

The Town and Country Planning Act 1977

LYTTELTON BOROUGH COUNCIL DISTRICT SCHEME

REVIEW NO. 1

SCHEME STATEMENT

CODE OF ORDINANCES

and

DISTRICT PLANNING MAPS

As approved by resolution of the Council on the 19th day of May 1986. The Scheme shall come into operation on the 2nd day of June 1986.

The Common Seal of the
Lyttelton Borough Council
was hereto affixed on this
27th day of *May* 1986
in the presence of:

M. G. Foster...Mayor

G. T. Brooker...Town Clerk.

HOW TO USE THIS DISTRICT SCHEME

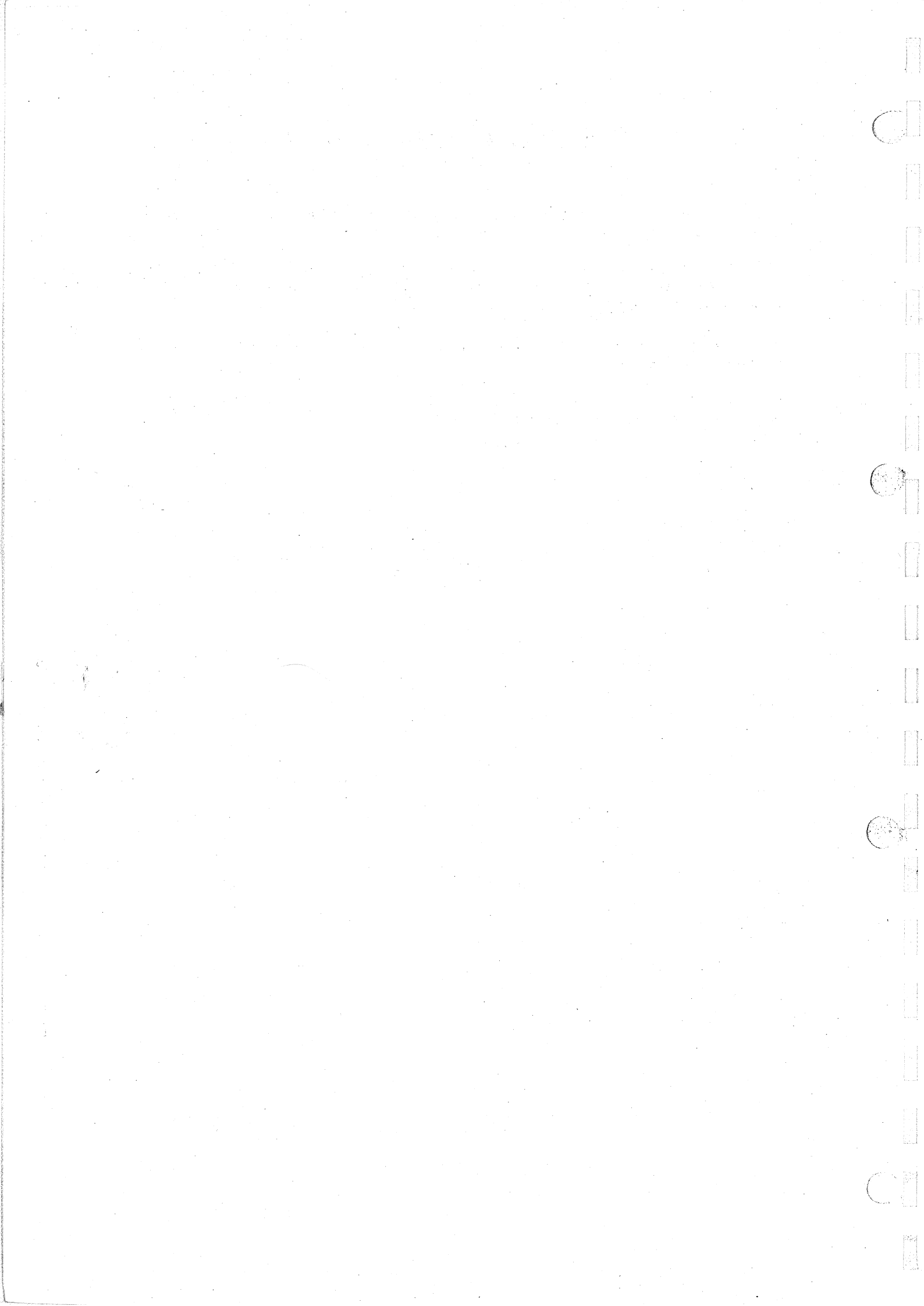
Firstly, read the introductory portions of the scheme and the general policies and objectives the Borough is following.

If you are concerned with a particular property, locate that property on a Planning Map, and thereby establish its zoning and also if it is affected by any public work.

Read through the section relating to the zoning of the property and also the relevant sections of the general ordinances.

Information regarding applications, modifications, and dispensations, can be obtained from the Borough Council Offices.

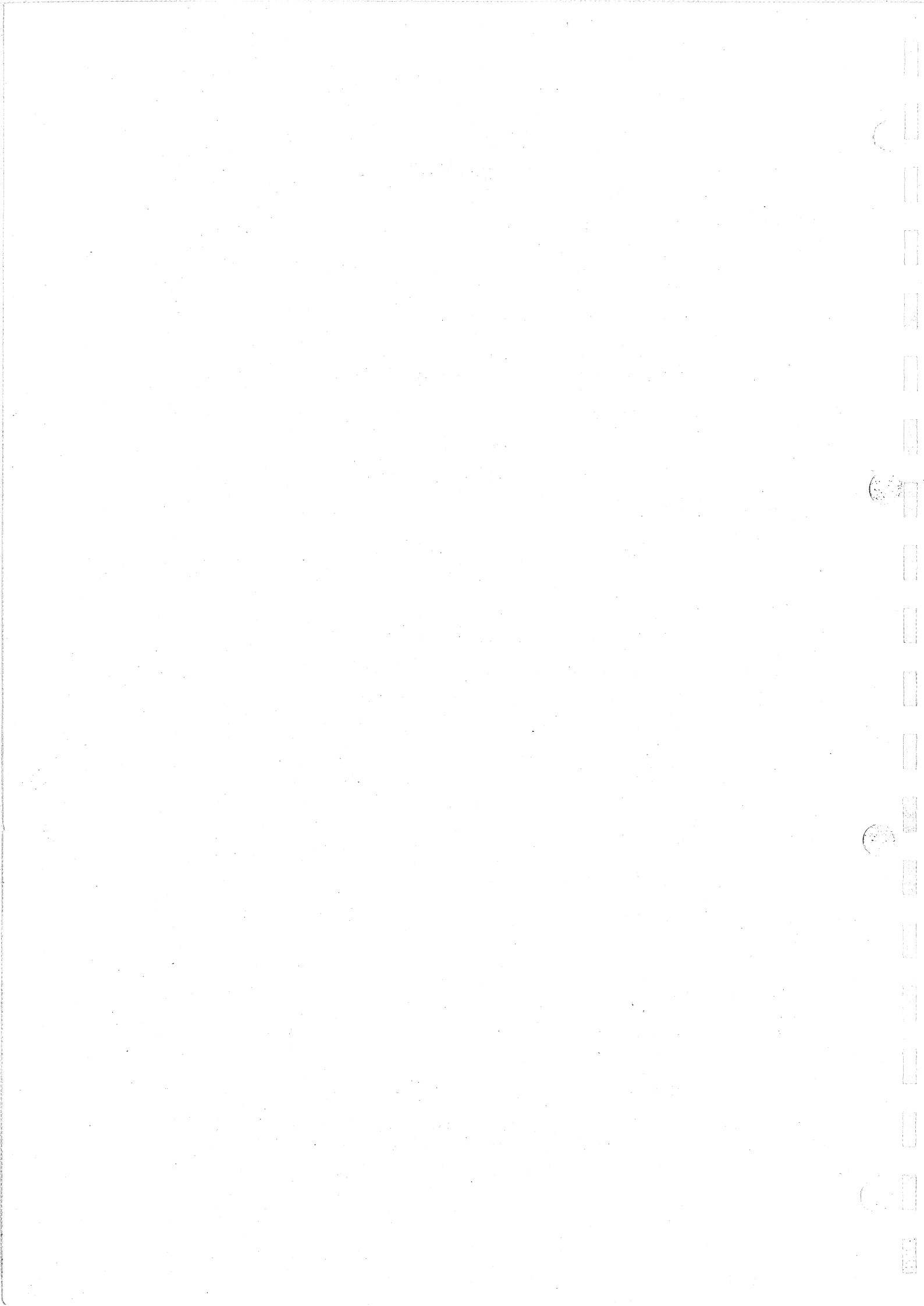
Royds Garden Ltd
Consulting Engineers and Planners
71 Armagh Street
Christchurch



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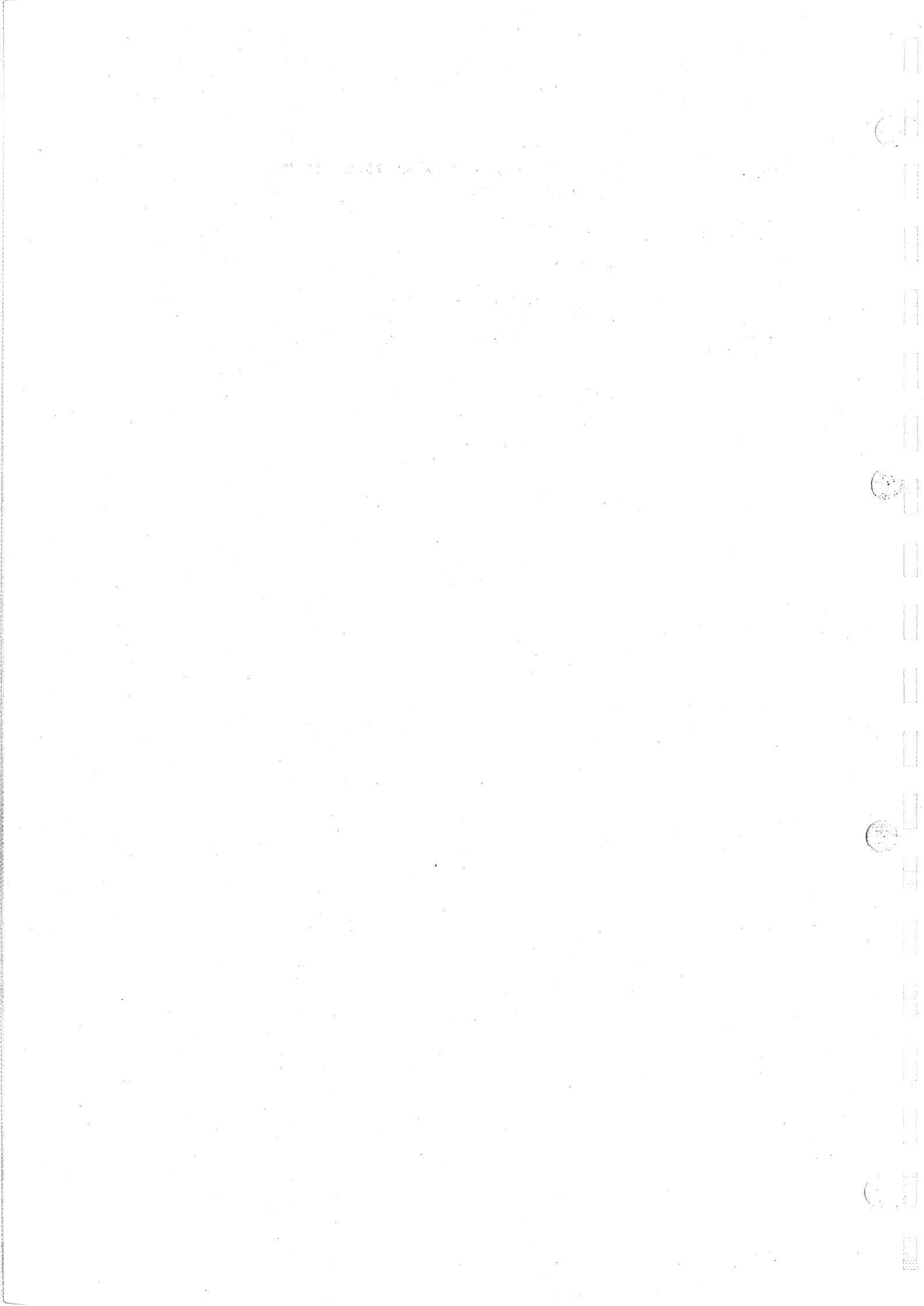
Note: At the beginning of each section there is a detailed index.

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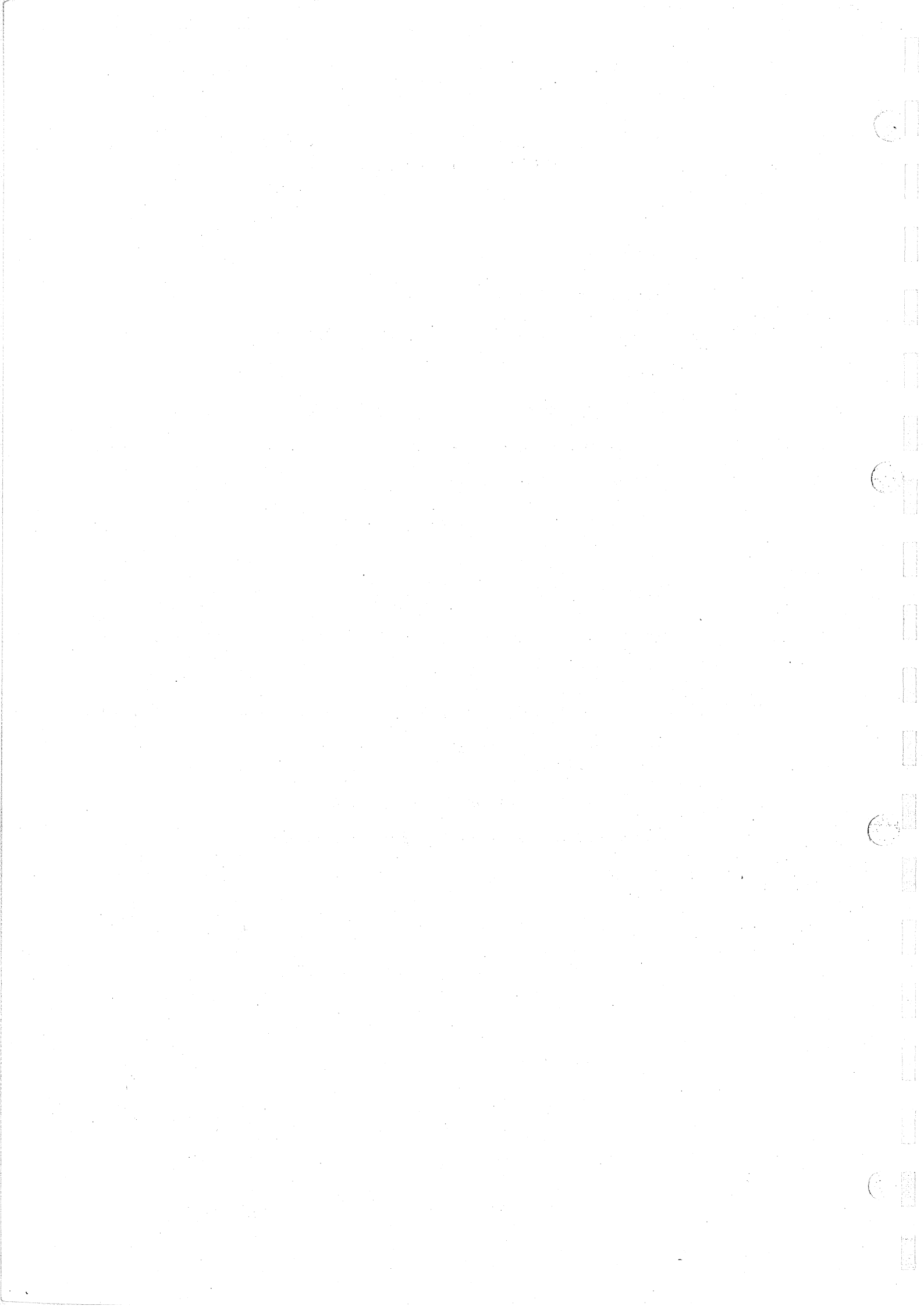
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PLANNING MAPS



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1.1 PURPOSES OF SCHEME

The general purpose of this District Planning Scheme (here called District Scheme or Scheme) is to direct the development of the Borough so as to secure economic and social benefits for the community as a whole, as required by Section 4 of the Town and Country Planning Act 1977 (here called the Act). In this District Scheme, Council sets out and explains the particular objectives and policies it has adopted for the development of Lyttelton Borough, and controls on the use and development of land which will be administered in furthering these objectives and policies.

1.2 OBLIGATIONS TO CONFORM

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

1.3 DOCUMENTS COMPRISING THIS DISTRICT SCHEME

The form and contents of a District Scheme are, to some extent, controlled by the Act and the Town and Country Planning Regulations 1978 (here called the Regulations). The basic requirements are that a District Scheme must include: Statements setting out the particular purposes of the Scheme and the policies on which these are based; Ordinances or controls, for the administration and implementation of the Scheme; a set of District Planning Maps illustrating the proposals for the development of the area; and any additional plans or documents which may be necessary for the proper explanation of the Scheme.

These requirements have, of course, been observed but the method of presentation for this District Scheme may be different from that generally used with the intention that the Scheme may be easier to use and clearer in its statements and related controls (Ordinances).

1.4

DESIGNATIONS

In some places designations overlay zones on the District Planning Maps. In order to define and reserve an area for a particular public use, such as a reservoir or school, the use of any land or buildings situated within a designated area is limited to the use which is designated or reserved for it by the notations on the District Planning Map. Ordinances for these areas generally follow those for the underlying zoning except where otherwise stated. Land may be designated for the purposes of the Borough Council, Central Government or other Local or Ad Hoc Authorities, and any objections or appeals in respect of designated land while they are made against the Scheme, will be answered by the authority concerned with the designation.

Although a designation exists in the District Scheme, it does not necessarily mean the occupation or ownership of the site will change immediately. Owners and occupiers will be notified regarding a proposal and arrangements for the land can be made at that time.

1.5

PUBLIC UTILITIES

1.5.1

Under Section 64 of the Act each of the following public utilities shall be deemed to be a use permitted as of right throughout every district.

- (a) Transformers and high-voltage lines and pylons.
- (b) Lines as defined by Section 141 of the Post Office Act 1959.
- (c) Gas, water, drainage, and sewer pipes, and necessary incidental equipment.
- (d) Pipes for the distribution and conveyance of ordinary or geothermal steam or hot water for district heating or as process heat, and necessary incidental equipment.
- (e) Service lines for the conveyance of electricity and minor extensions of electric lines.
- (f) Household connections to gas, water, drainage and sewer pipes.
- (g) Water and irrigation races, drains, channels and necessary incidental equipment.
- (h) Such other public utilities as may be specified in any regulations in force under this Act.

1.5.2

Any Local Authority, or body, other than the Crown, responsible for any public utility referred to in (a), (c), (d) and (h) of 1.5.1 above shall at least 21 days before laying, erecting, constructing, or executing any such public utility, advise the

Council of its proposed location.

Provided that prior notices shall not be required in respect of any such utility which in the opinion of the local authority or other body is required to be laid, erected, constructed, or executed in an emergency; but notice of the location of such utility shall be advised to the Council as soon as practicable after the work commences.

1.5.3

In addition, the following public utility works are uses permitted as of right in all zones provided they comply with the conditions set out in Section 1.5.4 below.

- (a) Electricity substation kiosks.
- (b) Electricity substation buildings.
- (c) Waterworks, pumping stations and installations excluding reservoirs.
- (d) Wastewater and stormwater pumping stations and installations.
- (e) Telephone exchanges
- (f) The carrying out of water and soil conservation works, executed by or on behalf of the North Canterbury Catchment Board or for which the North Canterbury Catchment Board is responsible for a share of costs.

1.5.4

Conditions relating to public utility works.

- (a) Maximum Height: Kiosks - 2.5 m. Building and other structures 7.5 m.
- (b) Yards: As for the zone in which erected, except that where required, front yards and yards adjacent to residential buildings or zones are to be landscaped and planted to the satisfaction of Council.
- (c) Access and Loading: Space may be required depending on the nature of the installation and parking spaces may be required for any persons employed on the site.
- (d) Appearance: No building, structure, kiosk or installation shall be erected, finished or maintained so as to detract from the amenities of the neighbourhood in which it is sited.

1.5.5

All other public utilities not covered by this Ordinance and not designated shall be conditional uses in the zone in which they are intended to be erected, as will those that cannot comply with the provisions of 1.5.4 above, or meet the requirements of Section 4.2 where Waivers or Dispensations are sought.

1.6 STATUTORY AUTHORITY AND REVIEWS

Under Section 38 of the Act the Council must provide and maintain an Operative District Scheme in respect of all land in the Borough, and under Section 59 must review the Scheme every 5 years.

1.7 ALTERATIONS TO THIS DISTRICT SCHEME

1.7.1 While the Scheme is a proposed District Scheme, Council can alter it by either lodging an objection to it or instituting a "variation", both publicly notified and open to objections in accordance with Section 47 of the Act.

1.7.2 When it becomes an Operative District Scheme - Council can alter this Scheme by way of a "change", requiring public notification and calling for objections in accordance with Section 54 of the Act.

1.8 RELATION OF DISTRICT SCHEME TO BY-LAWS

The provision of this District Scheme shall have effect, notwithstanding any Borough by-law for the time being in force in the Borough, and where there is conflict between the provisions of any Borough by-law and the provisions of this Scheme, the Scheme shall prevail.

1.9 INTERPRETATION

Throughout the District Scheme, unless the context otherwise requires, words and phrases have meanings stated in Appendix C. All zones, designations and other matters dealt with in the Scheme are shown on the Planning Maps and unless otherwise specified or indicated on each map, the following shall apply -

1.9.1 Zone boundaries shown on the sides of streets, streams, drains or other physical features shall be deemed to follow the centre line of such street, streams, drains or physical features.

1.9.2 Underlying zones for any designated land shall be deemed to be those within which the designation lies.

1.9.3 The Council shall have the right to determine the exact locations of zone boundaries in the case of any errors or omissions.

1.10 CONTROL OF USES

1.10.1 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 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.

- 1.10.2 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.

1.11 REGULATION AND PROCEDURE IN RESPECT OF USES

- 1.11.1 Predominant Uses: Subject to the provisions of these Ordinances, the consent of the Council shall not be required under this Scheme to the use of any land or building for any use specified and at that time permitted as a permitted 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 permitted use; any use which does not meet every requirement shall constitute a conditional use, except where otherwise specified in the Code of Ordinances.

- 1.11.2 Conditional Uses: Subject to the provisions of these Ordinances the use of any land or building for any use specified 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, positions of buildings on sites, coverages, 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.

Formal application shall be made as a notified application according to the procedures set down in Regulation 37 of the Town and Country Planning Regulations 1978. Forms are available at the Council Office.

1.12 SPECIFIED DEPARTURE

The Minister, any Local Authority or Public Authority, or owner or occupier of the land concerned, may apply to the Council in accordance with Section 74 of the Act to grant an exception to any provision of an operative District Scheme, by obtaining consent to a specified departure.

In general, every person who is, or body which claims to be, affected by the application shall have the right to object to the Council against the application being granted, and to be heard by the Council when it considers the application. The applicant, or any objector to the application has a right of appeal to the Town and Country Planning Tribunal.

Formal application shall be made as a notified application according to the procedures set down in Regulation 37 of the Regulations. Forms are available at the Council office.

1.13 OBJECTIONABLE USES

Where there is a use of any land or building which, in the opinion of the Council, has one or more objectionable elements, whether of noise, smoke, effluent, vibration, dust, or other noxiousness or danger or detraction from amenities, in relation to those persons who live or work in the building or on any land or to other persons or property, Council may, subject to the provisions of the Act, require the abatement or removal of the objectionable element or elements.

1.14 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 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.

1.15 APPLICATION FOR PERMITS OR APPROVALS

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

- 1.15.1 Supply such drawings and information in detail as may be necessary to indicate that the proposed building or other work will, when erected or carried out, comply in all respects with this Scheme and in particular, that the policies and provisions relating to density, siting of buildings including yards, coverage, height and outdoor living areas and off-street parking, loading and access for motor vehicles has been complied with.
- 1.15.2 Supply, where the application is for an approval for subdivision, a scheme plan of subdivision, as required by the Local Government Act 1974 and indicating such details as required by General Ordinance 4.0.
- 1.15.3 Supply a legal description of the land concerned and the names of the owner or owners. In cases where the application is not made by the owner or on his or her behalf, evidence must be produced to satisfy Council that the applicant has an interest in the land.

1.16 NORTH CANTERBURY CATCHMENT BOARD CONTROLS

The Board has issued public notice in accordance with Section 34 of the Soil Conservation and Rivers Control Amendment Act 1959 requiring that no person shall without the Board's consent do on or in respect of any land any act that is likely to facilitate soil erosion or floods or cause deposits in watercourses. All

development proposals affected by this scheme will be subject to examination in respect of this notice and may be referred to the Board for comment or consent. Penalties exist for contravention. The notice was publicly notified on the 31st January 1980 and may be reviewed every 2 years. Refer 2.17.1; 3.2.1; 3.14.5; 4.2; 4.8; 4.9.5; 5.1.1; 5.3.4; 9.1; 9.2; 9.3; 9.8; 9.9.2; 10.10.3; 11.5.1.

Application may be made either through the Council or direct to the Board.

1.17

INTERIM USES

Where in any case the objectives and policies contained in this scheme are not contravened, Council may, pursuant to a notified application, permit as an interim use any use of a site for such time and purpose as it may determine, and subject to such conditions in respect to the controls contained in this scheme or any other matters it considers appropriate in the circumstances.

1948

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the work done in each of the various departments.

2. The second part of the report deals with the financial position of the country and the progress of the work during the year. It is followed by a detailed account of the work done in each of the various departments.

3. The third part of the report deals with the administrative and legal aspects of the work done during the year. It is followed by a detailed account of the work done in each of the various departments.

4. The fourth part of the report deals with the social and economic aspects of the work done during the year. It is followed by a detailed account of the work done in each of the various departments.

5. The fifth part of the report deals with the cultural and educational aspects of the work done during the year. It is followed by a detailed account of the work done in each of the various departments.



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2.1 HISTORICAL

Port Lyttelton's development really started with the arrival of the settlers on 16th December 1850. Prior to this both native and pakeha communities did exist, but nowhere near the scale of the New Zealand Company's proposed "gateway to the plains" settlement.

Captain Thomas who had been one of the Company's surveyors was authorised to be chief surveyor for the Canterbury Association and given freedom of choice as to the locality of the settlement, in which he was to make the necessary arrangements for the reception of the settlers on arrival, with particular attention to the survey. This subsequently bore fruit in the careful placing of the township of Lyttelton."

"The Story of Lyttelton" John Johnstone, page 25

2.2 Lyttelton's original role was as a port facility receiving immigrants from Europe, housing and orientating them to New Zealand life before they moved over the hill to the plains where their land lay waiting. At an early stage it became apparent that the natural restrictions to growth and communications were to prevent Lyttelton from fulfilling the original promise of becoming the chief town and provincial capital, as well as the port. Except for shipping, Lyttelton has not developed the capacity to have anything but a secondary role, due to the physical constraints of the site and the monopolising effect of Christchurch City. The tunnel through the Port Hills, while markedly improving road access has accentuated this dependence making Lyttelton almost a subsidiary to Christchurch. Lyttelton has, however, never lost its identity.

It is the shipping sector which is probably the only significant area in which Lyttelton has been self sustaining, and by serving the remainder of the province, secured its position. Although port handling and transportation methods have changed over time, the population of Lyttelton has been quite stable. (Refer graph, page 10).

2.3 The employment sector is centred on the port and the associated administrative and servicing activities, including maritime agencies, the Harbour Board, engineering works, boatbuilders, tradesmen and other crafts and services. While there has always

been a significant proportion of residents who have worked in Christchurch the port remains an important employment centre for the greater Christchurch community.

- 2.4 From the beginning the Borough was efficient and successful in providing the amenities, utilities and servicing that townships require, including water supply, gas, electric lighting and fire services. The latter, however, could not control the great fire of 1870 which destroyed much of the inner township. At this time also prison labour was successfully employed around the Borough, and, as James D. Watson in "The First Hundred Years" remarks "*..... in the streets of the town the men of the Hard Labour Gang are remembered by their own anonymous memorials.*"
- 2.5 From about the turn of the century Lyttelton and the surrounding bays began to acquire a new role in recreation. With better transportation and increasing leisure time, Banks Peninsula became a popular resort area, and places like Governors Bay and, within the Borough Corsair Bay, grew in popularity, the latter already catering for bathers and recreation pursuits for the wider community. The motor car was to make further demands on recreational facilities and this has now built up to the extent where the whole region, with some intensity, uses the recreational opportunities afforded by the Port Hills and the Peninsula.
- 2.6 With the rise in road transportation, the rail connection to Lyttelton has suffered along with the ferry links to the North Island. Containerization is the latest shipping development but this is not expected to reduce labour needs significantly.
- 2.7 Strategies accommodating high growth rates are not at present required of the Council. Given the unbalanced nature of New Zealand's economic growth, with economic emphasis in the primary sector and fluctuating imports, Lyttelton is striving to retain its role as an economic port. Competition between South Island ports is intense and every opportunity must be taken to attract industries and services to the area. The Council is now concentrating more on the quality of the township rather than in the provision of more serviced areas for future settlement and although some further development opportunities exist in Cass Bay, development at Diamond Harbour must await improved water and sewerage systems.
- 2.8 Lyttelton's shipping role remains. The Cass Bay and Diamond Harbour regions have a recreational role which in some parts involves a rural residential life style. Areas of expansion will be located in the Cass Bay and Diamond Harbour area to meet housing and recreational demand. Located within 11 km of the City of Christchurch, yet still generally in rural use, the Lyttelton Harbour basin is an important recreation resource for the region and provides an ideal setting for such popular activities as scenic drives, walking, picnicing and water based recreation.

2.9 Statistics

As can be seen from the accompanying graph, Lyttelton's population has been fairly stable since the 1930's. This is shown in the table below and can be related to the national demographic data. The Borough's greatest population growth occurred in the pioneering days when migrants arrived en route to the Canterbury Plains.

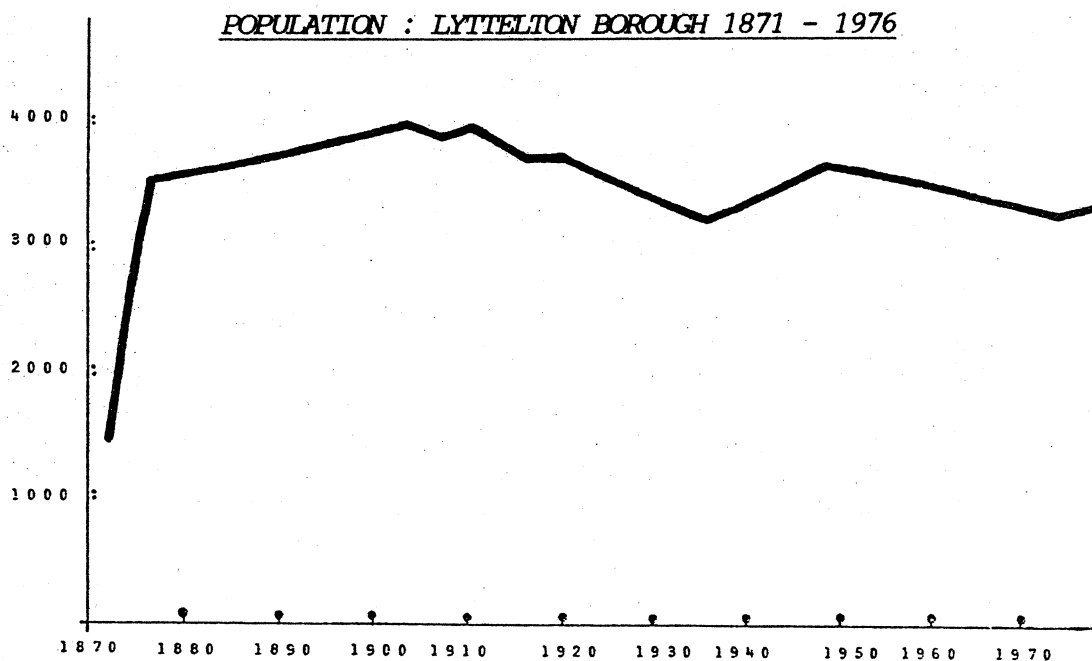
	<u>Total Population</u>	<u>Intercensus Change</u>	<u>Average Annual Change %</u>	
			<u>Lyttelton</u>	<u>New Zealand</u>
1926	3,709			
1936	3,246	- 463	- 2.5%	+ 1.1%
1945	3,407	+ 161	+ 1.0	+ 0.8
1951	3,681	+ 274	+ 0.9	+ 2.4
1956	3,589	- 92	- 0.5	+ 2.3
1961	3,400	- 189	- 1.1	+ 2.1
1966	3,493	+ 93	+ 0.5	+ 2.1
1971	3,281	- 212	- 1.2	+ 1.4
1976	3,321	+ 46	+ 0.28	+ 1.8

Population 31 March 1977: 3310

Source: Bulletin No.10 1976

Census of Popn and Dws

2.11 When compared with the country as a whole, Lyttelton's population growth is not up to the national level. This is as much associated with the lack of growth in ordinary employment opportunities in the area, and the shortage of land for development, as it is in recent developments in container port policies. The Borough is primarily a shipping centre with associated business and services, but lacks the industrial base to attract further growth.



