

BOROUGH OF LYTTELTON
DISTRICT PLANNING SCHEME

SCHEME STATEMENT
AND
CODE OF ORDINANCES

Operative from 1st September, 1970

BOROUGH OF LYTTTELTON

DISTRICT SCHEME

Prepared Under

The Town and Country Planning Act 1953

I hereby certify that this is a correct copy of the Lyttelton Borough District Scheme as recommended by resolution of the Lyttelton Borough Council on the First day of March, 1965.

.....
Town Clerk

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LYTTELTON BOROUGH COUNCIL
SCHEME STATEMENT

(Under the Town and Country Planning Act 1953)

Scheme Statement, being a Description of the Particular Purposes of the District Scheme for the Borough of Lyttelton and other Particulars necessary for its proper explanation.

PART 1. - INTRODUCTION.

Clause 1. - Documents comprising district scheme.

This scheme statement, the code of ordinances and the district planning map comprise the Borough of Lyttelton District Scheme (hereinafter called the district scheme or the scheme), as required by section 21 of the Town and Country Planning Act 1953 and regulation 15 (1) of the Town and Country Planning Regulation 1960.

Clause 2. - Area included within district scheme.

The district scheme provides for the future development of the Borough of Lyttelton being an area of 2,560 acres as shown on the district planning map.

Clause 3. - Planning Period.

The district scheme covers a term of 20 years (hereinafter called the planning period), being the years 1965 to 1984 both inclusive.

Clause 4. - Interpretation.

In this statement unless the context otherwise requires words and phrases have the same meanings as in the code of ordinances.

PART 11. - POPULATION & OCCUPATIONAL STRUCTURES
& FUNCTIONS OF DISTRICT.

Clause 1. - Past Population changes.

The following table shows how the population of the district has changed since the 1926 census. New Zealand average annual changes (expressed as percentages) are given for comparative purposes.

Population Changes 1926 - 1961

Census	Total Population	Intercensal change	Average Annual Change % District	New Zealand
1926	3,709	-445	-1.27	+1.13
1936	3,246	+143	+0.73'	+1.11'
1945	3,407	+274	+0.94'	+1.91'
1951	3,681	-92	-0.51	+2.31'
1956	3,589	-189	-1.08	+2.11
1961 Estimate April 1963	3,400 3,380			

' indicates an adjustment figure allowing for servicemen overseas.

Clause 2. - Sex and age Structures of population.

At the two most recent censuses the sex and age structures of the population were as follows:

(a) Sex Groupings	Males	Females	Total
1956 census	1,789	1,800	3,589
1961 census	1,722	1,678	3,400

(b) Age Groupings

New Zealand averages (expressed as percentages) are given for comparative purposes.

Age Groups	Lyttelton Borough		New Zealand		New Zealand	
	Numbers		Percentage of total pop. in each age group.		Percentage of total pop. in each age group.	
	1956	1961	1956	1961	1956	1961
Pre school age (Under 5 yrs.)	408	398	11.4	11.7	11.8	12.1
School age (5 yrs. & under 15 yrs.)	676	682	18.8	20.1	19.6	21.0
Working age (15 yrs. & under 65 yrs.)	2166	2000	60.4	58.8	59.5	58.2
Over working age (65 yrs & over).	339	320	9.4	9.4	9.1	8.6
TOTAL	3589	3400	100.0%	100.0%	100.0%	100.0%

Clause 3. - Estimates of future population.

As can be seen from the preceeding tables the population of the borough is decreasing at an average of 1.08 per cent annually. However there are several factors which would seem to point to a reversal of the present situation. These are:

- (a) The completion of the tunnel road which now gives better access to Christchurch.
- (b) The new harbour works are nearing completion and once the wharf area is working this will require an increased labour force.
- (c) The steady demand for sections in the Borough in such places as Cass Bay, this subdivision alone providing housing for a further 250 people.
- (d) With the zoning of more land for industrial purposes in the Borough and the present lack of industrial land in Christchurch it is hoped to attract new industries to the Borough with a consequent increase in population.

Population Estimates For The Next 20 Years

Period	Year	Population
Present	1965	3,380
In 5 Years	1970	3,500
In 10 Years	1975	3,620
At end of planning period	1984	3,800

Clause 4. - Present functions of district.

In relation to surrounding region, the social and economic functions of the district are twofold. The main portion of the Borough on the northern side of Lyttelton Harbour is the main port of Canterbury serving as a dispatching point for primary produce being exported from the region and an unloading point for the goods to be distributed to the region. The Borough also has the usual industries associated with a port together with the commercial and industrial uses necessary for the servicing of the associated residential areas.

The smaller portion of the Borough is on the south side of Lyttelton Harbour in the area known as Diamond Harbour. This is an area of mainly holiday houses about 20 miles from Christchurch and has a regular increase in population especially at weekends during the summer months. Consequently further residential expansion must be allowed for even though the population associated with this expansion does not necessarily figure in the population figures for the borough.

Clause 5. - Present occupational structure.

The Ministry of Works Town and Country Planning Branch advises that employment statistics for the Borough of Lyttelton are included in the figures for the City of Christchurch and cannot be readily extracted.

Preliminary investigations have established that the main occupations in the borough are waterside working, boat-building, marine and general engineering, shop-keeping, transport, administration and professional offices, some primary industries and general farming.

Clause 6. - Potential development of the district.

As stated in clause 3 of this section the main development in the borough is the new harbour extension to the east of the inner harbour. This area was opened in November 1964 and when completed will provide a further 2000 feet of wharf space.

If the suggestion put forward for the centralisation of port facilities on a few major ports are ever acted upon as it is thought in time that they must be, this will result in a larger amount of cargo being handled by the port and consequently an increase in the general commercial and industrial enterprises in the Borough together with an increase in the population to provide the necessary labour force for employment in these enterprises.

PART III - USE ZONING

Clause 1. - Information of particular relevance to zoning proposals.

The District Geologist of the Department of Scientific and Industrial Research in Christchurch has inspected the Lyttelton Borough area and his main comment is that because of the geological formations within the borough it is most likely that most of the future building will take place on the lower slopes of the hills.

Clause 2. - Present distribution of uses of land.

The present distribution of uses of land is shown on the planning data map which is available for inspection in the Council's office.

Clause 3. - Policy as to zoning.

- (1) General Control - The areas within the district that are zoned for rural, residential, commercial and industrial purposes have been calculated to provide for all the needs of the district in those respects over the whole of the planning period.

Future building and other development in the district shall be so directed as -

- (a) To avoid the indiscriminate mixture of incompatible uses.
- (b) To economise in the servicing of the district.
- (c) To maintain the stability of individual property values.
- (d) To maintain and provide amenities appropriate to every locality, and
- (e) So far as practicable to avoid the encroachment of urban uses upon land of high actual or potential value for the production of food.

These objectives shall be secured as far as possible by allocating particular areas or zones for compatible uses of land and buildings by grouping future buildings and other development in the appropriate zone, and in some cases by securing compatibility by imposing special conditions.

- (2) Consolidation of development - Urban development will be consolidated and confined so far as practicable to areas that are already urban in character in preference to permitting expansion beyond urban limits. However, some expansion must be allowed for, because the topography in places does not lend itself to a very compact development of the residential area.
- (3) Predominant and conditional uses - The predominant and conditional uses permitted in each zone shall be as set out in the code of ordinance which forms part of this scheme.
- (4) Identification of zones on district planning map - Each zone is shown on the district planning map by the notations set opposite its name in the key shown on that map.

Clause 4. - Rural Zones.

- (1) Permitted uses - Subject to the provisions of this scheme, land within a rural zone is intended primarily for any farming use, but may also be used for certain other uses which are specified in the code of ordinances as being permitted in the rural zone if the use proposed does not:-
 - (a) Cause demand for extension of public services that is not in the economic interests of the region or locality.
 - (b) Cause public services that already exist or are substantially committed to be uneconomically used.
 - (c) Cause an extension that is not in the economic interests of the region or locality of the subdivision into lots of less than 5 acres of land along existing highways.

Clause 4. - (cont.)

1. (d) Cause an extension that is not in the economic interests of the region or locality of industrial or commercial development along existing roads or streets.
2. Area zones - The aggregate area, including roads and streets zoned for rural purposes is 1751 acres.

Clause 5. - Residential Zones.

1. Permitted uses - Subject to the provisions of this scheme land within a residential zone is intended primarily for the residential uses and related services specified in the code of ordinances as permitted in that zone. Residential zoning protects residential use against detriment arising out of mingling of incompatible uses: and provides for economic use of urban services.
2. Area zoned - The aggregate area (including streets) now used for residential purposes is 350 acres and 545 acres have been zoned for these uses to provide for the estimated population as at the end of the planning period.

Clause 6. - Commercial Zones.

1. Permitted Uses - The commercial zones provide primarily for business or commercial development, and consist predominantly of areas for shops, offices and retail storage. The uses of land in commercial zones shall as far as possible provide continuity of shop frontages without the intrusion at street level of any other use which would tend to draw unnecessary or obstructive vehicular traffic into the streets fronting retail shopping premises.
2. Area Zones - The area at present used and the aggregate areas and zones proposed are as follows:
 - (a) Aggregate area (excluding streets) at present used for commercial purposes is 5½ acres, which includes 2,800 feet of shop frontage.
 - (b) Aggregate areas (excluding streets) proposed for commercial uses:

Commercial A Zone	2½ acres	(providing 1600 feet frontage)
Commercial B Zone	7 acres	(providing 3200 feet frontage)

Clause 7. - Industrial Zones.

1. Permitted uses - The industrial zones are intended to minimise interference of industry with other uses, and within industrial areas to minimise interference of industries one with another. Industries will be grouped according to common characteristics and differences, distinguishing between groups in accordance with the classification set forth in the code of ordinances.

