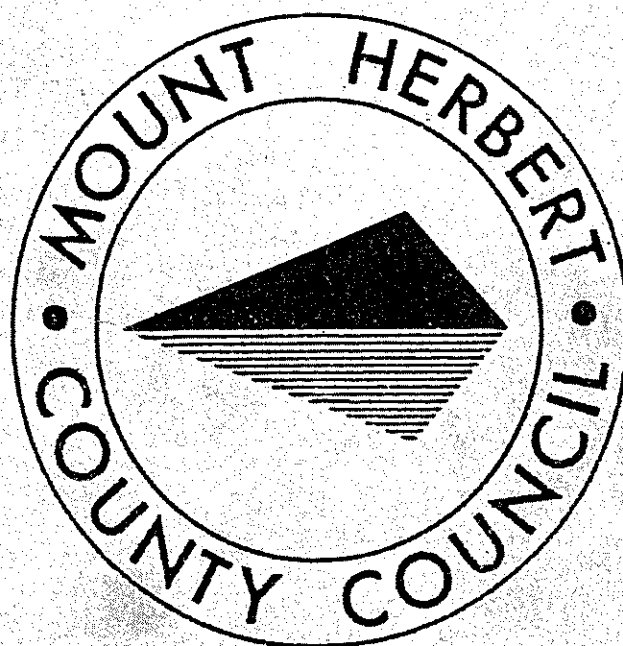


MOUNT HERBERT COUNTY
DISTRICT SCHEME
REVIEW

Publicly Notified 23 December 1988



Royds
Garden

MT HERBERT COUNTY
DISTRICT SCHEME

SECOND REVIEW

Prepared by: Royds Garden Ltd
Consulting Engineers & Planners
71 Armagh Street
Christchurch

May 1988
107MthDS01

C O N T E N T S

Page

SCHEME STATEMENT

CHAPTER 1 : INTRODUCTION TO THE DISTRICT SCHEME

1.	PURPOSE OF DISTRICT PLANNING SCHEME	1
2.	RELATIONSHIP TO THE REGIONAL SCHEME	1
3.	FIRST DISTRICT PLANNING SCHEME	1
4.	FIRST REVIEW OF THE SCHEME	1
5.	DOCUMENTS COMPRISING THE SECOND REVIEWED SCHEME	2
6.	ROLE OF THE SCHEME STATEMENT	2
7.	CHARACTERISTICS OF THE PLANNING PROCESS	2
8.	PLANNING PERIOD	3

CHAPTER 2 : DESCRIPTION OF THE COUNTY

1.	LOCATION	5
2.	NATURAL FEATURES	5
	2.1 Topography	5
	2.2 Soils	5
	2.3 Harbour Waters and Shoreline	6
	2.4 Climate	6
3.	HISTORY	7
	3.1 Pre-European	7
	3.2 European	7
4.	POPULATION AND SETTLEMENT	8
	4.1 Population	8
	4.2 Settlements	12
	4.3 Public Services and Amenities	12
5.	LAND USE	13
	5.1 Farming	13
	5.2 Forestry	13
	5.3 Recreation	14
	5.4 Conservation	15

CHAPTER 3 : OBJECTIVES AND POLICIES	16
1. GENERAL PURPOSE OF THE DISTRICT SCHEME	16
2. MATTERS OF NATIONAL IMPORTANCE	16
3. GENERAL PLANNING OBJECTIVES	17
4. SPECIFIC OBJECTIVES AND POLICIES	18
APPENDIX A : NATIONAL WATER AND SOIL ORGANISATION DEPARTMENT OF LANDS AND SURVEY AND NZ FOREST SERVICE JOINT HILL AND HIGH COUNTRY POLICY	30

CODE OF ORDINANCES

PART 1 : INTRODUCTION	32
1. DOCUMENTS COMPRISING THE SCHEME	32
2. GENERAL OBLIGATION TO COMPLY	32
3. RELATIONSHIP OF SCHEME TO OTHER ACTS, REGULATIONS AND BY-LAWS	32
4. DEFINITIONS	32
5. INTERPRETATION OF PLANNING MAPS	41
6. USES NOT EXPRESSLY MENTIONED	42
7. APPLICATION OF PROVISIONS FOR THE CONTROL OF USES AND BUILDINGS	42
7.1 Zoning	42
7.2 Other Scheme Requirements	42
7.3 Cross References and Notes	43
7.4 Existing Uses and Buildings	43
7.5 Designated Land	43
7.6 Specifically Identified Land	43
8. PROCEDURES	44
8.1 Procedure for Permitted Uses and Buildings	44
8.2 Dispensations or Waivers	45
8.3 Notified Planning Applications	46
8.4 Outline Plans for Designated Land	46
8.5 Development Plans	46
8.6 Subdivision	46

PART 2	: GENERAL	48
1.	LAND TO BE SUITABLE FOR PROPOSED BUILDING OR USE	48
2.	GENERAL CONDITIONS RELATING TO BUILDINGS	48
	2.1 Area of Site to Remain Clear of Buildings	48
	2.2 Buildings Erected Over Boundaries	48
	2.3 Yard Space Required	48
	2.4 Accessory Buildings on Vacant Sites	49
3.	TEMPORARY USES AND BUILDINGS PERMITTED IN ANY ZONE	49
4.	ROAD WIDTHS	49
5.	EXCAVATION CONTROLS	49
6.	WATER USE AND WATER COURSES	50
7.	PROTECTION OF THE SUMMIT RIDGE, THE SUMMIT ROAD AND THE FORESHORE	50
8.	BUILDING BY-LAWS AND THE LOCAL GOVERNMENT ACT	51
PART 3	: RURAL ZONE	52
1.	ZONE STATEMENT	52
2.	PREDOMINANT USES	52
3.	CONDITIONAL USES	53
4.	CONDITIONS RELATING TO CONDITIONAL USES IN RURAL ZONES	55
5.	BULK AND LOCATION REQUIREMENTS	56
	5.1 Predominant Uses	56
	5.2 Conditional Uses	56
	5.3 Open Water Courses	56
	5.4 Trees Near Roads	56
	5.5 Protection of Native Bush Areas	56
6.	REFERENCES IN OTHER ORDINANCES	57
PART 4	: GENERAL RESIDENTIAL ZONE	58
1.	ZONE STATEMENT	58
2.	PREDOMINANT USES	58
3.	CONDITIONAL USES	59

4.	BULK AND LOCATION REQUIREMENTS	60
4.1	Predominant Uses	60
4.2	Conditional Uses	60
4.3	Open Water Courses	60
4.4	Excavation Control	61
5.	REFERENCES IN OTHER ORDINANCES	61
PART 5 : MAORI SETTLEMENT ZONE		62
1.	ZONE STATEMENT	62
2.	PREDOMINANT USES	62
3.	CONDITIONAL USES	63
4.	BULK AND LOCATION REQUIREMENTS	64
4.1	Predominant Uses	64
4.2	Conditional Uses	64
4.3	Open Water Courses	65
4.4	Excavation Control	65
5.	LAND IN MULTIPLE OWNERSHIP	65
6.	REFERENCES IN OTHER ORDINANCES	65
PART 6 : GOVERNORS BAY RESIDENTIAL A AND B		66
1.	ZONE STATEMENT	66
2.	RESIDENTIAL A AND B PREDOMINANT USES	66
3.	CONDITIONAL USES	67
4.	CONDITIONS RELATING TO PARTS OF RESIDENTIAL B ZONE	68
5.	BULK AND LOCATION REQUIREMENTS	68
4.1	Predominant Uses	68
4.2	Conditional Uses	68
4.3	Open Water Courses	68
4.4	Excavation Control	68
6.	REFERENCES IN OTHER ORDINANCES	
PART 7 : COMMERCIAL ZONE		70
1.	ZONE STATEMENT	70
2.	PREDOMINANT USES	70
3.	CONDITIONAL USES	71

4.	BULK AND LOCATION REQUIREMENTS	71
4.1	Predominant Uses	71
4.2	Conditional Uses	72
4.3	Verandahs on Commercial Premises	72
4.4	Open Water Courses	72
5.	REFERENCES IN OTHER ORDINANCES	72
PART 8 : LIGHT INDUSTRIAL ZONE		73
1.	ZONE STATEMENT	73
2.	PREDOMINANT USES	73
3.	CONDITIONAL USES	74
4.	BULK AND LOCATION REQUIREMENTS	74
4.1	Predominant Uses	74
4.2	Conditional Uses	74
4.3	Open Water Courses	74
4.4	Landscaping	75
5.	REFERENCES IN OTHER ORDINANCES	75
PART 9 : FORESTRY ZONE		76
1.	ZONE STATEMENT	76
2.	FORESTRY ZONE A	76
2.1	Zone Statement	76
2.2	Predominant Uses	76
3.	FORESTRY ZONE B	77
3.1	Zone Statement	77
3.2	Predominant Uses	77
3.3	Conditional Uses	77
4.	FORESTRY ZONE C	78
4.1	Zone Statement	78
4.2	Predominant Uses	78
4.3	Conditional Uses	78
PART 10 : RECREATION ZONE (HARBOUR)		79
1.	ZONE STATEMENT	79
2.	PREDOMINANT USES	79
3.	CONDITIONAL USES	79

PART 11 : LAND SUBDIVISION	81
1. INTRODUCTION	81
2. SUBDIVISION	81
2.1 Subdivision to Conform with Planning Objectives and Policies	81
3. SCHEME PLANS	81
3.1 Preparation of Scheme Plan	81
3.2 Information to be Shown on Scheme Plans	82
3.3 Scheme Plan Report	83
4. SUBDIVISIONAL STANDARDS	83
4.1 Standard Requirements	83
4.2 Allotments to be Suitable for Permitted Use	83
4.3 Underground Reticulation of Electric Power and Telephone Services	83
4.4 General Exceptions to Minimum Standard Requirements	84
4.5 Minimum Requirements	84
5. DEVELOPMENT OF SITES	87
5.1 Corners	87
5.2 Enlargement of Public Drain	87
6. WATER USE AND WATER COURSES	87
7. RESERVE CONTRIBUTION REQUIREMENTS	87
 PART 12 : PUBLIC UTILITIES	 89
1. PREDOMINANT USES	89
2. PUBLIC UTILITIES PERMITTED AS OF RIGHT UNDER THE ACT	89
 PART 13 : TRANSPORTATION AND PARKING	 92
1. INTRODUCTION	92
2. GENERAL PROVISION FOR PARKING AND LOADING	92
2.1 Obligation of Owner and Occupier	92
2.2 Places of Historic or Scientific Interest and Protected Trees	92
2.3 Parking and Loading Spaces to be Kept Clear	92
3. PARKING SPACES	92
3.1 Number of Spaces to be Provided	92
3.2 Jointly Uses Parking Areas	94
3.3 Amalgamation of Titles	94
3.4 Dispensations from Parking Standards	94
3.5 Design of Parking Areas	95
3.6 Provision of Barriers or Kerbs	95

3.7	Screening and Maintenance	95
3.8	Land Taken for Street Widening	95
3.9	Access Near Intersections	95
4.	LOADING	96
4.1	Obligation to Provide	96
4.2	Dispensation from Loading Provision	96
4.3	Design of Loading Area	96
4.4	Service Lanes	96
5.	TRADE VEHICLE STORAGE AREAS	96
5.1	Obligations to Provide	96
6.	DRAINAGE AND SURFACE OF PARKING, LOADING, ACCESS AND MANOEUVRING AREAS	97
6.1	Drainage	97
6.2	Surface	97
PART 14 : BUILDINGS AND PLACES OF HISTORIC, SCIENTIFIC, ARCHAEOLOGICAL OR NATURAL BEAUTY		98
1.	INTRODUCTION	98
2.	PLACES TO BE PROTECTED	98
3.	PREDOMINANT USES ON IDENTIFIED LAND	98
4.	CONDITIONAL USES ON IDENTIFIED LAND	98
5.	RECORD OF BUILDINGS	99
6.	SUMMIT ROAD (CANTERBURY) PROTECTION ACT 1963	99
7.	PROTECTION OF WATER QUALITY	99
PART 15 : TREE PROTECTION		100
1.	TREE PROTECTION, CONSERVATION AND REPLANTING	100
PART 16 : ADVERTISING SIGNS		102
1.	GENERAL	102
2.	GENERAL CRITERIA FOR ASSESSMENT OF APPLICATIONS FOR SIGNS	102
3.	SIGNS PERMITTED WITHIN ZONES	103
3.1	Signs in Residential and Rural Zones	103
3.2	Signs in Industrial and Commercial Zones	103

PART 17 : RESERVES AND RECREATION	105
1. ZONE STATEMENT	105
2. PREDOMINANT AND CONDITIONAL USES	105
3. CONDITIONS APPLYING TO ALL USES	106
4. COMPLIANCE WITH THE RESERVES ACT 1977	107

APPENDICES

APPENDIX A : Parking Space Layouts	
APPENDIX B : 90 Percentile Design Motor Car	
APPENDIX C : 99 Percentile Design Motor Car	
APPENDIX D : 90 Percentile Design Two Axled Truck	
APPENDIX E : Forest Management Plan	
APPENDIX F : Forest Harvest Notice	
APPENDIX G : Buildings and Places of Architectural, Historic, Scientific, Archaeological and Natural Beauty	
APPENDIX H : Protected Trees	

PLANNING MAPS

(107MthDS01)

CHAPTER I

INTRODUCTION TO DISTRICT SCHEME

1. PURPOSE OF DISTRICT PLANNING SCHEME

The Town and Country Planning Act 1977 requires every local authority to prepare a District Planning Scheme (referred to hereafter as District Scheme or Scheme) for the land within its district. The general purpose of a District Scheme, as set out in Section 4 of the Act is "the wise use and management of the resources and the direction and control of the development of a district in such a way as will most effectively promote and safeguard the health, safety, convenience and the economic, cultural, social and general welfare of the people and the amenities of every part of the district". The Act also requires a local authority to recognise and provide for various matters of national importance set out in Section 3 of the Act.

This District Scheme sets out and explains the Council's particular objectives and policies for the development of Mt Herbert County and the controls for the use and development of land it considers necessary in implementing these. The Scheme aims to provide a rational and flexible framework for the co-ordination of land use so that private interests may pursue their activities with due regard to the interests of the community as a whole and other local authorities and central government agencies may have regard to the policies of the Mt Herbert County Council.

2. RELATIONSHIP TO REGIONAL SCHEME

Section 37 of the Town and Country Planning Act 1977 requires the Council to give effect to the provisions of any regional scheme in force in respect of the district. In July 1979 the Mt Herbert County became part of the Canterbury United Council which took over the regional planning functions of the Canterbury Regional Planning Authority, and the Council is therefore covered by the provisions of a regional scheme.

3. FIRST DISTRICT PLANNING SCHEME

The first District Planning Scheme of the Mt Herbert County was made operative on the 21st October 1966 under the Town and Country Planning Act 1953.

4. FIRST REVIEW OF THE SCHEME

The first Review of the Mt Herbert District Scheme was made operative on 26th February 1979 under the Town and Country Planning Act 1977.

5. DOCUMENTS COMPRISING THE SECOND REVIEWED SCHEME

The Second Review of the Mt Herbert County Council District Planning Scheme comprises three main parts:-

- (a) The Scheme Statement - which outlines the objectives of the District Planning Scheme and the policies to achieve them and an indication of the means by which they will be implemented and achieved. The Scheme Statement is divided into a number of sections, each dealing with a particular area or sphere of activity and is accompanied by a general description of the existing situation and issues.
- (b) The Code of Ordinances - which provides for the implementation of the Objectives and Policies, and generally sets out the uses permitted on specific areas of land and the ordinances prescribing the use of land and buildings and form of development.
- (c) The Planning Maps - which show the physical distribution and location of the different land use zones, designated land, roading proposals and other public works.

6. ROLE OF THE SCHEME STATEMENT

Planning and District Schemes have been moving towards placing much more emphasis on the objectives that the Scheme is trying to achieve and the policies of how to achieve these objectives, with the Code of Ordinances being merely the implementation of these Objectives and Policies. The Scheme Statement is therefore a very important part of the District Scheme in that it attempts to explain the rationale behind the various provisions.

7. CHARACTERISTICS OF PLANNING PROCESS

While the style of planning in New Zealand has been evolving with a greater emphasis on policies and objectives, the District Scheme must be in accord with a number of fundamental characteristics arising from the statutory planning process:-

- (a) A District Scheme must be a realistic document, reflecting the needs and circumstances of the area, in order that an inhabitant may rely on it to deal with the issues and problems.
- (b) The matters which a District Scheme may deal with, however, are limited to those set out in the Second Schedule of the Town and Country Planning Act 1977.
- (c) Zoning is an important planning technique, one of the aims of which is to ensure a degree of protection and fairness to all.

This implies reasonable certainty for all inhabitants as to how they may use their own property and how their neighbours may use theirs.