2.12

POPULATION BY AGE GROUPS

<u>Age Group</u>	<u>Total Number</u>	<u>Percentage</u>
0 - 4 years	255	7.6
5 - 14 years	661	19.8
15 - 17	207	6.3
18 - 19	88	2.6
20 - 29	474	14.3
30 - 39	412	12.4
40 - 59	714	21.5
60 - 64	189	5.7
65	327	9.8
	-----	-----
	3,327	100.0

(76 Census)

2.13 In age group distribution, Lyttelton has greater numbers in the older age groups when compared with the national average. These are the people who came to the area when shipping was booming, with coastal trade and the ferry service, and now with a limited range of opportunities, the young people tend to move away and seek employment elsewhere.

2.14 This elderly group also appears significantly in the household statistics with 20% of the population living alone. There is on average 2.9 people in each dwelling, and 66.9% of the households were of one family. The tenure of houses approximates the New Zealand average with 44.4% owning their own homes without a mortgage and 31% with a mortgage; 12% rented, leased or free. In keeping with today's car ownership trends 40.4% drove to work, while as a reflection of the compact nature of the township around the port area, a significant 25.9% walked to work.

2.15 TOPOGRAPHY

The peninsula area as a whole is mountainous with a grassland vegetation cover. The Borough itself comprises three main areas: Lyttelton Port, Cass Bay, and Diamond Harbour, which are all settlements on the periphery of the Lyttelton Harbour. The Banks Peninsula area is volcanic with overlaying loess deposits, and the soil, especially the Takahe type, is prone to erosion when high rainfall is experienced.

2.16 Much of the Borough faces the southeast, excepting Diamond Harbour which has a northerly aspect, and therefore the orientation of most of the developed land is not favourable. Diamond Harbour provides an exceptional spot for holiday homes, picnicing and prime residential sections. Commuting into Lyttelton and Christchurch is convenient and fast using the Borough's launch service.

There are two significant features in the Borough's District Scheme Review:

2.17.1

Firstly, much of the Borough has been subject to severe erosion in the steeper regions. Information is held by the Council outlining the problem areas where any building proposals must be carefully considered*. In areas prone to erosion where development has already occurred it is considered that drainage systems should be checked for efficiency and where possible additional planting be introduced to stabilise the soil but in any case all proposals must be subject to tests to determine suitability for building. Refer 1.16.

2.17.2

The second feature is the character of the inner Lyttelton area. Having experienced a slower growth rate much of inner Lyttelton is still in its original form. Some rebuilding did occur after the great fire, but the character still resembles the colonial period. This is exemplified in the type of buildings, their shape, relationship to each other, the narrowness of existing roads, the closeness of structures, their historical significance and the essential bustle associated with the port and its related industries. These features are unique and may easily be lost if future development in some parts is allowed to imitate the same development patterns that have occurred in many small centres elsewhere. Significant advantages could accrue to the Borough if it attempts to regain a sense of difference, to restore some buildings and allow others to be built in harmony with the old town fabric in the heart of the town. The principal concern is to retain and reinforce the unique Lyttelton townscape. However, the choice of normal suburban standards still exists in the more recently developed areas of the Borough.

2.18

It is the Council's intention therefore, in parts of the residential area to encourage the retention of the good features of colonial architecture, design and appearance, and discourage new developments or alterations that exhibit design features and appearances that are out of keeping with the original character of Lyttelton. This policy will apply to the inner areas of Lyttelton where the housing is mainly older and representative of the earlier period.

2.19

LAND USE AND BUILDINGS

Distribution of existing land use is shown on the Planning Data Maps available at the office of the Council.

2.20

In 1975, of the total area of the Borough of 1036 ha, some 752 ha were outside of the urban area, 237 ha were within residential areas including associated community and civic uses as schools and open space and some 47 ha in commercial and industrial uses concentrated around the Port (excluding the quarry area).

* Maps and analysis prepared by the DSIR and the North Canterbury Catchment Board held at Borough Council.

2.21

Over the period 1971-79 there has been a decline in the number of houses built and an increase in the number of flats built as shown by the table below.

Building Permits Issued

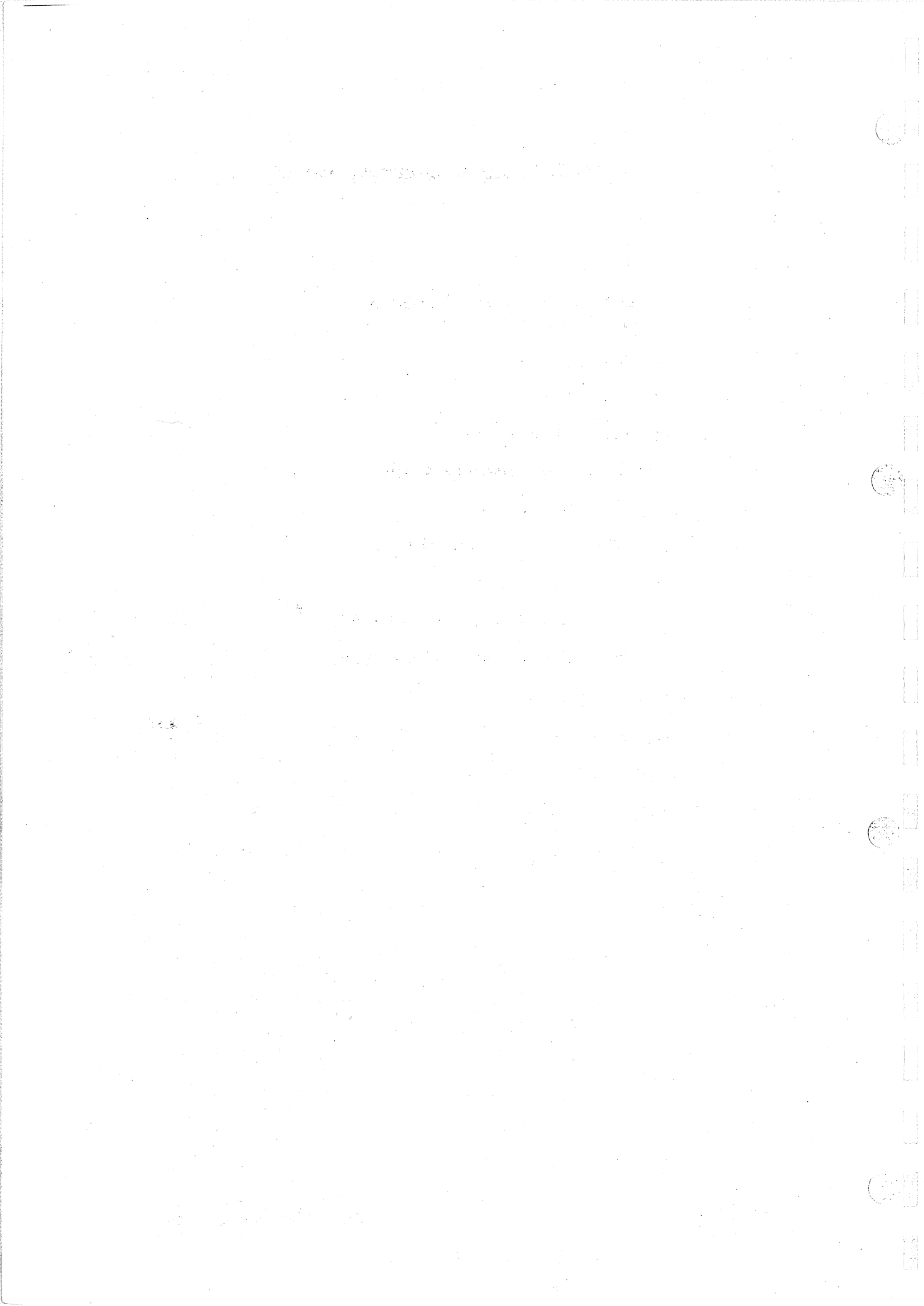
	<u>1971-75 Period</u> <u>Average/Year</u>	<u>1975-79</u> <u>Average/Year</u>
<u>Houses</u>		
Lyttelton	9	7
Cass Bay	9	2
Diamond Harbour	12	6
	--	--
	30	15
<u>Flats</u>		
Lyttelton	14	20
Cass Bay	2	-
Diamond Harbour	2	2
	--	--
	18	22
<u>Garages</u>		
Lyttelton	5	18
Cass Bay	3	4
Diamond Harbour	3	14
	--	--
	11	36

Additionally 1975-79 period - 1 shop, Cass Bay
 - 1 large business and
 3 large storage tanks, Lyttelton.

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PART THREE : PLANNING OBJECTIVES AND POLICIES

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3.1 GENERAL

In accordance with Section 36 of the Act matters relating to the general objectives and policies of the Borough in operating and maintaining its District Scheme are set out in this section below. These will apply generally throughout the Borough to those aspects to which they relate, and are supported by general statements of policy. In addition, further and more detailed objectives and policies are set out for other zones and for controls that relate to development, but in general the future development of the Borough will be directed along the lines specified below.

3.2 GENERAL POLICY FOR USES

3.2.1 Because there is a history of problems associated with instability and erosion the Council sees a need to consolidate urban development in those areas physically more suited for this purpose, being generally the areas already urbanised. Development in areas subject or susceptible to instability or erosion will be prohibited or severely controlled.

3.2.2 A major objective of the Scheme is to maintain the older, and in some parts, original character of the inner Lyttelton urban area.

3.2.3 Uses will be categorized and arranged in zones to avoid indiscriminate and incompatible mixtures of uses.

3.2.4 Council will endeavour through this Scheme to maintain the stability of individual property values.

3.3 RESIDENTIAL AREAS

The Council's general objective is to conserve the character of the older residential areas surrounding the port, and restrain development on the lower slopes of the Port Hills to reduce the risk of damage from landslips. Policies designed to achieve this would assist the wider Christchurch region by making it possible to consolidate residential development in the harbour basin within the Borough, around already well established facilities and so avoid sporadic urban development, and maintain the natural amenities of the harbour. It also provides the region with an alternative kind of residential development situated on the hills overlooking the water.

Residential development is controlled by the creation of two distinctive zones; an older area within which Council will encourage the retention of the existing stock and where new buildings should be designed to complement this, and a second zone surrounding this older area in which the standard pattern of subdivision is permitted.

3.4 INNER ZONING

In order to take advantage of existing commercial, community and civic facilities, to recognise the existing residential pattern, and to be close to employment areas and transport routes, the retention of the existing housing stock is to be actively encouraged where the individual buildings have sufficient architectural, historic or amenity value to contribute to the unique character of older Lyttelton. Assistance is available from the Housing Corporation, under current policies, to encourage the improvement of older houses. Development of existing allotments with no minimum for detached houses is to be permitted where demolition is essential or the site is already vacant, provided the design and layout of the house meets the requirements of the Ordinances as to yards, height, development permitted, and open space. Servicing and parking, the usefulness and particularly the orientation of the open space in relation to the sun are very important in developments of this kind. Because of the topography, houses may be built closer together than on flat sites, adding to the unique character of the older port area. The Ordinances have been designed to encourage development that will blend in with the existing urban character.

3.5 PERIPHERAL ZONING

To maintain the present residential amenity of the other parts of the Borough at Cass Bay and Diamond Harbour, residential development will be maintained at the present lower density pattern similar to normal New Zealand suburban practice. Diamond Harbour will be developed in accordance with the concepts illustrated in the planning maps and having regard to the following:-

- 3.5.1 Marine Drive will remain the major through road for the planning period and beyond but in the longer term, Hunters Road and Bay View Road (in Mount Herbert County) could be developed to provide an alternative by-pass route to Purau.
- 3.5.2 The present commercial and community centre at Stoddarts Point is to remain the community focus of the settlement and commercial uses in other areas are to be restricted to those necessary to serve local needs only. Some recreational facilities are provided away from Stoddarts Point mainly to take advantage of areas of reasonably level land or to serve local needs.
- 3.5.3 In keeping with its function, no major sources of employment are provided for, although limited home craft activities will be

permitted as a conditional use.

3.5.4

In developing the 45 ha of land below Bay View Road which is owned by the Council, streets will be aligned to follow rather than cross the contour; east west links, especially to the primary school, will be provided by way of walking and cycle paths and sections should be orientated towards views of the harbour and the sun. It is expected that considerable portions of the gullies will be left undisturbed except for the forming of some paths, and that groups of larger lots of average areas of about 1250 m², will be provided in suitable locations.

3.6

COMMERCIAL AND COMMUNITY AREAS

Commercial and community areas are concentrated in the older area adjoining the Port and they tend to be under-utilised.

Despite increased mobility and greater variety in shopping opportunities in Christchurch, which tends to disadvantage Lyttelton's commercial centre, it is Council's policy to encourage the redevelopment and improvements of the existing centre, and to concentrate both the main commercial and civic activities of the Borough in this area.

The use of land in commercial zones shall, as far as possible, provide continuity of shop frontage without the intrusion at street level of any other use which affects or obstructs the convenient use of the commercial facilities or generates obstructive vehicular traffic. It is also proposed, as resources permit, to investigate possible ways in which the present centre can be upgraded, to provide a more pleasant, convenient and interesting place in which to shop and work, by, for example, the provision of pedestrian areas, service lanes, landscaping off-street parking areas, and improved traffic circulation.

The local shopping needs of the residential areas are provided for by making appropriate provision within the Scheme for shop and dwelling sites. To provide for the needs of Cass Bay and Diamond Harbour, small commercial zones are provided at three localities.

3.7

INDUSTRIAL AREAS

Much of the employment within the Borough is, of course, derived from the operations of the Port. For example, 39% of those employed persons living in the Borough are engaged in the transport and communications sector, compared to 10% on a national basis. As expected the introduction of containers has had no significant impact on employment within the Borough, although it has had the effect of stabilizing the present work force. The Council will support the activities of the Port by ensuring that there is suitably zoned land in convenient locations and that adequate road links are maintained with Christchurch. The industrial zones are intended to minimise interference of industry with other uses and within industrial areas, to minimise

interference of industries between one 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.

In general the Scheme utilizes special controls to minimise any detrimental effects that may result from industrial uses.

In Diamond Harbour, small, home-based craft activities will be permitted as a conditional use in the residential zone.

3.8

RECREATION, RESERVES AND OPEN SPACES

Corsair and Cass Bays, and Diamond Harbour, are popular recreational areas and together with the port, provide facilities for access to Lyttelton Harbour for boating and yachting. Within its limited resources one of Council's objectives is to promote and maintain the harbour basin for the recreational use of the Christchurch region and to assist the Lyttelton Harbour Board with the provision of facilities at the Port, Magazine Bay and other bays in the Harbour.

In accordance with Section 3 of the Town and Country Planning Act 1977, the Council will endeavour to protect the natural character of the coastal environment and to provide areas of open space adjoining the Harbour for public recreation and to provide access to and along the Harbour foreshore.

Already much of the foreshore not directly utilised by port operation is, or is proposed to be, set aside for public use including the shoreline at Diamond Harbour and between the Port and Cass Bay. Further marine development for boating and recreation purposes is proposed by the Harbour Board, sketch proposals of which are illustrated as part of the appendices to this Scheme.

Within residential areas when land is subdivided or redeveloped, Council will ensure that adequate land is set aside to serve the potential recreational needs of the neighbourhood and, where appropriate, to provide pedestrian links between the homes, schools and shops, access to the coastline, to protect significant landscape features and trees, and to provide areas for new planting. Where necessary and appropriate such reserves may be utilised as sites for community facilities such as kindergartens.

Where it is neither necessary or practicable to provide land for reserves within a particular subdivision, the Council may accept money or other land in lieu thereof, such funds to be utilised for the acquisition and/or development of other reserves.

Landowners 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 elements in the life of the community, and in the structure of the town.

In addition to reserves set aside for recreation and access to the harbour, land may be set aside as scenic reserves for the protection of the scenic character and natural features of the landscape.

3.9

AMENITIES

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

Buildings shall be designed, sited, constructed and maintained to complement the scenic character and amenities of the Borough and the Harbour Basin. Special regard shall be had to the protection of natural landscape features such as ridge lines and headlands and other coastal features by, for example, designating these areas for public open space or the imposition of special building lines.

The historic Bridle Path is a legal street vested in the Borough. A more appropriate status for this land is historical reserve or walkway which will also allow better control to be maintained over its use, particularly by motorcycles. To preserve the natural environs of the land adjoining the Path and to prevent the encroachment of buildings, a special building line has been prescribed by this Scheme, and is shown on the planning map.

Existing trees of significance and areas suitable for new planting may be required to be set aside where land is subdivided or redeveloped within the Borough and existing trees of particular significance are protected under Ordinance 17 and identified in Appendix F.

Objects and places of historical or scientific interest or natural beauty that are listed in Appendix A are to be registered, preserved and maintained so far as the powers of the Council permit.

The display of advertising matter will be controlled by Council and premises on the streets and parts of streets where there is retail frontage will be required to be provided with verandahs.

In particular the following are the principal matters relating to general amenities to be protected and/or promoted by the Scheme.

3.9.1

There will be emphasis on the preservation of the natural character of the Harbour environment and water quality. This relates to the Port facilities and facets of maritime life and the recreational, rural and maritime situation around parts of Corsair and Cass Bays and Diamond Harbour.

3.9.2

The maintenance and provision of amenities appropriate to a

district or area, in the form of open space, both passive and active, the protection of significant trees or stands of native bush and exotic trees.

- 3.9.3 The protection of the Bridle Path in the rural area as an historically significant route.
- 3.9.4 The enhancement and preservation of views from the hills over the harbour.
- 3.9.5 The maintenance of standards to ensure adequate sunlight, privacy and open space about buildings. Council also recognises however, that in order to maintain the essential character of the older properties and dwellings in the central part of the town some relaxation of more acceptable standards may allow more appropriate development. More flexible and appropriate controls have therefore been framed for this situation.

3.10 COMMUNICATION AND TRANSPORTATION

The free movement of goods by rail and road to and from the Port is essential to its proper functioning. Norwich Quay and Gladstone Quay form a part of State Highway 74 and are classified as minor arterial roads by the regional planning authority.

The Summer Road, including part of Oxford Street, is still important for industrial traffic that cannot use the tunnel, and is also classified as a minor arterial road.

The two other important traffic routes within the Borough are the Lyttelton- Governors Bay Road, and the Teddington-Purau Bay Road where it passes through Diamond Harbour, and these also are classified as minor arterials.

Uses that generate high traffic levels, such as shops, certain distributive industries and service stations relying on visitor attracting functions, are to be discouraged from locating along minor arterial roads. Where this is not possible because of the existing pattern of development, planning policies will be directed towards ensuring that these types of uses do not spread further along arterial roads, that intersections are kept free, and where practicable alternative access is available.

Streets will be laid out to standards of width, alignment, and grade appropriate to topographical conditions and the service they are intended to provide. Where necessary and appropriate the Council may permit streets of a lesser width than 13 metres.

To avoid confusion and inconvenience to traffic and pedestrians caused by loading and unloading of bulk goods across footpaths and through the front of shops, Council will endeavour to provide access to the rear of commercial and industrial properties wherever possible, by means of properly dedicated service lanes.

During the previous planning period the following roading works were completed:

- (1) New road behind the mouth of the tunnel to connect Jacksons Road and Ticehurst Road.
- (2) Completion of the Charlotte Jane Quay - Cyrus Williams Quay link. (Harbour Board Road)
- (3) Part of Norwich Quay widening.
- (4) Gladstone Quay widening.
- (5) Diamond Harbour improvements.

Works still to be carried out and completed include:-

- (1) Completion of Gilmore Terrace.
- (2) Streets to be stopped - Ross Parade
(part, west side off Ross Toe)
 - Days Road
(pt, legal street nearby)
 - Between Brenchley and College Roads
(part)
 - Bridle Path

In addition, a number of proposed roads to guide possible subdivisional development are shown on the planning maps.

3.11

PUBLIC UTILITIES, SERVICES AND WORKS

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. However there are a number of difficulties with servicing even the present urban areas.

The Borough is supplied with water from wells and storage in Heathcote which is piped through the rail and road tunnels to reservoirs within Lyttelton and by submarine pipeline to Diamond Harbour. At present some difficulty is being experienced with supplying water to the higher areas of the residential zone on both sides of the Harbour but plans have been proposed to improve this situation including the duplication of the submarine pipeline.

Part of the Borough sewage is treated before discharge into the harbour. At Cass Bay a package plant provides some treatment and Diamond Harbour is served by two outfalls - a septic column at Stoddart Point and a package plant at Paynes Quarry situated in Mt. Herbert County. The Council's intention is to ultimately treat all its sewage before discharge into the Harbour, and this

work is to be carried out in stages.

In planning the upgrading of its basic services, the Council is aware of its responsibilities in providing services for adjoining local authorities where this is appropriate and for some time now the Council's wells have been supplying water to the Heathcote County.

At the present level of usage the rubbish tip at Gollans Bay has a life of at best 10 years with a number of the Borough's residents in Diamond Harbour making some use of the Allendale Tip in Mount Herbert County and the Borough has collected bagged household refuse in Mount Herbert County at a fee for a number of years with the refuse being deposited at Gollans Bay. Sites of existing and proposed reservoirs, treatment plants and tips are shown on the planning maps where appropriate.

Land or buildings owned or proposed to be owned by a public body for national civic, cultural or community purposes such as schools and civic buildings, are designated on the Planning Maps as being reserved for the purposes indicated.

Development within the Borough, while confined to the more easily developed and serviced land, nevertheless presents some major problems. The Governors Bay-Lyttelton Road follows a difficult route, and some further restrictions on access and parking may be required to ensure the safe movement of traffic.

- 3.11.1 The objectives of Council will be to:
- Balance the rate and form of development with transportation and servicing capacities to economise in the servicing of the Borough.
 - 3.11.2 Minimise the movements necessary between related land uses.
 - 3.11.3 Provide for the efficient movement of traffic, for off-street parking provision where necessary, and for access and loading facilities particularly with respect to Port facilities.
 - 3.11.4 Recognise the Lyttelton-Governors Bay Road as an important element in the scenic character of the Harbour.

3.12 LAND SUBDIVISION, ROADS, STREETS AND SERVICE LANES

Land subdivisional standards have been designed to reflect the Council's policies, the intended use of the sites, the particular locality of the land being subdivided and to allow a degree of flexibility.

For residential uses within the older part of the Borough around the town centre and main sources of employment, subdivisional standards have been designed to encourage greater intensity of development and redevelopment. Special provisions have been made for the re-subdivision of existing allotments to smaller standards.

For residential uses within the other parts of the Borough at Cass Bay and Diamond Harbour, subdivisional standards are designed to reflect and maintain the lower density character of these areas.

No specific subdivisional standards for commercial or industrial lots have been specified, but each subdivision will be judged on its merits, having regard to such factors as adjoining land uses, yards, vehicular access and location of existing buildings, in relation to the proposed use.

Within the rural areas, subdivisional standards will reflect the Council's policy of protecting the rural character of the harbour basin, and of being appropriate to the proposed predominant use or approved conditional use.

3.13 SITING AND HEIGHT OF BUILDINGS

Planning controls on the siting of buildings are designed to ensure that:-

- 3.13.1 The building and site and adjoining buildings and sites receive adequate sunlight, daylight and air circulation, but at the same time the particular qualities of the inner zone housing must be balanced against these requirements.
- 3.13.2 Buildings are visually appropriate to the neighbourhood in terms of their bulk, height and site coverage.
- 3.13.3 Adequate open space is provided within sites.
- 3.13.4 Some protection is provided against fire.
- 3.13.5 External parts of buildings can be maintained where possible.
- 3.13.6 In most cases access to the rear of sites can be obtained depending on topography, the siting of existing buildings and the provision of any Ordinance relating to redevelopment in the inner zone.
- 3.13.7 Some degree of privacy and insulation from noise is obtained.

- 3.13.8 Buildings are sited so as to allow possible future widening of underwidth streets, where stipulated in this scheme, or shown on the planning map.
- 3.13.9 Within rural areas, that buildings do not clutter the roadside and detract from the rural landscape, and that loading and parking associated with rural uses takes place off the road reserve.
- 3.13.10 Buildings do not intrude into areas of special historical or scenic significance or detract from the natural landscape qualities of these areas.

Building heights and floor areas are related to the requirements of the particular zone, to the traffic capacities of adjoining streets, and the visual amenities of the Borough especially views to and from the harbour.

The portion of sites not permitted to be covered by buildings are 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 Code.

Building lines are in addition to the front yard requirements for the zone in which the site is located but where, because of the narrow width of the road, an existing building line or a special building line prescribed by this Scheme requires a greater distance from the road, then the requirements of the building line shall take precedence. Any front yard requirement must be measured from the building line, which may be regarded as the line of the street if widened. See 5.1.2 and 5.1.3.

Along the Bridle Path, the purpose of the special building line prescribed by this Scheme, is to maintain the natural environs of this route by preventing encroachment of buildings, including accessory buildings. Similarly the building line along the ridge line forming the western boundary of the Borough at Cass Bay, is to protect the skyline from encroachment by buildings.

3.14 PLANNING POLICIES

The detailed policies to be followed with respect to uses and controls, are set out as part of those controls. Overall however, Council will use and administer the provisions of the Act and this Scheme under the general policies specified below.

- 3.14.1 By Zoning: which will be used to segregate conflicting forms of land use, encourage suitable uses to locate together, form part of the controls on the use of land for development, and delineate those areas where special policies are required to encourage the retention and redevelopment of existing older housing.
- 3.14.2 By setting planning controls within each zone; such as yard dimensions, height, density, open space, access, roading and other controls to reflect general or particular needs in any case.

- 3.14.3 By designating land; either in response to requirements issued pursuant to Part VI of the Act or by Council, of its own volition for uses or buildings where such a classification is deemed appropriate. In nearly all cases it will apply to Public Works.
- 3.14.4 By registering; including buildings, land and objects, trees etc., to provide specifically for items of special historical, or scientific importance or natural beauty.
- 3.14.5 By special controls; to cover local or unusual situations such as development on land prone to erosion or for development of areas requiring special treatment as with the conservation of features of architectural or historical merit. Refer 1.16 and 3.4.
- 3.14.6 In addition, uses have been divided in each category into permitted and conditional, and where necessary and known, conditions have been stipulated to cover some uses. These are included in the controls for each use.

3.15 COMPREHENSIVE DEVELOPMENT AREAS - RESIDENTIAL R2 ZONE

In addition to the controls placed over development proposals by Section 34 of the Soil Conservation and Rivers Control Amendment Act 1959 and administered by the North Canterbury Catchment Board which apply to all areas within the Borough, the Council and the Board have identified a number of areas where residential development could take place if satisfactory results are achieved after initial tests are carried out. These areas are described as Comprehensive Development Areas (C.D.A.) and are illustrated on the planning maps. Some initial investigation of these areas has been carried out by the Catchment Board, and the principle on which the zoning is based is that development opportunity does not exist as of right but is subject to approval in respect of stability, drainage, access, servicing and any other matters over which the Board and the Council have control in the course of normal subdivisional approval. Further information may be obtained from the Borough Council or from the Catchment Board. Initial tests and assessments will be required to be carried out by a suitably qualified engineer.

3.16 NON-URBAN AREAS - RURAL

Two thirds of the Borough is outside of the urban zones. Much of this land is steep and unsuitable for housing and only of limited value for the production of food. However, this area forms an important part of the landscape and contributes much to the character of the harbour basin and is an effective backdrop to Lyttelton itself.

Council's objectives will be to protect those areas from development that could visibly detract from the natural landscape character of the Harbour basin, and to control the use of this land to ensure the safety of the developed areas lying below.



PART FOUR : GENERAL ORDINANCES

LAND SUBDIVISION

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PHYSICS DEPARTMENT

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4.1 SUBDIVISION TO BE APPROVED BY COUNCIL

- 4.1.1 Subject to the provisions of the Act and the Local Government Act 1974, no person shall subdivide any land in the Borough without the consent of the Council.
- 4.1.2 Scheme Plans must show physical features including all buildings and significant trees. The full extent of possible further subdivision of the land held in physical contiguity by the applicant must also be shown. This is to ensure that the Scheme does not prejudice full development, and so as to indicate subdivisional potential, limits of roading, drainage and water supply which may be needed in the future should also be shown. The extended portion of the scheme need not be detailed and can be shown by inset diagrams on a smaller scale.
- 4.1.3 Contours and spot heights shall be shown in sufficient detail to determine the approximate grades of roads, the general siting of buildings, and the general level of the land being subdivided.
- 4.1.4 The Scheme Plan shall be accompanied by a report stating the purpose of the subdivision with reference to all matters that will assist in the interpretation and approval of the proposal.
- 4.1.5 All proposed reserves shall be shown and an explanation of their location and particular purpose shall be included within the report.
- 4.1.6 Any easements shall be clearly designated together with a schedule stating the allotments subject and appurtenant to the easements shown on the plan.
- 4.1.7 If a new road or rights-of-way are incorporated in the subdivision, further copies of the subdivision for the Post Office, Electrical Power Supply Authority and Catchment Board must be supplied.
- 4.1.8 A legal description of the land concerned and the names of the owner or owners must be supplied. In cases where the application is not made by the owner or on his or her behalf, the applicant must hold a legal option to purchase the land, or satisfy the Council that the owners consent has been obtained.

4.2 CIRCUMSTANCES UNDER WHICH LAND MAY BE SUBDIVIDED

The Council may approve a proposed subdivision subject to any conditions contained in this District Scheme or any empowering Act or by-law with respect to levels, drainage, easements, dedications, amalgamations of titles, reserve contributions or any other conditions or restrictions and in particular the relevant provisions of the Soil Conservation and Rivers Control Act 1959. A scheme of subdivision shall be approved by Council subject to the relevant provisions of the Local Government Act 1974, and Council may also require the submission of a concept plan under Section 276 of that Act.

Notwithstanding that a scheme of subdivision may comply with the requirements of this Scheme the Council shall not approve the plan of subdivision if there is inadequate provision for sewage, water supply and stormwater disposal, or if the arrangement of sites or shape of any proposed site is not in conformity with good subdivisional design, or if there is disregard of objectives and policies of the zone in which the subdivision lies, of the best use of the land and its economic servicing and development, of earthquake fault lines and of liability to flooding, erosion and landslip, of stability of foundations, and of safety, health and amenities. Refer 1.6.

4.3 PUBLIC UTILITIES, HISTORIC BUILDINGS AND STRUCTURES

The Council may adopt standards of subdivision for:

- 4.3.1 Public utilities, sites of public works, reserves and open space for active and passive recreation.
- 4.3.2 Historic buildings and structures. Any proposal may be subject to the advice and consent of the New Zealand Historic Places Trust.

4.4 CORNER ROUNDING

If a corner lot is included in any subdivision the Council may require the corner at the road intersection to be splayed with a diagonal line reducing each boundary by at least 6 m from the corner in any zone, and at least 4 m in a Commercial or Industrial Zone. However such reduction in area shall not be computed as part of the site for the purposes of calculating the minimum area allowed.

4.5 LIMITED ACCESS ROADS

A proposed or declared Limited Access Road cannot be used for legal frontage for subdivisional purposes. Any land adjoining a Limited Access Road cannot be subdivided unless alternative (and if necessary physical) legal access to the satisfaction of Council is provided.

4.6 BOUNDARY ADJUSTMENT

In any zone the requirements of this Scheme shall not apply to a subdivision if the Council is satisfied that the subdivision is intended solely for the adjustment of boundaries which will leave each of the adjusted allotments of substantially the same area as before, or the adjustment is such that it results in an arrangement of boundaries better suited to the requirements of the Scheme.

4.7 RESERVE CONTRIBUTION REQUIREMENTS

4.7.1 These shall be as provided for in the Local Government Act 1974.

4.7.2 In assessing the suitability of any reserve shown on a Scheme Plan the Council will consider:

- (a) The proposed purpose of the Reserve.
- (b) Whether the shape, size, location, topography, orientation to the sun, access, existing vegetation and any other factors unique to the site make the land suitable for the proposed reserve.
- (c) The maintenance required for the proposed reserve.

4.7.3 Where a new allotment on a Scheme Plan is for commercial or industrial purposes, Council will require an amount equal to 10 per cent of the value of the allotment.

4.7.4 Reserves may also be required along the seashore, and also for future roads and service lanes.

4.8 STREAMS AND WATERCOURSES

Every subdivision of land which includes part or all of any stream, watercourse or drain, or abuts upon any part of a stream, watercourse or drain, shall be submitted to all local authorities having control of streams, watercourses or drains in the district, and any requirements of any such local authority relevant to such stream, watercourse or drain shall be considered as conditions upon which the subdivision is granted by the Council, and shall be complied with. Refer 1.16 and 5.3.4.

4.9 STANDARD AREA AND FRONTAGE REQUIREMENTS - PREDOMINANT USES

Standards stated are subject to the provisions of 4.9.1 to 4.9.6 where they apply.