For the protection of residential property and to ensure that sufficient areas zoned, serviced, and roaded will be available for industry, residential uses shall, except as provided in the said code of ordinance, be excluded from industrial zones.

2. Areas Zones - The areas at present used, and the aggregate areas and zones proposed under the scheme for industrial uses including wholesale storage are as follows:
 - (a) Aggregate areas (excluding streets) at present used by industries defined in the code of ordinances as -

Industrial A.	1 Acre	(approx)
Industrial B.	1 Acre	(approx)
Industrial C.	90 Acres	(approx)
Industrial D.	2 Acres	(approx)

Clause 7. - (Cont)

- (b) Aggregate areas (including present areas but excluding streets) of industrial zones proposed for purposes defined in the code of ordinances as -
- | | |
|---------------|--------------------|
| Industrial A. | 1 Acre (approx) |
| Industrial B. | 3 Acres (approx) |
| Industrial C. | 120 Acres (approx) |
| Industrial D. | 1½ Acres (approx) |

PART IV - LAND SUBDIVISION

Standards for new subdivision in each zone are specified in the code of ordinances.

PART V - RESERVES & OPEN SPACES

Clause 1. - Reserves and open spaces.

(1) For recreation and open spaces - For practical reasons reserves for the outdoor recreational needs of the community must be provided in advance of subdivision. Other legalisation requires a proportion of these areas to be provided by subdividers and these areas will be grouped for greater usefulness. This will be given effect by accepting in appropriate cases payment of money instead of land so required to be provided and using the funds so obtained to purchase land in blocks and for the development of the Council's reserves. The particular lands proposed to be reserved for recreational purposes are shown on the district planning map in accordance with the notations thereon assigned to them and their areas are as follows:

	<u>Existing</u>	<u>Proposed</u>
Active recreation areas	44 acres	60 acres
Passive recreation areas	54 acres	69 acres

(2) For national, civic and other purposes - Land or buildings owned or proposed to be acquired by public authorities for national, civic, cultural and community purposes have been shown as so reserved in accordance with the notations assigned to them on the district planning map. In this category are:-

Public Schools, Civic buildings, Public utilities, Cemeteries, Defence areas etc.

Clause 2. - Private open spaces.

(1) Provision - Land-owners will be encouraged to provide and maintain open spaces in appropriate locations for purposes of value to the community. Land owned by Sports Clubs is in this category. Although not owned or intended to be owned by the Council, nor by any public authority, these open spaces are important in the life of the community.

(2) Designation - Land or buildings used for purposes of value to the community and not intended to be owned by the Council nor by any public authority are shown on the district planning map specifically for their particular uses and are so zoned. In this category are:-

Private Schools, Halls, Clubrooms, Churches etc.

PART VI - PUBLIC UTILITIES & OTHER WORKS

Clause 1. - Existing services and areas served.

Areas at present served by various public utilities are shown on the planning data map by the notation set opposite the name of the particular service in the key endorsed on that map.

Clause 2. - Consolidation of development.

To ensure economic use of public utilities and other works, subdivision and building development is to be consolidated so far as is reasonably possible within the areas already reticulated before expansion elsewhere is permitted.

Clause 3. - Proposed extensions.

Extensions of services to meet the urban development provided for under this scheme and works and reserves present and proposed for the maintenance and development of public utilities are shown on the district planning map by the notation set opposite the name of the service on that map.

PART VII - BUILDINGS: SITING & HEIGHT

Clause 1. - Siting.

(1) Yards - The position of the buildings on each site are governed to some extent and in some cases by yard requirements designed to ensure that satisfactory access for all purposes is, if and where necessary, provided to the rear of each section and also that the needs of neighbouring properties in respect of ventilation, lighting and privacy are reasonably allowed for.

These requirements are more particularly set out in the code of ordinances which forms part of this scheme.

(2) Building Line Restrictions - No building or part of a building shall be erected or substantially reconstructed if any part of it as so erected or reconstructed would stand between the street named and the building line specified in respect of it in Appendix 1 hereto.

Clause 2. - Height.

Buildings shall be limited to the maximum site coverage and heights set out in the said code. These are related both to the requirements of the particular zone and to the traffic capacity of adjacent streets.

Clause 3. - Use of uncovered space.

The portions of sites not permitted to be covered by buildings are required primarily for the provision of adequate light, ventilation and amenities, but may also be used for parking and loading of vehicles to the extent authorised in the said code.

PART VIII - COMMUNICATIONS & TRANSPORTATION

Clause 1. - Existing.

The following are the principal items of existing communications and transportation.

1. Road
 - (a) The Christchurch - Lyttelton Tunnel Road.
 - (b) The Evans Pass Road from Christchurch via Sumner.
 - (c) The Governors Bay - Lyttelton Road connecting to Christchurch via Dyers Pass.
 - (d) The Teddington - Purau - Port Levy Road running through Diamond Harbour.

Clause 1 (Cont)

2. Railway - Lyttelton is the terminus of the railway and is an important railway centre with a large number of sidings serving the wharf areas in the port.
3. Sea. - As stated before Lyttelton is the main port of the South Island and as such handles about 1½ million tons of cargo annually. Besides this position as a cargo port, the port is the Southern terminal of the Inter-Island Steamer Express Service, and as such handles up to 800 passengers nightly for six nights a week.

Clause 2. - Proposals for future.

1. Establishment of routes - The provisions for traffic routing including public passenger transport routes, routing of arterial through traffic and of local through routes for special industrial and commercial traffic, and all restrictions whether existing or proposed upon the normal use of any street for two-way traffic are shown in Appendix II hereto.
2. Public transportation proposals - To provide for the increase in traffic that is expected when the harbour extensions are finished the Council proposes to widen Norwich Quay to 82 feet and Gladstone Quay to 66 feet as shown on the District Planning map.
3. Roading Standards - Each proposed street is to be specially designed both in layout and structural strength to cope with the frequencies and weights of traffic likely to use it.

Through-traffic streets will be wider, straighter and more heavily constructed than those for local traffic; and the traditional standard width of 66 feet will not be universally applied. Motorways and State Highways will normally be wider than this, but streets in areas permanently zoned as residential and carrying little traffic may in some circumstances, with safety and economy, be no wider than the minimum of 40 feet.

4. Specific changes - The existing street system will be modified or varied in accordance with the particulars elaborated in Appendix III hereto. Significant transport tunnels, subways, bridges, overhead bridges and ramps for vehicular or other traffic, traffic roundabouts, breastworks, and reclamation work to be constructed or carried out are mentioned in their appropriate paragraphs in appendix III hereto.
5. Adjustments of alignments of proposed streets, accessways, and service lanes. - The proposed streets, accessways and service lanes shown on the district planning map are subject to adjustment as to precise location by agreement with the owners of the land directly affected.
6. Proposed service lanes - To avoid confusion and inconvenience to traffic and pedestrians caused by the loading and unloading of bulk goods across footpaths and through the fronts of shops access to the rear of commercial and industrial properties is to be provided wherever possible by means of properly dedicated service lanes.

PART IX - AMENITIES

Clause 1. - General intentions.

It is the general purpose of the scheme to promote and safeguard the amenities of every part of the District.

Clause 2. - Objects and Places of Special Interest.

Objects and places of historical or scientific interest or natural beauty are to be registered, preserved and maintained so far as the powers of the Council or local authority from time to time permit.

Clause 3. - Control of Advertising.

The display of advertising matter will be controlled in accordance with ordinance VII of the code of ordinances.

Clause 4. - Verandahs in the Commercial Streets.

The streets and parts of the streets listed as commercial streets in Appendix IV hereto are designated as commercial streets in which continuity of verandah design and shelter is required.

Clause 5. - Maintenance of buildings and structures.

For the better preservation of amenities, the code of ordinance requires adequate maintenance of land and buildings.

APPENDIX I

Scheme Statement VII 1.(2)

BUILDING LINE PROPOSALS.

Building lines are to conform with the front yard requirements for the zone in which the site is located, as detailed in the Code.

However, where an existing building line restriction is at a greater distance from the road than the distance required by the front yard in that area the requirements of the building line shall take precedence.

APPENDIX II

Scheme Statement VIII 2.(1)

PROVISION FOR TRAFFIC ROUTING.

There are three vehicular traffic routes into the Borough.

1. Over Evans Pass."
2. From Governors Bay via Park Terrace.
3. Through the Christchurch - Lyttelton Road Tunnel.

These routes are to be maintained and improved as the need for improvements arises.

The main public transport routes are the railway and the bus services along Norwich Quay from the tunnel up Dublin Street, along London Street, down Oxford Street and back along Norwich Quay to the tunnel, and no extension of these services is anticipated.

APPENDIX III

Scheme Statement VIII 2.(4)

PROPOSALS AFFECTING MOTORWAYS, HIGHWAYS, STREETS, SERVICE LANES & ACCESSWAYS:New Roads.

1. New subdivision roading at Cass Bay.
2. New subdivisional road off Harmans Road with an accessway on to Voelas Road.
3. Proposed road linking Selwyn Road and Jacksons Road.
4. Cul-de-sac off Oxford Street.
5. Road linking Oxford Street and Brenchley Road.
6. Subdivisional road from Foster Terrace to College Road.
7. The completion of Gilmore Terrace.
8. New road behind the mouth of the tunnel to connect Jacksons Road and Ticehurst Road.
9. The completion of the Charlotte Jane Quay - Cyrus Williams Quay link.
10. The subdivisional roading for the development of Diamond Harbour.

WIDENINGS.

1. Norwich Quay between the tunnel mouth and Oxford Street by 16 feet on the south side.
2. Gladstone Quay between St. David Street and the new harbour works by 33 feet on the east side.
3. Various corners in Diamond Harbour will be set back by varying amounts.
4. Before widenings in the main portion of the borough could be decided upon exhaustive topographical surveys would have to be undertaken. Therefore it has been decided to take the required widenings when properties are resubdivided.