- (d) While the above represents the ideal which must be striven for, it may have to be modified by the practicalities of a given situation.
- (e) The establishment of standards is necessary if certainty is to be achieved. The extent to which standards are arbitrary must be minimised, although this may be difficult in some situations. Restriction on people's freedom to use their land as they wish must be justified by the need to make a better community and environment for everyone and the benefit which will accrue to the community as a whole.
- (f) District Scheme planning does not necessarily produce "the best" land use and a scheme cannot compel a particular type of development. At best, it can ensure a reasonable minimum standard and allow scope beyond that minimum for innovations, experiment and freedom of choice.

8. PLANNING PERIOD

The planning period has varied from issue to issue rather than using an arbitrary uniform period. A long term planning period (of at least 20 years as previously required under the 1953 Town and Country Planning Act) has been used on issues relating to the uses of finite natural resources such as good quality land or the coastal environment. A short term period has been used for other issues. The short term period covers at least the five years this scheme will be operative prior to further review.

097MtHDS02

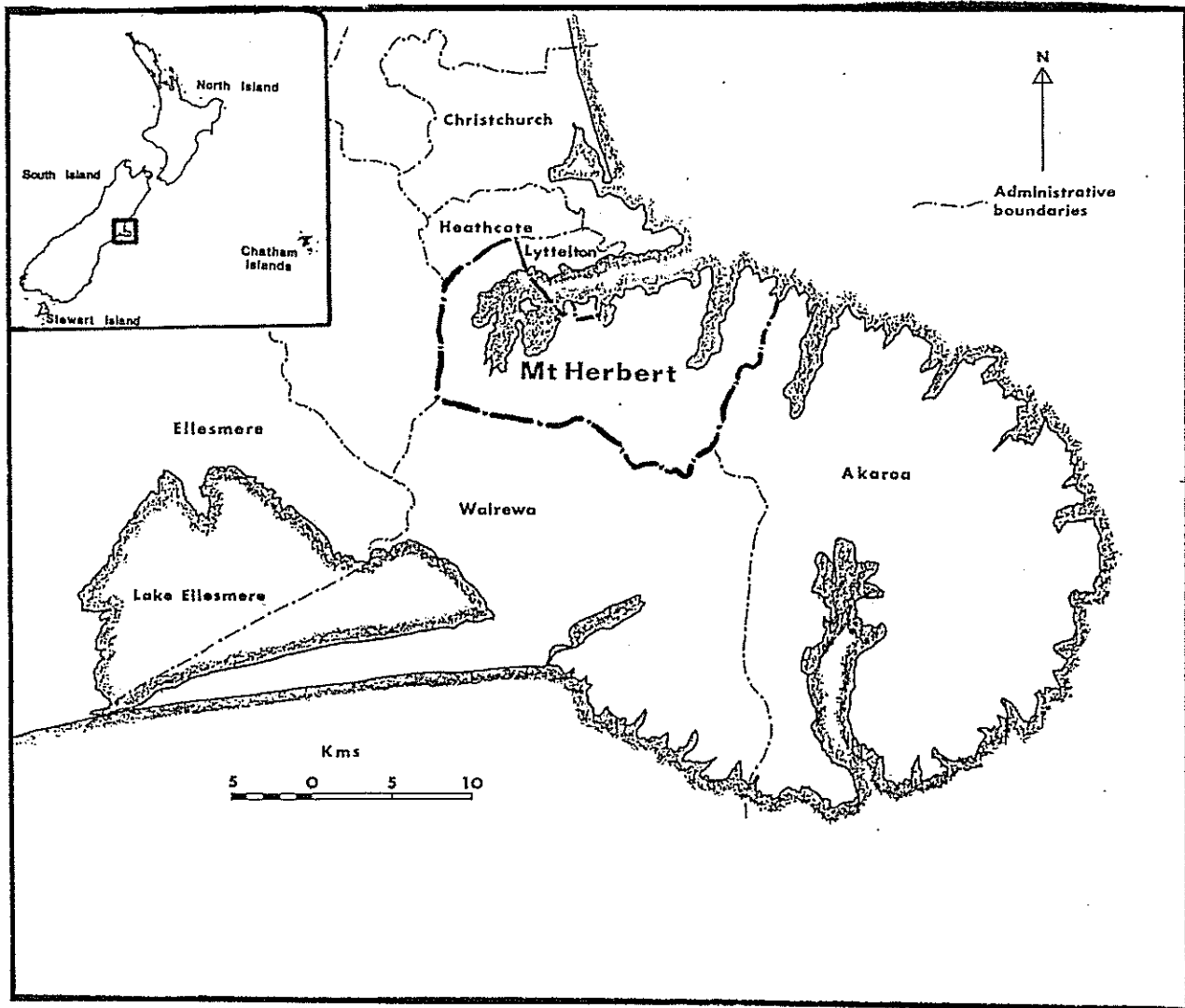


Figure 1.1 : Location and Boundaries of Mount Herbert County

CHAPTER II

DESCRIPTION OF COUNTY

1. LOCATION

Mt. Herbert County is situated on Banks Peninsula and generally covers the western and southern slopes of Lyttelton Harbour, and the Port Levy Basin. It is bordered by Heathcote, Paparua, Wairewa and Akaroa Counties and Lyttelton Borough (see Figure 1.1).

It is one of the smaller counties in New Zealand in terms of both size and population. The land area of the county is 17,150 hectares while the resident population at the 1986 census was 1145. However, if the holiday home owner and visitor population is included, the total figure would almost double.

The County is an attractive place to live for people who work in Christchurch. Its close proximity to the city is, and will continue to be, the major factor influencing the level of investment and economic activity. Beef and sheep farming play a minor, though significant, role.

2. NATURAL FEATURES

2.1 Topography

Banks Peninsula is the remnant of the Akaroa and Lyttelton volcanoes which ceased activity at least 5 million years ago. The topography of the County is dominated by this volcanic origin. Lyttelton Harbour is the drowned crater of the Lyttelton volcano. Port Levy, on the other hand, is a drowned inlet created by drainage from the Akaroa volcano.

The crater slopes have received a covering of loess blown by strong north-west winds off the Southern Alps and Canterbury Plains. Much of this loess has been moved downhill by erosion processes so that the harbour basin and lower slopes have a thicker layer than the upper slopes. The soils of the County reflect both this loess deposition and the underlying volcanic rock, with the climate influencing the erosion characteristics of these soils.

2.2 Soils

Soils in the County are of two basic types:

- (a) Basaltic soils, originating from volcanic material. Although stoney and shallow, the basaltic soils have a medium natural fertility, but they are liable to slip erosion and need continuous vegetation cover. Water is also a limiting factor, especially on the dry northern facing areas.

- (b) Loessial soils, which are derived from recent deposits of greywacke loess. These predominate on the gentler slopes and at the head of the harbours. Their fertility status is high, especially if topdressed with lime and phosphate.

2.3 Harbour Waters and Shoreline

The existence and continued quality of the harbour waters are important to the economic and general wellbeing of the inhabitants. This resource will be protected from the adverse effect of land uses, as far as practicable, by the policies of this Scheme.

Both Lyttelton Harbour and Port Levy are natural inlets formed by erosion following volcanic action. In both cases, depth of water ranges from 11 metres at the heads, to nil on the tidal mudflats. Often this water is discoloured owing to disturbances of the bottom sediments by wave action and dredging. In other respects water quality is reasonably good. There are a number of discharges of sewage and treated effluent, particularly in the Lyttelton Port area, which are a concern.

During low tide over 160 hectares of mudflats are exposed in the Lyttelton heads area alone. The bottom sediments produce little nutrients due both to the presence of sulphide and a fast rate of deposition (loess). Nevertheless, the area is inhabited by birds and fish which appear to survive well.

For most practical purposes the shoreline from the mean high water line is administered by the County. (The harbour and shoreline below the mean high waterline is controlled by the Lyttelton Harbour Board.)

The beaches around the harbour are short and disconnected. Purau has the longest and this is only 500 metres. Muddy, rocky or stony shorelines make accessibility to some beaches difficult.

2.4 Climate

The climate of the County is different from that of the adjacent Canterbury Plains due to the topography of the Peninsula. This is especially apparent with the higher rainfall. South-westerly and westerly winds climb over the higher land and shed their moisture as they cool. Thus at Allandale there is a rainfall of 920 mm (with a pronounced winter maximum). This compares with a figure of 620 mm for rainfall at Christchurch Airport on the Plains. Rainfall is usually higher at the heads of the valleys and decreases to a minimum at the low-lying land at the mouth of the valleys.

The seasonal temperature range is smaller than that experienced in Christchurch due to the greater maritime influence. This maritime influence also makes the County generally milder. As a result frosts are fewer. Overnight valley fogs are common.

Prevailing winds are from the north-east. Coming off the sea, they are usually cool and can inhibit use of beaches for recreation. The

other major wind is the dry warm north-west predominantly in late winter and early summer and this has a desiccating effect on the hill slopes.

3. HISTORY

3.1 Pre-European

The natural vegetation of the harbour was of mixed podocarp/ hardwood forest in the valleys and on the lower slopes, and of tussock on the more open, sunny and higher slopes.

Lyttelton Harbour is known as Whakaraupo (Bay of Raupo Reeds) by the Maoris and has always had strong Maori connections. The Ngai Tahu tribe conquered the area from the Ngati Mamoe about 250 years ago and lived in small units around the bays, including Port Levy (Koukourarata). Their main defensive pa was on Ripapa Island. The Maoris made little alteration to the environment. The bulk of their food came from the sea.

In the early nineteenth century the tribe was decimated by several invasions by the Ngati Toa led by Te Rauparaha from the North Island. As a result it was a broken people living in poor conditions who met the first European settlers.

3.2 European

From the late 1820's whalers used the harbour as a sheltered spot in which to cut up and dry out meat. Most ships did not establish facilities ashore though there are records of a short lived whaling station in Little Port Cooper in 1844.

The first European settlers were the Greenwood Brothers who arrived at Purau Bay in 1843. Two years later the Mansons and the Gebbies settled at the head of the harbour. With the arrival of the first four ships of the Canterbury Association in 1850 all remaining lands in the harbour were taken up. By the turn of the century, agriculture had been organised on an intensive basis with the valley bottoms supporting dairy cattle, cocksfoot seed grown on the gentle slopes and sheep grazing on the upland slopes. Since then, mechanisation has made harvesting of cocksfoot seed on the peninsula uncompetitive while costs and marketing difficulties have almost curtailed dairying.

Initially much of the agricultural land was in tussock, however, further land was obtained by removing the original forest cover, thus destroying even more of the natural vegetation of the area. Removal was at first by logging with sawmilling reaching a peak in 1870, but later the demand for farm land became so great that large areas of forests were burnt off. Another activity in the early days of European settlement was fish curing in Church Bay.

At first all access to Port Levy and to the bays on the south side of Lyttelton Harbour was by boat with each bay having its own jetty. Boats were still able to compete successfully with road transport up to the second World War.

4. POPULATION AND SETTLEMENT

4.1 Population

The 1986 census population of the County was 1145 indicating a slight increase since 1981. Generally the population has grown steadily since a brief decline during the 1961-66 census period (Table 2.1 and Figure 2.1).

	Total Population Mt. Herbert	Increase Number Mt. Herbert	Increase Percent Mt. Herbert
1961	627		
1966	600	- 27	- 4.3%
1971	683	83	13.8%
1976	869	186	27.2%
1981	1036	149	17.1%
1986	1145	107	10.3%

Table 2.1 : Mount Herbert County - Population Changes

SOURCE : Census of Population and Dwellings

Figure 2.1 : Population Growth in Mount Herbert County

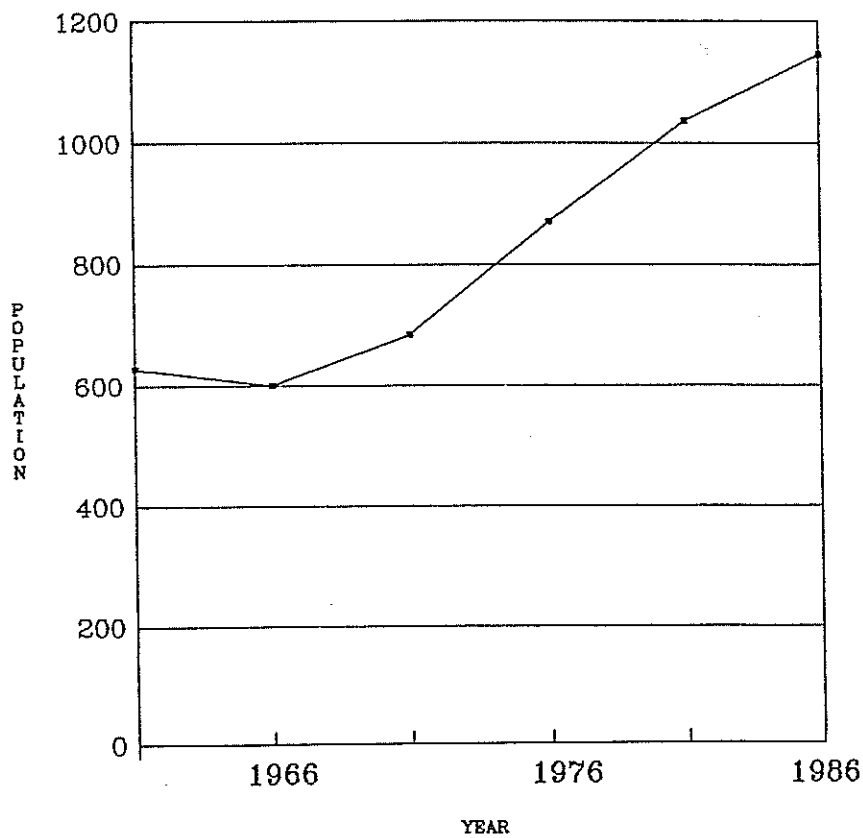


Table 2.1 shows only those who reside in the County full time, either as permanent residents who live and work in the County (and those who are retired), or as permanent residents who work in Christchurch or Lyttelton. A significant feature of the County is its large number of holiday residents. Although exact figures are unknown, it is estimated that these visitors, who own holiday homes in the County, account for another 1000 people. If these holiday residents are included the total population would be in the vicinity of 2000.

The breakdown of population shown in Table 2.2 indicates that until 1986 there were proportionately more males than females in the County. This was a reflection of its agricultural based economy. The recent turnaround emphasises the trend toward the area becoming a desirable place to live.

There are 63 Maoris residing in the County, most of whom are at Rapaki. Rapaki is a small settlement with historic Maori connections.

	Male	Female	Total
	----	-----	-----
1951	299	282	581
1956	309	296	605
1961	324	303	627
1966	302	298	600
1971	352	331	683
1976	441	428	869
1981	552	483	1038
1986	568	577	1145

Table 2.2 : Mount Herbert County - Population by Sex

SOURCE : Census of Population and Statistics

The distribution of the resident population is shown in Table 2.3. Localities that have had a significant increase are Allandale, Charteris/Church Bays, Governors Bay and Purau. While Purau has seen an increase in the number of retired, the former three localities have had a population increase largely from the commuter population (that is, those living in the area but working outside the County). The unique increase of population on Quail Island is largely due to the new role of the island as a recreational reserve and thus personnel on development programmes were living there at the time of the census.

	1971	1976	1981	1986	
	----	-----	-----	-----	
Allandale Loc.*	53	58	141	156	
Charteris Bay Loc.	38	63	66	91	
Church Bay Loc.	24	40	46	61	
Governors Bay Loc.	325	411	456	521	
Quail Island	1	36	26	20	(Diamond Harbour Vicinity)
Rapaki Loc.	72	93	77	73	
Teddington Loc.	53	62	46	58	

Camp Bay Loc.	8	4	5	9
Port Levy Loc.	60	47	57	83
Purau Loc.	49	55	116	73
	---	---	---	---
TOTAL	683	869	1036	1145

* *Guests at Living Springs may affect these totals*

Table 2.3 : Mount Herbert County - Population of Localities

SOURCE : Census

Table 2.4 illustrates the employment breakdown for residents of the County. Out of a total of 432 persons employed full time in 1986, 22 percent were involved in the community, social and personal services sector and 20 percent in the wholesale, retail, trade, restaurant and hotels sector. This indicates a trend away from agriculture as the major source of employment for residents in the County (note that agriculture's role has not declined on an absolute basis). A large proportion of the employment activities listed do not occur within the County. The far right hand column of Table 2.4 illustrates that approximately half of those employed work outside the County. A lack of employment opportunities within the County and the desire of many residents to separate their work and living place for the most part account for this occurrence.