	<u>Minimum Area</u>	<u>Minimum Frontage</u>
Rural Zone	25 ha (excl. access)	No minimum
Residential 1 Zone (any site)	250 sq.m.	3 metres
Residential 2 Zone (any site) and Special Development Areas	500 sq.m. (excl. access)	10 metres
Residential 2 Zone (Diamond Harbour)	500 sq.m. front site 700 sq.m. rear site (excl. access)	10 metres 3 metres
Commercial Zones	No minimum	No minimum
Industrial Zones	No minimum	No minimum
Recreation Purposes	No minimum	No minimum
Conditional Uses	See Clause 4.9.8	

- 4.9.1 The minimum areas for residential zones shall not apply to any residential site of less than the minimum specified area for which separate title was granted prior to the date of public notification of this Scheme.
- 4.9.2 Within the residential zones, front allotments with diverging side boundaries may have minimum frontages of 3 m if their widths 10 m from the street frontages are not less than 15 m and any rear site must have as its access and frontage a strip of land not less than 3 metres in width.
- 4.9.3 Where any allotment in the Residential 2 Zone adjoins permanent reserve space their areas may be reduced to 350 m².
- 4.9.4 Provided further that two adjoining rear sites in the residential zones may be served by adjoining strips of land not less than 3 metres in width in total, over which reciprocal rights of way shall be created. Provided further that subject to the consent of the Council three or more adjoining rear sites may be served by strips any of which may be less than 3 metres in width. Subject to the further condition that except as provided in the Local Government Act 1974 the aggregate of all such strips shall not exceed 6 metres. Notwithstanding these provisions allowance may also be made for frontage of a nominal width provided the physical access to the lot or lots is permanently secured to the satisfaction of Council.
- 4.9.5 No site or sites for use for any urban purpose shall be capable of being subdivided or used unless it is or will be of sufficient size, and of suitable shape and contour to allow the erection of a

building that complies with the relevant by-laws and the provisions of this scheme. In addition Council may require a certificate or certificates from a Registered Engineer with experience in the field of soil mechanics as to the stability of the land in question.

In approving any subdivision for an urban purpose the Council will generally ensure that all lots are serviced from the Council's high pressure water and sewerage reticulations. However the Council may approve a subdivision in which high pressure water and sewerage reticulation is not practicable to all lots provided it is satisfied that the particular lots created are large enough and the sites suitable for disposal of effluent without creating public health problems.

4.9.6

For subdivisions within the industrial zone, the Council in approving or refusing to approve any plan of subdivision shall consider each case on its merit and in particular shall take into account the following matters:-

- (a) The location of the subdivision.
- (b) The age and condition of existing buildings and provisions made for vehicular access from the street, loading and off-street parking.
- (c) The dimensions of the site in relation to their existing use and their proposed future use.
- (d) The provision made for drainage of the sites.
- (e) The provision made for yard requirements applicable to sites adjoining the residential zones, or any other zone or use which in Council's opinion requires special provision to be made.
- (f) The provision made for landscaping where applicable.

4.9.7

For subdivisions within the Commercial Zones the Council in approving or refusing to approve any form of subdivision shall consider each case on its merits and in particular shall take into account the following matters:

- (a) The location of the subdivision.
- (b) The age and condition of existing buildings and the provisions made for vehicular access from the street, loading and off-street parking.
- (c) The dimensions of the site in relation to their existing use and their proposed future use.
- (d) The provisions made for drainage of the sites.

- (e) The provision made for landscaping where applicable.
- (f) The design and internal layout of the site and any building so that they fit into the character of the present inner Lyttelton area.

4.9.8 The subdivision of any land or other use of any land or building shall not be permitted in the rural zone where that use would:

- (a) Tend to promote closer settlement, or, make less economic any agricultural undertaking, or,
- (b) Cause a possible demand for the extension of public services that is not in the economic interest of the district or locality.
- (c) Cause public services that already exist or are substantially committed in the district or locality to be uneconomically used, or,
- (d) Lead to any obstruction or other interference with the free flow of traffic or any major traffic route.

4.9.9 No standard area or frontage requirements have been specified for any conditional use. The requirements to be applied to any approved conditional use shall be determined by the Council having regard to the purpose for which the land is to be used, the bulk and location of buildings, the parking and loading of vehicles, the provision of access to and from the site and any other pertinent factors, including those that relate to predominant uses.

4.9.10 The Council will generally require that access from newly created residential lots to the Governors Bay - Lyttelton Road is from internal roads within the subdivisions. This will avoid dangerous or obstructive traffic uses that occur at points along the road where sight distances are limited. (An approximate future road line is shown on Planning Map 3.)

4.10 COUNCIL'S DISCRETION ON SUBDIVISION REQUIREMENTS OF THIS SCHEME

4.10.1 Where, in the opinion of the Council, a full compliance with any of the provisions of this Scheme relating to the subdivision of land zoned for any urban purpose would needlessly or injuriously affect any person or persons or the course of operation of any business, without any corresponding gain to the community, then in such cases, the Council may dispense with the observance or performance of those provisions of this Scheme, subject to the procedure, set down in the Waivers and Dispensations in Section 8.0, and provided that the objectives of the Scheme are secured. Access points and servicing of sites can also be the subject of a waiver or dispensation.

4.10.2 Where in the opinion of the Council, it would not be practicable

or economical to require a new street to be constructed, the Council may allow a subdivision with mutual rights-of-way subject to any or all of the conditions contained in Appendix D.

4.11 DISABLED PERSONS COMMUNITY WELFARE

In accordance with Section 24 of the Disabled Persons Community Welfare Act 1975 any future public street, or reconstruction of a street etc. shall be constructed so as to ensure that reasonable and adequate provision is made for the kerb and channel of any pedestrian-way along the street or thoroughfare or part thereof to be constructed or reconstructed so as to permit safe and easy passage from kerb to kerb of any mechanical conveyance normally and lawfully used by a disabled person.

4.12 AMENITIES LEVY

An amenities levy of \$500 for each new lot created will be charged by the Borough Council on subdivisions within the Borough. The amount at present charged is \$500, but it is Council policy to periodically review the levy in the light of current costs.

This is to provide for the upgrading of existing services where redevelopment and resubdivision occurs, and for the extension of new services where these are not provided at present.

4.13 UNDERGROUND RETICULATION

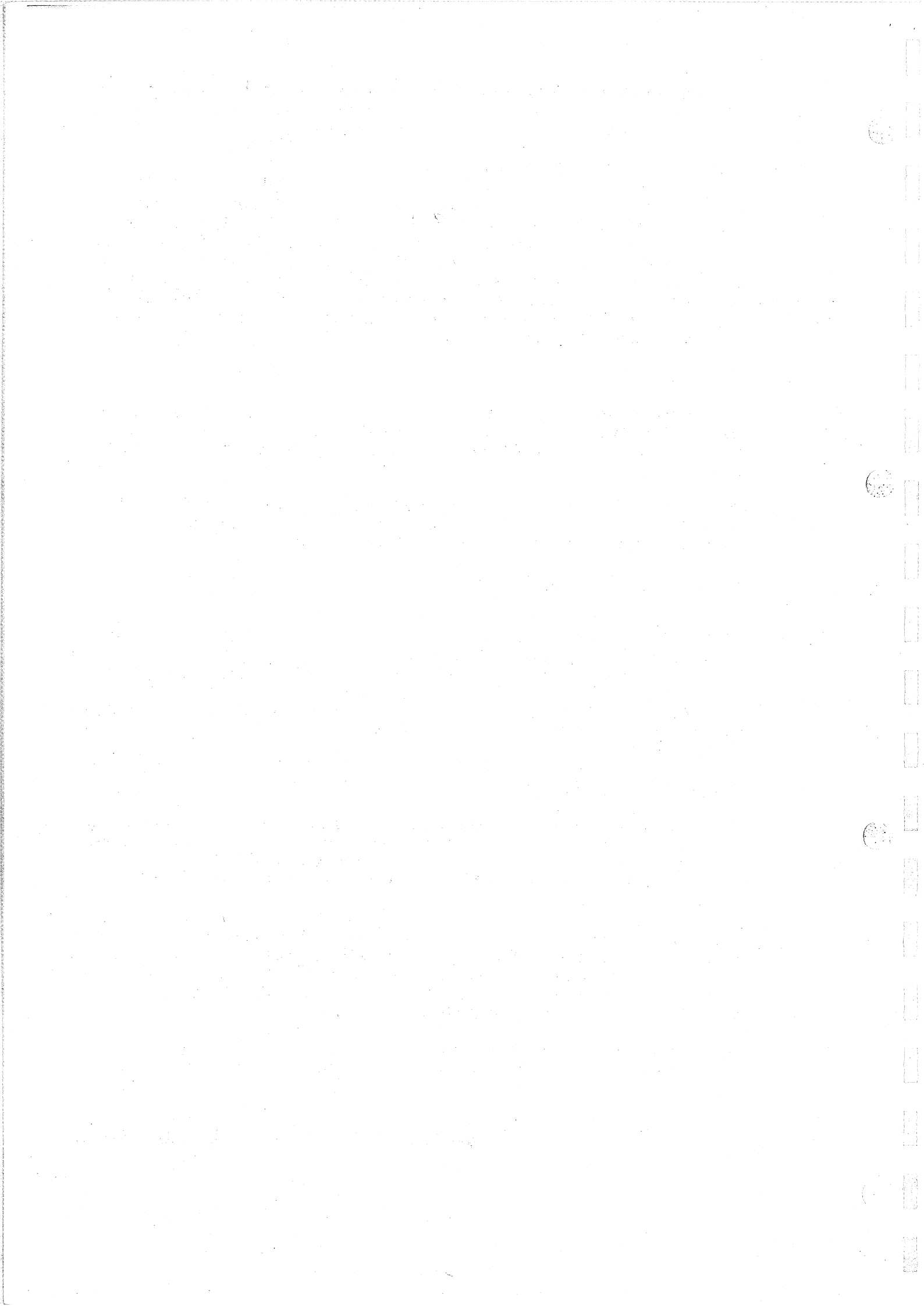
Subject to the provisions of Section 283 of the Local Government Act 1974 which requires liaison with the Electrical Supply Authority, where any land is subdivided within the Borough all electric power services shall be reticulated underground in accordance with the policy of the Supply Authority (with regard to telephone services the Post Office policy is to reticulate underground where practicable particularly where electrical reticulation is being provided underground).

4.14 ROAD WIDTHS AND GRADIENTS

The Council may approve road widths less than 12 metres but generally not less than 7.5 metres where the topography presents access difficulties or where roads of such reduced width are the most suitable means of development or providing access to land-locked areas of land.

Where exceptional circumstances exist, road widths may be reduced to 6 metres with the diminished width only being permitted on that part of the road for which it is physically necessary. No parking shall be permitted over that portion which is of the reduced width and a separate pedestrian accessway shall be vested.

In this respect the Council would assess the effect the lesser width of carriageway would have on diminishing off-street access

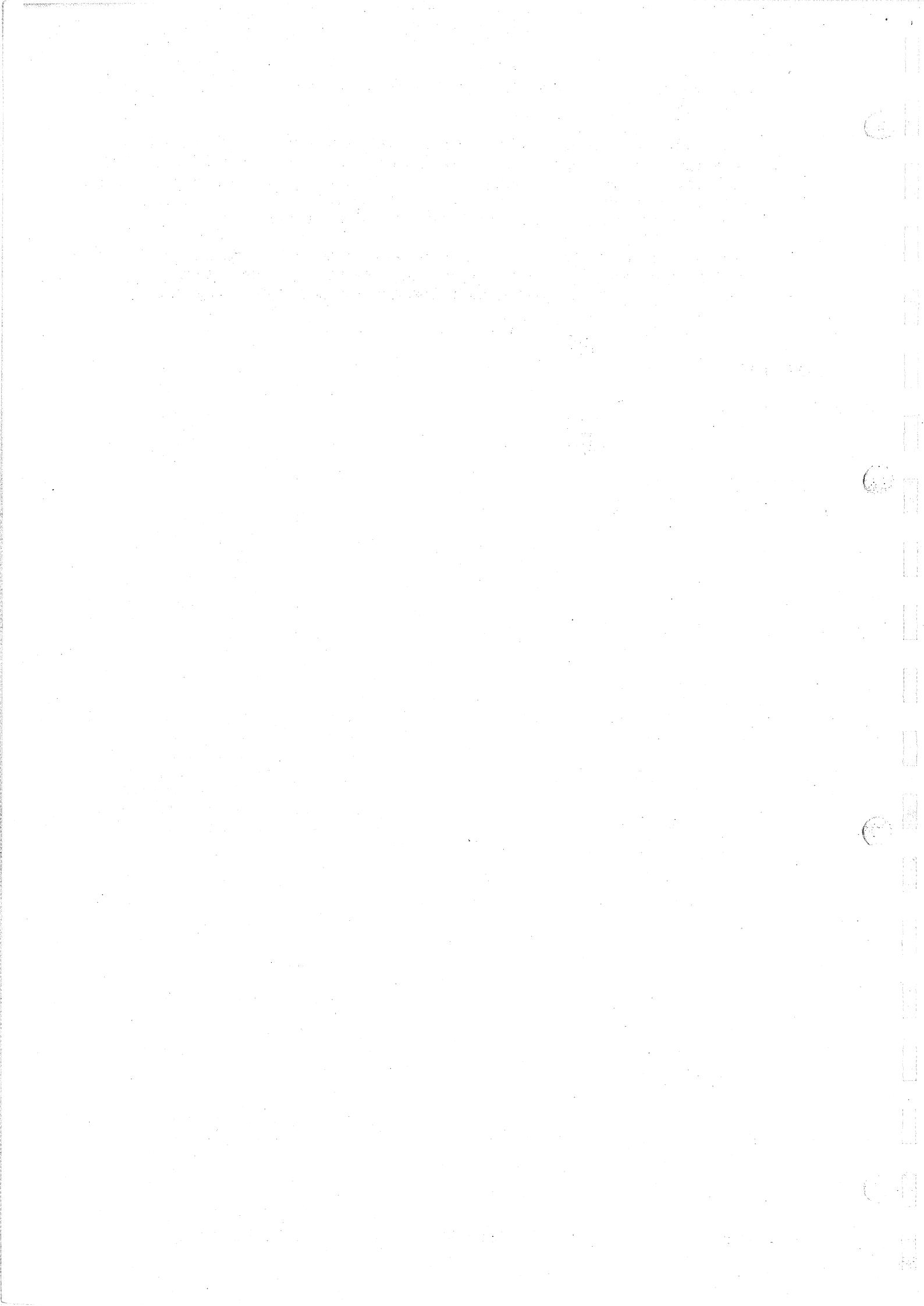


difficulties and the level of service over the length of roadway of reduced width.

In addition roads shall generally be laid out or constructed at a gradient no steeper than 1 metre in 6 metres over any part of their length. However, the Council may in exceptional circumstances consent to a gradient of 1 in 4 over a limited length of road where topographical features make the increased gradient necessary.

In assessing the need for reducing standards for gradient the Council will consider the proximity of intersections, the feasibility of off-street access together with the carriageway width proposed.

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PART FIVE : GENERAL ORDINANCE

BULK AND LOCATION OF BUILDINGS AND RELATED MATTERS

		<u>Page</u>
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5.3	<i>Exceptions to Normal Yard Requirements Where Land Provided for Access or Service Lane, Corner Sites, Through Sites, or Where a Watercourse is Involved.</i>	34
5.4	<i>Heights of Buildings, Requirements and Exclusions.</i>	35
5.5	<i>Temporary Buildings for Storage, Construction Purposes, Bazaars, Carnivals, Boat and Caravan, and Hobby Buildings etc.</i>	35
5.6	<i>Buildings on Road Reserves, Controls.</i>	36
5.7	<i>Disabled Persons Welfare Requirements Relating to Access to Buildings.</i>	36

CONFIDENTIAL

MEMORANDUM FOR THE DIRECTOR, FBI

DATE:

RE: [Illegible]

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5.0 BULK AND LOCATION OF BUILDINGS AND RELATED MATTERS

NOTE

1. Specific exceptions to these bulk and location requirements are covered in Sections 5.3, 5.4 and 5.5.
2. For any other exceptions Council may grant, Dispensations and Waivers (see Section 8 for circumstances).

5.1 GENERAL AS TO USE OF SITES

5.1.1 Land to be Suitable for Proposed Use

Notwithstanding conformity with the zoning requirements of these Ordinances or any existing use, no building shall be established on any land which is not suitable for the use proposed. 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 or re-development, to earthquake fault lines and other geological conditions, to liability to flooding, erosion, or landslip, to stability of foundations and to safety, health and amenities. Refer 1.16.

5.1.2 Special Building Lines

Notwithstanding the provisions of this Ordinance, where the Scheme prescribes a special building line on any site, 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.

Where an existing building line restriction is at a greater distance from the street than that required by the front yard, the requirements of the building line shall take precedence, and depending on the degree to which this affects the use of the site, any front yard required will be measured from the building line. See 8.3 regarding garages.

5.1.3 Street Widening or Re-Alignment

Where a new street, or street widening is proposed, any front yard requirement prescribed under this Code shall be measured as though the proposed street boundary were the front boundary.

5.1.4 Measurement of Yards Where Part of a Site is Required for a Public Work

For the purpose of measuring yards, that part of a site which is designed for a proposed public work and that part of a site which is required for a public work under Section 118 of the Town and Country Planning Act 1977 shall be excluded from the site and all relevant yards shall be measured from the boundary between the part of the site required for a public work and the balance of the site. See also 5.3.1.

5.1.5 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 area that is not built over will be smaller than that prescribed by these Ordinances. The area of any access strip shall not be included in the calculation of site coverage for a rear site.

5.1.6 Residential Buildings on Rear Sites

Where one or more residential units uses or has rights over the same or any access to a rear site or sites, the owners shall construct and maintain an adequate driveway or footpath or both, giving access to the site and buildings thereon, and there shall be provided wherever reasonably necessary, artificial light to illuminate the drive and footpath to the same standard as the street.

5.2 NORMAL REQUIREMENTS AS TO YARDS

5.2.1 Yards to be Provided - Except as expressly provided in or under this Scheme, front, side and rear yards and any courts and service areas shall be provided on each site in each zone, as required by this Code. The bulk and location requirements for each zone are specified in the Ordinance relating to each category of use.

5.2.2 Yards and Courts to Remain Unoccupied and Unobstructed - Except as expressly authorised hereunder, no person shall erect any buildings on any front yard, rear yard, side yard or court and all such areas shall be left unoccupied and unobstructed from the general ground level upwards.

(a) Eaves of any building may project not more than 0.75 m over any required yard or court.

(b) Within residential zones, accessory buildings may be erected on any court, rear, or side yard of a front site or any court or yard of a rear site provided that:-

i) An accessory building shall not be erected within 1.8

m of any residential building on the site provided that an accessory building may be directly attached to a residential building if it is or becomes an integral part of the construction of that building.

- ii) The height of any accessory building shall not exceed 3 m when sited within 1.8 m of the boundary or 3.5 m when sited at a distance of 1.8 m or greater from the boundary.
 - iii) The total floor area of accessory buildings within any site shall not exceed 60 m².
 - iv) Where no garage or parking area is provided on a site no accessory building shall be erected that would render impractical the provision of driveways and siting of garages in the future.
 - v) Where the dimensions or the physical features of a site or the existence of other buildings make the erection of an accessory building on a rear or side yard difficult, impracticable or unreasonable, Council may permit its erection within the front yard, subject to such conditions as to siting and design as it considers reasonable in the circumstances.
- (c) A verandah attached to a building may project over any yard provided that it does not render impractical any service access.
- (d) An open fire escape may project over any yard.
- (e) A fence, boundary wall or a retaining wall may be erected on any yard.

5.2.3 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.

5.3 EXCEPTIONS TO NORMAL YARD REQUIREMENTS

5.3.1 When Owner Provides Land for Accessway or Service Lane - When land for a service lane or accessway is provided at the rear or the side of the site the rear yard requirements or the side yard requirements as the case may be, may, with the approval of Council be diminished correspondingly.

5.3.2 Front Yards for Corner Sites - In the case of corner sites, only one yard fronting the streets shall be a front yard and the remaining yards shall be side yards and each yard shall have minimum dimensions as for front sites. The choice of yard as a front yard shall be subject to Council approval to protect sight

distances for traffic and access requirements to the site.

5.3.3 Yards for 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 front yard on each 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. The purpose of this is to allow Council to assess which street frontage (if any) is more suited to traffic access in the light of topography, traffic generation and safety.

5.3.4 Watercourses - No building shall be erected within 7 m of any open stream, open watercourse or open drain except with the consent of the Council after discussions with any other local authority having control of the stream, watercourse or drain.

5.4 HEIGHTS OF BUILDINGS

5.4.1 Normal Requirements - The normal requirements for each zone are specified in the Ordinance for each use, but those requirements are subject to the following provisions of this Clause.

5.4.2 Exclusions from Measurements - In determining whether any building or structure or part thereof is contained within the height limitation, the following shall not be taken into account:-

- (a) Lift-wells, elevators and stair bulkheads, roof water-tanks and cooling towers (together with their enclosures).
- (b) Chimneys and flues.
- (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.

5.5 TEMPORARY BUILDINGS

5.5.1 In any zone there shall be permitted temporary offices, accommodation buildings, storage sheds, storage yards, builder's workshops and other similar buildings and uses which are required as incidental to a building or construction project, but only for the duration of that project and not for a period exceeding 12 months unless the consent of the Council to a longer period is obtained, provided that no such temporary building shall be erected prior to the issue of a building permit for the erection of the permanent building on the site unless consented to by Council. Approval may also be subject to the execution of a satisfactory bond for a sum specified by Council.

5.5.2 Other temporary uses for such purposes as carnivals, bazaars, public meetings and the like may be permitted for such periods and subject to such conditions as the Council may determine.

5.5.3

In any residential zone, Council may permit a temporary building, for the purpose of constructing a boat, or caravan or other structure that may reasonably be associated with a spare time or retirement pursuit, and is not intended in any way as a commercial enterprise by the applicant. Permission may be granted only after production of specific written consent of adjoining owners or occupiers including apartment dwellers living on the site in question, and for such periods and upon such terms and conditions as the Council may determine.

Any written consent offered shall contain enough information to clearly indicate that the owner or occupier consenting is fully aware of the proposal, its size, its construction and finish and the length of time the applicant anticipates the temporary use to last.

5.6

BUILDINGS ON ROAD RESERVES

Where any buildings, including garages, are intended to be erected partly or wholly on road reserve, the zoning controls will be those of the adjacent zone except where Council determines otherwise. Refer 8.3.

5.7

DISABLED PERSONS COMMUNITY WELFARE

The Council is required to take into account the provisions of Section 25 of the Disabled Persons Community Welfare Act 1975.

All new buildings or premises, and major reconstruction of buildings to which the public are to be admitted shall in the means of access both to and within the building or premises, and to the parking facilities and sanitary conveniences to be available (if any), ensure that reasonable and adequate provision is made for disabled persons who may be expected to visit or work in the building or premises, to enter and carry out normal activities and processes therein.

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PART SIX : GENERAL ORDINANCE

PARKING AND LOADING

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6.2	<i>General Provisions, Obligations, Provision Not to be Reduced, Residential, Commercial, Industrial, Rural, Assessment, Multiple and Joint Use.</i> 37
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6.4	<i>Design of Parking Areas, Manoeuvring and Construction, etc.</i> 40
6.5	<i>Loading, Off-Street to be Provided.</i> 40
6.6	<i>Design of Loading Spaces.</i> 41
6.7	<i>Access, Provision of, Rear Access, Near Intersections.</i> 41

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 551

PROBLEM SET 1

Due: Monday, September 10, 2012

1. (10 points)

(a) (5 points)

Consider a particle of mass m moving in a potential $V(x) = \frac{1}{2}kx^2$.

(b) (5 points)

Find the energy levels E_n for $n = 0, 1, 2, 3, 4$.

2. (10 points)

(a) (5 points)

Consider a particle of mass m moving in a potential $V(x) = \frac{1}{2}kx^2 + \frac{1}{4}\alpha x^4$.

(b) (5 points)

Find the energy levels E_n for $n = 0, 1, 2, 3, 4$.

3. (10 points)

(a) (5 points)

Consider a particle of mass m moving in a potential $V(x) = \frac{1}{2}kx^2 + \frac{1}{4}\alpha x^4 + \frac{1}{6}\beta x^6$.

(b) (5 points)



6.1 POLICIES FOR PARKING AND LOADING

- 6.1.1 To require property owners and occupiers to provide sufficient off- street parking facilities where practicable for residents, employees, visitors or the general public where it is appropriate to the use of the property.
- 6.1.2 To require loading provisions for all commercial and industrial activities.
- 6.1.3 To acquire land and develop it for public parking when and where it is considered necessary by the Council. Such public parking may be developed either by the Council or by private enterprise or jointly.

6.2 GENERAL PARKING PROVISIONS

- 6.1.2 Obligation of Owner and Occupier - Every owner or occupier who constructs or who substantially reconstructs or adds to any building or changes the use of any site, shall make provision for off-street public or private parking in accordance with the requirements of this Ordinance for vehicles used in conjunction with the site (whether by occupiers, employees or invitees, customers or other persons) or shall make provision sufficiently close to the site but not on a street. Refer 8.2.3.
- 6.2.2 Diminution of Land Available - The space that is available about a building to meet the requirements of this Ordinance for off-street parking shall not be diminished by the subsequent erection of any structure, storage of goods, or any other use.
- 6.2.3 Residential Parking - 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 is practicable and set out in this Ordinance.
- 6.2.4 Commercial and Industrial Zones
- (a) Except where the Council determines under Section 8.2.3 that this provision need not apply, every owner or occupier of a building in a commercial or industrial zone shall provide in addition to off-street parking adequate vehicular access to

the rear of the premises either over his own land or by the dedication of a service lane or otherwise.

- (b) A loading bay shall be counted as parking space according to the number of vehicles the bay is capable of accommodating when in use as a loading bay.
- (c) Parking areas in a commercial or industrial zone for more than 5 vehicles shall be effectively screened on any side which adjoins or faces a residential zone or a road boundary by a wall, evergreen hedge or other planting maintained in good condition.

6.2.5 Rural Areas

In rural areas all loading and unloading of stock, bulk produce or other farm produce, fertilizer or similar goods or materials for rural use shall be carried out off the road reserve and no vehicles shall stand on any part of the road reserve while loading or unloading or cause any obstruction to visibility for traffic using the road. Ingress to and egress from any such platform or ramp or loading or unloading area shall be to the satisfaction of the Council.

6.2.6 Assessing Parking Requirements

In assessing the number of spaces to be provided with respect to the floor area of any building, vehicle accesses and parking spaces or staircases and liftwells contained within the building shall not be included in the area. Where the number of spaces required is based on the number of employees, guests, audience, staff, tables, units or accommodation or any other factor not directly related to floor area, the developer shall indicate the total number the building is expected to accommodate. The Council will have the power to re-assess the total should it be deemed unreasonable, and base the parking requirements on the amended total.

6.2.7 Multiple Uses on One Site

Where several activities are proposed by one developer, on any site, each of which requires a parking provision, Council may permit a reduction in the total requirement of spaces where such activities do not generate maximum parking demand at the same time. Refer 8.2.3.

6.2.8 Jointly Used Parking Sites

Council may permit two or more developers to construct a public parking site for their common use, the number of spaces to be the sum of their individual requirements, unless it can be shown that the parking demand of one or more of the developers occurs at a different time of day from that of the remaining developers. In this case, a partial or complete dispensation may be allowed.

Refer 8.2.3.

N.B. Where the extension or establishment of a use is dependent upon public parking being jointly provided, the Council will stipulate that the parking requirement is to be registered against the respective titles.

6.2.9 Financial Provision

Where the Council decides it is not reasonable or practicable to provide parking in accordance with the requirements of this scheme, the Council may accept a cash payment in lieu of provision of parking, the rate to be as determined by the Council in accordance with the provisions of Section 295 of the Local Government Act 1974.

6.3 PARKING REQUIREMENTS FOR VARIOUS ACTIVITIES

Detached and Semi-detached dwellings	1 space per house
Apartments	1 space per household unit plus 1 space per 4 units
Boarding Houses, hostels, private hotels or similar residential institutions	1 space per 5 guests or persons 1 space per 2 staff
Motel	1 space per unit
Professional Office within a dwelling	2 spaces per office in addition to dwelling requirements
Public and Private hospitals	1 space per 5 patient beds plus provision for all doctors and 1 space per 2 staff
Licensed hotels and taverns	30 spaces per 100 m ² of bar or public space and 1 space per 5 guests plus 1 space per 2 staff
Churches, theatres, halls and places of assembly, including cinemas, libraries, museums, galleries and funeral parlours	10 spaces per 100 m ² of gross floor area
Service stations and commercial garages	5 spaces per 100 m ² of gross floor area
Retail shops, supermarkets, service workshops	5 spaces per 100 m ² of gross floor area

Motor repair garages	4 spaces for each lube bay and 2 spaces for each workshop bay
Offices	1 space per 100 m ² of gross floor area
Industries not otherwise provided	3 spaces per 100 m ² of gross floor area
Warehouses and bulk stores	1 space per 100 m ² of gross floor area
Sporting Clubrooms, swimming pools and golf clubs	1 space per 2 members at the point of maximum club operations
Private Schools	1 space per 2 staff
Private Clubs	1 space per 10 members
Medical Centres and Citizens Advice Bureau's	1 space per 50 m ² of gross floor area
Other uses not listed	To the satisfaction of the Council.

Nothing in this Ordinance shall limit the powers of the Council to impose other conditions as to the provisions of parking spaces in respect of the above or other uses that are conditional in any zone. For every use whether or not parking spaces are required to be provided by this Ordinance, Council may require an additional amount or a proportion of the amount provided to be set aside for staff. This is to be based on 1 per 2 staff or an amount agreed to by Council being necessary in the circumstances.

6.4 DESIGN OF PARKING AREAS

- 6.4.1 Parking space, manoeuvring areas and access aisles provided under these Ordinances shall be of sufficient size and suitably laid out in accordance with sound engineering practice to accommodate a "90 percentile design motor car" as defined by the Ministry of Transport.
- 6.4.2 All parking areas shall be constructed and maintained to the satisfaction of the Council, who may impose conditions related to formation, stormwater disposal, fencing, access from adjoining roads, lighting, landscaping and pedestrian access.

6.5 LOADING

6.5.1 Off-Street Loading to be Provided

Every owner or occupier who constructs or who substantially reconstructs or adds to any buildings or changes the use of any site, shall make adequate provision on his own property or by

mutual agreement on an adjacent property, for the loading and unloading of all goods associated with the site.

6.6 DESIGN OF LOADING SPACES

Loading spaces provided under these Ordinances shall be of sufficient size and suitably laid out in accordance with sound engineering practice to accommodate a "90 percentile two axled truck" as defined by the Ministry of Transport.

6.7 ACCESS

6.7.1 Access to be Provided

Except where in the opinion of the Council this provision need not apply, every owner or occupier of commercial and industrial premises shall provide vehicular access to his property for parking and/or loading over his land or by mutual right-of-way or service lane. Refer 8.2.3.

6.7.2 Rear Access

Where suitable and adequate vehicular access to the rear of a commercial or industrial site is possible by means of the dedication or use of a service lane, or land over which rights-of-way are held in respect of that site, such means of access shall be provided or used for any parking or loading spaces in preference to any new vehicular crossing over any footpath.

6.7.3 Access Near Intersection

Access to or outlet from a corner site shall not be located nearer to the corner of a street than 9 metres, measured from the intersection of the kerb line, 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.

Where commercial or industrial uses front onto a minor arterial road, unless otherwise approved by Council no service lane or vehicular footpath crossing which, in the opinion of the Council will be in regular use throughout the day, shall be located and provide access to such a road, within 30 metres measured from the intersection of the kerb lines of any intersection with another road. Refer 8.2.3.

Minor arterial roads - S.H. 74 Norwich Quay and Gladstone Quay
- Sumner Road including part of Oxford Street
- Lyttelton-Governors Bay Road
- Teddington-Purau Bay Road



PART SEVEN : GENERAL ORDINANCE

PROVISION AND PRESERVATION OF AMENITIES

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7.3	<i>Bridle Path</i>	42
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7.1 OBJECTS AND PLACES OF HISTORICAL OR SCIENTIFIC INTEREST
OR NATURAL BEAUTY

7.1.1 Designation and Registration

In respect of any object or place of historical or scientific interest or natural beauty which is specified in this Ordinance as intended to be preserved, the Council shall list particulars thereof in this District Scheme as a Register and shall forthwith notify the owner and occupier of land upon which any such object or place is situated that it has been so incorporated and is required under the Scheme to be preserved. Subject also to the Historic Places Act 1954, Council may amend the Scheme pursuant to notices from the Historic Places Trust under the Act regarding the inclusion in or deletion from the register, of any site or sites.

7.1.2 Preservation

No person shall, without the written consent of the Council, or the Trust, as the case may be, wilfully destroy, remove or damage any object or place registered in the Scheme.

7.1.3 Cancellation of Registration

The Council may at any time cancel such registration not being a registration under Section 9k of the Historic Places Act 1954, shall thereupon make an appropriate alteration in the register and notify accordingly, the owner and occupier of the land upon which the object or place is situated. Before making its decision to cancel such registration, the Council shall consult with such experts as it considers appropriate in the circumstances.

7.1.4 List of Objects and Places of Historical or Scientific
Interest or Natural Beauty

This is included in the Scheme as Appendix A.