APPENDIX III (Cont)CLOSINGS

1. The small triangular piece of road off Ross Parade.
2. A portion of the unnamed road off Dava Road.
3. The unformed Road between Brenchley Road and College Road.
4. The unformed portion of Simeon Quay neat the Webb Reserve.

APPENDIX IV

Scheme Statement IX 4.

COMMERCIAL STREETS

London Street	Dublin Street to Oxford Street - Both sides
Canterbury Street	Norwich Quay to London Street - Both sides
"	" For 2 $\frac{1}{2}$ chains north of London Street - east side only.
Oxford Street	Norwich Quay to 2 $\frac{1}{2}$ chains north of London Street - west side only.
Norwich Quay	Canterbury Street to Oxford Street - North side only.

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BOROUGH OF LYTTTELTONCODE OF ORDINANCES

(Under the Town and Country Planning Act 1953)

ORDINANCE 1-INTRODUCTORY

CLAUSE 1 - DOCUMENTS COMPRISING DISTRICT SCHEME

This code of ordinances, together with the scheme statement and the district planning map comprise the Borough of Lyttelton District Scheme (hereinafter called the district scheme or the scheme), as required by section 21 of the Town and Country Planning Act 1953 and regulation 15 (1) of the Town and Country Planning Regulations 1960.

CLAUSE 2 - RELATIONSHIP OF CODE TO BYLAWS

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

CLAUSE 3 - INTERPRETATION

In this code of ordinances, and in each document relating to this scheme, unless the context otherwise requires, -

"The Act" means the Town and Country Planning Act 1953:

"Accessory Building" means a building the use of which 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, incidental to a use then permitted on that site:

Provided that, in relation to a residential site, a garage (Other than a private garage as herein defined) is not an accessory building:

"Apartment house" means any residential building which contains two or more household units; and includes a tenement house and a block of flats, but does not include a semi-detached house or terrace house:

"Boardinghouse" means a residential building, not being a licenced hotel, in which board and lodging is provided or is intended to be provided for four or more boarders or lodgers, for reward or payment; and includes a private or unlicensed hotel and a private residential club:

"Building" means any structure, whether temporary or permanent, movable or immovable, of not less than 4 ft in height and includes any fence or wall other than a retaining wall and any stack or heap of building material:

"Camping ground" means a camping ground within the meaning of the Camping Ground Regulations 1936; and includes every area of land that would be a camping ground within the meaning of those regulations if the words "and includes any building whether permanent or temporary occupied either wholly or in part as a temporary living place for human habitation" were added to the definition of the term "living place" in regulation 3 of those regulations:

"Code" means this code of ordinances:

"Commercial garage" means land or a building on or in which -

(a) Self-propelled vehicles not belonging to the occupier of the premises or his family are serviced, overhauled, or repaired; or

(b) Three or more self-propelled vehicles which are regularly used for any commercial or business purpose are housed or cared for; or

(c) Two or more self-propelled vehicles, used as public conveyances for hire or reward, are housed or cared for; or

(d) Any three or more self-propelled vehicles are housed for reward.

ORDINANCE I (Cont.)

"Conditional use" in relation to land and 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.

"Coverage" means that portion of a site which may be covered by buildings, including accessory buildings:

"Dairy" means a shop which has as its primary business the sale by retail of dairy produce and does not include any shop which has as its primary function the sale of foodstuffs generally even though dairy produce be sold:

"Dwellinghouse" means a detached residential building or group of residential buildings designed for or occupied exclusively as one household unit:

"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 planning of the building on a site, or the placing of the building from one 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 first became enforceable, and lawfully continuing in existence until the time of interpretation:

"Factory" means a building or a part of a building or land used for the packaging, processing, assembling, or manufacture of goods or materials for sale, gain, or service:

"Garage" means a building or land used for the housing or care of self-propelled vehicles:

"Height" and "height-control line" have the meanings specified in clause 3 of ordinance V hereof:

"Household unit" means the self-contained home or residence of a single household:

"Household" includes every housekeeping unit, whether of one or more persons:

"Interim use" has the meaning specified in clause 3 of ordinance IV hereof:

"Licensed hotel" means a building in respect of which there is for the time being in force a publican's licence issued under the Licencing Act 1908:

"Loading", in relation to a vehicle, includes the fuelling and unloading of it, and the adjustment or covering or tying of its load, and the loading, unloading, or adjustment of any part of its load; and "load", in relation to a vehicle, has a corresponding meaning:

"Motel" means land and one or more buildings principally for the day-to day accommodation of travellers by road and their vehicles; and includes as accessory to the principal use any services or amenities provided on the site such as fuelling of vehicles, shops, restaurants, bathhouses and swimming pool, playgrounds, and the like:

"Non-conforming", in relation to a site or a building or to the use of a site or building, means a site or building or a use of either that does not conform with the provisions of this scheme:

"Parking", in relation to a vehicle, includes the stopping or standing of a 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 circumstance beyond the control of the licensed driver present in charge of the vehicle; and "park" in relation to a vehicle, has a corresponding meaning:

"Permitted Use" means every predominant use, whether or not a permit has been obtained, and every conditional use that is permitted by the Council in accordance with this scheme:

"Petrol Service Station" means an establishment for the fuelling, lubrication, and minor servicing of motor vehicles, not including engine or body repairs or overhaul, or trimming or spray painting:

"Place" has the meaning specified in clause 1 of ordinance V hereof:

"Poster" has the meaning specified in clause 2 of ordinance VII hereof:

"Predominant use", in relation to land in any zone, means any use specified in these ordinances as a predominant use:

"Private garage" means a garage other than a commercial garage as herein defined; and includes a car port:

"Residential building" means any building or part of a building used or intended to be used for residential purposes:

"Residential institution" means a hostel, hospital (other than a mental hospital), convalescent home, boarding school, or charitable institution providing board and lodging and having accommodation for four or more persons other than management and staff:

"Semi-detached house" means one of a pair of household units each being the only household unit on its site, the two being built side by side on adjoining sites and joined by a wall common to both that meets the requirements of the Council's bylaws for a party wall between dwellinghouses:

"Shop" means any land, building, or part of a building on or in which goods are sold or offered or exposed for sale by retail; and includes any auctioneer's or land agent's premises, and a lending library, a restaurant, a hair-dresser's premises, and a depot for receipt and delivery only of articles to be cleaned, laundered, or dyed; but does not include premises used for the sale of fuel for motor vehicles:

"Signboard" has the meaning specified in clause 2 of ordinance VII hereof:

"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:

"Corner Site" means a site having a frontage of not less than the minimum prescribed by this scheme for front sites in the particular zone in which the site is situated to each of two or more streets or private streets not less than 40ft in width if the frontages are contiguous and the included angle measured within the site between two such minimum frontages is not greater than 135 degrees:

"Front Site" means a site having one frontage of not less than the minimum prescribed by this scheme for the particular zone in which the site is situated to a street or a private street:

"Rear Site" means a site which is situated generally to the rear of another site and which has not the frontage required

ORDINANCE I - (Cont)

for a front site for that use in the zone:

"Through Site" means a front site having two frontages to a street or streets, 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:

"Street" includes road:

"Terrace House" means one of a group of household units, whether of one or more storeys, each being the only household unit on the site and each (except the unit at each end) being joined to one unit on each side by a wall common to both that meets the requirements of the Council's bylaws for a party wall between dwellinghouses; and if an end unit being so joined on one side only:

"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:

"Front Yard" means a yard between the street line and a line parallel thereto and 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: Provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and a radius of 30 ft.:

"Side Yard" means a yard between a side boundary of the site and a line parallel thereto, extending -

- (a) From the front yard to the rear yard; or
- (b) If there is no front yard, from the front boundary of the site to the rear yard; or
- (c) If there be no rear yard, from the front yard or boundary as the case may be to the rear boundary of the site: or
- (d) If there be two or more front yards, from yard to yard.

CLAUSE 4 - IMPLEMENTATION OF DISTRICT SCHEME

(1) General obligations - Subject to the provisions of the Act and all regulations made thereunder and to clause 4 of ordinance V hereof, 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 the district scheme or would tend to prevent or delay the effective operation of the district scheme.

(2) Information to be supplied in applications for permits In addition to the information required by any bylaw, the applicant for a permit for a building, subdivision, or other work shall, when making his application, supply such drawings and information in detail as may be necessary to indicate that the proposed building, subdivision, 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 and loading and garage accommodation for motor vehicles.

(3) Application of requirements where uses or areas change - Every requirement of these ordinances 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

ORDINANCE I - (Cont.)

purpose as when this ordinance first became enforceable, shall attach when the general character of the use of the building or site is changed, or when the area of the floor of the building is altered or when the curtilage of the building is altered.

ORDINANCE II - USE ZONING

CLAUSE 1 - GENERAL

(1) Method of presentation - This ordinance specifies the types of zones within the district, the predominant and conditional uses of land and buildings within each zone, the conditions which, when the district scheme is being written, can be specified to apply to certain conditional uses of land, and the bulk and location requirements in respect of buildings for certain uses within each zone.

(2) Zone titles and notations - The zones constituted for the purposes of the scheme are shown on the district planning map by the notations listed in the key shown on that map, and have the following titles, namely: Rural, Residential, Commercial A and B, and Industrial A, B, C, and D.