	No of Persons Employed			Actual Jobs in the County (1986)
	1976	1981	1986	
	----	----	----	-----
Agriculture, hunting, fishing, forestry	69	72	81	96
Mining and quarrying	1	-	-	-
Manufacturing	47	45	60	12
Electricity, gas, water	4	3	3	-
Construction	24	24	12	9
Wholesale, retail, trade restaurant and hotels	28	57	87	39
Transport, storage and communication	30	42	54	9
Finance, insurance and property	18	30	30	9
Community, social and personal services	18	99	96	33
Inadequately defined	-	12	6	3
	---	---	---	---
TOTAL	242	384	432	210

Table 2.4 : Mount Herbert County - Full Time Labour Force

SOURCE : Census

Table 2.5 indicates a growth over the past 15 years in the number of occupied dwellings. This reflects the increasing role of the County as an attractive place to live.

Occupied Dwellings				Increase 1976-86	
Census				No.	%
1971	1976	1981	1986		
217	270	304	339	34	12.6

Table 2.5 : Mount Herbert County - Number of Occupied Dwellings

SOURCE : New Zealand Census of Population and Dwellings

4.2 The Settlements

About 72% of the County's population live in the settlements of Governors Bay, Charteris/Church Bays, Purau and Rapaki. The main centre is Governors Bay with a population of 521. The settlements are almost all situated within half a kilometre of the Lyttelton Harbour shoreline along the lower slopes of the surrounding hills.

The settlements were not established until relatively recent times, unlike for instance Lyttelton and Akaroa. Diamond Harbour (not in the County) was deliberately planned by the Lyttelton Borough Council in 1913 as a garden residential suburb of Lyttelton.

Governors Bay, Charteris/Church Bays and Purau began to grow rapidly in the mid-1940's with the haphazard and piecemeal subdivision of blocks of land. As a result ribbon-like development followed the main roads. The settlements were initially related to farming or market gardening and orcharding. Only since the late 1950's has settlement taken place for other reasons, principally for holiday homes or for residing but working elsewhere. Many empty sections exist in the settlements, and this has created a demand for more land subdivision adding further to the piecemeal development of them.

Each of the settlements are described individually:

- (a) Governors Bay began to be closely settled in the 1950's with the haphazard subdivision of land, mainly along the existing road. The building of houses began shortly afterwards and today Governors Bay has the largest concentration of buildings in the County. It also has the largest proportion of occupied dwellings with the majority being permanent homes for the occupants. Most of the permanent residents engaged in employment work in Christchurch.
- (b) Charteris/Church Bays is perceived as one settlement with development straddling the road. Subdivisions at Church Bay first took place in the late 1930's although it was not until 1955 that most building started. Likewise, at Charteris Bay the majority of the development has occurred since the early 1950's following land subdivision.

Many sections, particularly at Church Bay, remain vacant. Some sections go right down to the shoreline and this inhibits public access to the water. Of particular hindrance are the private boatsheds strewn along the narrow beach. The settlement comprises the largest concentration of holiday homes in the County. However, an increasing number of people are either retiring there or commuting daily to work in Lyttelton or Christchurch.

- (c) Purau is primarily a settlement of holiday homes with a very popular motorcamp. Subdivision was more recent, being in the late 1950's and there are a small number of sections available. An estimated 60% of the dwellings in Purau are used as holiday homes although there is an increasing number of people retiring there.
- (d) Rapaki is predominantly used as a suburb of Lyttelton with the dwellings mainly being occupied throughout the year. The settlement consists of subdivided Maori land, much of which is in joint ownership. There are significant areas of undeveloped residential land within the settlement which reflects the difficulties of subdivision and development of land in multiple ownership.

A marae exists at Rapaki; one of two in the County.

Future growth in the settlements depends largely upon the availability of sections (and the provision of piped water supply and sewage disposal).

Port Levy is another small settlement in the County but it is more isolated being in its own harbour. There are about twenty holiday homes spread along the foreshore. There is a marae and some of the residential land is in Maori ownership.

4.3 Public Services and Amenities

Considering the small population size and resource base, the County is well supplied with public services and amenities. The exception is a piped water supply and sewage disposal system for most of the County. Rapaki receives piped water from Lyttelton.

The question of piped water supply and sewage disposal is important, especially for those seeking a permanent residence. While rain water may be adequate for holiday homes, the permanent resident is faced with the construction of costly tanks and possibly having to purchase water periodically. A few people in Governors Bay have their own wells.

A water supply and sewerage scheme for Governors Bay is being constructed during 1988-89. The proposed scheme design will have the capacity to serve a population of 900 and hence consideration has been given to future residential development in the area.

In the past the lack of public services has not retarded growth of the settlements. However, with the best sites gone these facilities are becoming more important.

Port Levy being an isolated pastoral farming area with a low level of settlement has few services and amenities.

5. LAND USE

5.1 Farming

The major primary activity in the County is agricultural production, mainly semi extensive sheep and cattle raising. There are 72 farms in the County (Agriculture Statistics 1985-1986) covering 14928 hectares which is 87% of the County area. All but a very small proportion of this land is in grass.

Most farmers run mainly sheep with only a few cattle. A small proportion run exclusively cattle which require a lower management input. Total sheep numbers are 71570 and total beef cows are 5404 (Agriculture Statistics 1985-1986). A major limitation to grassland farming is the lack of water, particularly on the south side of the harbour where the land is open to the dry north-west winds.

Grassland farming is improved in the County by aerial topdressing, mainly superphosphate. However, on the upper slopes farmers have found that the costs of topdressing and oversowing are not covered by increased returns from greater stocking rates. In addition, noxious weeds (gorse, broom and a small amount of nassella tussock) are a problem.

There is a small amount of cropping in the County, mainly lucerne and root crops for use as a supplementary feed. There are a few horticultural holdings (tomatoes, early potatoes, fruit and berry crops) on the most favoured alluvial sites around the sheltered areas of Governors Bay and Allandale. The total land area of horticulture is only 22 hectares but potential exists to expand this in the future. Other lesser agricultural activities are town milk supply and pig farming.

5.2 Forestry

Large parts of the County are well suited to forestry, particularly the Port Levy Basin. At present there are 152 hectares (Agriculture Statistics 1985-1986) in exotic plantations, either as pinus radiata or eucalypt species, and they are located in small commercial forestry farming blocks. The best example of such blocks is in Orton Bradley Park behind Charteris Bay.

Plantings may have been restricted by the policy of the previous District Scheme because of fears for the effect it could have on the landscape of the harbour basin if uncontrolled.

This policy has now been relaxed to a certain extent with the County now divided into three forestry zones.

Orton Bradley Park, as with many farm holdings in the County, has retained patches of native bush, often simply by encouraging regeneration but in a few cases by planting. Native bush remnants are protected under this scheme and the Council is actively involved in bush replanting projects.

5.3 Recreation

The County is one of the major recreational areas for Canterbury residents, and has become a population destination for day trippers and holiday home owners. With its scenic landscape, coastal waters and hilly terrain it provides a marked contrast with the Canterbury Plains.

Thus, while the County may make only a limited contribution in terms of fuel or food to the regional economy, it has a major impact in providing recreational opportunities for the population of the wider region.

The most popular recreation activities within the County are picnicing, driving for pleasure and visiting the beaches. In addition new recreation pursuits such as hang gliding and wind surfing are increasing in popularity. The road around the harbour encourages full recreation use but a lack of public accommodation facilities restricts holiday makers to day trips unless they have holiday homes.

Most of the land based activities are dependent on the type and degree of access available, especially vehicle access. Thus the beaches with car parking spaces (Charteris Bay, Camp Bay and Purau) are the most visited. Facilities are limited mostly to toilet blocks at Camp Bay and Purau. Purau also has a motor camp.

Another important recreation activity in the harbour is boating, both sail and powered. There is a yacht club at Charteris Bay with an increasing membership. About 140 boatsheds are located at Charteris/Church Bays, however, most other boating facilities are provided outside the County, either at Lyttelton Harbour or Diamond Harbour.

The provision of reserves is limited to the Summit Road reserves, to small areas in and around the settlement and the Allandale Domain. In addition, Quail Island and the two small islands in Port Levy are reserved for recreation, the former being developed as a major recreation spot. Land formally designated under this Scheme for future reserves includes the two major peninsulas extending into the harbour (Mansons Point and Moepuku Point) and coastal areas at Hays Bay and near Ripapa Island.

A unique form of land holding is Orton Bradley Park in the valley behind Charteris Bay. This is a farm holding that is being managed as an arboretum and farm park. A Board of Trustees is responsible for the administration of the Park which allows for integrated farming, recreation and conservation. The park is extremely popular for picnicing, barbecuing and walking. The park also provides tennis courts and a golf course.

Walkways provided by the former Lands and Survey Department provide excellent opportunities to enjoy the area. There are currently two walkways: one at Mt Herbert and another at Quail Island. The former climbs Mt Herbert from the shoreline and has become popular in the warmer months. The latter involves a launch trip operated by the Lyttelton Borough Council.

Proposed walkways include Purau to Camp Bay, Mt Herbert to Port Levy, and Sign of the Packhorse to Mt Herbert walkway.

5.4 Conservation

Only a few areas of the County are managed exclusively for the protection of natural and scientific features, though many other features, such as podocarp/hardwood bush remnants in the gullies, receive a measure of protection from the land owners involved.

The main emphasis on conservation has been on the summit of the Port Hills, and most of the scenic reserves in the County are adjacent to the Summit Road. Close to sea level there are three small areas at Governors Bay being managed as scenic reserves, one owned by the Royal Forest and Bird Protection Society (Rhodes Reserve), one by the Crown (Governors Bay Scenic Reserve), and the third by the County. In addition there is an area with Protected Private Land Status at Church Bay (Hunter property).

There are two reserves in the County which have historical connections. One a Maori burial ground at Purau and the other a cemetery at the site of the quarantine station at Camp Bay. These sites are protected under the Historic Places Act 1980.

097MtHDS02

CHAPTER III

OBJECTIVES AND POLICIES

1. GENERAL PURPOSE OF DISTRICT SCHEME

The general purpose of a District Scheme is set out in Section 4 of the Act as being:

"the wise use and management of the resources, and the direction and control of the development of a district in such a way as will most effectively promote and safeguard the health, safety, convenience, and the economic, cultural, social and general welfare of the people and the amenities of every part of the district".

Section 4 also notes that in the preparation, implementation and administration of a District Scheme regard is to be had to the principles and objectives of the Soil Conservation and Rivers Control Act 1941 and the Water and Soil Conservation Act 1967.

These purposes are expressed in general terms to apply to all districts. They form the basis of planning in each district and in each district scheme policies and ordinances must conform to these general purposes. They can be used in the administration of the scheme as a basic frame of reference against which proposals for development or the Council's decisions can be measured.

For each district these general purposes must be interpreted and applied in ways that are appropriate to the district concerned.

2. MATTERS OF NATIONAL IMPORTANCE

Section 3 sets out matters of national importance which a district scheme must provide for as is appropriate to the district. The matters of national importance are:

- (a) The conservation, protection, and enhancement of the physical, cultural and social environment;
- (b) The wise use and management of New Zealand's resources;
- (c) The preservation of the natural character of the coastal environment and the margins of lakes and rivers and the protection of them from unnecessary subdivision and development;
- (d) The avoidance of encroachment of urban development on, and the protection of, land having high actual or potential value for the production of food;

- (e) The prevention of sporadic subdivision and urban development in rural areas;
- (f) The avoidance of unnecessary expansion of urban areas into rural areas in or adjoining cities;
- (g) The relationship of the Maori people and their culture and traditions with their ancestral land.

3. GENERAL PLANNING OBJECTIVES

From the general purposes of a District Planning Scheme set out in Section 4 of the Act, a number of general objectives for the scheme have been developed.

(a) Land Use

To provide a framework of land use controls which co-ordinate with other agencies, minimises conflict between incompatible uses and assists in providing for the best use of land.

(b) Amenities

To provide a standard of amenity and public health which will enhance the quality of Mt Herbert County as a good place to live in or visit.

(c) Rural Services

To co-ordinate the development and maintenance of health and social services, parks and reserves, schools, rural delivery and transport services and shopping and commercial facilities wherever practicable.

(d) Transport

To establish and maintain a safe and efficient system for the movement of people and goods.

(e) Employment

To provide for the development of a wide range of employment opportunities.

(f) Servicing

To maintain servicing costs and provide an economic basis for their future provision by relating the use of land to expected service capacities where necessary and the economic extension and programming of services by the authorities concerned.

(g) Rural Land

To promote the wise use and management of the land resource, to protect land of high agricultural potential and to promote increased and diversified agricultural production while at the same time conserving natural and cultural resources.

Forestry is becoming an economically important activity in the County. The Council is aware that there is considerable potential for special purpose forestry and of the value of forestry for soil conservation, noxious plant control, landscape enhancement, and as a means of diversifying pastoral farms. The Council aims to encourage forest planting to occur in harmony with the objectives of this scheme. In some cases, it will be necessary to consider forestry as a conditional use to ensure that this is so.

(h) District Scheme Administration

To extend the District Scheme beyond a document which is merely regulatory to one which seeks to encourage the better use of land and which addresses the land use problems of the County.

That the District Scheme and its administration be flexible enough to accommodate future beneficial changes in land use yet consistent enough so that clearly stated objectives and policies are recognised and pursued.

4. SPECIFIC OBJECTIVES AND POLICIES

Objective A : Natural Resource Management

To encourage the wise use and management of natural resources.

Policies

1. Encouragement of the use of land and water resources in a manner which sustains their beneficial characteristics.
2. Encouragement of the creation of a diversified and healthy rural economy.

Explanation

The predominant land use is farming with some quarrying of stone for road making and some horticulture and orcharding with potential for intensification, particularly in the Allandale Valley area. Forestry is a landuse which appears to be gaining popularity. Some of the terrain is very hilly, making for costly roading and development, however.

During holiday periods there are many temporary residents and there is a great deal of demand for recreational use. The soils, shorelines and areas of natural beauty are vulnerable and land use policies should seek to protect them in the interests of sustaining a healthy rural economy.

Thus, the scheme will encourage development and diversification in agricultural land use. This will include forestry development in appropriate areas with constraints designed to protect agricultural, conservation and visual amenity, and to meet many other objectives.

Objective B : Agricultural Land

To protect land having a high actual or potential value for the production of food.

Policies

1. Restriction of those uses which do not require to be located or are not dependent on good quality land.
2. Encouragement of diversification and development of agricultural practice for food production.

Explanation

The concept of "protecting" high quality land stems directly from Section 3 of the town and Country Planning Act 1977. There is a limited amount of better quality land in the valleys of the County. While it is intended to protect land for farming or potential agricultural uses and to avoid unnecessary fragmentation of rural land, the ordinances are also intended to protect the present open character of the rural zone and to prevent the spread of unnecessary residential development.

Uses which do not require the best land will probably locate elsewhere for economic reasons, but the Council will be concerned to ensure that they do so.

Objective C : The Rural Community

To prevent sporadic and unnecessary subdivision for residential, commercial and industrial activity in the rural area, while providing for that which is necessary for the maintenance of a socially and economically productive and viable rural community, but with regard to Objective F.

Policies

1. The restriction of housing and commercial and industrial activity to the present settlements in the County.
2. Generally to allow on each certificate of title the erection of a house and family flat for dependent relatives and such additional accommodation units or houses as are required for workers on that holding of land as a predominant use.
3. To provide for the subdivision of full-time, part-time and stepping stone farming units and boundary adjustments, including adjustments where the number of titles remains the same but the area of one may be reduced and that of another enlarged in order to improve the agricultural use of the land.
4. All use of land in the Rural Zone within The Summit Road Protection Area shall be considered in relation to the Summit Road (Canterbury) Protection Act 1963 and shall not in any way adversely affect or detract from the preservation and protection of the scenic amenities within the protection area.

Explanation

Mt Herbert County's agriculturally based population is small, and the concentration of settlement in selected areas is in line with Regional Strategy and will protect the rural areas from unnecessary development. It is also recognised, however, that to maintain an economically productive and socially viable rural community it must be possible to provide and maintain accommodation close to the place of work for full time agricultural workers.

Innovation and diversification in farming practice, and part-time farming can make useful contributions to the productivity of the County. Where these call for subdivisions the Council will carefully examine each proposal in relation to special criteria laid down in the ordinances.

Objective D : Tree Planting

To facilitate tree planting not only for soil protection purposes, but also for amenity and commercial production in suitable locations, where landscape, existing native vegetation and services can absorb it.

Policies

1. No types of forestry are permitted above a landscape preservation line except for the planting of native species for soil conservation and beautification.
2. In the remainder of the Lyttelton Basin shelter belts, agroforestry and mixed woodlots are permitted as of right and any other types require a conditional use application.
3. In the Port Levy basin below the landscape preservation line most types of forestry can be established as of right.