7.2 SUMMIT ROAD

All those pieces of land in Lyttelton Borough being more particularly delineated on plans numbered S.O. 10134 and 10135 and thereon coloured red, blue or yellow 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" insofar as that Act relates to the land concerned.

7.3 BRIDLE PATH

In addition to being shown as historic reserve there is a building line restriction as shown on the planning maps. Refer 3.13.10.

7.4 WATER QUALITY

In order to preserve the quality of natural water, there shall be

no discharge of effluent to natural water without right having been applied for and granted under the provisions of the Water and Soil Conservation Act 1967 and Amendments thereto.

7.5 CONTROL OF ADVERTISING

7.5.1 Definitions for the Purpose of this Ordinance

- (a) 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, any building or part thereof or other structure, whether permanently or temporarily.
- (b) Signboard means a board, hoarding, signboard, billboard, or other erection primarily intended or adapted for the display of a poster; and includes any poster displayed on a signboard.

7.5.2 General

- (a) The number and design of posters and signboards which may be displayed on any building or land shall be subject to the approval of the Council.
- (b) Notwithstanding that a sign may comply with the following requirements, if at any time the Council, having regard to considerations of traffic control and safety or to the amenities of or to the view from any land or neighbourhood, is of the opinion that the erection, construction or display of any sign or hoarding should be modified, or not be permitted, the Council may, by resolution, require such modifications as it considers necessary, or prohibit the erection, construction or display in a like manner or require the modification or removal of any existing sign or hoarding. Refer 8.2.4.
- (c) The following procedure shall apply in cases where the Council:
 - i) refuses permission for the erection, construction or display of a sign, or
 - ii) gives its consent to the erection, construction or display of a sign on terms unacceptable to the applicant, or
 - iii) prohibits the display or requires the removal of an existing sign upon the grounds that the sign would, or (in the case of an existing sign), does, in its opinion, conflict with the requirements of these Ordinances relating to traffic safety or amenities.

7.5.3 In any such case, the applicant or the owner of an existing sign shall, on having been informed in writing of such a decision and of the reasons therefore, have the right to refer the decision to the Council or to a Committee thereof constituted for the purpose and to state a case seeking a reversal or alteration of that decision.

7.5.4 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.

Provided that this sub-clause shall not apply to -

- (a) Any poster or signboard not exceeding 0.5 m² in area 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 land or the location or timetable or other details of any public utility or facility.
- (b) Any signboard not exceeding 1.5 m² in area erected in connection with a church, school, museum, library, hospital, nursing home or convalescent home, or an approved conditional use.
- (c) Any signboard not exceeding 0.5 m² 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 0.2 m² in area attached to a residential building partly used for professional or business purposes and bearing only the name, occupation and hours of attendance or business of a person using the building.

7.5.5 Commercial and Industrial Zone

No sign shall be erected in any commercial or industrial zone so as to be obtrusively visible from a residential or rural zone.

7.6 DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS

7.6.1 This Ordinance shall apply notwithstanding compliance or otherwise with the provisions of the District Scheme.

7.6.2 No building structure, sign, excavation or other work shall be sited or made or finished so that it would, in the opinion of the

Council, (notwithstanding that the design and materials may comply with the Council's building by-laws) be visually inappropriate to the character of Lyttelton or would otherwise detract from the amenities of the neighbourhood or would tend to depreciate public or private values therein. Refer 8.2.4.

- 7.6.3 Provided any prohibition, limitation or requirement imposed under this Ordinance shall be limited to the proposal as described in the building permit application and shall not apply to any lawfully existing structure, sign, excavation or other work.
- 7.6.4 The applicant, owner or occupier of the property claiming to be injuriously affected by any approval, prohibition, limitation or requirement imposed under the foregoing provision of this Ordinance may, within one month of the receipt of such decision, give notice in writing that he requires that decision to be reviewed by the Council. The Council shall thereupon consider the matter and it may receive or call upon such other evidence or specialist opinion as it considers necessary to determine the matter at issue.
- 7.6.5 No building, structure, sign, excavation or work shall be left unfinished or shall be allowed to fall into such a condition and no land shall be allowed to deteriorate to or remain in such a condition that it would, in the opinion of the Council, be visually inappropriate to the neighbourhood or would otherwise detract from the amenities of the neighbourhood or would tend to depreciate public or private values therein.
- 7.6.6 Where the Council is of the opinion that any structure, sign, excavation or other work contravenes the provisions of this sub-clause, the Council will take such action as may be appropriate under the Act in order to require the owner of such structures or other works to remove the objectionable elements.
- 7.6.7 No person shall shift any previously existing or second hand building or part of such a building into the Borough or from one site to another within the Borough without the prior consent of the Council.
- 7.6.8 Verandahs are required on all retail and commercial buildings in the Commercial Zones. All must be of a similar height and construction. Refer 8.2.4(c).
- 7.6.9 The Council may require as a condition of development landscaping on any part of the site to contribute to the pleasantness, harmony and coherence of the environment and to its better enjoyment. Refer 8.2.5.

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PART EIGHT : GENERAL ORDINANCE

WAIVERS AND DISPENSATIONS

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8.1 GENERAL CIRCUMSTANCES APPLYING

In some circumstances the Council may wholly or partly dispense with or waive certain requirements of the District Scheme under Section 36 (6) of the Town and Country Planning Act 1977.

The general circumstances under which Council may grant its consent are:

8.1.1 The dispensation or waiver would encourage better development of the site or that it is not reasonable or practicable to enforce the provision in respect of the particular site, and,

8.1.2 The dispensation or waiver will not detract from the amenities of the neighbourhood and will have little town and country planning significance beyond the immediate vicinity of the land in respect of which the dispensation or waiver is sought.

8.1.3 The Council shall not exercise its powers under this section on an application which is not a notified application unless the written consent of every body or person whose interests might in the Council's opinion be prejudiced by the proposed dispensation or waiver has first been lodged with the Council, unless in the Council's opinion it is unreasonable in the circumstances existing to require such consents to be obtained.

8.1.4 Waivers and dispensations will only be granted where it is proven conclusively that the erection of the dwelling or additions to a dwelling, erection of garages, accessory buildings and any other development, will not cause any erosion or stability hazards to the property, and to any of the surrounding area.

8.2 Under the above circumstances and procedures, waivers and dispensations may be granted in relation to the following:

8.2.1 The Subdivision of Land Permitted to be Used for Any Urban Purpose

(a) Location of access points in places other than those specified, if it does not affect the safety of pedestrian and vehicular movements. Refer 6.7 and 4.10.

(b) Alternative servicing of sites for sewerage and water when population densities or other factors make provision impossible or uneconomic, provided that the Council is

satisfied that the lots are large enough and suitable for disposal of effluent without creating public health problems.

- (c) The minimum area and frontage dimensions as specified, where for reasons of topography, shape, location, or other factors relating to the nature of the site, a dispensation if granted would still enable the objectives of the Scheme to be secured. Ref. 4.9.

8.2.2 The Height, Bulk and Location of Buildings Permitted on Sites

If, to achieve a compatible architectural style or because of the dimensions of the physical features of the site or the existence or location of other buildings, or boundaries, compliance with the height, bulk and location requirements and the parking, loading, access, open space and utility area requirements of these Ordinances would, in the opinion of Council, 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, 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 or court requirements. Refer 5.2.

8.2.3 The Provision of Parking and Loading Spaces

Where the configuration of the site or the manner of development of a group of small sites make impossible or would delay the provision of public parking spaces, or where it is unlikely that the parking space can be satisfactorily provided, and at the same time vehicles parking on street in connection with the site would not create any undue traffic hazard, Council may grant a dispensation subject to the following considerations: Refer 6.1.

- i) The number of persons likely to be resident, employed or accommodated on the site.
- ii) The number of calls likely to be made by visitors, customers and other persons in cars to the site.
- iii) The number of calls likely to be made by servicing and delivery vehicles to the site.
- iv) The amount, if any, of public off-street parking that may be available in the neighbourhood.
- v) The amount, if any, of parking that adjacent streets can properly be expected to provide.
- vi) The physical characteristics of the site or adjacent sites that may affect the ability of the site to provide off-street parking.

- vii) The possibility of providing for some or all of the spaces required by diagonal parking along the frontage of the site, in which case an additional depth of 6 metres shall be added to the normal front yard requirement and the whole area shall be sealed to the satisfaction of the Council.
- viii) Where an industrial area is not built up and not labour intensive the number of off-street parks can be reduced.
- ix) Where several adjoining uses require off-street parking at different times of the day or night their parking area can be combined and also reduced.
- x) Where the site is too steep, off-street parking may be dispensed with.
- xi) Where loading and unloading is conducted between 6.00 pm and 8.00 am, a loading space could be dispensed with as long as this function could occur from a street park adjacent to the site.
- xii) Where the configuration of the site precludes the provision of off-street loading and at the same time kerb-side loading would not cause an undue traffic hazard.

Any such dispensation that may be granted may be on such conditions as Council considers appropriate with respect to bonds, shared use, multiple use, access, egress and total number of parks provided.

8.2.4 The Design and Appearance of Buildings and Signs, and the Provision, Design, and Appearance of Verandahs

- (a) In order to retain the character and appearance of a street and/or neighbourhood front yard requirements may be dispensed with.
- (b) The size, colour and shape of a sign may be the subject of a dispensation so that the sign may be more in keeping with the building it is attached to, or more in keeping with the site layout or the amenities of a area. Refer 7.5.
- (c) Where in the Council's opinion it is impracticable or unreasonable because of the design of the building, location or service lanes, rights-of-way, loading bays and pedestrian and vehicle access generally, Council may dispense with or waive the requirement for a verandah over part or all of sites in the Commercial Zones. Refer 7.6.8.

8.2.5 Landscaping

- (a) Where existing trees are retained on a site, further landscaping may be reduced or waived. Refer 7.6.9.

8.3

ANY OTHER MATTERS AS SPECIFIED

- (a) Garages are included within accessory buildings, but garages may also be placed on the road reserve where it does not detrimentally affect the streetscape, or the design and appearance of the house (see also 5.6).

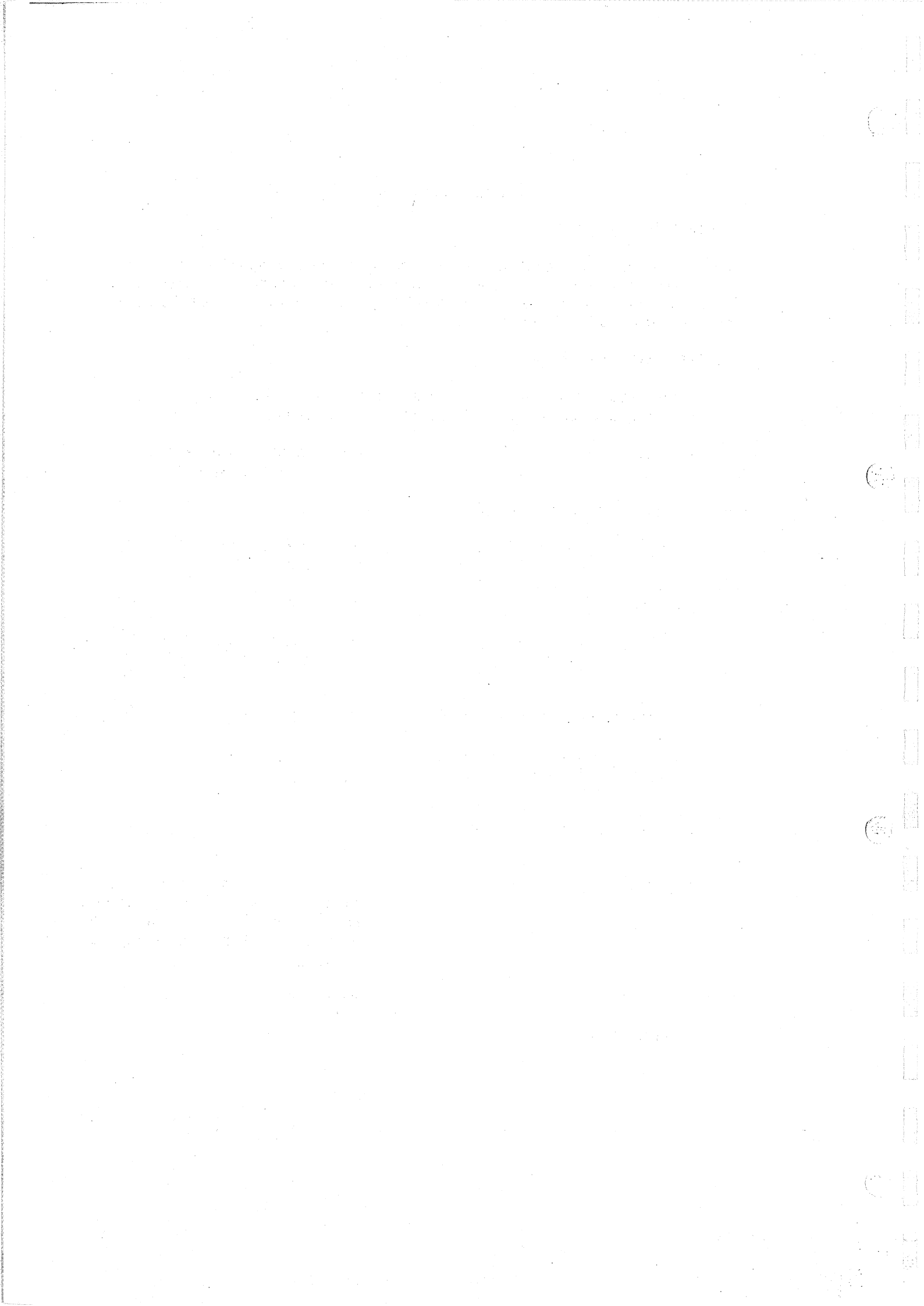
8.3 ANY OTHER MATTERS AS SPECIFIED

(a) Garages are included within accessory buildings, but garages may also be placed on the road reserve where it does not detrimentally affect the streetscape, or the design and appearance of the house (see also 5.6).

8.4 CONDITIONS AND LIMITATIONS

In addition to the criteria in this Ordinance the granting of any dispensation or waiver shall be limited as follows:

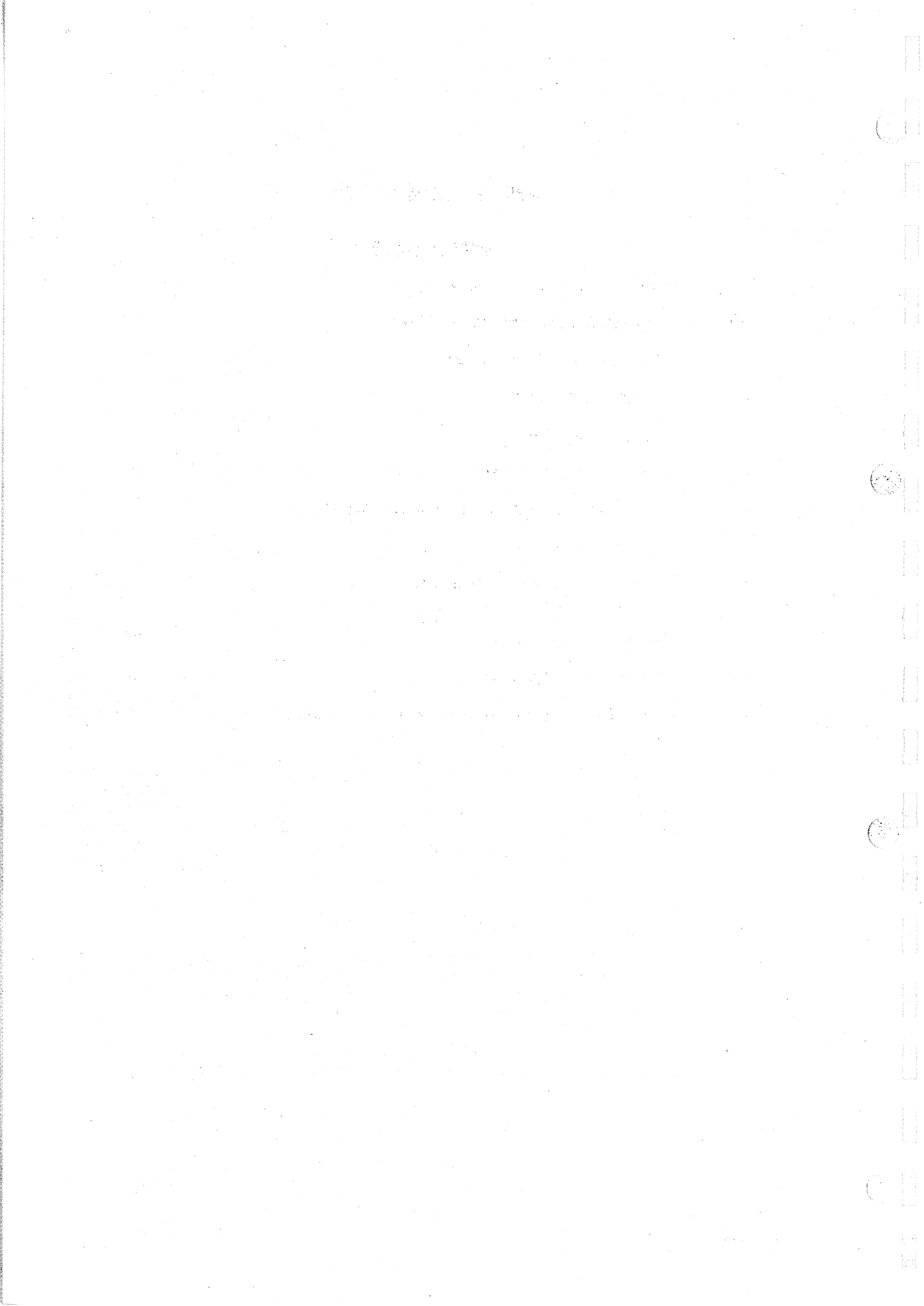
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|----|--|--|
| a. | Subdivisions | not greater than 3% of the particular standard: |
| b. | The height, and area of buildings: | |
| | height, area of buildings | not greater than 20% of standard |
| | yards, | |
| | setbacks: | No limit. |
| c. | The provision of parking and loading spaces | not greater than 50% of the particular standard. |
| | Location, dimensions and number of accesses | No limit |
| d. | The design and appearance of buildings, signs and verandahs: | |
| | design and appearance of buildings | No limit |
| | signs | Not greater than 20% of the particular standard in Residential zones; not greater than 50% of the particular standard in any other zone. |
| | verandahs | No limit |
| e. | Landscaping | No limit. |



PART NINE : RURAL ZONE

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9.1 GENERAL AND EXPLANATORY

Soil stability in the Rural Zone, and indeed throughout the Borough has, over the last few years, emerged as a serious problem, aggravated by several wet seasons. The urban area is encircled by rural land much of it classified as having a high or critical erosion risk. Some of the slopes, both rural and residential, closer to the town are suitable for housing, but only at very low densities, and only if construction and site works are such that the risk is not increased. Control of run-off by kerbing and channelling, drainage, planting, and other methods is essential. For development proposals and the issue of building permits throughout the rural zone, a certificate from an independent registered engineer as to ground conditions and foundation design will be required unless Council in writing indicates this is not necessary. Council may also require land that is for purposes other than for building to be suitably planted and drained. Refer 1.16.

9.2 All applicants for building permits must consult the DSIR and Catchment Board Reports which Council now has available to it, to establish the erosion risk in their particular area. The Borough Council will provide this information. Refer 1.16.

9.3 Approximately two thirds of the Borough lies outside of the urban areas. A high proportion of this land is steep and unsuitable for housing, and only of limited value for the production of food. It is however significant in the landscape of the Harbour Basin, and is an integral part of the Borough. On the advice of the North Canterbury Catchment Board, Council may encourage the planting of suitable trees on some areas as an erosion control measure.

9.4 OBJECTIVES FOR THE RURAL ZONE

9.4.1 To maintain the area as far as possible in agricultural production and protect the rural environment from developments of a kind that could be a detraction from the scenic qualities of the landscape of the Harbour Basin.

9.4.2 To ensure that all uses are compatible with the requirements related to the maintenance of soil and ground stability.

9.5 POLICIES FOR RURAL ZONE

- 9.5.1 To limit uses mainly to agricultural pursuits and to those that will not aggravate erosion problems.
- 9.5.2 To require an engineering certificate from an independent registered engineer as to ground conditions and foundation design unless Council in writing indicates this is not necessary.
- 9.5.3 To submit proposals to other authorities whose advice in Council's opinion is required to be taken into account in assessing any proposal.

9.6 PREDOMINANT USES

The following shall be predominant uses in the Rural Zone:

1. Farming of any kind, excepting the housing or keeping of animals or birds in any building or enclosure within the clearances given and under any circumstances not approved under the by-laws.

Provided however that the Council shall have the right to prohibit absolutely the housing or keeping of animals on any site where it considers that such uses would detract from the amenities of the neighbourhood or where satisfactory drainage and effluent disposal is not possible, or may at its discretion permit the keeping of animals under such circumstances that would in the Council's opinion cause no undue annoyance to be suffered by neighbours.

No person shall keep or continue to keep bees if, in the opinion of the Council, the keeping of such bees is or is likely to become a nuisance or an annoyance to any person, or dangerous or injurious to health.

2. Parks, playgrounds, recreation areas, open space and uses included under Clause 16.4.
3. Protection Forestry, that is, the planting of forest or protection of existing bush, for the control and prevention of erosion and instability.
4. Buildings accessory to the use of land or buildings for any of the foregoing purposes, including dwellinghouses, except in any position in relation to any building, structure, plant, or workings that would or might in the opinion of the Council prejudice the health or safety of the occupiers thereof, or in respect of adjacent land.
5. Public Utilities refer 1.5.

9.7 CONDITIONAL USES

The conditional uses in the Rural Zone are:

1. The quarrying, winning, extracting and processing of materials occurring naturally in the vicinity, but only in association with, and as part of, an existing undertaking.
2. Buildings accessory to buildings or use of land for any of the foregoing purposes.
3. Uses included under Clause 16.5.

9.8 CONDITIONS RELATING TO ALL USES

1. Where it is established that an area has a critical risk of erosion, planting or other corrective measures may be required to be carried out. Ref. 2.17.1.
2. Uses may also be subject to any advice or requirements given by the DSIR and/or the North Canterbury Catchment Board. Refer 1.16.

9.9 CONDITIONS RELATING TO CONDITIONAL USES

In addition to any other requirements which may be made, the following provisions shall apply in connection with conditional uses in the Rural Zone:

- 9.9.1 The subdivision or use of any land, or buildings, shall be permitted only on a site where that use or building does not detract from the scenic character and the visual amenities of the rural environment.
- 9.9.2 The subdivision or the use of any land, or buildings, shall be permitted only where the site is suitable for the proposed use having regard to earthquake fault lines, liability to flooding, erosion and landslips, to stability of foundations, and to the existing and potential use of the land for agricultural purposes. Refer 1.16.
- 9.9.3 All tailings, sawdust, spoil, waste and effluent shall be so disposed of as to minimise damage to property or disfigurement to the countryside, and to prevent obstruction or contamination of adjacent natural water in streams, the ground, and the harbour. Such disposal shall meet the requirements of the Water and Soil Conservation Act 1967.
- 9.9.4 The sites of excavation, 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 backfilling where possible and by the planting of grass or trees and, on completion of work, by removal of plant and

buildings.

9.10 SITING OF BUILDINGS INCLUDING ACCESSORY BUILDINGS

9.10.1 The minimum standards for all uses shall be:-

	<u>Residential Buildings</u>	<u>Other Buildings</u>
Maximum height	9 m	10 m
Front yard	7 m	15 m
Other yards	3 m	3 m

provided that where a site adjoins a residential zone, yards shall be not less than 3 metres plus two thirds of the height of the building above 4.5 metres.

The standards for the siting of buildings for conditional uses shall be set by the Council on each application but shall generally be not less than those for predominant uses, shall be appropriate to the proposed use and shall satisfy the requirements and the policies expressed in this part of the Scheme. Refer General Ordinance 5.0.

9.11 SPECIAL BUILDING LINE RESTRICTION : BRIDLE PATH

So as to protect the natural environs of the Bridle Path, no structure, building or other work shall be constructed between the Path and the building line defined on the Planning Map. Refer 7.3.

9.12 SUBDIVISION OF LAND

See General Ordinance 4.0, and in particular 4.9.

9.13 PARKING AND LOADING OF VEHICLES

See General Ordinance 6.0.

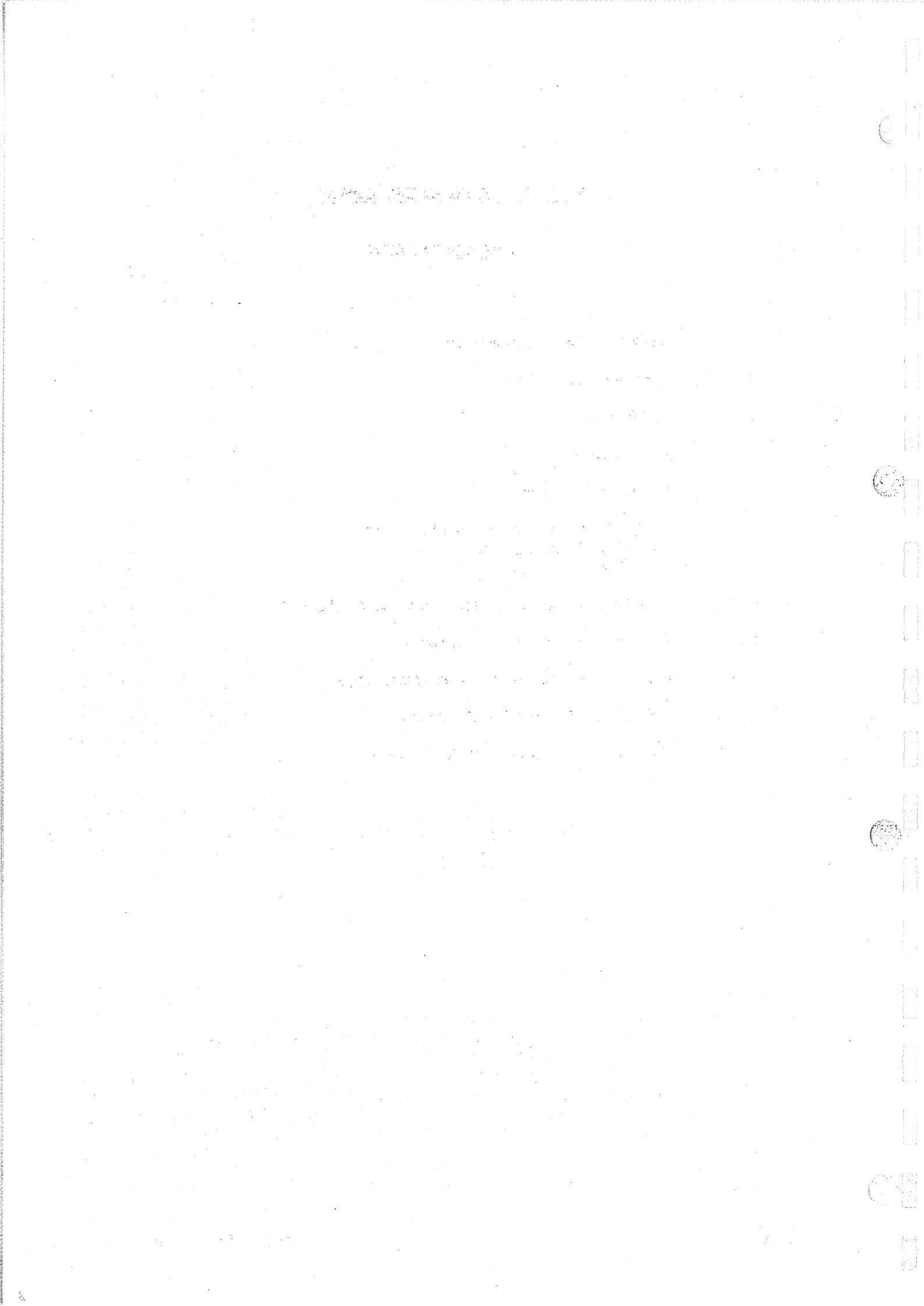
9.14 PROVISION AND PRESERVATION OF AMENITIES

See General Ordinance 7.0.

PART TEN : RESIDENTIAL ZONE

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10.1 GENERAL ZONE STATEMENT

Lyttelton Borough has a unique character enhanced by its setting within the Lyttelton Harbour. This character stems from the town's formation as a port in the early 1800's and the architectural styles reflect not only the unique location but also the needs of settlers who established the early community.

More recently development has spread up the hillsides onto the higher risk erosion prone land, and also around the bays to Cass Bay and across to Diamond Harbour.

The Council's general objective is to promote the maximum possible residential development of the Borough consistent with topography, land stability, provision of services, protection of significant landscape features, and retention where possible of the existing character of the residential areas. This objective and the policies related to it, will make it possible to consolidate residential development in the harbour basin within the Borough around the already established facilities, and so avoid sporadic urban development, and maintain the natural amenities of the harbour. This will also provide the region with an alternative kind of residential development, situated on the hills overlooking the water.

The residential zoning has as its basis the retention of the present character of the inner areas of the Borough in a conservation zone (R1), and secondly, a low density zone (R2) surrounding this, with discretionary controls in Comprehensive Development Areas in the R2 Zone.

10.2 RESIDENTIAL 1 ZONE (R1)

ZONE STATEMENT

Conservation Zone

In large part due to a series of historic accidents much of the essence of the original fabric is still retained in the Lyttelton township. Homes are colonial in style, built of wood, with verandahs and relatively steeply pitched roofs, sited close to the road with small back yards. Generally the sites have a south-easterly aspect. The significant feature of this area is the scale, and the relationship of the houses to their sites, to each

other and to the street.

Restoration will be encouraged in the hope that wholesale renewal will not become necessary or dominant.

Existing dwellings on small sites are permitted uses and alterations and new developments shall conform to the same standards where they are capable of meeting the bulk and location controls. Within this, some of the contemporary life style demands must be met to the extent that the site permits for example, a servicing area, open space courtyard and where possible off-street parking but not necessarily turn-around space.

In developments of this kind the usefulness and particularly the orientation of the open space in relation to the sun is very important, but where it appears that there will be conflict between the achievement of an architectural style that reflects the character of the area and the requirements of this Code with respect to open space, yards, coverage, etc. then subject to the Waivers and Dispensations Ordinance the open space yard requirements and coverage provisions may be waived. Refer 8.0.

The Ordinances are not designed to restrict the present housing, which forms part of the character unique to Lyttelton, but rather to ensure that future building recognises the nature of the existing developments, and provides at the same time for reasonable standards of amenity.

Because building densities are slightly higher, public open space areas should be provided to balance the amenities. Some residential streets are also unusually wide and in these cases street planting and improvements may be undertaken to maintain and improve present residential character.

10.3 OBJECTIVE

To retain the essential character and appearance of the inner area of Lyttelton as delineated by the zone boundary.

10.4 POLICIES

10.4.1 To encourage new developments, alterations and additions only if they are of a similar design, shape, character, size, scale and appearance as the present housing forms. Criteria set out as a guide are found in Appendix B.

10.4.2 To encourage restoration and or additions to existing buildings rather than redevelopment, and to ensure that any development does not conflict with the existing character of the inner Lyttelton area.

10.4.3 To retain the small scale and intricate appearance of inner Lyttelton in terms of the buildings and their relationship to one another and to the street.

10.4.4 To ensure that the significance and the appearance of historic buildings is maintained, and not impaired by any alterations to existing buildings, new developments, streetworks and/or planting, within the Borough

10.4.5 Streets and traffic works should also be kept relatively small in scale particularly in relation to the residential areas. Heavy vehicle flows will not be permitted through the residential area. Off-street parking must be permitted only in a form sympathetic to the character and appearance of this inner region.

