A principal pa was established at Kaiapohia, near the present town of Woodend. Although there were no significant permanent settlements in the area which now forms Heathcote County the area was regularly visited by food gathering parties and travellers. In the early 1830's the pa site at Kaiapohia, and other settlements on the peninsula, were destroyed by the Ngati-Toa tribe, and as a result there was only a small and scattered Maori population in the Canterbury area when European settlements started, and little trace of the earlier occupation. (Source: W.B. Johnstone in "Natural History of Canterbury", ed. G.A. Knox).

When the first European settlers arrived in Christchurch in the 1850's they were disillusioned to find that much of the proposed settlement consisted of swamp land. Access to the new settlement was by the Bridle Track over the hills from Lyttelton. The first houses were built on the slightly raised levees of the Avon and Heathcote Rivers where there was some protection from floods. The slopes



of the hills were not initially settled due to their exposure to hot dry north-west winds and their isolation from the city by several miles of swamp.

The port of Ferrymead on the Lower Heathcote River served as the terminus of the first section of railway in New Zealand which opened on December 1, 1863.

From 1853 to 1876 there were no local authorities and Heathcote formed part of the Canterbury Provincial District, whose main concern during this period was the drainage of swamps and flood protection from the Waimakariri River.

In 1876 New Zealand was divided into 63 counties and Heathcote became a riding in the Selwyn County; one of the largest counties in the region. The Selwyn County assumed little responsibility for public works which were carried out by the Road Boards. The Heathcote Road Board was not popular with the residents of the area as its members constituted local farming land-holders who had little or no concern for the inhabitants of the suburban areas in the district. Drainage was always a problem in the area and the Road Board did little to alleviate the problem.

In 1890 the residents petitioned to be included in the Linwood Town District. They were refused but 3 years later the District was extended to include those residents who had petitioned previously. Unlike many other areas surrounding Christchurch City, such as Linwood and Woolston, Heathcote did not become part of "Greater Christchurch".

The Central Heathcote Road Board District was constituted in 1863 and it was later to become the Borough of Spreydon. In the 1850's lower Heathcote (which later became known as Woolston) became a very busy commercial area handling all heavy exports and imports of the Canterbury colony through Port of Ferrymead at the mouth of the Heathcote River. When the rail tunnel through the

Port Hills was completed in 1867 the area became even more active commercially and industrially. During the 1870's and 1880's many new industries such as lime kilns, tanneries and soap works began to establish themselves in the area.

Although these industries added to the area's prosperity they were unpopular with the established residents because of their offensive nature.

Although in 1908 the slopes of Cashmere were being rapidly settled the residents turned down a proposal to transfer to "Greater Christchurch".

By the Selwyn County Subdivision Act, 1910, the County was divided into 7 Counties and one Borough, Heathcote being one of the counties. The County took its name from the adjacent Heathcote River which was named after Sir William Heathcote, a member of the Canterbury Association.

Between 1915 and 1935 the role of the County changed with the decline of the Road Boards and the County began to assume authority and control over most aspects of local government and works. It was also during this period that most of the construction was carried out on the Summit Road, the Signs of the Takahe and Kiwi, by both relief workers and skilled artisans, under the impetus and direction of Harry Ell.

In 1953 the County had an area approximately 19 square miles. In that year Wainoni, Bexley, Bromley, Aranui and part of Mount Pleasant were ceded to Christchurch City. With the transfer of the remainder of Mount Pleasant to the City in 1962 the County was reduced in area to approximately 13 square miles (3411 hectares).

With the opening of the Road Tunnel to Lyttelton in May 1964, improved access from the Port to the central City has been obtained which has encouraged the location of industrial activity in the County.

(d) **Land Use:**

Land use data for December 1975 was obtained from the Valuation Department in the form of computer print-outs covering all properties in the County. This information was updated from land-use surveys conducted in December 1976 and May 1977. The present distribution of land-uses within the county is shown on the land-use data maps which are available for inspection in the Council's offices. The table below shows a summary of this land-use data.



## SUMMARY OF LAND USE DATA

| Type of Use                                 | Area (ha) | % Use Area of Total |
|---|-----------|---------------------|
| Vacant                                      | 95 ha     | 2.86                |
| Agriculture                                 |           |                     |
| Extensive                                   | 2202 ha   | 64.55               |
| Intensive                                   | 159 ha    | 4.78                |
| Industrial                                  | 72 ha     | 2.16                |
| Commercial                                  | 6 ha      | 0.17                |
| Residential                                 | 289 ha    | 8.70                |
| Public Use                                  |           |                     |
| Schools                                     | 3 ha      | 0.08                |
| Administration, Depots,<br>Waterworks, etc  | 34 ha     | 1.03                |
| Halls, Hospitals,<br>Churches, Cemetery etc | 59 ha     | 1.78                |
| Reserves                                    | 269 ha    | 7.90                |
| Roads                                       |           |                     |
| Formed                                      | 161 ha    | 4.84                |
| Unformed                                    | 29 ha     | 0.87                |
| Railway                                     | 9 ha      | 0.28                |

### (i) Rural Uses:

From the land use survey it can be seen that the majority of the land in the County is used for extensive grazing of sheep and cattle (64.55% of the total area). Much of this area is land on the hills which is steep in many places and has poor soils, which are droughty in summer and autumn. The steepness of much of the County has prevented large-scale residential development, when land has still be available on the flat, and the poor droughty soils restrict agricultural use to extensive grazing. However, small areas of the County are used for intensive farming (4.78% of the total), mainly for market gardening and nurseries. These areas are in the warm sheltered valleys which are relatively frost-free and have good soils and drainage, such as Horotane, Avoca and Butts Valleys, and the Bridle Path Road.

### (ii) Industrial Uses:

The industrial uses in the county are concentrated on the flat land in the Heathcote Valley and between Port Hills Road and the Heathcote River. This is an area of saline soils and poor drainage which is suitable for intensive industrial development once drainage has been installed, although care is needed to ensure that there is no industrial pollution of the River. Apart from the large industrial zone between Port Hills Road, Chapmans Road and Curries Road, two separate industrial uses are found within the County, surrounded by residential development: the malt works in Port Hills Road and the brick works in Centaurus Road. Further to the 71 ha of land already used for industry, there is approximately 28 ha of vacant land which is presently zoned industrial.

(iii) Commercial Uses:

Heathcote County contains several small commercial areas serving a local convenience shopping function and these are located in small clusters of shops or individual shops within the residential areas. Such areas are found in Heathcote Valley, Colombo Street, Cashmere and Hillsborough. There are no major commercial areas in the County and most people travel into Christchurch City to do the majority of their shopping and for most of their services and entertainment.

This may indicate a future need for increased commercial areas in the County. The commercial area given in the foregoing table includes the restaurant at the Sign of the Takahe, the taverns in Heathcote Valley and Port Hills Road.

(iv) Residential Uses:

8.7% of the total area of the County has been developed for residential use. Much of this area has been well established as residential zones for many years and includes flat land at the foot of the hills, the valleys and the ridge crests and spurs. Recently there has been a growth of new residential development on the hills related to the expansion of the whole Christchurch urban area.

(v) Public Use:

Heathcote County has a large number of hospitals, elderly people's and children's homes compared with the total number of people in the County. Such hospitals and homes have been established to serve the whole Christchurch area, and to take advantage of the milder climate of the Port Hills. Heathcote County also provides open space and recreation areas for the Christchurch urban area, such as Victoria Park, Ferrymead Historic Park and the Summit Road Scenic Reserves, and consequently has a high proportion of its land use for recreation; 4.8% of the total area. Heathcote serves as a water storage area for Christchurch with several areas set aside for reservoir purposes.

The Christchurch-Lyttelton Railway and the Lyttelton Road Tunnel are further uses of land in the County which relate to the needs of the whole urban area.

**(e) Population**

(i) Past Population Trends:

The following table illustrates that except for the period 1951-1956 there has been a constant increase in the population of Heathcote County. Heathcote's share of the New Zealand population reached a maximum of 0.36566% in 1951, however this was considerably reduced by 1956 due to the boundary change which ceded Aranui, Bexley, Bromley and Wainoni to Christchurch City, (totalling approximately 6 square miles). Since 1956, Heathcote has experienced an annual average growth rate of 2.75%. In recent census figures it can be seen that Heathcote is increasing its share of the New Zealand population, with the 1976 census illustrating an intercensal increase rate of 15.4% compared to New Zealand's rate of 8.5%.



Heathcote County:

| Year                                       | 1951 | 1956  | 1961   | 1966   | 1971  | 1976   |
|--|------|-------|--------|--------|-------|--------|
| Pop.                                       | 7092 | 5228  | 6070   | 7119   | 7582  | 8758   |
| Increase or<br>Decrease<br>(intercensal)   |      | 1864  | 846    | 1045   | 463   | 1168   |
| Increase or<br>Decrease<br>(intercensal %) |      | 26.3% | +16.2% | +17.2% | +6.5% | +15.4% |
| Increase or<br>Decrease<br>per annum       |      | -5.3  | 3.2    | 3.4    | 1.3   | 3.1    |

(ii) Future Population

Forecasts of the future population likely to be resident in the County are based on various assumptions. For example past population growth, or past rates of new residential buildings may be projected into the future on the assumption that past trends will continue, and the figures arrived at may be varied upwards or downwards on the basis of other assumptions. Forecasts based on past trends indicate a likely future population for Heathcote County of between 12,000 and 14,000 people by about the year 2000. For example, the Department of Statistics "medium fertility" forecasts, considered by the Department the most likely for Heathcote County, indicate the following likely future population:

| Year       | 1976 (census) | 1981 | 1986 | 1991  | 1996  | 2000  |
|------------|---------------|------|------|-------|-------|-------|
| Population | 8758          | 8900 | 9700 | 10400 | 11100 | 11800 |

Forecasts of future population based on past building trends and on assumptions about the likely Heathcote County share of the Christchurch urban population indicate a somewhat higher trend than the Department of Statistics figures.

1.19 POPULATION BASIS FOR DISTRICT SCHEME PROPOSALS

This district scheme is based on the assumption that hill development will continue to provide a similar or growing proportion of new residential development in the Christchurch metropolitan area as has been the case in the past.

The Port Hills have traditionally provided a source of housing in higher price ranges. The cost of developing sections and additional house construction costs have meant that the hill areas in the past provided for only a relatively small proportion of new residential development in the metropolitan area. The average number of new dwellings built each year on the hills (Christchurch as a whole, not just within Heathcote County) over the past decade has been about 90. If continued, this would suggest a need for about 1800 new dwellings on the hills over the next 20 years.

Based on the relative scarcity of other easily developable land in the Christchurch metropolitan area, the significantly greater level of amenity enjoyed in the hillside suburbs compared with those on the flat, and the ready accessibility of the lower slopes of the Port Hills to the employment, social and community facilities of the city, it is reasonable to assume that the Port Hills will continue to provide for part of the population growth of the Canterbury region. With a continuing low rate of population growth in the region the hills could provide for an increasing proportion of that growth. However, because of the physical difficulties of hillslope development and the lead-time required for the provision of services it seems unlikely that urban development on the Port Hills could be accelerated sufficiently to provide for a large proportion of regional growth, without incentives for such development. In considering future planning for the Port Hills there are various competing land uses including farming, forestry, housing, recreation and open space and various inhibiting factors such as slope, soil stability, cost differentials and climate. The development of land on the hills must be regarded with caution because the nature of the terrain presents difficulties such as the effect on land stability of excavation for roads, service lines, building sites, and in some cases development costs are high. **The Council proposes to participate in a comprehensive study with the Canterbury United Council and other appropriate organisations to determine land use options and land management requirements. Detailed zoning and land use controls are likely to result from this study, and will be included in this District Scheme by way of a Change. Until the completion of this study Rural Zoning is seen as an appropriate interim control measure for areas which may have potential for future residential development.**

## 1.20 DEVELOPMENT PROBLEMS

### (a) Co-ordination of Services

Much of the area zoned for urban development within the County depends on the extension of services (water supply, sewer, drainage) from within the built-up area, and future residents will depend on facilities within Christchurch City, such as the main road network, shops, schools and other community facilities. Because the extension of services and planning for roads and other community facilities requires relatively long lead-times this District Scheme has provided for only moderate growth and includes provisions for the staging of development and prior consultations with all bodies which are likely to be affected, so that traffic planning and utilities planning will have sufficient time to avoid congestion and overloading in the future. In addition the ordinances include requirements to the effect that no development can occur without full servicing being available, and to ensure a logical sequence of development co-ordinated with the extension or improvement of services.

### (b) Land Stability

The Port Hills contains areas which are unstable, and which are subject to erosion in various forms. These areas are not suitable for urban development, and present management problems under most forms of utilisation. Other areas range from marginally stable through to suitable for residential development. The planning controls incorporated in this District Scheme have been designed to encourage prudent land use and land development practices. Both the pattern of zones, and the potential for development within zones depend on the recognition and avoidance of areas where instability or erosion risks exist, based on information prepared by the North Canterbury Catchment Board, D.S.I.R., Soil Bureau and other reliable sources. All zone ordinances affecting land on the Port Hills include earthwork controls. These controls will be complementary to and may eventually supersede the controls exercised by the North Canterbury



Catchment Board, under S.34 of the Soil Conservation and Rivers Control Amendment Act, 1959.

(c) **Land Drainage**

All rainfall in the Heathcote County is ultimately discharged into the Avon-Heathcote Estuary, by the Heathcote River. This river has a low gradient, limited capacity and is subject to tidal influences. Consequently the river has caused flooding problems during periods of heavy rain, and expensive protection works are planned to improve the flooding situation in the lower reaches.

Generally, urbanisation increases the rate and volume of run-off during rainfall, giving higher river flows and more concentrated flood peaks. However, several of the physical characteristics of the Port Hills, and the general characteristics of urban development on the hills tend to counteract this. The Christchurch Drainage Board has indicated that urbanisation as proposed in this District Scheme would have little, if any effect on flood peaks in the Heathcote River.

In order to avoid more localised problems arising from land drainage the scheme makes provision for land drainage to be planned on a comprehensive basis prior to any development proceeding in the new development areas, and all zone ordinances affecting land on the Port Hills include earthwork controls to avoid damaging increases in the speed or volume of stormwater run-off.

(d) **Visual Amenity**

"Without the Port Hills giving distinction to its southern sky-line, Christchurch would be a scenic disaster area - merely another sprawling metropolis, helped out by a cute little river, some nice parks and a few pieces of attractive neo-gothic. The hills are its salvation."

- G. Ogilvie **The Port Hills of Christchurch**

The Council is very aware of the significance of the Port Hills as a visual backdrop to the urban area, and of the wider significance of changes in the landscape on the hills. Areas where new residential development will be permitted are not likely to detract significantly from the visual landscape of the Port Hills. However, changes in the visual landscape can arise from many sources, and it is the Council's view that any restriction on changes in the visual landscape outside the planned urban areas is a matter for a regional approach to reserves and amenity controls on the Port Hills generally.





Part 2

**GOALS, OBJECTIVES  
AND POLICIES**







## **PART 2 - GOALS, OBJECTIVES AND POLICIES**

### **2.0 RURAL ZONES - GOAL, OBJECTIVES AND POLICIES**

#### **2.0.1 Rural Goal**

The effective utilisation of rural land in such a manner as to preserve the rural character and scenic amenities of the Port Hills and to reduce the possibility of erosion.

#### **2.0.2 Rural Objectives and Policies**

##### **(a) Rural Zone and Worsleys Road Rural Zone**

###### **Objective 1**

To minimise the possibility of erosion on potentially unstable land.

###### **Policy 1.1:**

Protective and amenity forestry uses are permitted as predominant uses in the Rural Zone in order to encourage the establishment of a protective forest cover on the less stable areas of the Port Hills.

###### **Policy 1.2:**

The construction and erection of any building, the construction of any driveway and the carrying out of any earthworks or excavations within the area presently covered by the controls exercised by the North Canterbury Catchment Board under Section 34 of the Soils Conservation and Rivers Control Amendment Act 1959, shall require the specific consent of Council or its delegated committee or officers.

###### **Objective 2**

To avoid the uneconomic extension of public services into rural areas.

###### **Policy 2.1:**

Additional dwellings in the Rural Zone will be restricted to those necessary to facilitate the use of land for a predominant use within the zone. In the Worsley's Road Rural Zone a low density rural/residential development on existing titles is permitted using the existing services in the area and promoting good land management practices.

###### **Policy 2.2:**

In considering whether a proposed dwellinghouse is on a suitable site Council shall not permit such a dwellinghouse where it would cause a possible demand for the extension of public services that is not in the economic interests of the district or locality; or cause public services that already exist or are substantially committed in the district or locality to be uneconomically used.

###### **Objective 3**

To preserve and maintain the rural character of the area.

Policy 3.1:

To permit extensive and intensive farming uses as predominant uses in the Rural Zone.

**Objective 4**

To preserve and protect the scenic amenities of the Port Hills.

Policy 4.1:

All use of land in the Rural Zone within or close to the Summit Road Protection Area shall be considered in relation to the Summit Road (Canterbury) Protection Act, 1963 and shall in no way limit, adversely effect or detract from the preservation and protection of the scenic amenities within or close to the Protection Area.

Policy 4.2:

Recreation facilities and reserves are permitted as predominant uses in the Rural Zone provided that they do not involve the erection of any buildings and are not a detraction from the amenities of the neighbourhood. Several reserves are designated in the Rural Zone, including Victoria and Elizabeth Parks and the Scenic Reserves along the Summit Road.

Policy 4.3:

To designate land at the end of Bowenvale Valley for regional reserve to ensure in future a system of recreation reserves extending from the Summit Road to the foot of the hills.

**Objective 5**

To recognise and protect the legal status of existing dwellinghouses.

Policy 5.1:

Dwellinghouses existing or approved at 31 May 1978 are permitted as predominant uses in the Rural Zone, subject to the conditions contained in the Rural Ordinance.

**Objective 6**

To recognise and provide for the different types of uses suitable for a rural area.

Policy 6.1:

A variety of uses, which are normally located in rural areas, are permitted as conditional uses in the Rural zone, essentially on flat land not subject to landslip or visual amenity constraints. These include agricultural contractors' depots, boarding kennels for animals, and factory farming.

(b) Protective Rural Zone

**Objective 1**

To protect land having a high actual or potential value for the production of food from the encroachment of urban development, and to encourage the productive use of land having a high actual or potential value for food production.

Policy 1.1:

Dwellinghouses are only permitted in the zone on specified Certificates of Title comprising an area of not more than 2000 square metres and existing at 31 May 1978, or where a dwellinghouse is required for the better utilisation of the land for farming purposes.

Policy 1.2:

Subdivision will only be approved in the Protective Rural Zone if the subdivided areas are capable of becoming independent farm units and are likely to be so used.

**Objective 2**

To ensure that some land in the Cashmere Valley continues to function as a ponding area for flood waters.

Policy 2.1:

To include under the Protective Rural Zone land in Cashmere Valley needed for flood retention purposes.

2.1 RESIDENTIAL ZONES - GOAL, OBJECTIVES AND POLICIES

2.1.1 Residential Goal

The provision within the planning period of sufficient residential land in which the differing housing needs of the community can adequately be met and in which are achieved desirable living environments.

2.1.2 Residential Objectives and Policies

**Objective 1**

To encourage the economic development and use of services such as the provision of water and sewerage facilities.

Policy 1.1:

To provide for staging the successive development of new residential areas as the demand for housing requires, and services can be provided.

**Objective 2**

To provide for diversified residential development involving a variety of housing types, innovative subdivision design and a high standard of amenity.



Policy 2.1:

To provide for a wide range of housing types, provision is to be made for the following range of residential accommodation - dwellinghouses, townhouses, granny flats, and homes for the aged.

Policy 2.2:

To use the bulk and location and subdivision controls to achieve a reasonable amount of the amenities of sunlight, view and privacy for residential sites.

Policy 2.3:

To provide for a variety of site shapes.

**Objective 3**

To minimise erosion risk and ensure a high standard of amenity for residential sites, in hillslope zones.

Policy 3.1:

Due to the characteristics of some proposed development areas a comprehensive development plan may be required prior to any development being undertaken.

Policy 3.2:

Earthworks on the hillside areas are controlled under the zone ordinances to avoid problems of instability and erosion,

Policy 3.3:

Although minimum subdivisional standards for site area and frontage have been stipulated in the Scheme the prime criteria under consideration concerns the suitability of the site for a predominant use within the particular zone. In the Residential Hillslope zone satisfactory access, a stable building site and the capability of the site being developed in accordance with the zone objectives and policies are relevant factors. Reduced subdivisional standards for lot size, apply in residential zones where the achievement of such factors can be effectively imposed as conditions of subdivisional approval.

**Objective 4**

To maintain and improve the amenities of the existing residential area and to protect the character of the district.

Policy 4.1:

The character of existing residential areas will be retained through the subdivisional standards which will maintain the existing densities and prevent excessive or incompatible development of these areas.

Policy 4.2:

Bulk and location standards and landscaping requirements for existing residential areas will ensure that the amenities are maintained and improved by providing for such factors as visual and aural privacy, shading control, off-street parking, protection of views, and landscaping.

## **Objective 5**

To permit the location within residential areas of those cultural, educational, recreational, health, and community facilities which serve and are compatible with surrounding residences.

### **Policy 5.1:**

The following facilities which serve the community have been permitted as conditional uses within the residential zone: places of assembly, comprehensive developments, homes for the aged, childrens homes, public and private hospitals, nursing homes and convalescent homes, active and passive recreation facilities, professional offices, libraries, community facilities, schools, kindergartens, play centres and day nurseries. Such uses shall be appropriate to the residential area and shall not detract from the amenities of the locality.

## **2.2 SPECIAL DEVELOPMENT AND LAND MANAGEMENT ZONES - POLICY**

These zones generally overlie parts of the Residential Hillslope Zone, and are created to co-ordinate and control some special aspect or aspects of development. Particular areas throughout the County although suitable for residential development have certain features which make uncoordinated development undesirable. Controls therefore have been placed on the development of these areas to ensure that they are developed in a comprehensive and economic manner. The Residential Hillslope zoning will however still be applicable to some of these areas.

Comprehensive development plans are required for such factors as earthworks, sewer and water supply, drainage and landscaping to ensure that before any development takes place such development can be carried out in a systematic and economic manner.

Other controls in those zones are designed to ensure that the unique character of particular areas are retained, such as, for example, the forested area above Princess Margaret Hospital.

## **2.3 COMMERCIAL ZONES - GOALS, OBJECTIVES AND POLICIES**

### **2.3.1 Commercial Goal**

To provide adequate suburban commercial services at convenient locations, having regard for the safety, convenience and comfort of local residents.

### **2.3.2 Commercial Objectives and Policies**

#### **Objective 1**

To provide commercial services which are complementary to the Central Business District and large district shopping centres, in other parts of the Christchurch Metropolitan Area.

#### **Policy 1.1:**

To allow a maximum floor space of 600 square metres in the Commercial 1 zones which is to provide for single grocery, dairy shops and groups of shops located together selling foodstuffs, necessities and providing some suburban services, (e.g. hairdressers, bookshops) which are required on a day to day basis.

## **Objective 2**

To ensure adequate parking, loading and access is provided on, or adjacent to the site for those who use the commercial facilities.

### **Policy 2.1:**

Provision of parking spaces will be related to the proportion of retail floorspace. This parking may be provided on or off the street in the Commercial 1 zone.

### **Policy 2.2:**

To require the provision of convenient and accessible loading areas for the servicing of commercial zones.

### **Policy 2.3:**

All properties in the commercial area shall have where practicable adequate access for business vehicles from minor streets, with minimal interference to normal traffic flow, continuity of shopping frontages and pedestrian movements.

### **Policy 2.4:**

Where possible parking design and layout shall facilitate the multiple use of facilities.

## **Objective 3**

To locate commercial zones on suitable sites with regard to topography and convenience to local residents.

### **Policy 3.1:**

Commercial sites shall where possible be located on flat or nearly flat land.

### **Policy 3.2:**

Commercial 1 sites shall be located for the convenience of shoppers in the surrounding catchment area, within walking distance of all dwellings.

### **Policy 3.3:**

To avoid future commercial ribbon development or development around major intersections by requiring compact commercial areas restricted to one side of the road.

## **Objective 4**

To locate commercial zones where they cause the least possible traffic congestion and hazard.

### **Policy 4.1:**

Commercial sites have been located away from busy intersections and major roads wherever possible.



### **Objective 5**

To provide for community and social activities.

### **Objective 6**

To ensure that the amenities of adjoining sites and of the area generally are not adversely affected.

#### **Policy 6.1:**

Where commercial sites adjoin a residential zone, landscaping and yard requirements shall be provided.

#### **Policy 6.2:**

Areas in which advertising signs will be permitted or prohibited shall be defined, together with the standards of design that will be required.

#### **Policy 6.3:**

Verandahs and continuous shop frontage are required to afford protection to uses of the commercial areas and be of a harmonious design.

#### **Policy 6.4:**

To provide such facilities as seating, restrooms and shelter for the comfort of shoppers.

### **Objective 7**

To encourage the provision of pleasant and safe pedestrian areas.

#### **Policy 7.1:**

To provide commercial areas at the focus of pedestrian access routes.

#### **Policy 7.2:**

Safe, comfortable and convenient access for pedestrians to all commercial sites shall be encouraged where possible by pedestrian/vehicle separation, adequate footpaths and facilities.

### **Objective 8**

To ensure that future commercial areas are compact and developed as a unit and in layout and appearance achieve a reasonable degree of harmony.

#### **Policy 8.1:**

In order to achieve rationality in layout and parking and provide pleasant pedestrian environments, the overall design of sites within the Commercial Service Zone will be controlled by site development plans.

### **Objective 9**

To allow service stations to locate in any zone.

Policy 9.1:

Service stations shall be permitted in any zone where they can serve exclusively a catchment of 1000 dwellinghouses. The procedure for establishing a service station zone is set out in section 3.9 of this Scheme.

2.4 INDUSTRIAL ZONES - GOAL, OBJECTIVES AND POLICIES

2.4.1 **Industrial Goal**

To provide for existing and future industrial areas where there is minimum interference between activities, and which cater for a variety of uses within an acceptable environment.

2.4.2 **Industrial Objectives and Policies**

**Objective 1**

To ensure that there is sufficient land to provide a variety of site sizes to cater for the range of industrial uses.

Policy 1.1:

The bulk and location requirements of these zones shall be such that sites can be efficiently utilised whilst maintaining amenity standards.

**Objective 2**

To ensure that satisfactory provision is made for access and parking of vehicles so as not to interfere with other aspects of development in industrial areas.

Policy 2.1:

Parking spaces will be related to the number of employees or the amount of floor space on the site. Such parking is to be provided off the street.

Policy 2.2:

Provision shall be made for convenient and accessible loading areas for the servicing of industry, related to the particular use of the site.

**Objective 3**

To ensure that no more than an acceptable minimum level of nuisance is generated by activities in industrial areas.

Policy 3.1:

The permitted uses in Industrial zones have been graded in terms of noxious or objectionable aspects to ensure that such uses where located together are compatible.

**Objective 4**

To ensure that the form of development in industrial areas is aesthetically acceptable.

Policy 4.1:

The provision of suitable landscaping and screening is required together with a 6 metre planted buffer strip where an industrial zone fronts or faces any other non-industrial zone.

**Objective 5**

To provide adequately for utility services in industrial areas.

Policy 5.1:

Services (drainage, high pressure water, sewage and effluent disposal) must be able to cater adequately for industrial requirements and provide for economic functioning within industrial areas.

2.5 FERRYMEAD HISTORIC PARK ZONE - GOAL, OBJECTIVES AND POLICIES

2.5.1 Ferrymead Historic Park Zone Goal

The development of an extensive historic and technological museum for public educational and recreational purposes, with major emphasis being on the operation and demonstration of exhibits in as authentic an environment as is possible to recreate. The museum is already of regional and in some respects national significance.

2.5.2 Ferrymead Historic Park Zone Objectives and Policies

**Objective 1**

To encourage the preservation and where applicable restoration of any original historic features of the area still remaining, and their sympathetic co-ordination with development in and adjacent to the zone.

Policy 1.1:

Development of the zone in accordance with an approved concept plan which co-ordinates new development with the original historic features.

**Objective 2**

To allow for the participation in the project by a wide variety of groups involved generally in areas of an historic, scientific or other technological nature, and to provide for this in a planned and co-ordinated way.

Policy 2.1:

To provide for development of the zone generally in accord with an approved concept plan included in this district scheme as Appendix G.

Policy 2.2:

To provide for a wide range of permitted uses related to the above objective, subject to their siting and co-ordination in conformity with the concept plan.



### **Objective 3**

To restrict the internal movement of visitors to Ferrymead to the area's own vintage transport system thus giving a clear sense of purpose to the various transport modes displayed, and to ensure that for reasons of period atmosphere and security that the vintage township and museum area is separate from incompatible present-day development.

#### **Policy 3.1:**

To provide for railway, tramway, cable car, trolley bus, horse drawn and other vehicle routes, more particularly linking the Bridle Path Road and Truscotts Road sites as well as more distant parts of the Truscotts Road site to its focal points. The means of achieving this is to be shown on the Concept Plan.

#### **Policy 3.2:**

To discourage access of the general public to Trust activities on the Truscotts Road site except via entry points at Bridle Path Road by the provision of public car parks only at Bridle Path Road and the prohibition of public entry from Truscotts Road.

### **Objective 4**

To conserve and display artifacts and other aspects of the New Zealand way of life during the first two decades of the twentieth century by developing, as authentically as possible, the pre-1920 Ferrymead Township.

#### **Policy 4.1:**

To provide for a wide range of activities typical of the era, including residential, commercial, industrial and recreational uses, which wherever practical will actually operate.

#### **Policy 4.2:**

That subject to satisfactory arrangements concerning safety of people and buildings to allow deviation from present-day styles, controls and standards, so as to ensure historical accuracy.

#### **Policy 4.3:**

To permit, where appropriate, the relocating and renovation at Ferrymead, of old buildings and other structures where this is more practicable or desirable than the building of replicas.

#### **Policy 4.4:**

To restrict other uses in the immediate vicinity which could not be in keeping with the period.

### **Objective 5**

To prevent conflict with other uses in the vicinity.

Policy 5.1:

To require adequate landscaping and where necessary other screening at boundaries in the Ferrymead Historic Park Zone.

Policy 5.2:

To locate those uses with potential for creating nuisance as far as is practicable from residential areas.

Policy 5.3:

To make clear to potential purchasers in the area the existence of possible conflicts with residential use by means of clear indication in the scheme of the range of predominant uses in Ferrymead.

## 2.6 RESERVES AND RECREATION

### 2.6.1 Introduction

Recreation activities are an integral part of human life and contribute a great deal to the physical and mental health of a community. Increases in population, personal income and car ownership, and decreases in hours of work have all added to an increase in demand for active and passive, indoor and outdoor, regional and local recreation land and facilities.

This section of the scheme deals with the analysis of recreation needs of the community and the requirements for present and future residents.

### 2.6.2 Recreation Types and Needs

Types of recreation required by a community vary from active to passive, from wilderness areas to local playgrounds and from undeveloped open spaces to gymnasias and sports stadia.

The increase in mobility over the last decade of a large proportion of residents has reduced the importance of neighbourhood facilities in comparison with the larger regional resources. The importance of these local areas remains for the younger age groups (children's playgrounds), for informal passive recreation and for use by organised sports, especially during the weekend. The latter will not necessarily include participants from the local neighbourhood.

Open spaces are a valuable structural element in the urban environment. They break up monotonous townscape and provide landmarks within residential areas. Certain land uses, particularly residential and industrial, are generally incompatible, and hence the provision of open space to form visual buffer zones between such uses can minimise the conflict and create a more desirable environment. In addition, open space can protect views, for example over-views of a city.

Because participation rates closely reflect the proportion of the population as a whole to which a particular activity appeals, the age structure of a community is an important factor in determining the recreational needs of that community. Age groupings are not static. A newly established subdivision will normally consist of a large proportion of young families with small children, with very few teenagers, middle aged and elderly people. Consequently, in a newly established residential area there is an immediate need for children's playgrounds. At a later stage of development the number of teenagers will increase, putting demand on local sports grounds and informal playing areas. The final stage is more difficult to predict as the

changes in age structures become dependent upon factors such as internal migration, social and economic status of the area, birth rates and urban renewal programmes.

### 2.6.3 Recreation Preferences

Along with the overall increase in participation in recreation activities there have been changes in recreation preferences. There has been a general decline in organised sports, such as football and cricket, while more varied and often more expensive activities like skiing, sailing and golf are on the increase.

Recreation preferences have been studied in New Zealand in a number of major cities: in Christchurch, A.M. Neighbour; and in Auckland the Auckland Regional Authority. Orders of preference were derived from questionnaires taken from random samples of population in these cities. Apart from spectator attendance at organised sports, the seven most popular recreational activities both in Christchurch and Auckland were passive-type activities: picnicking, driving for pleasure, visiting the beach, walking, swimming and staying at a bach. Participating in organised sport was ranked ninth in Christchurch and tenth in Auckland.

**Table of Recreation Preferences**

| Rank | Christchurch (1972)            | Auckland (1972)                |
|------|--------------------------------|--------------------------------|
| 1    | Picnics                        | Visiting beach                 |
| 2    | Driving for pleasure           | Driving for pleasure           |
| 3    | Visiting beach                 | Picnics                        |
| 4    | Organised sport (spectator)    | Sea/river swimming             |
| 5    | Walking                        | Staying at bach                |
| 6    | Sea/river swimming             | Organised sport (spectator)    |
| 7    | Staying at bach                | Walking                        |
| 8    | Pool swimming                  | Pool swimming                  |
| 9    | Organised Sport (participant)  | Fishing (sea)                  |
| 10   | Horse & dog racing (spectator) | Organised sport (participant)  |
| 11   | Pleasure boating               | Horse & dog racing (spectator) |
| 12   | Motor racing (spectator)       | Pleasure boating               |
| 13   | Fishing (sea)                  | Power boating                  |
| 14   | Golf                           | Sailing                        |
| 15   | Fishing (freshwater)           | Camping (tents)                |
| 16   | Car rallies                    | Golf                           |
| 17   | Power boating                  | Camping (hostels)              |
| 18   | Tramping                       | Motor racing (spectator)       |
| 19   | Camping (caravans)             | Camping (caravans)             |
| 20   | Camping (tents)                | Nature studies                 |
| 21   | Hunting                        | Tramping                       |
| 22   | Skiing                         | Horse riding                   |
| 23   | Tobogganing                    | Car rallies                    |
| 24   | Nature studies                 | Hunting                        |
| 25   | Camping (hostels)              | Fishing                        |
| 26   | Water skiing                   | Skiing                         |
| 27   | Ice skating                    | Water skiing                   |
| 28   | Sailing                        | Surfing                        |
| 29   | Surfing                        | Canoeing                       |
| 30   | Canoeing                       | Tobogganing                    |
| 31   | Horse riding                   | Scrambling                     |
| 32   | Scrambling                     | Ice skating                    |

## 2.6.4 Recreation Standards

Recreation standards are normally measured in relation to units of population, e.g. 1000. In New Zealand, until recently a figure of between 2.8 and 4.04 ha per 1000 persons was regarded as being adequate to satisfy recreational needs.

There is a growing tendency to regard these reserve standards as being sufficient only for neighbourhood needs and not for any major recreational areas with a city wide or regional attraction. Canberra, for instance, has set aside 4 ha per 1000 for parks and sports grounds, plus another 4 ha per 1000 for major lakeside and metropolitan parks.

From a survey carried out by the Christchurch City Council it appeared that for passive recreation purposes 0.97 ha of open space per 1000 population is available in Christchurch City. The figures for active recreation are 0.68 ha/1000 for winter sports and 0.53 ha/1000 population for summer sports. Children's playgrounds are provided at a rate of 0.16 ha/1000 population.

Heathcote has 20.11 ha of passive recreation space per 1000 population, 0.68 ha/1000 of active space and 0.17 ha/1000 children's playgrounds.

## 2.6.5 Reserves In Heathcote County

Recreation and reserve land occupies approximately 269 ha or 7.9% of Heathcote County's total land area. This provides a wide variety of open space resources catering both for the local needs of the County residents and the needs of the larger regional population of the Christchurch Metropolitan area.

The following is a summary and description of the types of reserves and their areas within Heathcote, although it must be noted that few reserves fulfil the function of only one category.

### (a) Active Recreation Reserves

Active recreation reserves provide for a wide range of facilities including children's playgrounds, sports fields, swimming pools, sports stadia and enclosed indoor sports centres. As such the size of reserves and the areas they serve vary considerably according to the function and age group catered for.

Children's playgrounds and facilities cater generally for the 2 to 12 age group and should ideally be distributed at 800m intervals to fulfil a local neighbourhood function. Play equipment is provided on six reserves in the County, two of which (Cashmere Road and Bowenvale Avenue) function solely as local playgrounds. The remaining reserves provide equipment in conjunction with a playing field or other uses. It is apparent that the playgrounds in Heathcote have a comparatively lower distribution than those in Christchurch City (1688 square metres per 1000 population compared with 4000 square metres per 1000 population in Christchurch City).

Reserves catering for active sport in Heathcote provide grassed sportsfields and hard surface courts predominantly for organised and club sport activities, and cater for a wide range of ages and different sports, with or without spectators. This active recreational use probably exerts a more specific demand for land than any other type of reserve function due to its need for large flat areas of land.

Facilities vary according to the type of sport on each sports ground but most of the facilities in Heathcote are contained within four reserves. Bowls, tennis, croquet, netball, cricket, soccer and rugby can be provided for within the



County's active reserves. These are complemented by the use of school playing fields and other sportsgrounds outside the County boundary.

(i) Childrens Playgrounds

|                     |                    |
|---------------------|--------------------|
| Cashmere            | 5367 sq.m          |
| Bowenvale Avenue    | 1229 sq.m          |
| Pt Heathcote Domain | 1012 sq.m (approx) |
| Pt Curries Road     | 506 sq.m (approx)  |
| Pt Holliss Avenue   | 4047 sq.m (approx) |
| Pt Victoria Park    | 2432 sq.m (approx) |

1.4593 ha

(ii) Active Organised Sport and Recreational Grounds

|                   |           |
|-------------------|-----------|
| Heathcote Valley  | 3.4800 ha |
| Valley Road       | 1.4943 ha |
| Curries Road      | 8061 sq.m |
| Pt Remuera Avenue | 3053 sq.m |

6.0857 ha

**(b) Passive Recreation Reserves**

Passive open space may be defined as that intended to be utilised for casual recreational purposes by individual or unofficial groups, e.g. picnicking, walking. These reserves vary in size and include some undeveloped areas.

Amenity reserves can be categorised as passive areas but fulfil a further function by providing some particular aspect of pleasantness or amenity which enhances and forms an integral part of the surrounding area.

The Heathcote River provides a natural amenity and an asset enjoyed by both pedestrians and motorists. The other major amenity reserve is that of the Summit Road area. The Port Hills provide visual and topographical relief from the development on the plains together with scenic overviews of the city.

"Passive" Recreation Reserves

|                                     |             |
|-------------------------------------|-------------|
| Holliss Avenue                      | 1.1920 ha.  |
| Thorrington Road                    | 1770 sq.m.  |
| Takahe Drive                        | 1325 sq.m.  |
| Victoria & Elizabeth parks (C.C.C.) | 88.8947 ha. |
| Port Hills Road (Opawa Road)        | 589 sq.m.   |
| Mary Duncan Park (C.C.C.)           | 23.5578 ha. |
| Proposed reserve (near pipeworks)   | 2700 sq.m.  |
| Holmcroft Court                     | 1700 sq.m.  |
| Erewhon Terrace                     | 1254 sq.m.  |
| Palatine Terrace                    | 147 sq.m.   |

Amenity Reserves

|                           |             |
|---------------------------|-------------|
| Summit Road               | 58.0082 ha. |
| Cashmere Road - Riverbank | 8852 sq.m.  |

Total 173.4864 ha.

**(c) Historic Reserves**

These reserves occur where an historic object or place is preserved as a landmark of educational and cultural interest for future generations. Historic reserves total 49.4 hectares in Heathcote County and include the Ferrymead Historic Park, the Old Stone House, the Sign of the Takahe, the Sign of the Kiwi, and the Bridle Path Track.

Ferrymead Historic Park will eventually consist of 45 hectares which is to be developed as a museum for science and technology with the operation of exhibits where possible. The site contains portions of New Zealand's first railway embankment, within its boundaries. This area has been zoned separately and goals, objectives and policies for this zone are set out in Clause 2.5.

The Old Stone House is located in Holmcroft Court and was built in 1870 by John Cracroft Wilson as staff quarters for his farm, Cashmere Estate. The house resembles the style of some English farm buildings.

The Sign of the Takahe and the Sign of the Kiwi were completed in the 1940's at the time when the Summit Road was developed.

Historic Reserves

|                    |             |
|--------------------|-------------|
| Ferrymead Zone     | 47.9325 ha. |
| Old Stone House    | 1012 sq.m.  |
| Sign of the Takahe | 2120 sq.m.  |
| Sign of the Kiwi   | 1.2320 ha.  |
| Total              | 49.4777 ha. |

**(d) Regional Resources**

Many of the larger passive reserves, the amenity and historic reserves fulfil a greater function than the above categories by providing for the recreational needs of the Canterbury region. Heathcote County contains within its boundaries Victoria and Elizabeth Parks, the Summit Road, Ferrymead, the Signs of the Takahe and Kiwi; all of which provide for day trips, visits, or driving pleasure by the regional population. The establishment of recreation reserves is only one method of providing for recreation needs, and other methods which do not require acquisition and reservation are available. One such method is through the walkway system, and a Crater Rim walkway has been established along the summit of the Port Hills. There are plans to have linking walkways to the built-up area. The concept of walkways is to allow public pedestrian access to both public and private lands under conditions which protect the interests of the landowner and the recreation user. The routes of walkways are only fixed following negotiation with landowners, and cannot be subject to designation, so that it is not possible to mark them on planning maps until after they have been agreed to, surveyed and gazetted. Walkways are promoted by the Canterbury District Walkway Committee, which is serviced by the Department of Lands and Survey, and from whom further information can be obtained. The Council believes the Bridle Path should be created as a walkway.