Explanation

The demand for forestry development has been growing and the dissected ridge and gully landscape has the capacity to absorb some of this. It can provide an opportunity for agricultural diversification. Care needs to be exercised, however, in the location and type of species planted in order to conserve the natural amenity and resources of the countryside. For this reason forestry development and management will be required to respect existing natural landscape and vegetation patterns. The open character of the County, particularly Lyttelton Basin is unique in the region and depends particularly on the dominance of the crater rim and ridges. The scheme seeks to preserve these features and no planting on the highest areas would be appropriate. These areas of landscape dominance have been defined by a landscape preservation line using information identified in the landscape study by S. Thompson and others for the Port Hills Advisory Group entitled "A Visual Study of the Port Hills". This preservation line is shown as the boundary of Zone C on the Forestry Zoning Map (see planning maps at back).

Similarly, the headlands around the harbour's edge are part of the overall open landscape framework and any development here will be subject to constraints designed to maintain this. While the ridge tops should remain clear, some controlled planting of the steep slopes for conservation purposes is desirable.

Good examples of mixed woodlots may be found in Orton Bradley Park and around Living Springs. Such development should not include large geometrically laid out blocks which disregard landscape patterns, and which are single species stands for eventual clear felling. There is ample scope for production forestry within mixed lots where small stands of different

species mature at different times, or where certain conditions with particular regard to visual amenity and other conservation values are met.

It is recognised that the wooded areas around the residential zone are a valued part of the cultural landscape, but further trees in the western part of the County should not shade or increase the fire hazard to settlement.

Objective E : Coasts and Rivers

To preserve the natural character of the coastal environment and the margins of rivers and to prevent unnecessary subdivision and development.

Policies

1. To support the implementation of reserves, easements, and covenants by the Crown or individuals within the coastal environment.
2. To support in principle national or local water conservation orders over stretches of river or stream valued for their wild and scenic or other natural characteristics, recreational uses, fisheries, wildlife habitat or scientific features. Individual cases will be considered on their merits.
3. To protect the coastal environment and margins of rivers by means of zoning which precludes unnecessary subdivision and development and restricting urban development to the present settlements.

Explanation

The protection of the coastal environment and margins of rivers from unnecessary subdivision and development is a matter of national importance under Section 3 of the Town and Country Planning Act 1977. The coastline in the Lyttelton harbour basin is a particularly sensitive part of the landscape which makes the area so attractive for visitor use. Other parts of the coast are remote and rocky. In either case insensitive or unnecessary development could damage its character, some natural habitats and features of historical and archaeological value.

Of particular concern has been the development of baches and boatsheds on the foreshore. The Council supports the Coastal Reserves Policy of the previous Lands and Survey Department (now the Department of Conservation) and efforts will, therefore, be made to control this use.

Boatsheds need to be close to the water where they cannot cause visual disharmony and affect public access. The Council intends to ensure that they are used for boating purposes only. Any new boatsheds will be restricted infilling in the Charteris and Church Bay areas only.

The Council does not favour the retention of baches sited on the foreshore although it has no immediate plans to ask for their removal. Because they are sited on prime areas for public use, however, the Council will not allow extensions or replacements.

Objective F : Water and Soil Management

To support the careful, co-ordinated management of water and soil resources, particularly with regard to hill country.

Policies

1. To ensure that the use of land and water takes into account prudent management of water and soil resources.
2. To complement and support the joint policy statement by the Department of Lands and Survey, the NZ Forest Service and the National Water and Soil Conservation Organisation on the conservation and management of water and soil resources for hill and high country. (The General Principles of the Policy are set out in Appendix A).

Explanation

The agencies noted above until their abolition have considerable influence in the field of water and soil conservation and hill country management. It is the Council's intention to support the policies of these agencies where it is in agreement, through such mechanisms as reserve management plans, environmental impact reports and other public participation procedures through which the County may become involved. The Council is concerned to reduce the volume of silt being washed into the Harbour. Earthworks controls are included to reduce erosion and the scheme also protects bush remnants.

Objective G : Recreation and Reserves

To provide for recreation both for the local community and for visitors without hindering the best use of agricultural land or the conservation of natural, historic, archaeological or visual resources.

Policies

1. To encourage the designation of reserves and development of related appropriate access.
2. To protect areas and characteristics of special interest or value.
3. To promote the development of walkways.
4. To provide parking and toilet facilities where possible at public reserves.
5. To co-operate with the Lyttelton Harbour Board in the further provision of mooring and launching facilities for public use.
6. To protect the inner harbour in its role as part of the open space framework of the County and as a wildlife habitat.

Explanation

There is some pressure for development of recreation resources. The policies are aimed generally at maintaining services for local residents and providing sufficient facilities to cope with visitors from the Canterbury region. Access is not the problem it is on other parts of the peninsula, but there is a need for further development at some reserves.

The Summit Road is an important recreational facility protected both by areas designated on the planning maps and the Summit Road Protection Act. The Council recognises the importance of protecting the views from and to the crater rim area, the ridge tops and the harbours edge. This scheme seeks to preserve and maintain these values.

The inner harbour is included within the County boundary and it has always formed an essential part of the local recreation and visual resource. It is intended to preserve this resource.

Although in excess of 3 ha of reserves exist in Governors Bay to service the present population of approximately 520, a large proportion of this area is virtually inaccessible and is of value only in as much as it complements the immediate locality, by reserving areas of existing vegetation for passive recreation or for their visual significance. Recently on subdivision more land in this category has been vested in the Council resulting in an imbalance between

passive and active recreation, through over-provision of passive areas in Governors Bay and an uneven distribution through the community of useable reserve areas. It is intended now with future provision to provide a major more suitable reserve for community facilities. Because of the relatively lineal nature and generally steep topography of Governors Bay this reserve should be in a central location on reasonably flat land and with this in view discussions have taken place between the Council and the Cholmondeley Home to provide a substantial reserve (approximately 0.8 ha) on land owned by the Home in Certificate of Title 7C/1417 (on the western side of the Governors Bay - Teddington Road approximately 300m south of the Governors Bay Hotel).

It will therefore be the Council's policy in approving subdivisions under the Local Government Act generally to take money in lieu of land with the exceptions that when: (1) the land in Certificate of Title 7C/1417 is subdivided, provision for reserves should be by way of land vested in the Council and, (2) land adjoining the land in Certificate of title 7C/1417 is subdivided provision for reserves may also be made by vesting land in the Council. (3) it is beneficial to provide by way of reserve a pedestrian linkage between streets or between a street and a reserve.

Objective H : Areas of Scientific, Archaeological, Historical or Cultural Interest

The conservation of areas and objects of scientific, archaeological, historic or cultural interest.

Policies

1. To liaise and co-operate with the NZ Historic Places Trust and other Crown agencies in the identification and protection of historic buildings and archaeological sites within the County.
2. To record historic buildings and archaeological sites in this scheme whether they be of national, regional or local importance and to provide a means for public consideration prior to any alteration, removal or destruction. See Appendix F.
3. In the implementation of the Scheme to take into account buildings, objects or areas of historic, scientific, archaeological interest which may become known after the preparation of the Scheme.

Explanation

The provisions of the Historic Places Act 1980 apply to archaeological sites and historic buildings irrespective of what is contained in this scheme. As a local document, however, which is consulted when many land use changes or building alterations are contemplated it can be used to publicise these matters. The Council can also assist in liaison with the Trust and informing applicants of the need for approvals from the Trust.

There may be areas of archaeological or scientific interest which the Council is not aware of and are known only to a few people or perhaps not known at all. If such areas become known in the course of a planning application or other consent then the area will be taken into account in granting or refusing consent.

Where historic buildings or archaeological sites cannot be preserved, a written and/or photographic record should be retained. The aim of the policy is, however, to strike a balance between conservation and retention of these features for which the building or site is identified as being of significance and the need to modify or develop the building or site to meet the modern needs of any proposed use.

Objective I : Visual Amenity

To protect the visual amenity of the County

Policies

1. The Council will require development, particularly in the rural area, to take its impact on visual amenity into account.

Explanation

Mt Herbert County shares with the rest of the peninsula an attractive landscape of hills, gullies and dramatic coastline. It is important in retaining the character of this environment that development such as buildings and forestry do not dissect or damage this. Similarly, for example, any work associated with the recreational or other use of reserves should be designed with this in mind.

Objective J : Tree Protection

To ensure the preservation of existing notable trees within the County.

Policies

1. To identify and protect trees or groups of trees in the County which have special value to the community because of one or a combination of the following reasons:
 - Historic Value
 - Botanical and Scientific Value
 - Landmark and Scenic Value
2. To provide by way of non-notified application to the Council for applications for the removal of any listed tree, the carrying out of any major tree surgery, pruning or groundworks within the crown periphery of the tree.
3. To form a sub-committee of individuals with some expertise and interest in trees, their management and protection to consider applications covered by the tree protection ordinance.

Explanation

Trees form an important part of the landscape and character of Mt Herbert. Trees as a group or singly can make a notable contribution to the visual amenity and beauty of a landscape. In areas where trees are scarce poorer specimens may be worthy of protection.

Trees can be of scientific value because of their rarity or where they form interesting or unique associations in conjunction with other plant or animal life. Trees may also represent prime specimens and be a source of quality seed.

Trees can have historic value through their association with notable people, through being the earliest known planting or commemorating important events or historical landmarks.

Objective K : New Land Uses

To provide flexibility within the scheme to accommodate future new land uses to the advantage of the County.

Policies

There are specific controls relating to those uses which require separate identification and control:

1. Factory Farming: to allow factory farming subject to appropriate controls.
2. Sale of Produce: to allow the sale of produce grown on site subject to controls relating to access, parking, signs and setback.
3. Home Occupations: to provide for a wide range of home occupations throughout rural areas and settlements subject to certain controls.

Explanation

All three activities can make significant contributions to the rural economy, and can help to allow people to continue living in the rural area.

Objective L : Settlements

To provide for the continuing functioning and, in some cases, expansion of the existing settlements at Rapaki, Governors Bay, Charteris/Church Bays, Purau and Port Levy as service and residential centres.

Policies

1. All future urban development is to be consolidated within the existing settlements in order to economise on the provision of community facilities and services, assist with the proper control of traffic especially along major traffic roads, generally reduce the conflict between urban and rural uses and provide stronger urban centres for the County.
2. The area zoned residential provides ample scope for further subdivision and development subject to satisfactory arrangements for sewage disposal. Significant areas are still available within Lyttelton Borough at Cass Bay and Diamond Harbour for considerable urban development. Areas physically suitable for new development in Governors Bay have been identified and other unsuitable areas have now been excluded.
3. Provision is made for commercial uses in all the settlements while limited provision for light industry is made only at Church Bay.

Explanation

The concentration of urban facilities in the existing settlements is in line with Regional Strategy. It is economically logical in terms of the provision of services, and will protect the rural environment from unnecessary encroachment.

Objective M : Maori Settlements

To recognise the important relationship between Maori people and their culture and traditions with their ancestral land.

Policies

1. To make greater provision for Maori people to live on their land at Rapaki and Port Levy.
2. To provide for more than one dwelling to be erected on land in multiple ownership where a management plan has been prepared.
3. To encourage the development of the Marae.

Explanation

The Town and Country Planning Act 1977, Section 3(1), (g) provides positive recognition of the unique and particular relationship that exists between the Maori people and their land. At Rapaki, settlement of the area has been frustrated by both multiple ownership and the lack of suitably zoned land. Zoning more land for residential purposes at Rapaki, and to a lesser extent at Port Levy, will enable stronger and better defined Maori settlements to develop.

Multiple ownership will continue to impede development of a nature typical of other settlements in the County. Consequently, it may be necessary to make exceptions in this area in order to respect the needs of the Maori people. The main concern of allowing additional dwellings on sites in Rapaki relates to the disposal of septic tank effluent. This will be a major element in the consideration of management plans for such development.

107MtHDS02

APPENDIX A

NATIONAL WATER AND SOIL ORGANISATION

DEPARTMENT OF LANDS AND SURVEY AND NZ FOREST SERVICE

JOINT HILL AND HIGH COUNTRY POLICY

1. GENERAL POLICY STATEMENT

The Hill and High Country Policy is aimed at the promotion of soil conservation and water management in areas where adverse physical factors and erosion hazard cause distinct limitations for use.

Recognising that limitations and requirements vary throughout the country, this policy provides for flexibility of action within key subject areas for which policy statements are made.

The application of this policy will be primarily undertaken by catchment authorities which by virtue of their regional composition and statutory responsibilities are best equipped to assess the requirements of their districts.

The role of NWASCO is to ensure that application of the policy leads to the achievement of national objectives for the protection and management of their districts.

The complementary responsibilities of other Government departments and land administering agencies is recognised and wherever possible objectives and programmes should be fully co-ordinated.

2. GENERAL PRINCIPLES

2.1 Planning

The use of soil and water resources of any region should be planned as a whole in order to make the best present and future use of these resources.

2.2 Erosion Control

Any land use practice should be within the capacity of the land to sustain that use without depletion of the soil resource and deterioration of water quality.

2.3 Grazing Management

The grazing of pastoral areas must be limited to the ability of the vegetation to sustain a level of grazing that does not promote soil erosion.

2.4 Water Management

When changes in management or development are planned, the impact of these on water quality and quantity should be considered and where necessary appropriate action taken.

2.5 Forest Management

Where there is an erosion risk, the primary aim of forest management should be for the protection of soil and water resources.

2.6 Control of Roding, Tracking and Installations

Roding, tracking or installations on areas susceptible to erosion must be designed to prevent any increase in soil erosion and adverse effects to water.

2.7 Recreation

When recreation activities are likely to: increase erosion or water pollution or decrease the ability to control water quality, action should be taken to restrain the recreational activity and/or to control the adverse effects.

107MtHDS02

CODE OF ORDINANCES

PART 1 : INTRODUCTION

1. DOCUMENTS COMPRISING THE SCHEME

This Code of Ordinances, together with the Scheme Statement and Planning Maps, make up the Second Review of the Mt Herbert County District Planning Scheme. A description of the purposes of these three sections of the Scheme is found in the introduction to the Scheme Statement, Chapter 1.5. Any uncertainties as to the meaning and intention of any provision of this code may be resolved by reference to the relevant chapters of the Scheme Statement.

2. GENERAL OBLIGATION TO COMPLY

Subject to the provisions of the Act and all Regulations thereunder and to any modification or dispensation granted in terms of any provision to that effect in this code, no person or body shall depart or permit or suffer any departure from the requirements and provisions of this Scheme.

3. RELATIONSHIP OF SCHEME TO OTHER ACTS, REGULATIONS AND BY-LAWS

The provisions of many other Acts, Regulations and By-laws or Codes of Practice may be relevant to matters dealt with by this Scheme. In general the provisions of this Scheme are in addition to, complementary to, and not in substitution for such other legislation. Where the provisions of this Scheme are inconsistent with any By-law or Code of Practice, this Scheme shall prevail.

4. DEFINITIONS

Accessory Building on any site means a separated building, the use of which is incidental to that of any principal building, or use on the site. For residential uses it includes a sleepout, garage or carport, garden shed, greenhouse, swimming pool, mast, fence, shed or other similar structure. Any garage or carport which is attached to, or a part of, any other building shall be deemed to be part of that building.

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

Access Strip in relation to a site means an area of land whether a part of the site or not extending from the road to that site, providing for permanent and legal use for ingress and egress and for services only, for that site, and includes any rights of way or access lot.

Administrative Offices see Offices.

Agricultural, horticultural and pastoral farming means any type of farming being a land-based activity, having as its primary purpose the production of any livestock or vegetative matter. Provided that, for the purpose of this Scheme, agricultural, horticultural and pastoral farming shall not include forestry, factory farming, or the sale of produce from the property.

Agricultural Contracting Business means the use of an existing holding as a base for a business in which mechanical or physical work is carried out by contract for agricultural purposes.

Boundary see site boundary.

Building in addition to its ordinary and usual meaning, "building" means any structure or part structure, whether temporary or permanent, moveable or immoveable. It includes any stack or heap of materials and any caravan or trailer used for permanent residential accommodation, or left permanently on a site for the purpose of intermittent use as a holiday home, but does not include:

- Any scaffolding or falsework erected temporarily for maintenance or construction purposes.
- Fences up to 1.8m in height, not used for advertising or for any purpose other than as a fence or retaining walls less than 1.2m high.
- Structures less than 5 sq.m in area and in addition less than 1.2m in height.
- Masts, poles, radio and telephone aerials less than 6m above mean ground level.
- Any vehicle, boat, trailer or caravan that is not used for residential purposes.

Bulk Store means a building which is designed or used for the purpose of holding or containing any goods, material or substance, or any yard used for bulk storage of coal or wood, timber, bottles or any other similar thing.

Camping Ground means a camping ground within the meaning of the Camping Ground Regulations 1985 issued pursuant to the Health Act 1956.

Caravan Park see motor camp.

Code means this Code of Ordinances.

Commercial Office see offices.

Conditional Use means any use or building which is generally appropriate to the area but which may not be so on every site or which

may require special conditions and which requires approval under Section 72 of the Act. A notified application is required for all Conditional Uses.