10.5 PREDOMINANT USES

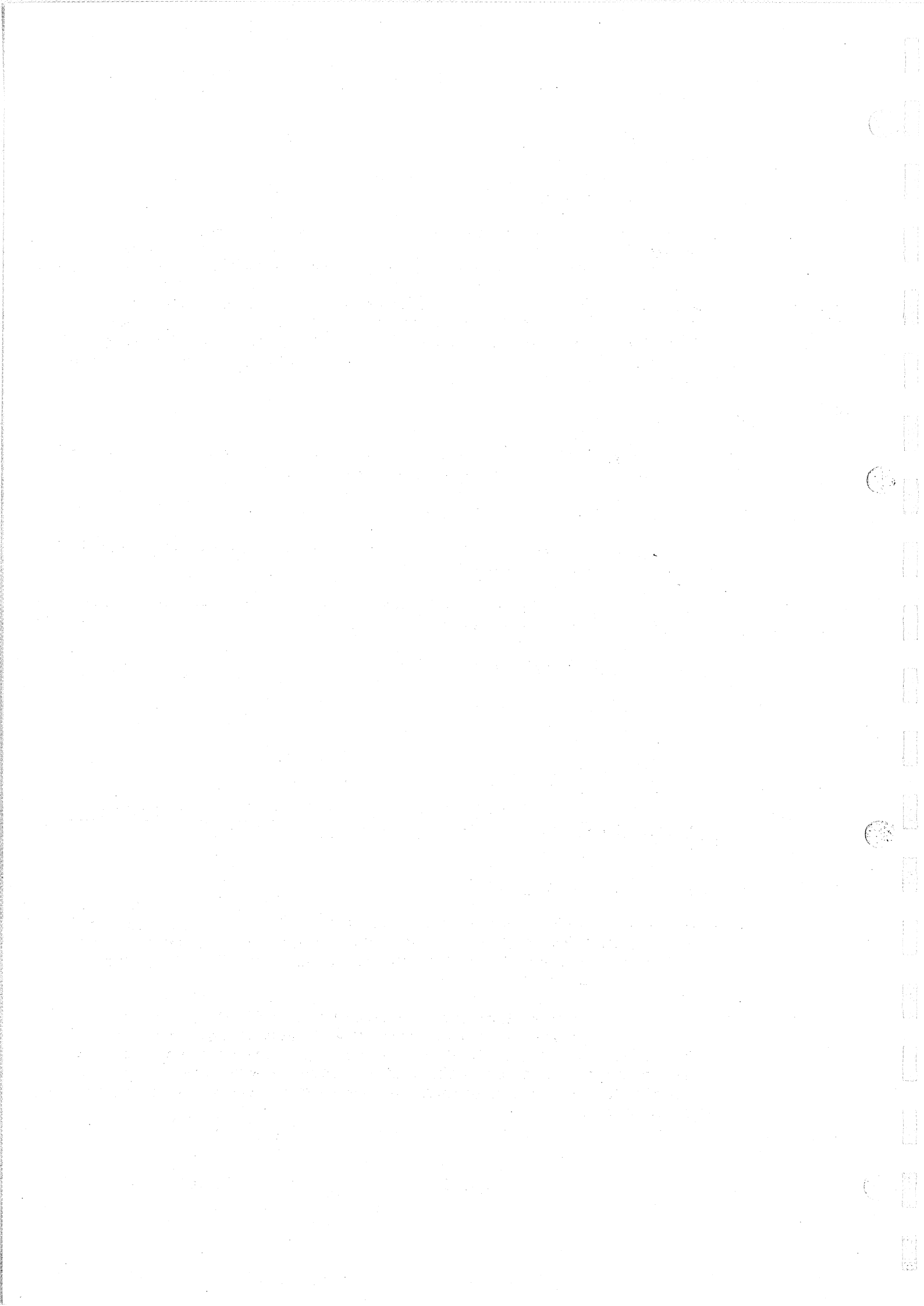
1. Rehabilitation and/or restoration of and additions to any dwelling subject to the controls set out under 10.6.
2. Single unit houses under controls 10.7.
3. Two unit housing in one building, linked buildings or as separate buildings under control 10.7.
4. Professional offices situated in a dwelling provided the predominant use of the premises as a whole is that of a dwelling under control 10.
5. Parks, playgrounds, recreation areas, and open space and uses included under Clause 16.4.
6. Public Utilities refer 1.5.
7. Accessory buildings - see 5.2.2.
8. Pensioner Housing.

10.6 CONTROLS RELATING TO REHABILITATION/RESTORATION OR/AND ADDITIONS TO, EXISTING HOUSING

10.6.1 General Explanatory Statement

The Borough Council intends, by the creation of the R1 Conservation Zone, to provide the opportunity for the upgrading of the existing housing in the inner area of the Borough, as a first priority, and over the balance of the Borough in the longer term.

The nature of the topography, the narrow streets in many places, the proximity of the houses to each other and the number of very small sections conflict in many ways with what have come to be regarded as acceptable standards of residential development. It is however these characteristics along with the earlier architectural style that give the Port and its town so much of its character.



10.4.4 To ensure that the significance and the appearance of historic buildings is maintained, and not impaired by any alterations to existing buildings, new developments, streetworks and/or planting, within the Borough.

10.4.5 Streets and traffic works should also be kept relatively small in scale particularly in relation to the residential areas. Heavy vehicle flows will not be permitted through the residential area. Off-street parking must be permitted only in a form sympathetic to the character and appearance of this inner region.

10.5 PREDOMINANT USES

1. Rehabilitation and/or restoration of and additions to any dwelling subject to the controls set out under 10.6.
2. Single unit houses under controls 10.7.
3. Two unit housing in one building, linked buildings or as separate buildings under control 10.7.
4. Professional offices situated in a dwelling provided the predominant use of the premises as a whole is that of a dwelling under control 10.8.
5. Parks, playgrounds, recreation areas, and open space and uses included under Clause 16.4.
6. Public Utilities refer 1.5.
7. Motels, private hotels and boarding houses.
8. Accessory buildings - see 5.2.2.
9. Pensioner Housing.

10.6 CONTROLS RELATING TO REHABILITATION/RESTORATION OR/AND ADDITIONS TO, EXISTING HOUSING

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The Borough Council intends, by the creation of the R1 Conservation Zone, to provide the opportunity for the upgrading of the existing housing in the inner area of the Borough, as a first priority, and over the balance of the Borough in the longer term.

The nature of the topography, the narrow streets in many places, the proximity of the houses to each other and the number of very small sections conflict in many ways with what have come to be regarded as acceptable standards of residential development. It is however these characteristics along with the earlier architectural style that give the Port and its town so much of its character.

The Council intends that as far as possible these attributes shall be preserved, and the following criteria, with their explanations, shall be the controls that will operate for residential rehabilitation and restoration in the R1 zone.

10.6.2 Restoration and Rehabilitation Controls

Where an existing house is to remain on front sites (and rear sites where applicable) the following must be met.

- (a) No improvement and/or new structure is to render impossible the gaining of pedestrian access to the rear of a front site.

Generally this means providing a minimum of a 1.5 m side yard on one side at least.

Explanation

The requirements of access for fire-fighting and safety for egress generally require that this should be provided. The 1.5 m is required by the Building By-laws for ordinary construction. There are very few properties in separate title where access down one side does not already exist. Where such access does not exist and rehabilitation of the existing premises is to be undertaken the Council must be consulted prior to submission of plans for a building permit.

- (b) No improvement is to make the total building coverage over the site including accessory buildings, exceed 60% of the site coverage.

On the balance of the land, as open space, the applicant must demonstrate that the proposal does not render impossible the making available of space for outside storage for rubbish, clothes drying, and outdoor leisure. Clear space of a minimum of 30 m² would be considered adequate as one or two separate areas with a least dimension of 4 m.

Explanation

There may be a conflict between the redevelopment or rehabilitation of older housing and providing adequate standards of light, air, and space around the dwelling. Council is satisfied however that as a general rule the open space provided to the front and/or rear of the properties in this zone will provide an adequate standard. Internal light may also be provided by skylights.

- (c) No improvement or addition to the front of a house is to so markedly alter the relationship of the front of the house to its neighbours that it detrimentally affects the appearance of the street.

Explanation

The following general rule will apply. A variation of 2 m will be allowed either side of a line drawn across the applicant's site half way between the front line of the building on either side. This will be altered or relaxed only if the applicant can show that by fencing or other means the appearance of the street is not seriously affected thereby. This provision applies to garages and carports in the front yard also, with the proviso that such a structure is to be in sympathy with the architectural style of the dwelling, or of the neighbouring buildings.

- (d) No improvement or addition is to render impossible the maintenance of vehicular access to the property if this exists already, or if there is the possibility of obtaining it in the future.

Explanation

The Council is concerned that on many of the streets within the Borough there is insufficient width for extensive on-street parking. For existing houses being rehabilitated no new requirement for off-street parking is to be made. Where it exists already or can be provided then no improvement will be permitted if this will render off-street parking difficult or impossible. For the purpose of this control the following are some examples of acceptable means of meeting vehicular access provisions:

- one side yard 2.5 m or greater without topographical difficulties.
- a front yard of 6 m or more where a paved standing area may be created.
- a front yard (or rear yard where access to a street or right of way at the rear is available), where the section width will allow parking parallel to the street but wholly on the property.

10.7 CONTROLS RELATING TO SINGLE UNIT AND TWO UNIT HOUSING

10.7.1	Maximum coverage	60%
	Maximum height	8 m
	Minimum site area	250 m ²
	Parking	Refer 6.3

- 10.7.2 An outdoor living area or areas shall be provided for each unit so that the total area reserved for outdoor living shall not be less than 25% of the net site area. At least one area shall be able to accommodate a rectangle having sides of not less than 3 metres (10 ft. approx.) and have an area of not less than 30 square metres (322 sq.ft. approx.). Outdoor living areas shall be unobstructed by vehicle accessways, parking or manoeuvring areas and buildings and shall be usable space for living purposes.

10.7.3 In addition to the outdoor living area a service area shall be provided having a minimum area of 10 square metres (108 square feet approx.). This service area shall be unobstructed by vehicle accessways, parking or manoeuvring areas and buildings.

10.7.4 No front yard shall be required, control under 10.6.2 (c) will apply.

Rear and side yards on front sites and all yards on rear site 1.5m.

10.8 CONTROLS RELATING TO PROFESSIONAL OFFICES

As for predominant uses depending on whether part of a restored or new building. Parking must be provided according to Ordinance 6.3.

10.9 CONTROLS RELATING TO OTHER BUILDINGS

To be set by Council in each case but based on the zone controls and the provisions of Section 5.0.

10.10 CONDITIONAL USES FOR R1 ZONE

1. Terrace Houses 3 or more.
2. Group Housing 3 or more.
3. Apartment Houses 3 or more as separate buildings, linked buildings or one building.
4. Craft and Hobby Workshops and Undertakings, provided that the predominant use of the site as a whole is that of a dwelling.
5. Parking Areas and Garage Sites
6. Conversion of Dwelling Houses to Flats
7. Play Centres and Community Centres and Kindergartens
8. Private Schools and Churches
9. Community Services
10. Residential Institutions, motels, clubs, private hotels and boarding houses.
11. Conditions for such uses will be set by Council according to the circumstances of each case, but will generally conform to the controls for the appropriate predominant use category. Where residential densities are likely to be increased by the approval of any conditional use, Council may require off-street parking to be provided in accordance

with Ordinance 6.3. Proposals must also accord with the general objectives and policies expressed in the Scheme.

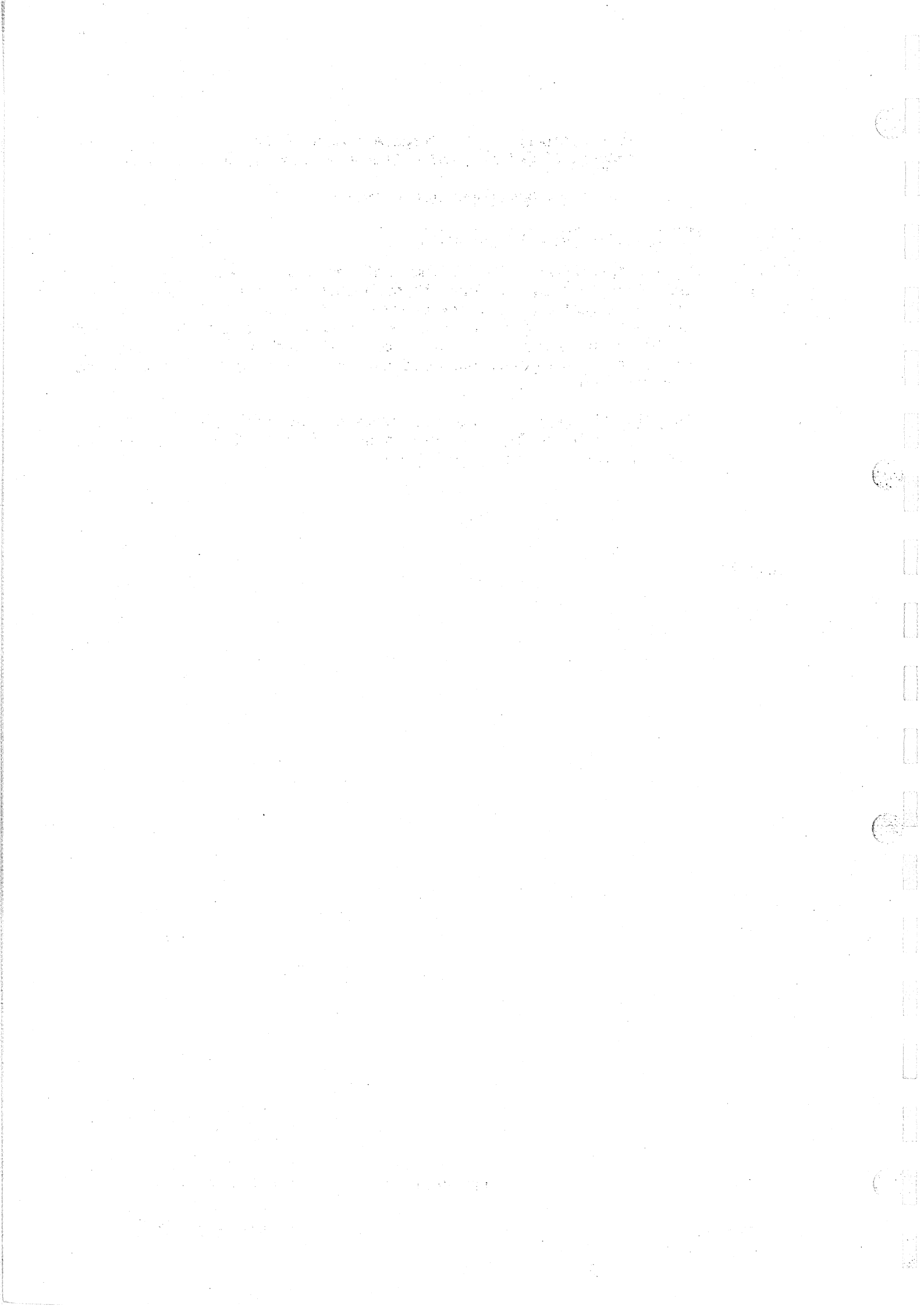
12. Uses included under Clause 16.5

10.11 GENERAL CONDITIONS FOR ALL USES

10.11.1 Street Appearance: The design and external appearance of all buildings in this zone must be such that they are in sympathy with the architectural styles prevalent in the neighbourhood and designed and sited so that they contribute to the character and scale of the locality. The important characteristics are the scale, the spaces between buildings, the style of the building and the building materials.

10.11.2 Building Character: Exterior walls should generally be of wood unless required by the by-laws and roof should be of corrugated iron but must be gabled or hipped.

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PART ELEVEN : RESIDENTIAL 2 ZONE

ZONE STATEMENT

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11.6	<i>Special Conditions Relating to All Residential Development at Cass Bay</i>	63
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11.8	<i>Conditions for Conditional Uses</i>	65
11.9	<i>Comprehensive Development Areas</i>	65



11.1 ZONE STATEMENT

11.1.1 To provide areas for the contemporary residential style development the outer and more elevated areas of the Borough are zoned Residential 2.

11.1.2 This area unfortunately coincides in many places with higher risk erosion prone land. The DSIR and the Catchment Board have surveyed the area and information relating to the soil stability is held by the Council. A developer in any area of this zone must consider the ramifications of this in terms of erosion potential. In some areas before an application is granted the applicant must prove there is negligible change in the potential for erosion. Slope stability must be improved, not impaired. Refer 1.16.

11.1.3 Cass Bay shall be developed as a low density small scale community focussing on the bay. No development will occur on the ridge lines defining the bay to ensure the existing character of the Lyttelton slopes is retained. The one commercial site is retained to serve the needs of residents and passing trade.

Future development above Governors Bay Road will also be determined by the constraints of the erosion hazard.

11.1.4 Diamond Harbour will be developed in accordance with the concepts illustrated in the planning map and having regard to the following:

- Marine Drive will remain the major through road for the planning period and beyond but in the longer term, Hunters Road and Bay View Road could be developed to provide an alternative by-pass route to Purau.
- The present commercial and civic centre at Stoddarts Point is to remain the community focus of the settlement and commercial uses in other areas are to be restricted to those necessary to serve local needs only. Some recreational facilities are provided away from Stoddarts Point mainly to take advantage of areas of reasonably level land or to serve local needs.
- In keeping with its function, no major sources of employment are provided for, although limited craft activities will be permitted as a conditional use.

- In developing the 45 ha of land below Bay View Road which is owned by the Council, streets will be aligned to follow rather than cross the contour; east-west links, especially to the primary school, will be provided by way of walking and cycle paths and sections shall be orientated towards views of the harbour and the sun. It is expected that considerable portions of the gullies will be left undisturbed except for some formation of paths and that groups of larger lots of average areas of about 1250 m², will be provided in suitable locations.

11.2 POLICIES

- 11.2.1 To maintain the present residential character of the other parts of the Borough at Cass Bay, Diamond Harbour, and outer Lyttelton, residential development will be maintained at its present low density pattern.
- 11.2.2 All development will be considered with due regard for erosion and stability hazards. Refer 11.5.

11.3 PREDOMINANT USES

The following shall be permitted uses in the Residential 2 zone:

1. Detached and semi-detached dwellings, including restorations, rehabilitation and additions under the controls for the R1 zone.
2. Apartments containing not more than two household units, provided they are situated on sites of 600 m² or greater in area excluding access strips.
3. Pensioner housing under the territorial local authority.
4. 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 dwelling house.

Individual's craft or hobby pursuits situated on a site where a dwelling is permitted under this Ordinance (and exists) so long as the predominant use of the premises as a whole is that of a dwelling house and no persons other than members of the family residing on the site are employed therein.

5. Accessory buildings including garages and buildings for storage of plant and materials, but only in connection with a resident's trade of painter, plumber, electrician or builder or domestic appliance serviceman. Refer 5.2.2.(b).
6. Public Utilities. Refer 1.5.
7. Parks, playgrounds, recreation areas and open space included

under Clause 16.4.

11.4 CONDITIONAL USES

The conditional uses in the Residential 2 zone shall be:

1. Apartments and flats of 3 or more units, including terrace houses and group housing, and apartments and flats under the controls for the R1 zone.
2. Places of assembly, churches, halls, residential and non-residential clubs, recreational clubrooms.
3. Motels
4. Public and private hospitals, nursing homes, doctors consulting rooms, homes for the aged and convalescent homes.
5. Nurseries, play centres and educational establishments including boarding houses and hostels used in connection with these uses.
6. Private Schools.
7. Uses included under Clause 16.5.

11.5 CONDITIONS FOR ALL USES

- 11.5.1 The onus is on the applicant to prove that the site, type of structure, additions to structure, planting, roading, drainage, channelling and anything that affects the natural or controlled drainage in any way, is of such a nature as not to promote or induce erosion of any kind. Refer 1.16.
- 11.5.2 Council may set any other conditions it considers necessary for the proposed use of a site.

11.6 SPECIAL CONDITIONS RELATING TO ALL RESIDENTIAL DEVELOPMENT AT CASS BAY

- 11.6.1 There shall be no direct legal or physical access from any residential allotment to the Governors Bay-Lyttelton Road and at the time of subdivision a 0.2 metre strip between any allotment and the road shall be set aside and vested in the Council, unless in a particular circumstance and in the opinion of the Council this would be unreasonable or impracticable.
- 11.6.2 So as to protect the natural skyline character of the ridge forming the western boundary of the Borough (as more particularly defined on the planning map), no building or other work shall be built or constructed within a distance of 30 metres of this boundary, provided that at the time of subdivision this distance may be varied, where in the opinion of the Council the intent of this clause is preserved. Refer 5.1.2.

11.7

MINIMUM STANDARDS FOR THE SITING OF BUILDINGS - PREDOMINANT USES

Except where development is carried out under the R1 controls.

A. Minimum Yards

	<u>Front Site</u>			<u>Rear Site</u>
	<u>Front</u>	<u>Rear</u>	<u>Side</u>	
Where predominant use is detached and semi-detached				
Dwellings	3 m	6 m	3 m & 1.5 m	All yards of 3 m except one may be 1.5.
Apartments, nurseries, play centres	3 m	6 m	3 m	All yards of 3 m except one may be 1.5.
Motels	3 m	6 m	4 m & 1.5 m	All yards 4 m.
Other Buildings	5 m	8 m	4 m	All yards of 5 m except one may be 3 m.
Accessory Buildings	3 m	Refer 5.2.2. for other requirements		

B. Coverage

Detached and semi-detached dwellings, professional offices, nurseries, playcentres	35%
Apartments	40%
Motels	40%
Other Buildings	25%
Accessory buildings - refer 5.2.2.	

C. Height

Detached or semi-detached dwellings, professional offices, nurseries and playcentres, homes for the aged and convalescent homes	8 metres
Apartments	9 metres
Accessory buildings - refer 5.22	3.5 metres
Other buildings	8 metres

11.7

MINIMUM STANDARDS FOR THE SITING OF BUILDINGS - PREDOMINANT USES

Except where development is carried out under the R1 controls.

A. Minimum Yards

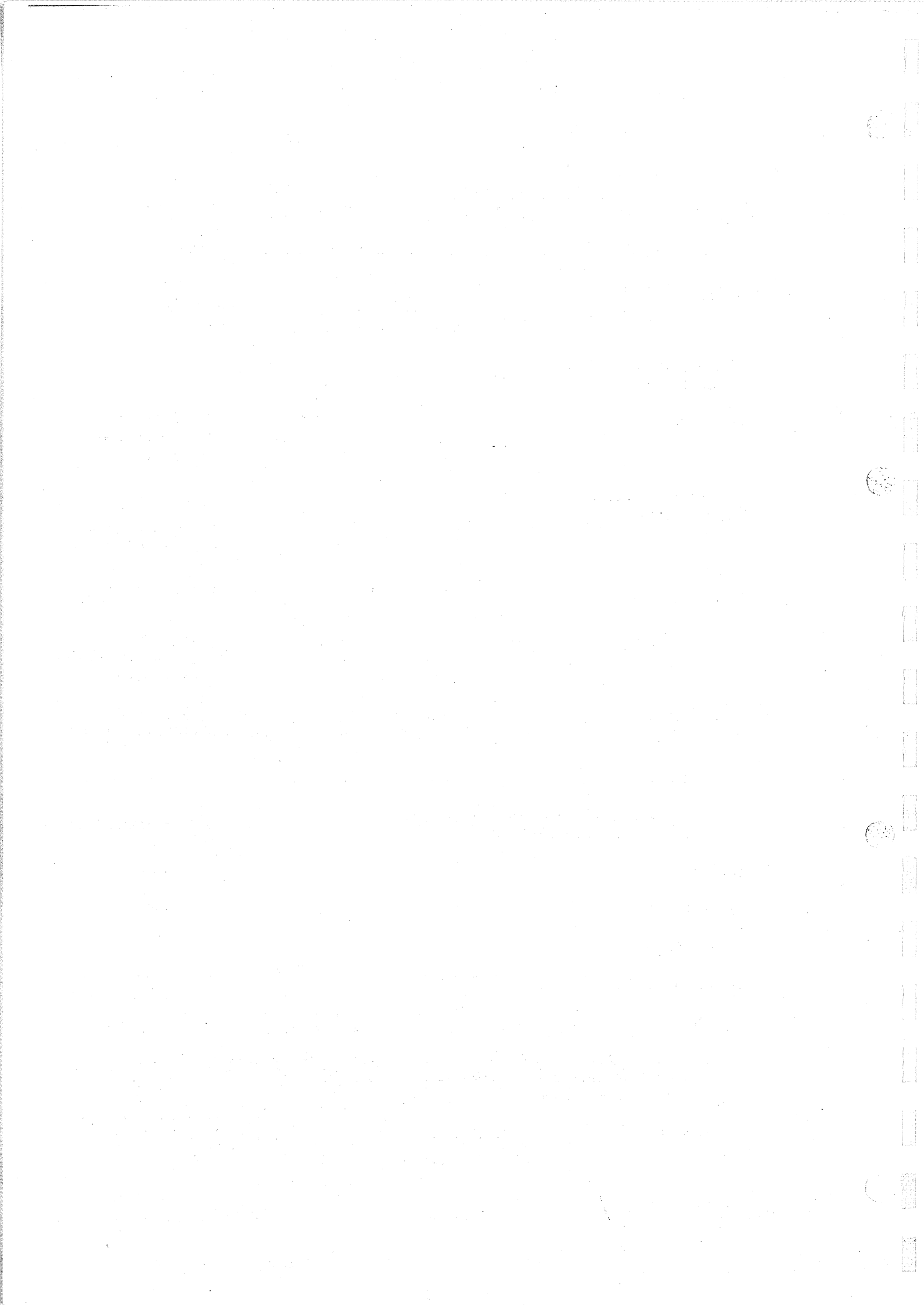
	<u>Front Site</u>			<u>Rear Site</u>
	<u>Front</u>	<u>Rear</u>	<u>Side</u>	
Where predominant use is detached and semi-detached				
Dwellings	3 m	6 m	3 m & 1.5 m	All yards of 3 m except one may be 1.5.
Apartments, nurseries, play centres	3 m	6 m	3 m	All yards of 3 m except one may be 1.5.
Motels	3 m	6 m	4 m & 1.5 m	All yards 4 m.
Other Buildings	5 m	8 m	4 m	All yards of 5 m except one may be 3 m.
Accessory Buildings	3 m	1.5m	1.5m	All yards 1.5m Refer 5.2.2 for other requirements

B. Coverage

Detached and semi-detached dwellings, professional offices nurseries, playcentres	35%
Apartments	40%
Motels	40%
Other Buildings	25%
Accessory buildings - refer 5.2.2.	

C. Height

Detached or semi-detached dwellings, professional offices, nurseries and playcentres, homes for the aged and convalescent homes	8 metres
Apartments	9 metres
Accessory buildings - refer 5.22	3.5 metres
Other buildings	8 metres



D. Conditions that Apply to the Design and Internal Layout of Site and Buildings

i) Open Space Area or Areas

Apartments	10 m ² per habitable room
Motels	20 m ² of landscaped space per unit

This area must not be interfered or encroached upon by the separate servicing area and car park. Minimum dimension of the open space area is 4 metres.

ii) Car Parking

Off-street car parking must be provided in accordance with 6.0.

Where a driveway is required it shall be formed, drained and covered in an all weather surface to the satisfaction of Council.

iii) Service Area or Areas

A minimum area of 10 m² per household unit is to be provided for rubbish disposal and the drying of washing etc. with a minimum dimension of 3 metres for all apartments and semi detached dwellings.

E. Landscaping may be required on the site to the satisfaction of Council.

11.8 CONDITIONS FOR CONDITIONAL USES

Conditions for conditional uses will be set by Council according to the circumstances of each case but will generally conform to the controls for the predominant uses.

11.9 COMPREHENSIVE DEVELOPMENT AREAS

Refer 3.15.

Within the R2 zone some areas have been set apart as C.D.A.'s. Development within these areas is at the discretion of both the Council and the Catchment Board. The following procedures will be adopted with respect to Comprehensive Special Development areas:

1. Submissions of concept plan under Section 276 of the Local Government Act 1974. This must be accompanied by a report setting out as a minimum proposals relating to services, roading, access, site development, stability, and any other matters required to be covered either by the nature of the site or by the Council or the Catchment Board.

2. After receipt of any comments from Council under Section 278 of the Local Government Act the applicant may submit a scheme plan for approval in the normal manner.

N.B. All controls, ordinances and conditions applied in C.D.A.'s in addition to any condition in respect of the particular site, will be those for the R2 zone.

PART TWELVE : LAND USE CATEGORIES

COMMERCIAL 1 ZONE

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 350

PROBLEM SET 1

Due: Monday, September 10, 2012

1. (10 points) A particle of mass m moves in a circular path of radius r with constant speed v . Calculate the magnitude of the centripetal acceleration.

2. (10 points) A car starts from rest and accelerates uniformly to a speed v in time t . Calculate the distance traveled during this time.

3. (10 points) A ball is thrown vertically upwards with an initial speed v_0 . Calculate the maximum height reached by the ball.

4. (10 points) A car starts from rest and accelerates uniformly to a speed v in time t . Calculate the average speed during this time.

5. (10 points) A car starts from rest and accelerates uniformly to a speed v in time t . Calculate the distance traveled during this time.

6. (10 points) A car starts from rest and accelerates uniformly to a speed v in time t . Calculate the distance traveled during this time.

7. (10 points) A car starts from rest and accelerates uniformly to a speed v in time t . Calculate the distance traveled during this time.

isolation from...
to public or private...
staying to public...

system, stated...

12.1 ZONE STATEMENT

The Commercial 1 zone forms a compact area on London Street, providing primarily for business and commercial development, and for shops, offices, retail storage and associated uses. The zone provides for continuity of shop frontages without the intrusion at street level of any other use which would tend to affect detrimentally the activities of retailers or would tend to draw unnecessary or obstructive vehicular traffic into the streets fronting retail shopping premises.

The major objective is to retain the small scale of the existing Lyttelton shopping area and to maintain and improve the standard of services and amenities in this area.

12.2 POLICIES

12.2.1 To encourage redevelopment and improvements to the existing centre in order to concentrate the main commercial and civic activities of the Borough within this area and secure an adequate level of service.

12.2.2 The uses within this commercial area shall provide continuity of shop frontage by providing verandahs where Council considers necessary.

12.3 PREDOMINANT USES

The following shall be predominant uses in the Commercial 1 Zone.

1. Retail shops including such shops where dwelling accommodation is incorporated in the same building if there is not more than one household unit per shop, and it does not occupy ground floor frontage.
2. Commercial, administrative and professional offices, banks and exchanges.
3. Libraries, exhibition rooms and buildings, museums and galleries.
4. Wholesale shops, storage for materials and articles for sale, and auction rooms for goods of a light nature.

5. Nurseries, play centres, educational and cultural establishments and medical and health centres.
6. Theatres, halls, restaurants, and places of public or private worship or entertainment or public or private assembly.
7. Licensed hotels and taverns, private hotels, motels, residential and non-residential clubs.
8. Parking lots and buildings.
9. Any process of light manufacture of goods most of which are for sale by retail on the premises, excluding the use of premises with the majority of its ground floor street frontage to London Street.
10. Public Utilities as under Section 1.5.
11. Parks, playgrounds, recreation areas and open space and uses included under Clauses 16.4 and 16.5.
12. Buildings accessory to the use of any buildings or land or any of the foregoing uses.
13. Residential accommodation at the rear of or above ground floor premises for persons where employment, or reasons of security, may require they live on site.

12.4 CONDITIONAL USES

Any of the foregoing uses that do not comply with the Ordinances relating to the Commercial Zone and for which Council may not or has not granted dispensation or waivers under 8.0.

12.5 CONDITIONS APPLYING TO ALL USES

(a) Where commercial and residential uses are combined there shall not be less than 30 m² of open space with a least dimension of 4 metres.

(b) Every part of a site not utilised after development and visible from any road, reserve or site zoned residential, shall be landscaped and planted in lawns and/or trees and shrubs and shall be maintained in a satisfactory condition except that where, in Council's opinion, the area of utilised land is such that it would be unreasonable to apply this provision, it may determine an area it considers appropriate, or waive the requirement.

(c) To retain the present character of the commercial area Council will require buildings to have verandahs within such minimum and maximum heights as the Council may prescribe, but each so related to its neighbours as to provide continuity.

(d) Council may set Conditions relating to the design and appearance of buildings where it considers that any new building or alteration would detract from the appearance of the street or from adjacent buildings according to the guide set out in Appendix B.

(e) Noise

The use of any land shall be so conducted, and buildings shall be so designed and laid out as to ensure that as a result of any activity the following noise levels measured as "Corrected Noise Levels" in accordance with the standards described in NZS 6801 and 6802:1977 are not exceeded at the Commercial 1 Zone boundary.

<u>Day Time</u>	<u>Night Time</u>
0700-2200	2200-0700
55 dBA	45 dBA

No single event noise shall exceed 75 dBA or exceed the background noise level by 30 dBA whichever is the lower except between the hours 0700 - 2200.

12.6 MINIMUM STANDARDS FOR THE SITING OF BUILDINGS INCLUDING ACCESSORY BUILDINGS

12.6.1 For uses under 12.3.1, 2, 3, 4, 6, 8 and 9:

Yards: 3 m minimum adjoining residential zones or permanent open or recreation space.

Coverage: 80% including accessory buildings.

Height: 12 m.

12.6.2 For uses under 12.3.5, 7 and 13.

Yards: 3 m minimum front yard and yards adjoining residential zones or permanent open or recreational space.

Coverage: 60% including accessory buildings.

Height: 12 m.

12.7 AGREED ALTERNATIVE DEVELOPMENT PROVISIONS

With respect to any predominant use in the zone, Council may on request adopt agreed alternative controls for any new development or redevelopment, that give adequate recognition to the following aspects:

Access, servicing and parking;

Landscape Development;

The provision of public open space (covered or not) for use of any customers or the public generally;

Design and appearance of buildings;

The integration with the development of any existing or proposed public works or other existing or proposed buildings.

Provided that where required, the provisions of Section 8.0 Dispensations and Waivers, will apply in respect of any dispensations or waivers sought.

12.8 PARKING AND LOADING

Off-street parking and loading must be provided as set out in Ordinance 6.0. Access lanes and service lanes will be formed, drained and covered in an all weather surface, to the satisfaction of Council. Refer 6.7.2.

Parking areas shall be effectively screened on any side which adjoins or faces a residential zone, a road boundary or open or recreation space, by a wall, evergreen hedge or other planting maintained in good condition.

12.9 SUBDIVISION OF LAND

For subdivisions within the commercial zones, the Council in approving or refusing to approve any plan of subdivision shall consider each case on its merits and in particular shall take into account matters as stated in 4.9.7.