**(e) Conservation Reserves and the Heathcote River**

The function of Conservation Reserves is to ensure the preservation of areas of natural or scientific interest. The wetlands of the lower Heathcote (approx 12.5 ha) have been protected by designation because there is little of this natural habitat remaining in the Christchurch urban area.

The wetlands should be legally protected from disturbing influences as it is desirable to retain some forms of the natural environment for scientific reasons and to preserve the natural feeding, nesting and resting areas for game birds and other wildlife.

The Drybush area is located east of the Huntsbury Avenue extension approximately 30 metres from Summit Road and is in private ownership. This area contains approx. 9000 sq. metres of bush which is the remains of a much larger area of bush near the Summit Road. The Drybush area has been fenced by the Summit Road Protection Society to ensure its regeneration.

#### Conservation Reserves

|                            |          |
|----------------------------|----------|
| Wetlands (approx)          | 12.5 ha. |
| Drybush (private) (approx) | 0.9 ha.  |
| Total                      | 13.4 ha. |

#### 2.6.6 Provision for Reserves and Facilities

In order that satisfactory provision will be made for recreation for the community at all times, facilities will need to be improved and increased and additional reserve land will need to be acquired for increases in the resident population.

In recognition of the many types of recreation and varied preferences, an increase in the community population would probably necessitate an increase in regional reserves, local reserves, neighbourhood reserves for active or passive pursuits as well as an increase in accessory buildings and facilities.

It has been calculated that the following standards would provide a reasonable amount of land for recreation (other than regional) required per 1000 population.

|                           |         |
|---------------------------|---------|
| Active                    | 1.4 ha. |
| Passive                   | 0.6 ha. |
| Children's playground     | 0.2 ha. |
| Facilities                | 0.8 ha. |
| Total                     | 3.0 ha. |
| Less Provision by Schools | 0.5 ha. |
| Total                     | 2.5 ha. |

#### RESERVE CONTRIBUTIONS AND DEVELOPMENT LEVIES

The Local Government Act 1974, provides for reserve contributions to be levied when land is subdivided or developed for residential, industrial or commercial purposes. In general, the Council will require contributions towards reserves in the form of land set aside or its equivalent in cash at the maximum rate permitted under the legislation, and will follow the objectives and policies set out in the following clauses.

#### 2.7 RESERVES AND RECREATION - GOAL, OBJECTIVES AND POLICIES

### **2.7.1 Reserves Goal**

The provision of sufficient land and adequate facilities for a range of open spaces and recreational activities to cater for the varied needs of the community.

### **2.7.2 Reserves Objectives and Policies**

#### **Objective 1**

To ensure that a wide variety of open space and recreational reserves are acquired and developed in the future.

##### **Policy 1.1:**

To require land to be set aside for active and passive areas, children's playgrounds, amenity, conservation, historic and regional reserves and provision for public walking access and cycle tracks.

#### **Objective 2**

To encourage the provision of pedestrian, cycle and vehicular access to the reserves and County.

#### **Objective 3**

To make provision for, and extend where possible, a system of reserves adjacent to the Heathcote River.

##### **Policy 3.1:**

The wetland areas of the Lower Heathcote River are designated for Wetland conservation.

##### **Policy 3.2:**

To require a buffer strip between the river and conservation reserves and any industrial development of sufficient dimensions to ensure that there are no detrimental effects on the river or wildlife habitats.

##### **Policy 3.3:**

To provide for public access to these areas to a degree not in conflict with the reasons the conservation reserves were designated.

#### **Objective 4**

To maintain and improve existing reserves so that they can be used to their best advantage.

#### **Objective 5**

To ensure that adequate open space is provided in new residential areas.

##### **Policy 5.1:**

At the time of subdivision provision shall be made for land to be developed for children's playgrounds, playing fields, pedestrian accessways or passive recreation according to the needs of the particular community.

## **Objective 6**

To ensure adequate facilities are provided for the proper enjoyment and use of all types of reserves.

## **Objective 7**

To ensure that reserves of regional importance within the County are maintained and developed.

## **Objective 8**

To ensure that areas of wildlife habitat are protected from any disturbing influences and are conserved for aesthetic, ecological, scientific and education purposes.

### **Policy 8.1:**

The wetland areas of the Lower Heathcote River are designated for wetland conservation.

## **Objective 9**

To ensure that objects and places of historical importance and significant amenity areas are preserved and protected.

### **Policy 9.1:**

Areas of historic, architectural and scientific interest and natural beauty are listed on the Council's register for protection.

### **Policy 9.2:**

To ensure the protection of the Summit Road and Dyers Pass Road within the Protected Area including the safety and convenience of persons using the roads and adjacent walking tracks by not permitting any use having high traffic generating characteristics to be established on any site relying on direct or indirect access to these roads.

### **Policy 9.3:**

The Ferrymead Historic Park zone has been created to control the development of the Ferrymead Historic Park.

## **Objective 10**

To provide where possible for an integrated system of reserves linked by pedestrian accessways.

## **2.8 DESIGNATIONS POLICIES**

### **2.8.1 Background**

Designated land is any land set aside for a specific public work, use or purpose. Land designated for some existing public work is shown on the planning maps with a distinctive notation and proposed new public works are shown designated as "proposed".



Designated land throughout the country includes many public works, such as recreation reserves, rubbish tips, telephone exchanges, railways, schools, etc. The system of designation overrides the zoning of the particular site and means that any zoning ordinances do not apply to that site. This recognises that since public works are necessary for the public then the siting, construction and operation of the public work should not be hindered by the procedures in the District Scheme. One advantage of the system of designating is that the particular designated lands or lands designated for proposed uses are shown on the planning maps for the general public to see and allow for in any decision on the use of land or buildings.

Land is designated in the District Scheme when the Minister or local authority serves a requirement on the Council to do so. The designated land must be for a specific purpose and when the land is no longer required for that specific purpose the designation should be uplifted, in which case the "underlying zoning" comes into full operation over the land again. Such a situation would apply if for example some railway land was leased to a private interest.

### 2.8.2 Policies

- (a) To designate those existing and proposed public works which have been the subject of Requirements served on the Council in terms of the Act by the Minister or Local Authority responsible for the work.
- (b) To seek the co-operation of the Minister and Local Authorities in the choice of sites for public works and the manner of construction so that a coherent district planning scheme may be preserved.

Ordinances relating to designated lands set out the rights of owners of the land designated and the rights of appeal in respect of any designation.

## 2.9 OBJECTS AND PLACES OF HISTORIC, SCIENTIFIC OR ARCHITECTURAL INTEREST OR NATURAL BEAUTY AND THE PROTECTION OF TREES

### 2.9.1 Background

Throughout the County there are objects and places worthy of preservation for their scientific interest (e.g. native forest remnants), natural beauty (e.g. trees), architectural interest (e.g. historical buildings), and historic interest (e.g. archaeological and historic sites), although there are no features in the County which as yet have been classified by the Historic Places Trust as places of national historic significance.

It is important to preserve these records of the County's natural heritage and history. Items which are to be protected have been listed and described in a register which is kept at the County office for public inspection. Modification, change or removal of any listed item requires the prior consent of the Council. In some cases protection may require public involvement, in purchase of the protected item or compensation to the owner. If some structures by reason of increasing maintenance or for other valid reasons may not warrant actual preservation, provision will be made for pictorial and/or other records to be obtained.

Selection of the items in the register is based on one or more of the following criteria:

- (i) Does the item have strong historic association with significant people, events or periods in the County's evolution?
- (ii) Does the item have intrinsic merit and is it accepted as a work of art in itself, that enriches the environment?

- (iii) Is the item held in high public esteem or sentiment?
- (iv) Is the item a significant County landmark?
- (v) Does the item display craftsmanship or technology or intrinsic merit?
- (vi) Is the item a notable example of a particular style or period and therefore important for general educational, architectural or archaeological reasons?
- (vii) Does the building reflect accepted standards of the time, such as is indicated by awards?
- (viii) Do groups of buildings and/or spaces and areas have a particular relationship with each other which contributes significantly towards the amenities?
- (ix) Is the area part of the open space structure of the County, or important for landform, built form, townscape or landscape?
- (x) Is the area one of outstanding natural beauty?

The Historic Places Trust was established by the Historic Places Act, 1954, to record and preserve places and things of local or national historic interest. The permission of this Trust is required before any modification can be made to an archaeological site, which has been defined as a site affected by human activity more than 100 years ago.

#### 2.9.2 Protected Trees

Trees serve as a vital link between man in the urban setting and his environment. They improve the quality of the urban environment by preventing erosion, providing shade, modifying extremes of temperature and humidity, reducing noise and air pollution and enhancing the aesthetic quality of life. A voluntary register of trees, shrubs and groups of trees which are to be protected under the provisions of this District Scheme has been compiled. Items have been selected on the basis of:

- (i) Historical significance
- (ii) Community significance
- (iii) Scientific significance.

The means of protection of listed items is set out in Ordinance 3.14. The consent of the Council is required before any item is removed or destroyed or any major cutting or pruning is carried out.

Consent to the removal of any item will be given if:

- (i) the item(s) have become dangerous, or
- (ii) because development would be prejudiced and the public interest would be better served by allowing for removal of the item(s).

Council may advise, or impose conditions on the carrying out of any work on any registered item. In a case where the Council refuses its consent or conditions are not acceptable, conditional use procedure will be available for right of appeal. These provisions will not apply in the case of emergency situations.

### 2.9.3 Policies

- (a) To maintain and develop that part of the character of the County that comes from the continued physical expression of different periods.
- (b) To retain and create visual variety - the contrast between the old and new.
- (c) To protect for the County's future generations, educational and cultural assets that are unlikely to be recreated once destroyed.
- (d) To preserve significant existing buildings still capable of a prolonged life, and to encourage new uses for selected old buildings, where this will assist their preservation.
- (e) To protect and preserve existing trees and other vegetation on both public and private property, and to encourage further planting, particularly on new developments.
- (f) To encourage persons and bodies to purchase and maintain protected objects and places where appropriate.
- (g) To permit subdivision of land on which items listed in the registers are situated, if this is necessary to facilitate their protection.
- (h) To maintain separate registers for objects and places of historical, scientific or architectural interest or natural beauty which are considered worthy of protection, and for protected trees and to provide the opportunity for affected persons to be heard when any item or tree is proposed to be included in either register.

### 2.10 NOISE

The Council recognises the role which it has to play in safeguarding community health and amenities. Building design will have to take account of the performance standards in the scheme to enable operation within the particular zone requirements.

The main problems in respect of noise are:

- Industrial and commercial buildings, places of entertainment and public assembly, including licensed premises and community centres, particularly where adjoining or close to residential areas.
- Traffic noise.
- Household residential noise, including private gatherings, sound equipment, lawn mowing, chainsaws, pets and poultry.

#### 2.10.1 Industrial

At present the control of noise from industrial and commercial premises and places of public assembly is undertaken by using the powers contained in the Health Act 1956 and in some cases the Town and Country Planning Act, 1977, to persuade those operating noisy premises or processes to reduce the emission of noise. This approach has meant dealing with the problem often at considerable cost to the owner after premises have been constructed, equipment installed and complaints from neighbours have been received.

Methods of reducing Industrial and Other Noise include:

- Machinery maintenance and lubrication

- Machinery modification
- Sound barriers and absorbers
- Vibration mounts
- Suitable location of noisy machinery
- Limits on operating time

Evaluation of building design or land use and operation of a proposed use, will be made by the Council when plans are submitted for approval, to ensure that the proposal will meet the required standards.

Performance standards for buildings will require developers to design new buildings so that certain noise level requirements are met.

### 2.10.2 Traffic Noise

There are a number of recognised sound reducing techniques available and these may be summarised as follows:

- Landscaping, screening, mounding, and the erection of protective barriers.
- Using acoustic materials in building construction with particular attention to walls, ceilings, roofs, foundations, doors, windows and vents.
- The design of buildings so that heights, arrangement of rooms, and placement of doors, windows, balconies and courtyards, will reduce the effect of external noise particularly in living areas and bedrooms.
- The arrangement of buildings on the site in a way which will minimise noise impact by increasing the distance from the noise source, or using parking areas and utility buildings as sound barriers.

The Scheme does not include special requirements as to the siting and design of dwellings in areas where a noise problem due to traffic is likely to exist. However, the attention of owners and designers of dwellings close to major roads is drawn to the need to consider the possible future effects of traffic noise on the occupiers.

### 2.10.3 Household Noise

The Scheme does not include any provision relating to household noise as the Council considers that this matter is adequately dealt with under the Heathcote County Noise Abatement and Noise Control Bylaw 1975.

## 2.11 BUILDINGS POLICY

### 2.11.1 Background

This section deals with Council's policies with respect to the control of buildings. The regulation of building height, coverage, siting, design, alterations and maintenance forms part of the overall planning of any area. These regulations are specified for each zone in the Zoning Ordinances and in the General Ordinance for Building in the Code of Ordinances of the District Scheme. The purpose of such controls is to ensure the safe and convenient operation of the uses involved and of other uses nearby, and to preserve the visual and other amenities of the area. The

policies and ordinances of this District Scheme are designed to overcome problems such as the erection of buildings which shadow adjoining properties, obstruct views, detract from the appearance of the area or create dangerous traffic situations.

### 2.11.2 Policies

- (a) No building shall be permitted on any land which is not suitable for the building or use proposed.
- (b) To preserve the amenities of every part of the County by requiring reasonable maintenance of all buildings.
- (c) To ensure that all buildings are sited or constructed in such a way as will effectively:
  - (i) Safeguard possible adjoining buildings from fire.
  - (ii) Provide access to all external parts of the building for maintenance and fire fighting purposes.
  - (iii) Ensure that adjoining uses are not unduly affected by noise from the permitted use.
  - (iv) Ensure that adjoining properties are not unduly deprived of sun, light and air.
  - (v) Provide by means of physical separation some degree of privacy.
  - (vi) Ensure adequate outdoor space is provided on the site for the satisfactory functioning of the permitted use, including the provision of off-street parking.
  - (vii) Ensure that safe vehicle access is possible to the uses being carried out on the site.
  - (viii) Ensure that there is minimum obstruction and good visibility for traffic moving on roadways.
  - (ix) Prevent unnecessary shadowing of roadways.
  - (x) Ensure that there is sufficient emphasis on soil stability considerations and the need for controlled stormwater disposal.
  - (xi) Provide suitable access to, and facilities in all premises open to the public, for disabled persons, in accordance with Sections 24 and 25 of the Disabled Persons Community Welfare Act, 1975.

### 2.11.3 Relocated Buildings - Controlled Use

#### Objectives

- (a) To better utilise existing housing and other building stock in sound condition.
- (b) To conserve existing building stock.
- (c) To ensure relocated buildings do not detrimentally affect the character of surrounding areas.



- (d) To ensure relocated buildings are appropriate to the area in which they are to be relocated.

## **Policies**

The Council aims to ensure that relocated buildings do not detract from the amenities of the neighbourhood by:

- (a) Only allowing buildings in sound condition to be relocated.
- (b) Requiring relocated buildings to have regard to:
- the general character of the area in which they are to be relocated
  - the character of buildings in the vicinity
  - the character of buildings on the same or adjoining sites
- (c) Generally taking the age, design, general appearance and scale of surrounding buildings as a guide.
- (d) Requiring existing planting to be retained and supplementing this where appropriate.

## **2.12 SUBDIVISION POLICY**

### **2.12.1 Background**

The subdivision of land into sites for various purposes is usually the first stage in any development. The control of subdivisions has therefore always been an essential part of planning. A high standard of subdivision design cannot always be achieved simply by arbitrary minimum standards relating to frontages and areas, due to the complexities of site locations and requirements. Criteria based on the proposed use of the land and the need to relate the type of development to the particular environment are necessary if the best results are to be achieved. Although flexibility in the size and shape of sites is conducive to good design, clearly defined objectives and standards are also essential.

#### **(a) Residential**

In the residential zones the ordinances have been designed to set a limit on the minimum size of sites. In order to encourage some variation in size and shape of sites an average area has been required for every subdivision. Variety in section shape and the use of difficult sections are also being encouraged by allowing smaller frontages than the minimum frontage for the particular zone. Although a minimum site area has been set basic factors governing subdivision in the Residential Hillslope Zone relate to soil stability (satisfactory access and stable building sites) and the ability of the allotment to be developed in accordance with the zones objectives and policies. In both the Residential Hillslope and Residential 1 Zones a reduction in the minimum standard for site area is permitted in situations where by conditions placed on subdivisional approval it is ensured that the Scheme's provisions will be complied with.

#### **(b) Commercial and Industrial**

The size of suitable sections for industrial and commercial uses varies significantly according to the proposed activities. To avoid the subdivision of inadequately sized sites Council will assess each proposed industrial and commercial subdivision on its merits in relation to the suitability of the site for

the proposed use.

**(c) Protective Rural**

In the Protective Rural Zone, covering land of high actual or potential productivity, the ordinances have been designed to ensure that subdivisions provide for independent farming units. Each subdivider is required to prove to Council that independent units will be produced and that the allotments are likely to be used for the type of farming proposed.

**(d) Rural**

The subdivision ordinances have been designed to utilise the land as effectively as possible (while retaining the open rural character of the Port Hills) by prohibiting subdivision unless the better utilisation of land for a predominant use results.

**2.13 PARKING AND LOADING POLICY**

Where concentrated land use occurs, areas of land need to be provided specifically for parking and loading. Because of the necessity to preserve access points to property, and visibility at intersections and other important points, parking and loading facilities on the street are physically limited.

Where land uses are concentrated such as in shopping and industrial areas off street parking areas provide convenience for staff and customers (and therefore are in the best interests of the land owner) and also ease traffic congestion.

In residential and other less intensive land use areas the provision of off-street parking eases traffic congestion in roadways by leaving roadside parking for visitors cars and service vehicles. Property owners and occupiers will be required to provide sufficient private off-street parking and loading facilities for residents, employees, visitors or customers whichever is appropriate to the use of the property whenever buildings are altered or the use of land or buildings is changed.

**2.14 ACCESS AND ROADING**

**2.14.1 Background**

The nature of accessways combined with the types of land use have a significant effect on the efficient and safe movement of traffic in any roadway. The most important roadways in the County are those designated in the operative Regional Planning Scheme Section 2 - Communications, and draft Regional Planning Scheme Review - Section 2 - Communications as shown in Appendix A. Because of high traffic volumes and sometimes high travelling speeds properly located and designed access points are essential. The other roadways are less critical but the same general principles need to be adhered to for safety and efficiency in both vehicle and pedestrian movement.

**2.14.2 New Roading**

A continuing problem in land use planning is the designation of proposed roads in a district scheme. The problem arises because when detailed design is considered, the location of roading shown on the basis of broad scale plans, is most often incorrect. There are provisions in the Town and Country Planning Act to allow the variations of such proposed roads, but there have been very many instances in the past where friction has been the result of attempts to vary such road provisions. To overcome this problem, the District Scheme shows proposed roads in purely diagrammatic form

and when land is developed the Council will ensure the intent of the District Scheme indication is achieved and that no adjoining land is landlocked.

### 2.14.3 **Bicycle Routes**

The bicycle is used widely in the Christchurch area as a means of transport and for recreation. Specific provision is needed for bicycle routes, separate from the main arterial and primary routes. The bicycle offers many advantages as a mode of transport, including its cheapness to buy and run, its adaptability, its minimal impact on the environment and its recreational appeal. The Christchurch area is highly suitable for the use of bicycles due to the flatness, favourable weather conditions and the short distances travelled by most commuters. In Heathcote the Port Hills make cycling more difficult, but the areas between the foot of the hills and Christchurch City are suitable for bicycle transport.

Cycle routes can take the form of separate cycle tracks intended for the sole use of cyclists and independent of other transport; cycle lanes located within the same carriageway as other traffic but separated by road markings; and the use of quiet residential streets. Other provisions, such as signposting, lighting, bridges and controls at intersections to protect cyclists from motorised traffic.

The Heathcote River and the Heathcote Valley bicycle routes are proposed in the County and are shown in Appendix E.

## 2.15 EARTHWORKS POLICY

Unwise clearing of vegetation and earthworks can result in erosion, landslip, accelerated and increased stormwater runoff and siltation. In those zones which cover hillslope areas the ordinances are designed to control earthworks and in administering the ordinances the Council will be concerned to establish that the work applied for will not promote instability or erosion on the land involved or adjoining land, will not cause damaging increases in the speed and volume of stormwater runoff and will not cause downstream siltation.

## 2.16 ADVERTISING POLICY

### 2.16.1 **Background**

The location, size, design and appearance of signs can have a considerable effect on the amenities of a locality. The Scheme's provisions recognise the informative nature of signs but places limitations on their size and location.

### 2.16.2 **Policies**

#### (a) **Rural Zones**

It is Council's policy that signs be permitted in the rural zones only where these refer to a particular use of land or building and are located on that particular land. This policy is aimed at precluding so called "hoardings" and other signs which serve little purpose in providing necessary information for the general public. There are a small number of exceptions to this general policy and these are listed in the General Ordinances on Advertising. Council wishes to ensure a high standard of construction and design for signs and signboards and will encourage simplicity in information displayed, sensitivity for areas of scenic beauty and attractive and effective display of information.

**(b) Residential Zones**

Council will generally exercise its discretion on advertising in residential zones in a more liberal manner than for rural zones. Signs must be designed so as not to be obtrusively visible from residential areas and rural areas.

**(c) Industrial and Commercial Zones**

Signs shall be permitted in these zones where they refer to the particular use of land or buildings and are located on such land or building. All signs displayed on buildings shall be limited to a specific surface area with provision for larger signs in special circumstances. Council will generally exercise its discretion regarding sign area in these zones in a more liberal manner than for rural zones.

**(d) Ferrymead Historic Park Zone**

Signs are permitted in this zone where they form a necessary part of development and are necessary for authenticity.

**(e) General Policy**

To permit signs which are necessary to inform the general public, which have pleasant visual properties and which do not detract from the amenities of the area. The main factors to be taken into consideration when considering a proposed or existing sign will be:

- (i) Location and size
- (ii) The design, appearance and view from any residential or rural area.
- (iii) The likely effect on the movement of people and goods, especially safety considerations.
- (iv) The nature of the immediate environment.
- (v) The size of the sign and signboard in relation to the immediate environment.
- (vi) The nature and content of the sign and wording and whether it is to be illuminated or flashing.
- (vii) The nature, size and number of other signs and signboards in the immediate environment.
- (viii) The necessity for the sign in providing information for the general public.

**2.17 PUBLIC UTILITIES AND OTHER WORKS**

**Public Utilities**

The Council's general policy for the provision of public utilities is to ensure that these are efficiently provided, as required. The general principles to be applied are detailed in the various zone policies and ordinances. Public utilities are permitted uses in each zone, subject to the conditions set out in Appendix H.



## Other Works

- (i) Other public works are detailed on the planning maps and in most cases designated. A list of the designated areas corresponding to the numbered indications on the planning maps is included in Section 3.13 of the Scheme.
- (ii) The Valley Ward of the County is supplied from the Lyttelton Borough Council's high pressure water supply, the Borough having wells, pumps, pipes and storage facilities within the County. The Council is investigating a programme of work to ultimately supply this area from its own reticulation thus overcoming the limitations of supply which presently exist at periods of peak demand.

Investigations have shown that the choice of future well sites will probably involve servicing increased demand in the Valley Ward and that portion of the Hillsborough Ward presently supplied from the Rocky Point Reservoir from aquifers further north of the hills than those providing the existing Heathcote County and Lyttelton Borough supply. (Ref: Report by D.D. Wilson, N.Z. Geological Survey, October 1976 on application by Ballins Breweries to abstract groundwater).

## Proposed Road Widening, Deviations, Realignment and Alterations

Where these alterations are of sufficient size, the details have been shown on the Planning Maps.

### Road Widening

- (a) Roads requiring widening so that, for their whole length, they will be 20 metres wide, the widening, where required, is to be of sufficient width to make each side of each road 10 metres from the original centre line of that particular road.

Martindale Road  
Bridle Path Road (Main Road to Tunnel Road Portal)  
Chapmans Road  
Horotane Valley Road (as shown on Planning Maps)  
Scruttons Road

- (b) Roads being riverbank roads to be widened. Widening, as required, to be on the landward side of road and to be 10 metres from the original centre line.

Ernlea Terrace  
Sloan Terrace

- (c) Roads requiring widening so that, for their whole length, they will be 15 metres wide. The widening, where required, is to be of sufficient width to make each side of each road 7.5 metres from the original centre line of the particular road.

Flavell Street  
Marsden Street  
Rollin Street

- (d) Roads requiring widening to 20 metres wide for portion of its length.

Crichton Terrace from Council's reserve to Karitane Hospital - 5m each side.  
Truscotts Road from Martindale Road to the dogleg north.

- (e) Roads requiring widening on one side only.

Flinders Road to 15 metres wide (widening on East side only).

(f) **Opawa Road - 30 metres on the East side.**

(g) **Port Hills Road - 5 metres (15 metres from original centre line) on the north side of Port Hills Road. (See Appendix K for detailed plans).**

### **Road Deviations**

(a) Rossmore Terrace - intersection to Centaurus Road (approximately 40 metres)

### **Intersection Corner Splays**

The standard splays for all intersections of local roads meeting primary or secondary roads shall be 6 metres in the urban zones and 15 metres in rural zones.

At major intersections larger splays may be required especially where topography dictates alterations to the intersection layout.

These intersections include:

Hackthorne/Cashmere Roads  
Hackthorne/Dyers Pass Roads  
Dyers Pass Road/Victoria Park/Takahe Drive  
Dyers Pass Road/Kidson Terrace  
Martindale/Port Hills Roads

### **Alignment Splays**

Local widening and corner easing by the provision of special splays will be required as follows:

Port Hills Road  
Whaka Terrace - (100 metres from Cashmere Road)  
Crichton Terrace - (100 metres from Cashmere Road)  
St. Martins Road - (opposite Gamblins Road)  
Hackthorne Road - (near Stambridge Place)

### **Important Alterations in Level or Other Engineering Features**

Channelisation and intersection reconstruction will be considered at:

Hackthorne/Dyers Pass Roads  
Cashmere Road/Colombo Street  
Cashmere Road/Barrington Street  
Port Hills/Martindale Roads  
Port Hills/Bridle Path Roads  
Bridle Path/Ferry Roads  
Port Hills/Opawa Roads

These being the most important intersections in the Regional Road Network.

### **Limited Access Road**

Port Hills Road from Curries Road to Mauger Drive is a declared Limited Access Road. The present level of service will be maintained by controls on adjoining development and by road improvements undertaken essentially within the existing

road boundaries.

### **Roads Proposed to be Closed**

- (i) Laing Crescent Extension from the railway to approximately 100 metres west.
- (ii) Butts Valley Road Extension for a short distance each side of the Tunnel Road.
- (iii) The un-named road which is on a south-west/north-east axis and which is bisected by the Tunnel Road near the Tunnel Road's northern extremity.
- (iv) Flavell Street - at the south-west end adjacent to the Commercial Zoning.



**Part 3**

**CODE OF ORDINANCES**







**PART 3 - CODE OF ORDINANCES**

**3.0 INTERPRETATION**

In this Code of Ordinances and in each document relating to this Scheme, unless the context requires otherwise,

"The Act" means the Town and Country Planning Act 1977 and its amendments.

"Access Strip" in relation to a rear site means all that part of the site from the street frontage having a width less than 6 metres, width being measured from site boundary to site boundary at right angles to the course of the access strip.

"Accessory Building" in relation to any site means a building the use of which, in the opinion of the Council, is incidental to that of any other building or buildings on the site, and in relation to a site on which no building has been erected is one which, in the opinion of the Council, is incidental to any permitted use. For the purposes of determining yard requirements an accessory building substantially attached to a residential building shall be considered part of that building except where otherwise provided for in the Code.

"Adjoining" means immediately adjoining.

"Agricultural" means the use of land for the purpose of horticulture, fruit growing, seed growing, or dairy farming; the breeding and keeping of livestock for the production of food, wood, skins or fur or for use in the farming of land; the use of land for grazing; its use as arable land, market gardens and nursery ground; and the use of land as woodlands where it is necessary or desirable in the interests of farming of the land or other land.

"Building" whether temporary or permanent, movable or immovable, in addition to its ordinary and usual meaning shall include the following:

- (1) Any structure or erection enclosed or partly enclosed within walls or supported on columns whether it has a roof thereto or not.
- (2) Any grandstand or structure or erection in which sitting or standing accommodation is provided, whether such grandstand structure or erection be enclosed or not.
- (3) Any retaining wall which either exceeds a height of 1.2m from the lowest ground level adjoining or is within 1.2m of the boundary of a street or public place.
- (4) Any wall:
  - (a) Being of concrete or masonry and of a height exceeding 1.8m from the lowest ground level adjoining; or
  - (b) Being of other material and of a height exceeding 2.4m from the lowest ground level adjoining; but shall not include a framework supporting mesh or wire or netting or similar open material.
- (5) Any tank, including its supporting structure:
  - (a) Which has a capacity of not less than 22,700 litres; or

- (b) Which, having a capacity of 1,800 litres or more, is supported at a height of more than 1.8m from the base of its structure; or
  - (c) Which is supported at a height of more than 3.6m from the base of its supporting structure.
- (6) Any part of a building as defined above including any construction for the permanent support or partial support of a building when such construction is erected or placed in position on the site as an independent stage in the erection of a building.
- (7) Masts, poles, radio and television aerials greater than 6.3m above mean ground level.

"Building Line Restriction" means a restriction imposed on a site to ensure that new buildings are erected or existing buildings re-erected, altered or substantially rebuilt no part of any such building shall stand within such distance from the boundary of the site or other line of origin as the Council specifies.

"Bulk and Location Requirements" shall include the limitation of height, width, density and coverage of buildings and provisions for yards, landscaping, private garages, outdoor living and service courts.

"Carport" means a car shelter used in conjunction with a residential building. Such shelter shall have no doors or walls on at least 50% of its perimeter.

"Clubrooms" - See "Places of Assembly".

"Code" means this Code of Ordinances.

"Comprehensive Development Plans" in relation to Special Development Areas and Land Management Zones shall include all land within the zone and in addition to any other requirements otherwise specified elsewhere in this Code shall in particular include such of the following information as may be appropriate for the lands involved:

- (1) Land contours, soil types, drainage conditions, and existing vegetation cover as to type and quality.
- (2) The proposed pattern of detailed land use.
- (3) Co-ordination of development with adjacent lands held under separate ownership, specifically in regard to roading and drainage.
- (4) The layout, design and construction of roads and services, including proposals relating to any authority required from other local authorities; for example, the Christchurch Drainage Board.
- (5) The extent of all proposed earth-works including formation of building platforms.
- (6) The siting of proposed buildings.
- (7) The preservation and/or enhancement of landscape features, and proposed retention or planting of bush and trees.

- (8) The proposed provision of community facilities, reserves, and open spaces and proposals for their vesting or ownership and maintenance.
- (9) The proposed subdivision of the land.
- (10) The proposed development programme and financial feasibility.

"Conditional Use" in relation to land and to any building in any zone, means any use specified in these ordinances as a use that is permitted only if the Council consents and only subject to such conditions as the Council may impose whether generally or in respect of the particular use or in respect of the particular site.

**"Controlled Use" means a use or development permitted as a controlled use, subject to such controls and powers specified in the Scheme as are necessary or desirable to achieve the policies and objectives contained in the Scheme relating to the design and external appearance of buildings, landscape design and site layout or the location and design of vehicular access to and from the site.**

"Corner Site" - see "Site".

"Council" means the Heathcote County Council or any Committee, sub-committee or person to whom the Council's powers, duties and discretions under this code have lawfully been delegated pursuant to the provisions of the Act.

"Coverage" means that portion of a site which may be covered by buildings, including accessory buildings but not including fences, terraces, hardstanding surfaces or driveways.

"Dairy" means a shop selling food and beverages and deriving a substantial part of its trade from the retail sale of milk, bread and other day to day requirements.

"Dwellinghouse" means an individual detached residential building forming a self-contained household unit.

"Earthworks" shall include any excavations or filling where the change to the existing ground surface exceeds 500mm or where more than 10 cubic metres of material is to be placed or removed and shall include all tracking, trenching or any operation likely to cause diversion or concentration of water.

"Economic Unit" or "Economic Farm Unit" or "Independent Farm Unit" means a farm having as its primary purpose the production of livestock or vegetable matter for sale and which is the source of full-time employment for at least one person, without the need for support from an outside source of income.

"Engineer" means the County Engineer or his Deputy or Assistant or any persons authorised by the Engineer to perform for the time being any of the Engineer's functions, or any officer or other person appointed by the Council to control any of the matters contained in this Code.

"Erection" in relation to any building, includes the re-erection or structural alteration of or the making of any addition to the building or the placing of the building on a site or the removal of the building from one position on a site to another position on the same site; and "erect" and "erected" have corresponding meanings.

"Existing" in relation to buildings and uses, means lawfully in existence at the time when the ordinance or other provision first became enforceable, and lawfully continuing in existence until the time of interpretation.

"Factory" means a building or part of a building or land used for the packaging, processing, assembly or manufacturing of goods or materials for sale, gain or service.

"Farm" means any type of farm defined in this scheme (and "Farming" shall have similar meaning) being a land based activity, having as its primary purpose the production of any livestock or vegetable matter. (Refer "Agricultural").

"Extensive Farm" means a farm involving a low total energy input per unit area, dependent on a large area of reasonably fertile soil such as, for example, sheep and cattle grazing or most types of cropping.

"Intensive Farm" means a farm involving a high total energy input per unit area, dependent on highly fertile soils and/or special climate, in an appropriate location such as, for example, a market garden, land or pot grown nursery, berry fruit farm or glasshouses.

"Factory Farm" means a farm involving a very high total energy input per unit area and which is not dependent on fertile soils and may be mainly under building cover such as, for example, poultry farm, pig farm, mushroom farm.

"Forestry" means any type of forestry defined in this Scheme being the planting, replanting, cultivation and management of trees and related vegetation.

"Protective Forestry" means forestry primarily for conservation, river protection, erosion control, soil stabilisation and for the provision of shelter and general amenity.

"Commercial Forestry" means forestry for the extraction of timber and other forest produce for commercial gain.

"Front Site" - see "Site".

"Front Yard" - see "Yard".

"Garage" means a building or land used for the housing or care of self-propelled vehicles but does not include "Motor Repair Garage".

"Goal" is a long range target being one of the purposes of this Scheme.

"Granny Flat" means a free standing one bedroomed household unit, located as an accessory building to an existing dwellinghouse. Such granny flat may be self-sufficient and is intended for occupancy by a dependent relative.

"Height" - see Recession Plane in Appendix F.

"Home Occupation" means the use of part of a dwellinghouse, residential accessory building or residential property (including farm house) for the production of goods or services as part of or in connection with the occupation, hobby or craftskill, whether full-time or part-time, of one of the persons residing on the site.



"Household Unit" means a self-contained unit for the purpose of accommodating one or more persons independently of any other unit and includes a dwellinghouse, granny flat and townhouse.

"Institution" means a building administered by an organisation for the purposes of public health, education or culture.

"Interim Use" means a use that does not conflict with the present amenities of the neighbourhood in which it is located, and which may reasonably be established at that time and be continued until the date or occasion fixed in or under the District Scheme, for the prohibition of that use on that site, or for a different use of the site, to become enforceable.

"Landscaping" means the planting and treatment of a site or part of a site, for the purpose of protecting the character and enhancing the amenities of the site and adjacent areas. It includes the planting of trees, shrubs and grass; earthworks, ground formation and related drainage; and the establishment of elements such as walls, fences, screens and amenity features.

"Licensed Tavern" means any land or building for which a tavern premises license has been issued or has been authorised in terms of the Sale of Liquor Act, 1962, and its amendments.

"Limited Access Road" means any road or part thereof which has been declared a Limited Access Road by the controlling road authority under the Public Works Amendment Act, 1963.

"Living Court" means an area of land for units at ground level appropriately located. An appropriate location shall generally be adjacent to the required windows of at least one third of the living rooms in any household.

"Loading" in relation to a vehicle includes its fuelling and unloading and the adjustment or covering or tying of its load and the loading or adjustment of any part of its load.

"Loading Space" means that portion of land used for loading vehicles as required under this Code.

"Lot" means an area of land shown on any scheme plan of subdivision as a site to be created, or which is held in a single certificate of title.

"Market Gardening" includes the growing of fruit, vegetables and flowers for commercial gain.

"Medical Centre" means a building used by the practise of one or more registered medical practitioners or dentists together with one or more of the following medical or allied persons:

- a registered medical practitioner or specialist
- a dentist and/or dental surgeon
- an optician or optometrist
- a physiotherapist
- a chiropractor
- a radiographer or radiologist
- a chiropodist
- a pharmacist (limited to a dispensary only)

- a social worker or counsellor
- a diagnostic or laboratory service

"Minister" means "Minister of Works and Development".

"Motor Repair Garage" means land or buildings used for the lubrication and repair of motor vehicles, but does not include the retail sale of petroleum products.

"Multi-Unit Development" means any development comprising more than one household unit.

"Objective" is a short range target, relating to some area or matter, which the Council hopes to achieve by implementing policies in this Scheme.

"Offices" means offices for commercial, administrative and professional purposes.

**"Park" means public open space for recreational use by the public.**

"Parking" in relation to a vehicle includes the stopping or standing of the vehicle in the same place approximately, whether the driver is with it or not, whether the engine is running or not, and whether the vehicle is capable of moving under its own power or not, but a vehicle shall not be deemed to be parked on a street if the period of standing is not more than five minutes or being more than five minutes is enforced by circumstances beyond the control of the licensed driver present in charge of the vehicle.

"Permitted Use" means any use which is permitted in the zone either as a predominant use or a conditional use.

"Place of Assembly" means land or buildings which are used in whole or part for the assembly of persons for such purposes as deliberation, worship, entertainment, education or similar purposes and includes such buildings associated with public or private hotels or travellers' accommodation.

**"Playing Field" means fields to be used for active recreation.**

"Policy" is a statement of how the Council intends to achieve an objective or goal.

"Predominant Use" in relation to land, in any zone, means any use specified in these ordinances as a predominant use that is permitted as of right subject to compliance with all requirements of this Scheme.

**"Recreation Facility" means any area, structure or building whether licensed or unlicensed, which as its main functions provides active or passive recreation opportunities for clubs or organisations.**

"Rear Site" - see "Site".

"Rear Yard" - see "Yard".

"Regulations"- reference to "The Regulations" or to a particular regulation shall mean a reference to the Town and Country Planning Regulations 1978 and their amendments.

"Restaurant" means any land and/or buildings, or part of a building, on or in which meals are prepared and sold for consumption on the premises and includes a tea room.

"Residential Unit" means "Household Unit" but excludes granny flats.

"Road" includes any street and means an area of land which is road in accordance with the provisions of the Local Government Act 1974.

"Scheme" means this District Scheme and includes the Scheme Statement, Code of Ordinances, Appendices and the Planning Maps.

"Service Court" means an area of land for the service activities and facilities of a dwelling unit, including clothesline, garden sheds and fuel storage areas and shall include practicable access from the street.

"Service and Repair Workshops" includes household appliance repair workshops, laundries, bakeries, cycle and motor cycle repair shops, steam cleaning and dry cleaning depots, signwriting and signmaking, auction rooms, shoe repair and upholstery workshops, recording studios, duplicating services, printing works, tradesman's depots and other uses which in the opinion of the Council naturally fall into this group, and which will not detract from the amenities of the neighbourhood.

"Service Station" means any site for the retail sale of motor spirits and lubricating oils for motor vehicles and the sale of kerosene, diesel fuel, tyres, batteries and other accessories normally associated with motor vehicles and shall include premises for the mechanical repair and servicing of motor vehicles provided that the repairs undertaken on the premises shall be confined to the mechanical repair of motor vehicles (other than heavy diesel fuel vehicles) and domestic garden equipment and shall exclude panel beating, spray painting, heavy engineering such as engine reboring and crankshaft grinding, boat sales, car washing facilities, caravan sales and car sales (where these are not a predominant use in the zone).

"Set Back" in relation to commercial and industrial buildings means an area of open space at ground level for the use of pedestrians at all times being contiguous with the street footpath and extending along the entire street front.

"Shop" means any building or part of a building in which goods are offered or exposed for retail sale or are offered for hire, and includes the premises for the repair of footwear, clothing and household equipment, banks, (provided display window type frontage is built at ground level), hairdressers, land agents and auctioneers premises, and depots for the receipt or ordering or delivery of goods, but does not include premises for the sale of fuel or oil for motor vehicles, car sales yards or any similar type of sales yard.

"Side Yard" - see "Yard".

"Sign" includes every sign placed or affixed (whether by painting or otherwise) as a notice or advertising matter upon a site and visible from off the site and the board, hoarding, or other structure which supports such signs.

"Site" means an area of land permitted by the Scheme and by the general law to be used as a separate unit for one or more specified or ascertainable uses and includes all related buildings and curtilages.

"Front Site" shall be those sites not being a rear site or a corner site.

"Corner Site" are those sites where two of the boundaries are street boundaries, being not less than 6 metres each in length and the included angle between them measured within the site being not more than 135 degrees.

"Rear Site" shall be those sites where access to the building area is obtained by an access strip.

"Through Site" means a front site having two frontages to a road or roads, such frontages not being contiguous and the average width of the site measured at right angles to the axis of the site being not less than the minimum frontage required for a front site.

"Substantially Attached" means that the elements of one building shall be attached to another building by continuance of the roofline and one wall for a minimum of 2 metres in plan.

"Tavern" - see "Licensed Tavern".

"Townhouse" means one of a group of household units, whether of one or more storeys, and whether attached or freestanding; each townhouse to form a self-contained household unit.

**"Travellers Accommodation" means any land or buildings used to house the general public in rented residential accommodation which is available at a daily tariff (other than licensed hotels or licensed tourist premises).**

"Yard" means a part of a site which is required by this Scheme to be unoccupied and unobstructed by buildings from the ground upwards, except as otherwise provided by this Scheme. Required dimensions for yards shall be measured horizontally regardless of the slope of the land.