Council means the Mt Herbert County Council and its authorised officers.

Coverage means the portion of a site which may be covered by buildings, including accessory buildings.

Development shall have its ordinary and usual meaning except where specific reference is made to a "Development" under the Local Government Act 1974, in which case it shall take the meaning defined in the Act.

Dispensation means a relaxation of one of the minor requirements of this Scheme as provided for in Part III of the Code. In most cases these matters are dealt with by means of a non-notified application but in some instances a notified application may be required.

Dwelling Unit means a detached residential building or group of buildings designed for or occupied exclusively as one household and dwelling. Dwelling house shall have the same meaning. Where a site containing flats is subsequently subdivided into fee simple titles, the residential buildings shall, for the purpose of the Scheme, remain as flat units.

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

Elderly Persons Housing means housing, other than an old people's home, built for occupation by elderly and retired people under the management of the Council, the Crown or an incorporated society recognised by the Inland Revenue Department as a charitable institution, provided that such housing shall not be sold, leased, or otherwise disposed of as flats.

Factory Farming means farming involving a high energy input per unit area and which is not dependent on the fertility of the soil on which it is located and which may be mainly under building cover, such as, for example, poultry farming, pig farming, rabbit farming, mushroom farming, pot grown nursery and glasshouses which have other than an earth floor.

Family Flat means a self-contained unit used as a residence for a dependent relative of a household living in the dwelling on the site.

Farm Accessory Buildings means any separate building the use of which is incidental to any permitted farming use of a rural property, but for the purpose of these ordinances shall not include dwellings, family flats, farm workers accommodation, residential accessory buildings or shops or stalls for the sale of produce.

Farm Workers Accommodation means accommodation provided on a farm for persons employed full time on the property.

Flat where two or more dwelling units in the residential zone are located on one residential site, each residential building or part of a residential building designed for or occupied by a household unit shall be deemed to be a flat for the purpose of this Scheme. Provided however, that the term flat shall not include any elderly persons housing, old people's homes, boarding houses, hostels, hotels, travellers' accommodation or camping grounds. Where a site containing flat units is subsequently subdivided into fee simple titles the residential buildings shall, for the purpose of the Scheme remain flat units.

Forest means a separate block of more than 40 trees.

Forestry means the establishment, tending and harvesting of forest for soil conservation, regulation of water, production of timber or other forest produce, recreational, aesthetic or scientific purposes.

- "Agroforestry" means pasture management combined with the establishment of a forest and has the following characteristics.
 - * Low planted density (less than 600 stems per hectare).
 - * Heavy thinning, and high and early pruning allowing grazing among the trees from the third year and through most of the rotation period.
 - * Early final thinning (before the trees reach 10 metres in height) to a density of less than 150 stems per hectare.
- "Woodlot Forestry" means the establishment, tending and harvesting of trees with the following characteristics:
 - * Individual woodlots of less than 2 hectares.
 - * Covering less than 50% of any land title.
- "Mixed Woodlot Forestry" means the establishment, tending and harvesting of trees with the following characteristics:
 - * Individual woodlots of less than 5 hectares.
 - * Covering less than 50% of any land title.
 - * Each plantation comprising a maximum of 50% of any one species.
 - * Managed to produce a sustained yield as different species and ages of trees mature at different times and so that clear felling is not required.
- "Plantation Forestry" means all types of forestry except:
 - * Shelter belts.
 - * Mixed woodlots.
 - * Agroforestry, all as defined in this Ordinance.
 - * The planting of native species purely for soil conservation or beautification.

- "Shelter Belt" means individual trees in up to three rows planted with the main purpose of providing shelter for stock, pasture, crops or people.

Garage means an accessory building or part of an accessory building used for housing motor vehicles owned or used by persons living on the site.

Glasshouse means a building with transparent walls and/or roof, usually of glass, for the cultivation, growing or exhibition of plants in protected or controlled conditions, and includes a greenhouse.

Height in relation to a building, shall be measured separately in relation to each site boundary from the mid-point of the outer wall along the foundation of a building facing the boundary and

- (a) The highest point of the parapet or coping in the case of a flat roof; or
- (b) 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, ventilator shafts, water tanks, elevator lofts, steeples, towers, and such finials and similar parts of the building as constitute only decorative features:

Holding means an area of land in one ownership, and may include a number of lots and/or titles.

Home Occupation means an occupation, business, trade, craft or profession performed entirely within a dwelling or building accessory to a dwelling, by a member of the household residing permanently on the site, which occupation, business, trade, craft or profession is an incidental and secondary part of the use of the site for rural or residential purposes. "Home Occupation" shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre-glassing, heavy trade vehicles, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitable screened area), wrought iron work or manufacture, motor body building, fish processing, massage parlour, breeding or boarding of dogs or cats or any other occupation, business, trade, craft or profession which could detract from the amenities of the neighbourhood.

Hospital means any public or private hospital within the meaning of the Hospitals Act 1957 and its amendments.

Industry means the use of land or buildings for the packaging, processing, assembling, sorting or manufacture of goods or materials.

For the purpose of this Scheme, any industry shall be deemed to include only such storage areas, offices and showrooms as are necessary for, incidental to and a part of the industrial use established on the site. Where the term "industry" is used in this Scheme, it shall include any "service industry".

Licensed Hotel means a building in respect of which there is for the time being in force a publican's licence issued under the Licensing Act, 1908 and includes a premises for which a tavern premises licence has been issued or Tourist House for which a tourist house licence has been issued pursuant to the Sale of Liquor Act 1962.

Loading Area means that part of a site within which all vehicle loading facilities required under this Code are accommodated, and includes all loading spaces, and manoeuvring areas.

Manoeuvring Area means that part of a site used by vehicles to move from the vehicle crossing to any parking or loading space and includes all driveways and aisles including part of an access strip. Parking areas and loading areas may be served in whole or in part by a common manoeuvring area.

Marae means a site owned or administered by legally appointed trustees or a trust body, generally associated with a Maori subtribe, tribe or tribes, for the common use or benefit of a defined group of people; containing a significant area of open ground and which may include a Maori meeting house or hall and buildings used in conjunction therewith for family, cultural, educational and community gatherings.

Medical Centre means a building used in the practice of a registered medical practitioner or dentist together with other medical or allied persons.

Medical Practice means the medical practice of not more than two registered medical practitioners or dentists.

Nursery Garden means the use of land for the rearing of young plants where only the produce grown on the site is sold directly from the property.

Office shall include any of the following:-

- Administrative Office, those offices where the administration of an organisation, whether trading or non-trading, is conducted, including police stations.
- Commercial Office, those offices such as banks, post offices, insurance agents, typing services, duplicating services and real estate agents, being places where trade (other than that involving the immediate exchange of money for goods or the display or production of goods) is transacted.
- Professional Office, those offices such as the offices of accountants, solicitors, architects, surveyors, engineers, and medical practitioners, where a professional service is available and carried out.

Old People's Home means an old people's home within the meaning of the Old People's Home Regulations 1965 and its amendments.

Open Stream, Open Watercourse or Open Drain includes every channel, whether natural or not, through which water flows continuously or intermittently.

Parking Area means that part of a site within which vehicle parking spaces required by this Code are accommodated and includes all parking spaces, manoeuvring areas and any required landscape areas.

Parking Space means an area of land formed and set aside exclusively for the parking of a motor vehicle and complying with part of this Code.

Permitted Use means any use listed by this scheme as predominant or conditional subject to compliance with all controls, restrictions, prohibitions and conditions listed in the Scheme, or permitted by any authorised discretion, or by any conditional use approval.

Place of Assembly means any building used for the public and private assembly of people primarily for worship, recreation, education or deliberation, and includes any church, church hall, sports clubrooms, clubrooms, gymnasium, pavilion, indoor sports facility, community centre, marae or other building used for public meetings whether any such building has a club licence or not. The term place of assembly shall not include any place of entertainment, or licensed premise (other than clubs or chartered clubs).

Place of Entertainment means any theatre, amusement parlour, dance hall or other place used principally for any public performance or public amusements whatever, whether a charge is made for admission thereto or not.

Poultry Farming - for the purposes of this scheme poultry farming shall mean farming greater than 24 fowls.

Predominant Use means a use permitted as of right subject to the requirements of this Code.

Pre-school Facilities means any place or premises used for the care, education and welfare of three or more children under the age of seven years by the day or for part of the day, and includes any child care centre within the meaning of the Child Care Regulations 1960, any free kindergarten recognised by the Minister of Education, any nursery playcentre recognised by the Director of Education and any plunket rooms.

Private Hotel means a residential building designed to accommodate four or more non-permanent guests and to provide service and accommodation for such guests.

Professional Offices see Offices.

Retail Shop means any land, building, or part of a building, on or in which goods are sold or exposed for sale, by retail or for hire, to members of the public. In addition, any land, building or part of building on or in which retail services are offered by such trades as hairdressers, barbers, beauticians, photographers, drycleaners, shoe repairers, restaurateurs, laundrettes, shall be deemed to be a retail shop. The term retail shop however shall not include any land, building or part of a building used for the sale or hire of motor vehicles, caravans, trailers, boats, or fuel, or any licensed premises other than premises being a wine shop or restaurant.

Scheme means the Mt Herbert County District Scheme and includes the Scheme Statement, Code of Ordinances and planning maps.

Service Lane means any service lane within the meaning of the Local Government Act 1974 and its amendments.

Service Station means any site used for the retail sale of lubricating oils and any fuels for motor vehicles. The sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles shall be permitted on such a site. The mechanical repair and servicing of motor vehicles shall also be permitted provided that the repairs undertaken on the premises shall be confined to the mechanical repair of motor vehicles and domestic garden equipment and shall not include panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding.

Sign includes every advertising or business device of whatever nature whether painted, written, printed, carved, inscribed, endorsed, projected onto or otherwise fixed to or upon any building, wall, pole, structure or erection of any kind whatsoever, or onto any rock, stone, tree or other object, if such advertising or business device is visible from any public place.

Sign Area the area of any sign shall be the entire area within a continuous perimeter enclosing the extreme limits of the lettering, framework, or emblem, together with any material or colour forming an integral part of the display or used to differentiate such a sign from the background against which it is placed.

Site means any corner site, front site, or rear site, or through site:

- Corner Site means a site having a frontage of not less than 6m to each of two or more roads if the angle within the site between two such minimum frontages is not greater than 135 degrees.
- Front Site means a site having one frontage of not less than 6m to a road, and includes any "through site".
- Rear Site means a site which is situated generally to the rear of another having access to a road generally by means of an access strip, or which has a frontage of less than 6m.
- Through Site means a site other than a corner site, with frontage not less than 6m to two or more roads. A through site shall be deemed to be a front site for the purpose of this Code.

Site Boundary means any boundary of a site and includes any rear boundary, road boundary, front boundary, side boundary, internal boundary, or zone boundary which crosses within the site.

- Internal Boundary means any boundary of a site whatsoever other than a road boundary and includes a side boundary and a rear boundary.
- Rear Boundary in relation to any front site other than a through site, means a boundary of the site being generally parallel to a road boundary.
- Road Boundary means a boundary of a site contiguous to a boundary or proposed final boundary of any legal road (other than an access way or service lane), and front boundary shall have the same meaning.
- Side Boundary in relation to a front site or corner site means a boundary of a site generally at right angles to a road boundary.

Sleepout means a single detached bedroom used by members of the family occupying the dwelling situated on the same site. Provided no sleepout shall contain a kitchen.

Storage Area means a building, or part of a building, required by this Scheme to be set aside for the storage of such bulky personal or household items as suitcases, bicycles and lawnmowers. Any shed used solely as a storage area may be located in an outdoor service space.

Tavern means any land or building in respect of which a tavern premises licence has been issued pursuant to the Sale of Liquor Act 1962.

Tourist House Premises means any land or building in respect of which a tourist house premises licence has been issued pursuant to the Sale of Liquor Act 1962.

Tradesmen's and Contractors' Storage Facilities means the use of any residential or farm accessory building for the storage of plant and materials in connection with the trade or occupation of an occupant of the site.

Travellers' Accommodation means any land or buildings used for transient residential accommodation and includes camping grounds, motor camps, motels, holiday flats, motor and tourist lodges and all rented residential accommodation which is offered for a daily tariff (other than hotels or tourist house premises) and excludes any buildings or parts of buildings used as restaurants or other ancilliary non-residential facilities available for use by members of the general public.

Vehicle Crossing means the formed and properly constructed vehicle access from the carriageway of any road up to and including that portion of the road boundary of the site across which any vehicle access is permitted by this Code and includes any culvert, bridge or kerbing.

Vehicle Sales and Hire means the sale and hire of any motorised or non-motorised vehicle, and shall include cars, vans, trucks, farms and industrial vehicles, motor cycles, caravans, trailers and boats.

Warehouse means any building or part of a building, or land where materials, articles or goods are stored pending sale to a retail outlet or trader. Any warehouse shall be deemed to include only such offices and showrooms as are necessary for, incidental to and a part of the principal use of the site as a warehouse.

Yard where any building or part of a building is required to set back from any site boundary no part of that building, unless specifically permitted by this Scheme, shall be closer to the site boundary than the minimum distance specified.

This distance shall be known as the yard. Provided that where any road widening is required by this Scheme or otherwise in accordance with the Local Government Act 1974 and its amendments the setback shall be calculated from the proposed final site boundary.

Front Yard means a yard between the street line and a line parallel thereto and extending across the full width of the site provided that when a site has more than one street frontage as with a corner site there shall be a front yard on each frontage and all other yards shall be treated as side yards.

Rear Yard means a yard between the rear boundary of the site and a line parallel to it extending across the full width of the site, provided that if there is no rear boundary as in a triangular site, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and radius of 10m.

Side Yard means a yard between each side boundary of a site and a line parallel to it extending from front yard to rear yard, or if there are two or more front yards, extending from yard to yard.

Walkway means any walking track or pedestrian accessway and includes any walkway declared or established under the New Zealand Walkways Act 1975.

Warehouse means any building or part of a building or land where materials, articles or goods are stored pending sale to a retail outlet or trader. Any warehouse shall be deemed to include only such offices and showrooms as are necessary for, incidental to and a part of the principal use of the site as a warehouse.

5. INTERPRETATION OF PLANNING MAPS

All zones, designations, roading proposals and other matters dealt with in the Code are shown by distinctive notations on the Planning Maps, and unless otherwise specified or indicated on the face of each map, the following shall apply:

5.1 Zone boundaries shown following the sides of roads, streams, drains and other physical features shall be deemed to follow the centreline of such roads, streams, drains or physical features. Notwithstanding, however, that a zone boundary follows the centreline of any road, all roads indicated on the planning maps shall be deemed to be designated as roads.

5.2 The base sheets used for the planning maps were prepared for the Council from Lands and Survey Department map series. In the event of any errors or omissions in any information presented on the maps the Council shall determine the exact locations of zone boundaries.

5.3 Any cases where the scale of the maps does not allow precise identification of the extent of some restrictions or their exact location, symbols on the maps will draw attention to an ordinance or appendix to the Scheme.

6. USES NOT EXPRESSLY MENTIONED

Any uses not expressly mentioned in this Scheme that fall naturally within a general class of uses that is mentioned shall be deemed to be included in that class and to be authorised accordingly. Any other use not expressly mentioned shall be dealt with as if it were an unauthorised use until such time as the scheme is amended to accommodate it or a determination has been made by the Planning Tribunal under Section 153 of the Act.

7. APPLICATION OF PROVISIONS FOR THE CONTROL OF USES AND BUILDINGS

7.1 Zoning

- (a) Parts III - VIII of this Code specify the types of zones within the district, with each zone specifying a list of predominant and conditional uses and bulk and location and other requirements relating to uses and buildings within that zone.
- (b) A zone statement precedes the permitted uses and buildings for each particular zone. This statement is a general description of the purposes of the zone and does not form part of the Code but is a part of the Scheme Statement and must be read in conjunction with it.
- (c) The zones listed in the Code of Ordinances are shown on the Planning Maps by distinctive notations.

7.2 Other Scheme Requirements

In addition to the requirements listed for each zone, any use or building shall also comply with all other requirements set out in this Code. These matters include those set out in:

- Part 9 - Land Subdivision
- Part 10 - Public Utilities
- Part 11 - Transportation and Parking
- Part 12 - Buildings and Places of Historic,
Scientific, Archaeological or
Natural Beauty
- Part 13 - Tree Protection
- Part 14 - Advertising Signs
- Part 15 - Reserves and Recreation
- Part 16 - Rapaki Special Development Area

Where possible these other requirements are cross referenced.

7.3 Cross References and Notes

Where sections of the Scheme appear in brackets and begin with the word "note", the matters thereafter set are references to other portions of the scheme which are relevant, or are a further explanation of the particular provisions of the Scheme referred to. These notes themselves do not form a part of the ordinance.