(3) Control of uses within zones -

- (a) Uses authorised - Any land or any building thereon may be used for any use at that time permitted for that site under the Act, or the use thereof may be changed to any use at that time permitted under this code for that site, but in neither case for or to any other use; and every authorised use shall be subject to every ordinance that is applicable thereto.
- (b) Uses not expressly mentioned - Any use not expressly mentioned in the district scheme that falls naturally within a general class of uses authorised in respect of any zone shall be deemed to be included in that class as if it had been expressly authorised; but in respect of any other use that is not expressly provided for within the district by ordinance V hereof the Council shall determine in which zone it may be permitted, and, in respect of that zone or each of those zones or partition of any zone, whether it shall be a predominant use or a conditional use or in what circumstance predominant and in what circumstances conditional and (where further conditions are required) what those conditions shall be, and when the prescribed zoning shall attach.
- (c) Public utilities in relation to zoning - Every public utility that is not provided for in subsection (9) of section 21 of the Act shall be deemed to be a conditional use in every zone.
- (d) Designated open spaces in relation to zoning - For the purposes of this scheme every designated open space, and (subject to the provisions of the Act and the prerogatives of the Crown) every reserve, is reserved for the particular purpose for which it is designated or reserved under the scheme.

(4) Regulation and procedure in respect of uses -

- (a) Predominant uses - Subject to the provisions of these ordinances, consent of the Council shall not be required under these ordinances to the use of any land or building for any use specified and at that time permitted as a predominant use in the zone in which it is situated, if that use is in accordance with every requirement set forth in this code in respect of it as a predominant use; but any proposed departure from those requirements shall have effect to constitute

ORDINANCE II (Cont.)

that use a conditional use, and the provisions of this code as to conditional uses in that zone shall apply as if that use had been specified as a conditional use within that zone.

(b) Conditional uses -

(i) General - Subject to the provisions of these ordinances, the use of any land or building for any use specified and permitted at that time as a conditional use in the zone in which it is situated is permitted subject in each case to the consent by resolution of the Council and to such conditions, restrictions, and prohibitions as to location, height, yards, position of buildings on sites, coverage, drainage, disposal of effluents, and preservation of amenities as are stipulated in the ordinance relating to the zone, and to such special conditions, restrictions, and prohibitions (whether in respect of the same matters or other matters) as the Council may think fit to impose.

(ii) Notification of consents - Every person who has applied for consent to a conditional use of any land or building shall notify the proposal and any special conditions, restrictions, and prohibitions proposed by the Council, by a statement published at the expense of the applicant in two issues of a newspaper circulating in the district, with an interval of one week, and shall concurrently serve a copy of the statement on such adjacent owners, occupiers, and other persons as, in the opinion of the Council, appear likely to be affected.

(iii) Right to object to proposal - Any such owner, occupier, or person affected may object to the proposed conditional use of the property by notice in writing delivered to the Council at any time within 14 days after the date of the first publishing of the statement. Every such notice shall state the grounds of the objection and whether the objector wishes to be heard in support of his objection.

(iv) Hearing and determination of objections to proposed uses - The applicant and every objector who has in his objection signified his desire to be heard shall be entitled to be heard by the Council or a committee thereof appointed for the purpose either specially or as a standing committee, and after the application and all objections have been considered the Council may determine the conditions to which that use if permitted shall be subject.

CLAUSE 2 - RURAL ZONING

(1) Rural Zone -(a) Predominant uses - The predominant uses shall be:

(i) Farming of any kind, forestry, racing stables, veterinary hospitals, and boarding kennels, excepting the housing or keeping of animals in any building or enclosure within 55 ft. from any residential building or less than 40 ft. from any boundary of the site;

(ii) Parks and scenic reserves;

(iii) Churches and places of public and private worship;

(iv) Buildings accessory to use of buildings or land for any of the foregoing uses including dwellinghouses, except in any position in relation to any undertaking within or outside the zone that would or might in the opinion of the Council prejudice the health or safety of the occupiers of the dwellinghouses.

- (b) Conditional uses - The conditional uses shall be:
- (i) Rural industries ancillary to farming of any kind not being one of the industries listed in Appendix I hereto or any other industry with noxious or dangerous aspects:
 - (ii) The quarrying, winning and processing of materials occurring naturally in the vicinity:
 - (iii) Educational establishments, residential institutions, hospitals, nursing homes, convalescent homes, and charitable and philanthropic institutions, and boarding-houses and hostels used in connection with those uses:
 - (iv) Motels and Camping Grounds:
 - (v) Racecourses, showgrounds, and recreation grounds:
 - (vi) Depots, offices, and men's quarters, and the storage or maintenance of heavy plant and machinery for undertakings engaged on the construction and maintenance of structures, quarrying, or excavation:
 - (vii) Residential uses if the site is capable of being used as an independent economic unit for a farming use and has not less than the minimum area and frontage appropriate to that farming use in the zone, or if the site is a subdivision authorised under ordinance III hereof:
 - (viii) Provision for public parking of vehicles:
 - (ix) Buildings accessory to use of buildings or land for any conditional use authorised by or under the district scheme for that site at that time.
- (c) Conditions relating to certain conditional uses - The following conditions shall apply to conditional industrial uses in rural zones:
- (i) All tailings, sawdust, spoil, waste, and effluent shall be so disposed of as to minimise damage to property or disfigurement of the countryside:
 - (ii) 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 to a reasonably natural state by levelling or back-filling where possible, and by the planting of grass or trees, and on completion of work by the removal of plant and buildings.
- (d) Subdivision of land - See ordinance III
- (e) Bulk and location requirements -
- (i) For predominant uses - The following shall be the normal bulk and location requirements for predominant uses:

Type of Use	Front Yards Minimum Depth	Rear Yards Minimum Depth	Side Yards Minimum Width on each Side	Maximum Permitted Height Excluding Chimneys Masts, etc.
Residential building..	25'	25'	15'	35'
Other buildings	50'	50'	40'	35'

For exceptions to normal yard requirements, see ordinance v.2 (2).

ORDINANCE II (Cont.)

(ii) For conditional uses - The normal bulk and location requirements for conditional uses shall collectively provide the same general standards as for predominant uses.

(f) Parking and loading of vehicles - See ordinance VI.

CLAUSE 3 - RESIDENTIAL ZONING

(1) Residential Zone -

(a) Predominant uses - The predominant uses shall be:

(i) Dwellinghouses:

(ii) Semi-detached houses:

(iii) Apartment houses containing not more than two household units:

(iv) Cottages and homes for the aged:

(v) Parks, playgrounds and scenic 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:

(vi) Professional offices situated in a dwelling permitted under this ordinance, so long as the predominant use of the premises as a whole is that of a dwellinghouse:

(vii) Farming, including pastoral, agricultural or dairy farming, market gardens and nursery gardens; excepting the housing or keeping of animals in any building or enclosure within 75 feet of any residential building and less than 30 feet from any boundary of the site.

Provided however that the Council may at its discretion permit the keeping of animals within such distances respectively if the Council considers that no undue annoyance will be suffered by neighbours.

Provided however that the keeping of not more than 24 fowls is permitted in buildings or enclosures sited not less than 30 feet from any residential building.

(viii) Electrical Substations and transformers.

(ix) Buildings accessory to use of buildings or land for any predominant use authorised by or under the district scheme for that site at that time:

(b) Conditional uses - The conditional uses shall be:

(i) All residential uses not permitted as predominant uses:

(ii) Boardinghouses, lodginghouses, private hotels, and private residential clubs:

(iii) Churches and places of public or private worship:

(iv) Museums, art galleries, libraries, nurseries, play centres and educational establishments, including boardinghouses and hostels used in connection with those uses:

(v) Public and private hospitals, health clinics, nursing homes, and convalescent homes.

(vi) Recreation grounds, and places of assembly, including gymnasiums, and training sheds:

(vii) Fire stations, drainage and pumping stations, bus and tramway passenger shelters, water reservoirs, water towers, and other structures of public utility:

ORDINANCE II (Cont.)

(viii) Shops for the sale of groceries and dairy products, either alone or in conjunction with residential accommodation:

(ix) Groups of garages or parking spaces for hiring:

(x) Provision for public parking:

(xi) Motels and camping grounds:

(xii) A building not exceeding 480 sq. ft. floor area situated on the same site with a residential building and used for the storage only of plant and materials in connection with the business of a builder, painter, paperhanger, plumber, electrician, or person conducting any other business connected with the building trade, who is resident on the same site:

(xiii) Buildings accessory to use of buildings or land for any of the uses specified in this paragraph except those specified in subparagraph

(xii) of this paragraph:

(c) Subdivision of land - See ordinance III.

(d) Bulk and location requirements -

(i) For predominant uses - The normal bulk and location requirements for predominant uses shall be:

Type of Use	Front Yards Minimum Depth	Rear Yards Minimum Depth	Side Yards Minimum Width on each side	Coverage	Maximum Height
Dwellinghouse	15 ft.	25 ft.	5 ft.∅x	35%	35 ft.
Semi-detached house	15 ft.	25 ft.	5 ft.∅x*	35%	35 ft.
Apartment house	15 ft.	25 ft.	5 ft.∅x	35%	35 ft.
Other buildings	15 ft.	25 ft.	5 ft.∅x	35%	35 ft.

In all cases eaves may encroach on side yards by not more than 2 ft. provided that no portion of any building shall be less than 2 ft. from side boundaries.

x Reducable to 3 ft. in special cases where because of the physical features of the site it would be unreasonable to insist on 5 ft. side yards.

∅ 10 ft. side yard required if height greater than 20 ft.

* Only one side yard required.

For exceptions to normal requirements as to yards, see ordinance V.2(2).

ORDINANCE II (Cont.)

(ii) For conditional uses - The normal bulk and location requirements for conditional uses shall be:

Type of use	Front Yards Minimum Depth	Rear Yards Minimum Depth	Side Yards Minimum Width on each Side	Coverage	Minimum Site Area per Household Unit
Apartment house designed and built as such	15 ft.	25 ft.	5 ft.∅	45%	440 sq. ft. of site area per person provided for
Terrace house-					
(a) Inner units	15 ft.	25 ft.	Nil	35%	8 perches
(b) End units	15 ft.	25 ft.	5 ft.+∅	35%	12 perches
Other buildings	25 ft.	25 ft.	5 ft.∅	45%	
Shops as in paragraph viii	15 ft.	25 ft.	3 ft.		