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PART THIRTEEN : LAND USE CATEGORIES

COMMERCIAL 2 ZONE

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13.6	<i>Subdivision of Land</i>	72



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13.1 ZONE STATEMENT

These sites are provided for the convenience shopping market. There are three such sites at present, Cass Bay, Diamond Harbour, and Simeon Quay.

13.2 POLICIES

13.2.1 To provide for local needs and that of passing trade with small commercial zones in these localities.

13.3 PREDOMINANT USES

The following shall be predominant uses in the Commercial 2 Zone.

1. Retail shops used for day to day convenience needs including dairy, milk bar, green grocer, grocery, butcher, including such shops where dwelling accommodation is incorporated in the same building if there is not more than one household unit per shop.
2. Buildings accessory to use of building or land for any of the foregoing predominant uses.

13.4 MINIMUM STANDARDS FOR THE SITING OF BUILDINGS INCLUDING ACCESSORY BUILDINGS

1. Minimum Yards

Front Yards: 2 metres minimum

Side Yards: 3 metres and 1.5 metres*

Rear Yards: 7 metres minimum

*With no yard less than 1.5 metres plus two thirds of the height of the building above 4.5 metres.

2. Coverage: 50%

3. Maximum height: 8 metres

4. Car Parking off street car parking must be provided in accordance with Section 6.0.

Where a driveway or service area is required it shall be formed, drained and covered in an all weather surface to the satisfaction of Council.

13.5 LANDSCAPING

Every part of a site not utilised after development and visible from any road, reserve, or site zoned residential, shall be landscaped and planted in lawns and/or trees and shrubs and shall be maintained in a satisfactory condition, except that where in Council's opinion the area of utilised land is such that it would be unreasonable to apply this provision it may determine an area it considers appropriate.

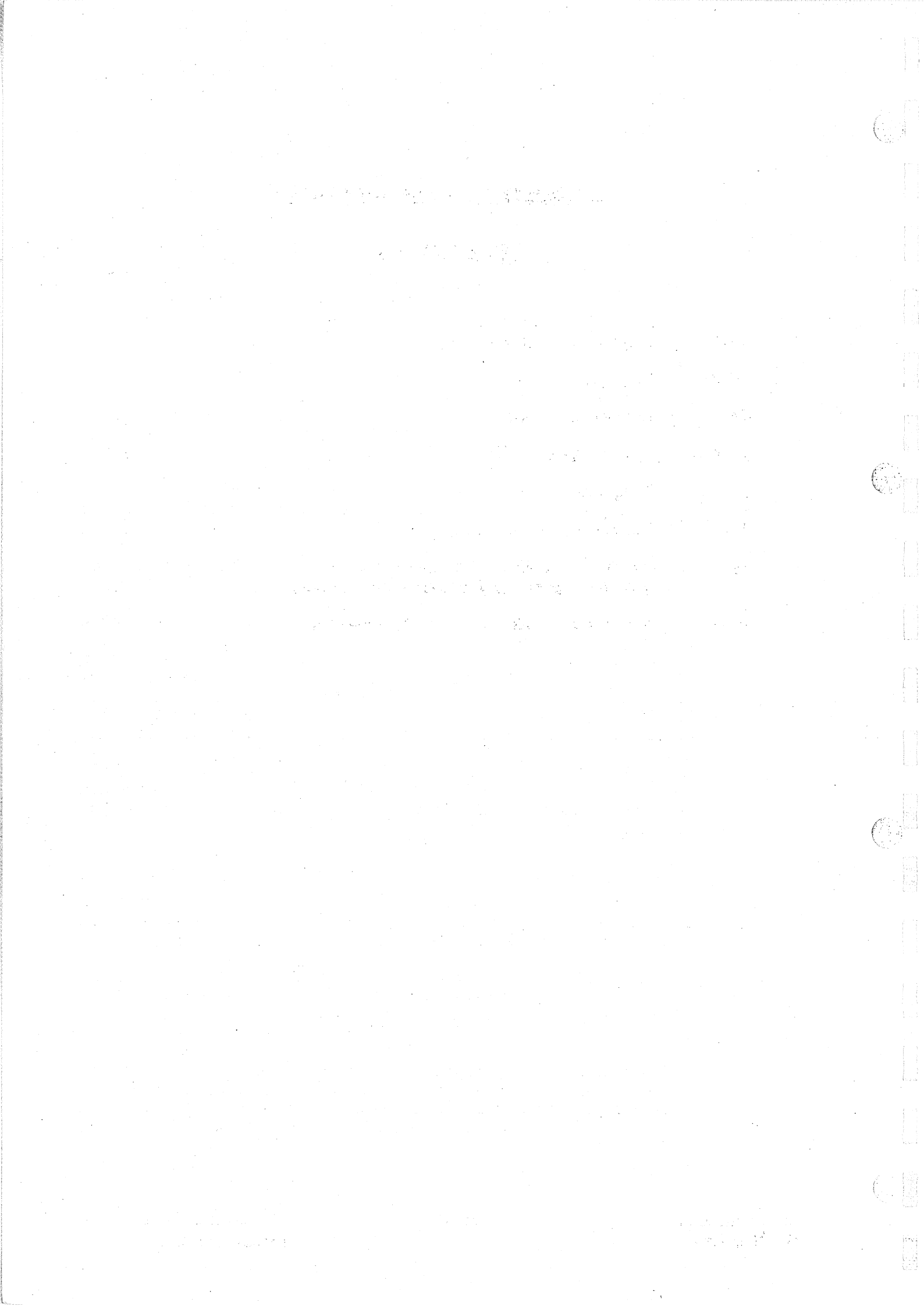
13.6 SUBDIVISION OF LAND

For subdivisions within the commercial zones the Council in approving or refusing to approve any plan of subdivision shall consider each case on its merits and in particular shall take into account matters as stated in 4.9.7.

PART FOURTEEN : LAND USE CATEGORIES

INDUSTRIAL ZONES

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14.1 GENERAL ZONE STATEMENT

Lyttelton's industry is based mainly on shipping and comprises repair and docking facilities and a servicing sector for both local and visiting vessels. In addition there are the usual basic service industries for the resident population.

The zone boundaries have not been expanded because of the slow rate of growth and also there is little available land for expansion without seriously affecting surrounding uses. Much of the land for heavy industry within the Borough has been reclaimed as part of harbour developments. Two zones, one for service industry and one for heavier industrial uses have been included.

Recently, there have been significant changes in the development and use of energy products and while the Borough is aware of the importance of the shipping service in transporting bulk supplies of energy products, it will be concerned to ensure that facilities and locations that may have been satisfactory for the traditional handling of petrol and oil products are still suitable for compressed and liquified gas products, coal or other materials now regarded as energy substitutes. The Council is concerned also that further development of industrial uses on the foreshore will detrimentally affect the amount of land available for recreation for active sports and for boating access to the foreshore and launching facilities.

14.2 POLICIES

14.2.1 The Council will support the activities of the Port and maintain liaison with the Harbour Board and other authorities and ensure that adequate road links are maintained with Christchurch.

14.2.2 The Council supports future industrial growth within the confines of the zone boundaries as long as this development is consistent with the objectives of the scheme and the amenities of the district.

Industries previously requiring segregation because of noxious and nuisance elements will continue to be so treated unless all elements of noxiousness and nuisance are completely removed, or rendered safe by suitable means.

14.3 INDUSTRIAL 1 ZONE

LIGHT INDUSTRIAL

14.4 ZONE STATEMENT

This industrial zone encompasses the industrial and servicing uses found in the inner Lyttelton area.

For reasons of accessibility and convenience the intention is to allow light industrial and servicing land uses to remain adjacent to the commercial sector as there is little room for expansion of this zone on to adjacent land. In administering the provisions of the Scheme as it affects these adjoining zones, Council will continually keep under review the needs and the various land uses in the area, and in particular the need for residential land close to the commercial and industrial zones.

Any future expansion will most probably be on the reclaimed land created by port developments.

14.5 PREDOMINANT USES

The following shall be permitted uses in the Industrial 1 Zone:

1. Service Industries including such uses as builders' storage yards, household appliance repair workshops, laundries, bakeries, catering depots, repair garages, including motor repair garages (but not including car wrecking, panel beating, spray painting or heavy engineering). Cycle and motor cycle repair shops, lawnmower sharpening and repair workshops, steam cleaning and dry cleaning depots, signwriting and signmaking, auction rooms, shoe repair and upholstery workshops, tradesmen's depots, duplicating services, printing works and any other use which, in the opinion of the Council, falls naturally into this group and which will not detract from the amenities of the locality.
2. Wholesale storage.
3. Showrooms and offices associated with any permitted use. Including administration offices for public authorities directly related to port activities.
4. Living quarters for a residential caretaker or any other person whose employment is such that he is required to live on the premises.
5. Cottage and craft industries.
6. Places and buildings for public and private assembly.
7. Building accessory to the use of buildings or land for any of the foregoing predominant uses.

8. Public utilities refer 1.5.
9. The existing fire station and staff accommodation.
10. Parks, playgrounds, recreation areas and open space included under Clauses 16.4 and 16.5.
11. The existing engineering operations contained on Lots 1 and 2 D.P.16698 pt. T.S.17-19, and Lot 1, D.P.40757 T.S.95-99.

14.6 CONDITIONAL USES

The conditional uses in the Industrial 1 Zone shall be:

1. Any of the foregoing uses that do not comply with the ordinances relating to the Industrial 1 Zone and for which Council may not or has not granted dispensation or waiver under 8.0.
2. Service stations; car and boat sales yards.
3. Buildings accessory to the use of buildings or land for any of the foregoing conditional uses.
4. LPG storage vessels and dispensing equipment for the purposes of retail and wholesale supply.

14.7 MINIMUM STANDARDS FOR THE SITING OF BUILDINGS INCLUDING ACCESSORY BUILDINGS

Permitted uses - the following shall be the minimum standards

1. Minimum Yards - all sites

<u>Front Yard</u>	3 metres
<u>Side Yard</u>	5 metres where adjoining a residential zone otherwise 3 metres
<u>Rear Yard</u>	6 metres
<u>Coverage</u>	60%
3. Maximum Height - 12 metres
4. Open Space for a caretaker's household unit 50 m² with a least dimension of 5 metres.
5. Landscaping of front yards, yards and boundaries adjoining residential zones, to be carried out to the satisfaction of Council. Car parking areas for more than 5 cars shall be effectively screened on any boundary which adjoins or faces a residential zone, or a road boundary by a wall, evergreen hedge or other planting maintained in good condition.

6. Car Parking Off-street parking must be provided in accordance with 6.0.

Driveways and car parking areas shall be formed, drained and covered in all-weather material. Areas for the stacking of materials shall also be formed and drained in a manner capable of withstanding loading and unloading processes.

7. Amenities Alterations to proposals may be requested in respect of site layout, design and appearance, lights, signs, verandahs, hours of operation and the nature of the activities as are deemed necessary for the Council to secure the amenities of the neighbourhood protected by this Scheme.

8. The following conditions must be met to reduce the objectionable elements and nuisances inherent in some industries.

i) Noise

The use of any land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity the following noise levels measured as "Corrected Noise Levels" in accordance with the Standards described in NZS 6801 and 6802:1977 are not exceeded at the Industrial Zone boundary.

Day Time	Night Time
0700-2200	2200-0700
55 dBA	45 dBA

No single event noise shall exceed 75 dBA or exceed the background noise level by 30 dBA whichever is the lower except between the hours 0700-2200.

ii) Air Pollutants

Smoke and dust may only be emitted from any industrial land use provided that it conforms to the provisions of the Clean Air Act 1972.

The Second Schedule of this Act outlines:

- (a) Land uses requiring licensing by the Department of Health.
- (b) Land uses requiring licensing by the local authority.
- (c) Land uses requiring notification to local authorities and subject to licence pursuant to

by-laws.

iii) Glare

Council requires industrial uses, and the premises in which they are contained to be operated and/or constructed of materials and/or painted in such a way so as to preclude glare.

iv) Effluent

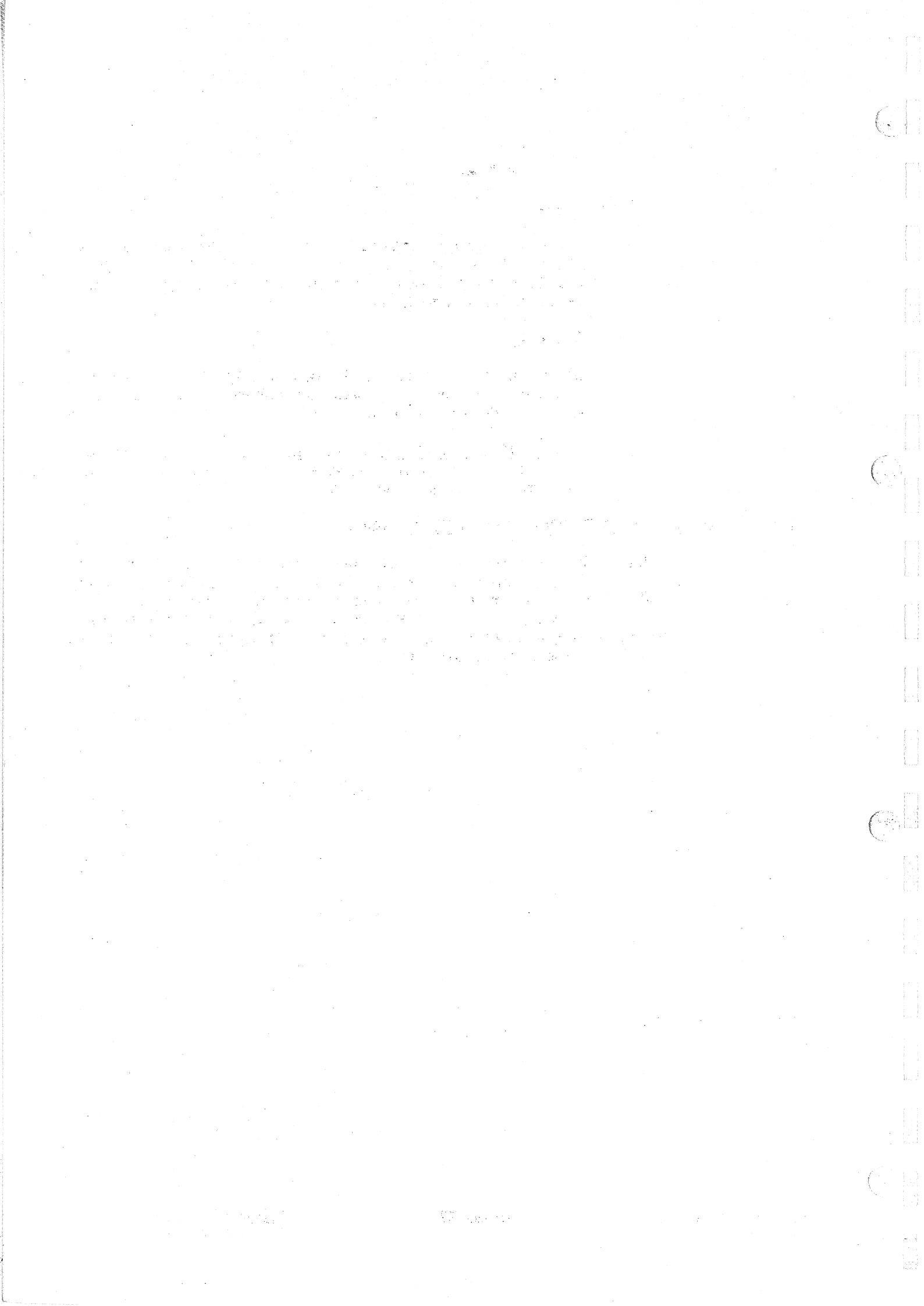
No effluent shall be discharged in any form anywhere without the prior consent and adherence to the Water and Soil Conservation Act 1967.

v) All tailings, sawdust, spoil and waste shall be so disposed of to minimise damage to the environment and detriment to adjoining uses.

14.8

CONDITIONS APPLYING TO CONDITIONAL USES

The standards for conditional uses shall be set by Council on each application but generally these shall be not less than those stated for all uses above, shall satisfy the requirements of the policies expressed in this Scheme and may include the controls relating to noise, smoke, smell, effluent, vibration, dust, glare or other like objectionable aspects.



PART FIFTEEN : LANE USE CATEGORIES

INDUSTRIAL 2 ZONE

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15.1

ZONE STATEMENT

This zone includes mainly the reclaimed land on the foreshore. The existing uses are generally associated with the port activities and include oil storage, ship building and dry dock uses, engineering workshops, foundries, fishing and recreation and other uses related to or dependent on the port.

There have been significant changes over the last ten years in such areas as cargo handling, port installation requirements and also in energy requirements, which has meant that the port and the town have been required to adapt in order to meet changing circumstances in importing, exporting, storage and handling. In addition the Council and the Harbour Board recognise that the reclaimed land offers a unique opportunity to improve the recreational boating opportunities available to the wider region, as the topography of the harbour basin places severe limitations on access to the water for trailers and vehicles. The reclaimed land also provides the only flat area for active sports grounds, (an area owned by the Council) and a use it considers must be protected.

Policies

In the selection assessment and control of uses in this zone, Council will take into account the following policies:

- (a) Some uses which may have been regarded as suitable in zones catering for heavy industry or for port related activities will be required to be considered by Council in the light of any effect they may have on:
 - i) Recreational activities, both existing and future, with particular relevance to the existing sports field, the existing boating club and the future boating and recreational provision as shown in the Harbour Board's recreational development plan (Appendix E).
 - ii) The proximity of the oil storage tanks to any proposed development.
 - iii) The proximity of residential uses in the basin around the hills and in particular those residences sited more closely to the area and situated along Cressy

Park and Brittan Terraces.

- (b) Council is concerned not to limit the range of uses that may be permitted in this zone, since the existence of the port will necessitate some uses locating in that area, but to ensure that such uses that do locate are aware of the mixed nature of uses in the area and be given the opportunity to take measures to ameliorate or reduce any harmful or dangerous effects. Uses that Council considers could not meet the standards suggested in the Ordinance will be required to make a notified application as conditional uses.
- (c) The fact that recreational uses will tend to peak at times other than during working hours is an important consideration and will be taken into account in assessing the conditions that may be applied, or in Dispensations or Waivers sought under Part 8.0.

15.2

PREDOMINANT USES

The following shall be permitted uses in the Industrial 2 Zone:

1. Any industry (except those described in 15.3 as conditional uses), the operation of which conforms with the Ordinances set out below.
2. Warehouses and bulk storage, excluding storage of dangerous goods of CI., II., and III. (Dangerous Goods Act 1974)
3. Showrooms and offices associated with any predominant use.
4. Living quarters for a residential caretaker or any other person whose employment is such that he is required to live on the premises.
5. Canteens, recreation, medical centres and other facilities primarily for the convenience of workers in the zone.
6. Buildings accessory to the use of buildings or land for any of the foregoing predominant uses.
7. Public utilities refer 1.5.
8. Parks, playgrounds, recreation areas and open space and uses included under Clauses 16.4 and 16.5 including recreation facilities under the ownership or control of the Harbour Board or Lyttelton Borough Council.

15.3 MINIMUM STANDARDS FOR THE SITING OF BUILDINGS INCLUDING ACCESSORY BUILDINGS

Permitted uses - the following shall be the minimum standards.

1. Minimum Yards - all sites
 - Front Yard 5 metres
 - Side Yard 5 metres
 - Rear Yard 7 metres
2. Coverage - 75%
3. Maximum Height - 12 metres
4. Open Space for a caretaker's household at least 50 m² with a least dimension of 5 metres.
5. Landscaping of front yards to be carried out to the satisfaction of Council.

Car parking areas for more than 5 cars shall be effectively screened on any boundary by a wall, evergreen hedge or other planting maintained in good condition.

If an area is required to be fenced it shall be of an appearance in terms of materials, height and colour that is in character and harmony with the surrounding area.

6. Car Parking

Off-street parking must be provided in accordance with 6.0.

Driveways and car parking areas shall be formed, drained and covered in an all weather material.

7. Amenities

Conditions may be imposed in respect of site layout, lights, signs, verandahs, hours of operation and the nature of the activities as are deemed necessary for the Council to secure the amenities of the neighbourhood protected by this Scheme.

8. The following conditions must be met to reduce the objectionable elements and nuisances inherent in some industries.

i) Noise:

The use of any land shall be so conducted and buildings shall be so designed and laid out as to ensure that as a result of any activity the following

noise levels measured as "Corrected Noise Levels" in accordance with the Standards described in NZS 6801 and 6802:1977 are not exceeded at the Industrial Zone boundary.

Day Time	Night Time
0700-2200	2200-0700
55 dBA	45 dBA

No single event noise shall exceed 75 dBA or exceed the background noise level by 30 dBA whichever is the lower except between the hours 0700-2200.

ii) Air Pollutants:

Smoke and dust can only be emitted from any industrial land use provided that it conforms to the provisions of the Clean Air Act 1972.

The Second Schedule of this Act outlines:

- (a) Land uses requiring licensing by the Department of Health.
- (b) Land uses requiring licensing by the local authority.
- (c) Land uses requiring notification to local authorities and subject to license pursuant to by-laws.

iii) Glare

The Council will only permit industrial uses to be constructed of materials and painted in such a way so as to preclude glare.

iv) Effluent

No effluent shall be discharged in any form anywhere without the prior consent and adherence to the Water and Soil Conservation Act 1967.

- v) All tailings, sawdust and spoil waste shall be so disposed of as to minimise damage to the environment.

15.4 CONDITIONAL USES

The conditional uses in the Industrial 2 Zone shall be:

1. Bulk storage of fuel oils and coal and any other materials the storage of which is already undertaken in the zone.

2. Any industry that cannot meet the Ordinance Controls or Standards relating to uses in the zone and/or for which Council may not or has not granted Dispensation or Waiver under Part 8.0.
3. Buildings accessory to the use of buildings or land for any of the foregoing conditional uses.

15.5

CONDITIONS RELATING TO CONDITIONAL USES

The standards for conditional uses shall be set by Council on each application but generally these shall not be less than those stated for all uses above, shall satisfy the requirements of the policies expressed in this Scheme and will include controls relating to noise, smoke, smell, effluent, vibration, dust glare and other like objectionable aspects and to prevent the obstruction or contamination of adjacent natural water in streams, the ground and the harbour. The conditions will ensure land uses satisfy the requirements of the Water and Soil Conservation Act 1967. In the reclamation area it is envisaged that any extensions of the uses listed as conditional would be accommodated by infilling in the areas generally north and east of the Borough's recreation reserve. However, should this be impracticable then applications for development in the areas generally south and west of the recreation reserve would be considered taking into account the likely effect on nearby recreational activities.



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RESEARCH REPORT
ON THE CHEMISTRY OF
THE SOLID STATE
BY
J. H. SCHUBERT
AND
R. W. WOODWARD

1963

PART SIXTEEN : LAND USE CATEGORIES

RECREATION, RESERVES AND OPEN SPACE

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16.1 GENERAL STATEMENT

In making provision for reserves and open space and their classification and control, the Scheme provides for two basic methods of defining and administering areas of open space for reserve purposes. These are:

- (a) To include reserves, open space and recreational land uses as stated in 16.5 as a permitted use in all zones in the Borough subject to the controls in this part of the Scheme.
- (b) To designate those reserves regarded by the Borough, the Crown or the controlling authority as sufficiently important to warrant separate treatment because of their unique features or location, or because designation is more suitable in the public interest and may provide a better method of control of reserves. Reserves included in this category will generally be those owned by the Crown and/or reserves like the Bridle Path and scenic reserves where particular notations relating to the use and purpose provide better control.

16.2 The Statutory controls over reserves other than the provisions set out in this part are contained in the Reserves Act 1977. This provides in the main, for management plans to be prepared for the Reserves to which the Act applies, and for such reserves to be classified according to their purpose. The Council will meet these provisions as opportunity and resources permit.

16.3 The Council has adopted the following in respect of reserves within the Borough.

Objectives:

To endeavour to provide for the recreational needs of the public without duplicating facilities. The multi use of facilities will be encouraged.

To manage and preserve areas of coastal reserve, recreational parks, amenity areas, and objects and sites of historical and natural significance.

Policies:

To utilise Reserve Contribution monies for the acquisition and development of reserves as provided for under the Local Government Act 1974.

To add open space and amenity to the town area.

To permit buildings on recreational land where they are proven to be in the public interest and/or are in accordance with the purpose and management of the land. Buildings must not lessen the recreational and aesthetic amenities the reserve provides.

The following are the uses permitted on reserves and on land used or to be used for reserve or recreational purposes or open space. These are areas referred to as being part of the predominant uses for each zone category.

16.4 PREDOMINANT USES

In any zone the following shall be predominant uses of land.

Open space and picnic areas.

Gardens, bush areas, lawns, planted areas and landscape features, playgrounds, recreational areas, (active and passive), pedestrian pathways, tracks and cycle routes, play equipment, public shelters, toilets and changing sheds. Garden and implement sheds, caretakers and groundsmans accommodation. Areas required to be set aside for erosion control or the maintenance of ground stability.

Reserves under the Reserves Act 1977 which provide for the above activities.

16.5 CONDITIONAL USES

In any zone the following shall be conditional uses of land:

1. Buildings, and formation of sports tracks, athletic track and field facilities and recreational facilities of a permanent nature, bowling greens, golf courses and clubhouses and associated buildings except those intended to be under the control and management of the local authority.
2. Car parks.
3. Accessory buildings other than those referred to in 16.5 above.
4. Boat ramps and launching facilities, boat sheds, tea rooms and similar places of public or private assembly or entertainment.
5. Reserves under the Reserves Act 1977 which provide for the

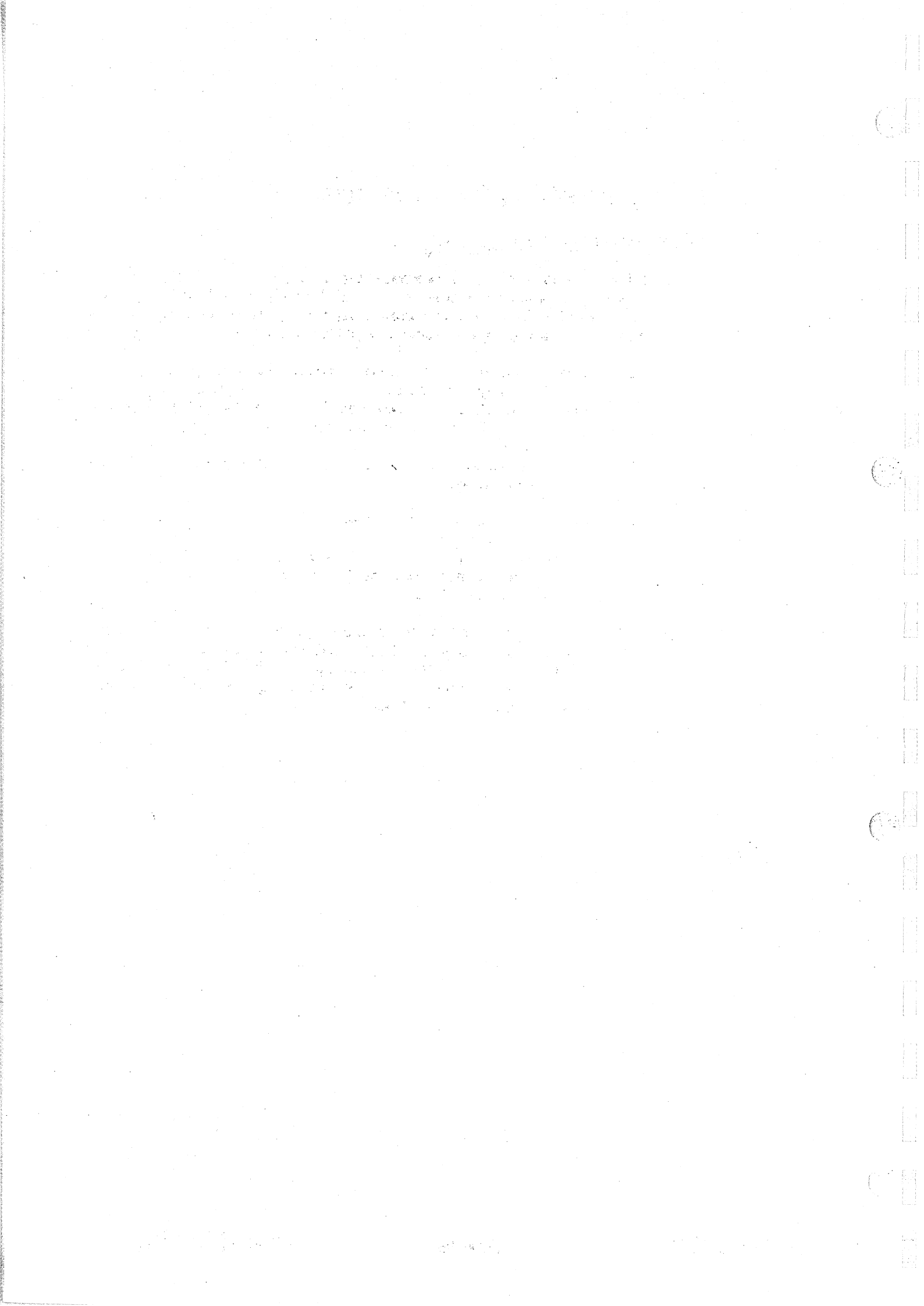
above activities.

16.6

CONDITIONS APPLYING TO ALL USES

1. No bulk and location, maximum floor area or site coverage standards have been set, but Council will consider each case on its merits. Factors taken into account prior to the issue of planning consent or a building permit will include:
 - (a) The proximity of, and effect on, adjoining uses particularly residential uses. Any proposal within the Residential 1 Zone must be of a similar design, scale and character to existing development.
 - (b) Site planning, landscape, site development and car park provision.
 - (c) Multiple use of facilities.
 - (d) Recognition of the matters set out under Clause 15.1 for developments on the foreshore in, or adjacent to, the Industrial 2 Zone.
 - (e) Any other conditions including those that may relate to: user numbers likely and pressure on existing and proposed facilities, grouping of facilities. Impact on vegetation, erosion control measures, visual qualities and amenities.

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PART SEVENTEEN : TREE PROTECTION

ORDINANCE 17

Page

17.1 Tree Protection, Conservation and Replanting

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17.1

TREE PROTECTION, CONSERVATION AND REPLANTING

- (a) No person or body shall destroy, remove, damage or otherwise adversely affect any tree or trees listed in Appendix F.
- (b) Where further trees are identified as being notable for reasons indicated in the Scheme Statement the Council shall add to the list in Appendix F by initiating a scheme change.
- (c) Any tree required by this Code to be preserved and maintained may be marked with a plaque identifying the tree.
- (d) Any person or body wishing to remove any listed tree or carry out any major tree surgery, pruning or ground works, within the crown periphery (dripline) of the tree shall, prior to commencing any such work on or in the vicinity of the tree, obtain the consent of the Council.

The application shall be made without public notice and the Council may request the comments of any person or body whose interests might in the Council's opinion be prejudicially affected, or who were consulted at the time the tree was listed in Appendix F.

The Council may at its discretion consent to any application under this part of this Code where any one or more of the following conditions is established.

- i) The trees are dead, dying, diseased, or have lost their essential qualities for which they were originally protected.
- ii) The tree or trees have become a danger to the public.
- iii) The tree or trees interfere with essential public utilities or important public construction work.
- iv) The tree or trees are required to be removed from drainage systems, water courses, streams or rivers.
- v) The tree or trees are causing serious damage to buildings or property, public or privately owned.

- vi) The tree or trees would seriously restrict redevelopment of the site which would have a more advantageous affect on the amenities of the area.
- (e) Where trees are removed the Council may require arrangements to be made for suitable replacement plantings.
- (f) Where in any case the Council refuses its consent to any application under this Part the applicant may in accordance with Section 69 of the Act appeal to the Planning Tribunal.

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APPENDICES

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APPENDIX A

LIST OF OBJECTS AND PLACES OF
HISTORICAL OR SCIENTIFIC INTEREST
OR NATURAL BEAUTY

The following is a list of items and places in the Borough of historic, scientific, or local interest and natural beauty. Council is attempting to compile a record of the buildings and places mentioned, and while many of these are not registered or protected in any way at this stage, and subject to any other statutory provisions, the minimum requirement in respect of their removal, alteration or demolition is that a complete photographic record be made in their existing condition.