7.4 Existing Uses and Buildings

Existing uses and buildings which do not comply with some provisions of this Code and which are within the scope of Sections 90 and 91 of the Act may continue only to the extent authorised in those sections, unless otherwise authorised by this Code.

7.5 Designated Land

- (a) Any land designated for a public work in this Scheme is shown by distinctive notations on the planning maps and in some cases, an explanatory statement in the Scheme is included.
- (b) The person or body which has financial responsibility for the public work is also shown by notation on the planning map.
- (c) The use of any land or buildings within a designated area is controlled by Part VI of the Town and Country Planning Act 1977 which in general limits such uses to those designated, those lawfully in existence at the time the land was designated, and any use or building permitted in the underlying zoning and to which the person or body having financial responsibility for the work has given consent.

7.6 Specifically Identified Land

- (a) Any land which is specifically identified as used for purposes of value to the community but which is not intended to be owned by the Crown, the Council, or any local authority is shown by distinctive notation on the Planning Maps.
- (b) Where any land is specifically identified, a conditional use application shall be required where any work, subdivision or use within the meaning of Section 73 of the Act is

inconsistent with the identified purpose. All other works, subdivisions and uses (i.e. those consistent with the identified purpose) shall be permitted provided that they comply in all respects with the provisions of the zone applicable to the site.

8. PROCEDURES

8.1 Procedure for Permitted Uses and Buildings

(a) Where a person or body proposes to make any use of any land, erect any building or do any work in relation to any building, which would require a building permit pursuant to the Council's by-laws, in addition to the plans and information required to be supplied for the purposes of the building permit, sufficient plans and information shall be supplied to the Council to enable the Council to determine whether the use or building complies or will comply with the Scheme. Plans and information listed under (b) below will generally be sufficient.

(b) Where any person or body proposes to make use of any land, or do work in relation to any building, which would not require a building permit, such of the following plans and information shall be supplied as are appropriate to enable the Council to determine whether the use or building complies or will comply.

Plans and information, if required by the Council, should be provided prior to the establishment of any use or carrying out of any works. The County Engineer should be contacted to check whether or not plans and information are required.

(i) The address of the property together with a recent copy of the certificate of title relating to the site. (Note: Certificates of Title are available from the Land and Deeds Registry, Justice Department, Christchurch.)

(ii) A full written description of what is proposed including details such as the nature of any uses, persons employed, hours of operation, traffic generation.

(iii) Building plans, including elevations and perspectives, height, bulk and location of buildings.

(iv) A site plan showing such details as boundary dimensions, the location of any proposed use, existing buildings on the site and other buildings or features on adjoining sites or in the vicinity likely to be affected by the proposal, including existing and proposed drains and underground services.

(v) Parking, loading and access points.

- (vi) Landscaping, including trees existing on the site, fencing, or any other features or requirements. Plans shall accurately show existing trees on site, their type, canopy spread and ground levels.
- (vii) In some cases levels of the site may be required particularly on hill sites.
- (viii) All plans shall be drawn to a metric scale (usually 1:100, 1:200 or 1:500) and the scale, together with the north point shall be indicated.
- (ix) A summary of the floorspace of buildings on the site together with site coverage calculations.
- (x) Any further plans or information requested by the Council.

8.2 Dispensations or Waivers

- (a) The Council has limited power to grant an application for the dispensation wholly or partly from, or waiver of, any provision of the Scheme relating to:
 - (i) The subdivision of land permitted to be used for any urban purpose.
 - (ii) The height, bulk and location of buildings permitted on sites.
 - (iii) The provision of parking and loading spaces.
 - (iv) The design and appearance of buildings and signs and the provision, design and appearance of verandahs.
 - (v) Landscaping.
 - (vi) Such other matters as may be specified in that behalf by any regulations in force under the Act.
- (b) The Council may consent to such an application if it is satisfied that:
 - (i) 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
 - (ii) 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.
- (c) Applications shall be considered without notice when the written consent has been obtained from every body or person

whose interest might in the Council's opinion be prejudiced by the proposed dispensation or waiver unless in the Council's opinion, it is unreasonable in the circumstances existing to require such consent to be obtained.

(d) Applications shall be made with notice where:

- the consent of any person or body whose interests might, in the Council's opinion, be prejudiced has not been obtained and the Council does not consider it unreasonable to require such consent to be obtained, or
- the Council has required the application to be made with notice pursuant to Section 65 of the Act.

(e) Any application for a dispensation shall include such plans and information as are necessary to enable the Council to assess the proposal and its effects on the neighbourhood.

(f) The Council's power to grant dispensations and waivers is limited to the following extent:

- | | | |
|-------|-----------------------------|----------------|
| (i) | Minimum site area: | 20% reduction |
| (ii) | Maximum height: | 20% increase |
| (iii) | Yard requirements: | 100% reduction |
| (iv) | Parking and loading spaces: | 100% reduction |
| (v) | Landscaping: | 50% reduction. |

8.3 Notified Planning Applications

(a) Every application which is required by this Code or in accordance with the Act to be made with notice shall follow the procedure set out in the Act and the Regulations thereunder.

(b) Every such application shall include such plans and information as are required under 8(1)(b) of this Part together with a written report indicating fully the nature of the application and the reasons for it.

8.4 Outline Plans for Designated Land (S.125 of the Act)

Outline plans of works to be constructed by or on behalf of the Crown or by any local authority on designated land shall be submitted to the Council for its consideration before construction is commenced, unless they have been otherwise approved under the Act. An outline plan shall show the height, shape and bulk of the work, its location on the site, the likely finished contour of the site, vehicular access and circulation, and landscaping provisions together with any other information listed above in 8(1)(b) that may be relevant to the proposed work.

8.5 Development Plans (S.293 of the Local Government Act 1974)

The plans and other documents required to accompany the notification of development will vary according to the time when notification is made.

- (a) If notification is made at the same time as the building permit is lodged for by-law and Town Planning approval, additional copies of the site plan layout plan will be sufficient.
- (b) If notification is made before the building permit is lodged, copies of the site or layout plan will be required and for commercial, industrial and administrative developments, sufficient structural details to enable an assessment of the value of the development.

8.6 Subdivision (See Part V)

137MtHDS01

PART 2

GENERAL

1. LAND TO BE SUITABLE FOR PROPOSED BUILDING OR USE

Notwithstanding conformity with the zoning requirements of this Code and all ordinances and standards, no building shall be altered, erected or placed, and no use shall be established, on any land which is not suitable for the building or use proposed.

For the purposes of determining whether any land is suitable for any particular building or use, regard shall be had to the best use of the land and its economic servicing and development, to liability to flooding, erosion, landslip, to the stability of foundations and to safety, health and amenities.

In some areas of the County particular attention must be paid to the ability of the site to absorb liquid effluent from septic tanks. Applications for building permits will always be subject to a requirement that adequate site area is available for an acceptable field drainage system.

The hilly nature of the County is such that uncontrolled earthworks can result in stormwater concentration, erosion, landslip and siltation. Excavation controls are included in this scheme to deal with this.

2. GENERAL CONDITIONS RELATING TO BUILDINGS

2.1 Area of Site to Remain Clear of Buildings

Except in the case of eaves, no part of any building shall be located within any area of a site required by this Code to be unoccupied by buildings, nor closer to any boundary from which the Scheme requires it to be set back. The eaves of any building may project no more than 0.5 metres.

2.2 Buildings Erected Over Boundaries

Where any building or buildings are proposed to be erected over any site boundary the amalgamation of titles or allotments as the case may be, may be required prior to the issue of a building permit and the provisions of Section 643 of the Local Government Act 1974 applied where appropriate.

2.3 Yard Space Required

No portion of a yard or other open space required about any building shall be taken into account in computing the area of any yard or open space for any other building.

2.4 Accessory Buildings on Vacant Sites

Any accessory building to a predominant or a conditional use granted by the Council may be erected on any site; notwithstanding the fact that the principal buildings are yet to be erected. In some cases a bond will be required to ensure the principal buildings are erected within a reasonable time or the accessory buildings removed.

3. TEMPORARY USES AND BUILDINGS PERMITTED IN ANY ZONE

Notwithstanding anything to the contrary in this Code, the following temporary uses and buildings shall be permitted in any zone:

- (a) Temporary offices, storage sheds, builders' workshops and other similar buildings and uses, which are incidental to a building or construction project. These are permitted only for the duration of the project or twelve months whichever is the lesser unless the written consent of the Council to a longer period is obtained.
- (b) Temporary uses and buildings for such purposes as carnivals, bazaars, public meetings and the like. These are permitted however only for a period not exceeding one month in any year unless the written consent of the Council to a longer period is obtained.
- (c) Temporary residential accommodation during the building of a permanent residence on the same site.

This is permitted, however, only for a period of twelve months or the duration of the building project, whichever is the lesser unless the written consent of the Council to a longer period is obtained. Any structure must meet the minimum requirements of Chapter 4 of the Building By-laws.

4. ROAD WIDTHS

The minimum width of any new or proposed road, not ending in a cul-de-sac, shall not be less than twelve metres except that road widths less than twelve metres but not less than 7.5 metres may be approved in cases where the topography is difficult and where the Council is satisfied that the width so provided will cater for future growth.

5. EXCAVATION CONTROLS

On all residentially, commercially and industrially zoned land the carrying out of any earthworks or excavations for or in association with the operation of any permitted use, for the construction or erection of any building (including swimming pool), the construction of any driveway or access, or any other earthworks or excavations for any purpose whatsoever shall be subject to the following conditions and restrictions:

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

6. WATER USE AND WATER COURSES

(a) Water Rights

Water rights under the Water and Soil Conservation Act 1967, and administered by the Regional Water Board, may be required for all activities involving damming, diversion, taking or using natural water. Activities involving the discharge of natural water or waste may also require water rights.

(b) Water Courses

Written consent of the Council and any other local authority having control of streams, water courses or drains in the district, is required for the erection of any bridges, culverts or crossings over or through water courses, and for the water courses, and for the erection of building structures within 4 metres of the bank of an open water course, drain or stream. Consent is also required before protection works are undertaken and vegetation or material removed from water courses.

7. PROTECTION OF THE SUMMIT RIDGE, THE SUMMIT ROAD AND THE FORESHORE

The Council draws attention to the Summit Road (Canterbury) Protection Act 1963 which may restrict land use or erection of buildings within the areas with which this Act is concerned.

Notwithstanding the provisions of this Act, any building or structure proposed to be erected between the Summit Ridge and a contour 30 metres below the Summit Road, or within 30 metres of mean high water mark (and otherwise, a predominant use) shall be a conditional use, unless they are public works of a type requiring location within these areas.

8. BUILDING BY-LAWS AND THE LOCAL GOVERNMENT ACT

Requirements of the building by-laws and Local Government Act 1974, must be adhered to in respect to the design of buildings. This includes provisions for circumstances such as corner splays, amalgamation of titles and provision of fire walls.

075MthDS01

PART 3

RURAL ZONE

1. ZONE STATEMENT

This is a general rural zone covering most of the County. While the zone permits the same uses and buildings throughout the rural area, its variable nature is recognised by the application of conditions. Although the Ohinetahi Valley has a rural residential appearance, the Council does not wish this area to become an extension of the Governors Bay Residential zone. More development here could lead to a demand for extension of the sewerage scheme which would be undesirable. Hence the zoning remains rural and development in the valley will be closely controlled.

The major aim of the zone, overall, is to provide for the continuation of farming activities and related services; preserve the open character of the rural landscape and to control subdivision such that rural land is not unnecessarily fragmented.

2. PREDOMINANT USES

Agricultural, horticultural and pastoral farming, boarding kennels, veterinary hospitals and clinics, racing stables, beekeeping, apiaries and stockyards.

Factory farming, provided that:

- (a) The factory farming activity is not located within 600 metres of any residential, rural/residential or commercial zone nor within 45 metres of a dwelling.
- (b) The satisfactory disposal of effluent from any factory farming activity is carried out in accordance with any by-laws, regulations, and the requirements of the Water and Soil Conservation Act 1967.
- (c) Suitable landscaping in the vicinity of the factory farming activity is provided to the satisfaction of the Council.

Forestry in accordance with Part 8.

Public and private parks, reserves, and recreation grounds; golf courses, walkways and public halls.

A dwelling: one dwelling unit may be erected on each separate holding if:

- (a) The holding comprises a land area of 40 ha or more; or
- (b) The dwelling unit is located on the same site as any apiary, boarding kennel, veterinary hospital and clinic, racing

stable, factory farm, agricultural research facility, church, publicly administered reserve or recreation area or golf course, and the Council is satisfied on data provided on each of the above that the operation on the site is capable of providing full time employment and that there is sufficient financial or other commitment to provide a realistic operation.

Home occupations and craft activities accessory to existing dwelling units (see definitions) provided that:

- (a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 sq.m of floor space.
- (b) No goods shall be displayed for sale and there shall be no advertising on the site.
- (c) The home occupation shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

Repair, modification, or improvement of any existing dwelling.

Family flat accessory to an existing dwelling unit, for the housing of dependent relatives (see definitions), provided that:

- (a) the maximum floor area shall be 50 sq.m.; and
- (b) the family flat is removed when it is no longer required for the housing of a dependant relative.

Farm workers' accommodation (see definitions).

Public Utilities (see Part 10).

Farm accessory buildings, accessory buildings for predominant uses and for existing approved conditional uses.

River protection, flood control, drainage, erosion control and soil conservation works and shelter planting (except major works involving land purchase) by and under the control of, the Regional Water Board.

3. CONDITIONAL USES

Travellers accommodation (excluding motels, holiday flats, motor and tourist lodges) including a dwelling for custodial, operational or management purposes.

→ Replacement of any existing dwelling.

Cemeteries and crematoria.

Places of assembly and marae.

Roadside shops for the sale of produce of the farm on which the shop is located provided that:

- (a) No stall shall be permitted on any road reserve.
- (b) Where an existing building is to be adapted for use as a stall, or a new stall is to be built, then the building or stall must be located 20 metres from the road boundary.
- (c) Access from the road to the stall shall be by means of a driveway a minimum of 3 metres wide with a turning and parking area designed to accommodate 4 cars, adjacent to the stall, all constructed to all-weather standards to the satisfaction of the Council.
- (d) Access onto the road shall be sited in a manner which allows the safe entry and exit of vehicles to the satisfaction of the Council.
- (e) Stalls shall be designed so as to provide a structure constructed in good quality materials that is roofed and enclosed on at least three sides.
- (f) Advertising signs shall be confined to one signboard located on the property of 1.1 sq.m (2.2 sq.m doublesided) in area carrying the name of the property, the general type of produce available (i.e. vegetables, fruit or flowers) and the words "Open" or "Closed". If only one specific variety of produce is to be sold, for example "strawberries" or "potatoes", it shall be permissible to use this in lieu of the general type provided that the number of words on the sign does not increase.

Forestry in accordance with Part 8.

The quarrying, mining and processing of materials occurring naturally in the vicinity and buildings accessory to the foregoing use, provided that:

- (a) Any workings and buildings do not detract from the natural character of the coastal environment and the margins of rivers, the views from any state highway or reserve, or water and soil conservation and wildlife values. The maintenance of water and soil conservation values indicates compliance with the Water and Soil Conservation Act 1967, the Soil Conservation and Rivers Control Act 1941 and the by-laws of the Regional Water Board.
- (b) No excavation shall take place within 10 metres of any property boundary, nor such that it cuts below a surface with a maximum gradient of 3:1 measured from a point 10 metres from the property boundary, or such steeper slope (say in rock quarries) as is approved by Council.

- (c) No removal or covering of topsoil which in the opinion of the Council has high agricultural potential.
- (d) All topsoil shall be stockpiled, the area of the workings kept to a minimum and the workings progressively restored to a reasonably natural state of levelling or backfilling where possible and by the planting of grass or indigenous native trees and on completion of the work, by removal of plant and buildings.

Tradesmen's and agricultural contractors' storage facilities (see definitions), provided that:

- (a) The storage facilities shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

Accessory buildings for conditional uses listed above not provided for as predominant uses.

4. CONDITIONS RELATING TO CONDITIONAL USES IN RURAL ZONES

- (a) The use of any land or building shall not be permitted where that use would:-
 - i) Tend to promote closer settlement.
 - ii) Cause demand for extension of the public services that is not in the economic interests of the region or locality.
 - iii) Lead to any obstruction or other interference with the free flow of traffic on any major traffic route.
- (b) All buildings shall be so sited, designed and maintained so as not to detract from the scenic character and visual amenities of the rural environment.
- (c) All tailings, sawdust, spoil, waste and effluent shall be so disposed of as to minimise damage to property or disfigurement to the countryside.