"Front Yard" means a yard between the street line or proposed future street line where widening is proposed and a line parallel thereto extending across the full width of the site.

"Rear Yard" means a yard between the rear boundary of the site and a line parallel thereto extending across the full width of the site.

"Side Yard" means a yard between a side boundary of the site and a line parallel thereto extending from the front yard (or the front boundary of the site and if there be no front yard) to the rear yard (or if there be no rear yard the rear boundary of the site); or if there be two or more front yards, extending from yard to yard.



### 3.1 PROTECTIVE RURAL ZONE

#### 3.1.1 Zone Purpose

The primary purpose of the zone is to ensure that productive land having high natural fertility and/or climatic advantages is utilised for horticultural purposes, and in the Cashmere Valley for flood retention purposes.

#### 3.1.2 Uses

See Part 2 of the District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Extensive and Intensive Farming.
- (ii) **Buildings (other than dwellinghouses) accessory to the use of buildings or land for any predominant use.**
- (iii) Dwelling and residential accessory buildings on the land in Certificates of Title A1/1375 and 2C/1442 provided that the site is suitable for the disposal of septic tank effluent.
- (iv) The repair, modifications and replacement of dwellinghouses existing and used at 31 May 1978.
- (v) Public Utilities - subject to the provisions of Appendix H.
- (vi) Playing Fields, parks, reserves and recreation facilities, which do not involve the erection or use of any building.

##### (b) Conditional Uses

- (i) **The erection and use of buildings associated with playing fields, parks, reserves and recreation facilities; places of assembly.**
- (ii) Stalls for the sale of produce grown on the property or in the zone partition direct to the public, subject to compliance with the Food Hygiene and other relevant Regulations.
- (iii) **Dwellinghouse provided that the dwellinghouse is incidental and secondary to intensive or extensive farming and is necessary for the carrying out or development of that primary farming use.**

**Provided also that in considering any application the Council shall have regard to the goals, objectives and policies set out in Part 2 of this District Scheme, and in addition:**

- (a) **whether the physical characteristics of the site are such that they are specifically suited to the use proposed.**
- (b) **whether there will be a significant amount of production generated from the land having regard to the size and quality of the land.**

- (c) whether there will be a significant capital commitment involved in the generation of productive output.
- (d) whether the dwelling will not inhabit the potential use of the land for sustained production in an economic manner.
- (e) whether the farming use has already been established, or there is adequate evidence of the ability and intention of the applicant to establish and sustain the use.

**(c) Conditions Relating to Predominant and Conditional Uses**

- (i) Earthworks and Excavations - On any site in the zone, the carrying out of any earthworks for or in association with the operation of any permitted use, for the construction or erection of any building (including swimming pool), the construction of any driveway or access, or any other earthworks or excavations for any purpose whatsoever shall be subject to the following conditions and restrictions:
  - (a) All earthworks are to be designed and carried out in such a way as to not promote instability or erosion on the land involved or adjoining land, to not cause damaging increases in the speed or volume of stormwater run-off and to not cause downstream siltation. Prior to the commencement of any earthworks details of the proposed work shall be submitted to the Council for approval by way of a non-notified application. Before giving its approval the Council shall consult with the North Canterbury Catchment Board and may impose conditions to ensure that this restriction is complied with. Where deemed necessary the Council may require any proposed earthworks to be designed and certified by a Registered Engineer.
  - (b) The design of any building and vehicular access to any site shall minimise the amount of earthworks required, and
    - (i) details of vehicular access and the location of a garage or future garage shall form part of every application for a building permit for a dwellinghouse, and
    - (ii) on any site which has been subject to earthworks and on any site where the Council deems it necessary the foundations for a dwellinghouse or any other structure shall be designed and certified by a Registered Engineer.

**3.1.3 Buildings**

See Part 2 of the District Scheme for relevant policies.

**(a) General**

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Protective Rural Zone.

**(b) Requirements for Predominant Uses**

- (i) Height and Location. In no case shall a building protrude through an envelope being 9 metres above the original ground contour at every point.

Provided that where any site adjoins a residential zone all buildings shall be contained within a recession plane as defined in Appendix F based upon the site boundary which adjoins the residential zone.

(ii) Coverage. There is no maximum coverage in this zone.

(iii) Minimum Yard Requirements

| Type of Use   | Front Yard | Rear Yard | Side Yard |
|---|------------|-----------|-----------|
| Dwellinghouses  | 4.5m       | 6.0m      | 3.0m      |
| Accessory Buildings<br>(excluding garages and<br>including glasshouses) | 4.5m       | 1.5m      | 1.5m      |

(iv) Requirements for Private Garages and Residential Accessory Buildings:

- (a) The General Ordinance for Buildings (Part 3.17 of this Scheme) applies.
- (b) Any private garage or residential accessory building may be sited up to 1 metre from a site boundary and where the exterior walls have a fire resistance rating in accordance with the Council's building bylaws and a dispensation has been approved by the Council they may be sited up to the boundary.
- (c) No garage, carport or any residential accessory building shall be located closer than 6 metres from any existing road, proposed road or private road, except where it is impractical to site it elsewhere and a dispensation has been approved by the Council.
- (d) The maximum height is 3.5m provided that no residential accessory building or private garage shall exceed 2.5m in height within one metre of the boundary.
- (e) In the case where a building is erected on or near a boundary, stormwater from the roof shall not be disposed of onto the adjoining site.
- (f) No private garage or residential accessory building sited within one metre of a boundary shall exceed 7m in length, measured parallel to the boundary.
- (v) Eaves, Balconies, Bay Windows, Steps, Porches. Refer General Ordinance on Buildings.

(c) **Requirements for Conditional Uses**

The standards for conditional uses shall be set by the Council, having regard to the circumstances of any application, but shall generally be the same as those set for predominant uses.

#### 3.1.4 **Subdivision**

See Part 2 of this District Scheme for relevant policies.

- (a) The General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme shall apply to the Protective Rural Zone.

#### 3.1.5 **Parking and Loading**

- (a) General Ordinance 3.19 shall apply to the Protective Rural Zone.

#### 3.1.6 **Access**

- (a) General Ordinance 3.20 shall apply to the Protective Rural Zone.

#### 3.1.7 **Advertising**

- (a) General Ordinance 3.21 shall apply to the Protective Rural Zone.

## 3.2 RURAL ZONE ORDINANCE

### 3.2.1 Zone Purposes

The main intention of this zone is to utilise the land as effectively as possible by encouraging farming in such a way that the noxious weed nuisance and the possibility of landslip is reduced while retaining the open space character of the Port Hills.

### 3.2.2 Uses

See Part 2 of this District Scheme for relevant policies.

#### (a) Predominant Uses

- (i) Extensive and Intensive Farming.
- (ii) **Protection forestry, but excluding the trimming, felling, cutting up and extracting of any tree by means of tools or mechanical devices which are not entirely hand-held.**
- (iii) The repair, modification or replacement of any dwellinghouse, existing or approved (building permit issued) at 31 May 1978.
- (iv) The use of the land in C.T. 10B/1192 Canterbury Registry as a cargo assembly and storage area associated with the Port of Lyttelton. Provided that no site development shall take place until detailed plans for the development of the site have been submitted to and approved by the Council by way of a non-notified application. The development proposals shall provide for the following matters to the Council's satisfaction:
  - a. Access to and from the site to the Regional Road system which may necessitate improved interchanges or improvements to existing Regional Roads, as well as vehicle circulation within the site in terms of the requirements of the General Ordinances on Access, Parking and Loading.
  - b. Stormwater and wastewater discharge from the site which may require separate collection and disposal facilities having regard to the wetland and conservation areas and the Lyttelton Borough Council well farm nearby.
  - c. Buffer areas, landscaping and the protection of visual amenity.
  - d. The location, design and external appearance of buildings.
  - e. The protection of water bearing substrata and the prevention of flooding of adjoining land.

Provided further that the use of the site as a cargo assembly and storage area shall comply at all times with the provisions of this scheme for the Industrial 2 Zone.

- (v) **Buildings (other than dwellinghouses) accessory to the use of buildings or land for any predominant use.**



(vi) **Playing fields, parks, reserves and recreation facilities, which do not involve the erection or use of any building.**

(vii) Public utilities subject to the provisions of Appendix H.

**(b) Conditional Uses**

(i) Stalls for the sale of produce direct to the public.

(ii) Quarrying, winning and processing of materials occurring naturally within the vicinity.

(iii) Provision for the public parking of vehicles.

(iv) **The erection and use of buildings associated with playing fields, parks, reserves and recreation facilities; places of assembly.**

(v) Agricultural contractors depots, boarding kennels for animals and factory farming, provided that the site is relatively flat and not subject to landslip or visual amenity constraints.

(vi) **Commercial forestry and the trimming, felling, cutting up and extracting of any tree which is planted for protection purposes or is part of a protection forest or plantation by means of tools or mechanical devices which are not entirely hand-held.**

(viii) Dwellinghouse provided that the dwellinghouse is incidental and secondary to intensive or extensive farming and is necessary for the carrying out or development of that primary farming use.

Provided also that in considering any application the Council shall have regard to the goals, objectives and policies set out in Part 2 of this District Scheme, and in addition:

(a) whether the physical characteristics of the site are such that they are specifically suited to the use proposed;

(b) whether there will be a significant amount of production generated from the land having regard to the size and quality of the land;

(c) whether there will be a significant capital commitment involved in the generation of productive output;

(d) whether the dwelling will not inhibit the potential use of the land for sustained production in an economic manner;

(e) whether the farming use has already been established, or there is adequate evidence of the ability and intention of the applicant to establish and sustain the use.

**(c) Conditions Relating to Predominant and Conditional Uses**

- (i) Summit Road Protection Act - the use of land in this zone within or close to the Summit Road Protection Area shall take into consideration the Summit Road (Canterbury) Protection Act 1963 and shall in no way limit, adversely affect or detract from the preservation and protection of the amenities within or close to the Protection Area, or the provision and improvement of facilities for the public enjoyment of those amenities.
- (ii) Earthworks and Excavations - in any site in the zone except those situated within the area bounded by Bridle Path Road, the South Island Main Trunk railway line and the Heathcote River, the carrying out of any earthworks for or in association with the operation of any permitted use, for the construction or erection of any building (including swimming pool), the construction of any driveway or access, or any other earthworks or excavations for any purpose whatsoever shall be subject to the following conditions and restrictions:
  - a. All earthworks are to be designed and carried out in such a way as to not promote instability or erosion on the land involved or adjoining land, to not cause damaging increases in the speed or volume of stormwater run off and to not cause downstream siltation. Prior to the commencement of any earthworks, details of the proposed work shall be submitted to the Council for approval by way of a non-notified application. Before giving its approval the Council shall consult with the North Canterbury Catchment Board and may impose conditions to ensure that this restriction is complied with. Where deemed necessary the Council may require any proposed earthworks to be designed and certified by a Registered Engineer.
  - b. The design of any building and vehicular access to any site shall minimise the amount of earthworks required, and
    - i) details of vehicular access and the location of a garage or future garage shall form part of every application for a building permit for a dwellinghouse, and
    - ii) on any site which has been subject to earthworks and on any other site where the Council deems it necessary the foundations for a dwellinghouse or any other structure shall be designed and certified by a Registered Engineer.
- (iii) No tree shall be planted in such a position that when mature it would be likely to shade a public road in a manner which is likely to cause icing on the carriageway of that road, or would if blown over or otherwise felled be likely to damage power or telephone lines.

**(d) Conditions Relating to Conditional Uses**

- (i) The use of any land or buildings shall be permitted only where that use does not detract from the amenities of the neighbourhood.
- (ii) The use of any land or building shall be permitted only where the site is suitable for the use proposed.

The Council in considering whether a proposed use is on a suitable site shall take into consideration:

- a. the existing services - water supply, sewage and stormwater disposal, electricity supply, telephone and postal services, access and transport, and the need for further provision of these services.
  - b. the existing stability of the site and the effect of the proposed excavations and buildings on the stability of the land.
  - c. the proposed interim and final landscaping.
  - d. the likely effect of the proposal on the scenic amenities of the area.
- (iii) The use of any land or building shall not be permitted where that use would:
- a. tend to promote close settlement, or
  - b. cause a possible demand for an extension of public services that is not in the economic interests of the district or locality, or
  - c. cause public services that already exist or are substantially committed in the district or locality to be uneconomically used, or
  - d. lead to any obstruction or other interference with the free flow of traffic on any State Highway or other important traffic route.
- (iv) The sites of excavations, heaps, dumps, spoil or other materials at any workings or plant which cause or are likely to cause damage to property or disfigurement to the countryside shall be progressively restored, in accordance with a programme approved by the County Engineer, to a reasonably natural state by levelling or backfilling where possible, and by the planting of grass or trees, and, on completion of work, by the removal of plant and buildings.
- (v) In granting its consent to any conditional use the Council may impose such additional conditions, restrictions and prohibitions as it thinks fit.

### 3.2.3 BUILDINGS

See Part 2 of the District Scheme for relevant policies.

#### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme shall apply in the Rural Zone.

#### (b) Requirements for Predominant Uses

- (i) Height and Location. In no case shall a building protrude through an envelope being 9 metres above the original ground contour at every point. Provided that where any site adjoins a residential zone all buildings shall be contained within a recession plane as defined in Appendix F based upon the site boundary which adjoins the residential zone.

## (ii) Minimum Yard Requirements

| Type of Use   | Front Yard | Rear Yard | Side Yard |
|---|------------|-----------|-----------|
| Dwellinghouses  | 4.5m       | 6.0m      | 3.0m      |
| Accessory Buildings<br>(excluding garages and<br>including glasshouses) | 7.5m       | 3.0m      | 3.0m      |

## (iii) Requirements for Private Garages and Residential Accessory Buildings:

- a. The General Ordinance for Buildings (Part 3.17 of this Scheme) applies.
- b. Any private garage or residential accessory building may be sited up to 1 metre from a site boundary and where the exterior walls have a fire resistance rating in accordance with the Council's building bylaws and a dispensation has been approved by the Council they may be sited up to the boundary.
- c. No garage, carport or any residential accessory building shall be located closer than 6 metres from any existing road, proposed road or private road, except where it is impractical to site it elsewhere and a dispensation has been approved by the Council.
- d. The maximum height is 3.5m provided that no residential accessory building or private garage shall exceed 2.5m in height within one metre of the boundary.
- e. In the case where a building is erected on or near a boundary, stormwater from the roof shall not be disposed of onto the adjoining site.
- f. No private garage or residential accessory building sited within one metre of a boundary shall exceed 7m in length, measured parallel to the boundary.

## (iv) Eaves, Balconies, Bay Windows, Steps, Porches: Refer General Ordinance on Buildings.

## (c) Requirements for Conditional Uses

The standards for conditional uses shall be set by the Council, having regard to the circumstances of any application, but shall generally be the same as those set for predominant uses.

## 3.2.4 Subdivision

See Part 2 of this District Scheme for relevant policies.

- (a) The General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme shall apply to this Rural Zone.

**3.2.5 Parking and Loading**

(a) General Ordinance 3.19 shall apply to this Rural Zone.

**3.2.6 Access**

(a) General Ordinance 3.20 shall apply to this Rural Zone.

**3.2.7 Advertising**

(a) General Ordinance 3.21 shall apply to this Rural Zone.



### 3.3 WORSLEYS ROAD RURAL ZONE

This zone is located on the eastern side of Worsleys Spur and extends from below the Christchurch City Council reservoir to above the end of the sealed road. The land in the zone has been subdivided into nineteen approximately 4.0 ha lots. Much of the land in the zone is relatively steep, although each property includes some relatively flat land near Worsleys Road. The land is of limited value for farming, but has the potential to provide a pleasant residential environment. There is no reticulated sewerage system and the disposal of liquid wastes may present some difficulties on some sites. The Christchurch Drainage Board has control of septic tank approval in this area, and may require special engineering techniques or land management practises to ensure the proper disposal of liquid wastes. The zone ordinance includes particular conditions relating to the disposal of liquid wastes, land management and the prevention of land instability and erosion.

#### 3.3.1 Zone Purpose

This zone is created to provide for low density residential development on existing lots which have a rural-residential standard of services available, and to promote land management practises designed to minimise any nuisance from noxious weeds and reduce erosion.

#### 3.3.2 Uses

See Part 2 of this District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Extensive and intensive farming (other than factory farming).
- (ii) Protection forestry, but excluding the trimming, felling, cutting up and extracting of any tree by means of tools or mechanical devices which are not entirely hand-held.
- (iii) The erection and use as a dwelling of one dwellinghouse on each lot held in a separate certificate of title where the dwellinghouse is accessory to part-time or full-time farming.
- (iv) The erection and use of buildings for purposes accessory to the use of land or buildings in the zone for any other predominant use.

##### (b) Conditional Uses

Commercial forestry and the trimming, felling, cutting up and extracting of any tree which is planted for protection purposes or is part of a protection forest or plantation by means of tools or mechanical devices which are not entirely hand-held.

##### (c) All predominant and conditional uses shall be subject to the following controls where applicable:

- (i) No tree shall be planted in such a position that when mature it would be likely to shade a public road in a manner which is likely to cause icing on the carriageway of that road, or would if blown over or otherwise felled be likely to damage power or telephone lines on land not in the same ownership as the land on which the tree is planted.

- (ii) Before a building permit is issued the applicant shall submit to the Council details of the proposed method of disposing of all liquid wastes generated on the property. No liquid wastes may be disposed of by a method not approved by the Council, which may require the applicant or the registered proprietor of the land to enter into a bond conditioned in the proper maintenance of any required earthworks or vegetation forming part of the method of disposal.
- (iii) Before a building permit is issued the applicant shall submit to the Council a statement and management plan of the proposed development and use of the land, including the siting of buildings and measures to avoid or counteract instability and erosion of the land and the disposal of stormwater, which the Council may, as a condition precedent to the issue of the permit, approve with or without modification. After the grant of the permit no use shall be made of the land or buildings which is not in accordance with that approved statement and plan, including any provisions it contains for the maintenance of protective works or vegetation and means for the disposal of wastes and water. The Council may from time to time on application approve the modification of a maintenance plan and thereafter this ordinance shall apply to the plan as so modified.
- (iv) Earthworks and Excavations - on any site the carrying out of any earthworks for or in association with the operation of any permitted use, for the construction or erection of any building (including swimming pools), the construction of any driveway or access, or any other earthworks or excavations for any purpose whatsoever shall be subject to the following conditions and restrictions:
  - a. All earthworks are to be designed and carried out in such a way as to not promote instability or erosion on the land involved or adjoining land, to not cause damaging increases in the speed or volume of stormwater run off and to not cause downstream siltation. Prior to the commencement of any earthworks, details of the proposed work shall be submitted to the Council for approval by way of a non-notified application. Before giving its approval the Council shall consult with the North Canterbury Catchment Board and may impose conditions to ensure that this restriction is complied with. Where deemed necessary the Council may require any proposed earthworks to be designed and certified by a Registered Engineer.
  - b. The design of any building and vehicular access to any site shall minimise the amount of earthworks required, and
    - i) details of vehicular access and the location of a garage or future garage shall form part of every application for a building permit for a dwellinghouse, and
    - ii) on any site which has been subject to earthworks and on any other site where the Council deems it necessary the foundations for a dwellinghouse or any other structure shall be designed and certified by a Registered Engineer.

## 3.3.3 BUILDINGS

See Part 2 of the District Scheme for relevant policies.

(a) **General**

The General Ordinance for Buildings, Part 3.17 of the District Scheme shall apply in the Worsleys Road Rural Zone.

(b) **Requirements for Predominant Uses**

(i) Height : In no case shall a building protrude through an envelope being 9 metres above the original ground contour at every point.

(ii) Minimum Yard Requirements

| Type of Use   | Front Yard | Rear Yard | Side Yard |
|---|------------|-----------|-----------|
| Dwellinghouses  | 4.5m       | 6.0m      | 3.0m      |
| Accessory Buildings<br>(excluding garages and<br>including glasshouses) | 4.5m       | 1.5m      | 1.5m      |

(iii) Requirements for Private Garages and Residential Accessory Buildings:

- a. The General Ordinance for Buildings (Part 3.17 of this Scheme) applies.
- b. Any private garage or residential accessory building may be sited up to 1 metre from a site boundary and where the exterior walls have a fire resistance rating in accordance with the Council's building bylaws and a dispensation has been approved by the Council they may be sited up to the boundary.
- c. No garage, carport or any residential accessory building shall be located closer than 6 metres from any existing road, proposed road or private road, except where it is impractical to site it elsewhere and a dispensation has been approved by the Council.
- d. The maximum height is 3.5m provided that no residential accessory building or private garage shall exceed 2.5m in height within one metre of the boundary.
- e. In the case where a building is erected on or near a boundary, stormwater from the roof shall not be disposed of onto the adjoining site.
- f. No private garage or residential accessory building sited within one metre of a boundary shall exceed 7m in length, measured parallel to the boundary.

(iv) Eaves, Balconies, Bay Windows, Steps, Porches: Refer General Ordinance on Buildings.

**(c) Requirements for Conditional Uses**

The standards for conditional uses shall be set by the Council, having regard to the circumstances of any application, but shall generally be the same as those set for predominant uses.

**3.3.4 Subdivision**

See Part 2 of this District Scheme for relevant policies.

- (a) The General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme shall apply to this Worsleys Road Rural Zone.

**3.3.5 Parking and Loading**

- (a) General Ordinance 3.19 shall apply to this Worsleys Road Rural Zone.

**3.3.6 Access**

- (a) General Ordinance 3.20 shall apply to this Worsleys Road Rural Zone.

**3.3.7 Advertising**

- (a) General Ordinance 3.21 shall apply to this Worsleys Road Rural Zone.

### 3.4 RESIDENTIAL 1 ZONE ORDINANCE (EXISTING RESIDENTIAL AREA EXCLUDING THE HILLS)

#### 3.4.1 Zone Purpose

The purpose of the Residential 1 zone is to preserve the existing pattern of low density residential development. The permitted uses include a variety of non-residential uses, although the Council retains the right to ensure that these uses are compatible with existing development. Residential development will be retained at or near the present intensity of use in order to preserve the high standard of amenity in these areas.

#### 3.4.2 Uses

See Part 2 of this District Scheme for relevant policies.

##### (a) Predominant Uses

(i) **Dwellinghouses.**

(ii) **Townhouses where**

a. **The site area per household unit is not less than 300m<sup>2</sup>; except that two units may be erected on a site of not less than 500m<sup>2</sup> if held in a separate certificate of title issued prior to 1 November 1989; and**

b. **Every unit shall have an outdoor living space with a minimum area of 55m<sup>2</sup> and minimum dimensions of 4.5m, located so as to receive sunshine during winter, conveniently near to the main living area of the unit and with not less than 75% of the perimeter of the outdoor living space enclosed by a wall, screen or planting, at least 1.5m in height designed to give privacy and using materials that harmonise with the units.**

(iii) **Recreation Reserves, provided that no land or buildings shall be used for pleasure or entertainment purposes involving any operation detrimental to the amenities of the neighbourhood. Where any actual or potential detraction from the amenities of the neighbourhood might, in the Council's opinion, occur the use shall be a conditional use.**

(iv) **Home occupation (including crafts) subject to the following conditions:**

a. **The principal use of the site shall be residential.**

b. **Any person engaging in the activity must reside on the property.**

c. **No display or advertisement of goods or services shall take place on the site without the Council's written consent.**

d. **The use or storage of plant and materials having objectionable or noxious properties, such as noise, smoke, smell, effluent, vibration, dust, glare or other dangerous properties shall not be included.**



e. Any activity attracting significantly more traffic than a house unit shall not be included.

- (v) Farming, limited to market gardening and nurseries.
- (vi) Buildings accessory to use of buildings or land for any predominant use.
- (vii) Public Utilities subject to the provisions of Appendix H.

**(b) Conditional Uses**

- (i) Granny Flats.
- (ii) Homes for the Aged.
- (iii) Churches and other buildings used only as places of worship.
- (iv) Places of assembly: libraries, clubrooms, gymnasias, church halls, and community centres.
- (v) Educational and research institutions, kindergartens, play centres and day care nurseries.
- (vi) Hospitals, convalescent homes, nursing homes, and charitable institutions.
- (vii) Playgrounds, sporting grounds and buildings or land for or connected with such uses or which do not qualify as Predominant Uses.
- (viii) Medical Centres.
- (ix) Professional offices, (outside of the ambit of home occupations) limited to two professional people on any site and provided that greater than 50% of the floor area of the building is used as a dwellinghouse.
- (x) Use of the property in Certificate of Title 12F/1238 for the purposes of a Chartered Club including recreation facilities, restaurants, members bar, library, car parking and other facilities.
- (xi) Any building accessory to the use of buildings or land for any conditional use authorised by or under this District Scheme for that site at that time.
- (xii) All residential uses not permitted as predominant uses, but excluding any form of transient residential accommodation such as motels, camping grounds and licensed and private hotels.

**(c) Conditions Relating to Conditional Uses**

In determining any application for conditional uses in this zone, in addition to the criteria laid down by Section 72 of the Act, Council shall consider the relationship of the aspects of the proposed use that make it a conditional use to the criteria and objectives of the Residential 1 Zone.

### 3.4.3 Buildings

#### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply to the Residential 1 zone.

#### (b) Requirements for Predominant Uses

- (i) **Height and Location.** All buildings shall be contained within a building envelope constructed by recession planes in accordance with the requirements of Appendix F. Except that in no case shall a building protrude through an envelope being 9 metres above the original ground contour at every point.
- (ii) **Coverage.** The maximum site coverage for all buildings shall be 45%. The area of any access strip shall not be included in the calculation of site coverage for a rear site.
- (iii) **Minimum Yard Requirements**

##### Front Sites

| Type of Use   | Front Yard | Rear Yard | Side Yard    |
|---|------------|-----------|--------------|
| Dwellinghouses and Town Houses  | 4.5m       | 6.0m      | 3.0m<br>1.5m |
| Other buildings excluding residential accessory buildings and private garages | 6.0m       | 1.5m      | 1.5m         |

**A combined front and rear yard of not less than 10.0 metres with a minimum front or rear yard of 3.0 metres, may be used as an alternative to the present 4.5 metre minimum front yard and 6.0 metre minimum rear yard requirement.**

##### Rear Sites:

All buildings excluding residential accessory buildings:

One yard of 4.5 metres  
All other yards 2.0 metres.

- (iv) **Requirements for Residential Accessory Buildings & Private Garages:**
- (a) The General Ordinance for Buildings (Part 3.17 of this Scheme) shall apply.
- (b) Any private garage or residential accessory building may be sited up to 1 metre from a site boundary and where the exterior walls have a fire resistance rating in accordance with the Council's building

bylaws and a dispensation has been approved by the Council they may be sited up to the boundary.

- (c) No buildings other than garages shall be placed in the front yard or forward of a dwelling. Where the vehicle door generally faces the road, the minimum setback of the garage from the road boundary shall be 6.0 metres. Where the vehicle door is generally at right angles to the road, the minimum setback shall be 2.0 metres and the site landscaped between the garage and the road boundary. Such garages shall be limited to a maximum of 40.0m<sup>2</sup>. The following specific design controls/guidelines are to be complied with where a garage is to be located in the front yard or forward of a dwelling:
- *Design* - The design of the garage shall harmonise with the dwelling. In this respect the pitch of the roof should be the same as for the dwelling.
  - *Materials* - The materials used in the construction of the garage (walls and roof) must be the same as for the dwelling, or alternatively ensure that the finished appearance of the garage is such as to convey the impression that the same materials have been used in the construction of both buildings.
  - *Colour* - The garage must be finished in the same colour as the house, ie the walls and roof of both buildings should match. Where a garage is constructed of materials which require painting, such painting must be completed within six months of the garage being available for use.
  - *Landscaping* - Any such garage must be screened from direct public view or otherwise enhanced by screen fencing and landscaping. The landscape treatment must provide for the planting of trees and shrubs in that part of the front yard between the garage and the street and the garage and the nearest side boundary.
- (d) The maximum site coverage on each site is not exceeded.
- (e) The maximum height is 3.5m provided that no residential accessory building or private garage shall exceed 2.5m in height within one metre of the boundary.
- (f) In the case where a building is erected on or near a boundary, stormwater from the roof shall not be disposed of onto the adjoining site.
- (g) No private garage or residential accessory building sited within one metre of a boundary shall exceed 7m in length, measured parallel to the boundary.

- (h) Total floor area of accessory buildings (including garages) shall not exceed 52 sq.m. for section sizes of up to 500 sq.m. provided that the total floor area may be increased at a rate of 1 sq.m. for each 25 sq.m. of site area in excess of 500 sq.m. but not exceeding 80 sq.m.
- (i) The floor area of any single accessory building shall not exceed 65 sq.m.
- (v) Eaves, Balconies, Bay Windows, Steps, Porches. Refer General Ordinance on Buildings.
- (vi) Landscaping. For non-residential buildings landscaping shall be provided over at least 20% of the site and where vegetation is involved a maintenance period of one year will be required.

**(c) Requirements for Conditional Uses**

The standards for conditional uses shall be set by the Council, having regard to the circumstances of any application, but shall generally be the same as those for predominant uses.

**3.4.4 Subdivision of Land**

See Part 2 of this District Scheme for relevant policies.

- (a) General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme shall apply in the Residential 1 zones.

**3.4.5 Parking and Loading**

- (a) General Ordinance 3.19 shall apply in the Residential 1 zones.

**3.4.6 Access**

- (a) General Ordinance 3.20 shall apply in the Residential 1 zones.

**3.4.7 Advertising**

- (a) General Ordinance 3.21 shall apply in the Residential 1 zones.

### 3.5 RESIDENTIAL HILLSLOPE

#### 3.5.1 Zone Purpose

The purpose of the zone is to preserve the existing pattern of low density development on the hill areas of the County and to take into account the topography and characteristics of the area when planning and implementing development proposals.

The permitted uses included a variety of non-residential uses, although the Council retains the right to ensure that these uses are compatible with existing development. Residential development will be retained at the present intensity of use in order to preserve the high standard of amenity in these areas.

#### 3.5.2 Uses

See Part 2 of this District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Dwellinghouses.
- (ii) Townhouses where
  - a. The site area per household unit is not less than 300m<sup>2</sup>; except that two units may be erected on a site of not less than 500m<sup>2</sup> if held in a separate certificate of title issued prior to 1 November 1989; and
  - b. Every unit shall have an outdoor living space with a minimum area of 55m<sup>2</sup> and minimum dimensions of 4.5m, located so as to receive sunshine during winter, conveniently near to the main living area of the unit and with not less than 75% of the perimeter of the outdoor living space enclosed by a wall, screen or planting, at least 1.5m in height designed to give privacy and using materials that harmonise with the units.
- (iii) Parks and scenic reserves used predominantly for passive purposes, provided that no land or buildings shall be used for pleasure or entertainment purposes involving any operation detrimental to the amenities of the neighbourhood. Where any actual or potential detraction from the amenities of the neighbourhood might, in the Council's opinion, occur the use shall be a conditional use.
- (iv) Home occupation (including crafts) subject to the following conditions:
  - a. The principal use of the site shall be residential.
  - b. Any person engaging in the activity must reside on the property.
  - c. No display or advertisement of goods or services shall take place on the site without the Council's written consent.



- d. The use or storage of plant and materials having objectionable or noxious properties, such as noise, smoke, smell, effluent, vibration, dust, glare or other dangerous properties shall not be included.
  - e. Any activity attracting significantly more traffic than a household unit shall not be included.
  - (v) Farming, limited to market gardening and nurseries and the grazing of animals where no nuisance is created. In the case of disagreement between the Council and any landowner or occupier the grazing of animals shall be a conditional use in the zone.
  - (vi) Buildings accessory to use of buildings or land for any predominant use.
  - (vii) Public Utilities subject to the provisions of Appendix H.
- (b) **Conditional Uses**
- (i) Granny Flats.
  - (ii) Homes for the Aged.
  - (iii) Churches and other buildings used only as places of worship.
  - (iv) Places of assembly: libraries, clubrooms, gymnasias, church halls, and community centres.
  - (v) Educational and research institutions, kindergartens, playcentres and day care nurseries.
  - (vi) Hospitals, convalescent homes, nursing homes, and charitable institutions.
  - (vii) Playgrounds, sporting grounds and buildings or land for or connected with such uses or which do not qualify as Predominant Uses.
  - (viii) Medical Centres.
  - (ix) Professional offices, (outside of the ambit of home occupations) situated in a dwellinghouse, townhouse or residential accessory building, limited to two professional people on any site and provided that not less than 50% of the floor area of the building is used for residential purposes.
  - (x) Any building accessory to the use of buildings or land for any conditional use authorised by or under this District Scheme for that site at that time.
  - (xi) All residential uses not permitted as predominant uses, but excluding any form of transient residential accommodation such as motels, camping grounds and licensed and private hotels.

(c) **Earthworks**

On any site in the zone the carrying out of any earthworks or excavations for or in association with the operation of any permitted use, for the construction or erection of any building (including swimming pool), the construction of any driveway or access, or any other earthworks or excavations for any purpose

whatsoever shall be subject to the following conditions and restrictions:

- a. All earthworks are to be designed and carried out in such a way as to not promote instability or erosion on the land involved or adjoining land, to not cause damaging increases in the speed or volume of stormwater run off and to not cause downstream siltation. Prior to the commencement of any earthworks details of the proposed work shall be submitted to the Council for approval by way of a non-notified application. Before giving its approval the Council shall consult with the North Canterbury Catchment Board and the Christchurch Drainage Board and may impose conditions to ensure that this restriction is complied with. Where deemed necessary the Council may require any proposed earthworks to be designed and certified by a Registered Engineer.
- b. The design of any building and vehicular access to any site shall minimise the amount of earthworks required, and
  - i) details of vehicular access and the location of a garage or future garage shall form part of every application for a building permit for a dwellinghouse, and
  - ii) on any site which has been subject to earthworks and on any other site where the Council deems it necessary the foundations for a dwellinghouse or any other structure shall be designed and certified by a Registered Engineer.

**(d) Conditions Relating to Conditional Uses**

In determining any application for conditional uses in this zone, in addition to the criteria laid down by Section 72 of the Act, Council shall consider the relationship of the aspects of the proposed use that make it a conditional use to the criteria and objectives of the Residential Hillslope Zone.

**3.5.3 Buildings**

**(a) General**

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Residential Hillslope Zone.

**(b) Requirements for Predominant Uses**

- (i) Height and Location. All buildings shall be contained within a building envelope constructed by recession planes in accordance with the requirements of Appendix F. Except that in no case shall a building protrude through an envelope being 9 metres above the original ground contour at every point.
- (ii) Coverage. The maximum site coverage for all buildings shall be 40%. The area of any access strip shall not be included in the calculation of site coverage for a rear site.

## (iii) Minimum Yard Requirements

## Front Site

| Type of Use  | Front Yard | Rear Yard | Side Yard    |
|--|------------|-----------|--------------|
| Dwellinghouses<br>and Town Houses  | 4.5m       | 6.0m      | 3.0m<br>1.5m |
| Other buildings excluding<br>residential accessory<br>buildings and private<br>garages | 6.0m       | 1.5m      | 1.5m         |

A combined front and rear yard of not less than 10.0 metres with a minimum front or rear yard of 3.0 metres, may be used as an alternative to the present 4.5 metre minimum front yard and 6.0 metre minimum rear yard requirement.

## Rear Sites:

All buildings excluding residential accessory buildings:

One yard of 4.5 metres  
All other yards 2.0 metres.

## (iv) Requirements for Private Garages and Residential Accessory Buildings:

- (a) The General Ordinance for Buildings (Part 3.17 of this Scheme) shall apply.
- (b) Any private garage or residential accessory building may be sited up to 1 metre from a site boundary and where the exterior walls have a fire resistance rating in accordance with the Council's building bylaws and a dispensation has been approved by the Council they may be sited up to the boundary.
- (c) No buildings other than garages shall be placed in the front yard or forward of a dwelling. Where the vehicle door generally faces the road, the minimum setback of the garage from the road boundary shall be 6.0m. Where the vehicle door is generally at right angles to the road, the minimum setback shall be 2.0m and the site landscaped between the garage and the road boundary. Such garages shall be limited to a maximum of 40.0m<sup>2</sup>. The following specific design controls/guidelines are to be complied with where a garage is to be located in the front yard or forward of a dwelling:
  - *Design* - The design of the garage shall harmonise with the dwelling. In this respect the pitch of the roof should be the same as for the dwelling.

- *Materials* - The materials used in the construction of the garage (walls and roof) must be the same as for the dwelling, or alternatively ensure that the finished appearance of the garage is such as to convey the impression that the same materials have been used in the construction of both buildings.
  - *Colour* - The garage must be finished in the same colour as the house, ie the walls and roof of both buildings should match. Where a garage is constructed of materials which require painting, such painting must be completed within six months of the garage being available for use.
  - *Landscaping* - Any such garage must be screened from direct public view or otherwise enhanced by screen fencing and landscaping. The landscape treatment must provide for the planting of trees and shrubs in that part of the front yard between the garage and the street and the garage and the nearest side boundary.
- (d) The maximum site coverage on each site is not exceeded.
- (e) The maximum height is 3.5m provided that no residential accessory building or private garage shall exceed 2.5m in height within one metre of the boundary.
- (f) In the case where a building is erected on or near a boundary, stormwater from the roof shall not be disposed of onto the adjoining site.
- (g) Total floor area of accessory buildings shall not exceed 52 sq.m. for section sizes of up to 500 sq.m. provided that the total floor area may be increased at a rate of 1 sq.m. for each 25 sq.m. of site area in excess of 500 sq.m. but not exceeding 80 sq.m.
- (h) The floor area of any single accessory building shall not exceed 65 sq.m.
- (v) Eaves, Balconies, Bay Windows, Steps, Porches: Refer General Ordinance on Buildings.
- (vi) Landscaping. For non-residential buildings landscaping shall be provided over at least 20% of the site and where vegetation is involved a maintenance period of one year will be required.

**(c) Requirements for Conditional Uses**

The standards for conditional uses shall be set by the Council, having regard to the circumstances of any application, but shall generally be the same as those for predominant uses.

**3.5.4 Subdivision of Land**

See Part 2 of this District Scheme for relevant policies.

- (a) The General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme shall apply in the Residential Hillslope zone.

**3.5.5 Parking and Loading**

- (a) General Ordinance 3.19 shall apply in the Residential Hillslope Zone.

**3.5.6 Access**

- (a) General Ordinance 3.20 shall apply in the Residential Hillslope Zone.

**3.5.7 Advertising**

- (a) General Ordinance 3.21 shall apply in the Residential Hillslope Zone.

### 3.6 SPECIAL DEVELOPMENT AND LAND MANAGEMENT ZONES

#### 3.6.1 Cracroft Special Development and Land Management Zone

This zone is located between Hackthorne and Cashmere Roads above the Princess Margaret Hospital.

(a) **Zone Purpose**

This zone is created to ensure that existing trees other than *Pinus Radiata* and *Cupressus Macrocarpa* are retained where possible when development occurs. If trees other than *Pinus Radiata* and *Cupressus Macrocarpa* are to be removed, they shall be replaced to ensure that the landscape character of the area is retained.

(b) **Conditions Relating to the Cracroft Special Development and Land Management Zone**

All the development in this zone shall be carried out in such a way as to ensure the least possible disturbance to existing trees other than *Pinus Radiata* and *Cupressus Macrocarpa*. Where trees other than *Pinus Radiata* and *Cupressus Macrocarpa* are to be removed for development, they shall be replaced with trees of similar character to retain the landscape character of the area.

(c) All other zone requirements as for the Residential Hillslope Zone.

#### 3.6.2 Centaurus Road Special Development and Land Management Zone

This zone is located between Centaurus Road and Huntsbury Avenue over the existing pipeworks and surrounding area.

(a) **Zone Purpose**

This zone is created to ensure that any residential development and associated earthworks are carried out in a safe and efficient manner.

(b) **Conditions Relating to the Centaurus Road Special Development and Land Management Zone**

A comprehensive engineering report prepared by a Registered Engineer with expertise in soil mechanics is required for any residential development in the area, concerning the stability of land, its potential for residential development, and the necessary earthmoving and other activities involved in such development. All residential development in this zone shall be carried out in accordance with the comprehensive engineering report. This report shall be related to a comprehensive development plan covering the entire zone as defined in this Scheme which shall be processed as a Concept Plan as defined in the Local Government Act 1974. The general requirements in Ordinance 3.18 relating to the subdivision of land shall also apply together with the Residential Hillslope Zone controls and all subdivision and development shall be in accordance with the comprehensive development plan consented to by the Council.

No subdivision or development shall proceed until all land owners within the zone are committed to the approved plan in a manner satisfactory to the Council.



- (c) All other zone requirements as for the Residential Hillslope Zone.

### 3.6.3 **King George the Fifth Coronation Memorial Hospital Special Development and Land Management Zone**

This zone is located over the King George the Fifth Coronation Memorial Hospital.

#### (a) **Zone Purpose**

The zone is created to provide a staged extension to the existing pattern of low density development on the hill areas and to protect and enhance the existing landscape features in the area and to ensure that the area is economically and effectively used.

#### (b) **Conditions Relating to the King George the Fifth Coronation Memorial Hospital Special Development and Land Management Zone**

Prior to any development in this zone a comprehensive development plan as defined in this Scheme shall be submitted to the Council for approval, the application for such approval to be made without notice. The general requirements in Ordinance 3.18 relating to the Subdivision of Land shall apply together with the Residential Hillslope Zone controls and all subdivision and development shall be in accordance with the comprehensive development plan consented to by the Council. No formal subdivision or development shall proceed until all land owners within the zones are committed to the approved plan in a manner satisfactory to the Council.

The Council considers that road access will be required through the zone to serve existing and possible future development on Huntsbury Spur and Mt. Vernon Spur. A suitable alignment for a future public road through the zone shall be one of the matters to be considered in the comprehensive development plan. In the first instance some allowance for emergency road access through the zone shall be provided. If and when construction of a public road through the zone is required the provisions of the Local Government Act 1974 shall apply.

Planning for the provision of services within this zone shall take account of the need for the provision of services (particularly water supply) to the Huntsbury Spur area, so far as these may be known at that time.