Provided that - When any new building is erected or any building is rebuilt or re-erected or substantially re-built or re-erected or is added to no part of such building or addition shall stand within 33 ft. from the original middle line of any street or private street or private way within the Borough without the express permission of the Council in writing being first obtained.

In all cases eaves may encroach on side yards by not more than 2 ft.

+ Only one side yard required.

∅ 10 ft. side yards required if height greater than 20 ft. but not greater than 30 ft., and where building exceeds 30 ft. in height, the side yards shall be increased by 1 ft. for each additional 2 ft. of height

For exceptions to normal requirements as to yards, see Ordinance V.2(2).

(e) Parking and loading of vehicles - See ordinance VI.

ORDINANCE II (Cont.)

CLAUSE 4 - COMMERCIAL ZONING

(1) Commercial A zones(a) Predominant uses - The predominant uses shall be:

(i) Retail shops used for dairy, milk bar, green-grocer, grocery, butcher, fishmonger, chemist, delicatessen, cake shop, confectioner, stationer, fancy goods, hairdresser, boot repairer, or shops or depots for other similar purposes, including such shops where dwelling accommodation is incorporated in the same building if there is not more than one household unit per shop:

(ii) Buildings accessory to use of buildings or land for any predominant use authorised by or under the district scheme for that site at that time.

(b) Conditional uses - The following shall be conditional uses in commercial A zones:

(i) Retail shops not provided for as predominant uses:

(ii) Professional and commercial offices:

(iii) Licensed hotels:

(iv) Fire stations, electrical substations, transformers, drainage and pumping stations, bus and tramway shelters, water reservoirs, water towers, and similar structures of public utility:

(v) Any uses permitted in residential zones, other than residential buildings:

(vi) Parking lots and parking buildings:

(vii) Buildings accessory to use of buildings or land for any conditional use authorised by or under the district scheme for that site at that time.

(c) Subdivision of land - See ordinance III:(d) Bulk and location requirements - The normal bulk and location requirements shall be:

(i) Front yards minimum depth: 15 ft.:

(ii) Rear yards minimum depth: 25 ft.:

(iii) Side yards minimum width: 10 ft. on each side which adjoins a rural or residential zone unless rear access to that site is provided:

(iv) Coverage: 50 per cent for residential buildings, 60 per cent for buildings other than residential:

(v) Minimum of open space: Where commercial and residential uses are combined, the site shall have not less than 1200 sq.ft. of open space about the building for each household unit:

(vi) Maximum height: 30 ft. as of right, but increased height, if necessary, may be authorised by the Council subject to the written consents of other owners who might be affected:

For exceptions to normal requirements as to yards, see ordinance V.2(2).

(e) Parking and loading of vehicles - see ordinance VI.(2) Commercial B zones -(a) Predominant uses - The predominant uses shall be:-

(i) Retail shops and storage for materials and articles for sale, auction rooms, and residential accommodation in conjunction with retail shops, as for commercial A zones:

ORDINANCE II (Cont.)

- (ii) Administrative buildings of the central and local Governments, professional and commercial offices, banks and exchanges:
 - (iii) Libraries, exhibitions, museums, and art galleries:
 - (iv) Theatres and halls and places of public or private worship or entertainment, or public or private assembly:
 - (v) Licensed hotels, private hotels, and residential and non-residential clubs:
 - (vi) Living quarters for a caretaker or other person whose employment requires that he live on the premises:
 - (vii) Buildings accessory to buildings used for or use of land for any of the foregoing purposes:
- (b) Conditional uses - The following shall be conditional uses:
- (i) Petrol service stations, commercial garages, and garages for running repairs, in cases where the floor space to be used for the garaging and repairing of vehicles does not exceed 2,500 sq. ft. and access to and from the street is to the approval of the Council:
 - (ii) Fire stations, electrical substations, transformers, drainage and pumping stations, bus and tramway terminals and shelters, and structures of public utility:
 - (iii) Parking lots, parking buildings, and motels:
 - (iv) Warehouses for the storage and distribution of goods of a light nature:
 - (v) Any process of manufacture of goods most of which are for sale by retail on the premises, excluding industries set out in Appendix I and II:
 - (vi) Buildings accessory to use of buildings or land for any use authorised by or under the district scheme for that site at that time:
 - (vii) Use of a rear site for any use that is permitted in this zone by this code:
 - (viii) Canteens, dining rooms, ablutions, and recreational and other facilities primarily for the convenience and medical and surgical treatment of those engaged in the zone.
 - (ix) Buildings accessory to buildings used for or use of land for any of the foregoing purposes:
- (c) Subdivision of land - See ordinance III:
- (d) Bulk and location requirements - The normal bulk and location requirements shall be:
- (i) Rear yards minimum depth: 25 ft. if adjoining a residential zone:
 - (ii) Side yards minimum width on each side: 10 ft. on each side which adjoins a residential zone:
 - (iii) Coverage:
90% for buildings other than residential. Where commercial and residential uses are combined the site shall have in addition to the open space, an area of not less than 500 sq. ft. of open space about the building for each dwelling unit.
 - (iv) Angle of height-control line 65°. (For graph showing heights permitted for various distances from middle line of street and rear boundary of site see Appendix III of this code:)

ORDINANCE II (Cont.)

(v) Maximum height: 110 ft.

For exceptions to normal requirements as to yards, see ordinance V.2(2).

CLAUSE 5 INDUSTRIAL ZONING

(1) Industrial A zones

(a) Predominant uses - The following shall be predominant uses:

Trades and industries such as laundries, bakeries, milk processing and distribution, petrol service stations, tradesmen's workshops, warehouses, stores and storage yards, which serve the day-to-day needs of the district in cases where the total floor space of all floors so used by any such trade or industry does not exceed 5,000 sq. ft.:

(b) Conditional uses - The following shall be conditional uses:

(i) Any of the predominant or conditional uses permitted in commercial A zones except licensed and private hotels:

(ii) Commercial garages and wood and coal yards:

(iii) Use of a rear site for any use that is permitted in this zone by this code:

(iv) Canteens, dining rooms, ablutions, and recreational and other facilities, primarily for the convenience and medical and surgical treatment of those engaged in the zone.

(c) Subdivision of land - See ordinance III:

(d) Bulk and location requirements - The normal bulk and location requirements shall be:

(i) Rear yards minimum depth: 25 ft. if adjoining a residential zone:

(ii) Side yards minimum width: 10 ft. on each side which adjoins a residential zone:

(iii) Coverage:

90 per cent for buildings other than residential. Where industrial and residential uses are combined, the site shall have in addition to the above open space, an area of not less than 500 sq. ft. of open space about the building for each dwelling unit:

(iv) Minimum of open space: Where residential uses are combined with commercial or industrial uses, the site shall have not less than 1,000 sq. ft. of open space about the building for each household unit:

(v) Angle of height-control line 65°. (For graph showing heights permitted for various distances from middle line of street and rear boundary of site, see Appendix III of this code:)

(vi) Maximum height: 110 ft.:

For exceptions to normal requirements as to yards, see ordinance V.2(2).

(e) Parking and loading of vehicles - See ordinance VI:

ORDINANCE II (Cont.)(2) Industrial B zones -

- (a) Predominant uses - The predominant uses shall be:
- (i) Any industry other than an industry falling within Appendix I or Appendix II hereto:
 - (ii) Living quarters for a caretaker or other person whose employment requires that he live on the premises:
 - (iii) Canteens, dining rooms, ablutions, and recreational and other facilities primarily for the convenience and medical and surgical treatment of those engaged in the zone:
- (b) Conditional uses - The conditional uses shall be: Use of a rear site for any use that is permitted in this zone by this code:
- (c) Subdivision of land - See ordinance III:
- (d) Bulk and location requirements - The normal bulk and location requirements shall be:
- (i) Rear yards minimum depth: 25 ft. if adjoining residential zone:
 - (ii) Side yards minimum width: 10 ft. on each side which adjoins a residential zone:
 - (iii) Coverage:
 - 90 per cent for buildings other than residential. Where industrial and residential uses are combined, the site shall have, in addition to the above open space, an area of not less than 500 sq. ft. of open space about the building:
 - (iv) Angle of height-control 65°. (For graph showing heights permitted for various distances from middle line of street and rear boundary of site, see Appendix III of this code:)
 - (v) Maximum height: 110 ft.:
- For exceptions to normal requirements as to yards, see ordinance V.2(2),
- (e) Parking and loading of vehicles - See ordinance VI:

(3) Industrial C zones -

- (a) Predominant uses - The following shall be predominant uses:
- (i) Any industry except those falling within Appendix I hereto:
 - (ii) Living quarters for a caretaker or other person whose employment is such that he is required to live on the premises:
 - (iii) Canteens, dining rooms, ablutions, and recreational and other facilities primarily for the convenience and medical and surgical treatment of those engaged in the zone:
- (b) Conditional uses - The following shall be conditional uses in industrial C zones:
- (i) Living quarters for persons required to be at call when off duty:
 - (ii) Any industry falling within Appendix I hereto if the process or operation is so modified as to preclude every element of noxiousness or danger in relation to adjacent properties and undertakings:
 - (iii) Use of a rear site for any use that is

ORDINANCE II (Cont.)