5. BULK AND LOCATION REQUIREMENTS

5.1 Predominant Uses

Type of Use	Maximum Height	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard
Residential Buildings	9m	7.5m	7.5m	4.5m
Other Buildings	10m	15m	15m	12m
Housing or Keeping of Animals (other than pigs)	16 metres from any residential or occupied building, 12 metres from any boundary			
Milking Shed	40 metres from any public road			
Pigs or Pigsty	45 metres from any residential or occupied building, public road, milking shed, dairy, or place used for the preparation, storage or sale of food for human consumption or from any boundary of an adjoining property			
Stockloading Yards	Such distance from the road that all manoeuvring, backing, and loading operations can take place off the carriageway			

5.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a minimum guide in its assessment the requirements for predominant uses in this zone.

5.3 Open Water Courses

No building shall be erected such that any part of the building is located within 4 metres of the edge or bank of any open stream, water course, drain or water race, except with the written approval of the Council. Before giving its approval, the Council shall consult with any other local authority having control of streams, water courses or drains in the district covered by the scheme.

5.4 Trees Near Roads

No tree, shelterbelt, amenity planting or forest shall be planted or allowed to grow in a manner likely to cause icing.

5.5 Protection of Trees and Native Bush Areas

See Part 13.

6. REFERENCES IN OTHER ORDINANCES

Refer to General, Advertising Signs, Subdivision, Transportation and Parking, Historic Buildings, Tree Protection.

075MtHDS01

PART 4

GENERAL RESIDENTIAL ZONE

1. ZONE STATEMENT

The Mt Herbert County population is concentrated at a number of scattered settlements. The type of residential use at each settlement is generally similar with the exception of Rapaki and Port Levy. Consequently two zones will be established; one to deal with the general residential areas and another for Rapaki and Port Levy. The purpose of the general residential zone is to ensure careful and sensitive development at each settlement. Measures are aimed at consolidating existing settlements and providing appropriate areas within these settlements for expansion, while still maintaining the pleasant physical and cultural environment of each locality.

The principal controlling factor in setting limitations on minimum site areas, in addition to maintaining the open character of the area, is the ability of existing ground conditions to adequately dispose of septic tank effluent and the steepness and stability of slopes.

2. PREDOMINANT USES

Dwelling units, one unit for each site (see Part 9 for minimum site areas).

Dwelling units on lots less than the specified minimum area if such lots existed as separate titles prior to the public notification of this scheme, provided there is sufficient land and site conditions are appropriate for on-site disposal of septic tank effluent.

Professional offices, veterinary clinics, and medical practices situated in a dwelling permitted under this ordinance provided that:

- (a) the predominant use of the premises or property remains residential,
- (b) for the purposes of bulk and location requirements, the whole of such a building shall be deemed to be a residential building,
- (c) in the case of veterinary clinics, animals are kept only for hospitalisation and not boarding.

Home occupations accessory to an existing dwelling unit (see definitions) provided that:

- (a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 sq.m of floor space.

- (b) No goods shall be displayed for sale and there shall be no advertising on the site.
- (c) The home occupation shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

Family flat (see definitions) accessory to a dwelling unit, for the housing of dependent relatives, provided that:

- (a) The maximum floor area shall be 50 sq.m.
- (b) The applicant enters into a suitable bond with the Council (in a form enabling it to be supported by a caveat) to ensure that the family flat is removed when it is no longer required for the housing of a dependent relative.

Public utilities (see Part 10).

Pre-school facilities.

Parks, reserves and recreation grounds owned and administered by public authorities, golf courses, public halls and walkways.

Accessory buildings for predominant uses listed above and for existing approved conditional uses (maximum floor area 65 m² per site).

3. CONDITIONAL USES

Travellers' accommodation (see definitions).

Old peoples' homes and residential institutions.

Tradesmen's and contractors' storage facilities (see definitions) in association with a residential building other than:

- (a) those that are, or under any conditions may become, noxious and/or increase traffic generation and/or cause a detraction to the amenities of nearby residents.

Agricultural, horticultural and pastoral farming in compliance with any by-laws, but excluding poultry farming (see definitions), pig farming and beekeeping and provided that:

- (a) buildings or yards for the housing or keeping of animals shall not be located within 16 metres of a house, or 10 metres in the case of fowls,
- (b) glasshouses shall not cover more than 25% of the site area.

Places of assembly and entertainment, marae.

Retail shops.

Administrative, commercial and professional offices.

Medical centres and practices (not permitted as a predominant use), veterinary clinics, nursing and convalescent homes, hospitals and other treatment centres.

Museums, libraries, art galleries.

Any occupation, trade, craft or business coming within the definition of a home occupation but including the retailing, advertising and display of goods from the premises.

Forestry, in accordance with Part 8.

Accessory buildings for approved conditional uses.

4. BULK AND LOCATION REQUIREMENTS

4.1 Predominant Uses

	Front Yard	Rear Yard	Side Yards	Yards Rear Sites	Permitted Site Coverage	Max. Height
Charteris/ Church Bay All uses except accessory buildings	4.5m	7.5m	1 of 3m and 1 of 4.5m	1 of 3m and 3 of 4.5m	25%	7m
Accessory buildings (maximum area 65m ²)	4.5m ²	1.5m	1.5m	1.5m	25%~	3.6m

* 6 m for garages with vehicle door parallel to frontage

4.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a guide in its assessment the requirements for predominant uses.

4.3 Open Water Courses

No building shall be erected such that any part of the building is located within 4 metres of the edge or bank of any open stream, water course, drain or water race, except with the written approval of the Council. Before giving its approval, the Council shall consult with any other local authority having control of streams, water courses or drains in the district covered by the scheme.

4.4 Excavation Control

Buildings proposed to be constructed on steep areas will require approval from the Council and an engineer's report may be requested regarding excavation works (see Part 2, section 5, Excavation Controls).

5.0 REFERENCES IN OTHER ORDINANCES

Refer to: General, Subdivision, Public Utilities, Transportation and Parking, Advertising Signs, Historic Buildings, Tree Protection.

PART 5 : MAORI SETTLEMENT ZONE

1. ZONE STATEMENT

The two main Maori settlements within the County are located at Rapaki and Port Levy. A special purpose Maori Settlement Zone has been established for these areas which incorporates more land zoned for residential uses than in the previous District Scheme. Access to these areas is not envisaged from Governors Bay Road. The aim of this is to enable Maori people who wish to live on their land to be able to do so. A greater variety of uses will be permitted to encourage the retention and development of Maori culture.

At Rapaki a significant amount of land in multiple ownership has remained undeveloped when it is suitable for residential uses. This reflects the difficulties of subdivision and development of land in multiple ownership under the previous District Scheme approach; an approach developed with the European concept of individual ownership in mind. An additional aim of this zone, therefore, is to make provision for the development of this land without necessitating subdivision.

2. PREDOMINANT USES

Dwelling units, one unit for each site (see Part 9 for minimum site areas).

The principal controlling factor in setting limitations on minimum site areas, in addition to maintaining the open character of the area, is the ability of existing ground conditions to adequately dispose of septic tank effluent, and the steepness and stability of slopes.

Professional offices, veterinary clinics, medical centre and practices situated in a dwelling permitted under this ordinance provided that:

- (a) the predominant use of the premises or property remains residential,
- (b) for the purposes of bulk and location requirements, the whole of such a building shall be deemed to be a residential building,
- (c) in the case of veterinary clinics, animals are kept only for hospitalisation and not boarding.

Agricultural, horticultural and pastoral farming in compliance with any by-laws (but excluding poultry farming [see definitions], pig farming and beekeeping) and provided that:

- (a) buildings or yards for the housing or keeping of animals shall not be located within 16 metres of a house, or 10 metres in the case of fowls,
- (b) glasshouses shall not cover more than 25% of the site area.

Home occupations (see definitions) and craft activities accessory to an existing dwelling units provided that:

- (a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 sq.m of floor space.
- (b) No goods shall be displayed for sale and there shall be no advertising on the site.
- (c) The home occupation shall not cause any nuisance, danger or noxiousness or increase in traffic generation that would cause a detraction from the amenities of nearby residents.

Family flat (see definitions) accessory to a dwelling unit, for the housing of dependent relatives provided that:

- (a) The maximum floor area shall be 50 sq.m.
- (b) The applicant enters into a suitable bond with the Council (in a form enabling it to be supported by a caveat) to ensure that the family flat is removed when it is no longer required for the housing of a dependent relative.

Public Utilities (see Part 10).

Pre-school facilities.

Parks, reserves and recreation grounds owned and administered by public authorities, and walkways.

Marae, and uses accessory to a marae such as sleeping houses, dining halls, ablution buildings, carving houses, recreation grounds.

Buildings for the teaching and practice of Maori culture, crafts and language.

Accessory buildings for predominant uses listed above and for existing approved conditional uses.

Note: No new predominant use shall be established with motor access to Governors Bay Road on areas so marked on Planning Map No. 1.

3. CONDITIONAL USES

All residential uses not permitted as predominant uses (e.g. dwelling units on less than the minimum area standard or more than one unit per site).

Old people's homes.

Parks, reserves and recreation grounds owned and administered by public authorities, and walkways.

Churches and cemeteries (burial grounds).

Places of assembly (other than a marae), museums and art galleries.

Retail shops provided they do not front the Lyttelton-Governors Bay Road.

Administrative, commercial and professional offices.

Medical centres and practices, veterinary clinics, nursing and convalescent homes, hospitals and other treatment centres.

Any occupation, trade, craft or business coming within the definition of a home occupation but including the retailing, advertising and display of goods from the premises.

Accessory buildings for approved conditional uses.

Note: No new conditional use shall be established with motor access to Governors Bay Road on areas so marked on Planning Map No. 1.

4. BULK AND LOCATION REQUIREMENTS

4.1 Predominant Uses

	Front Yard	Rear Yard	Side Yards	Yards Rear Sites	Permitted Site Coverage
Rapaki: All uses except accessory	7.5m	7.5m	1 of 3m and 1 of 4.5m	1 of 3m and 3 of 4.5m	25%
Accessory	7.5m	1.5m	1.5m	3m	25%
Port Levy All uses	4.5m	7.5m	1.5m	3m	35%

	Maximum Height	Maximum Area
Rapaki and Port Levy All uses except accessory	7m	-
Accessory	3.6m	65 sq.m.

4.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a guide in its assessment the requirements for predominant uses.

4.3 Open Water Courses

No building shall be erected such that any part of the building is located within 4 metres of the edge of any open stream, water course, drain or water race, except with the written approval of the Council. Before giving its approval, the Council shall consult with any other local authority having control of streams, water courses or drains in the district covered by the scheme.

4.4 Excavation Control

The construction of buildings on steep areas will require the approval from the Council and an engineer's report may be requested regarding excavation works (see Part 2, section 5, Excavation Controls).

5. LAND IN MULTIPLE OWNERSHIP

As for sections 2, 3 and 4 above with the exception that more than one dwelling unit will be permitted on each site provided that:

- a) A management plan is prepared showing the overall development location of all existing and proposed dwellings and accessory buildings, provision of services, including septic tank layout, various use areas, access, parking, amenity planting and landscaping. The plan shall be considered by the Council and approved by resolution before any use is permitted.
- b) The Council has information identifying the trustees, advisors or management committee responsible for the ownership, operation and maintenance of the land.
- c) The following additional bulk and location and minimum site area requirements are met:

Minimum Distance Between Units on Same Site	
Dwellings	10m
No. of Dwelling Units	Minimum Site Area
1 Unit	1250 sq.m. }
2 Units	1875 sq.m. } (increment
3 Units	2500 sq.m. } 625 sq.m)
4 Units	3125 sq.m. }
etc.	

6. REFERENCES IN OTHER ORDINANCES

Refer to: General, Subdivision, Public Utilities, Transportation and Parking, Advertising Signs, Historic Buildings, Tree Protection.

135MTHDS02

PART 6 .

GOVERNORS BAY RESIDENTIAL A AND B

1. ZONE STATEMENT

It is intended to preserve the semi rural character of the Governors Bay residential area and the residential zones have been devised accordingly. It has been known for some time that peripheral residential areas around Governors Bay are sensitive to change and require careful development. They are identified on the planning maps and are zoned Residential B. These areas have been selected for Residential B status because they are sensitive in terms of soil conservation or because they can provide a soft edge to the township between urban and rural areas. Specific subdivisional controls are included for their development. The remaining residential area is zoned Residential A which has more conventional subdivisional controls. In other respects the provisions for each zone are the same.

The principal controlling factor in setting limitations on minimum site areas is the need to preserve the present semi-rural nature of the area.

2. RESIDENTIAL A AND B PREDOMINANT USES

Dwelling units, one per site (see Part 11 for minimum site areas).

Dwelling units on lots less than the specified minimum area if such lots existed as separate titles prior to the public notification of this scheme, provided there is sufficient land and site conditions are appropriate for on-site disposal of septic tank effluent.

Professional offices, veterinary clinics and medical practices situated in a dwelling permitted under this ordinance provided that:

- a) The predominant use of the premises or property remains residential.
- b) For the purposes of the bulk and location requirements the whole of such building shall be deemed to be a residential building.
- c) In the case of veterinary clinics, animals are kept only for hospitalisation and not boarding.

Home occupations (see Definitions) accessory to an existing dwelling unit provided that:

- (a) The home occupation shall be carried out within a complying dwelling or a building accessory to a dwelling and shall occupy no more than 30 m² of floor space.

- (b) No goods shall be displayed for sale and there shall be no advertising on the site.
- (c) The home occupation shall not cause any nuisance, danger or noxiousness, or increase in traffic generation which would cause a detraction from the amenities of nearby residents.

Family flat accessory to an existing dwelling for the housing of dependant relatives (see Definitions) provided that:

- (a) The maximum floor area shall be 50 sq.m.
- (b) The applicant shall enter into a suitable bond with the Council (in a form enabling it to be supported by a caveat) to ensure that the family flat is removed when it is no longer required for housing of a dependant relative.
- (c) The family flat is removed when it is no longer required for the housing of a dependant relative.

Public utilities (see Part 10).

Parks, reserves and recreation grounds owned and administered by public authorities and public halls.

Pre-school facilities.

Accessory buildings for predominant uses listed above and for existing approved conditional uses.

3. CONDITIONAL USES

Agricultural, horticultural and pastoral farming in compliance with any by-laws, but excluding poultry farming (see Definitions), pig farming and bee keeping provided that:

- a) Buildings or yards for the housing or keeping of animals shall not be located within 16 metres of a house, or 10 metres in case of fowls.
- b) Glasshouses shall not cover more than 25% of the site area.

Travellers' accommodation (see Definitions).

Old people's homes.

Tradesmen's and contractors' storage facilities (see definitions) in association with a residential building excluding those that are or under any conditions may become noxious and/or increase traffic generation and/or cause a detraction to the amenities of nearby residents.

Places of assembly and entertainment.

Any occupation trade craft or business coming within the definition of a home occupation, but including the retailing advertising and display of goods from the premises.

4. "CONDITIONS RELATING TO PARTS OF RESIDENTIAL B ZONE

Parts of this zone in Governors Bay are identified by diagonal cross-hatching on Planning Maps 2 and 3. In these areas, prior to the uplifting of a building permit, the Council may require the preparation of an engineering geologist's report or a report from a registered civil engineer experienced in soil mechanics and such other topographical survey and investigations as are necessary to establish the suitability of the site for the building proposed."

5. BULK AND LOCATION REQUIREMENTS

5.1 Predominant Uses

	Front Yard	Rear Yard	Side Yard	Yards Rear Sites	Permitted Site Coverage
All uses except accessory buildings	7.5m	7.5m	One of 4.5m and one of 3.0m	One of 1.5m and three of 3.0m	25%
Accessory buildings	7.5m	1.5m	1.5	1.5m	
	Maximum Height	Maximum Area			
All uses except accessory buildings	7.5m	-			
Accessory buildings	3.6m	65 sq.m			

5.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application but the Council will use as a guide in its assessment the requirements for predominant uses.

5.3 Open Water Courses

No building shall be erected such that any part of the building is located within 4 metres of the edge or bank of any open stream, watercourse, drain or water race, except with written approval of the

Council. Before giving its approval, the Council shall consult with any other local authority having control of streams, watercourses, or drains in the County.

5.4 Excavation Control

The construction of buildings on steep areas will require approval from the Council and an engineer's report may be requested regarding excavation works. (See Part 2, Section 5, Excavation Controls.)

6. REFERENCES IN OTHER ORDINANCES

Refer to: General, Subdivision, Public Utilities, Transportation and Parking, Historic Buildings, Advertising Signs, Trees.

155MtHDS05

PART 7

COMMERCIAL ZONE

1. ZONE STATEMENT

The commercial zone in Mt Herbert currently includes only a hotel and a store at Governors Bay and a small area at Church Bay. The zone at Governors Bay is not seen as requiring extension as sufficient capacity for commercial development exists next to the hotel. However, additional commercial zoning is needed for Church/Charteris Bay.

Small commercial zones are necessary to control development and preserve the rural nature of the County while still providing services for growing residential areas.