To the extent that additional service capacity may need to be installed in this zone to meet the future needs of other land outside this zone such additional works will be paid for by the Council in the first instance and recovered from other landowners as and when development of that other land takes place.

- (c) All other zone requirements as for the Residential Hillslope Zone.

### 3.7 COMMERCIAL 1 ZONE ORDINANCE

#### 3.7.1 Zone Purpose

The purpose of these commercial zones is to provide day to day convenience shopping and associated services at frequent locations through the residential area. It is anticipated generally that up to five shops will locate together, with a maximum combined shop floor area of 600 sq.m. Predominant uses are related to the retailing of goods and services generally regarded as necessities within a suburban context.

#### 3.7.2 Uses

See Part 2 of the District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Retail shops, including banks, but excluding shops for the preparation and sale of takeaway food.
- (ii) Offices.
- (iii) Buildings accessory to the use of buildings or land for any predominant use.
- (iv) Public utilities subject to the provisions of Appendix H.
- (v) Use of the property in Certificates of Title 4C/1027 and 103/94 as a Licensed Tavern.

##### (b) Conditional Uses

- (i) Restaurants, coffee bars and shops for the preparation and sale of takeaway food.
- (ii) Service and repair workshops.
- (iii) Any building accessory to the use of buildings or land for any conditional use.

##### (c) Conditions Relating to Predominant and Conditional Uses

- (i) Earthworks and Excavations - on any site which is wholly or partly on the hills, the carrying out of any earthworks for or in association with the operation of any permitted use, for the construction or erection of any building (including a swimming pool), the construction of any driveway or access, or any other earthworks or excavations for any purpose whatsoever shall be subject to the following conditions and restrictions:
  - a. All earthworks are to be designed and carried out in such a way as to not promote instability or erosion on the land involved or adjoining land, to not cause damaging increases in the speed or volume of stormwater run off and to not cause downstream siltation. Prior to the commencement of any earthworks, details of the proposed work shall be submitted to the Council for approval by way of a non-notified application. Before giving its approval the Council shall consult with the North Canterbury Catchment Board and may

impose conditions to ensure that this restriction is complied with. Where deemed necessary the Council may require any proposed earthworks to be designed and certified by a Registered Engineer.

- b. The design of any building and vehicular access to any site shall minimise the amount of earthworks required, and
  - i) details of vehicular access and the location of a garage or future garage shall form part of every application for a building permit for a dwellinghouse, and
  - ii) on any site which has been subject to earthworks and on any other site where the Council deems it necessary the foundations for a dwellinghouse or any other structure shall be designed and certified by a Registered Engineer.

### 3.7.3 Buildings

See Part 2 of the District Scheme for relevant policies.

#### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme shall apply in the Commercial 1 Zone.

#### (b) Requirements for Predominant Uses

- (i) All buildings in this zone (excluding accessory buildings) shall locate together creating a continuous, harmonious frontage.
- (ii) Landscaping: a 2.5 metre wide landscaping strip shall be provided in the yard of any commercial site adjoining a residential zone.
- (iii) Setback: where the provision of off-street parking is insufficient or impractical, or footpath widening is necessary, the front of the building shall be set back as specified by the Council according to the need to widen the footpath or set back the kerb for on-street parking. The land between the front of the building and road boundary shall be dedicated as road if required by the Council.
- (iv) Height and Location:
  - a. In no case shall a building protrude through an envelope being 9.0 m above the original ground level at every point, and at the zone boundary every building shall be contained within a building envelope constructed by recession planes in accordance with the requirements of Appendix F.
  - b. A recession plane shall not apply to the street frontage of any site.
- (v) Coverage: Maximum coverage 60%.
- (vi) Yards: Rear yard minimum depth - 5m  
Side yard minimum width - 5m on each side which adjoins a residential zone.

- (vii) Verandahs: where practical, every building (excluding accessory buildings) in the commercial zones shall on its erection or on being reconstructed or substantially altered, including the removal of an existing verandah, be provided with a verandah that extends along the entire frontage from which pedestrian access is gained. Such a verandah shall be designed in compliance with all relevant bylaws and have a minimum of 2.7m clearance beneath but not more than 3.7m from the underside to the footpath level, but shall cover a minimum of 1.8m of footpath but shall not come closer to the roadway than 0.5m.

Each verandah shall be so related to its neighbours as to provide continuity of cover. No such verandah shall be supported by posts.

- (viii) Buildings shall be designed and sound proofed to the satisfaction of the Council.

#### **(c) Requirements for Conditional Uses**

The standards for conditional uses shall be set by Council having regard to the circumstances of any application, but shall generally be the same as those set for predominant uses.

#### **3.7.4 Subdivision of Land**

See Part 2 of the District Scheme for relevant policies.

- (a) The General Ordinance for Subdivision of Land, Part 3.18 of the District Scheme shall apply in the Commercial 1 Zone.

#### **3.7.5 Parking and Loading**

- (a) General Ordinance 3.19 shall apply in the Commercial 1 Zone.

#### **3.7.6 Access**

- (a) General Ordinance 3.20 shall apply in the Commercial 1 Zone.

#### **3.7.7 Advertising**

- (a) General Ordinance 3.21 shall apply in the Commercial 1 Zone.

### 3.8 COMMERCIAL SERVICE ZONE

#### 3.8.1 Zone Purpose

This zone is designed to incorporate the existing uses on the corner of Port Hills Road and Curries Road in a Commercial Zone. The zone already includes a variety of uses providing a tavern, service station and catering premises and provision is made in the ordinances for various other commercial and community uses.

#### 3.8.2 Planning of Development

All development on each site within the Commercial Service Zone shall be undertaken in accordance with an overall development plan for the site which shall set out all relevant details concerning the layout, siting and design of vehicular and pedestrian access, buildings, parking, landscape and open space provisions; such plan having been adopted by the Council. Every proposed subdivision or development in this zone must take into account the fact that Port Hills Road is a limited access road in this area and subdivision or development will only be permitted if alternative access is provided or if the subdivision or development does not require the creation of new crossing permits.

#### 3.8.3 Uses

See Part 2 of the District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Retail and wholesale shops, including banks.
- (ii) Offices and libraries.
- (iii) Community centres, places of assembly.
- (iv) Medical centres and community health and service facilities.
- (v) Restaurants, reception rooms and catering premises.
- (vi) Licensed taverns.
- (vii) Service stations provided the use complies with the conditions relating to predominant uses in the Service Station Zone.
- (viii) Buildings accessory to the use of land or buildings for any predominant use.

##### (b) Conditional Uses

There shall be no conditional uses in the Commercial Service Zone.

##### (c) Conditions Relating to Predominant Uses

- (i) Landscaping - not less than 10% of each site shall be landscaped to the satisfaction of the Council, in order to improve the appearance of the site when viewed from the street and to screen areas which may appear unsightly. A landscaping plan may be required to be submitted for approval as a non-notified application with building permit applications

depending upon the scale of what is proposed. The Council may require an applicant to enter into a bond to ensure that landscaping proposals are implemented and maintained.

- (ii) Noise - any use of the land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity, the following noise levels measured and assessed in accordance with the standards prescribed in N.Z.S. 6801 and 6802 (as at 31st May 1978) are not exceeded on the boundaries of the site. The noise levels refer to L95 readings. The maximum noise level for the period between 0700 hours and 2200 hours on any day shall be 60 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 50 dBA.

Provided that the following noise levels are not exceeded on any site boundary which adjoins a residential zone or which faces a residential zone across a road or river. The maximum noise level measured on any such site boundary for the period between 0700 hours and 2200 hours on any day shall be 50 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 40 dBA.

#### 3.8.4 Buildings

See Part 2 of the District Scheme for relevant policies.

##### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Commercial Service Zone.

##### (b) Requirements for Predominant Uses

- (i) Coverage: Maximum 60%
- (ii) Yards: Front yard 4.5 m  
Rear Yard and side yard 5.0 m where adjoining a residential zone.
- (iii) Height and Location - in no case shall a building protrude through an envelope being 25 metres above the original ground contour at every point. Provided that where any site adjoins a residential zone (including street frontage) all buildings shall be contained within a recession plane as defined in Appendix F based on the site boundary which adjoins or faces that zone.

#### 3.8.5 Subdivision of Land

See Part 2 of the District Scheme for relevant policies.

- (a) The General Ordinance for Subdivision of Land, Part 3.18 of the District Scheme shall apply in the Commercial Service Zone.

#### 3.8.6 Parking and Loading

- (a) General Ordinance 3.19 shall apply in the Commercial Service Zone.



**3.8.7 Access**

(a) General Ordinance 3.20 shall apply in the Commercial Service Zone.

**3.8.8 Advertising**

(a) General Ordinance 3.21 shall apply in the Commercial Service Zone.

### 3.9 SERVICE STATION ZONE

#### 3.9.1 Zone Purpose

Predominant uses in this zone shall be service stations, and car accessory and repair garages of or connected with motor vehicles. Any existing service station and garage sites shall be individually or spot zoned. Any person wishing to establish additional service stations or garages shall request Council to initiate a scheme change (at the applicant's expense) to appropriately zone the proposed site providing the site and proposed buildings conform with the requirements set down in the ordinance.

#### 3.9.2. Uses

See Part 2 of the District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Service Stations.
- (ii) Motor Repair Garages.  
Note: Both excluding car wash facilities.

##### (b) Conditions Relating to Predominant Uses

- (i) The site shall be of sufficient size and suitable shape to accommodate the use.
- (ii) Any new service station shall serve exclusively a catchment of not less than 1000 dwelling units.
- (iii) Landscaping - not less than 10% of each site shall be landscaped to the satisfaction of the Council, in order to improve the appearance of the site when viewed from the street and to screen areas which may appear unsightly. A landscaping plan shall be submitted for approval as a non-notified application to accompany each building permit application. The Council may require an applicant to enter into a bond to ensure that landscaping proposals are implemented and maintained.
- (v) Noise - any use of land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity, the following noise levels measured and assessed in accordance with the standards prescribed in N.Z.S. 6801 and 6802 (as at 31st May 1978) are not exceeded on the boundaries of the site. The noise levels refer to L95 readings. The maximum noise level measured at the site boundary for the period between 0700 hours and 2200 hours on any day shall be 50 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 35 dBA.

#### 3.9.3 Buildings

See Part 2 of the District Scheme for relevant policies.

##### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Service Station zone.

**(b) Requirements for Predominant Uses**

- (i) Coverage: Maximum 55%.
- (ii) Yards - Petrol Pumps must be sited a minimum of 4.5 m from the front boundary.
- (iii) Height and Location - in no case shall a building protrude through an envelope being 12 metres above the original ground contour at every point. Provided that where any site adjoins a residential zone all buildings shall be contained within a recession plane as defined in Appendix F based on the site boundary which adjoins or faces that zone.

**3.9.4 Parking and Loading**

- (a) General Ordinance 3.19 shall apply in the Service Station zone.

**3.9.5 Access**

- (a) General Ordinance 3.20 shall apply in the Service Station zone.

**3.9.6 Advertising**

- (a) General Ordinance 3.21 shall apply in the Service Station zone.

### 3.10 INDUSTRIAL 1 ZONE

#### 3.10.1 Zone Purpose

To provide for industry that by nature of operation would produce a moderate amount of detraction to a residential neighbourhood. In general these zones will provide for relatively heavy non-noxious industry and warehousing, requiring rail access or proximity to a principal traffic route. Noise control and landscaping are applied to all uses.

#### 3.10.2 Uses

See Part 2 of the District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Any industry, warehouse or bulk store other than those contained in Appendix D.
- (ii) Shops for the preparation and sale of food, canteens, dining rooms, recreational and other facilities, including health clinics, primarily for the convenience and use of those persons engaged in the zone.
- (iii) Living quarters or residential accommodation for a caretaker or other person whose employment requires that they live on the premises.
- (iv) Public Utilities subject to the provisions of Appendix H.
- (v) Buildings accessory to the use of buildings or land for any predominant use.

##### (b) Conditional Uses

- (i) Any predominant use which does not meet all the requirements for predominant uses set out under (c) below.

##### (c) Conditions Relating to Predominant Uses

- (i) Landscaping - not less than 10% of each site shall be landscaped to the satisfaction of the Council, in order to improve the appearance of the site when viewed from the street and to screen areas which may appear unsightly. A landscaping plan shall be submitted for approval as a non-notified application to accompany each building permit application. The Council may require an applicant to enter into a bond to ensure that landscaping proposals are implemented and maintained.
- (v) Noise - any use of land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity, the following noise levels measured and assessed in accordance with the standards prescribed in N.Z.S. 6801 and 6802 (as at 31st May 1978) are not exceeded on the boundaries of the site. The noise levels refer to L95 readings. The maximum noise level measured at the site boundary for the period between 0700 hours and 2200 hours on any day shall be 60 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 50 dBA.

Provided that the following noise levels are not exceeded on any site boundary which adjoins a residential zone or which faces a residential zone across a road or river. The maximum noise level measured on any such site boundary for the period between 0700 hours and 2200 hours on any day shall be 50 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 40 dBA.

- (iii) Air Pollution - Any use of land or buildings involving a scheduled process under the Clean Air Act, 1972, shall meet the standards applicable to the licensing of that process under the Act. Processes other than scheduled processes under the Clean Air Act, 1972, shall adopt the best practicable means to collect, contain and minimise air pollution, particularly smoke, dust and odours, including if necessary the provision of adequate control equipment, and shall render pollutants harmless, inoffensive and not likely to create annoyance or nuisance to nearby properties.
- (iv) Glare - any use of the land shall be so conducted and buildings shall be so designed, that direct or indirect light arising from the industrial activity or site does not cause annoyance or nuisance to nearby properties.

### 3.10.3 Buildings

See Part 2 of the District Scheme for relevant policies.

#### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Industrial 1 zone.

#### (b) Requirements for Predominant Uses

- (i) Coverage: Maximum 70%.
- (ii) Yards: Front Yard 4.5 m.

Buffer Strip: where any industrial site boundary fronts or is adjacent to any non-industrial zone (with or without a street or river intervening) a strip of not less than 6 metres wide shall be provided along that site boundary; such strip shall be planted and/or mounded to the satisfaction of the Council and may include an access strip to the site.

- (iii) Height and Location: in no case shall a building protrude through an envelope being 25 metres above the original ground contour at every point. Provided that where any site adjoins a residential zone or which faces such zone across a road or river, all buildings shall be contained within a recession plane as defined in Appendix F based on the site boundary which adjoins or faces that zone.

#### (c) Requirements for Conditional Uses

The standards for conditional uses shall be set by Council, having regard to the circumstances of any application but shall generally be the same as those set for Predominant Uses.

#### **3.10.4 Subdivision of Land**

See Part 2 of the District Scheme for relevant policies.

- (a) General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme, shall apply in the Industrial 1 Zone.

#### **3.10.5 Parking and Loading**

- (a) General Ordinance 3.19 shall apply in the Industrial 1 Zone.

#### **3.10.6 Access**

- (a) General Ordinance 3.20 shall apply in the Industrial 1 Zone.

#### **3.10.7 Advertising**

- (a) General Ordinance 3.21 shall apply in the Industrial 1 Zone.



### 3.11 INDUSTRIAL 2 ZONE

#### 3.11.1 Zone Purpose

To provide for "heavy" type industries which produce as a consequence of their operations, elements which would seriously detract from the amenities of a residential neighbourhood. Such industries need proximity to all transport facilities (road, rail, sea) and will cater mainly for storage from the Port. These zones are segregated from residential uses by light industrial or other transition zones.

#### 3.11.2 Uses

See Part 2 of the District Scheme for relevant policies.

##### (a) Predominant Uses

- (i) Any industry, warehouse or bulk store other than those contained in Appendix D.
- (ii) Shops for the preparation and sale of food, canteens, dining rooms, recreational and other facilities, including health clinics, primarily for the convenience and use of those persons engaged in the zone.
- (iii) Living quarters or residential accommodation for a caretaker or other person whose employment requires that they live on the premises.
- (iv) Public utilities subject to the provisions of Appendix H.
- (v) Buildings accessory to the use of buildings or land for any predominant use.

##### (b) Conditional Uses

- (i) Any predominant use which does not meet all the requirements for predominant uses set out under (c) below.
- (ii) Any industry, warehouse or bulk store included in Appendix D. Provided that in considering any application the Council shall have regard to the extent to which noxious or dangerous elements are removed.
- (iii) Buildings accessory to the use of buildings or land for any conditional use.

##### (c) Conditions Relating to Predominant Uses and Conditional Uses

- (i) Landscaping - not less than 10% of each site shall be landscaped to the satisfaction of the Council, in order to improve the appearance of the site when viewed from the street and to screen areas which may appear unsightly. A landscaping plan shall be submitted for approval as a non-notified application to accompany each building permit application. The Council may require an applicant to enter into a bond to ensure that landscaping proposals are implemented and maintained.
- (v) Noise - any use of land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity, the following noise levels measured and assessed in accordance with the

standards prescribed in N.Z.S. 6801 and 6802 (as at 31st May 1978) are not exceeded on the boundaries of the site. The noise levels refer to L95 readings. The maximum noise level measured at the site boundary for the period between 0700 hours and 2200 hours on any day shall be 65 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 50 dBA.

Provided that the following noise levels are not exceeded on any site boundary which adjoins a residential zone or which faces a residential zone across a road or river. The maximum noise level measured on any such site boundary for the period between 0700 hours and 2200 hours on any day shall be 50 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 40 dBA.

- (iii) Air Pollution - Any use of land or buildings involving a scheduled process under the Clean Air Act, 1972, shall meet the standards applicable to the licensing of that process under the Act. Processes other than scheduled processes under the Clean Air Act, 1972, shall adopt the best practicable means to collect, contain and minimise air pollution, particularly smoke, dust and odours, including if necessary the provision of adequate control equipment, and shall render pollutants harmless, inoffensive and not likely to create annoyance or nuisance to nearby properties.
- (iv) Glare - any use of the land shall be so conducted and buildings shall be so designed, that direct or indirect light arising from the industrial activity or site does not cause annoyance or nuisance to nearby properties.

### 3.11.3 Buildings

See Part 2 of the District Scheme for relevant policies.

#### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Industrial 2 zone.

#### (b) Requirements for Predominant Uses

- (i) Coverage: Maximum 70%.
- (ii) Yards: Front Yard 4.5 m.

Buffer Strip: where any industrial site boundary fronts or is adjacent to any non-industrial zone (with or without a street or river intervening) a strip of not less than 6 metres wide shall be provided along that site boundary; such strip shall be planted and/or mounded to the satisfaction of the Council and may include an access strip to the site.

- (iii) Height and Location: in no case shall a building protrude through an envelope being 25 metres above the original ground contour at every point. Provided that where any site adjoins a residential zone or which faces such zone across a road or river, all buildings shall be contained within a recession plane as defined in Appendix F based on the site boundary which adjoins or faces that zone.

**(c) Requirements for Conditional Uses**

The standards for conditional uses shall be set by Council, having regard to the circumstances of any application but shall generally be the same as those set for Predominant Uses.

**3.11.4 Subdivision of Land**

See Part 2 of the District Scheme for relevant policies.

- (a) General Ordinance for Subdivision of Land, Part 3.18 of this District Scheme, shall apply in the Industrial 2 Zone.

**3.11.5 Parking and Loading**

- (a) General Ordinance 3.19 shall apply in the Industrial 2 Zone.

**3.11.6 Access**

- (a) General Ordinance 3.20 shall apply in the Industrial 2 Zone.

**3.11.7 Advertising**

- (a) General Ordinance 3.21 shall apply in the Industrial 2 Zone.

### 3.12 INDUSTRIAL 3 ZONE

#### 3.12.1 Zone Purpose

This is a special purpose zone which relates to a quarry in Port Hills Road near Avoca Valley. The quarry site has been recognised by the Planning Tribunal as a difficult area in land use planning terms, with the quarry floor being the only part of the site which is suitable for development. This zone provides for industrial uses, subject to conditions to protect development within the zone and the amenities of nearby areas.

#### 3.12.2 Uses

(Note: Relevant policies are set out in the Scheme Statement, Part 2 of this District Scheme).

##### (a) Predominant Uses

- (i) Warehouses and bulk storage excepting those contained in Appendix D.
- (ii) Container storage terminal or depot.
- (iii) Transport depot and freight storage area.
- (iv) Contractors yard.
- (v) The erection and use of buildings for purposes accessory to the use of land or buildings in the zone for any permitted use.

##### (b) Conditional Uses

- (i) Any predominant use which does not meet all the general requirements set out below.

##### (c) General Requirements

- (i) Drainage - stormwater drainage shall be managed in such a way as to protect the floor of the quarry from the effects of water discharging from above and to prevent the discharge of silt from the property. Prior to the commencement of any permitted use the applicant shall submit to the Council a detailed proposal for the management of stormwater drainage of the site. The Council shall consult with the North Canterbury Catchment Board and the Christchurch Drainage Board, and no use of the site shall be commenced until the drainage proposal has been approved by those bodies.

- (ii) Landscaping - the site shall be landscaped as follows:

Port Hills Road frontage - landscaping to an average depth of not less than 3.0 metres in order to improve the appearance of the site when viewed from the road and to screen areas which may appear unsightly.

Quarry face and remaining clay batters including those in the adjoining Rural zone - landscaping and in particular the maintenance of vegetation in order to soften the hard profile of the quarry face and to resist erosion or instability of the land surface.

Prior to the commencement of any permitted use a landscaping plan shall be prepared and submitted to the Council for approval. The Council may require the applicant or the registered proprietor of the land to enter into a bond conditional on the proper maintenance of any vegetation or other landscaping.

- (iii) Noise - any use of the land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity the following noise levels measured and assessed in accordance with the standards prescribed in N.Z.S. 6801 and 6802 (as at 31st May 1978) are not exceeded on the boundaries of the site. The noise levels refer to L95 readings. The maximum noise level for the period between 0700 hours and 2200 hours on any day shall be 60 dBA and for the period between 2200 hours on any day and 0700 hours on the following day shall be 50 dBA.

Provided that the following noise levels are not exceeded on any site boundary which adjoins a residential zone. The maximum noise level measured on any such site boundary for the period between 0700 hours and 2200 hours on any day shall be 50 dBA, and for the period between 2200 hours on any day and 0700 hours on the following day shall be 40 dBA.

- (iv) Air Pollution - Any use of land or buildings involving a scheduled process under the Clean Air Act, 1972, shall meet the standards applicable to the licensing of that process under the Act. Processes other than scheduled processes under the Clean Air Act, 1972, shall adopt the best practicable means to collect, contain and minimise air pollution, particularly smoke, dust and odours, including if necessary the provision of adequate control equipment, and shall render pollutants harmless, inoffensive and not likely to create annoyance or nuisance to nearby properties.
- (iv) Glare - any use of the land shall be so conducted and buildings shall be so designed, that direct or indirect light arising from the industrial activity or site does not cause annoyance or nuisance to nearby properties.

### 3.12.3 Buildings

(Note: Relevant policies are set out in the Scheme Statement, Part 2 of this District Scheme).

#### (a) General

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Industrial 3 zone.

#### (b) Requirements for Predominant Uses

- (i) Coverage: Maximum 70% of the floor of the quarry.
- (ii) Yards: Front Yard 4.5 m.
- (iii) Height and Location: in no case shall a building protrude through an envelope being 25 metres above the floor of the quarry. Provided that all buildings shall be contained within recession planes as defined in Appendix F based on the boundaries of the site which adjoin Port Hills

Road and any residential zone. No buildings shall be located on the quarry face or within 3.0 metres of the toe of the quarry face or remaining clay batters.

**(c) Requirements for Conditional Uses**

The standards for conditional uses shall be set by Council, having regard to the circumstances of any application but shall generally be the same as those set for Predominant Uses.

**3.12.4 Subdivision of Land**

No subdivisions will be permitted in the Industrial 3 zone, other than to effect the amalgamation of the land in certificate of title 300/179 with the land in certificate of title 6B/956 (Canterbury Registry).

**3.12.5 Parking and Loading**

(a) General Ordinance 3.19 shall apply in the Industrial 3 Zone.

**3.12.6 Access**

(a) General Ordinance 3.20 shall apply in the Industrial 3 Zone.

(b) A single drive-in access, as set out in Ordinance 3.20.3 (d), shall be provided or alternatively a separate entrance and exit to similar standards.

**3.12.7 Advertising**

(a) General Ordinance 3.21 shall apply in the Industrial 3 Zone.



3.13 FERRYMEAD HISTORIC PARK ZONE

3.13.1 **Zone Purpose**

This zone is to be developed in accordance with the concept plan for the zone as per Appendix G of this Scheme; land in the zone is to be developed by the Ferrymead Trust and its member societies as a museum of science and technology, with the operation of exhibits where possible. Objectives and policies relating to the development of this zone are set out on pages 21-23 of this District Scheme.

3.13.2 **Uses**

See Part 2 of the District Scheme for relevant policies.

(a) **Predominant Uses**

Subject to compliance with all requirements of these ordinances, and with the concept plan, Predominant Uses shall be:

- (i) Railway and tramway lines, lineside structures and ancillary buildings and wharves associated with vintage transport.
- (ii) Museum display buildings and structures.
- (iii) Operation of vintage vehicles (including aircraft engines) provided that not longer than one hour in any 12 hour period and not outside the hours of 0900 to 1600 hours Monday to Saturday.
- (iv) Workshops (including heavy engineering).
- (v) Storage buildings (equipment and exhibits awaiting restoration).
- (vi) Caretaker and other staff residences; clubrooms associated with the Ferrymead Trust.
- (vii) Shops and Restaurants.
- (viii) Offices and Industries.
- (ix) Farming uses.
- (x) Buildings accessory to buildings or the use of land for any of the foregoing uses.
- (xi) Car parking.
- (xii) Displays of animal and bird life.
- (xiii) Recreational uses and facilities consistent with overall character and purpose of the zone.
- (xiv) Public utilities subject to the provisions of Appendix H.

**(b) Conditional Uses**

- (i) Any use listed as a predominant use which cannot meet all the conditions specified under the bulk and location requirements or which cannot comply with the principles of the concept plan, or departs significantly from the concept plan.
- (ii) Any use not listed as predominant, but consistent with the zone purpose and concept plan requirements of this Ordinance.
- (iii) **Hotel or tavern (limited to one only).**
- (iv) **Travellers accommodation.**

**(c) Conditions Relating to Predominant and Conditional Uses**

- (i) All development shall be undertaken in accordance with the concept plan included in this scheme as Appendix G and which sets out details concerning the layout, siting and design of vehicle paths, vehicular and pedestrian access, buildings, outdoor exhibits, railway and tramway lines, parking, landscaping and open space provision.

When agreement on any particular development cannot be reached between the Council and the Trust, then the particular development will be dealt with as conditional use to preserve rights of appeal.

- (ii) All buildings and other developments shall be designed to create harmony of visual appearance, to engender an historic or other appropriate character and provide a pleasant educational and recreational environment.
- (iii) Having regard to the objectives and policies of the zone, all uses and activities in the zone shall be conducted so as to not materially detract from the amenities of the area surrounding the zone by reason of any objectionable element whether of noise, vibration, smell, smoke, fumes, dust effluent, glare or other noxiousness or danger.

**3.13.3 Buildings**

See Part 2 of the District Scheme for relevant policies.

**(a) General**

The General Ordinance for Buildings, Part 3.17 of the District Scheme, shall apply in the Ferrymead Historic Park Zone.

**(b) Requirements for Predominant Uses**

- (i) **Height and Location:**

The height and location of every building (including accessory buildings) shall be restricted so that every part shall lie within the recession planes. The recession plane shall commence at the boundary of the zone and incline inwards at an angle of 39 degrees from the horizontal provided that a maximum height of 35 m shall not be exceeded.

(ii) Completion of Buildings:

All buildings shall be completed within a reasonable time.

(c) **Requirements for Conditional Uses**

The standards for conditional uses shall be set by Council having regard to the circumstances of any application, but shall generally be the same as those set for predominant uses.

**3.13.4 Subdivision of Land**

See Part 2 of the District Scheme for relevant policies.

(a) General Ordinance 3.18 shall apply in the Ferrymead Historic Park Zone.

**3.13.5 Parking and Loading**

(a) General Ordinance 3.19 shall apply in the Ferrymead Historic Park Zone.

**3.13.6 Access**

(a) General Ordinance 3.20 shall apply in the Ferrymead Historic Park Zone.

**3.13.7 Advertising**

(a) General Ordinance 3.21 shall apply in the Ferrymead Historic Park Zone.

## 3.14 DESIGNATED AREAS

### 3.14.1 Ordinances

#### (a) Proposals

Proposals for use of land for public authorities' purposes are shown on the district planning maps. These proposed works are not necessarily all included in the responsibilities of the Council. They may be undertakings for which the Government or Catchment Board, Hospital Board, or other similar local authority is responsible both for acquiring the land when needed and for initiating and carrying out the work. Except in the case of objections to or appeals against the inclusion of the proposal in the District Scheme, any person affected shall conduct all negotiations and correspondence with the responsible Government Department or Local Authority.

#### (b) Continuation of Use

Although a proposal involving the future use of land for some public authority's purpose is included in the District Scheme, ownership and occupation of the land are not hereby affected, and the owner and occupier are entitled to continue with their use of the land subject to the provisions of this District Scheme, the Act, and the Town and Country Planning Regulations 1978. Owners and occupiers will be notified when the proposal is about to proceed, and arrangements for the land will be made at that time.

#### (c) Buildings Not to Interfere

The erection or completion of any building or the carrying out of any work of a substantial nature on any land forming part of the site of a proposed road, access way, or service lane, reserve, or designated open space or public work is prohibited except as an interim use (see Interpretations Ordinance) expressly authorised by the Council with the consent of the Minister or any local authority responsible for the proposed permanent use.

#### (d) Changing Location of Proposed Roads and Reserves

In accordance with subsection (1) of Section 123 of the Act, the Council may, by agreement with the owners of the lands directly affected vary the position shown in the Scheme of any proposed road or highway or the location or shape shown in the scheme of any proposed reserve, so long as the intention of the District Scheme in that respect is secured, and in any such case the Council shall not be required to comply with any other provision of the Act in respect of changes of or departure from the Scheme: provided that no such variation shall be made in respect of a proposed road, highway or reserve, for which the Minister or a local authority will have financial responsibility, without the consent of the Minister or local authority concerned.

### 3.14.2 Table of Designations

#### LIST OF DESIGNATIONS ON PLANNING MAPS

| Designation   | Legal Description   | Area      | Underlying Zoning      | Map No.  |
|---|---|-----------|------------------------|----------|
| 1. Deleted  |   |           |                        |          |
| 2. Christchurch City Council Waterworks Yard and Pumping Station                        | 6 - 18/DP 2527<br>2/DP 24288<br>Pt R.S. 138<br>C's.T.241/117,<br>356/94 and<br>7B/589 | 3.0866ha  | Residential 1          | 5D       |
| 3. Thorrlington School (Primary)  | SO 8555   | 2.5657ha  | Residential 1          | 4D       |
| 4. Deleted  |   |           |                        |          |
| 5. Police Station Colombo Street  | SO 9028   | 2087 sq.m | Commercial 1           | 4D       |
| 6. N.C.H.B. Hospital Purposes   | CT 695/59   | 10.987ha  | Residential Hillslope  | 4D<br>4E |
| 7. Christchurch City Council Water Reservoir Worsleys Road                              | Pt.1/DP 23690<br>Pt.R.S. 1325   | 1.815ha   | Worsleys Rd Rural Zone | 4E       |
| 8. Post Office (Radio Station) Marleys Hill   | SO 8602   | 1.9753ha  | Rural                  | 2D       |
| 9. Existing Public Reserves for Scenic purposes & Sugar Loaf Television Transmitter     | Pt.R 4170<br>Pt.R 4259  | 4.9ha     | Rural                  | 3D       |
| 10. Existing Public Reserve for Recreation Purposes (Elizabeth Park) and Reservoir Site | Pt.1/DP11796<br>2/DP 11796<br>R.S. 27957  | 15.3510ha | Rural                  | 3D<br>4D |
| 11. Post Office (Radio Station) Victoria Park Road                                      | Pt.1/DP 11796   | 8897 sq.m | Rural                  | 4D       |
| 12. Christchurch City Council Water Reservoir Dyers Pass Road                           | 2,3, Pt.1<br>DP 2457, Pts 1<br>26/DP 1089   | 4609 sq.m | Residential Hillslope  | 4D       |

|     |   |  |           |                       |    |
|-----|---|--|-----------|-----------------------|----|
| 13. | Christchurch City Council Health Amusement and Instruction of the Public (Sign of the Takahe) | 16/DP 6163<br>63/DP 4030                                     | 2119 sq.m | Residential Hillslope | 4D |
| 14. | Heathcote County Council Reservoirs Hackthorne Road   | 1,2/DP 25223   | 2620 sq.m | Residential Hillslope | 4D |
| 15. | Cashmere School (Primary)   | 5-10/DP 4030<br>Pt.1/DP 7919<br>Pt.6/DP 1760<br>Pt.R.S. 2047 | 1.5130ha  | Residential Hillslope | 4D |
| 16. | Heathcote County Council Reservoir Hackthorne Road  | 1/DP 16896   | 2249 sq.m | Residential Hillslope | 4D |
| 17. | Kindergarten Hackthorne Road  | 3/DP 19181   | 1151 sq.m | Residential Hillslope | 4D |
| 18. | Heathcote County Council, Well Site, Chapmans Road  | Pt.5/DP 1492   | 25 sq.m   | Industrial 2          | 5C |
| 19. | Heathcote County Council, Well Site, Chapmans Road  | 1/DP 24980   | 25 sq.m   | Industrial 2          | 5C |
| 20. | Existing Public Reserve for Recreation Purposes Dyers Pass Road (Childrens Library)           | R. 4713  | 1621 sq.m | Residential Hillslope | 4D |
| 21. | Existing Public Reserve for Recreation Centaurus Road   | SO 2160  | 2023 sq.m | Residential 1         | 4D |
| 22. | Existing Public Reserves for Water-works and Pumping Station site purposes Bridle Path Road   | R 4322<br>R 4323   | 989 sq.m  | Rural                 | 5C |
| 23. | Public Recreation Bridle Path Road  | 3/DP 21139<br>R.S. 38196<br>R.S. 871<br>R.S. 872             | 0.9154ha  | Rural                 | 5C |
| 24. | Heathcote County Council Reservoir Port Hills Road  | 1/DP 26104   | 1715 sq.m | Rural                 | 5C |

|     |  |  |                    |                              |    |
|-----|--|--|--------------------|------------------------------|----|
| 25. | Christchurch City Council Water Reservoir Erewhon Terrace                      | 1/DP 12005   | 1012 sq.m          | Residential Hillslope        | 4D |
| 26. | Christchurch Drainage Board Pumping Station Opawa Road                         | 1/DP 19457   | 607 sq.m           | Residential 1                | 5C |
| 27. | Lyttelton Borough Council Reservoir and pipelines                              | Pt.R.S. 19, 77 & 104<br>Pt.Ct. 9A/482  | 7300 sq.m (approx) | Rural                        | 4C |
| 28. | Existing Public Reserve for Recreation Purposes Martindale Road (Library)      | R 5172   | 842 sq.m           | Residential 1                | 4C |
| 29. | Post Office Heathcote Valley   | 35, Pt. 36/<br>DP 26   | 726 sq.m           | Commercial                   | 4C |
| 30. | Heathcote Valley School (Primary)  | Pt.R.S. 271  | 7805 sq.m          | Residential 1                | 4C |
| 31. | South Island Main Trunk Railway  |  |                    | Industrial 2                 | 5C |
| 32. | Heathcote County Council Reservoir Mt Pleasant                                 | Pt.44 DP 3416  |                    | Rural                        | 4B |
| 33. | Christchurch City Council Water Reservoir Mt Pleasant                          | 1,4,5/DP   | 940 sq.m           | Rural                        | 4B |
| 34. | Heathcote County Council Rubbish Tip   | 1/DP 42625   | 9.96ha             | Rural                        | 5C |
| 35. | Christchurch Drainage Board Pumping Station Truscotts Road                     | SO 9125  | 607 sq.m           | Ferrymead Historic Park Zone | 4C |
| 36. | Lyttelton Borough Council Waterworks Pumping Station Wells and Ancillary Works | Pt.RS 77<br>CT 9A/482<br>Pt. RS 77<br>CT 431/101<br>Pt. RS 329<br>Pt.CT 144/78 | 1.85ha (approx)    | Rural                        | 4C |
| 37. | Lyttelton Borough Council & MED Substation                                     | SO 10805 Pt<br>CT 144/78   | 8260 sq.m          | Rural                        | 4C |
| 38. | Existing Public Reserves for Recreation Purposes Thorrington Road              | R 4405<br>2/DP 28523   | 3053 sq.m          | Residential                  | 5D |



|     |  |                            |                 |                       |          |
|-----|--|----------------------------|-----------------|-----------------------|----------|
| 39. | Existing Public Reserve for Recreation Purposes                                    | R112, R4262<br>R 4327      | 8851 sq.m       | Residential 1         | 4D       |
| 40. | Existing Public Reserve for Recreation Purposes (Palatine Terrace)                 | 7/DP 38504                 | 147 sq.m        | Residential 1         | 5D       |
| 41. | Existing Public Reserves for Recreation Purposes Cashmere Road (Active Recreation) | 1/DP 4996<br>R 5114        | 2.0310ha        | Residential 1         | 4D       |
| 42. | Existing Public Reserves for Recreation Purposes (Holmcroft Court)                 | 12/DP 29333<br>22/DP 29333 | 1770 sq.m       | Residential Hillslope | 4E       |
| 43. | Existing Public Recreation (Old Stone House)                                       | 1/DP 23624<br>21/DP 29333  | 1012 sq.m       | Residential Hillslope | 4E       |
| 44. | Existing Public Reserve for Recreation (Marleys Hill)                              | 1/DP 11163                 | 149 sq.m        | Rural                 | 2D       |
| 45. | Existing Public Reserve for Scenic Purposes Summit Rd Sign of the Kiwi             | R 3900                     |                 | Rural                 | 2D<br>3D |
| 46. | Existing Public Reserve for Scenic Purposes Summit Rd Thompson Park                | Pt.R 4170<br>R 4259        | 135.9ha         | Rural                 | 3D       |
| 47. | Existing Public Reserve for Recreation Purposes Summit Road                        | R 4478                     | 4.8360ha        | Rural                 | 3D       |
| 48. | Existing Public Reserve for Recreation Purposes Summit Road                        | R 4477                     | 2.949ha         | Rural                 | 3D       |
| 49. | Existing Public Reserve for Scenic Purposes Summit Rd Witch Hill                   | R 3814                     | <b>5.3848ha</b> | Rural                 | 3C       |
| 50. | Existing Public Reserve for Scenic Purposes Summit Rd The Tors                     | R 3815                     | <b>5.3544ha</b> | Rural                 | 3C       |

|     |  |   |           |                       |    |
|-----|--|---|-----------|-----------------------|----|
| 51. | Existing Public Reserve for Historic Purposes<br>Summit Road                     | R 4476  | 172 sq.m  | Rural                 | 3C |
| 52. | Existing Public Reserve for Scenic Purposes<br>Summit Road<br>Mt Cavendish       | R 3816  | 7.4993ha  | Rural                 | 3C |
| 53. | Existing Public Reserve for Scenic Purposes<br>Summit Road<br>Mt Pleasant        | R 3817  | 5.4834ha  | Rural                 | 3C |
| 54. | Existing Public Reserves for Recreation Purposes<br>Victoria Park                | Pt.R. 161   | 74.3837ha | Rural                 | 3D |
| 55. | Existing Public Reserves for Recreation Purposes<br>Takahe Drive                 | R 5060  | 1255sq.m  | Residential Hillslope | 4D |
| 56. | Existing Public Reserve for Public Purposes<br>Dyers Pass Road                   | R 4086  | 966 sq.m  | Residential Hillslope | 4D |
| 57. | Existing Public Recreation (C.C.C.)<br>Dyers Pass Road                           | 68-70,<br>Pts 71-73,<br>DP 6036<br>1-15/DP 6163           | 1.8900ha  | Residential Hillslope | 4D |
| 58. | Existing Public Reserve for Recreation Purposes<br>Remuera Avenue                | R 4963  | 2655 sq.m | Residential 1         | 4D |
| 59  | Existing Public Reserves for Recreation Purposes<br>Hollis Avenue                | 34/DP 22369<br>1, 6/DP 28383<br>1/DP 23320<br>33/DP 22534 | 1.5110ha  | Residential 1         | 4D |
| 60. | Existing Public Reserve for Recreation Purpose<br>Bowenvale Avenue               | 23/DP 27062   | 1229 sq.m | Residential Hillslope | 4D |
| 61. | Existing Public Reserve for Recreation Purposes<br>Centaurus Road<br>(Scout Den) | R 4608  | 2087 sq.m | Residential 1         | 4D |

|     |   |   |                  |   |    |
|-----|---|---|------------------|---|----|
| 62. | Existing Public Reserve for Recreation Purposes Erewhon Terrace                   | R 4653  | 1254 sq.m        | Residential Hillslope   | 4D |
| 63. | Existing Public Reserves for Recreation Purposes Curries Road                     | R 4538<br>R 4122, R 5000<br>Pt.RS 91<br>Pt 15/DP 7237<br>Pt 14/DP 7237<br>13/DP 27317 | 5825 sq.m        | Residential 1   | 5C |
| 64. | Existing Public Recreation  | Pt.14/DP 7237<br>Pt.15/DP 7237  |                  | Residential 1   | 5C |
| 65  | Existing Public Reserve for Recreation Purposes Mary Duncan Park Ports Hills Road | Pt.RS 388<br>Pt. RS 10027<br>Pt. RS 10520<br>Pt. RS 12479<br>Pt. RS 9640              | 23.8712ha        | Rural   | 4C |
| 66. | Existing Pubic Reserves for Recreation Purposes Heathcote Valley                  | R. 4946<br>Pt. R 3839   | 6.8750ha         | Rural   | 4C |
| 67. | Existing Public Reserves for Plunket Clinic Heathcote Valley                      | R. 4735   | 177 sq.m         | Rural   | 4C |
| 68. | N.C.H.B. Hospital Purposes  | CT's 256/107<br>269/45, 281/118<br>466/13, 478/255<br>467/36, 467/37<br>528/154       | 35.2070ha        | King George The Fifth Coronation Memorial Hospital Special Development & Land Management Zone | 4D |
| 69. | Proposed Public Reserves for Local Purposes (Wetland Conservation)                |   |                  | Rural   | 5C |
| 70. | Christchurch Drainage Board Pumping Station Bridle Path Road                      | 1/DP 21139  | 321 sq.m         | Rural   | 5C |
| 71. | Existing Public Convenience Takahe Drive  | Pt.28 DP 8754   | 945 sq.m         | Residential Hillslope   | 4D |
| 72. | Proposed Public Reserve for Recreation Purposes Cashmere Valley                   |   | 4 ha<br>(approx) | Protective Rural  | 4E |

|   |  |   |                       |                |
|---|--|---|-----------------------|----------------|
| 73. Proposed Public Reserve for Recreation Purposes   | Pt. 2 DP 26949   | 2700sq.m  | Residential Hillslope | 4D             |
| 74. Existing Public Reserve for Public Utility Purposes Centaurus Road/ Ranelagh Terrace/ Huntsbury Avenue                  | R. 4133  | 857 sq.m  | Residential Hillslope | 4D             |
| 75. Existing Public Reserve for Plantation Purposes Hackthorne Road. Proposed Public Reserve for Local Purposes (Accessway) | R. 4189  | 151 sq.m  | Residential Hillslope | 4D             |
| 76. Existing Public Reserve for Public Buildings, Summit Road, Lyttelton Botanic Gardens                                    | R 101  | 1.0ha   | Rural                 | 3C             |
| 77. Lyttelton Borough Council Waterworks Wells and Pumps  | SO 11924   | 1045 sq.m                                       | Rural                 | 5C             |
| 78. Lyttelton Borough Council Waterworks Well and Pump  | Pt. RS 329<br>Pt. CT 144/78  | 900 sq.m  | Rural                 | 5C             |
| 79. Lyttelton Borough Council Waterworks Wells  | Pt. RS 274<br>CT 187/257<br>Lot 3 RS 274<br>CT 206/97  | 2.05ha  | <b>Industrial 2</b>   | 4C<br>5C       |
| 80. Existing Public Recreation (C.C.C.) Huntsbury Avenue  | Pt. CT 581/89  | 592 sq.m  | Residential Hillslope | 4D             |
| 81. Proposed Road (between Palatine Terrace & Centaurus Road)   |  |   |                       | 4D             |
| 82. Reservoir Site, Right of Way and Pipeline Easement (C.C.C.)   | Pt. RS 5267 (pipeline) and Pt. Lot 5 DP 45713 (reservoir right of way and pipeline easement) | 1.6ha (plus right of way and pipeline easement) | Rural                 | 4D<br>5C<br>5D |

3.15 OBJECTS AND PLACES OF HISTORIC, SCIENTIFIC OR ARCHITECTURAL INTEREST OR  
NATURAL BEAUTY AND THE PROTECTION OF TREES

(a) Interpretation

"Protection": in relation to any object and place of historic, scientific or architectural interest or natural beauty shall mean either physical preservation or the recording of details by photography, measurement, and site marking for posterity and "protected" shall have a corresponding meaning.