- (c) Subdivision of land - See ordinance III;
- (d) Bulk and location requirements - The normal bulk and location requirements shall be:
- (i) Rear yards minimum depth 25 ft. if adjoining a residential zone.
 - (ii) Side yards minimum width 10 ft. on each side which adjoins a residential zone.
 - (iii) Coverage:
90 per cent for buildings other than residential. Where commercial and residential uses are combined, the site shall have, in addition to the above open space, an area of not less than 500 square feet of open space about the building for each dwelling unit:
 - (iv) Angle of height control line 65°.
 - (v) Maximum height 110 ft:
- (e) Parking and loading of vehicles - See ordinance VI;
- (4) Industrial D zones -
- (a) Predominant uses - The following shall be predominant uses:
Any industry falling within Appendix I hereto;
 - (b) Conditional uses - The following shall be conditional uses:
 - (i) Any industry specified in Appendix II hereto;
 - (ii) Living quarters for a caretaker or other person whose employment requires that he live on the site;
 - (iii) Canteens, dining rooms, ablutions, and recreational and other facilities primarily for the convenience and medical and surgical treatment of those engaged in the zone;
 - (iv) Use of the rear site for any use that is permitted in this zone by this code;
 - (c) Subdivision of land - See ordinance III;
 - (d) Bulk and location requirements - The normal bulk and location requirements shall be:
 - (i) Rear yards minimum depth 25 ft. if adjoining a residential zone.
 - (ii) Side yards minimum width 10 ft. on each side of which adjoins a residential zone.
 - (iii) Coverage:
90 per cent for buildings other than residential. Where commercial and residential uses are combined, the site shall have, in addition to the above open space, an area of not less than 500 sq. ft. of open space about the building for each dwelling unit:
 - (iv) Angle of height control line 65°.
 - (v) Maximum height 110 ft:
 - (e) Parking and loading of vehicles- See ordinance VI;

CODE OF ORDINANCES (Cont.)ORDINANCE III - SUBDIVISION OF LAND

CLAUSE 1 - SUBDIVISION TO CONFORM WITH PLANNING PRINCIPLES

Notwithstanding that a scheme of subdivision may comply with the requirements of the district scheme in respect of frontage and area, the Council shall not approve the scheme of subdivision if the site is not suitable or if the use proposed or the arrangement of sites or shape of any proposed site is not in conformity with the principles of town and country planning:

Provided that 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.

CLAUSE 2 - STANDARD AREA AND FRONTAGE REQUIREMENTS

Subject to the other provisions of these ordinances, every subdivision of land shall be so designed as to provide sites that meet the requirements of these ordinances for predominant and conditional uses, and for the bulk and location of buildings, being requirements that apply in that zone and partition thereof:

Provided that no person shall in any case subdivide land in the zone named in the first column hereunder so as to produce for the use specified in the second column an allotment with an area less than that specified in the third column, or frontage less than that specified in the fourth column, set opposite the particular zone and use.

Zone	Use	Minimum Standard Area	Minimum Standard Frontage
Rural ..	Any permitted use	10 acres	660 ft.
Residential ..	Front sites -		
	(a) Any terrace house -		
	Inner units ..	8 perches	18 ft.
	End units ..	12 perches	30 ft.
	(b) Any semi-detached house	12 perches	30 ft.
	(c) Any other permitted building	24 perches	50 ft.
	Rear sites -		
	Any permitted building	30 perches	12 ft.
Commercial -			
Commercial A ..	Any permitted use ..	3 perches	20 ft.
Other commercial	Any permitted use ..	6 perches	20 ft.
Industrial ..	Any permitted use ..	8 perches	24 ft.

CLAUSE 3 - EXCEPTIONS TO STANDARD REQUIREMENTS

- (1) Boundary adjustments - In any zone the requirements of this ordinance 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 areas as before.
- (2) Public Utility sites - In any zone the requirements of this ordinance shall not apply to a site or allotment which is being or has been, reduced to not less than four-fifths of the standard in any one or more respects by the taking of part thereof under the Public Works Act 1926 or by the sale of part thereof with the approval of Council for a purpose of public utility, nor shall those requirements apply to the part so taken or sold.

ORDINANCE III (Cont.)

- (3) Reduction of area in special circumstances - Notwithstanding any other provisions of these ordinances, any site permitted in the zone for separate occupation as a site for a detached dwellinghouse may be reduced in area by not more than one-fifth of the area prescribed if the total number of sites for separate occupation which would have been obtained without that reduction is not thereby exceeded, and if any surplus land is dedicated to the Council for a public purpose or disposed of in accordance with the directions of the Council.
- (4) Front site of irregular shape - In a residential zone, for a front site for a dwelling, being a site with side boundaries diverging from the street, the frontage may be reduced to 20 ft. if the width of the site at a distance of 30 ft. from the street boundary is not less than the frontage prescribed in ordinance III.2 hereof.
- (5) Pre-existing front sites - In a residential zone, notwithstanding the requirements of these ordinances as to area and frontage, a site for a dwellinghouse may comprise the whole of a parcel of land which, being a front site, contains an area of not less than 12 perches, with street frontage of not less than 30 ft., if it is held in a separate certificate of title or conveyance issued or executed pursuant to a subdivision approved by the Council before this scheme was recommended by the Council, and is not in the same ownership as any adjoining land.
- (6) Subdivision into two lots - In a residential zone, notwithstanding the requirements of these ordinances as to area and frontage, a site for a dwellinghouse may comprise the whole of a parcel of land which results from the subdivision into not more than two lots of an area occupied as a separate holding, if it is impracticable for each lot to satisfy the requirements of sub-clause (1) of this ordinance, and if each lot that is a front site contains not less than 20 perches with street frontage of not less than 40 ft. and each lot that is a rear site contains not less than 30 perches, exclusive of any land giving access from the street.
- (7) Rear sites and access thereto - In a residential zone, every rear site for a dwellinghouse shall have an area of not less than 30 perches, and have as its access from a street a straight or nearly straight strip or piece of land in the same certificate of title at least 12 ft. wide and not more than 198 ft. long that is not computed or included in the said minimum area:
- Provided that, where three strips or fewer but not more are side by side, the width of each may be reduced to 6 ft. 8" if the total width of the strips does not exceed 20 ft. (measured at right angles to their course) and if each strip is subject to a right of way in favour of the owners of each of the other strips.
- (8) Notwithstanding the requirements of these ordinances as to area and frontage the Council may, at its discretion, in special cases of extreme hardship permit the erection of a dwellinghouse on -
- (a) Front sections with a frontage not less than 40 ft. and an area of not less than 16 perches.

ORDINANCE III (Cont.)

- (b) Rear sections with an area (exclusive of access strip) of not less than 27 perches with an access strip of not less than 12 feet but complying in all other respects with the requirements of this ordinance.

CLAUSE 4 - PLAN OF SUBDIVISION FOR COUNCIL

Subject to the further requirements of any bylaw on the subject, a copy of every subdivisional plan shall be supplied to the Council for its record.

ORDINANCE IV - RESERVATION OF LAND

CLAUSE 1 - PROPOSALS

Proposals for use of land for public purposes are shown on the district planning map and described or referred to in the scheme statement. These proposed works are not necessarily all included in the responsibilities of the Council. They may be undertakings for which the Government or a Drainage Board, Electric Power Supply Authority, Hospital Board, Harbour Board, or other 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.

CLAUSE 2 - CONTINUATION OF USE

Although a proposal involving the future use of his land for some public purpose is included in the district scheme, ownership and occupation of the land are not thereby affected, and the owner and occupier are entitled to continue with their use of the land subject to the provisions of the district scheme, the Act, and the Town and Country Planning Regulations 1960. Owners and occupiers will be notified when the proposal is about to proceed, and arrangements for the land will be made at that time.

CLAUSE 3 - BUILDINGS NOT TO INTERFERE

- (1) Prohibition - 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, street, access way, or service lane, reserve, or designated open space of public work is prohibited, except as an interim use expressly authorised by the Council with the consent of the Minister or any local authority responsible for the proposed permanent use.
- (2) Definition of "interim use"- For the purposes of this ordinance an "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 by the Council for the prohibition of that use on that site, or for a different use of that site to become enforceable.

CLAUSE 4 - CHANGING LOCATIONS OF PROPOSED STREETS AND RESERVES

In accordance with subsection (4) of section 95 of the Act, the Council may, by agreement with the owners of the lands directly affected, vary the position of any proposed road, street, access way, or service lane, or the location or shape of any proposed reserve, so long as the intention of the district scheme in that respect is secured.

ORDINANCE VBUILDINGS: SITING, COVERAGE, HEIGHT, AND ALTERATIONS

CLAUSE 1 - GENERAL AS TO USE OF SITES FOR BUILDINGS

- (1) Land to be suitable for proposed use - Notwithstanding conformity with the zoning requirements of these ordinances, no building shall be erected or placed and no use shall be established 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 the best use of the land and its economic servicing and development, to earthquake fault lines, to liability to flooding, erosion, or landslip, to stability of foundations, and to safety, health, and amenities.
- (2) Buildings to be set back from street - Notwithstanding the provisions of this ordinance, where the scheme prescribes a building line on any site, whether by reference to any street boundary or otherwise, except as an interim use as defined in ordinance IV.3(2) hereof 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 street or boundary to which it is related.
- (3) Areas and coverage generally - The permitted minimum site areas and yard areas and the proportionate part of the land which is permitted to be covered by buildings shall be those specified in these ordinances, 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 these ordinances.
- (4) Residential buildings on rear sites - No person shall erect any residential building, or cause or permit any residential building to be erected on a rear site, unless every part of the building is 10 ft. or more from any boundary of the site; and in the case of a residential building other than a dwellinghouse or a semi-detached house, the owners shall construct and maintain an adequate driveway or footpath or both giving access to the site and the buildings thereon, and the owners shall provide wherever reasonably necessary artificial light sufficient to illuminate the drive and footpaths to the same standard as the street.
- (5) Residential buildings about a place -
 - (a) Definition of "place"- For the purpose of this ordinance the term "place" means an open unoccupied space not less than 40 ft. in width and of not less than that frontage to a public street, and permanently set apart as the principal means of access to two or more sites.
 - (b) Requirements for residential buildings about a place - In the case of sites for residential buildings grouped about a place:
 - (i) Every site shall comply with the frontage and area requirements under ordinances III and V hereof for sites on which residential buildings may be erected, as if the place were a street:
 - (ii) Every building shall comply with the provisions of ordinance V hereof for the zone in which it is situated as to height and space about buildings as if the place were a street:

ORDINANCE V (Cont.)