- (1) Timeball Station, Reserve Terrace 2023 Town of Lyttelton
- (2) Holy Trinity Church, Winchester Street Res 28
- (3) Presbyterian Church, Winchester Street Lot 77 Town of Lyttelton
- (4) St. Joseph's, Winchester Street Lot 67 Town of Lyttelton
- (5) Captain Simeon's house 784
- (6) Old Vicarage, 26 Ripon Street Res 27
- (7) House, 14 Godley Quay Lot 5 D.P. 6969
- (8) Ferguson's School, Godley Quay Lot 6 D.P. 6969
- (9) Dampiers House, Godley Quay Pt.6 D.P. 1616
- (10) Captain McLellans House A 2404 s
- (11) Godley House, Diamond Harbour Pt.5 D.P. 14050
- (12) Stoddarts Cottage, Diamond Harbour Pt.5 D.P. 14050
- (13) Karri tree, Diamond Harbour Pt.1 D.P. 14050
- (14) Bridle Path route
- (15) Trig Station at top of Mt. Pleasant (original trig point)
- (16) Pilgrim's landing site marked by stone markers and plaque
- (17) The site of immigration hospital, Sumner Road - not marked on planning map
- (18) Stone walls around Lyttelton built by prison labour - not marked

on planning map

- (19) Gaol site, now Upham Memorial Park (cells and gaol steps)
- (20) Colonists Hall Site - not marked on planning map
- (21) Methodist Church - Winchester Street
- (22) Graving Dock and Slipway
- (23) Drill Hall, London Street - not marked on planning map
- (24) Magazine, Magazine Bay
- (25) Anglican Cemetery
- (26) Dissenters Cemetery
- (27) Roman Catholic Cemetery - not marked on planning map
- (29) "Devonia" Hatchwell House, Bridle Path
- (30) Old Stone House, Brittan Terrace - not marked on planning map
- (31) Mitre Hotel, Norwich Quay
- (32) Site of Immigration House on Bowling Green - not marked on planning map
- (33) Caretakers House, Gaol Canterbury Street

APPENDIX C

INTERPRETATION

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

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

"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 permitted on that site and includes garages, tool sheds, glasshouses, swimming pools etc. but excludes aerials and radio antennae greater than 2 metres in height.

"Boardinghouse" means a residential building, not being a licensed 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 1.2 m in height and includes any fence or wall other than a retaining wall and any stack or heap of building material, and any pylons, aerials and radio antennae greater than 2 metres in height.

"Code" means this Code of Ordinances.

"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 pursuant to a notified application 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, but not including fences, terraces or retaining walls, expressed as a percentage.

"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.

"Dwelling" means a detached residential building being the only household unit on the site designed for or occupied exclusively as one household unit and includes accessory buildings attached to or forming part of the structure.

"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 including a carport used for the housing or care of self-propelled vehicles but does not include a commercial garage.

"Habitable Room" includes bed, living, and dining rooms, kitchens, permanently enclosed sleepouts, but excludes bathrooms, pantries, laundries and store houses.

"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 chimneys, ventilation shafts, water tanks, elevator lofts, steeples and towers. 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.

"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" 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 of 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.

"Licensed Hotel" means a building in respect of which there is for the time being in force, a hotel keeper's licence issued under the Sale of Liquor Act 1962.

"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 pools, playgrounds and the like.

"Parking", in relation to any vehicle, includes the stopping or standing of the vehicle in the same place approximately whether the driver is with it or not, whether the engine is running or not, and whether the vehicle is capable of moving under its own power or not.

"Places of Assembly" means land or buildings which are used in whole or part for the assembly of persons for such purposes as deliberation, worship, entertainment, education or similar purposes.

"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.

"Professional Offices" means offices and consulting rooms used for the professional practice of doctors, lawyers, accountants, engineers, architects, town planners, surveyors, dentists and similar occupations.

"Protection Forestry" means the planting, re-establishment, cultivation and management of trees for river protection, erosion control and soil stabilisation purposes and for the provision of shelter, domestic purposes and general amenity.

"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.

"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.

"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 premises, and a lending library, a restaurant, a hairdresser'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, or fuel for, motor vehicles.

"Site" means an area of land permitted by the Scheme and by any enactment in force at the time to be used as a separate unit for one or more specified or ascertainable uses; and includes all related buildings and curtilages.

"Through Site" means a front site having two frontages to a street or streets, such frontages not being contiguous.

"Street" includes road.

"Tavern" means a building in respect of which there is for the time being in force, a tavern keeper's licence issued under the Sale of Liquor Act 1962.

"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, and court has a similar meaning.

"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 subject to determination by Council.

"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 is 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 are two or more front yards, from yard to yard.

APPENDIX B

CRITERIA TO BE USED AS A GUIDE RELATING TO DEVELOPMENT IN THE RESIDENTIAL 1 ZONE - TO RETAIN THE PRESENT CHARACTER

Design Criteria - References: M.B. Cooke 1975 2nd Edition "The Age of Houses" and report of the 24 June 1977 to the Lyttelton Borough Council by D.E. Donnithorn F.N.Z.I.A. R.I.B.A.

General - Houses of the 1850-1900 period were in a cottage and later a villa style. Early designs were symmetrical and simple in appearance - rectangular shapes with pitched and gabled roofs, and in the main were small homes on small sections creating a close settlement pattern. The later villa style were generally larger, with a central hall, and large rooms with up to a 12 foot stud.

Detail - Homes were rectangular, elevated into gables or steep hip roofs, and usually in a single storey with low eaves or one and a half storey's.

Lean-tos were added at the rear or side of building to create more room. Symmetry is the key to any design. See Figures 1,2 and 3. For example, the front view of the home usually displayed a door in the centre balanced by sash windows on either side often with dormer windows in the roof.

The roof is one of the features of these early houses, a steep pitch of 30° - 50° enclosing a space large enough for a room. The roof was usually of timber shingles or later, galvanised iron. Tiles are not a material of this period.

Early windows were in a sash form made up of small panes, larger panes were used later. Dormer and bay windows became more varied with decorations such as cornices and hoods, especially surrounding bay windows and dormers.

Verandahs are another other significant feature. They were an Australian influence, and a very practical addition to the home. They create a feeling of enclosure and may be used as almost another room, very useful when most cottages were small.

Other features are low rectangular chimneys made of brick or stone, and turrets, towers and tall gables on the more ostentatious designs.

Materials - On the exterior, straight rough sawn clap boards and later rusticated boards. Exterior sheathing is horizontal with solid or box corners.

Hard kauri, matai and totara were used for weatherboards but today radiata pine is the most suitable and available.

Kauri and rimu were used internally for joinery and furniture.

Stone was used in some South Island areas but not commonly in Lyttelton. Colours for houses were usually white and yellow cream, with a red or grey roof.

Guidelines for the Design and External Appearance of Buildings in Residential 1 Zone

1. The external appearance of residential buildings:

Rectangular or square in shape elevating into pitched or hipped roofs of 30° to 50° with gables, all in a symmetrical form similar to that described in the accompanying diagrams.

2. Materials:

- (a) Roof - shingles or galvanised iron
- (b) Walls - weatherboards placed horizontally
- (c) Verandahs - wooden with wooden or iron fretwork

3. Design Features:

- Barge boards, plain or patterned
- Entablatures - a frieze architrave and cornice and is supported by columns
- Dormer, bay windows, sash windows, similar to diagrams; dormer windows in gables should be on a 1:2 proportion
- Fretwork in iron or wood on verandahs
- Verandahs
- Finials

4. Character and Harmony of Building:

- Roofs should be designed and constructed as steep pitched gable or hipped roofs, and the provision of attic space contained in roof space is encouraged - see Figure 1.
- Front entry doors, protected from weather by sympathetic verandah or portico - see Figure 2.
- The use of dormer and bay windows is encouraged. The proportion of dormer, bay, and ordinary windows shall be of sympathetic proportions - see Figure 3.
- The existing ornamental motifs of the past such as finial posts, ornamental bracketing, to verandah posts, leadlights, ornamental gates and fences, should be retained and maintained on existing

buildings. In the case of new buildings ornamental motifs should be sympathetic with those on existing buildings.

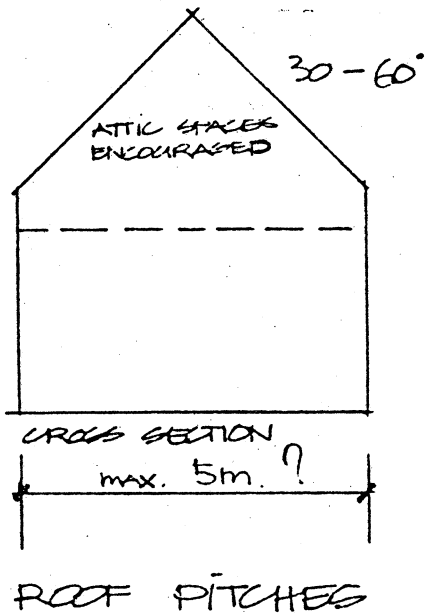
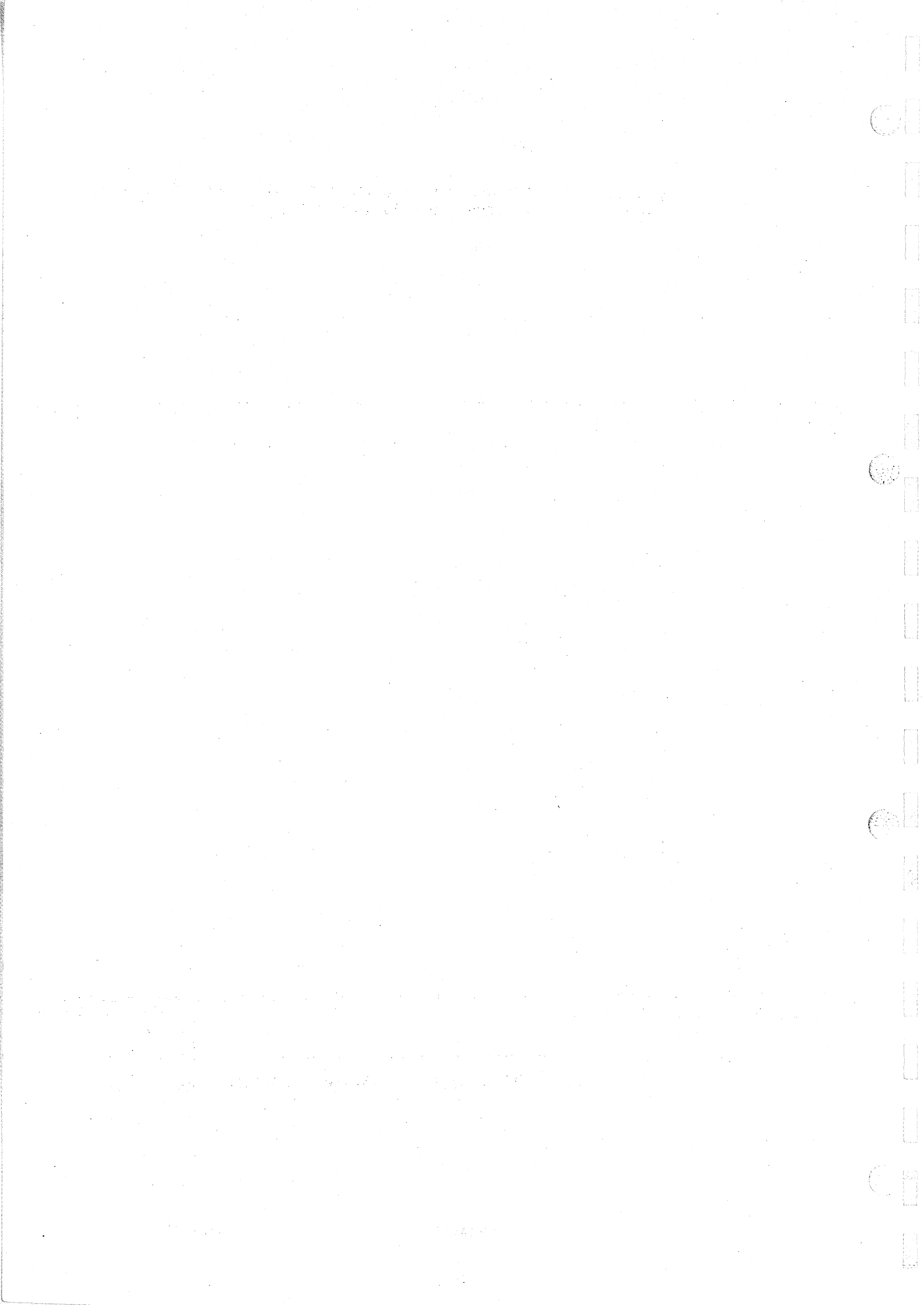
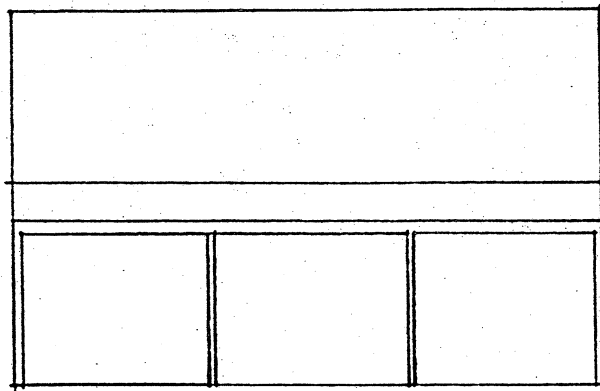


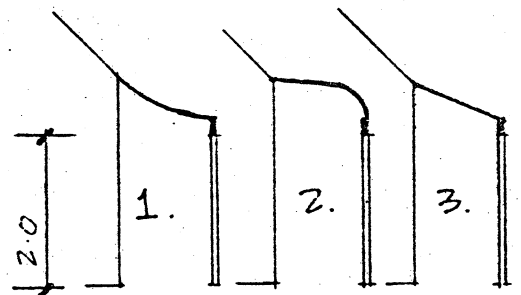
fig. 1.

D.E. DONNITHORNE, FNZIA ARCHITECT 24 OXFORD TERRACE CHRISTCHURCH		SCALE 1:100	DRAWING 1
	LYTELTON BOROUGH COUNCIL	24:6:77	FILE 373/1



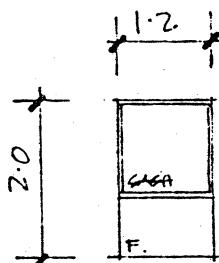


ELEVATION
VERANDAHS.

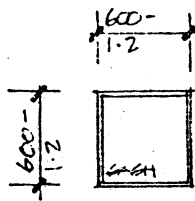


CROSS SECTIONS.
1.3

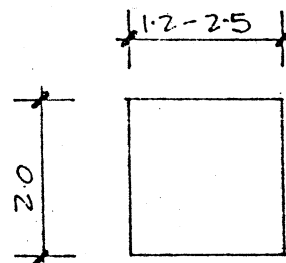
fig. 2



ELEVATION
GENERAL

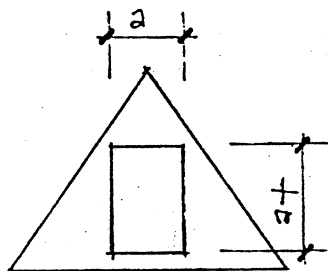


ELEVATION

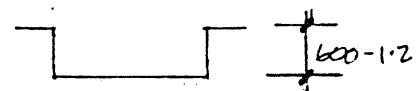


ELEVATION

BAY WINDOWS



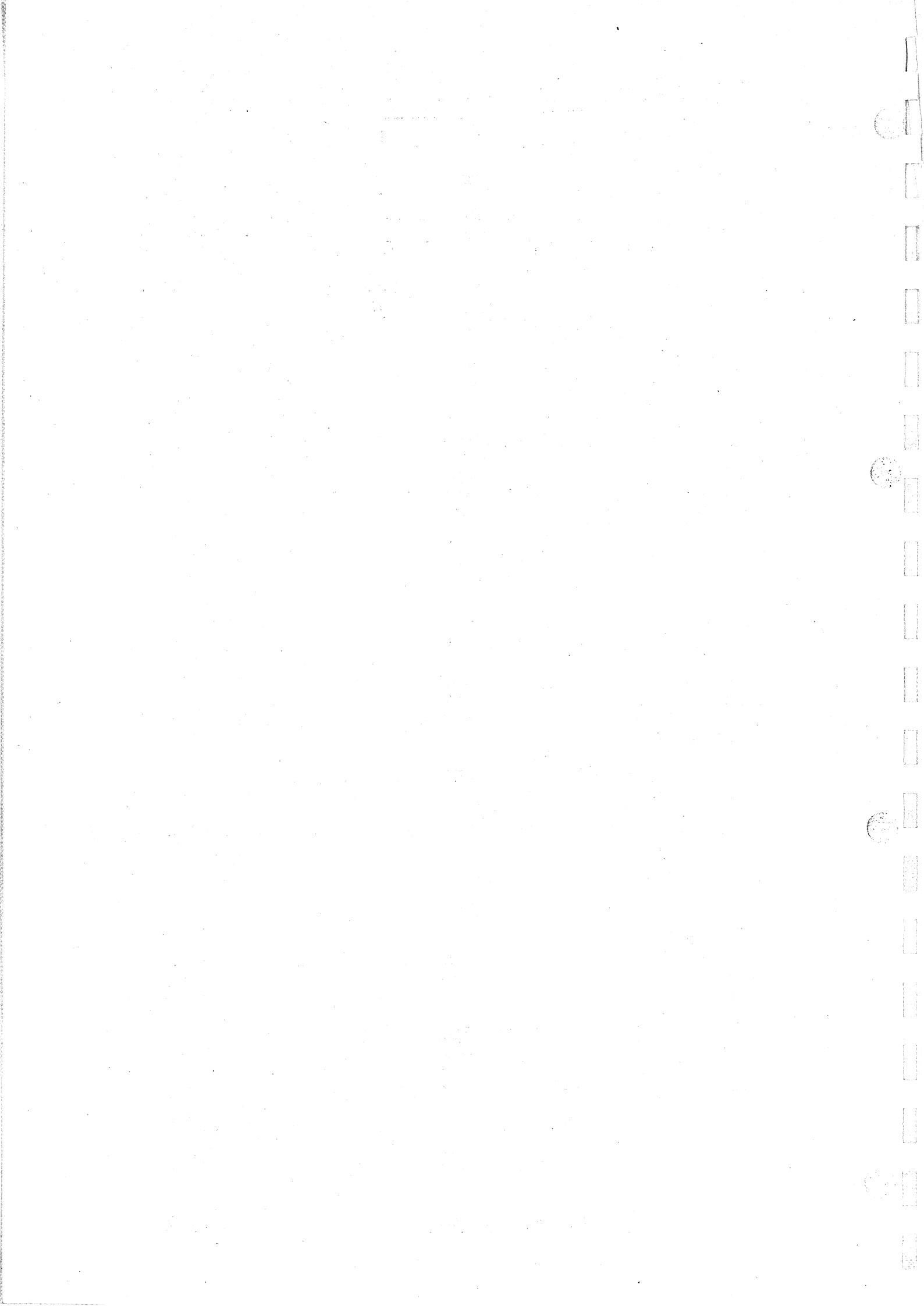
ELEVATION
DORMERS



PLAN
BAY WINDOWS.

fig. 3.

NOTE = THE USE OF ALL TYPES
OF SYMPATHIC DORMER &
BAY WINDOWS IS ENCOURAGED.



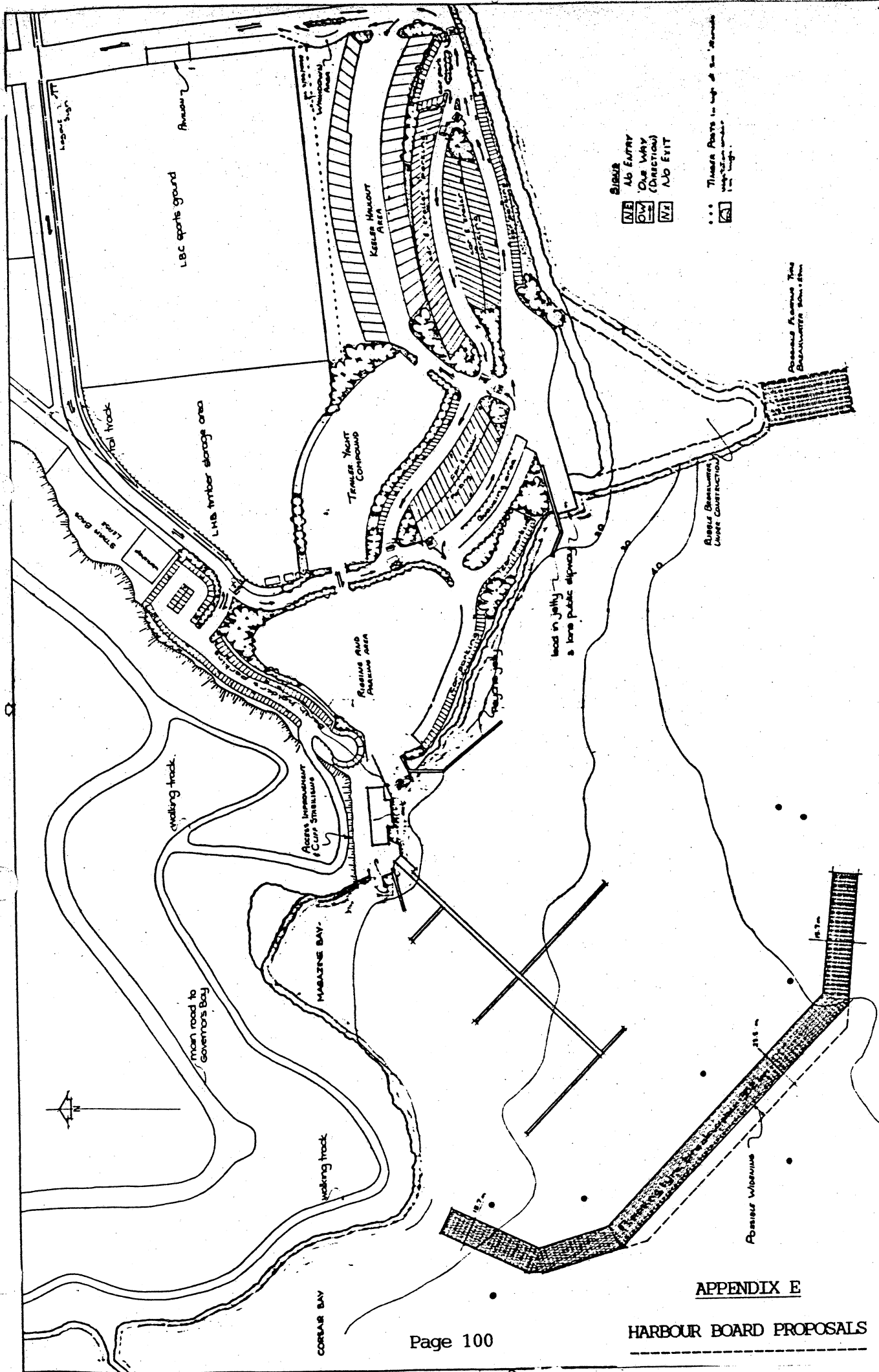
APPENDIX D

RIGHTS OF WAY

Pursuant to Section 4.0, any or all of the following general conditions may be imposed by the Council upon giving permission to any person to lay out or make any private street or private way or grant or reserve a right-of-way over any private way situated within the Borough boundaries. Council however reserves the right to add to, alter or amend these conditions according to the circumstances of each application.

- (1) The right-of-way shall be formed to the satisfaction of the Council.
- (2) The right-of-way shall be paved and sealed to dedicated roading standards to a width of at least 3 m with passing places at entrances or turnoffs to rear lots or angles and at no greater interval than 80 m apart.
- (3) The right-of-way having a blind end shall have a turning place or turning places for vehicles.
- (4) The right-of-way shall be properly drained and graded to the satisfaction of the Council.
- (5) The right-of-way shall have sewage and stormwater sewers installed with junctions and laterals laid to the boundary of the right-of-way at each turnoff unless other drainage arrangements are provided to the satisfaction of the Council.
- (6) The right-of-way shall have a high pressure water main installed to the satisfaction of the Council.
- (7) If required, the right-of-way shall have a paved and sealed footpath separated from the paved and sealed carriageway by kerbing and channelling to be formed to the satisfaction of the Council.
- (8) The right-of-way shall be provided with electric lighting up to street lighting standards.
- (9) The right-of-way shall have a lamp or lamps installed to the satisfaction of the Council and such lamp or lamps shall be maintained and lit in a manner similar to lamps in the public streets of the town.
- (10) The registered users of the right-of-way shall maintain the right-of-way to the satisfaction of the Council and liability and apportionment of costs of maintenance shall be written into the transfer granting or reserving the right-of-way:
 - (a) Excluding lighting
 - (b) Excluding high pressure water mains
 - (c) Excluding stormwater and sewage sewers.

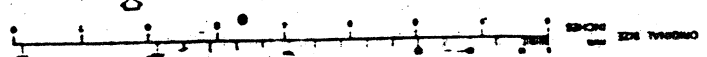
(11) The unformed part of the right-of-way shall be landscaped and planted with suitable shrubs.

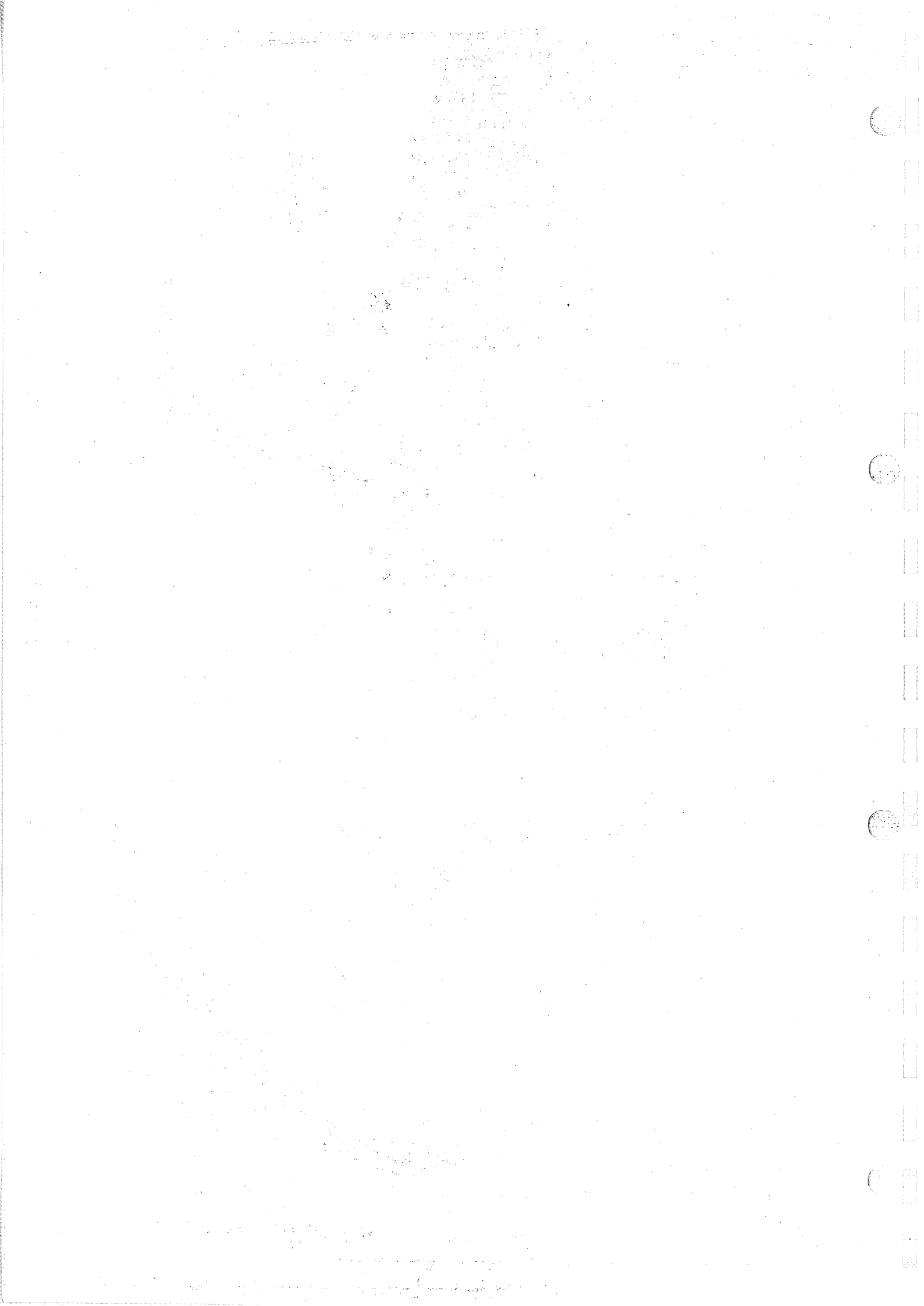


SIGNS
 [Symbol] No Entry
 [Symbol] One Way (Direction)
 [Symbol] No Exit

... These points in top of the structure
 [Symbol] [Symbol]

ALTERNATE	BY	CHK'D	DATE	SCALE	NAME	DATE	SHEET	OF	SHEETS
				1:1000	J.W.M.	25/5/81	6	6	
LYTTELTON HARBOUR BOARD MAGAZINE BAY MARINA LAYOUT STAGE I - 82 BERTHS									
DRAWING No 3/81/10100/									





APPENDIX F

PROTECTED TREES

The following are trees covered by the requirements of Ordinance 17 Tree Protection.