(b) Appendix L

In respect of any place of special interest, character, intrinsic or amenity value or visual appeal or of special significance to the tangata whenua, the Council shall enter particulars thereof in Appendix L. Where a Heritage Order has been confirmed for an item this will be noted on Appendix L without the need for a Scheme Change. No work on any item subject to a Heritage Order may be carried out if contrary to that order. Any proposed use of a building subject to a Heritage Order which is not permitted as of right shall be deemed to be a conditional use.

(c) Protection

No person shall, without the written consent of the Council, wilfully destroy, remove, damage or modify an item listed in *Appendix L* by the Council as aforesaid provided that notice shall not be required for normal day to day repairs and maintenance.

(d) Alteration

In the case of an alteration or addition to an item listed in the historic places appendix, the applicant may make a non-notified application. The application should include detailed drawings to scale of the proposed alteration or addition and the existing item. Where the proposal is in sympathy with the original design and materials and in the opinion of the Council will not adversely affect its special characteristics, the application will be approved. If the application is declined, written notice of not less than three months shall be given to the Council prior to the alterations being commenced. The Council shall follow the procedure that it would in the case of the proposed demolition or removal of the building or object, as set out in sub-clause (e) below.

Where the proposed alterations or additions involve work to a part of the building which has previously been modified, and original features removed, the applicant shall notify the Council of their intention for the purpose of updating Council records. However, no plans or detailed drawings are required to be submitted for assessment in terms of character, design or materials.

(e) Demolition or Removal

Where any building or object is listed in Appendix L, written notice of not less than three months shall be given to the Council prior to demolition or removal. The Council will publicly notify the proposal, erect a notice on the building or place, give notice to interested parties and arrange meetings as appropriate. The appli-

cants shall provide the Council with satisfactory photographs and any other information held by them to enable an adequate record to be made. At the expiration of the period of three months, Council shall consent to the proposal if no alternative satisfactory to the applicant has been found. If the proposed work has not been commenced within a period of two years from the date the notice was given to the Council, a further notice and compliance with this clause will be required. Upon demolition of any building or place, it shall be noted on Appendix L without the need for a Scheme Change, that the building or place has been demolished.

(f) **Tree Protection Orders**

For any tree, shrub or group which is to be protected under a tree protection order, the Council shall enter particulars as to location, ownership and other relevant details in a register, which is to be kept at the office of the Council. This register shall be available during office hours for inspection by interested persons. Before a tree or trees are included in the register the Council shall notify the owner of the proposal to include it in the register and the reasons for its protection and the owner shall be given the opportunity to consent to or refuse consent to the particular tree or trees being protected. Trees will not be entered into the register without the owners consent except where the Council has imposed a condition under the Local Government Act 1974 relating to a proposal to subdivide or develop land.

(g) **Protection of Registered Trees**

No person shall wilfully destroy, remove, prune, lop, top or damage any listed items without the written consent of the Council. Provided that this restriction is subject to the provisions of the Property Law Amendment Act 1975 and any court orders pursuant to that Act.

(h) **Applications in Respect of Registered Trees**

The owner or occupier of any land upon which is situated any registered tree, shrub or group of trees or any person with a lawful interest in such tree or trees may at any time apply to Council without charge for consent to remove, replace or to carry out major trimming or other tree surgery. When such an application is made the Council shall, within two weeks refer the matter to a local representative of one or more of the following in order to assist the Council to make a decision:

- a. The N.Z. Institute of Landscape Architects
- b. The Landscape Association of N.Z.
- c. The Royal N.Z. Institute of Horticulture
- d. The N.Z. Historic Places Trust
- e. Any other organisations or individuals considered by the Council to have relevant specialist knowledge.

On any application the Council may refuse its consent or may grant its consent with or without conditions. In some cases this will involve the provision of advice on tree surgery or require the replacement of trees which have to be removed. If no decision is received from Council within six weeks of the making of an application under this clause the written consent of Council shall be deemed to have been given.

In emergency situations the above procedures shall not apply. The Council may consent to the immediate removal of listed items if the delay caused by following the procedure would cause danger or unreasonable inconvenience to the general public.

**(j) Alterations to the Register of Protected Trees**

Where any registered item is subject to a decision of Council, the Council may make alterations or additions to details concerning that item listed on the Register at any time, or may delete that item from the register.



### 3.16 GENERAL ORDINANCES FOR USES

The following ordinances apply to all uses in all zones unless otherwise stated.

#### 3.16.1 Ordinances

##### (a) Control of Uses Within Zones

- (i) Use authorised - any land or building thereon may be used for any use at that time permitted for that site under the Act, or its use may be changed to any use at that time permitted under the Scheme for that use; and every authorised use shall be subject to every ordinance that is applicable thereto:
- (ii) Any use proposed in the area covered by a notification under Section 34 of the Soil Conservation and Rivers Control Amendment Act 1959 which involves the disturbance of land surfaces by the removal of soil or by excavation or filling comes under the control of the North Canterbury Catchment Board. Pursuant to its powers under Section 34 of the Act the Board requires that no person shall engage in the foregoing practices within the notified area without the prior written consent of the Board.

##### (b) Changes in Use of Land or Buildings

Every requirement in this Scheme as to the use of any building or land or part thereof, being a requirement which does not attach to the building or land while it continues to be used for the same or a similar purpose as when this Scheme first became enforceable, shall attach when the general character of the use of the building or site is changed, or when the use of the curtilage of the building is substantially altered.

#### 3.16.2 Dispensations and Waivers

##### (a) Scheme Provisions Subject to Dispensations and Waivers

The Council may grant an application for dispensation wholly or partly from, or waiver of, any provision of the district scheme relating to:

- a. The subdivision of land permitted to be used for any urban purposes;
- b. The height, bulk and location of buildings permitted on the site;
- c. The provision of parking and loading spaces;
- d. The design and appearance of buildings and signs and the provision, design and appearance of verandahs;
- e. Landscaping; and
- f. Such other matters as may be specified in that behalf by any regulation in force under the Act.

(b) Circumstances in Which Consent May be Granted

The Council may grant its consent if it is satisfied that:

- a. The dispensation or waiver would encourage better development of the site or that it is not reasonable or practicable to enforce the provision in respect of the particular site; and
- b. The dispensation or waiver will not detract from the amenities of the neighbourhood and will have little town and country planning significance beyond the immediate vicinity of the land in respect of which the dispensation or waiver is sought.

Appendix I sets out examples of situations where dispensations and waivers may be considered to encourage better development or where it is not reasonable or practicable to enforce the provisions of the district scheme.

(c) Manner in Which Applications Will be Considered

Applications for dispensation or waiver may be made without notice provided the written consent of every body or person whose interests might in the Council's opinion be prejudiced by the proposed dispensation or waiver has first been lodged with the Council unless, in the Council's opinion, it is unreasonable in the circumstances existing to require such consent to be obtained.

If such consents have not been lodged and the Council has not found it unreasonable to require them to be obtained, the Council's powers in respect of dispensations or waivers may be exercised only on a notified application.

In any particular case when an application may be made without notice, the Council may, if it thinks fit, require the application to be made with notice pursuant to Section 65 of the Act.

On all matters concerning sites with frontage or access onto any Motorway, Major Arterial Road or Minor Arterial Road, as defined in the district or regional scheme, the views of the Canterbury Regional Council will be sought.

(d) Conditions and Limitations

In considering whether an application for dispensation or waiver should be granted the Council will be guided by the objectives and policies which relate to the particular standard or requirement in respect of which a dispensation or waiver is sought, and in granting any application for dispensation or waiver the Council shall seek to ensure that those objectives and policies are satisfied.

In addition any dispensation or waiver shall be limited as follows:

- a. Subdivisions: not greater than 20% of the particular standard
- b. The height, bulk and location of buildings:
  - . height, recession plane site coverage, area of buildings: not greater than 20% of the particular standard
  - . yards, setbacks: not greater than 50% of the particular standard
- c. Parking and Loading:
  - . number of parking spaces and loading bays: not greater than 50% of the particular standard; in addition, it should be noted that where the Council agrees the required spaces may be provided on a nearby site or the Council may accept payment in lieu of parking spaces under Section 295 of the Local Government Act, 1974 or its successor.
  - . location, dimensions and number of accesses: No limit
- d. Design and appearance of buildings, signs and verandahs:
  - . design and appearance of buildings: No limit
  - . signs: not greater than 20% of the particular standard in Residential zones; not greater than 50% of the particular standard in any other zone.
  - . verandahs: No limit
- e. Landscaping: No limit as to any dimension; not greater than 50% of any area requirement.

### 3.16.3 Temporary Uses and Buildings Permitted in Any Zone

Notwithstanding anything to the contrary in this district scheme, the following temporary uses and buildings shall be permitted in any zone, subject to the consent of the Council to a non-notified application and to conditions relating to the appearance and restoration of the site, and to such cash deposits or bonds (pursuant to Regulation 39) as may be required by the Council. The Council may also require an applicant to enter into a temporary building agreement, under Section 642 of the Local Government Act 1974.

- a) Temporary offices, storage sheds, builders' workshops, accommodation buildings, and other similar buildings and uses, which are incidental to a building, development or construction project. These are permitted however only for the duration of the project or twelve months whichever is the lesser unless the written consent of the Council to a longer period is obtained.
- b) Temporary uses and buildings for such purposes as carnivals, cultural festivals, moto-cross meetings, bazaars, public meetings and the like. These are permitted however only for a period not exceeding seven days in any year, unless the consent of the Council to a longer period is obtained by way of a notified application for planning consent.

### 3.17 GENERAL ORDINANCES FOR BUILDINGS

The following ordinances apply to all uses in all zones unless otherwise stated in this Scheme.

#### 3.17.1 General Requirements

##### (a) Land to be Suitable for Proposed Use

- (i) Notwithstanding conformity with the zoning requirements of these ordinances, no building shall be erected or placed, and no use shall be established or development commenced on any land which is not suitable for the use proposed; and for the purpose of determining whether any land is suitable for any particular use regard shall be had to relevant goals, objectives and policies of this Scheme and more particularly to the best use of the land and its economic servicing and development, earthquake fault lines, to liability to flooding, erosion, or land slip, stability of foundations, and safety, health and amenity.
- (ii) Any building proposed in the area covered by the notification under Section 34 of the Soil Conservation and Rivers Control Amendment Act 1959 which involves the disturbance of land surface by the removal of soil or by excavation or filling comes under the control of the North Canterbury Catchment Board. Pursuant to its powers under Section 34 of that Act the Board requires that no person shall engage in the foregoing practices within the notified area without the prior written consent of the Board.

##### (b) Buildings to be Set Back from Road

Notwithstanding the provisions of this District Scheme, where the scheme prescribes a building line on any site, whether by reference to any road boundary or otherwise except as an interim use as defined in the Interpretations Ordinance, no building or accessory building or part of either shall at any time be erected on that part of the site between the building line and the road or boundary to which it is related.

##### (c) Buildings to be Set Back from Open Watercourses

Notwithstanding the provisions of this District Scheme, no person shall erect any building, or cause or permit any building to be erected, on any part of a site in such a manner that any part of such building is within 10 metres of any open stream, open watercourse, or open drain, except that with the written approval of the Council to a non-notified application this may be reduced to not less than 3 metres. Before giving its approval the Council shall consult with any other local authority having control of streams, watercourses or drains in the district covered by the Scheme. The Christchurch Drainage Board Act may over-rule the Council in certain circumstances.

##### (d) Watercourses to be Maintained

No person shall erect any bridge or culvert or permit any bridge or culvert to be erected in, on or over any stream, watercourse or drain except with the prior written approval of the Council. Applications may be made as a non-notified application. Before giving its approval the Council shall consult with any other local authority having control of streams, watercourses or drains in the district, and any such work shall be carried out in full compliance with any conditions laid down in the approval by Council.

**(e) Areas and Coverage Generally**

The permitted minimum site areas and yard widths and the proportionate part of the land which is permitted to be covered by buildings shall be those specified in this Scheme, and no person shall so reduce or diminish any site, or cause or permit any site to be so used, reduced or diminished that the areas thereof that are not built over will be smaller than are prescribed by this Scheme.

**(f) Access and Facilities for Disabled Persons**

As provided for in the Disabled Persons Community Welfare Act 1975, all premises open to the public shall incorporate adequate provision for access and facilities for disabled persons.

**3.17.2 Yard Requirements**

**(a) Yards to be Provided**

Except as expressly provided in or under this Scheme, front, side and rear yards shall be provided on each site in each zone, as required by this Scheme. The bulk and location requirements are specified under Buildings in each zone ordinance.

**(b) Yards Provided are to Relate to One Site Only**

No portion of a yard or other space provided to meet requirements in respect of one site shall be taken into account in computing the area of any yard or space provided to meet requirements in respect of any other site.

**(c) Road Widening or Re-Alignment**

Where a new road or road widening is proposed any front yard requirements or bulk and location requirements prescribed under this Scheme shall be measured as though the proposed road boundary were the front boundary.

**(d) Exceptions to the Yard Requirements**

- (i) When an owner provides land for an accessway yard requirements shall be diminished correspondingly.
- (ii) Corner Sites - in the case of corner sites both road boundaries shall be front boundaries for the purpose of determining front yard requirements. The boundaries to be used for determining the side and rear yard requirements shall be selected by the owner.
- (iii) Through Sites - in the case of a through site, Council shall by resolution declare after having consulted the affected land owner which frontage of the site shall be deemed to be the rear boundary, in which case the provisions as to the rear yards shall apply with respect to that frontage and the provisions as to front yards with respect to the other frontage.
- (iv) Eaves, Balconies, Bay Windows, Steps, Porches, etc - except as authorised by dispensation (refer Ordinance 3.17.4) eaves, balconies, bay windows, steps, porches and similar parts of buildings may occupy part of a required Yard only within the following limits:
  - a. The eaves of any building may project over any land, but such eaves must not project more than 0.6m over any yard requirements.

- b. Porches or windbreaks opposite a doorway may project into any required yard, but such porches or windbreaks must not project more than 1.0m into such yards nor be longer than 1.8m parallel to the boundary, and provided that vehicle access to the rear of the site is retained on one of the side yards.
- c. Bay windows may project into any required yards but must not project more than 0.6m into such yards, nor be longer than 3m parallel to the boundary and provided that vehicle access to the rear yard of a front site is retained on one of the side yards.
- d. Chimneys may project into any required yards but must not project more than 0.6m into such yards nor be longer than 1.8m parallel to the boundary, and provided that vehicle access to the rear yard of a front site is retained in one of the side yards.
- e. In the case of an existing dwelling with a side yard of less than 1.5m neither porches or windbreaks nor stairways shall be permitted within the side yard.
- f. External stairways may project into any required yards but such stairways must not project more than 1.0m into such yards and any landing must not exceed 1.8m in length and provided that vehicle access to the rear yard of a front site is retained on one of the side yards.

### **3.17.3 Accessory Buildings and Garages**

- (a) The standards for accessory buildings and garages are set out in each zone ordinance.
- (b) When a dispensation has been granted an accessory building can be sited within one metre of a boundary which adjoins a right of way or access "leg in" without providing exterior walls which have a fire-resistance rating in accordance with the Council's building bylaws.

### **3.17.4 Dispensation or Waiver**

**Application may be made under clause 3.16.2 Dispensations and Waivers of the General Ordinance for Uses for a dispensation from, or waiver of, the standard requirements set out in this ordinance or the zone ordinance.**

### **3.17.5 Alterations to and Rebuilding Existing Non-Conforming Buildings**

An existing building which does not conform to any or all of the provisions of this District Scheme relating to the zone in which it is situated may be reconstructed, altered or added to in accordance with the provisions of Section 91 of the Act.

#### **3.17.5a Controlled Uses**

- (a) **Relocated Buildings**

**Where any building is proposed to be relocated from any site to a new site, the relocation of that building shall be a Controlled Use with respect to its design and appearance. In considering a Controlled Use application the Council shall in particular have regard to the following matters:**



- The age, architectural style and physical condition of the building to be relocated and of existing buildings in the vicinity of the new site.
- The layout of buildings on the site and their relation to buildings on adjoining sites.
- Building height, size, roof pitch, materials and colour in relation to buildings on adjoining sites.
- Whether alterations to the building are necessary in order to make it more consistent with the character of the area into which it is to be relocated.
- Existing and proposed landscape treatment of the site.

### **3.17.6 Maintenance of Buildings and Structures**

No structure, building, signboard, sign, excavation, or other work shall be sited, or made or finished (notwithstanding that the design and materials may comply with the Council's building bylaws) or shall be left unfinished or allowed to deteriorate to, or remain in such a condition that it would, in the opinion of the Council, be visually inappropriate to the amenities of the neighbourhood or would tend to depreciate private or public values therein, or would be detrimental to the safety and health of the general public.

### **3.17.7 Protection of Traffic Sight Line**

At all intersections of streets in rural and residential zones, the areas included in any corner site and bounded by the street boundaries and a straight line joining points on those boundaries at equal distances of 6m from the intersection of the extended sight lines, shall be kept clear of all obstructions over 1m in height in order to preserve traffic sight lines.

### **3.17.8 Buildings and Obstructions Near Railway Crossing**

Where the railway and road intersect on the same level, no building or other obstruction which might block the sight lines shall be permitted within an area bounded by lines connecting points 37m along the centre line of the roadway measured in each direction from the centre line of the nearest track, to points 134m along the nearest railway track measured in each direction from the centre line of the roadway; provided that the Council may, after having consulted the District Engineer, New Zealand Railways, waive or vary the requirements of this ordinance in respect of any buildings (and obstructions) in any zone if in Council's opinion such requirements would be unreasonable or inappropriate in the particular circumstances and subject to such conditions as may be imposed.

### **3.17.9 Application for Building Permit**

In addition to the information required by any bylaw an applicant for any approval or permit, when making his application shall:

- (a) Supply a site plan and such drawings and information in detail as may be necessary to indicate that the proposed building or other work will when erected or carried out, comply in all respects with this District Scheme, and in particular that the prescribed provision has been made for off-street parking, loading and access for motor vehicles, and where relevant thermal insulation and or reduction of noise transmission from within the building.
- (b) Supply a Registered Engineer's report on the stability of foundations and excavations where required by Council.

- (c) Supply a copy of the Certificate of Title of the land concerned and the names of the owner or owners. In cases where the application is not made by the owner or on his or her behalf a statement that the applicant has a legal option to purchase the land must be supplied.
- (d) In the case of applications for approval of a building permit where the proposed building covers more than one saleable parcel the applicant or owner, as the case may be, shall prior to issue of a permit have a plan compiled and deposited in the Land Transfer Office, showing the whole of that land as a single lot.

Provided that if a fire resistant wall or walls, complying with the relevant bylaws is, or are, built adjoining or along the common boundary between such saleable parcels of land, a compiled Deposit Plan shall not be required. (Industrial and Commercial Zones only).

### 3.18 GENERAL ORDINANCE ON THE SUBDIVISION OF LAND

#### 3.18.1 General Requirements

The following ordinances apply to all sites in all zones unless otherwise stated.

(a) **Approval of Proposed Subdivision**

Every proposed subdivision shall be submitted to the Council for its approval in terms of this District Scheme and no plan of subdivision shall be certified in accordance with Section 305 of the Local Government Act 1974, unless such prior approval has been previously obtained.

(b) **Circumstances Under Which Land May be Subdivided**

Land may be subdivided for any of the purposes set out in this ordinance, but for or to no other purpose. Every subdivision shall be subject to every ordinance that is applicable thereto.

- (i) Land may be subdivided to give effect to or assist in the establishment or effective operation of any use permitted under this Scheme as a predominant use in any zone.
- (ii) Provided that the subdivision shall comply with all area and frontage requirements and any other requirements specified for that use in that zone.
- (iii) Land may be subdivided to give effect to or assist in the implementation of any use permitted under this Scheme as a conditional use in any zone.
- (iv) Provided that the establishment of that particular conditional use shall have been approved by either the Council or the Planning Tribunal as the case may be, before the subdivision is approved.
- (v) Provided further that any such subdivision shall comply with all the requirements of the Council or the Planning Tribunal in respect of frontage and area requirements.
- (vi) Land may be subdivided in accordance with any approval granted by the Council or the Planning Tribunal pursuant to Section 74 of the Act.
- (vii) Notwithstanding the minimum subdivision standards specified in the Scheme, the Council shall approve, subject to any appropriate conditions, a subdivision consent for a unit title pursuant to the Unit Titles Act 1972, or a company lease or cross lease, where each unit or lease is of sufficient area and of suitable shape to allow the buildings contained within the unit or lease to satisfy the relevant requirements and standards of the Scheme for those buildings or parts of a building. This clause shall not apply to any sites located within any rural zones contained in this Scheme.

(c) **Conservation Provisions**

In some areas in the Residential Hillslope Zone a comprehensive planting and management plan will be required prior to subdivisional approval. The planting and management plan will provide for the stabilisation, planting, fencing and a maintenance programme for areas in which the Council in consultation with the Canterbury Regional Council shall determine as requiring such treatment within a particular subdivisional proposal.

(d) **Conditions of Approval**

The Council may approve a proposed subdivision subject to any conditions contained in this District Scheme, or any empowering act or bylaw with respect to levels, drainage, easements, dedications, amalgamation of titles, reserves or any other conditions or restrictions including conditions suggested by the Christchurch Drainage Board and the North Canterbury Catchment Board.

Notwithstanding that a scheme of subdivision may comply with the requirements of this Scheme the Council shall not approve the plan of subdivision if there is inadequate provision for sewerage, water supply and stormwater disposal or if the arrangement of sites or shape of any proposed site is not in conformity with good subdivisional design or if there is disregard to objectives and policies of the zone in which the subdivision lies. In determining whether a site is suitable, regard shall be had to the best use of the land and its economic servicing and development, to earthquake fault lines, and to liability to flooding, erosion and landslip, to stability of foundations, and to safety, health and amenities. In addition, the Council will not permit land to be subdivided in a manner which causes adjacent land to be landlocked.

**(e) Public Utilities**

The Council may adopt standards of subdivision for public utilities other than those required for predominant uses in any zone.

**(f) Corner Rounding**

If a corner lot is included in any subdivision the Council may require the corner at the road intersection to be splayed with a diagonal line reducing each boundary by at least 6m from the corner in a residential zone and at least 4m in commercial or industrial zones, or otherwise rounded to achieve the same end.

**(g) Classified Road**

A proposed or declared Limited Access Road cannot be used for legal frontage for subdivisional purposes. Any land adjoining a Limited Access Road cannot be subdivided unless legal frontage to an alternative road is provided, or the consent of the appropriate authority is obtained.

**(h) Boundary Adjustments**

In any zone the requirements of this Scheme shall not apply to a subdivision if the Council is satisfied that the subdivision is intended solely for the adjustment of boundaries which will leave each of the adjusted allotments of substantially the same area as before.

**(i) Reduction in Road Widths**

The Council may approve road widths less than 12m but not less than 7.5m wide if the Council is satisfied that the topography is such that the earthworks involved in achieving the greater width would be detrimental to the amenities of the neighbourhood and that the width so provided will cater for the traffic likely to be generated in respect of uses having frontage to that street. If a footpath is provided in an alternative location this will also be a factor to be considered.

### **3.18.2 Dispensation or Waiver**

**Application may be made under clause 3.16.2 Dispensations and Waivers of the General Ordinance for Uses, for a dispensation from, or waiver of, the standard requirements set out in this ordinance.**

### **3.18.3 Subdivisional Design**

The following points are considered to be important by Council and will be noted if relevant when scheme plans are considered.

- (i) The imaginative use of reserves.
- (ii) The protection of existing trees especially where they add to the amenity value of the area, and the provision of areas for planting new trees.
- (iii) The imaginative use of topography and natural drainage channels.
- (iv) Variation in section sizes, shapes and aspects.
- (v) Attention to the needs of pedestrians and cyclists as well as vehicles.

### 3.18.4 Residential Zones (Residential 1 and Residential Hillslope)

#### (a) Minimum Standards

##### (i) Front Sites:

| Zone                  | Minimum Area | Average Area | Minimum Frontage | Average Frontage |
|-----------------------|--------------|--------------|------------------|------------------|
| Residential 1         | 400 sq.m     | 550 sq.m     | 15m              | 16.5m            |
| Residential Hillslope | 450 sq.m     | 600 sq.m     | 16m              | 17.5m            |

##### (ii) Rear Sites:

Rear sites shall meet the area standards specified for front sites, exclusive of access ways, and shall be capable of containing a square with sides not less than the distances specified for the minimum frontage of front sites.

#### (b) Calculation of Average Area

Access strips to rear sites shall be excluded from the calculation. For calculation purposes every lot 1800 sq.m or over shall be treated as an 1800 sq.m lot. Surveyors shall supply average area calculation where required.

#### (c) Rights of Way

##### (i) Access Strip:

Minimum width  
 3.5m to 1 rear lot  
 4.5m to 2 rear lots  
 6.0 m to 3 or more rear lots.

(ii) Wherever practicable the access strips comprising the actual right of way shall be the same width.

(iii) A right of way to two or more rear sites may be reduced in width to not less than 3.7m provided that in the Council's opinion, sufficient widths for passing spaces have been provided.

#### (d) Exceptions to Standard Requirements

##### (i) Front Site of Irregular Shape

For a site with side boundaries diverging from the street the frontage may be reduced to 6.0m if the width of the site at a distance of 9.0m from the

street boundary is not less than the minimum prescribed in 3.18.4 (a) (i) hereof.

(ii) **Reduced Standards for Residential Zones**

The reduced standard applies to the subdivision of a single holding into no more than two lots or to one front lot and/or one rear lot in any residential subdivision to assist in the better utilisation of landlocked or small blocks of land. The reduced standard applies to not more than 2 lots instead of the normal average area and frontage requirements.

Residential 1 zone - Reduced standard area 450m<sup>2</sup>, frontage 14.0m.

Residential Hillslope zone - Reduced standard area 500m<sup>2</sup>, frontage 14.0m.

(e) **Special Conditions Relating to Subdivisions in the Residential Hillslope Zone**

(i) The Council has adopted a policy in relation to hill land which requires a satisfactory report from a Registered Engineer with experience in the field of soil mechanics prior to subdivisional approval in circumstances where land stability is considered a factor. This procedure will generally be followed in the Residential Hillslope Zone.

(ii) The subdivider in submitting a subdivisional proposal for approval shall have regard to:

- a. The stability of the land being subdivided and its suitability for a predominant use within the zone;
- b. The need for satisfactory access to all proposed lots for vehicles and pedestrians;
- c. The relationship between all proposed building locations and also existing buildings, particularly in regard to potential loss of views and sunshine;

and shall indicate on the plan a suitable building site on every allotment intended for a residential use, and vehicular access onto the site.

(iii) **In the case of subdivision of land in the Residential Hillslope zone on Mt Pleasant Road, in the area between Madeley Road and Moncks Spur Road, vehicle access shall be from new internal roads or rights of way, with no new accesses to individual lots from Mt Pleasant Road.**

(f) **Residential Subdivisions with Building Outlines**

(i) Where a subdivisional application submitted for approval contains building location and height restriction controls on each lot complying with all the requirements of this Scheme and the building bylaws the reduced standards in clause 3.18.4 (d) (ii) shall apply irrespective of the number of allotments proposed, provided that:

- a. The approval of the Scheme Plan is conditional upon any building erected on the allotments other than accessory buildings being sited within the buildings outline.
- b. The Council is satisfied as to the suitability of the sites for residential development in terms of their stability, shape, size, servicing provisions, level and relationship with all adjoining allotments.

- c. The Council is satisfied adequate provision can be made for well located off-street parking and garaging.
- (ii) An applicant seeking approval under this section shall provide the Council with sufficient information to enable the Council to assess the application in terms of the factors in clause (i) above.
- (iii) The general requirements contained in Clause 3.18.1 shall apply to all subdivisions containing building outlines.

**(g) Pedestrian Accessways**

Where practicable all subdivisions shall provide pedestrian accessways linking residential areas with each other and with reserves, community facilities, commercial areas and schools. Such pedestrian accessways shall have a suitable walking surface and shall be landscaped to provide practical and attractive pedestrian accesses.

All land being part of such pedestrian accessway shall be vested in the Council or otherwise appropriately dealt with (e.g. Rights of Way in Gross for Pedestrian Purposes) upon subdivision. Where pedestrian accessways are vested in the Council purely to provide a recreational asset relief from reserve contribution will be granted in proportion to the accessway vested.

**3.18.5 Commercial Zones**

**(a) Commercial 1 and Commercial Service Zone**

Council shall permit subdivision of any size or shape providing the effect of the subdivision is shown to be such as will facilitate the carrying out of any permitted use in the zone.

**3.18.6 Industrial Zones**

**(a) Industrial 1 and 2 Zones**

Council shall permit subdivision of any size or shape providing the effect of the subdivision is shown to be such as will facilitate the carrying out of any permitted use in the zone.

**3.18.7 Rural Zones**

**(a) Protective Rural Zone**

**(i) Requirements for Predominant Uses:**

Every allotment created by subdivision shall be of such an area that it is capable of being used as an independent economic unit. Before making a decision in each particular case, the Council shall have before it the following information:

**a. A report on the application to include:**

- i. An appraisal of the suitability of each proposed allotment to operate as an independent economic unit for the type of farming proposed.



- ii. Other town planning considerations relevant to the District Scheme and the application in particular.
- b. Such evidence as will satisfy Council that such new allotments are likely to be used for the type of farming use proposed.
- (ii) Provided that Council may approve a subdivision that does not meet the above requirements in cases where it is satisfied on reasonable grounds that any allotment created by such subdivision is intended to be and shall be used in conjunction with other land so that together they form an economic farming unit or that better utilisation of farmland will result. Council may require the amalgamation of such lands into one certificate of title.

**(b) Rural Zone**

- (i) Requirements for Predominant Uses:

Every allotment created by subdivision shall be of such an area that it is capable of being used as an independent economic unit. Before making a decision in each particular case, the Council shall have before it the following information:

- a. A report on the application to include:
  - i. An appraisal of the suitability of each proposed allotment to operate as an independent economic unit for the type of farming proposed.
  - ii. Other town planning considerations relevant to the District Scheme and the application in particular.
- b. Such evidence as will satisfy Council that such new allotments are likely to be used for the type of farming use proposed.
- (ii) Provided that Council may approve a subdivision that does not meet the above requirements in cases where it is satisfied on reasonable grounds that any allotment created by such subdivision is intended to be and shall be used in conjunction with other land so that together they form an economic farming unit or that better utilisation of farmland will result. Council may require the amalgamation of such lands into one certificate of title.
- (iii) Provided that the Council may approve a subdivision, where any allotment is contiguous with and amalgamated into one certificate of title with an allotment in a Residential zone, provided that the residential allotment meets all the requirements of the Residential Ordinance for that zone and no dwellinghouse is permitted on the part of the title zoned Rural.

**(c) Worsleys Road Rural Zone**

Apart from boundary adjustments, amalgamations, or the creation of public utility sites, no subdivision is permitted in this zone.

**3.18.8 Ferrymead Historic Park Zone**

No subdivision which would permit the alienation of land for purposes inconsistent with the objectives of the Ferrymead Historic Park Zone shall be permitted.

Subdivision to permit long term leases to member organisations of the Ferrymead Trust may however be permitted by the Council, where it is satisfied that adequate safeguards can be imposed to ensure that the land cannot be sold for purposes other than Ferrymead Historic Park Zone activities.

### 3.19 GENERAL ORDINANCES FOR PARKING AND LOADING

#### 3.19.1 Parking Ordinances

##### (a) Public Parking

Public parking may be developed either by the Council or private enterprise or jointly. Council may from time to time as opportunity offers or necessity dictates, acquire at suitable places, by agreement or compulsorily, such areas of land as may be necessary to achieve the aims of the parking policy, and develop that land and apply it to that use either exclusively or in combination with any other use, and with, as far as may be practicable, the co-operation of private enterprise.

##### (b) General Provisions for Parking and Loading

###### (i) Obligation of Owner or Occupier

Every owner or occupier who constructs or substantially reconstructs or adds to any building or changes the use of any site, shall make provision for off-street parking and loading in accordance with the requirements of this District Scheme for vehicles used in conjunction with the site, whether by occupiers, employees, invitees, customers or other persons. Uses which need access by heavy or large vehicles including cars towing trailers shall provide accessways and manoeuvring and parking areas large enough to accommodate them.

###### (ii) Diminution of Land Available

The space that is available about a building to meet the requirements of these ordinances for off-street parking and loading shall not be diminished by the subsequent erection of any structure, storage of goods, or any other use.

###### (iii) Yard Space May Be Used

The provision for parking and loading in respect of any site may be made as part of the yard space of that site.

###### (iv) Loading Space May Be Used

A loading bay shall be counted as parking space according to the number of vehicles the bay is capable of accommodating conveniently when in use as a loading bay.

##### (c) Location of Parking

The off-street parking requirements prescribed in this District Scheme shall be located on the site.

Provided that where, in the opinion of the Council, it is not practicable or desirable to do so the required facilities shall be provided within a reasonable distance from the site but not on a road, subject to the prior approval of the Council.

**(d) Multiple Uses on One Site**

Where several activities are proposed on any site, each of which requires a parking provision, Council may permit a reduction in the total requirement of space where such activities do not generate a maximum parking demand at the same time.

**(e) Joint Provision**

Council may permit two or more owners to provide a parking area for their common use, the number of spaces to be the sum of their individual requirement unless it can be shown that the parking demand of one or more of the owners occurs at a different time of day from that of the remaining owners. In this case a partial or complete dispensation may be allowed in respect of the parking requirements for one or more of the owners. Owners may also enter into an agreement to use an existing parking facility when their parking demand occurs at a different time from that of the owner(s) of the facility or where there is sufficient capacity to accommodate the additional parking.

The Council reserves the right to re-impose the individual requirement should circumstances change with respect to the right of any developer to use the joint parking site and may require a legal undertaking or other form of guarantee from the parties concerned, acknowledging their responsibility to provide and maintain the amount of parking required under these Ordinances.

**(f) Measurement and Design of Parking Spaces and Areas**

The assessment of the number of spaces to be provided shall be in accordance with the dimensions of vehicle characteristics as set out below:

**(i) Vehicle Dimensions**

Parking spaces provided under all the relevant ordinances of this District Scheme shall be of sufficient size and suitably laid out to accommodate a "90 Percentile Design Motor Car" as defined by the Ministry of Transport. The dimensions and turning circle of this vehicle are shown in Appendix B.

**(ii) Typical Layouts**

The layout adopted will depend on the area and shape of the land or floor space available and the purpose for which the parking is required. There are several methods of achieving a satisfactory parking layout which has adequate access and manoeuvring space.

**(iii) General Design and Constructional Details**

All public parking areas, car sales yards and private parking shall comply with the following general requirements:

- a. The parking area shall be formed and sealed or otherwise maintained so as not to create a dust nuisance or permit vehicles to carry deleterious material such as mud, stone, chip or gravel onto the public road or footpath.
- b. Stormwater originating from the parking area shall be dealt with in a manner approved by the Council and any other local authority having responsibility for such drainage in the area.

- c. Vehicles using the parking area shall be prevented from entering or leaving the site except by the accessways provided, and from approaching and damaging boundary fences.
- d. A reservoir space shall be provided within all parking areas to prevent vehicles queueing on the street.
- e. Approach, departure and breakover angles of access drives and ramps within public car parks shall involve an angular change not greater than 1 in 5.
- f. Provisions shall be made for illumination of access drives and pedestrian areas within public car parks.
- g. All of the above shall be provided and maintained to the satisfaction of the Council.

**(g) Number of Spaces Required**

**(i) Assessing Floor Area**

In assessing the number of spaces to be provided with respect to the floor area of any building, vehicle accesses, parking spaces, staircases or lift wells contained within the building shall not be included in the area. Where the number of spaces required is based on the number of employees, guests, audience, staff, tables, units of accommodation or any other factor not directly related to floor area, the developer shall indicate the total expected. The Council will have the power to reassess the total should it be deemed unreasonably low or unreasonably high and base the parking requirement on the amended total.

**(ii) Requirements**

Subject to the provisions of the Act and subject to any special conditions imposed by or under this District Scheme, provision for off-street parking and loading of vehicles shall be made in respect of every side to provide for vehicles normally required to park or load at the premises from time to time. The requirements for off-street parking spaces shall be as follows:

| <b>Use of Site</b>   | <b>Parking Spaces Required</b>                                     |
|--|--|
| Dwellinghouse  | Not less than 2 spaces, covered or uncovered, per household unit.  |
| Townhouse  | Not less than 2 spaces, covered or uncovered, per household unit   |
| Licensed Taverns   | 45 spaces per 100 sq.m bar or public space plus 1 per 2 staff      |
| Education and research institutions, kindergartens playcentres and nurseries | 1 space per 2 staff and 1 space per 10 students over the age of 15 |
| Churches, places of assembly, community centres, clubrooms and gymnasias     | 20 spaces per 100 sq.m floor area                                  |

|  |  |
|--|--|
| Libraries, offices (other than professional offices)               | 2 spaces per 100 sq.m floor area   |
| Professional Offices   | 2 spaces per professional person and 1 per other staff   |
| Medical Centres  | 2 spaces per professional person and 1 per other staff   |
| Hospitals, convalescent homes, nursing homes                       | 1 space per 5 patient beds plus 1 space per resident or visiting doctor or other staff                               |
| Restaurants, catering premises and reception rooms                 | 20 spaces per 100 sq.m of dining or reception room floor area  |
| Retail and wholesale shops, banks and service and repair workshops | 5 spaces per 100 sq.m floor space  |
| Petrol service stations, motor repair garages                      | 5 spaces per 100 sq.m floor space  |
| Any other uses   | As set by Council so as to provide off-street parking for all visitor and permanent parking associated with the use. |
| <b>Zones and Uses</b>  | <b>Parking Space Required</b>  |
| Industrial 1   | 3 spaces per 100 sq.m floor space  |
| Industrial 2   | 2 spaces per 100 sq.m floor space  |

**(h) Dispensations**

Council may waive requirements or require developers to enter into an agreement:

- (a) Where the configuration of the site or the manner of development of a group of small sites make it impossible or delay the provision of parking spaces; or
- (b) Where it is unlikely that the parking spaces can be satisfactorily provided; or
- (c) Where the floor area of a proposed non-residential building is less than 200 sq.m and the site is not part of a major development and at the same time vehicles parked on street in connection with the site would not create an undue traffic hazard; or
- (d) Where the site is to be used for homes for the aged; or
- (e) Where a residential site is inaccessible to vehicular traffic; or
- (f) Where the amenity of any place object or building which is registered pursuant to Ordinance 3.15 is likely to be adversely affected; or

- (g) Where it is shown to the Council's satisfaction that the full parking requirement need not be met.