- (iii) Where independent street access to each of the building sites does not exist, the owner or owners thereof shall provide and maintain a paved driveway, of width, location, grade, and construction prescribed by the Council, to give vehicular and pedestrian access to each building site:
- (iv) The owners shall provide wherever reasonably necessary artificial light sufficient to illuminate properly the drive and footpaths to the same standard as the street.
- (6) Rear sites in commercial and industrial zones - On a rear site in a commercial or an industrial zone, the coverage shall not exceed 3/4 of the coverage permitted on a front site and the building shall be sited so as to facilitate fire fighting and to allow access and turning space for vehicles.
- (7) Maximum floor area for accessory buildings - In a residential zone on any site of the minimum area permitted by ordinances III and V hereof, no person shall erect accessory buildings, the total floor area of which shall exceed 600 sq. ft.

CLAUSE 2 - REQUIREMENTS AS TO YARDS

- (1) Normal 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 code. The normal requirements for each zone are specified in ordinance II under the heading "Bulk and location requirements" for that zone:
- (b) Yards to remain unoccupied and unobstructed - Except as expressly authorised under this scheme, no person shall erect any building on any front yard, rear yard, or side yard:
- (c) 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.
- (2) Exceptions to general requirements as to yards -
- (a) Variation by Council - If, in the opinion of the Council in any particular case, compliance with the yard requirements of these ordinances would seriously diminish the usefulness of the site for building purposes, and subject to the written consent of the owners of the land adjoining the yard which is to be diminished, which consent shall not be unreasonably withheld, the Council may, by resolution in respect of that site, vary or dispense with the provisions of these ordinances relating to one or more of the yard requirements: Provided that in no case shall the total area of yard space required by this scheme be reduced under this paragraph:
- (b) Where physical difficulties exist - Where the dimensions or the physical features of the site or the existence of other buildings make adherence to these requirements difficult, impracticable, or unreasonable, the Council may permit the erection of accessory buildings not exceeding 600 sq. ft. in area on any part of the site:

ORDINANCE V (Cont.)

- (c) When dedicated for street widening - Where land has been or is required to be set aside for a yard to the extent required by this scheme, the Council may accept dedication of the whole or any part of the yard for the purpose of street widening; and, notwithstanding the foregoing provisions of this scheme, for the purpose of computing yard space provided, and allowable coverage of the site, as much of the yard as has been dedicated will be regarded as part of the site:
- (d) When owner provides land for access way or service lane - Where land for a service lane or access way is provided at the rear or at the side of the site, the rear yard requirements or the side yard requirements, as the case may be, shall be diminished correspondingly:
- (e) Adjoining shop sites in residential zones - Where in a residential zone two shops adjoin, each may have one side yard only:
- (f) Corner sites - In the case of a corner site, the owner may select either street boundary as the front boundary of the site, for the purpose of determining the relative locations of yards:
- (g) Through sites - In the case of a through site, the owner shall provide a yard equivalent to two rear yards at or near the middle of the site and a front yard on each frontage of the site, unless the Council by resolution declares which frontage of the site shall be deemed to be the rear boundary, in which case the provisions as to rear yards shall apply with respect to that frontage and the provisions as to front yards with respect to the other frontage:
- (h) Use of yard space for accessory buildings and garages - Accessory buildings may be erected on any rear yard if they do not occupy altogether more than one-fifth of the area of the rear yard; and private garages on residential sites may be erected on any side yard so long as the garage does not exceed 12 ft. in height:

CLAUSE 3 - HEIGHTS OF BUILDINGS

- (1) Normal requirements - The normal requirements for each zone are specified in ordinance II hereof, but those requirements are subject to the following provisions of this clause:
- (2) Height in commercial and industrial zones - In any commercial or industrial zone (other than a commercial A zone) the height of every building (including its parapet, cornice, roof ridge, or other solid element), or other structure or part thereof, shall be restricted so that every part thereof shall be contained within the height-control line as herein defined:
- (3) Definition of "height" and "height-control line" -
 - (a) "Height", in relation to a building, means the average difference between the level of the ground along the external wall nearest to the street and -
 - (i) The highest point of the parapet or coping in the case of a flat roof; or
 - (ii) The mean level between the eaves and the highest point of the roof in the case of a sloping roof, -
 excluding in either case the parts specified in subclause (5) of this clause:

ORDINANCE V (Cont.)

Provided that where the building is set back from the street line on a site which slopes up from the street level, then the height shall be measured from the mean level of the ground along the external wall on the higher side of the site:

- (b) "Height-control line", in relation to a site, means a line directed over the site from the originating points hereinafter prescribed at an angle of 65° from the horizontal. The direction of each height-control line shall be at right angles to the boundary of the site.
- (4) Points of origin of height-control line -
- (a) Street - In relation to any street boundary of a site the originating points shall be on the middle line of the street at street level, except that in the case of a corner site where the streets are of different widths, the middle line of the narrower street for a distance of 100 ft. from the corner or its whole length whichever is the less, shall be deemed to lie at the same distance from the site as the middle line of the wider street:
- (b) Rear - In relation to the rear of any site the originating points shall be on the rear boundary at ground level, except that if a service lane adjoins the rear boundary of the site the originating points shall be on the middle line of the service lane at ground level:
- (c) Extra wide streets - For the purpose of this ordinance any street wider than 100 ft. shall be deemed to be 100 ft. wide.
- (5) Exclusions from measurement - In determining whether any building or structure or part thereof is contained within the height-control line the following shall not be taken into account:
- (a) Lift wells, elevator and stair bulkheads, roof water-tanks and cooling towers (together with their enclosures):
- Provided that the maximum dimension thereof parallel to the middle line of the street shall not exceed 30 ft.:
- (b) Chimneys and flues:
- Provided that the maximum dimension thereof parallel to the street shall not exceed an aggregate of 15 ft. for any 100 ft. of frontage:
- (c) Spires, flagpoles, aerials, and wire, chain, link, or other open or transparent fences, and such finials and similar parts as constitute only decorative features:
- (d) A one-storey structure located in a rear yard when permitted by the use ordinance for the zone, including any of the following:
- (i) A basement or first floor used for accessory off-street parking spaces:
- (ii) A ground floor used for retail or commercial purposes:
- (iii) A one-storey detached accessory building:
- (e) A wall of reasonable dimensions along a boundary of a site.

ORDINANCE V (Cont.)

CLAUSE 4 - ALTERATIONS OF EXISTING NON-CONFORMING BUILDINGS

An existing building which does not conform to any or all of the provisions of the district scheme relating to the zone in which it is situated may be repaired, altered, or modified (but not rebuilt) so long as the repair, alteration, or modification does not increase the extent to which the building fails to conform to the provisions of this scheme and does not tend to prevent or, in the cases of alterations or modifications, does not tend to delay the effective operation of this scheme.

ORDINANCE VIVEHICLES; PARKING, LOADING, AND CORNER-SITE ACCESS

CLAUSE 1 - PUBLIC PARKING

- (1) Parking lots - As opportunity offers, other areas will be provided, developed, and maintained for that purpose either by the Council or by private enterprise, and private enterprise may be assisted, where the Council so resolves, by the Council providing suitable land for purchase or lease.
- (2) Parking buildings - These may be provided and maintained by private enterprise as commercial undertakings or by the Council either as a commercial undertaking, or in fulfilment of obligations created under section 35A of the Act, or as a combination of both.
- (3) Provision of land - For any of these purposes the 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, with or without buildings, and develop that land and apply it to that use with, so far as may be practicable, the co-operation of private enterprise.

CLAUSE 2 - PRIVATE PARKING

- (1) For residential sites - The site plan furnished in connection with an application for a permit to erect any residential building shall, in addition to the information otherwise required hereby, show in the general layout of the site provision for space for garage accommodation or off-street parking for cars, as follows:
 - (a) In the case of a dwellinghouse, a semi-detached house or terrace house, or an apartment house containing not more than two household units, accommodation for one car for each household unit;
 - (b) In the case of an apartment house or building containing service flats, accommodation for cars in the proportion of not less than one car to every two household units which the building is designed to accommodate;
 - (c) In the case of a boardinghouse, a lodginghouse, or a similar residential institution used for permanent residents, accommodation for cars in the proportion of not less than one car for every five persons or fractional part thereof whom the building is designed to accommodate.
- (2) Screening from residential zones - Parking areas in a commercial or industrial zone for more than five vehicles shall be effectively screened on any side which adjoins or faces a residential zone by a wall, evergreen hedge, or other planting maintained in good condition.

ORDINANCE VI (Cont.)

CLAUSE 3 - PROVISION FOR LOADING VEHICLES

- (1) General requirements in industrial and commercial zones - Every person who proposes to erect, re-erect, construct, or reconstruct a building in a commercial or industrial zone shall provide within the site suitable and efficient accommodation for any loading or fuelling of vehicles which is likely to arise from the use of the building:
- (2) Rear access - Except where the Council by resolution determines that this provision need not apply, every owner or occupier of a building in a commercial or industrial zone shall provide adequate vehicular access to the rear of the premises, either over his own land or by the dedication of a service lane or otherwise.

CLAUSE 4 - VEHICULAR ACCESS TO CORNER SITES

Access to or outlet from a corner site shall not be located nearer to the corner of a street than 25 ft., unless the Council approves the design and location of that access or outlet; and the Council may refuse approval absolutely if access or outlet more distant from the corner could be provided.