List of Notable Trees

Reasons for protection are fully explained in the scheme statement









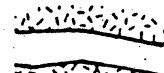
- | | |
|-----------------------|----------------------------|
| 1. Scenic Value | 5. Landmark Value |
| 2. Recreational Value | 6. Functional Value |
| 3. Scientific Value | 7. Special Public Interest |
| 4. Historic Value | |

Tree No.s	Street Location	Legal Description	Botanical Name	Common Name	Reason For Protection
1	14 Godley Quay	Lot 5, DP 6969	Ilex aquifolium	Holly	4
2	Anglican Vicarage, Winchester Street	Res. 28	Quercus robur	Oak	1
1	1 Voelas Road	TS 144	Ulmus parvifolia	Chinese elm	4
1	47 Voelas Rd	Lot 2, DP	Magnolia	Magnolia	4
1	Voelas Road Lyttelton West School	Pt TS 251	Pseudopanax crassifolium	Lancewood	4
1	Park Tce, Corsair Bay		Cedrus libani	Lebanon Cedar	4
2	19 Park Terrace	PT TS 375	(1) Metrosideros totara	Pohutukawa	5
			(1)		

			Podocarpus totara	Totara	5
1	1 Park Tce, Corsair Bay	Legal Road	Cupressus macrocarpa	Macrocarpa	5
2	Main Road, Cass Bay	Lot 2, DP 4 0515	(1) Sophora microphylla	Kowhai	1
			(1) Eucalyptus globulus	Blue gum	1
1	Recreation Ground, Purau Road, Diamond Harbour	Pt Lot 5 DP 14050	Araucaria bidwillii	Bunya pine	4
1	Morgans Gully Road, Diamond Harbour		Eucalyptus diversicolor	Karri gum	4

PLANNING MAP NOTATIONS

SYMBOLS

Borough boundary	
Zone boundary	
Street to be stopped	
Proposed street	
Building line restriction	
Proposed	
Existing	
Shopping street	
Objects or places of architectural or historical interest	
Limited access frontage	

ZONES

Rural	RURAL
Residential 1 & 2	R1; R2
Commercial 1 & 2	C1; C2
Industrial 1	I1
Industrial 2	I2
Comprehensive Dev. Area	CDA

DESIGNATIONS

Lyttelton Borough Council	LBC
Government	GOVT
Primary school	PS
Recreation reserve	Rec
Proposed work	pw
Street work	sw
Police	pol
Civic	civ
Reserves depot	res dep



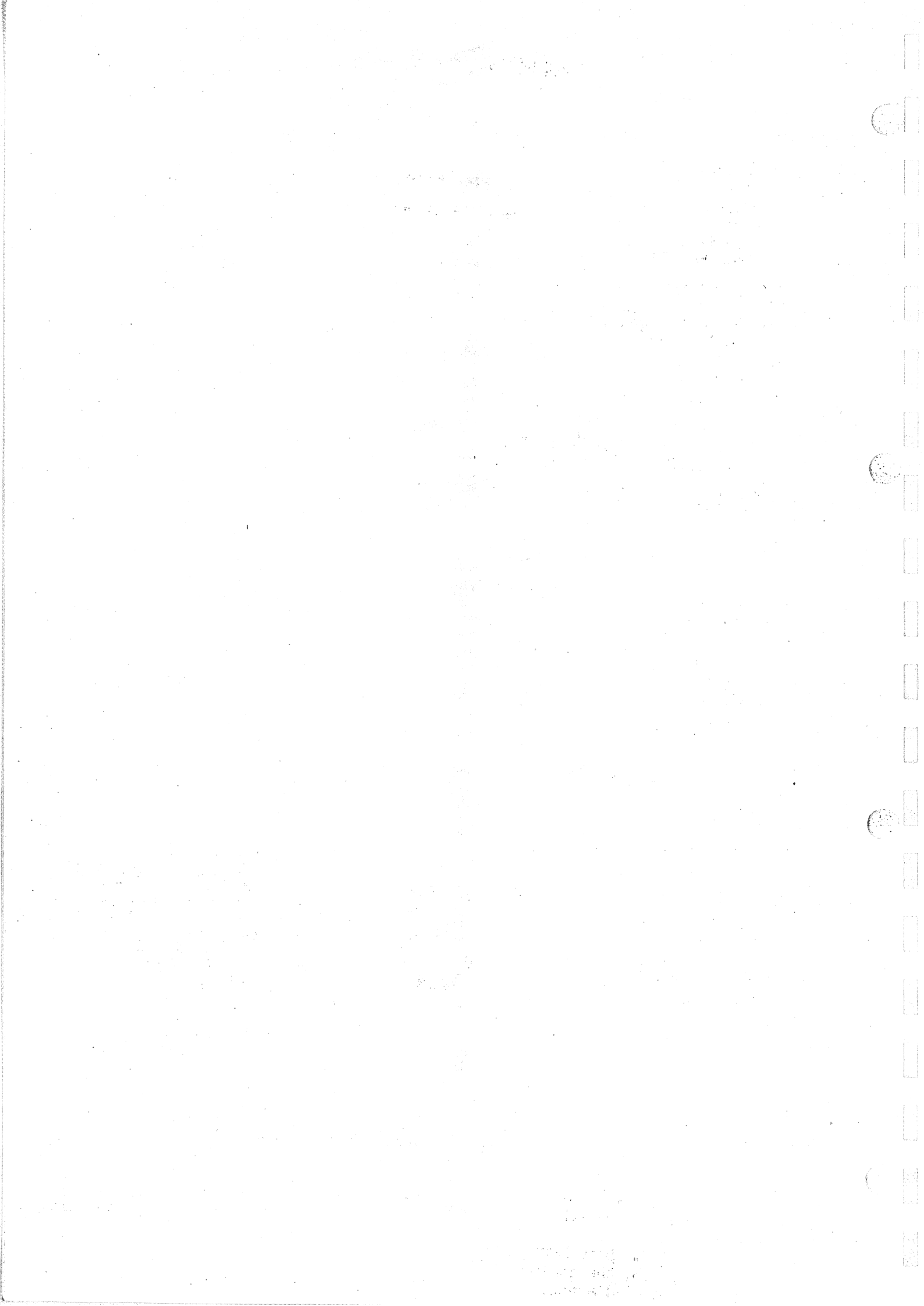
**DISTRICT
PLANNING
MAPS**

1-8

MAP SCALE: 1:5000

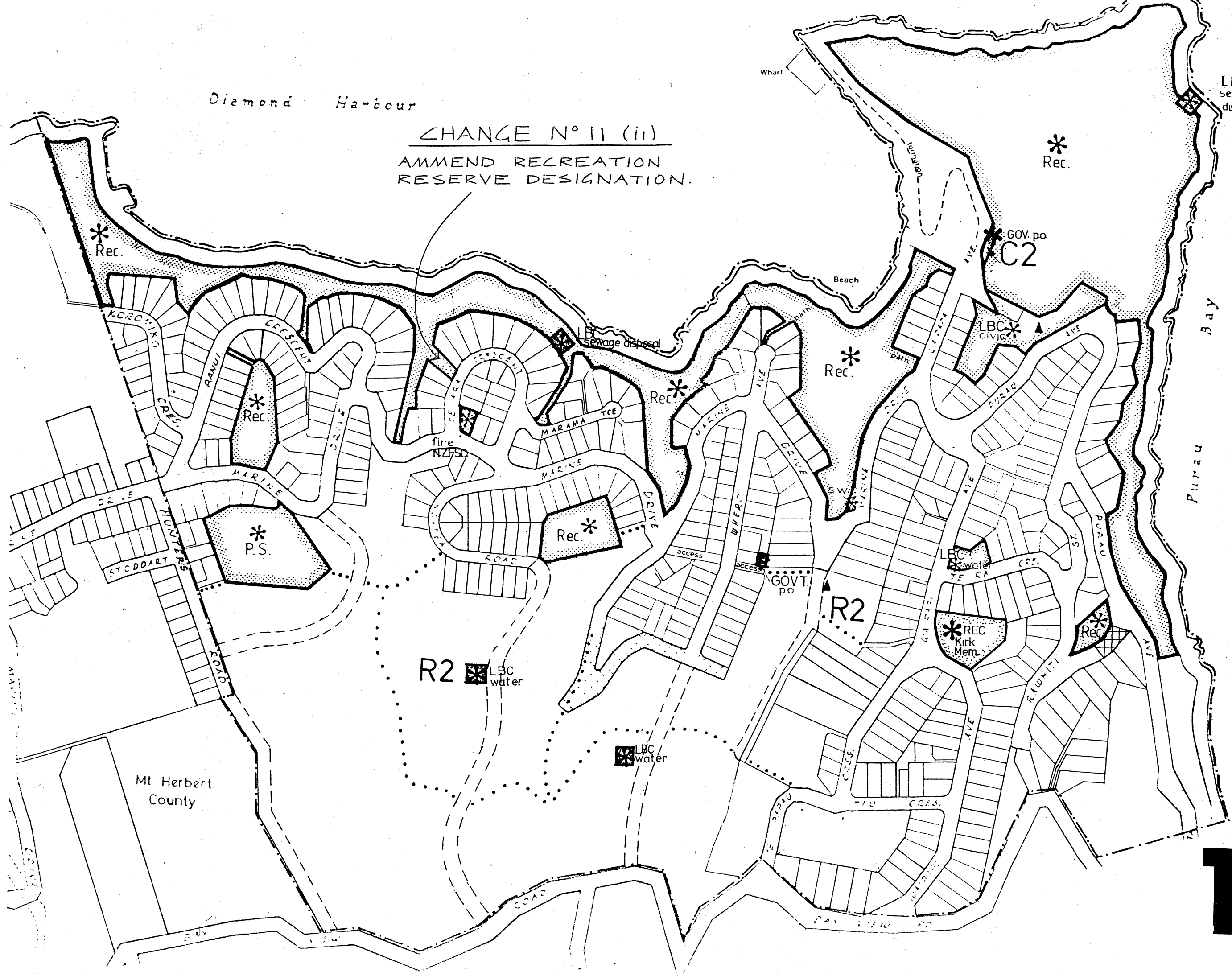


N.B. All designations have as an underlying zoning the zoning of the land immediately adjacent.

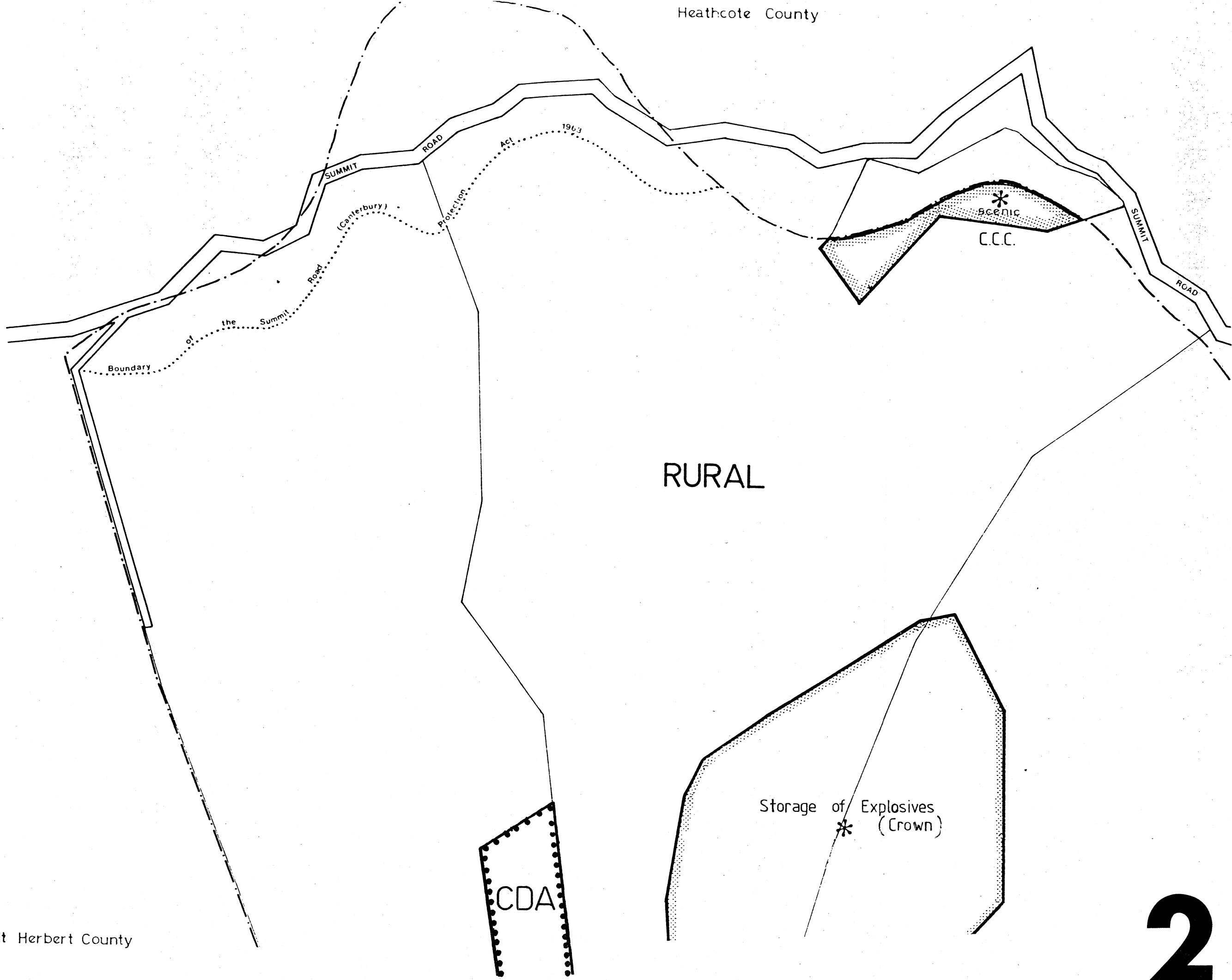


Diamond Harbour

CHANGE N° 11 (ii)
AMMEND RECREATION
RESERVE DESIGNATION.



Heathcote County



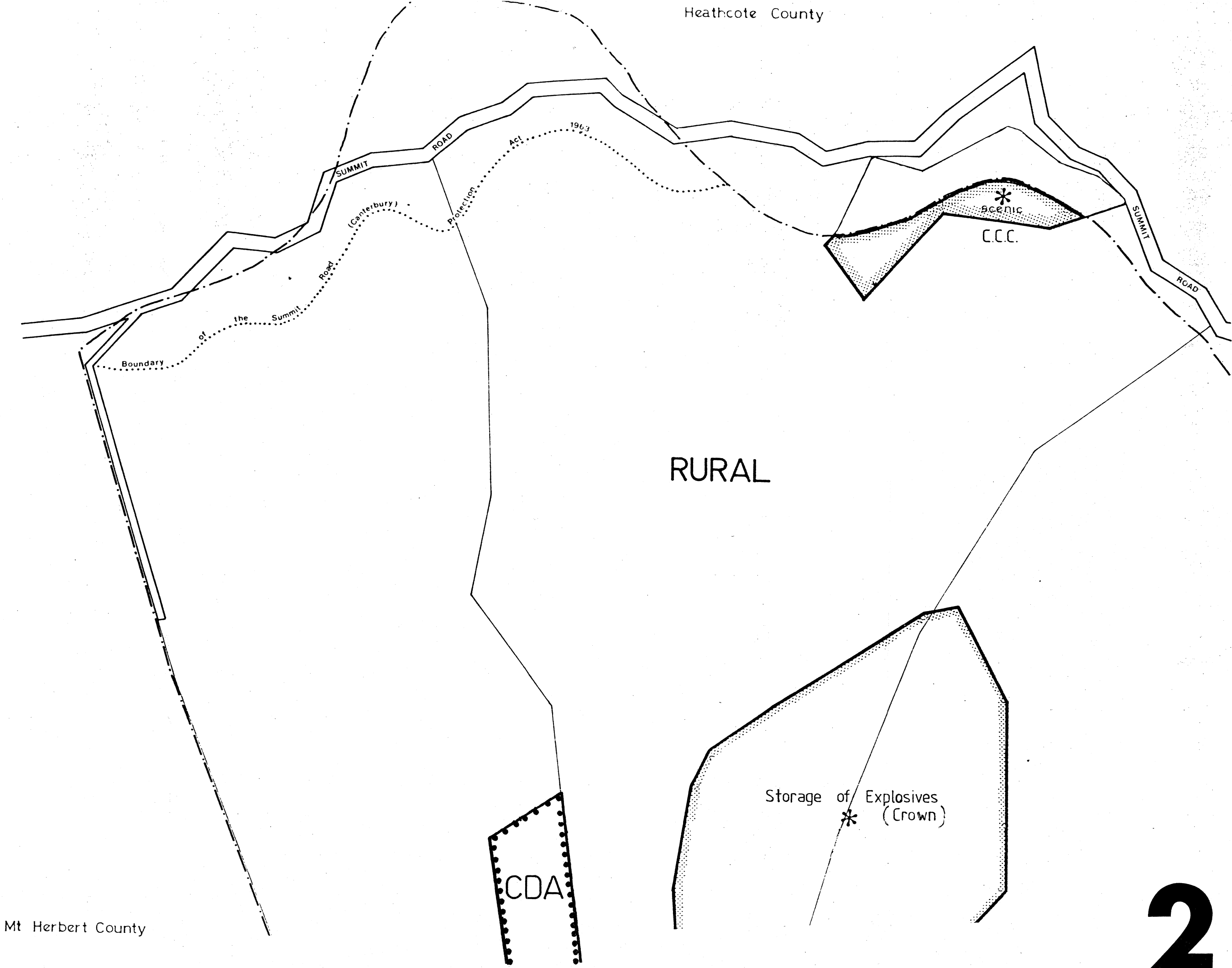
Mt Herbert County

RURAL

CDA

scenic
CCC

Storage of Explosives
(Crown)



RURAL

Storage of Explosives
Crown *

Building Line Restriction
(no buildings or other
works within 30m of
ridge.)

CDA

CDA

GOVERNORS BAY LBC substation

RURAL

C2

R2

LBC sewer outfall

Rec. *

Rec. *

Cass Bay

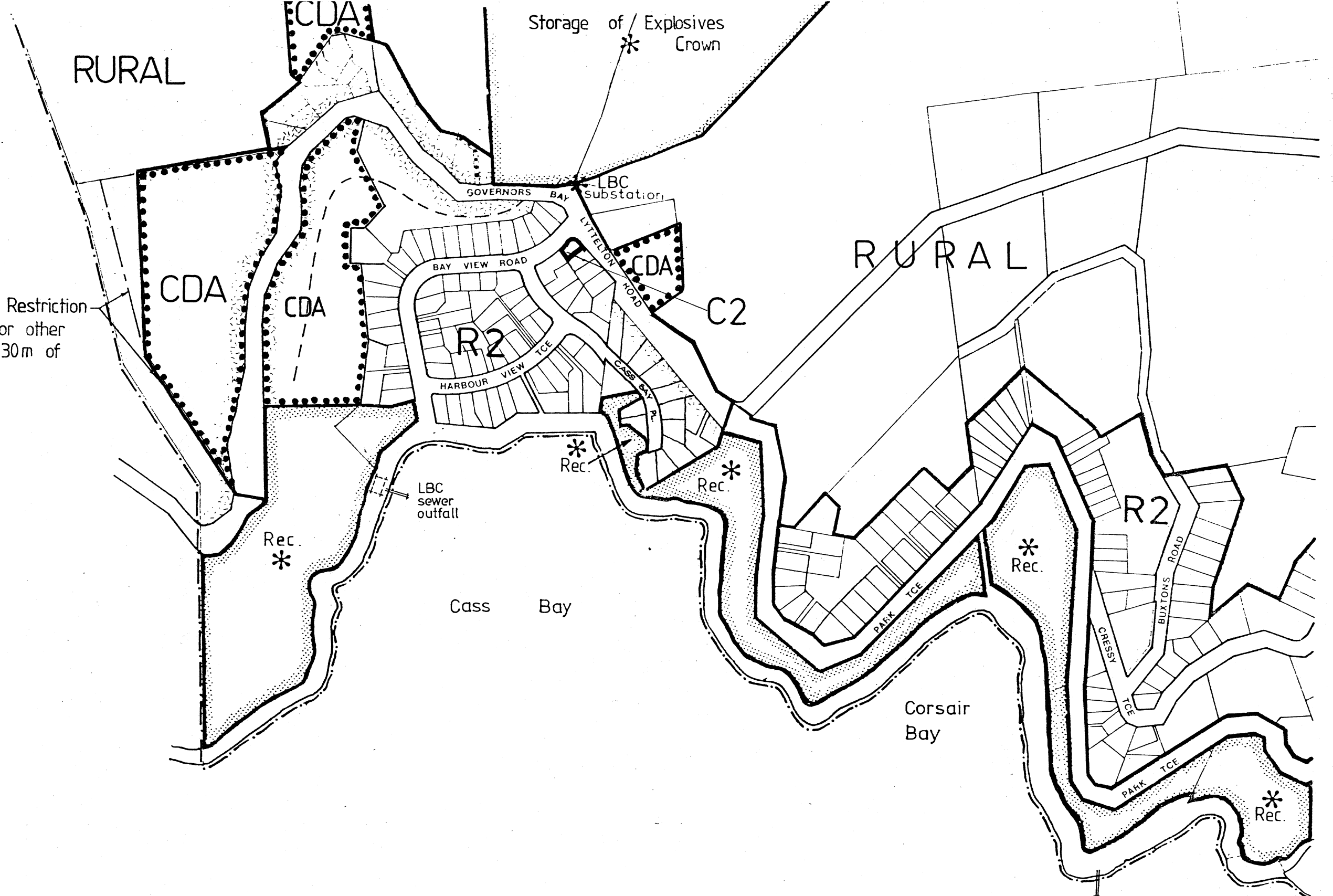
Rec. *

R2

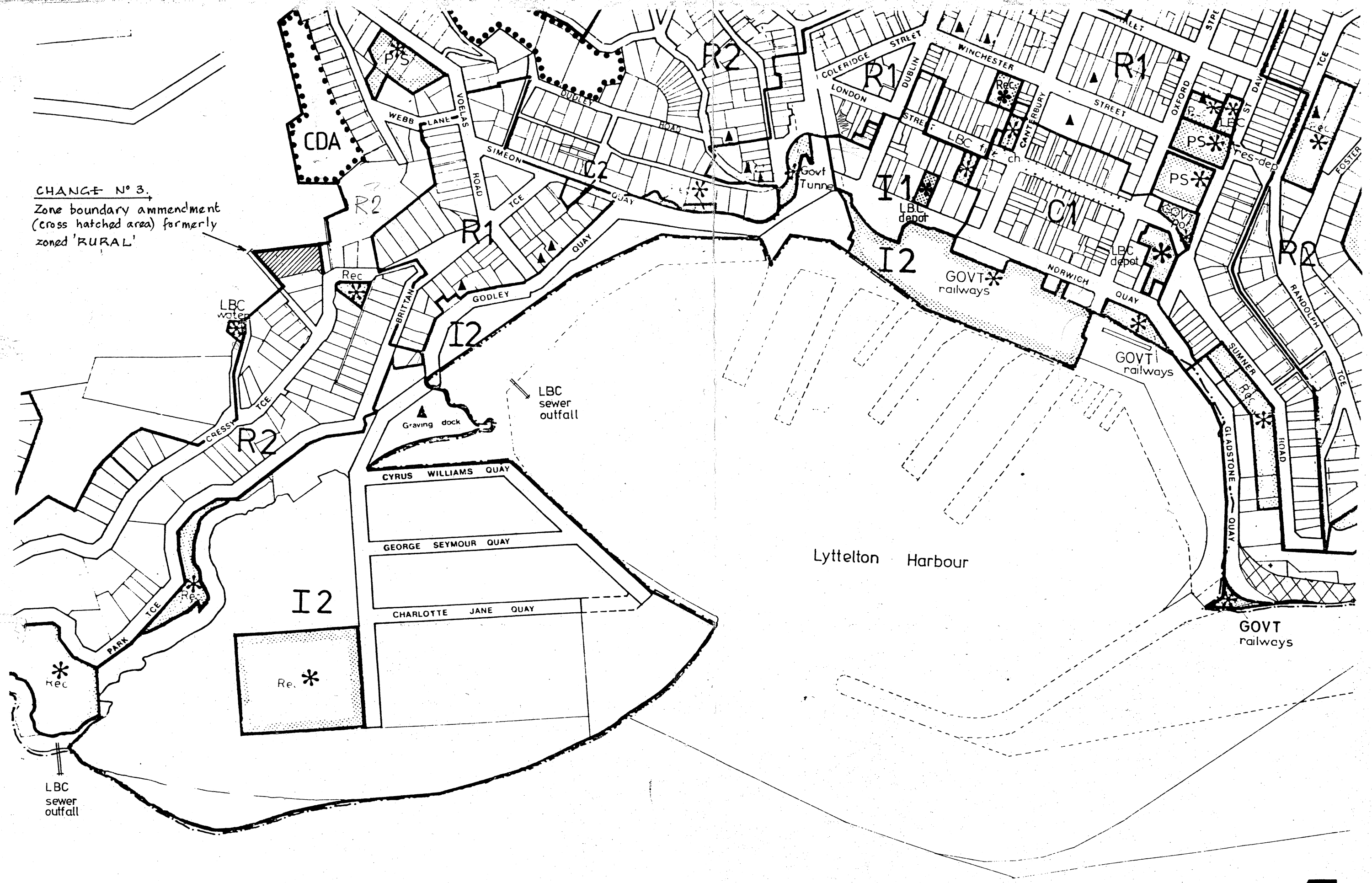
Corsair Bay

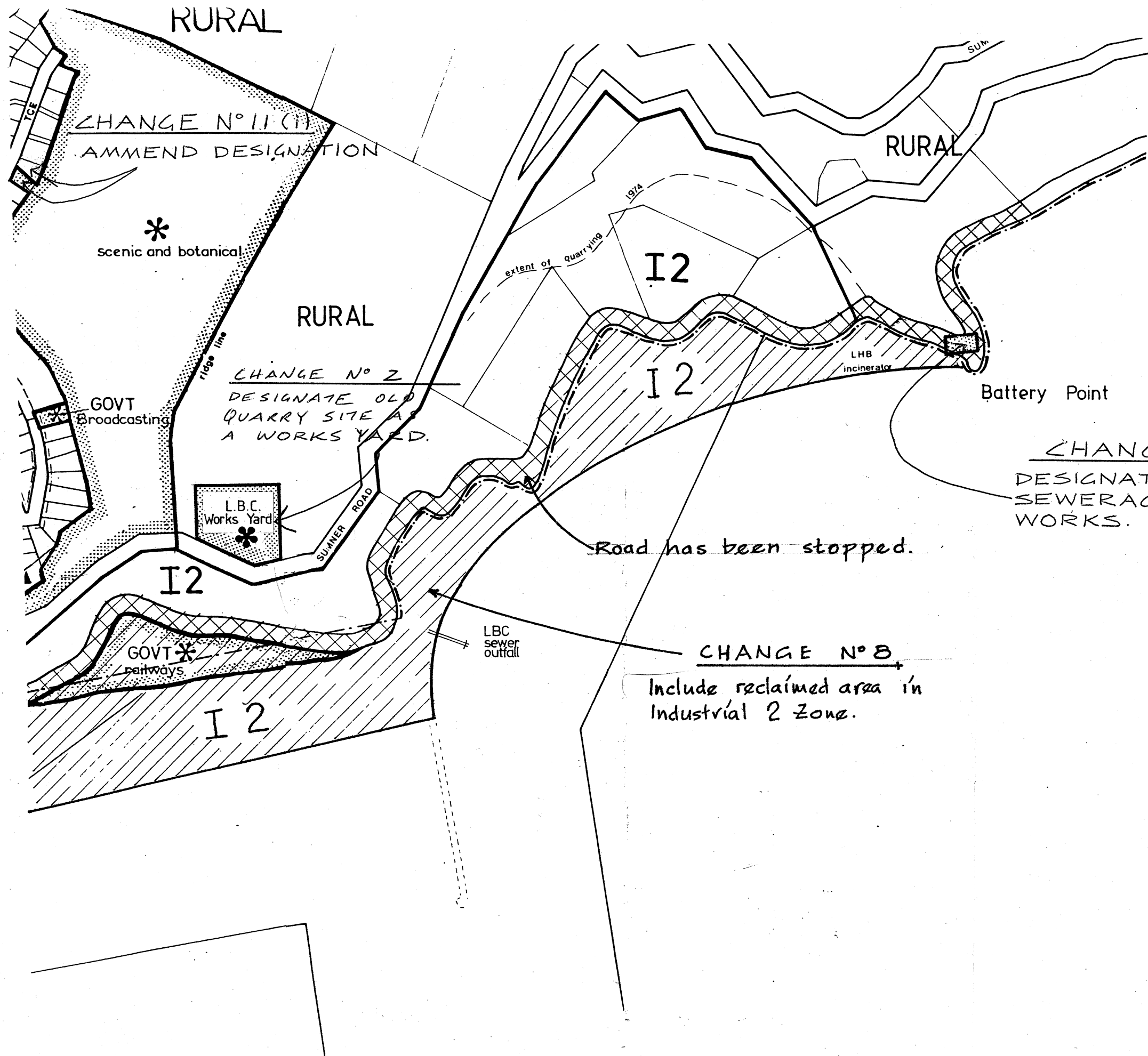
Rec. *

LBC sewer outfall



CHANGE N° 3.
Zone boundary ammendment
(cross hatched area) formerly
zoned 'RURAL'





RURAL

CHANGE N° 11 (I)
AMMEND DESIGNATION

*
scenic and botanical

RURAL

CHANGE N° 2
DESIGNATE OLD
QUARRY SITE AS
A WORKS YARD.

GOVT
Broadcasting

L.B.C.
Works Yard

SUMNER ROAD

I2

I2

RURAL

Battery Point

CHANGE N° 12
DESIGNATE AREA FOR
SEWERAGE TREATMENT
WORKS.

Road has been stopped.

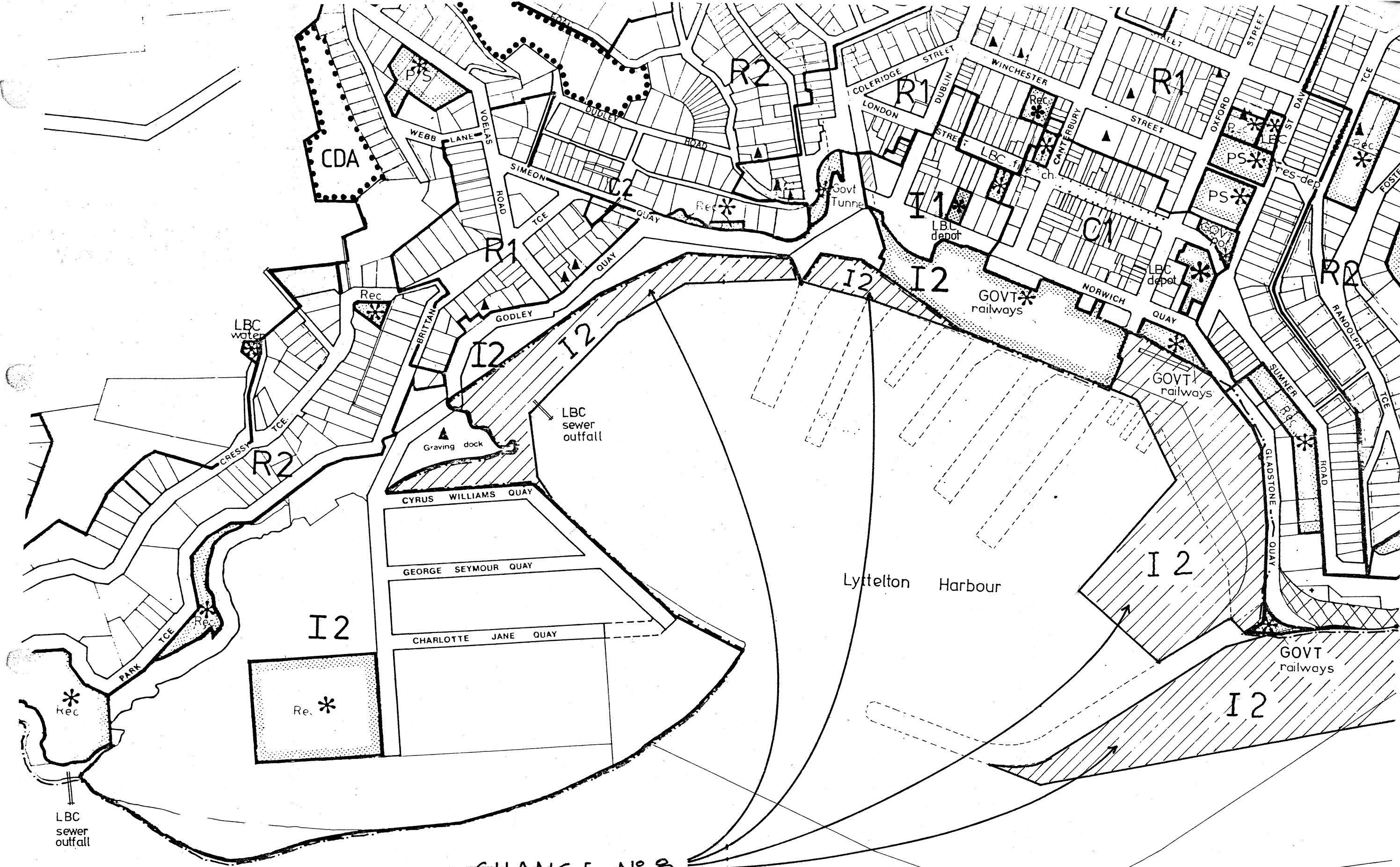
I2

GOVT
railways

LBC
sewer
outfall

CHANGE N° 8
Include reclaimed area in
Industrial 2 Zone.

I2



CHANGE N° 8

Includes reclaimed areas and areas to be reclaimed
in Industrial 2 Zone.

Heathcote County

SUMMIT ROAD

Scenic C.C.C.

Scenic C.C.C.

Scenic Reserve
Dept of Lands & Survey

Oil pipe line
Line of Road Tunnel
Line of Railway Tunnel

MAJOR HORN BROOKS TRACK

Reservoir

RURAL

SUMMIT ROAD

ridge line

LBC water

CDA

100m from €

historic reserve

SOMES ROAD
100m
100m

SOMES ROAD
not formed
not formed

CDA

R2

ROSS ICE

DAYS ROAD

RURAL

play area

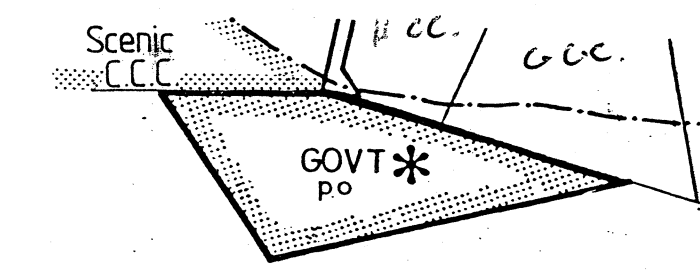
ridge line

HANNAHURST ROAD

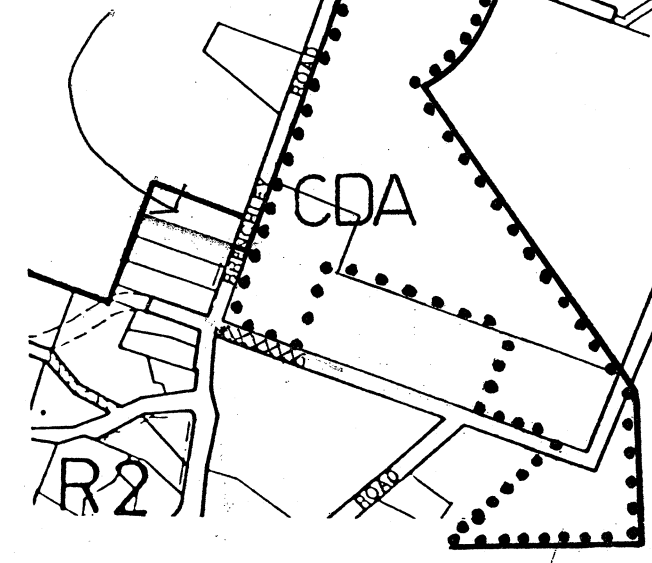
LBC water

RIPON

5

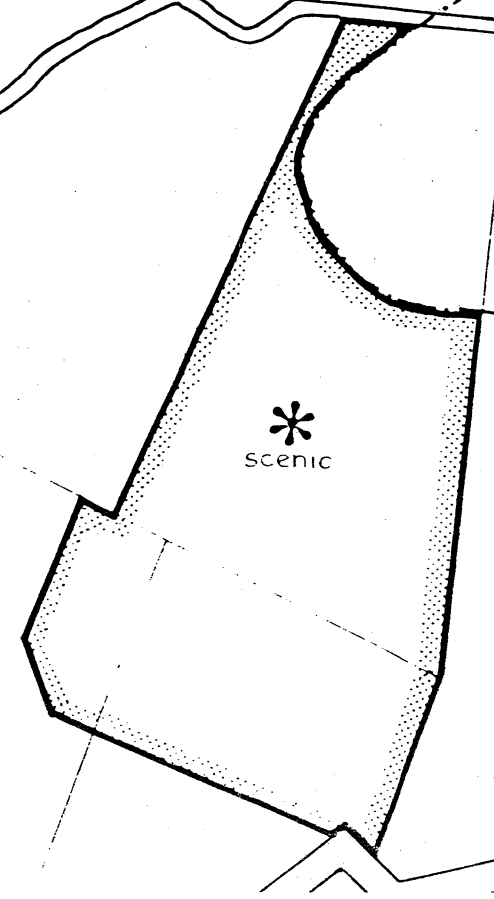


CHAGE NO 4
AMMEND RURAL
RESIDENTIAL 2
ZONE BOUNDRY



RURAL

Christchurch City



RURAL