One of the following alternatives, or any combination of the following alternatives may apply:

- (i) Council may fully or partially waive the requirement, following the procedures for dispensations and waivers,
- (ii) Council may immediately accept a cash payment in lieu of provision of parking, the rate to be as determined by the Council in accordance with the provisions of Section 295 of the Local Government Act 1974.
- (iii) Council may require a set back of the street frontage for on-street parking, with or without a change in the number of spaces to be provided, and may require the full cost to be borne by the owner or developer.
- (iv) Council may require the developer to enter into a bond to put into effect one of the following alternatives:
  - a. Make a cash payment in lieu of parking provision to Council or nominated agency when required; or
  - b. Physically provide the parking spaces when required; or
  - c. Enter into an agreement with other adjacent developers to provide and maintain a jointly used parking site.

The exact time and manner of discharging the bond shall be decided by or be executed to the satisfaction of Council.

### 3.19.2 Loading Ordinances

#### (a) Off-Street Loading to be Provided

Except where the Council determines for special reasons to be specified that this provision need not apply, every owner or occupier who constructs or who substantially reconstructs or adds to any building or changes the use of any site in a Commercial or Industrial zone shall make adequate provision on his own property, or by mutual agreement on an adjacent property, for the loading and unloading of all goods associated with the site.

#### (b) Yard Space May Be Used

The provision of loading areas in respect of any site may be made as part of the yard space of that site.

#### (c) Council May Waive Regulations to Require Developers to Enter Into An Agreement

Where the configuration of the site precludes the provision of off-street loading, the floor area of the building is not greater than 200 sq.m and the site is not part of a major development, and at a same time kerbside loading would not cause an undue traffic hazard then:

- (i) Council may fully or partially waive the requirement following the procedures for dispensations and waivers.



- (ii) Council may require the developer to enter into an agreement with other adjacent developers to provide and maintain a jointly used loading area, or sign a bond in lieu.
- (d) The method of loading shall at no time cause the footpath or access to adjacent property to be blocked, nor shall it create a traffic hazard on the road.
- (e) Where a property fronts onto a street carrying more than 3500 vehicles per day, the loading space together with access shall be designed so that it is not necessary to reverse vehicles either on or off the street.
- (f) **Design of Loading Areas**
  - (i) Vehicle Dimensions and Layout - the layout adopted will depend on the area and shape of the land available, the purpose for which loading is required, and functional design of the building. The layout shall generally be of sufficient size to accommodate the following design vehicles:
    - a. In all industrial and commercial zones except Commercial 1 "90 Percentile Two-Axled Truck" as defined by the Ministry of Transport.
    - b. In Commercial 1 Zone: "90 Percentile Motor Car" as defined by the Ministry of Transport.
  - (ii) Loading Docks Facing Street - where loading docks are permitted to front directly onto the street their position shall conform with the access requirements of this ordinance. The minimum dimensions for a loading dock shall be 3.5m wide and 7.5m deep, measured from the street boundary. Access to any loading dock shall be substantially at footpath level for a distance of not less than 7.5m from the street boundary.

## 3.20 GENERAL ORDINANCES ON ACCESS TO PROPERTY

### 3.20.1 Obligation of Owner or Occupier

- (a) Access to be Provided - except where, in the Council's opinion, this provision need not apply, every owner or occupier shall provide vehicular access to his property for parking or loading over his own land or by mutual right-of-way or service lane. Where the use does not generate sufficient traffic to warrant a specially constructed access, a standard culvert and crossing or crossings shall be provided as described in 3.20.3. In the case of major developments a "drive-in" type access may be required as defined in 3.20.3 (d).
- (b) Responsibilities of Council and Developer - all work on culverts and crossings and drive-in accesses within the road reserve, shall be done by the Council at the expense of the owner. This shall be done on a prepaid basis, the rates being the standard cost of construction of the culvert and crossing as determined from time to time. The cost of erecting signs, signals and any other traffic or pedestrian measures will normally be borne by the developer.
- (c) Maintenance Within the Road Reserve - the ordinary maintenance of a culvert and crossing or drive-in access is the responsibility of the Council within the legal road unoccupied by carriageway, but any person responsible for damaging a residential culvert and crossing is liable for the cost of restoration.
- (d) Standards of Construction for Accessways - all accessways to commercial and industrial properties shall comply with the following general requirements:
  - (i) The accessway shall be formed and sealed so as to adequately prevent deleterious material such as mud, stone, chip and gravel being carried onto a public street or footpath. The requirements of this paragraph will be met if the first 12m of accessway measured from the street boundary is so treated.
  - (ii) Stormwater originating from the property shall be disposed of by sump and pipe to the street channel or stormwater drain.
  - (iii) Accessways shall not remain open outside of the normal hours of the associated predominant use where to do so would create a nuisance.

### 3.20.2 Access Depends on Class of Road and Traffic Generation

- (a) Network of Traffic Roads - the form of access to the property and the location of accesses with respect to road intersections shall be as set out in subsequent clauses having particular regard to the class of road on to which the property fronts, and where applicable, the class of road intersecting that road to form a nearby intersection. The class of road shall be as shown in operative and draft Regional Planning Scheme, Section 2, and set out in Appendix A of this scheme.
- (b) Major Developments - where, in the opinion of the Council, the use of a site is likely to generate more than 50 vehicle movements on 36m of frontage in any one typical hour during the first five years of its use, or where the nature of potential conflict between vehicles and pedestrian traffic dictates, the developer may be required to provide a drive-in access. All details of drive-in accesses shall be subject to approval by the Council. The general requirements are set out in 3.20.3 (d) of this Ordinance.

### 3.20.3 Design of Accesses

- (a) General - access from the carriageway to the property shall normally be gained by culvert and crossing. In the case of major developments, access shall be by a continuation of the carriageway kerb into the property. This latter form of access is known as a drive-in access.

There are two types of culverts and crossings - "residential" and "commercial". The residential type is built to carry car traffic and the commercial type is built for heavier traffic. "Crossing" refers to the pavement between the channel and the property boundary while "culvert" refers to the channel crossing.

- (b) Residential Standards - the permissible length of residential crossings is set down in 3.20.3 (e) of this ordinance. Only one crossing is permitted unless the frontage is greater than 18 metres but a second crossing may be permitted if the two crossings will enable vehicles to drive in and off the property without reversing on the footpath.
- (c) Commercial and Industrial Standards - where vehicle access is required to commercial or industrial property or where access for vehicles heavier than car traffic is required to residential property, this shall be by means of a culvert and crossing constructed to commercial standards, as required by the Council. The permissible lengths of commercial crossings are set down in 3.20.3 (e) of this Ordinance. A crossing contiguous with a side boundary must not exceed 4.5m in length.
- (d) Drive-in Access - all details of drive-in accesses shall be subject to the specific approval of the Council. The following general requirements will normally apply.
- (i) The number, spacing and length of accesses and the direction of flow shall be as determined to suit the particular development and traffic pattern of the road or roads onto which the property fronts.
  - (ii) The formation level shall be substantially the same as the carriageway from which access is gained.
  - (iii) The access shall be cambered and constructed to suitable falls to satisfactorily handle stormwater.
  - (iv) The access shall be formed and surfaced to a standard capable of carrying the design volume and weight of traffic.
  - (v) A kerb and channel shall be laid across the footpath each side of the access, commencing at the property boundary and curving into the line of the roadside kerb to a line and length determined by the Council.
  - (vi) The developer may be required to paint direction arrows or other traffic markings on the access, or erect traffic or pedestrian barriers or warning signs at the side of the access and shall generally co-operate with the Council in determining and putting into effect any traffic direction measures that may be required.
- (e) Length of Crossing - developers of property having frontage to any road from which direct access is permitted are entitled to crossing lengths equal in total to one quarter (1/4) of their frontage on that road or one third (1/3) in the case of commercial or industrial properties fronting a street having a carriageway width of less than 8m.

The minimum lengths of crossings are:

|                                    | Residential | Commercial or Industrial |
|------------------------------------|-------------|--------------------------|
| (i) On local roads                 | 3.0m        | 3.5m                     |
| (ii) On secondary roads            | 3.25m       | 3.5m                     |
| (iii) On primary or arterial roads | 3.5m        | 4.25m                    |

This minimum may be increased by 1 metre where, in the opinion of the Council, local traffic considerations or the type of vehicle commonly used to serve the property justify this increase.

Where a property fronts onto more than one street and subject to satisfying all other requirements, a developer may amalgamate all or part of his crossing entitlement for each frontage. The disposition of the accesses so created shall be at the discretion of the Council.

- (f) Distance of Access from Intersection - in built-up areas, no access to any commercial or industrial property (or to any other property where in the opinion of the Council this provision is necessary) shall be sited closer to any other intersection than the value given in the following table.

Distances are measured to the intersecting kerb-line. Greater distances may be required in rural areas.

| Frontage Road | Arterial or Motorway Ramp | Intersecting Road |           |       |
|---------------|---------------------------|-------------------|-----------|-------|
|               |                           | Primary           | Secondary | Local |
| Arterial      | 60m                       | 45m               | 30m       | 30m   |
| Primary       | 45m                       | 45m               | 30m       | 30m   |
| Secondary     | 30m                       | 30m               | 30m       | 15m   |
| Local         | 15m                       | 15m               | 15m       | 15m   |

Notwithstanding the above, the Council may grant a dispensation in terms of the Scheme in respect of properties fronting onto a primary (but not one-way), secondary or local road, if in their opinion:

- (i) The expected traffic volume on the road giving access to the property will not exceed 5000 vehicles per day within 10 years; or
  - (ii) The expected traffic generation from the property is so small as to have no significant effect on the safety or efficient operation of the intersection; or
  - (iii) There are no other local traffic requirements which would preclude this dispensation.
- (g) The classification of roads is as shown on the operative and draft Regional Planning Scheme Section 2, and set out in Appendix A of this Scheme.

### 3.20.4 Dispensation or Waiver of Access Requirements

Application may be made under clause 3.16.2 Dispensations and Waivers of the General Ordinances for Uses, for a dispensation from or waiver of, the requirements of this District Scheme relating to access to property.

## 3.21 GENERAL ORDINANCE FOR ADVERTISING

### 3.21.1 Ordinances

- (a) In this ordinance unless the context otherwise requires "sign" includes:
- (i) Every sign placed or affixed (whether by painting or otherwise) as a notice or advertising matter upon a site and visible from off the site; and
  - (ii) The board, hoarding or other structure which supports such signs.
- (b) No sign shall be erected in any zone so as to be obtrusively visible from a Rural or Residential zone.
- (c) Signs permitted in any zone:
- (i) Traffic signs or signs denoting the name or the street number of the premises or the location or timetable or other details of any public utility or facility.
  - (ii) A sign not exceeding 1 square metre (10.8 sq.ft) in area for any public purpose or in connection with and on the same site as any of the following use:
    - a. Recreation grounds including Ferrymead Historic Park Zone; and historic places.
    - b. Industrial uses.
    - c. Research educational institutions, kindergartens, playcentres and day nurseries.
    - d. Hospitals, convalescent homes, nursing homes and charitable institutions.
    - e. Places of assembly, community facilities.
    - f. Libraries, clubrooms, gymnasia.
    - g. Conditional Uses.
  - (iii) A sign not exceeding 0.5 square metre (5.4 sq.ft) in area advertising the intention to sell the land or premises on which it is situated.
  - (iv) A sign not exceeding 0.2 square metre (2.2 sq.ft) in area bearing only the name of the premises and the professional names of occupiers and the name, occupation and hours of attendance of a person or a group of persons using the premises.

Provided that:

If more than one sign is displayed on one site the aggregate area of such signs shall not exceed 0.5 square metre (5.4 sq.ft).

- (v) A temporary sign for electioneering or other purposes.

Provided that:

Such sign shall not be erected without the consent of the Council and shall be subject to such conditions as the Council shall impose.

**(d) Commercial and Industrial Zones**

Signs may be displayed on buildings and structures provided they relate to the use of the building and do not exceed, in aggregate area, the number of square metres computed as follows (provided that the aggregate area on any one building shall not exceed 10 square metres).

- (i) **Single Storey Buildings:**  
0.4 sq.m of sign area for each 1.5m of frontage of the building.
- (ii) **Multi Storey Buildings:**  
0.4 sq.m of sign area for each 1.5m of frontage of the building, plus 0.1 sq.m of sign area for each 1.5m of frontage for each additional storey.
- (iii) **Corner Site:**  
The frontage of the building shall be the longest side of the building and in computing the permitted sign area in square metres for the other frontage only half that frontage shall be taken into account.
- (iv) **Other Sites:**  
Where there is any doubt as to which is the frontage of the building, the Council shall determine the frontage of the building for the purposes of this Ordinance.

**(e) Ferrymead Historic Park Zone**

Signs are permitted in this zone where they form a necessary part of development and are necessary for authenticity, subject to compliance with the General Policy (see Part 2 of the District Scheme).

**(f) Dispensation or Waiver**

Application may be made under clause 3.16.2 Dispensations and Waivers of the General Ordinances for Uses, for a dispensation from or waiver of, the requirements of this District Scheme relating to signs and advertising.

**(g) Prohibition**

Notwithstanding that a sign complies with the standards specified in this District Scheme, the Council may by resolution, having regard to the policies (see Part 2 of the District Scheme) prohibit any sign or order its removal or modification.

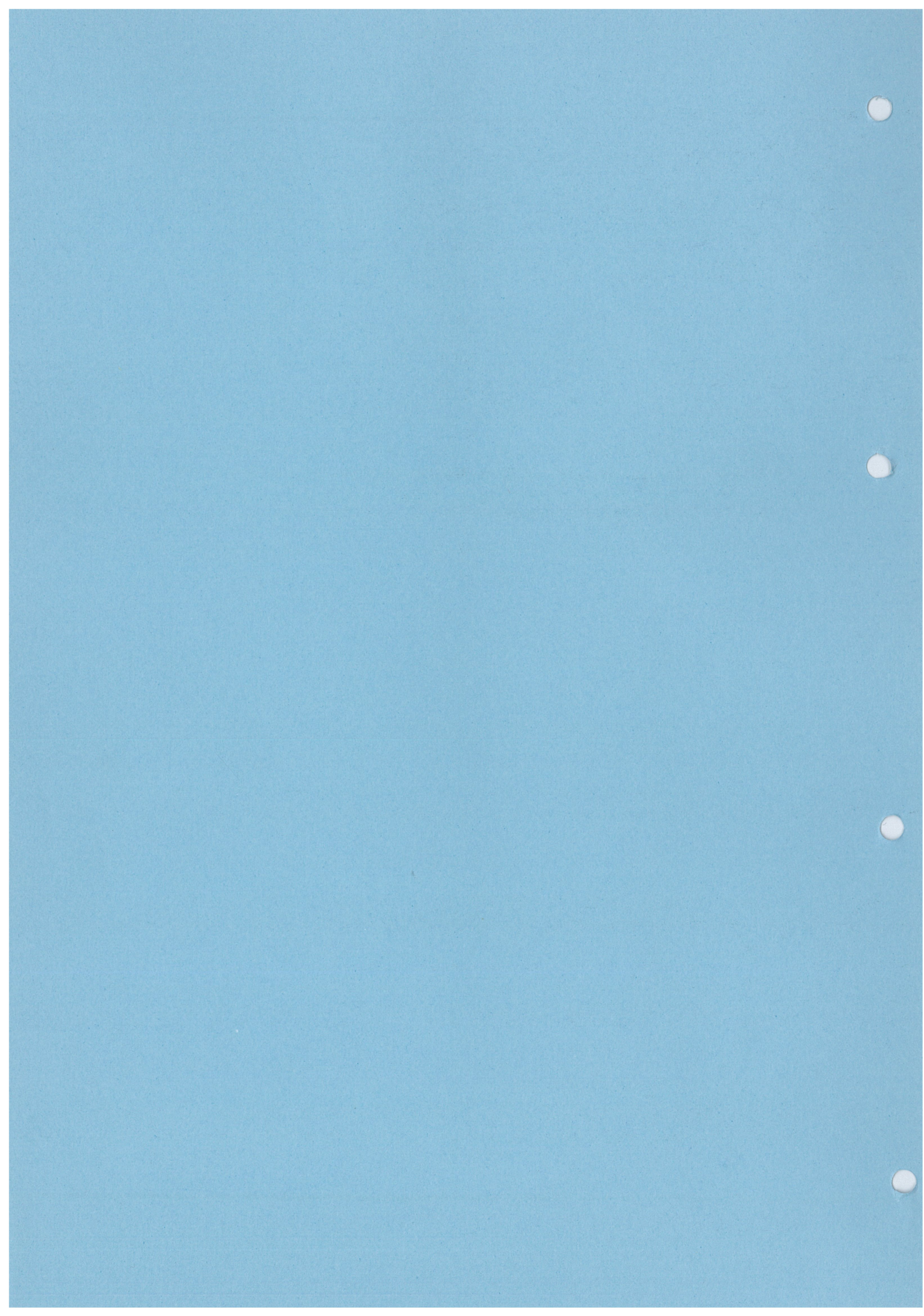




Part 4

# APPENDICES







**PART 4 - APPENDICES**

**APPENDIX A - CLASSIFIED ROADS**

The following classified roads form the main road network in the County.

Cashmere Road (Colombo Street to City Boundary, Heathcote River)

Centaurus Road (St Martins Road to Colombo Street)

Colombo Street (Centaurus Road to Heathcote River)

Curries Road (Port Hills Road to County Boundary)

Dyers Pass Road (Takahe Drive to Summit Road)

Hackthorne Road (Cashmere Road to Takahe Drive)

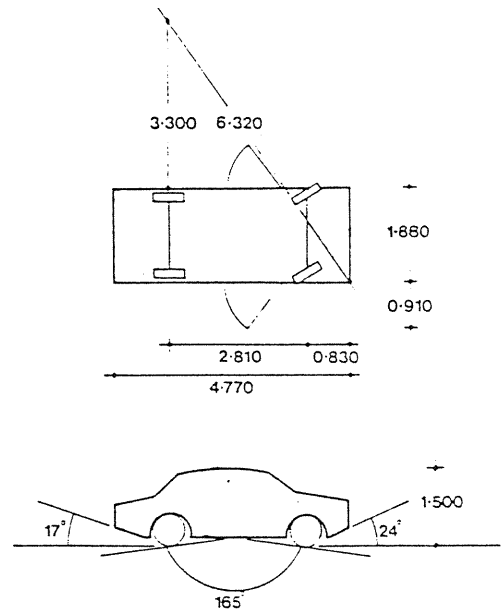
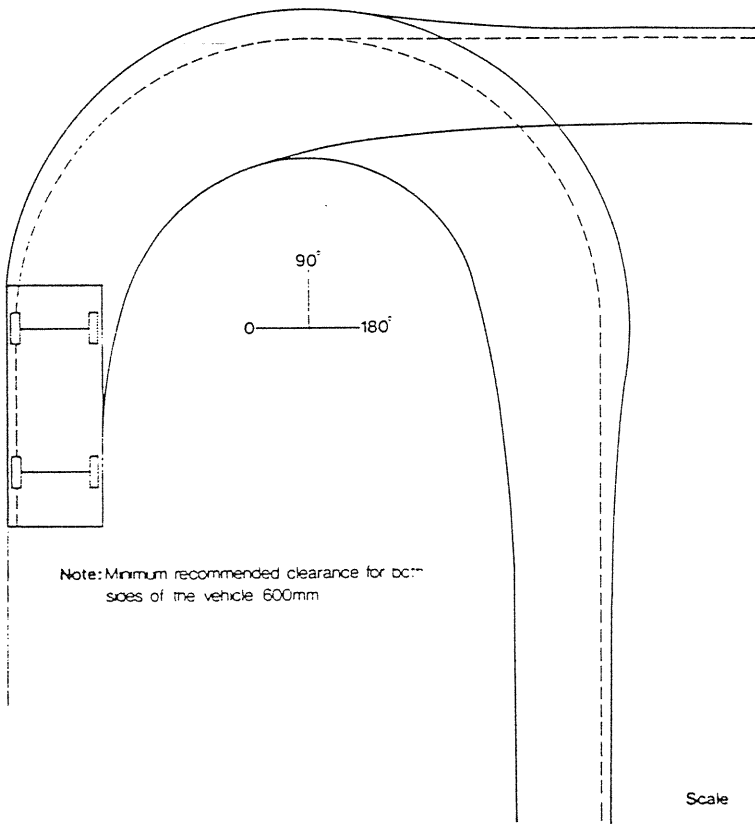
Opawa Road (Port Hills Road to County Boundary)

Port Hills Road (Curries Road to Tunnel Road)

Summit Road (Parts within Heathcote County)

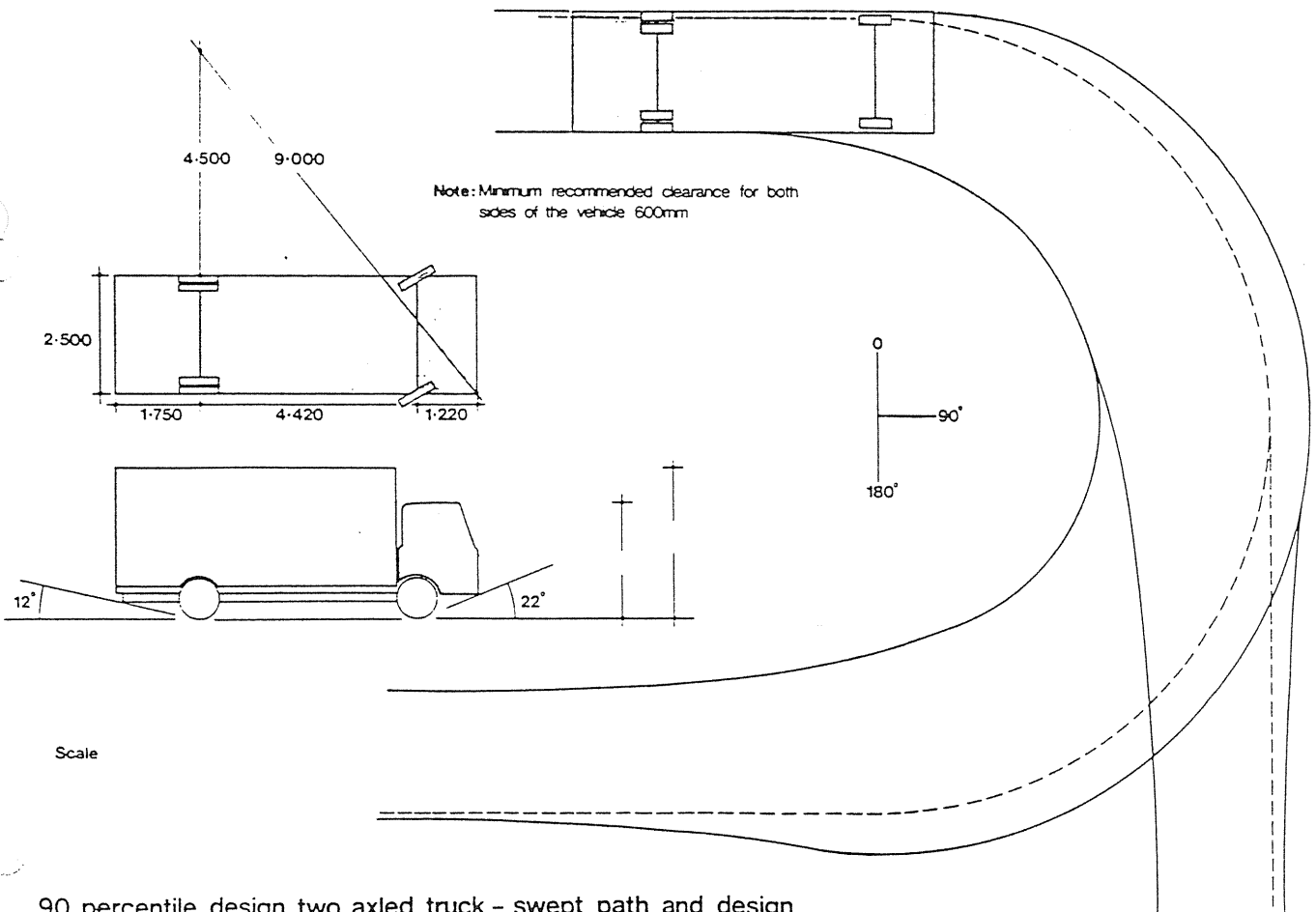
Tunnel Road S.H. 74 (Heathcote Bridge to County Boundary)

# APPENDIX B STANDARD DESIGN VEHICLES



Scale

90 percentile design motor car - swept path and design

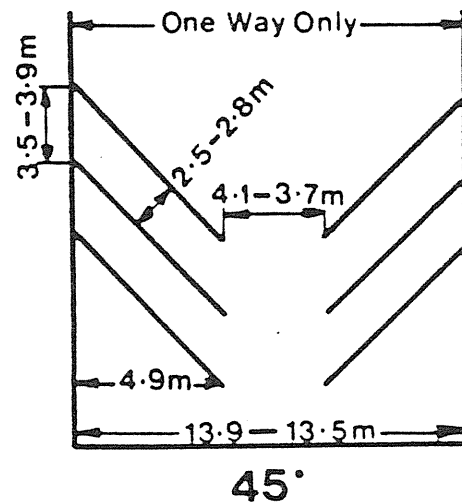
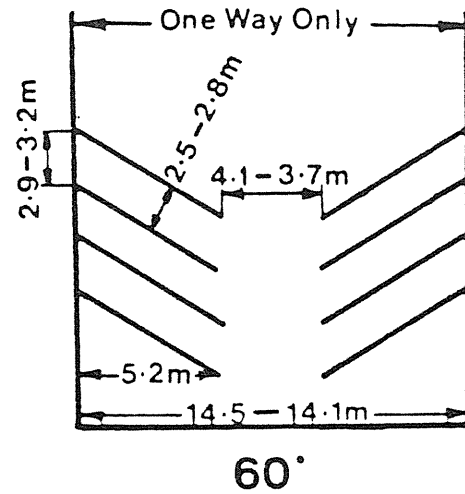
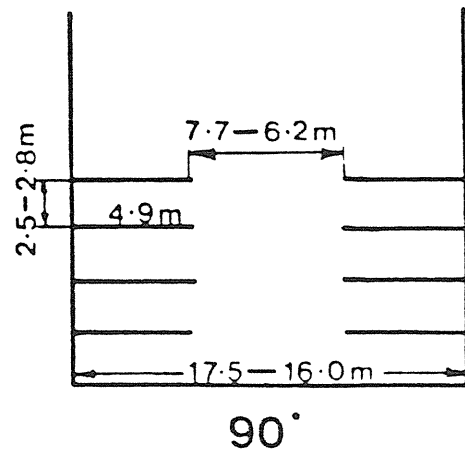
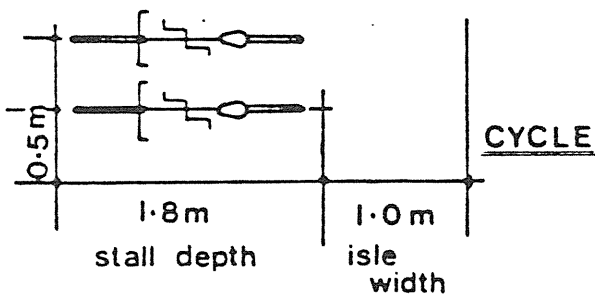
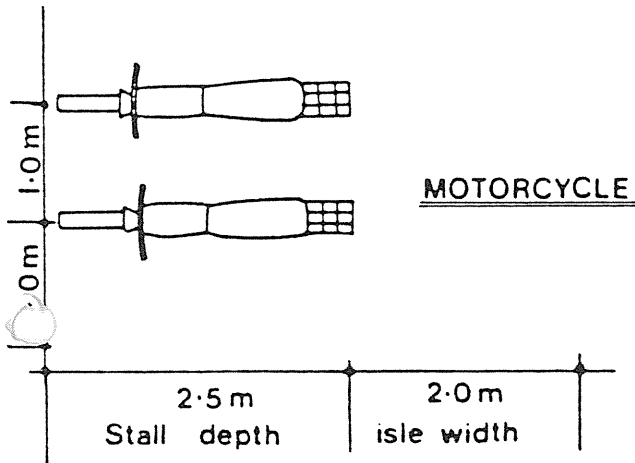


Scale

90 percentile design two axled truck - swept path and design

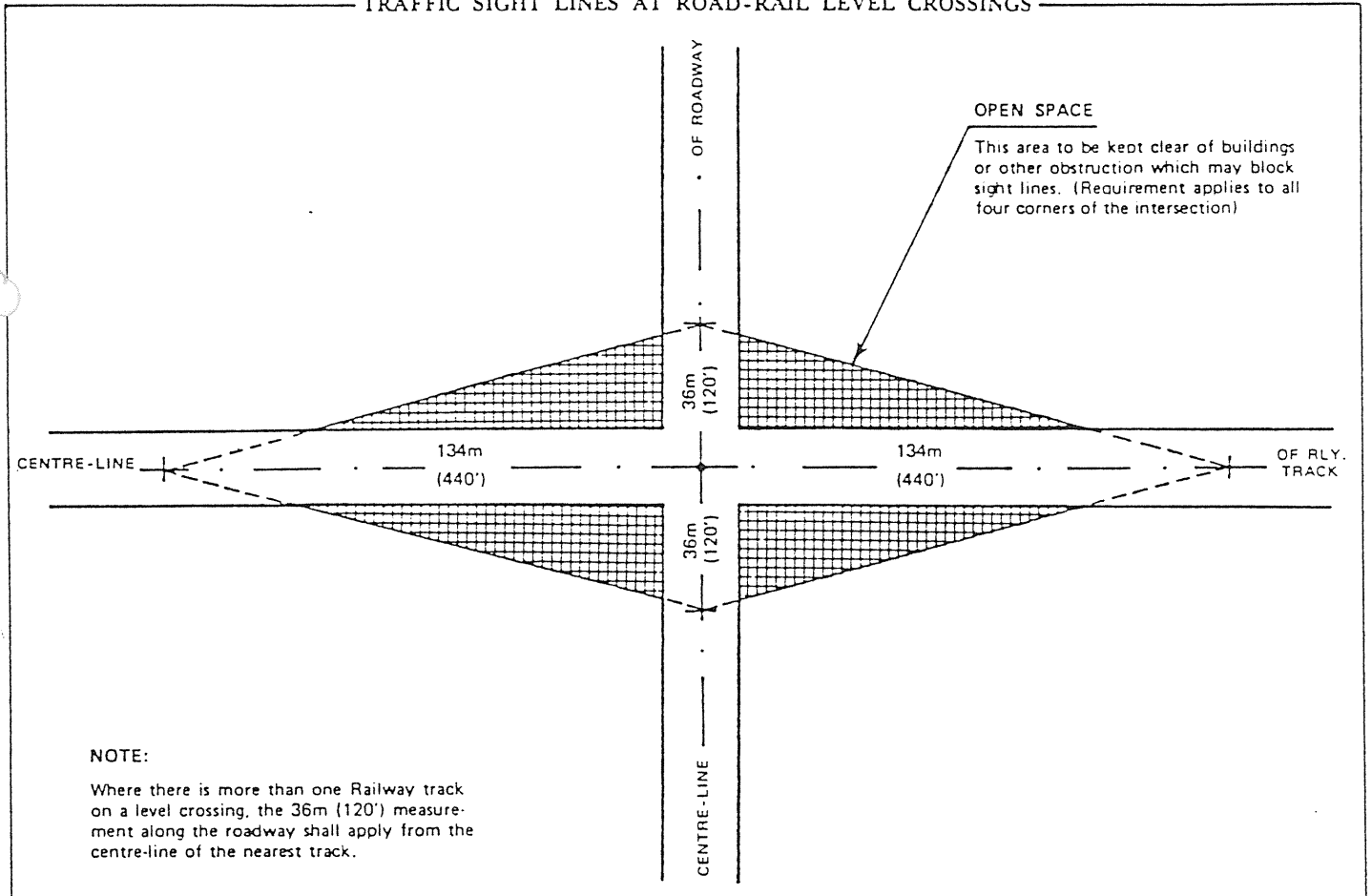
# APPENDIX B PARKING STANDARDS

Typical Layout of Car Parks



**Note:** Smaller dimensions suitable for private or staff parking. Larger dimensions suitable for shopper parking and other casual use.

TRAFFIC SIGHT LINES AT ROAD-RAIL LEVEL CROSSINGS





## APPENDIX D - INDUSTRIES REQUIRE SEGREGATION

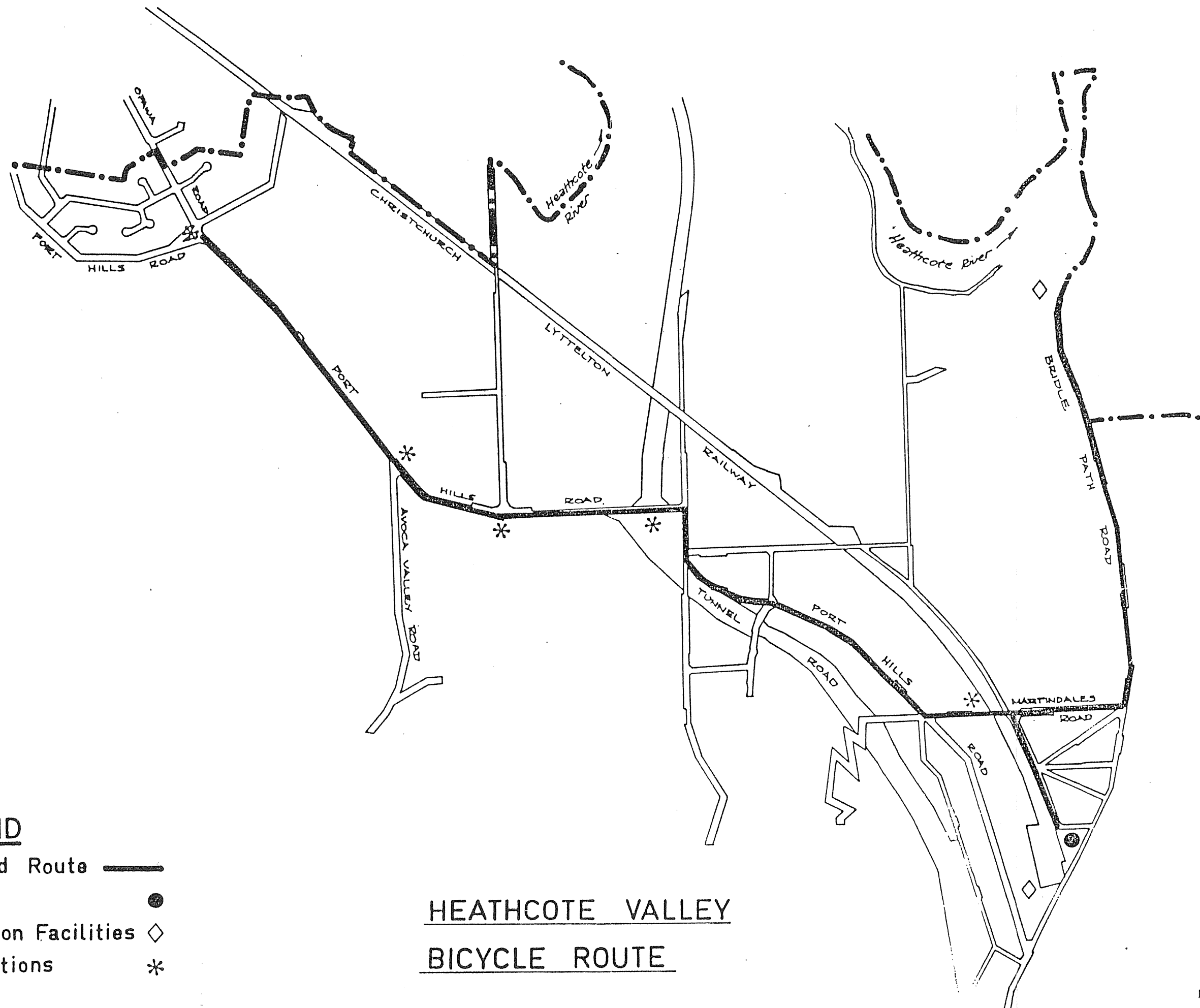
Any industry, warehouse or bulk store that is, or under any conditions may become noxious or dangerous in relation to adjacent areas, and including the following:

Abattoirs and slaughterhouses (including freezing and packaging of products)  
Alkali - waste works  
Ammunition, explosives and fireworks manufacture and bulk storage  
Animal by-products manufacture (including bone crushing, boiling-down work, fat rendering, tallow melting and refining)  
Arsenic works and production  
Asbestos manufacture  
Battery manufacture  
Boiler manufacture  
Brick and tile manufacture  
Briquette manufacture  
Celluloid works  
Cement - manufacture, packaging and bag cleaning  
Carbonising, gasification and liquification of carbonaceous material (including hydrocarbons), bulk storage and treatment of by-products  
Chlorine, ammonia, bleaching powder manufacture  
Detergent manufacture  
Fellmongering  
Fertilizer and manure manufacture  
Fibreglass manufacture  
Fish curing, cleaning, preserving, treatment of by-products, excluding: industries where any such process is ancillary to the principal use  
Fluoride works  
Fuel and lubrication oils - refining, purification, reforming, distillation, blending and bulk storage  
Gas (coal, acetylene, ammonia, oxygen, sulphur dioxide) manufacture, bulk storage and treatment of by-products)  
Gelatine manufacture  
Glass manufacture  
Glue (animal based) manufacture  
Industrial chemicals manufacture  
Lampblack manufacture  
Leadworks, including white lead manufacture  
Lime manufacture and packing and bag cleaning  
Linoleum manufacture  
Lucerne dehydration plant and bulk storage  
Paint, varnish, french polish, lacquer and stains manufacture  
Paper and pump manufacture  
Patent and synthetic fuel manufacture and bulk storage  
Petroleum and petroleum based products (including L.P.G. and other liquefied energy gases) processing, bulk storage, handling and distribution facilities excluding service stations, retail outlets and industries where storage is ancillary to the principal use  
P.V.C. manufacture  
Plaster of Paris manufacture  
Pyridine works  
Raw material plastics manufacture  
Raw rubber preparation  
Rubber (latex) carpet underlay and moulded goods manufacture  
Sausage casing manufacture  
Smelting, and secondary smelting of metal ore, metal, metal alloys (including scrap metal) and non-ferrous metals  
Soap manufacture  
Stock and sale yards



Stone and mineral crushing  
Sugar extraction and refining  
Tanning and curing of hides, skins and furs  
Turpentine manufacture  
Wool scouring  
Wallboards and manufacture excluding: fibrous plaster and plaster wallboards  
Zinc works.

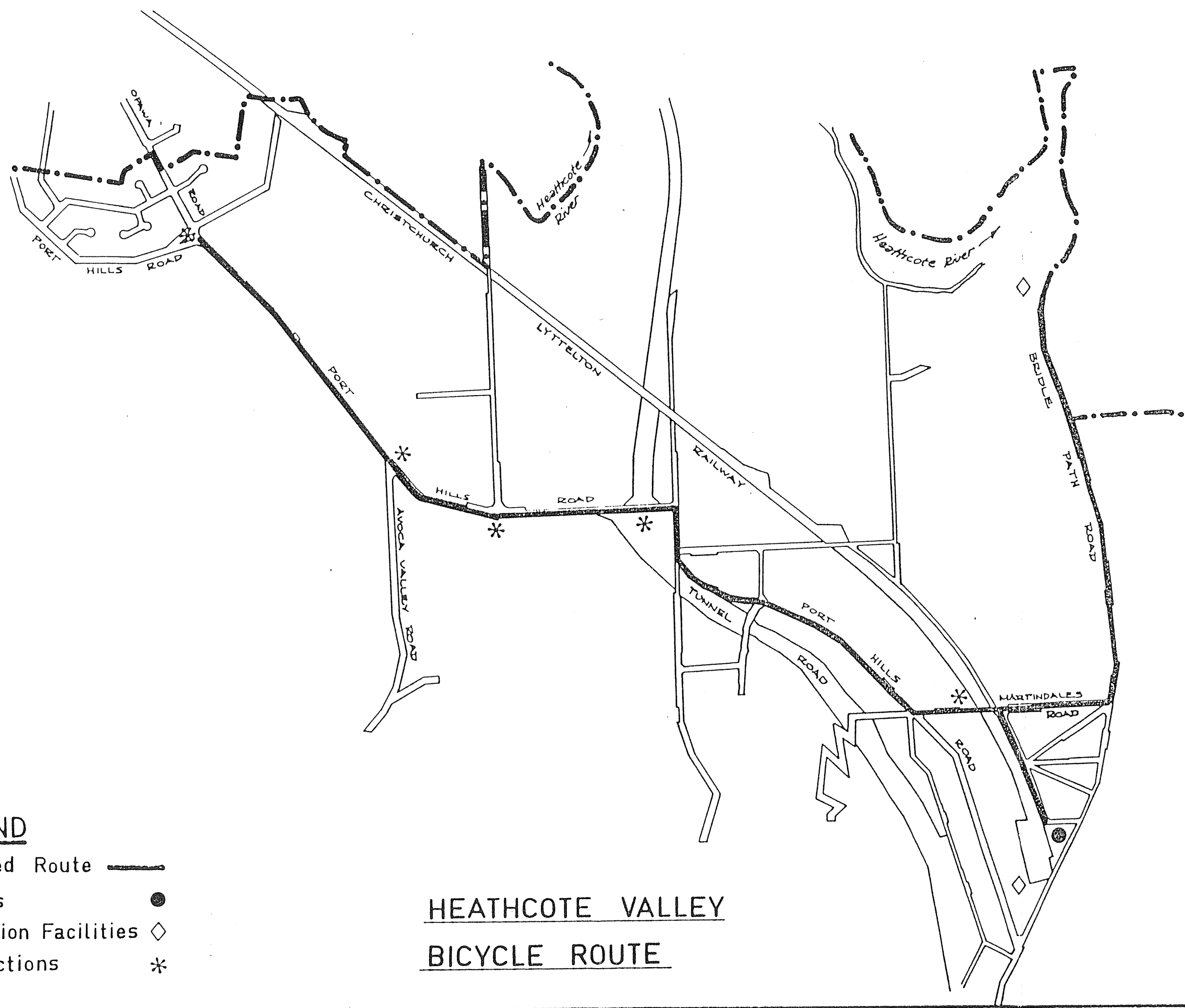
Or any other industry, warehouse, or bulk store that is, or under any conditions may become, noxious or dangerous in relation to adjacent areas.