ORDINANCE VII - AMENITIES

CLAUSE 1 - OBJECTS AND PLACES OF HISTORICAL OR SCIENTIFIC INTEREST OR NATURAL BEAUTY

- (1) Designation and registration - In respect of any object or place of historical or scientific interest or natural beauty which is specified in the scheme statement as intended to be preserved, the Council shall enter particulars thereof in a register to be kept at the office of the Council, and shall forthwith notify the owner and occupier of land upon which any such object or place is situated that it has been registered and is required under the scheme to be preserved. The register shall be open at all reasonable times for inspection by persons interested.
- (2) Preservation - No person shall, without the written consent of the Council, wilfully destroy, remove, or damage any object or place registered by the Council as aforesaid.
- (3) Cancellation of registration - The Council may at any time cancel such registration, and shall thereupon make an appropriate alteration in the register and notify accordingly the owner or occupier of the land upon which the object or place is situated.
- (4) All those pieces of land in Lyttelton Borough being more particularly delineated on plans numbered so 10124 and 10135 and thereon coloured red and lodged in the office of the Chief Surveyor at Christchurch shall be subject to the provisions of the "Summit Road (Canterbury) Protection Act 1963" in so far as the said Act relates to the said land.

CLAUSE 2 - CONTROL OF ADVERTISING

- (1) Definitions of terms "poster" and "signboard" - For the purpose of this ordinance -
 "Poster" includes any poster, placard, handbill, writing, picture, painting, engraving, carving, illuminated sign, or other device for attracting attention of passers-by, whether affixed to or incorporated with or painted on to any building or part thereof or other structure, and whether permanently or temporarily so affixed or incorporated or painted thereon;

ORDINANCE VII (Cont.)

"Signboard" means a board, hoarding, signboard, billboard, or other erection primarily intended or adapted for the display of posters; and includes any poster displayed on a signboard.

- (2) Residential and rural zones - No person shall erect or construct or display, or cause or permit to be erected or constructed or displayed in any residential or rural zone any signboard or poster; and no signboard or poster shall be erected in any zone so as to be obtrusively visible from a residential or rural zone: Provided that this subclause shall not apply to -
- (a) Any poster or signboard of reasonable size and serving only to direct traffic or to denote the name of the street, the number of any premises, the name of any residential building, or the name, character, or purpose of any premises or the location or timetable or other details of any public utility or facility:
 - (b) Any signboard not exceeding 12 sq. ft. in area erected in connection with a church, school, public museum, library, hospital, nursing home, or convalescent home:
 - (c) Any signboard not exceeding 6 sq. ft. in area advertising the disposal of the land or premises on which it is situated.
 - (d) Any signboard advertising an auction sale to be held on the premises on which the signboard is erected and so erected and displayed not more than seven days before and after the auction:
 - (e) Any signboard not exceeding 2 sq. ft. in area attached to a residential building used for professional or business purposes and bearing only the name, occupation, and hours of attendance or business of a person so using the building.
- (3) Numbers and designs subject to approval - The number and designs of signboards which may be displayed on any building shall be subject to the approval of the Council.
- (4) Council may prohibit - If at any time the Council, having regard to the amenities of or to the views from any neighbourhood, is of the opinion that the erection, construction, or display of any signboard or poster ought not to be permitted, the Council may by resolution prohibit the erection, construction, or display of any such signboard or poster.

CLAUSE 3 - VERANDAS IN COMMERCIAL STREETS

Where the scheme designates as a commercial street for the purposes of this ordinance any street or part of a street giving frontage to a commercial zone, every building in the commercial zone and fronting that street shall, on its erection, reconstruction, or alteration, be provided with a veranda within such minimum and maximum heights as the Council may prescribe, but each so related to its neighbours as to provide continuity, and each having a fascia within such limits of depths as the Council may prescribe. No such veranda shall be supported by posts on the street.

ORDINANCE VII (Cont.)

CLAUSE 4 - EXTERNAL APPEARANCE OF BUILDINGS

No building shall be so constructed or finished or left unfinished that its external appearance would disfigure the neighbourhood or tend to depreciate the value of adjoining properties.

CLAUSE 5 - MAINTENANCE OF LAND AND BUILDINGS

All land and buildings shall be so maintained as to preserve the amenities of the neighbourhood in which they are situated.

CODE OF ORDINANCES (Cont.)APPENDIX IINDUSTRIES REQUIRING SEGREGATION BECAUSE OF NOXIOUS OR DANGEROUS ASPECTS

Abattoirs	Manure (artificial) manufacture
Acetylene-gas manufacture	Meat works - killing, freezing and packing
Acids manufacture	Oil distillation and refining
Alkali-waste works	Oxygen-gas manufacture
Ammonia manufacture	Paint manufacture
Ammunition manufacture	Paper-pulp manufacture
Animal by-products manufacture	Pottery manufacture
Arsenic-recovery works	Pyridine works
Artificial-manure manufacture	Rubber-goods manufacture
Bisulphide-of-carbon works	Sausage-casing manufacture
Boiling-down works	Soap manufacture
Bone crushing	Smelting metals
Candle manufacture	Steel works
Cement-bag-cleaning works	Stockyards:
Cement manufacture	Provided that for the purpose of ordinances relating to conditional uses in rural zones stock-yards shall be deemed to be a use of land ancillary to farming, and not a use to which this Appendix relates.
Chemical manufacture	Sulphur-chloride manufacture
Chlorine works	Sulphur-dioxide manufacture
Coke manufacture	Sulphuric-acid works
Distillation of coal, wood, or bones	Tallow melting and refining
Explosive manufacture or storage	Tanning
Fat rendering	Tar manufacture, refining, mixing
Fellmongering	Timber treating
Fertiliser manufacture	Turpentine manufacture
Fibrous-plaster manufacture	Varnish manufacture
Fireclay-products manufacture	Whaling station
Fireworks manufacture or storage	White-lead manufacture
Fish curing and preserving	Wool scouring
Fish meal factory	Zinc chloride
Fluorine works	Zinc works
Fuel-oil refining and storage	
Fur curing and tanning	
Gas (Coal) manufacture	
Glue manufacture	
Gunpowder manufacture	
Gypsum manufacture	
Hydrochloric-acid works	
Incinerator	
Iron works	
Knacker yards	
Lampblack manufacture	
Leather tanning	
Lead works	
Linoleum manufacture	
Lime manufacture	

Any industry that is, or under any conditions may become, noxious or dangerous in relation to adjacent properties or public places.

CODE OF ORDINANCES (Cont.)APPENDIX IIINDUSTRIES REQUIRING SEGREGATION BECAUSE OF NOISE, SMOKE, SMELL,
EFFLUENT, VIBRATION, DUST, GLARE, OR OTHER LIKE OBJECTIONAL
ASPECTS

Aeroplane manufacture or assembly	Grain milling
Agricultural machinery and implements manufacture	Grain threshing and crushing
Animal-food manufacture	Gravel, sand, or shingle pits
Asbestos-cement products manufacture	Graving dock
Asbestos manufacture	Harbour facilities, and operations including the loading, unloading conveyance to storage, storage and removal from storage, of all goods conveyed to or from the Port of Lyttelton
Asphalt manufacture, refining, storage, or mixing	Hides, wool and tallow warehouse
Bags and sacks (textile) manufacture	Ink manufacture
Blacksmith's shop	Iron foundry
Boat building	Iron mining
Boiler works	Iron smelting
Brass foundry	Iron stove, range, and grate manufacture
Brewery	Jam, fruit, and vegetable preserving
Brick and tile manufacture	Junk yard, scrap metal, bottles etc
Briquette manufacture	Malting
Burnt-clay products	Margarine manufacture
Carpet manufacture	Match manufacture
Casein manufacture	Motor-body building
Celluloid works	Motorcar wrecking
Coal-briquette manufacture	Motor-vehicle assembly
Cold storage	Nail manufacture
Concrete-central mixing plant	Oil storage
Constructional engineer's workshop or yard	Oils - essence or extract manufacture
Cooperage works	Oils - vegetable manufacture
Creosote manufacture and treatment	Packing-case manufacture
Disinfectant manufacture	Panelbeating works
Distillation of spirits	Paper manufacture
Drugs manufacture	Patent fuel manufacture
Dyes manufacture	Petrol storage (bulk)
Electric power generating station	Pickles and sauce manufacture
Engineers' (constructional) workshop or yard	Plaster of Paris manufacture
Felt manufacture	Plywood manufacture
Flax milling	Polishes manufacture
Flock mills	Post splitting and sleeper and prop cutting
Flour milling	Pumice pit
Gas storage	Quarry - road metal, gravel, sand, shingle, marble, building stone
Glass manufacture	Railway goods yards
Glass-products manufacturing	Railway trackage
Glucose manufacture	Railway workshop
Gold mining	Roading contractor's workshop or yard
Grain elevator	Rolling mill

CODE OF ORDINANCES (Cont.)

Rug manufacture	Stove, range, and grate manufacture
Sacks and bags (textile) manufacture	Stoving of enamelled ware
Sandblasting	Sugar refining
Sash and door factory	Tar storage
Sauce and pickle manufacture	Timber yard (wholesale)
Sawmill	Tinplate manufacture
Scrap metal yard	Tram-repair shop
Seed-cake manufacture	Varnish blending
Seed cleaning	Vehicle, motor, assembly
Sheep-dip manufacture	Veneer manufacture
Sheet-metal manufacture	Vinegar manufacture
Shell crushing	Wallboard (plaster) manufacture
Ship building	Wire manufacture
Shoddy manufacture	Wood-box manufacture
Stains manufacture	Wood-shaving packing manufacture
Starch manufacture	Wool, hides, and tallow warehouse
Steel mill	Woollen mills
Stone crushing	Wool packs, rugs, etc., manu- facture
Stone cutting or dressing	Yeast manufacture
Stone quarrying	

CODE OF ORDINANCES (Cont.)APPENDIX III

Permitted Height Relative to Distance from Centre Line of Street or Rear Boundary of Site with a Ruling Height-control Line at an Angle of 65 Degrees