**LEGEND**

- Proposed Route ———
- Schools ●
- Recreation Facilities ◇
- Intersections \*

HEATHCOTE VALLEY  
BICYCLE ROUTE



**LEGEND**

- Proposed Route ———
- Schools ●
- Recreation Facilities ◇
- Intersections \*

HEATHCOTE VALLEY  
BICYCLE ROUTE

RECESSION PLANE INDICATOR.

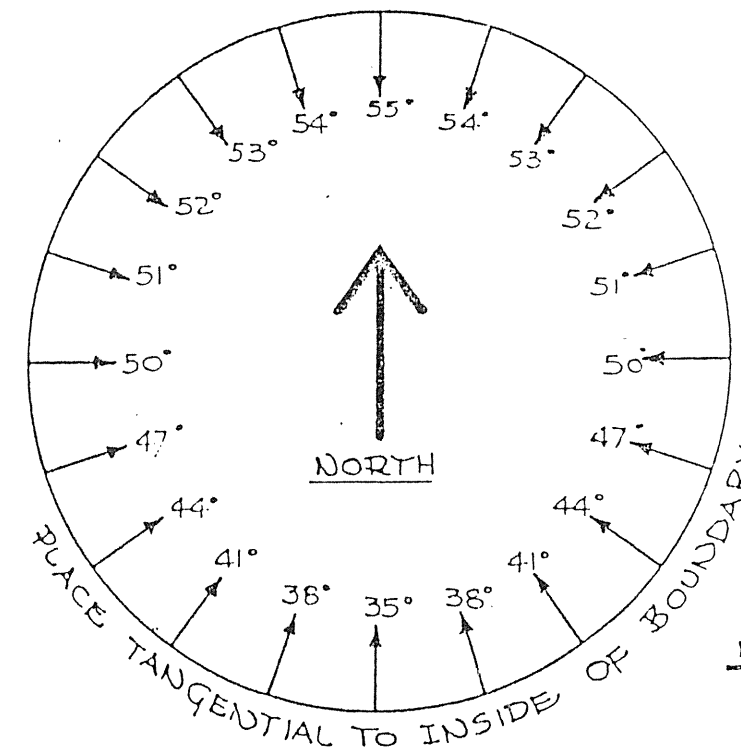
Applicable to all uses in the RESIDENTIAL 1 and RESIDENTIAL HILLSLOPE ZONES - and all adjoining uses in other Zones.

RECESSION PLANES

DEFINITION OF RECESSION PLANE

A recession plane is a plane inclined at right angles from a site boundary or points above a site boundary towards the interior of a site through which no part of a building, unless otherwise specified may protrude. Chimneys, ventilation shafts, water tanks, elevator lofts, steeples, towers and similar parts of a building as constitute only decorative features may be excluded from the height calculations if such features have no undesirable effect on adjoining properties.

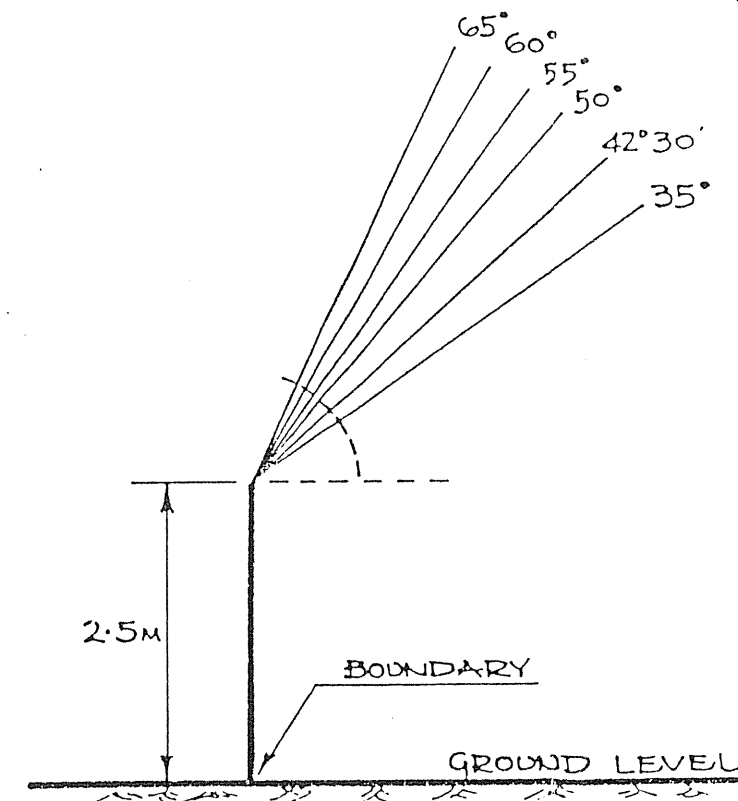
(i) In residential zones where a single gable end faces a boundary the gable end may penetrate the recession plane provided the line formed where the gable end and the recession plane meet is not greater than 2 metres in length.



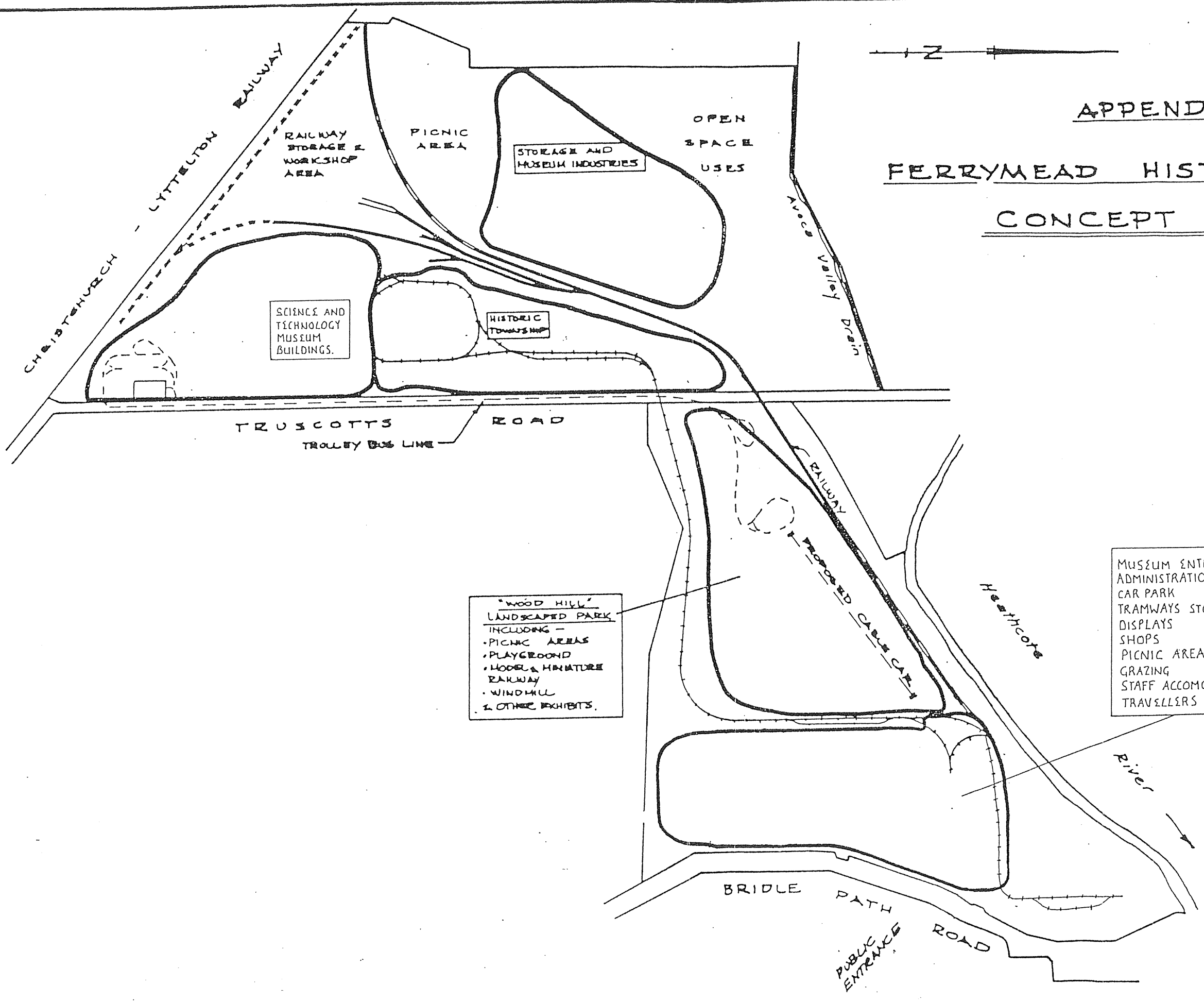
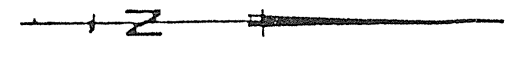
RECESSION PLANE CROSS SECTIONS.

(ii) Angles of recession planes:

In and adjacent to residential zones angles for recession planes shall vary with the direction or bearing of each site boundary according to the diagram following, and shall commence at points 2.5m above site boundaries. The recession plane angle shall be calculated by orienting both site plan and relevant diagram to the true north, placing the recession diagram over the site plan with the circle tangential to the inside of the site boundary under consideration. The recession plane angle shall be that indicated by the diagram at the point where it touches the site boundary. Where recession lines fall between those indicated on the diagram, interpolations shall be made. On irregular boundaries the same principles shall apply with the recession operating at right angles to all boundaries.



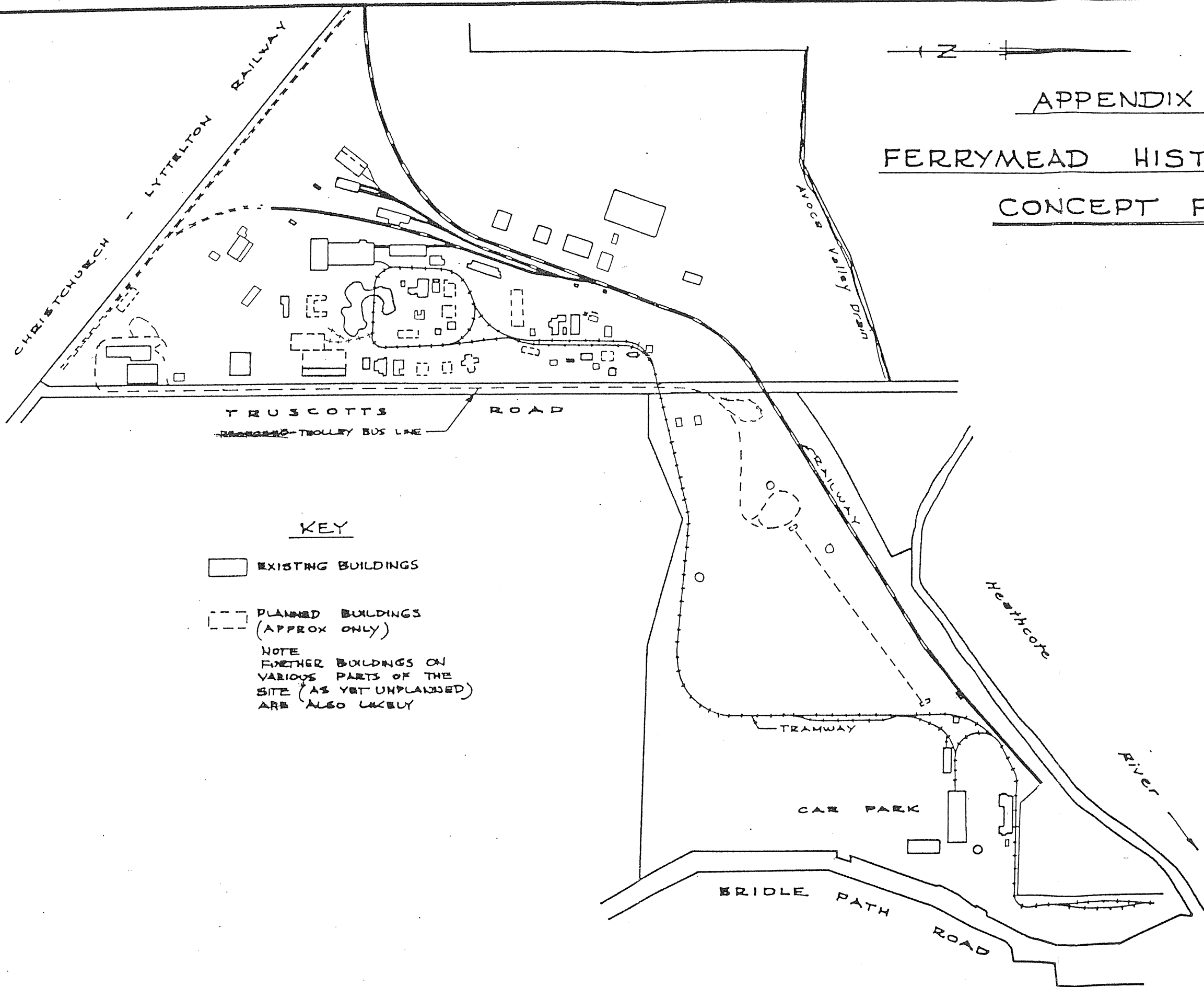
APPENDIX. G.  
FERRYMEAD HISTORIC PARK  
CONCEPT PLAN.



"WOOD HILL"  
 LANDSCAPED PARK  
 INCLUDING -  
 • PICNIC AREAS  
 • PLAYGROUND  
 • MODEL & MINIATURE  
 RAILWAY  
 • WINDMILL  
 & OTHER EXHIBITS.

MUSEUM ENTRY  
 ADMINISTRATION  
 CAR PARK  
 TRAMWAYS STORAGE AND WORKSHOP  
 DISPLAYS  
 SHOPS  
 PICNIC AREA  
 GRAZING  
 STAFF ACCOMODATION  
 TRAVELLERS ACCOMODATION

APPENDIX G  
 FERRYMEAD HISTORIC PARK  
CONCEPT PLAN



KEY

EXISTING BUILDINGS  
 PLANNED BUILDINGS (APPROX ONLY)  
 NOTE  
 FURTHER BUILDINGS ON  
 VARIOUS PARTS OF THE  
 SITE (AS YET UNPLANNED)  
 ARE ALSO LIKELY

APPENDIX H - PUBLIC UTILITIES

A. The following public utility works shall be predominant uses in all **Rural and Residential Zones**, subject to the conditions as listed.

(a) **Electricity Kiosk Substation**

- (i) Maximum height 2.5m and maximum floor area 6m<sup>2</sup>.
- (ii) The Kiosk shall be finished in colours that blend with the surrounding neighbourhood, and the area around it landscaped and/or fenced.

(b) **Gas Kiosk Substation**

- (i) Maximum height 2m and maximum floor area 6m<sup>2</sup>
- (ii) The kiosk shall be painted in colours that blend with the surrounding neighbourhood, and the area around it landscaped and/or fenced.

(c) **Electricity Building Substation**

- (i) Maximum height 4m and maximum floor area 50m<sup>2</sup>.
- (ii) Minimum yard requirements:
  - Front yard 4.5m
  - Other yards, 1.8m from the original site boundary.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped including at least 40% of the required front yard.

(d) **Wastewater and Stormwater Pumping Stations**

- (i) Maximum height 7.5m.
- (ii) Minimum yard requirements:

Where the building does not exceed 5m in height:

- Front yard 4.5m
- Other yards 3m

Where the height of the building exceeds 5m but does not exceed 7.5m:

- Front yard 6m
- Other yards 6m

- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped including at least 40% of the required front yard.

(e) **Electricity District Substations** (excepting outdoor 66,000 volt switch gear)

- (i) Maximum height of substation building 4.0m.  
Maximum height of accessory structures 6.0m.



- (ii) Minimum yard requirements:
  - Front yard 6m
  - Other yards 3m provided that where a district substation has coolers, minimum yards shall be increased to 5m.

(f) **Telephone Exchanges**

- (i) Maximum height 12m.
- (ii) Minimum yard requirements:
  - Front yards 5m
  - Other yards 6m, provided that where the height of the building exceeds 7m, other yards shall be 6.0m plus 1.4 times the height of the building in excess of 7.0m.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped.
- (iv) Parking - 1 space per 2 staff.
- (v) Loading and access - see Ordinance 3.19 Access to Property.

B. The following public utility works shall be predominant uses in all **Industrial Zones**, subject to the conditions listed.

(a) **Electricity Kiosk Substations.**

(b) **Gas Kiosk Substations**

- (i) While the above buildings (a) and (b) are permitted to be sited anywhere on an industrial site, including the front yard, they shall in general be sited such that they do not significantly detract from the appearance of the required landscaping areas of industrial properties.

(c) **Electricity Building Substations**

- (i) Maximum height 4m
- (ii) Minimum yard requirements:
  - Front yard 4.5m landscaped yard shall be provided
  - Other yards, 1.8m where adjoining a rural or residential zone.

(d) **Electricity District Substations, Wastewater and Stormwater Pumping Stations and Telephone Exchanges.**

- (i) All buildings shall comply with the bulk and location and landscaping conditions for other industrial buildings in the zone, except that a lesser front yard requirement may be considered by way of dispensation. In the case of a Telephone Exchange, car parking shall be provided at the rate of 1 space per two staff.

C. The following public utility works shall be predominant uses in all **Commercial Zones**, subject to the conditions listed.

- (a) **Electricity Kiosk Substations.**
- (b) **Gas Kiosk Substations.**
- (c) **Electricity Building Substations, Electricity District Substations (with no outdoor 66,000 volt switchgear permitted), Wastewater and Stormwater Pumping Stations and Telephone Exchanges.**
  - (i) All buildings (a), (b) and (c) above shall comply with the bulk and location conditions for other commercial buildings in the zone, except that a 4.5m landscaped front yard is required. In the case of a telephone exchange, car parking shall be provided at the rate of 1 space per two staff.

## APPENDIX I - DISPENSATIONS AND WAIVERS

The General Ordinance for Uses, provides for the granting of dispensations from or waivers of certain standard requirements of this District Scheme, and sets out the criteria which apply to all applications for dispensation or waiver.

The following examples of situations where dispensations and waivers may be considered to encourage better development or where it is not reasonable or practicable to enforce the provisions of the District Scheme:

- i) Where the particular provision can be met in other ways: for example:
  - . outdoor open space replaced by balconies or roof gardens;
  - . on-site privacy achieved by fencing or building design rather than separation distances;
  - . amenities of the area protected by consistency and harmony of design of advertising signs rather than limits on area or number of signs;
  - . amenities of neighbours protected by building design, soundproofing or landscaping rather than separation distances;
  - . where off-street parking can be provided by shared parking between two or more owners or uses, or where the demand for parking for different uses occurs at different times.
- ii) Where terrain is irregular or sites are narrow, small, irregular or unusual in shape; for example:
  - . wide front lots with shallow depth;
  - . steeply sloping sites where vertical separation can replace horizontal separation;
  - . sites where vehicle access is difficult or impracticable.
- iii) Where the use of the site or adjoining sites is non-conforming or unusual, for example:
  - . where non-residential uses within residential zones adjoin non-residential zones;
  - . where sites adjoin non-residential uses;
  - . where sites adjoin access strips, drains or permanent open space;
  - . where vehicle movements or parking demand are uncharacteristically low;
  - . where the scale or range of development or number of persons involved are unusually small;
  - . where sites are created for specific uses or buildings.

- iv) Where there are existing buildings, for example:
  - . where an existing building is located so that either subdivisional standards or siting requirements (bulk and location) cannot be met;
  - . height, bulk and location requirements may be dispensed with where building extensions achieve harmony or consistency of design;
  - . where an existing building makes access and parking difficult to achieve.
  
- v) Where there are legal constraints for example:
  - . on sites affected by easements;
  - . properties affected by caveats, covenants or designations;
  - . where there are unusual restrictions on buildings, such as airport related height limits.
  
- vi) Where the dispensation or waiver would assist with the conservation of buildings, other objects or places of historic, scientific or architectural interest, natural beauty, or special amenity areas, or the preservation of notable trees.

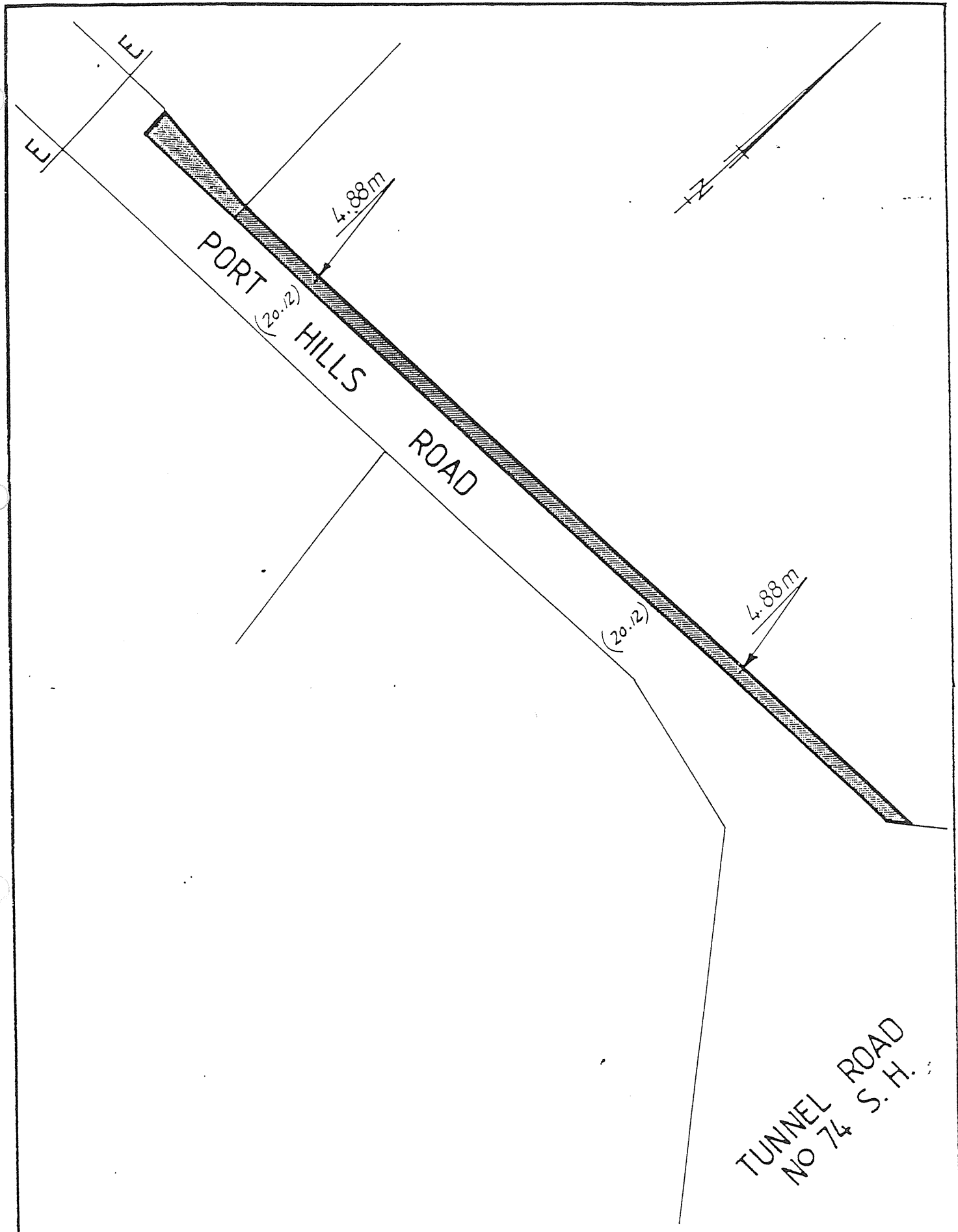
APPENDIX L

OBJECTS AND PLACES OF HISTORIC,  
SCIENTIFIC OR ARCHITECTURAL INTEREST

- Reasons for Selection:
1. Historical Significance
  2. Architectural Significance
  3. Group Significance
  4. Social Significance
  5. Scientific and Archaeological Significance

| Street Address   | Legal Description                                  | Other Information                     | Features Protected                           | Reasons for Selection |
|--|--|---------------------------------------|--|-----------------------|
| Bridle Path Road<br>Ferrymead House                        | Lot 1<br>DP 21369<br>CT 2C/423                     |                                       | Whole building<br>& railway<br>terminal site | 1                     |
| 151 Cashmere Road<br>Cracroft House                        | Lot 1<br>DP 19089<br>CT 763/34                     | NZHPT 'C'<br>Built 1864               | Whole building                               | 1,2                   |
| 151 Cashmere Road<br>Cracroft House<br>Servants Quarters   | Lot 1<br>DP 19089<br>CT 763/34                     | NZHPT 'D'                             | Whole building                               | 1,2                   |
| 112 Centaurus Road<br>House                                | Lot 1<br>DP 39588                                  | NZHPT 'C'                             | Whole building                               | 1,2,3                 |
| 116 Centaurus Road<br>House                                | Lot 1<br>DP 16905                                  | NZHPT 'C'                             | Whole building                               | 1,2,3                 |
| 61 Colombo Street<br>House                                 | Lot 1<br>DP 11144                                  | "Thorrington"<br>Circa 1881           | Whole building                               | 2                     |
| 5 Cracroft Terrace<br>St Augustine's<br>Church             | Lot 1<br>DP 42835<br>CT 21B/275                    | Built 1914<br>NZHPT 'C'               | Whole building                               | 1                     |
| Dry Bush Road  |  | Used since 1850                       | Road area                                    | 1                     |
| Cnr Dyers Pass/<br>Summit Roads<br>Sign of the Kiwi        | Gaz 12-3352<br>48-307 9-13<br>13-14<br>Pt Res 3900 | NZHPT 'B'                             | Whole building                               | 1,2,4,3               |
| 34 Dyers Pass Road<br>Rhodes Memorial<br>Convalescent Home | Part Lot 17<br>DP 6766<br>CT 7D/1426               | Built 1887<br>NZHPT 'C'               | Whole building                               | 1,2                   |
| 63 Dyers Pass Road<br>House                                | Lot 1<br>DP 24515<br>RS 41844                      | NZHPT 'C'<br>"Whareora"<br>Built 1899 | Whole building                               | 1                     |
| Ferrymead Wharf  | Part RS 8  |                                       | Whole structure                              | 1                     |
| 37 Hackthorne Road<br>House                                | Lot 2<br>DP 29249                                  | NZHPT 'C'                             | Whole building                               | 2,1                   |

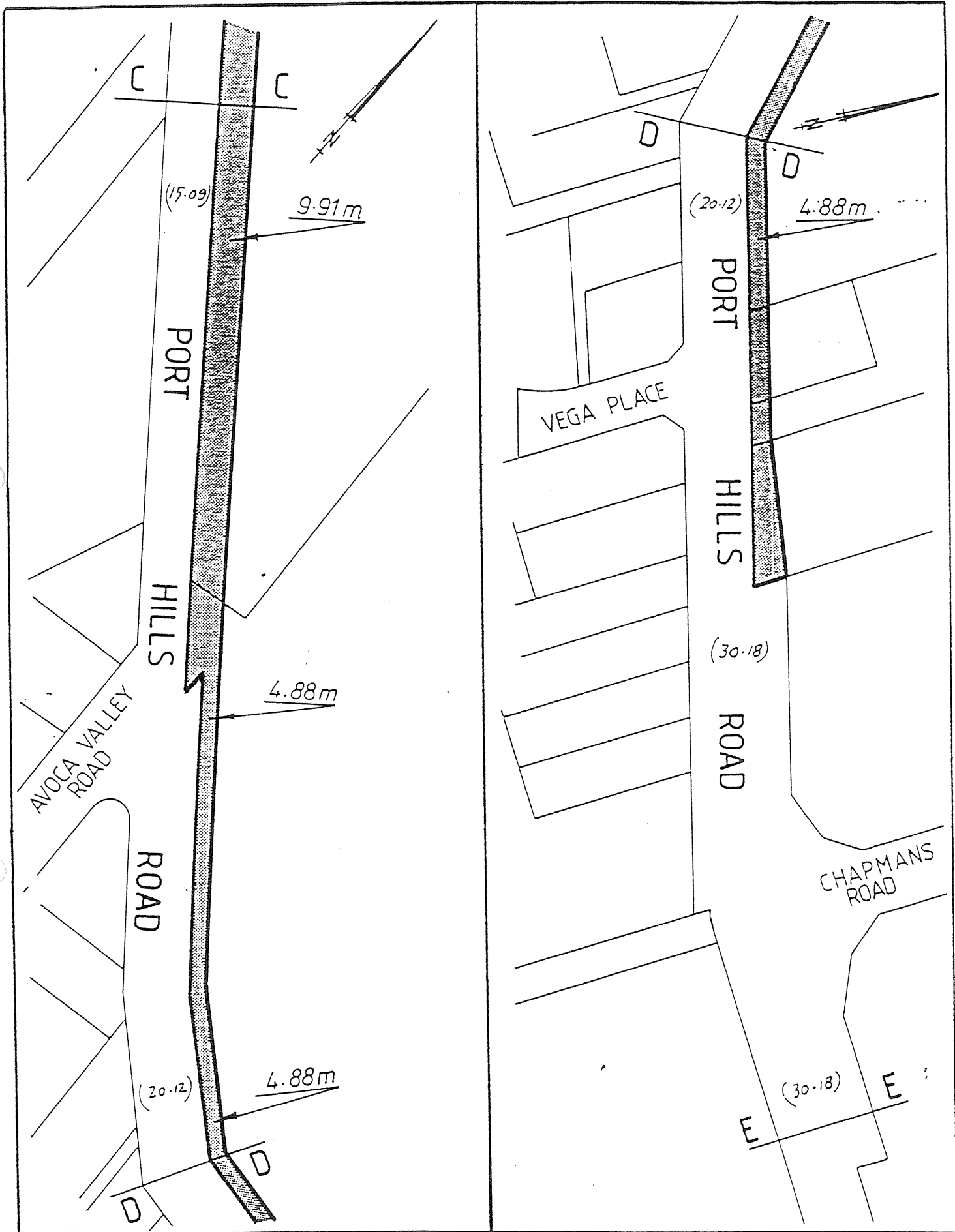
| Street Address  | Legal Description                                     | Other Information                                     | Features Protected            | Reasons for Selection |
|---|---|---|-------------------------------|-----------------------|
| 200 Hackthorne Road<br>Sign of the Takahe                   | Lot 16<br>DP 6163<br>Lot 63 DP 4030                   | NZHPT 'B'   | Whole building                | 1,2,3,4               |
| Heathcote Railway<br>Tunnel Portal                          | Lot 10<br>Pt Lot 11<br>DP 9873<br>CT 10F/194          | Built 1865<br>Opened 1876                             | Whole of<br>Portal            | 1                     |
| 2 Macmillan Avenue<br>Cashmere Hills<br>Presbyterian Church | Lots 31-36<br>DP 2668                                 | NZHPT 'C'   | Whole building                | 2,1                   |
| 18 MacMillan Ave<br>House                                   | Pt Lots 54-55<br>DP 2668                              | NZHPT 'D'   | Whole building                | 1                     |
| Cnr Martindales &<br>Truscotts Road<br>St Mary's Church     | Lots 25 & 26<br>DP 317<br>21B/1421                    | Built 1850<br>Relocated 1907                          | Whole building<br>and windows | 1,2                   |
| 435 Port Hills Road<br>Glenmore House                       | Part Lot 1<br>DP 12581<br>CT 631/51                   | Circa 1899<br>NZHPT 'D'                               | Whole building                | 2,1                   |
| Rapaki Road   |   | Oldest public highway<br>in Heathcote.<br>Mapped 1850 | Road area                     | 1                     |
| Shalamar Drive/<br>Holmcroft Court<br>Old Stone House       | Lot 21<br>DP 29333<br>Lot 1<br>DP 23624<br>CT 13B/366 | Built 1870<br>Reroofed & restored<br>internally 1979  | Whole building                | 1,2                   |
| 37 Valley Road<br>Ngaio Marsh House                         | Lot 2<br>DP 19885                                     | NZHPT 'B'   | Whole building                | 2,1                   |
| 10 Westenra Terrace<br>House                                | Lot 36<br>DP 4030                                     | NZHPT 'C'   | Whole building                | 1,2                   |
| 2 Whisby Road<br>House                                      | Lot 30 Pt 1<br>DP 2668<br>Pt Lot 1<br>DP 8230         | NZHPT 'B'   | Whole building                | 1,2                   |



Heathcote County District Planning Scheme  
Road Widening  
**PORT HILLS ROAD**

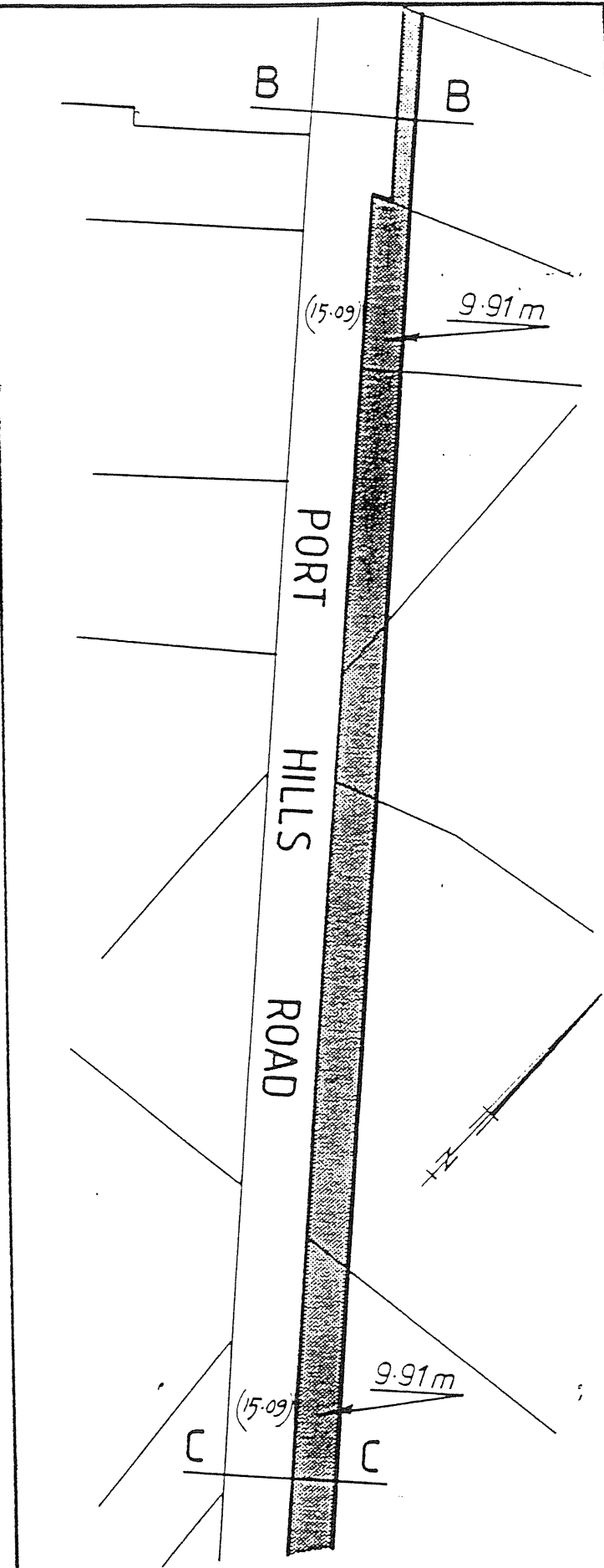
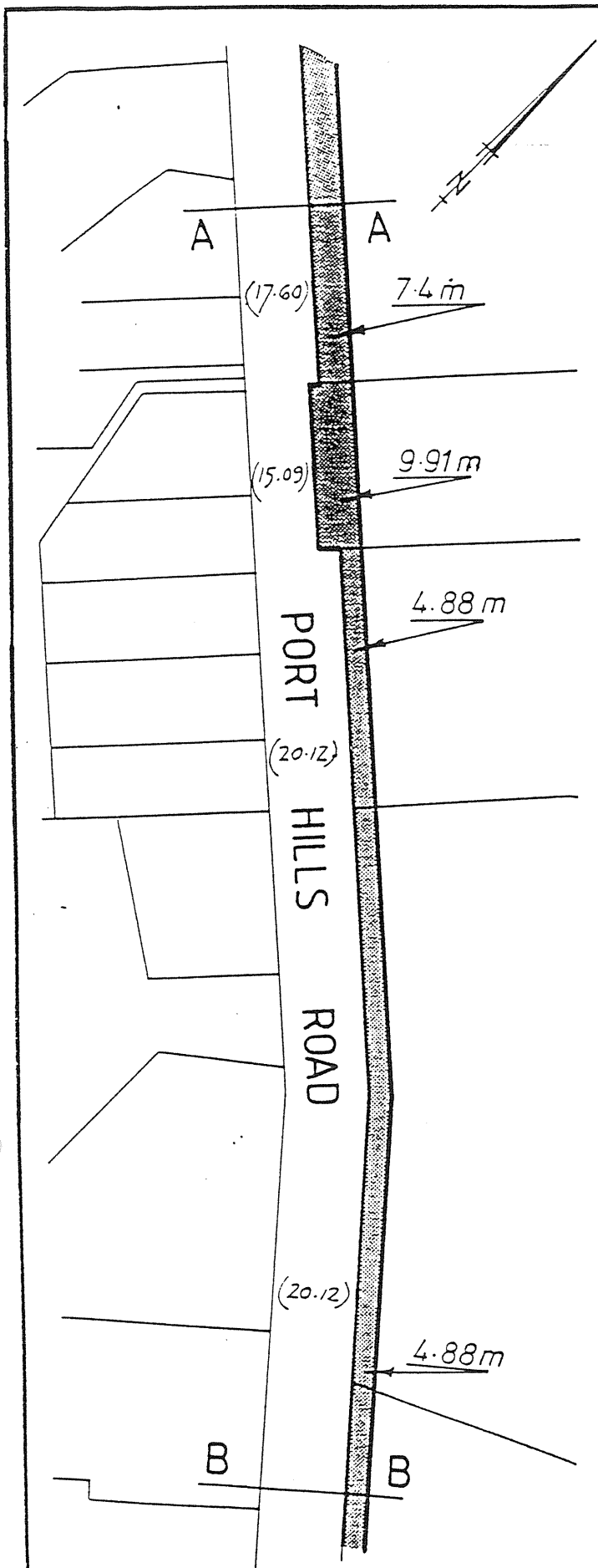
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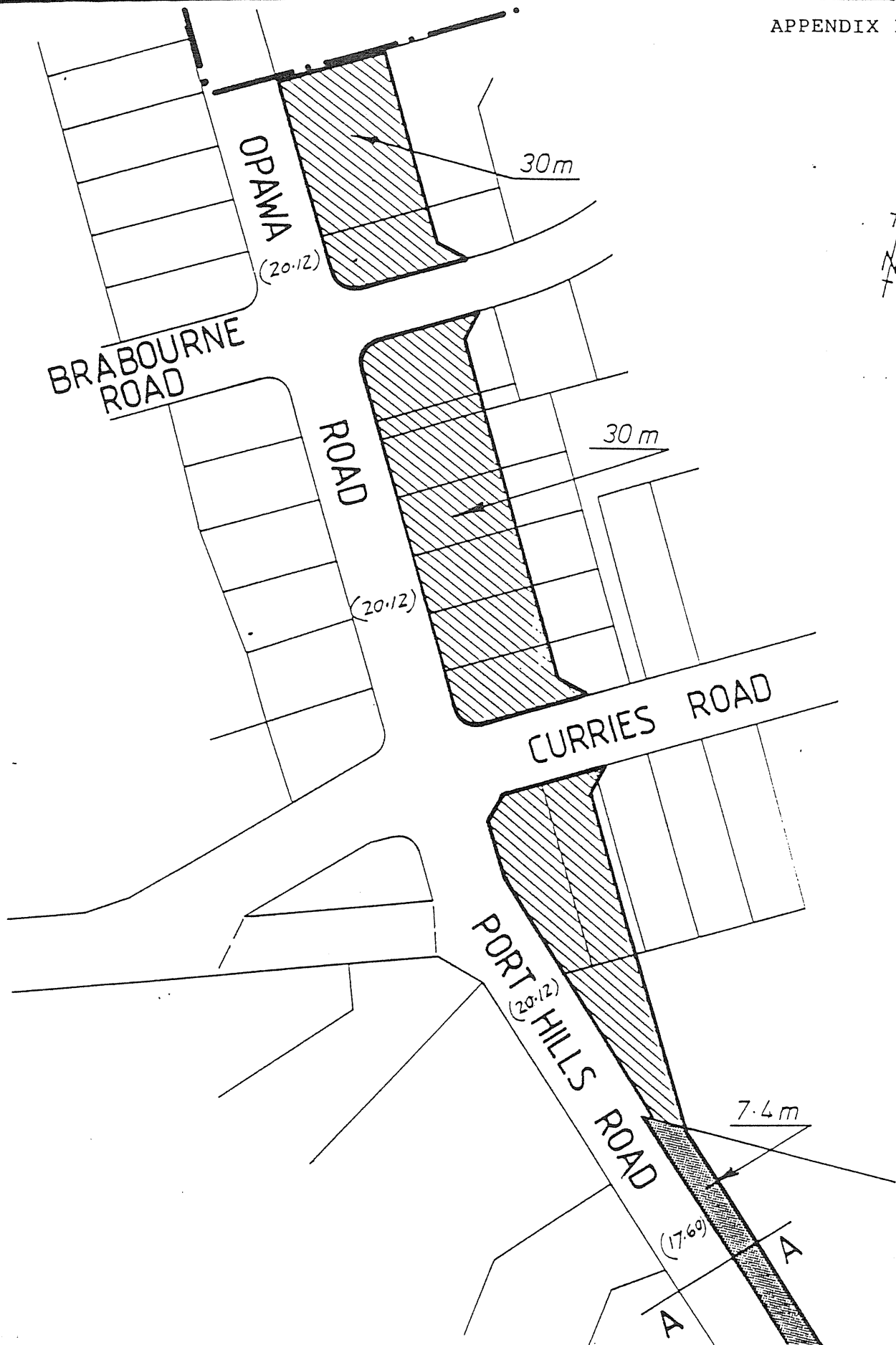


Heathcote County District Planning Scheme  
 Road Widening  
 PORT HILLS ROAD

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Heathcote County District Planning Scheme  
 Road Widening  
**PORT HILLS ROAD**



Heathcote County District Planning Scheme  
Road Widening  
OPAWA ROAD / PORT HILLS ROAD

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Part 5

# PLANNING MAPS

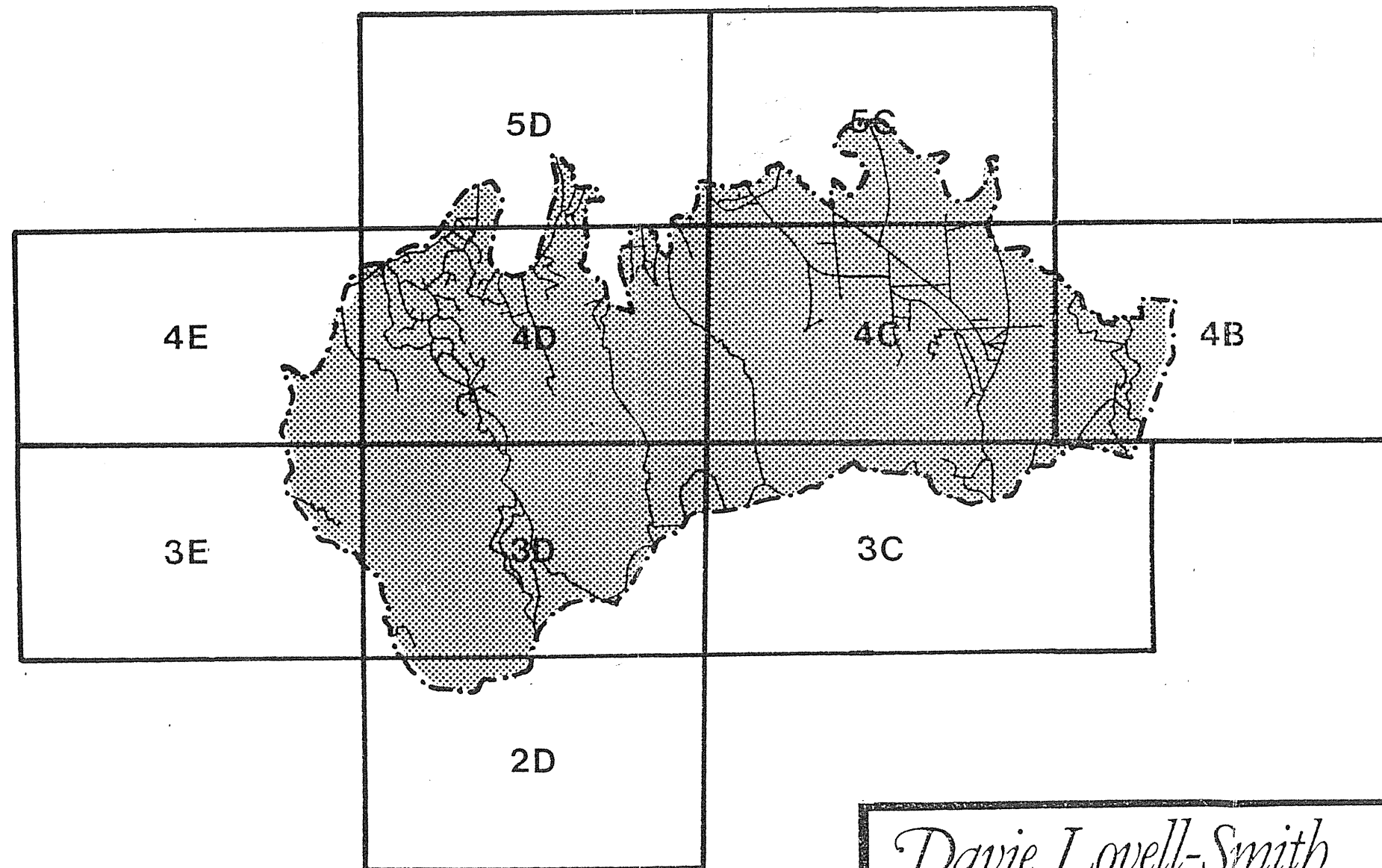






# HEATHCOTE COUNTY

## District Planning Maps



*Davie, Lovell-Smith*

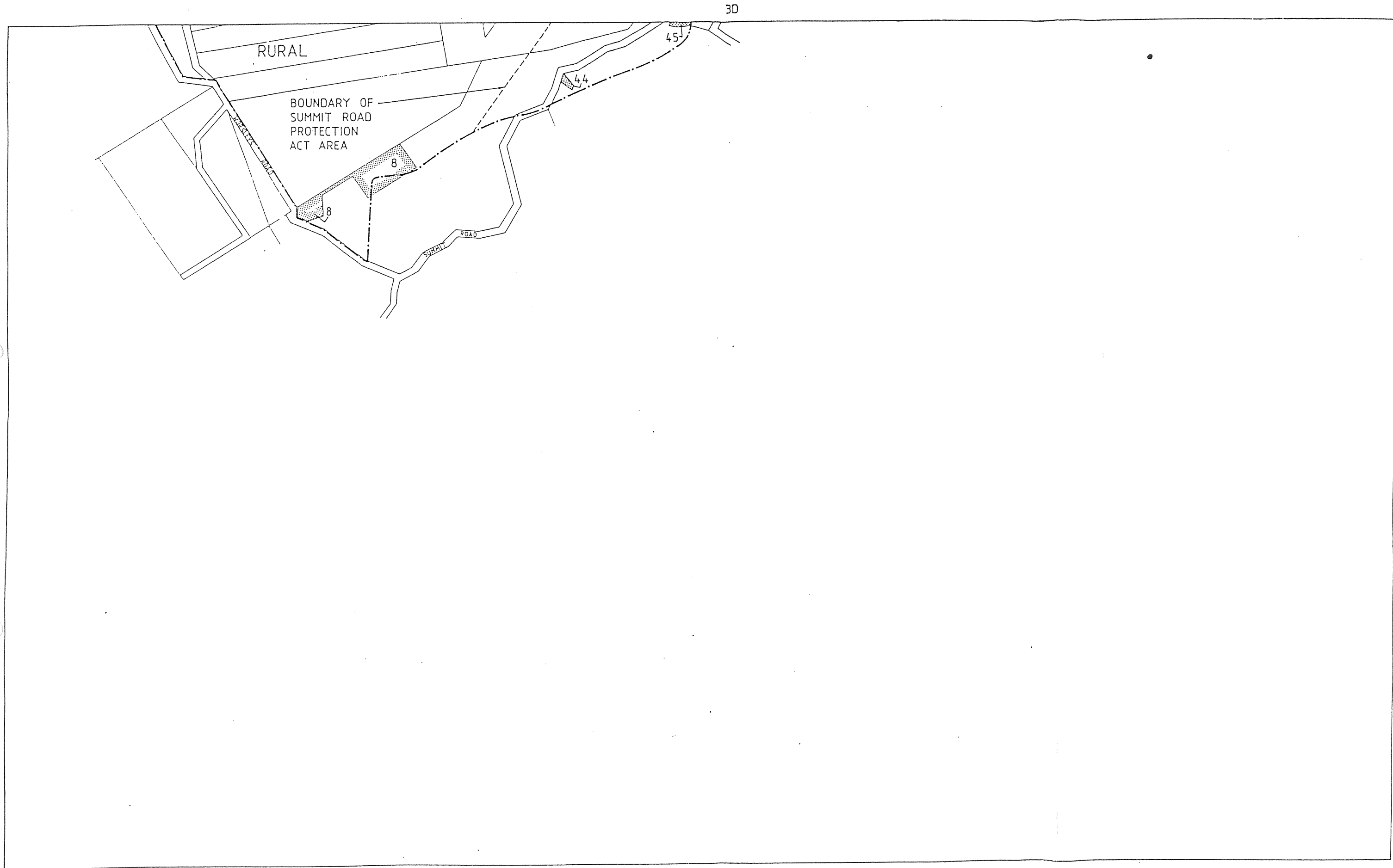
& Partners Ltd in Association with Lovell-Smith & Cusiel Ltd  
PLANNERS ■ SURVEYORS ■ ENGINEERS  
St Elmo Courts, 47 Hereford St, Christchurch 1, New Zealand  
P.O. Box 679 Fax (03) 795 664 Telephone (03) 790-793

Scale: 1 10,000

Northpoint Vertical

Date: MARCH 1985

HeC 03-85



**SYMBOLS:**

- COUNTY BOUNDARY .....
- ZONE BOUNDARY .....
- DESIGNATED AREA .....
- ROAD WIDENING .....
- AREA EXCLUDED FROM OPERATIVE SCHEME .....

- ROAD TO BE STOPPED OR CLOSED .....
- SUMMIT ROAD PROTECTION ACT AREA .....

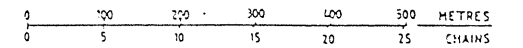
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- RESIDENTIAL - HILLSLOPE ..... R/H.
- COMMERCIAL ..... COM 1.
- INDUSTRIAL ..... IND. 1, 2 & IND. 3

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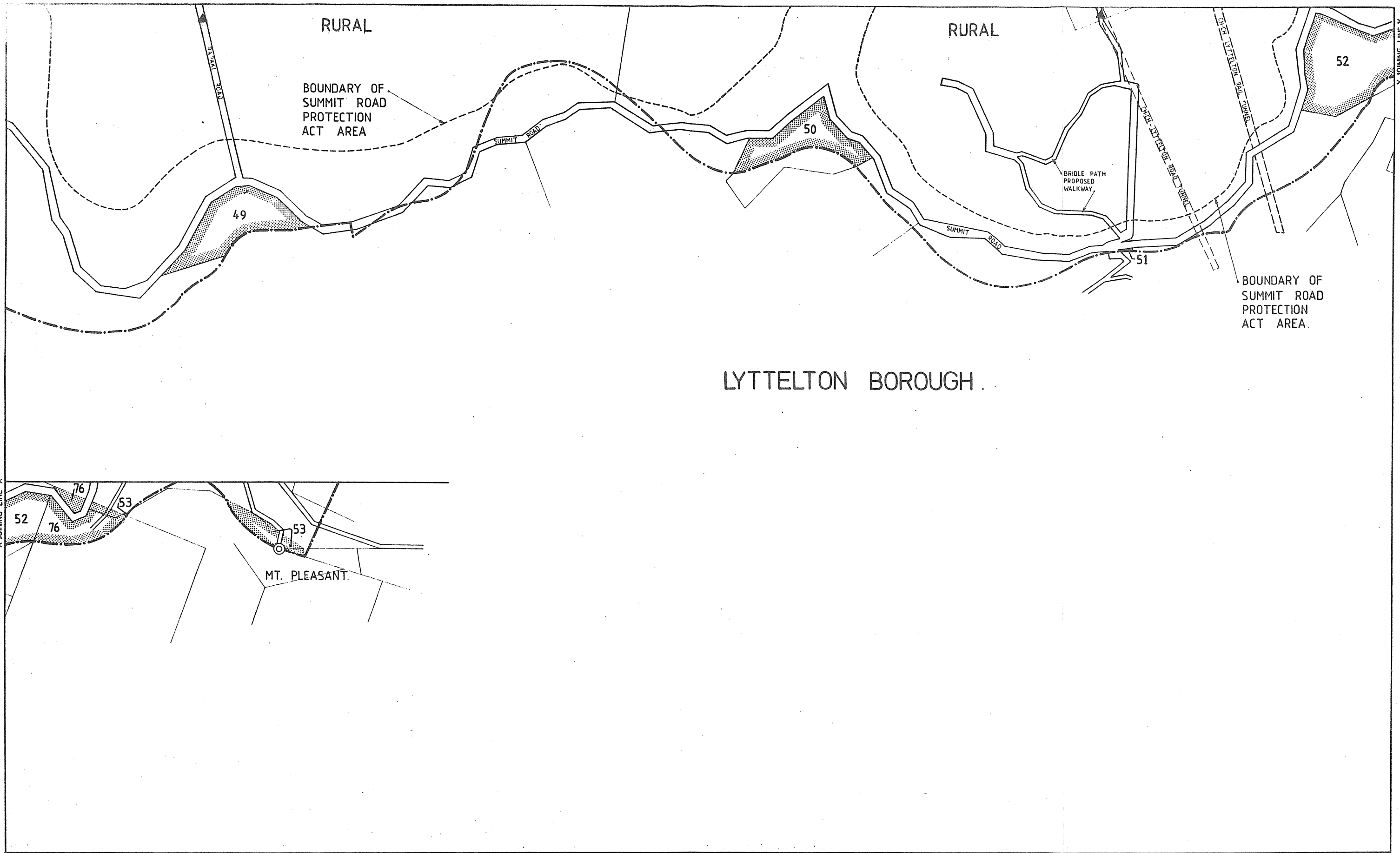
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- COMMERCIAL SERVICE ..... COM. SERVICE.
- PROTECTIVE RURAL, RURAL
- WORSLEYS ROAD RURAL.
- SERVICE STATION.
- FERRYMEAD HISTORIC PARK



NORTH POINT VERTICAL  
**HEATHCOTE COUNTY  
 DISTRICT PLANNING  
 SCHEME**

Operative: 1 June 1985

2D



3D

LYTTELTON BOROUGH.

MT. PLEASANT.

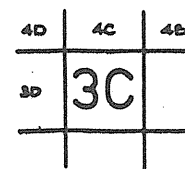
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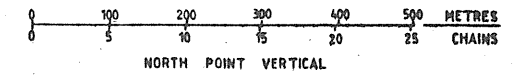
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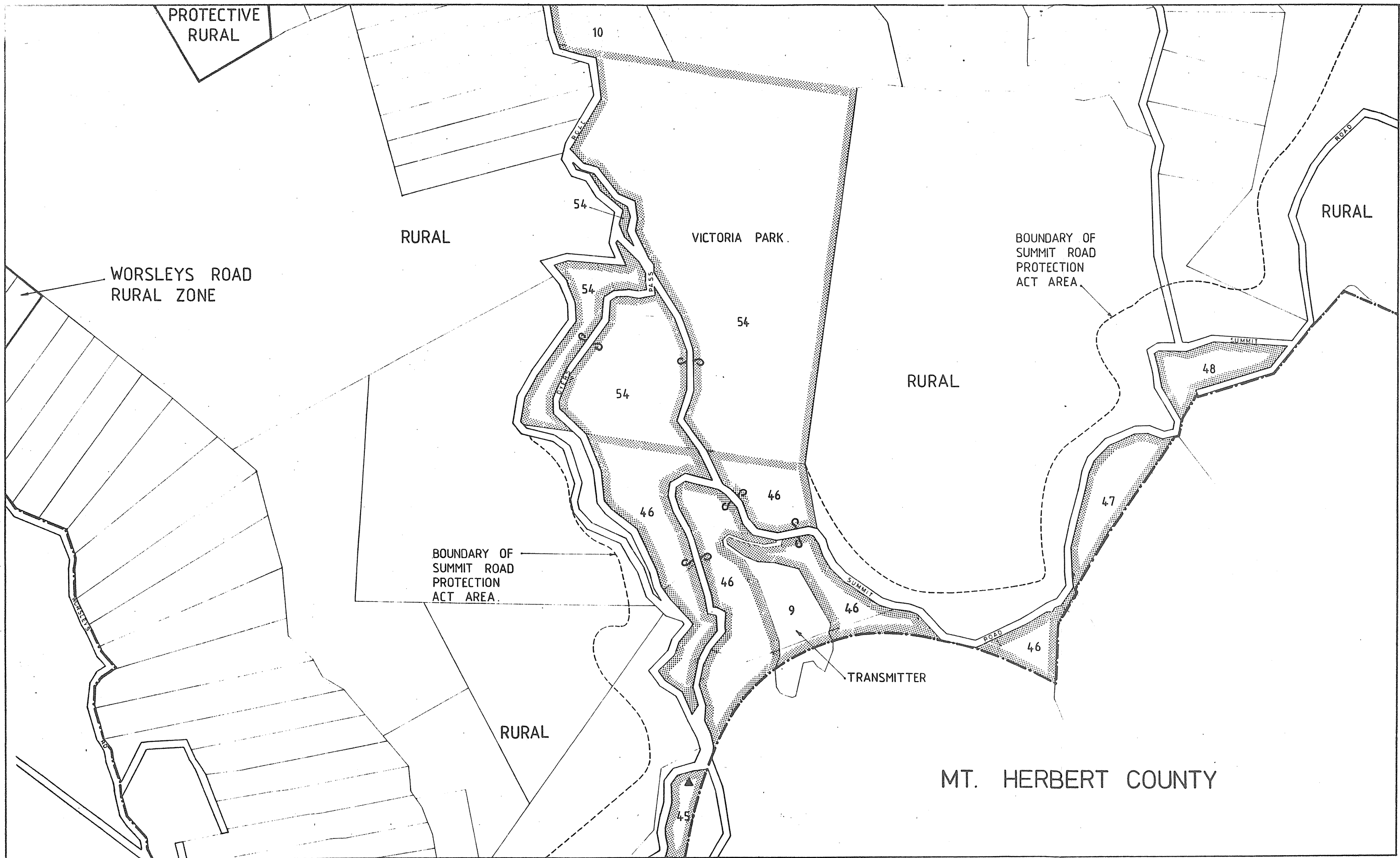
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HEATHCOTE COUNTY  
DISTRICT PLANNING SCHEME  
OPERATIVE DATE 1 JUNE '85





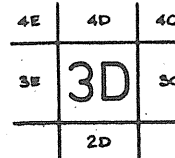
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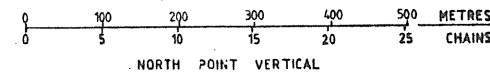
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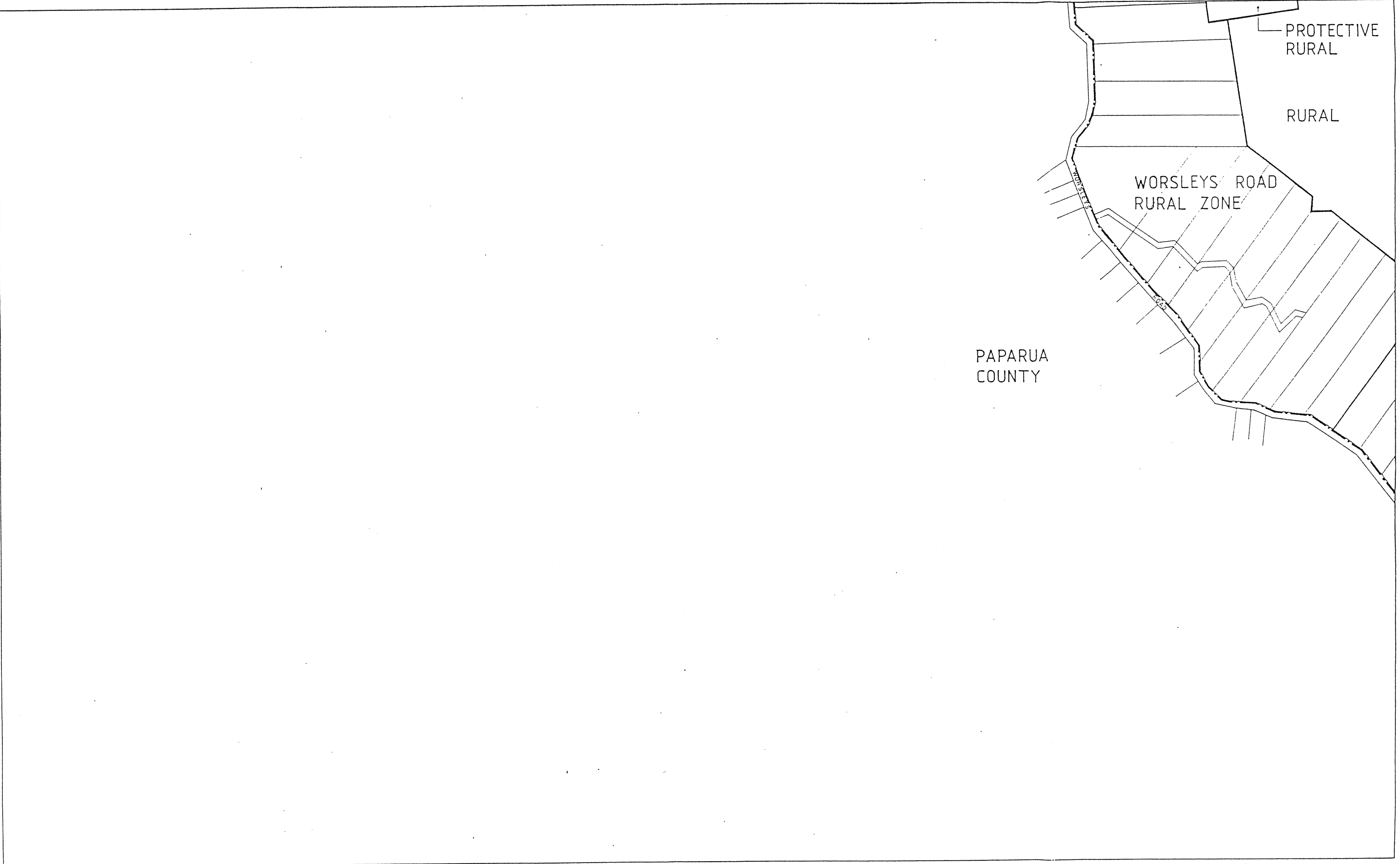


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HEATHCOTE COUNTY  
 DISTRICT PLANNING SCHEME  
 OPERATIVE DATE - 1 JUNE 85



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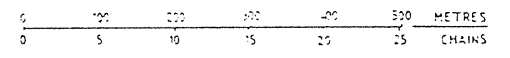
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NORTH POINT VERTICAL  
**HEATHCOTE COUNTY**  
**DISTRICT PLANNING**  
**SCHEME**  
 Operative: 1 June 1985

3E



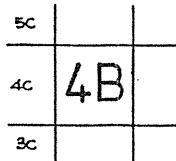
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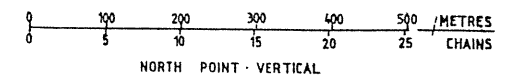
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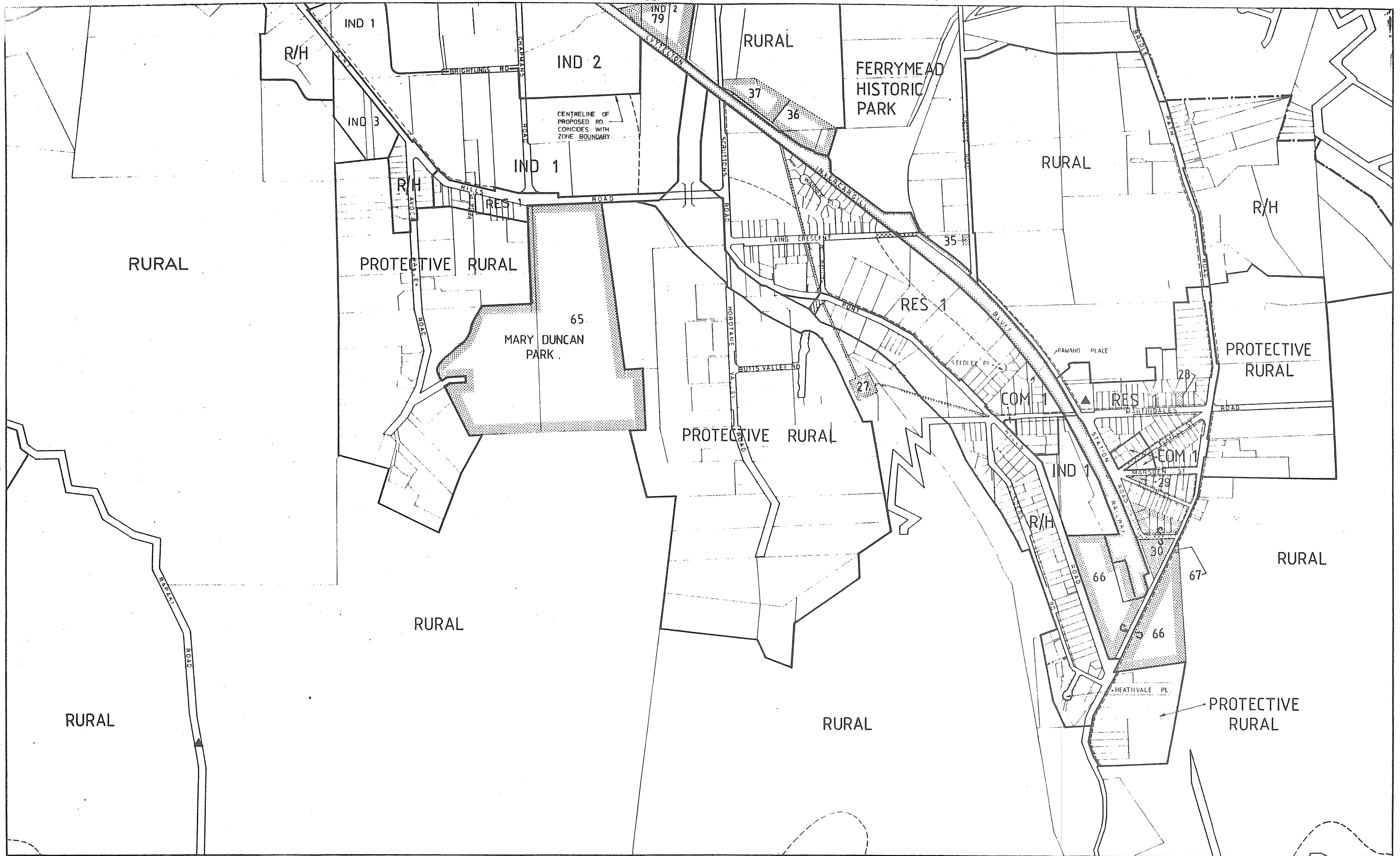


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HEATHCOTE COUNTY  
 DISTRICT PLANNING SCHEME  
 OPERATIVE DATE 1 JUNE '85



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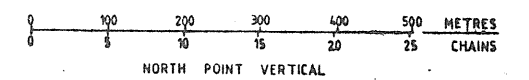
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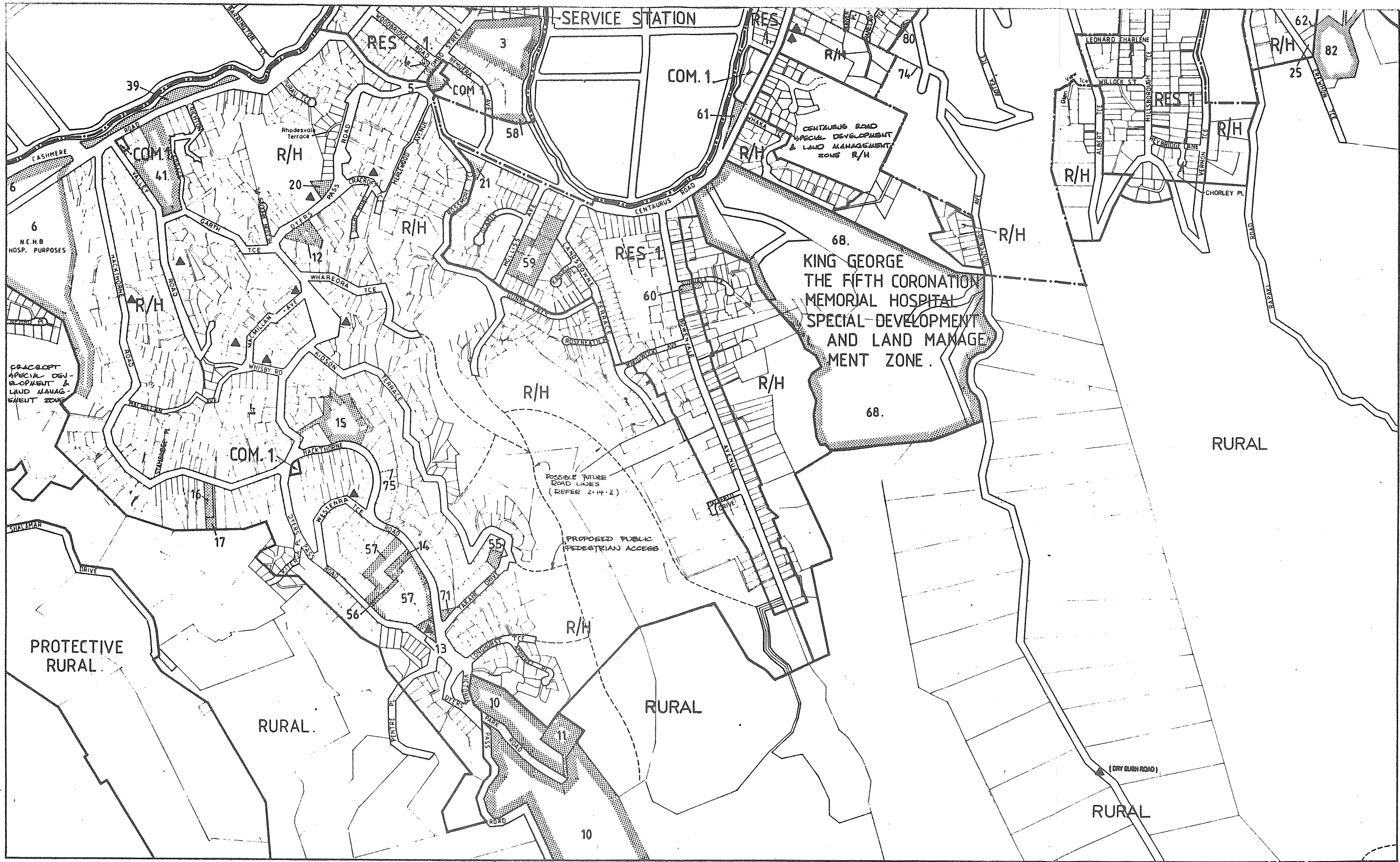
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| 4D | 4C |
| 3D | 3C |

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HEATHCOTE COUNTY  
 DISTRICT PLANNING SCHEME  
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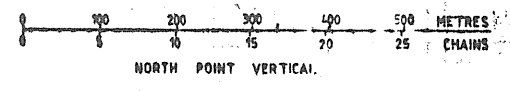
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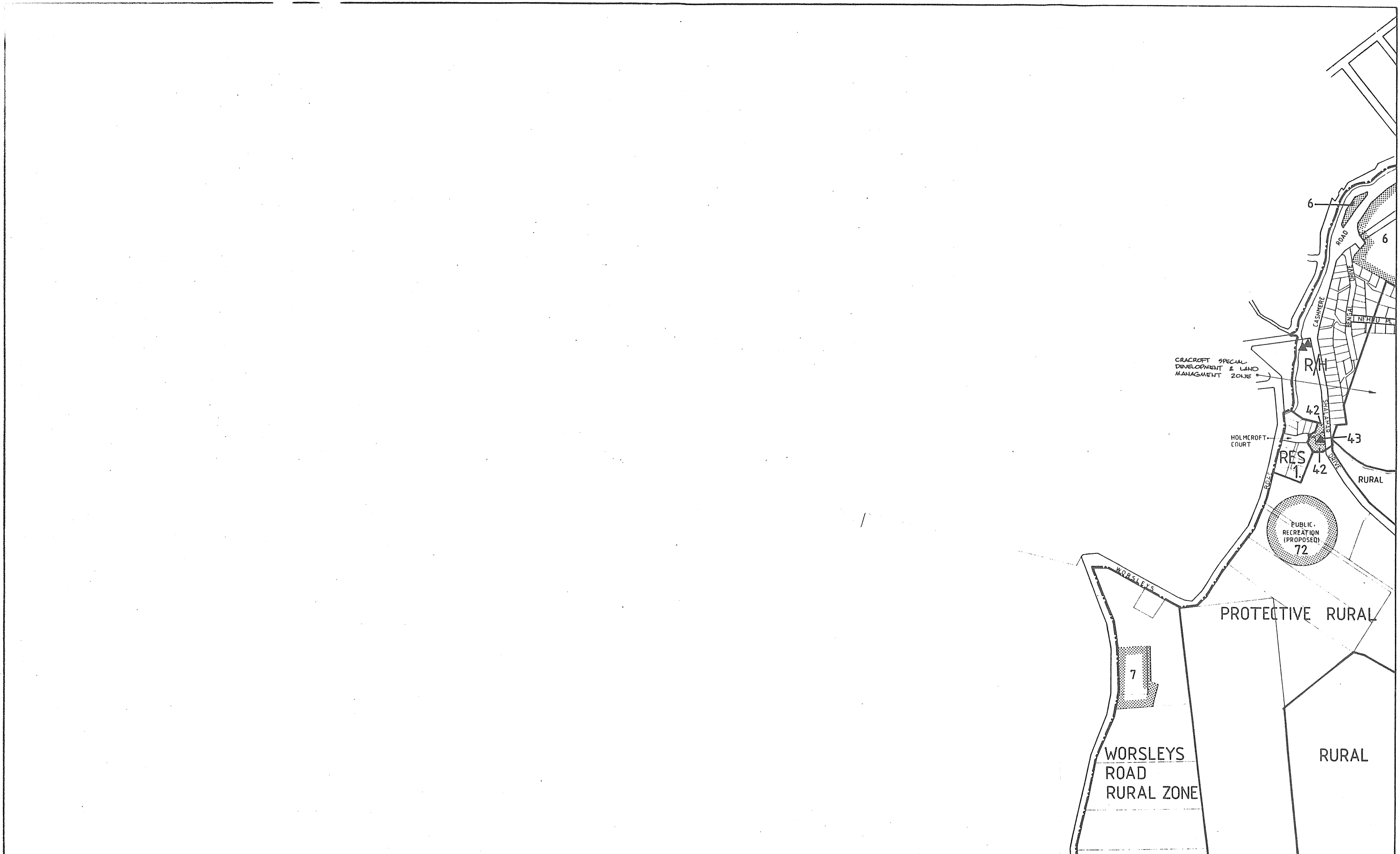
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| 4E | 4D | 4C |
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HEATHCOTE COUNTY  
 DISTRICT PLANNING SCHEME  
 OPERATIVE DATE 1 JUNE 85.

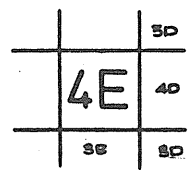


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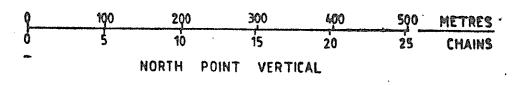
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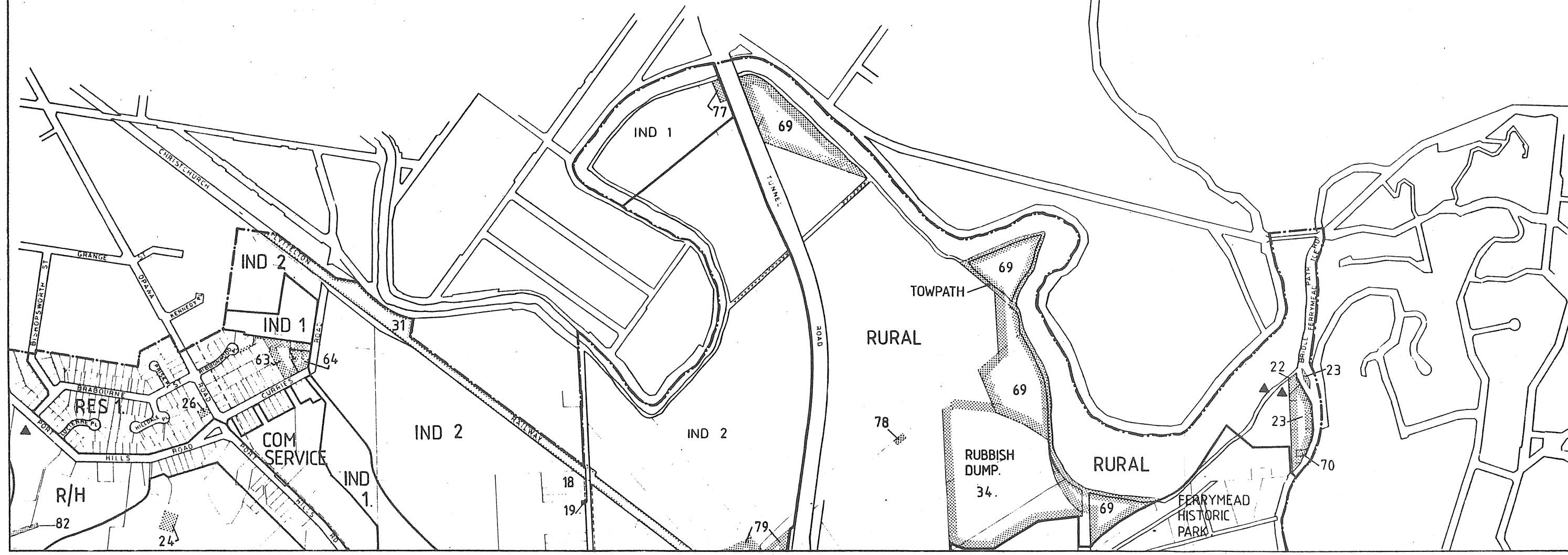
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HEATHCOTE COUNTY  
DISTRICT PLANNING SCHEME  
OPERATIVE DATE · 1 JUNE '85

# CHRISTCHURCH CITY

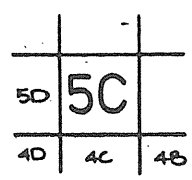


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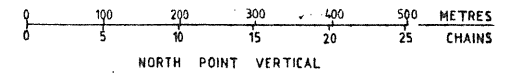
**ZONES:**

- RESIDENTIAL (EXCLUDING HILLS)..... RES. 1.
- RESIDENTIAL - HILLSLOPE..... R/H.
- COMMERCIAL..... COM. 1.
- INDUSTRIAL..... IND. 1, 2 & IND. 3



**ZONES:**

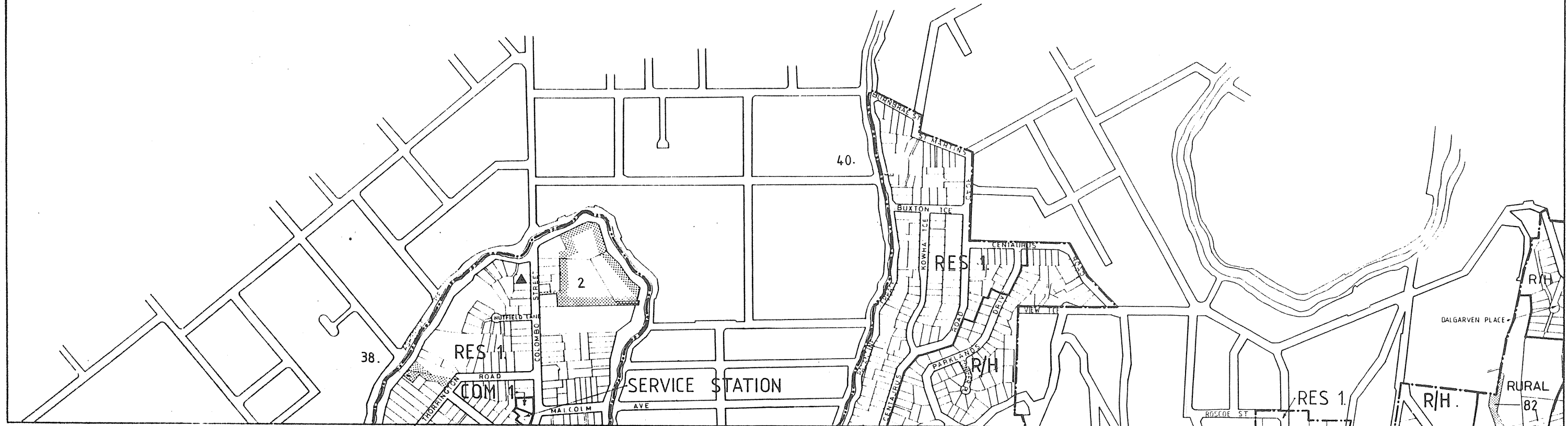
- SPECIAL DEVELOPMENT AND LAND MANAGEMENT (VARIOUS)
- COMMERCIAL SERVICE..... COM. SERVICE.
- PROTECTIVE RURAL, RURAL
- WORSLEYS ROAD RURAL.
- SERVICE STATION.
- FERRYMEAD HISTORIC PARK.



HEATHCOTE COUNTY  
 DISTRICT PLANNING SCHEME  
 OPERATIVE DATE - 1 JUNE '85



# CHRISTCHURCH CITY



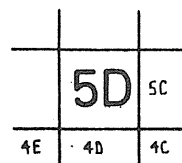
**SYMBOLS:**

- COUNTY BOUNDARY.....
- ZONE BOUNDARY.....
- DESIGNATED AREA.....
- ROAD WIDENING.....
- AREA EXCLUDED FROM OPERATIVE SCHEME.....

- ROAD TO BE STOPPED OR CLOSED.....
- SUMMIT ROAD PROTECTION ACT AREA.....
- HERITAGE PROTECTION ITEMS ▲

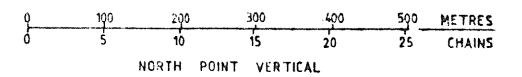
**ZONES:**

- RESIDENTIAL (EXCLUDING HILLS)..... RES. 1
- RESIDENTIAL - HILLSLOPE..... R/H.
- COMMERCIAL..... COM. 1.
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**ZONES:**

- SPECIAL DEVELOPMENT AND LAND MANAGEMENT (VARIOUS).....
- COMMERCIAL SERVICE..... COM. SERVICE.
- PROTECTIVE RURAL, RURAL.....
- WORSLEYS ROAD RURAL.....
- SERVICE STATION, FERRYMEAD HISTORIC PARK.....



HEATHCOTE COUNTY  
DISTRICT PLANNING SCHEME  
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