2. PREDOMINANT USES

Retail shops (including garden centres) and the storage of products for sale.

Dwelling units where such accommodation is incorporated in the same building as a retail shop, provided that:

- a) there is not more than one dwelling per shop; and
- b) dwelling quarters have direct street access.

Auction Rooms.

Administrative, professional and commercial offices, banks and exchanges.

Medical Centres.

Libraries, exhibitions, museums and art galleries.

Theatres, places of assembly and entertainment.

Hotels, motels and taverns.

Residential and non-residential clubs.

Living quarters for a caretaker or other person whose employment requires that they live on the premises.

Public utilities.

Churches.

Any occupation, trade, craft or business coming within the definition of a home occupation (see definitions) but including the retailing advertising and display of goods from the premises.

3. CONDITIONAL USES

Service stations for both repair of vehicles and sale of petrol, provided that:

- a) the floor space to be used for the garaging and repairing of vehicles does not exceed 300 square metres; and
- b) Council approves of the street access provision.

Vehicles sales and hire.

Parking lots and buildings.

Warehouses and yards for the storage and distribution of goods of a light nature.

Bicycle, motor cycle, outboard and inboard marine engines, lawnmower and similar small machine or engine repair shops.

Manufacturing of goods (not provided for as a predominant use) most of which are sold by retail on the premises.

Any uses permitted in residential zones, other than residential buildings.

Buildings accessory to buildings used for any of the foregoing purposes.

Toilet blocks, recreational and other facilities primarily for the convenience of those engaged in the zone.

4. BULK AND LOCATION REQUIREMENTS

4.1 Predominant Uses

	Maximum Height	Front Yards Minimum	Rear Yards Minimum	Side Yards Minimum
All uses	11 m	1.5 m	3m or 7.5m (in case of shops with dwelling accommodation)	4.5m where adjoining a rural/rural/residential or residential zone without inter-street or public open space

	Coverage	Density
Residential	50%	Combined residential commercial use shall have at least 60 sq.m of open space about the building for each dwelling unit (for the exclusive use of the inhabitants of that unit)
Others (except rear sites)	75%	-
Rear sites	56% with building sited so as to facilitate fire fighting and to allow access and turning space for vehicles	-

4.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a minimum guide in its assessment the requirement for predominant uses.

4.3 Verandahs on Commercial Premises

Buildings fronting commercial streets in the commercial zone shall be provided with a verandah designed to take into account the maximum height requirements and to provide continuity in relation to neighbouring verandahs and facade depth limits.

4.4 Open Water Courses

No building shall be erected so that any part of it is located within 4m of the edge or bank of any open stream, water course, drain or water race except with the written approval of Council. Before giving its approval the Council shall consult with other local authorities having control of streams, watercourses or drains in the County.

5. REFERENCES IN OTHER ORDINANCES

Refer to: General, Subdivision, Public Utilities, Transportation and Parking, Historic Buildings, Trees, Advertising Signs.

155MthDS05

PART 8

LIGHT INDUSTRIAL ZONE

1. ZONE STATEMENT

Industry is not anticipated to be an important activity in Mt Herbert County. Consequently, only limited provision is made for light industry and this is at Charteris/Church Bay. The aim of the zone is to recognise the contribution that industry can make to the local economy and to provide for a variety of occupations and services within the area. The Council will be concerned to ensure that visual character and beauty of the surrounding landscape is maintained.

2. PREDOMINANT USES

Laundries and dry cleaning services.

Bakeries.

Milk processing and distribution.

Petrol Service Stations.

Trade workshops.

Warehouses.

Stores and storage yards.

Blacksmiths' shops.

Cold storage.

Fruit and produce packing sheds.

Nurseries and garden centres.

Pottery and ceramics (excluding mass production and continuous firing).

Repair of cycles, motor cycles, outboard and inboard marine engines, lawnmowers and similar vehicles and engines.

Vehicle sales and hire (see definitions).

Shops and show rooms ancillary to a permitted use on the same or adjoining site.

Lunch rooms, offices and toilets ancillary to a permitted use on the same or adjoining site.

Public reserves or reserves within the meaning of the Reserves Act 1977.

Public utilities.

3. CONDITIONAL USES

Uses ancillary to permitted uses such as cafeterias, storage of raw materials or finished goods.

Recreational, day care and other facilities primarily for the convenience, medical, surgical treatment of those engaged in the zone.

Jam fruit and vegetable preserving, pickles and sauce manufacture.

Wineries.

Commercial garages and wood and coal yards.

4. BULK AND LOCATION REQUIREMENTS

4.1 Predominant Uses

	Minimum Front Yards	Minimum Rear Yards	Minimum Side Yards	Maximum Coverage	Minimum Open Space	Maximum Floor Space	Maximum Height
All uses	5m	7.5m*	4.5m*	75%	100sq.m for each household unit where residential uses are combined with indust- rial uses.	500sq.m	11m

** When adjacent to a residential zone*

4.2 Conditional Uses

The Council may impose such conditions as to bulk and location requirements for conditional uses as it deems appropriate for any particular application, but the Council will use as a minimum guide in its assessment the requirements for predominant uses in this zone.

4.3 Open Water Courses

No building shall be erected such that any part of the building is located within 4 metres of the edge or bank of any open stream, watercourse, drain or water race, except with the written approval of Council.

Before giving its approval, the Council shall consult with any other local authority having control of streams, watercourses or drains in the district covered by the scheme.

4.4 Landscaping

Front yard: Apart from entranceways the front yard shall be planted with trees and shrubs (or flowers) so that when mature provide a pleasant natural relief against a backdrop of industrial buildings and uses.

Other yards: Where rear yards or side yards adjoin a residential zone a minimum of one metre shall be planted with trees and shrubs (or flowers) to aid integration of the two zones.

5. REFERENCES IN OTHER ORDINANCES

Refer to: General, Subdivision, Public Utilities, Transportation and Parking, Historic Buildings, Tree Protection, Advertising Signs.

155MtHDS05

PART 9

FORESTRY ZONE

1. ZONE STATEMENT

This ordinance controls forestry over the entire county and reference should be made to the forestry zoning map in the planning map section.

The forestry zoning map divides the County into three broad categories each with different levels of control. It is emphasised that the zone boundaries are of necessity generalised and that detailed topography on particular sites may mean consent could be given for small pockets of trees within a zone without offending the provisions of this scheme.

2. FORESTRY ZONE A

2.1 Zone Statement

This provision applies largely to that part of Port Levy basin below the landscape preservation line as shown on the forestry zoning map.

2.2 Predominant Uses

- (1) Shelter belts
- (2) Agro-forestry
- (3) Mixed woodlot and woodlot forestry
- (4) Plantation forestry
- (5) The planting and tending of indigenous tree species for the purpose of soil conservation or beautification.

Provided that:

- (i) Exotic species do not replace existing groups of indigenous trees and bush remnants.
- (ii) A Forest Management Plan is submitted for lots over 2 ha per title (see Appendix E).
- (iii) An undertaking is given in the case of harvesting an area of over 5 ha to provide the Council with a Forest Harvest Notice two years prior to harvesting, provided that in exceptional circumstances or when small volumes are involved the requirement may be waived (see Appendix F).
- (iv) Trees do not cause loss of sunlight or constitute a fire risk to any dwelling.

3. FORESTRY ZONE B

3.1 Zone Statement

This provision applies to that part of the County in the Lyttelton Basin lying between the landscape preservation line and the harbour's edge.

3.2 Predominant Uses

- (1) Shelter belts under 2 ha
- (2) Mixed woodlot and woodlot forestry
- (3) The planting and tending of indigenous tree species for the purpose of soil conservation or beautification
- (4) Agroforestry.

3.2 Conditional Uses

- (1) Shelter belts over 2 ha
- (2) Plantation forestry

Conditions relating to all permitted uses:

- (i) Adequate consideration must be given to the visual impact of trees. Planting shall take place in such a way that the effect is to enhance rather than detract from visual amenity. The Council is concerned to ensure that tree planting does not occur so as to dissect the landscape. Trees shall not be planted continuously up to and along a straight boundary such as the harbour road where this would not be in keeping with landscape form. Planting shall follow the nature contours of the land and avoid prominent skylines. Amenity planting, particularly in peripheral areas to soften the visual effect, and in gullies to add variety will be required.
- (ii) Planting shall not be located in such a way that trees will cause loss of sunlight to residential areas in winter.
- (iii) Planting shall not be located in such a way that it will constitute a fire risk in residential areas.
- (iv) A forest management plan (see Appendix E) must be submitted for lots of over 2 ha per title.
- (v) In the case of harvesting areas greater than 5 ha the Council must be furnished with a Forest Harvest Notice at least two years prior to harvesting, provided that in exceptional circumstances, or where small volumes are involved this requirement may be waived (see Appendix F).
- (vi) Exotic species must not replace significant existing stands of indigenous trees.
- (vii) All planting shall be in accordance with National Water and Soil Conservation Organisation guidelines (see Appendix E).

4. FORESTRY ZONE C

4.1 Zone Statement

This covers that part of the County above the landscape preservation line. No types of forestry are permitted in this zone except purely for soil conservation and beautification.

4.1 Predominant Uses

The planting and tending of indigenous species for the purpose of soil conservation or beautification.

4.2 Conditional Uses

The planting and tending of suitable exotic species purely for the purpose of soil conservation.

155MthDS05

PART 9

FORESTRY ZONE

ZONE STATEMENT

This ordinance controls forestry over the entire county and reference should be made to the forestry zoning map in the planning map section.

The forestry zoning map divides the Council into two broad categories, each with different levels of control. A landscape preservation line has been set to protect the visual dominance of the crater rim and ridges. It is emphasised that the zone boundaries are of necessity generalised and that detailed topography on particular sites may mean consent could be given for small pockets of trees within a zone without offending the provisions of this scheme.

2. FORESTRY ZONE A

2.1 Zone Statement

This provision applies to that part of the County lying between the landscape preservation line and the harbour's edge.

2.2 Predominant uses

- (1) Shelter belts under 2 ha
- (2) Mixed woodlot and woodlot forestry
- (3) The planting and tending of indigenous tree species for the purpose of soil conservation or beautification

Provided that:

- (i) Exotic trees do not replace existing groups of indigenous trees or bush remnants.
- (ii) A Forest Management Plan is submitted for lots over 2 ha per title (see Appendix E)
- (iii) An undertaking is given in the case of harvesting an area of over 5 ha to provide the Council with a Forest Harvest Notice two years prior to harvesting, provided that in exceptional circumstance or when small volumes are involved the requirement may be waived.
- (iv) Trees do not cause lot of sunlight or constitute a fire risk to any dwelling.
- (v) No tree, shelterbelt, amenity planting or forest shall be planted in a manner likely to cause icing (see clause 5.4 p56).

2.3 Conditional Uses

- (1) Shelterbelts over 2 ha
- (2) Plantation forestry

Conditions relating to all conditional uses:

- (i) Adequate consideration must be given to the visual impact of trees. Planting shall take place in such a way that the effect is to enhance rather than detract from visual amenity. The Council is concerned to ensure that tree planting does not occur so as to dissect the landscape. Trees shall not be planted continuously up to and along a straight boundary such as the harbour road where this would not be in keeping with landscape form. Planting shall follow the nature contours of the land and avoid prominent skylines. Amenity planting, visual effect, and in gullies to add variety will be required.
- (ii) Planting shall not be located in such a way that trees will cause loss of sunlight to residential areas in winter, or cause icing on roadways (see clause 5.4 p56).
- (iii) Planting shall not be located in such a way that it will constitute a fire risk in residential areas.
- (iv) A forest management plan (see Appendix E) must be submitted for lots of over 2 ha per title.
- (v) In the case of harvesting areas greater than 5 ha, the Council must be furnished with a Forest Harvest Notice at least two years prior to harvesting, provided that in exceptional circumstances, or where small volumes are involved this requirement may be waived (see Appendix F).
- (vi) Exotic species must not replace existing stands of indigenous trees or bush remnants.
- (vii) All planting shall be in accordance with National Water and Soil Conservation Organisation guidelines (see Appendix E).

4. FORESTRY ZONE B

4.1 Zone Statement

This covers that part of the County above the landscape preservation line. No types of forestry are permitted in this zone except purely for soil conservation and beautification.

4.2 Predominant Uses

The planting and tending of indigenous species for the purpose of soil conservation or beautification.

4.3 Conditional Uses

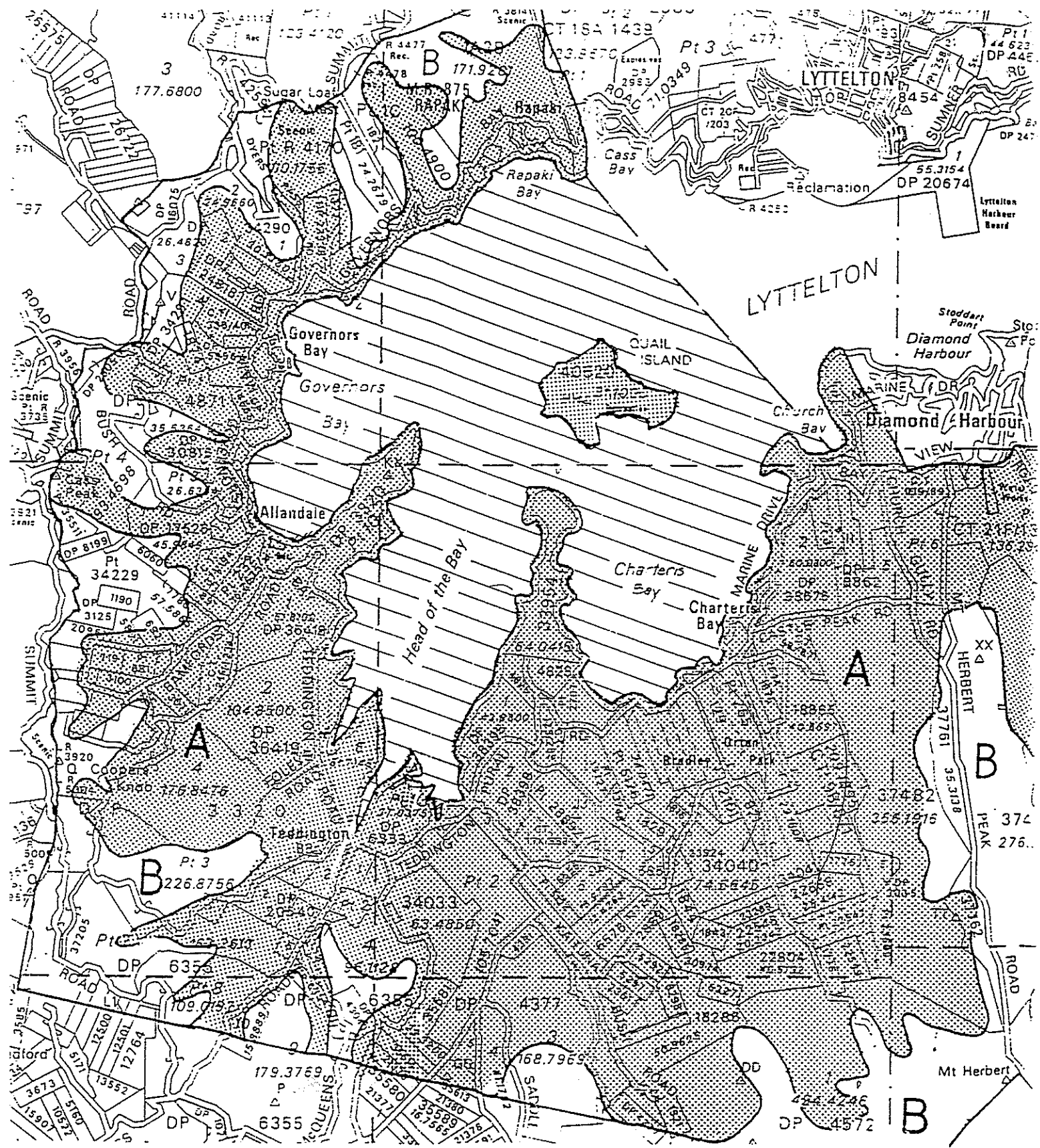
The planting and tending of suitable exotic species purely for the purpose of soil conservation.

FOREST MANAGEMENT PLAN


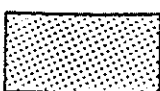

A Forest Management Plan shall include:

1. A plan showing the areas and species to be planted. If this is to be carried out over more than one planting season an indication of the intended sequence of planting is required.
2. An indication of initial planting densities and the expected timing of thinning and pruning.
3. A description of the proposed land preparation including:
 - vegetation clearance;
 - fencing;
 - the extent of earthworks;
 - road and track layout;
 - proposed methods of protecting any existing watercourse.
4. A description of the likely harvesting methods and timing. The Council wishes to ensure that adequate consideration has been given to such matters in the planning stages and does not require a firm commitment to specific methods or timing.

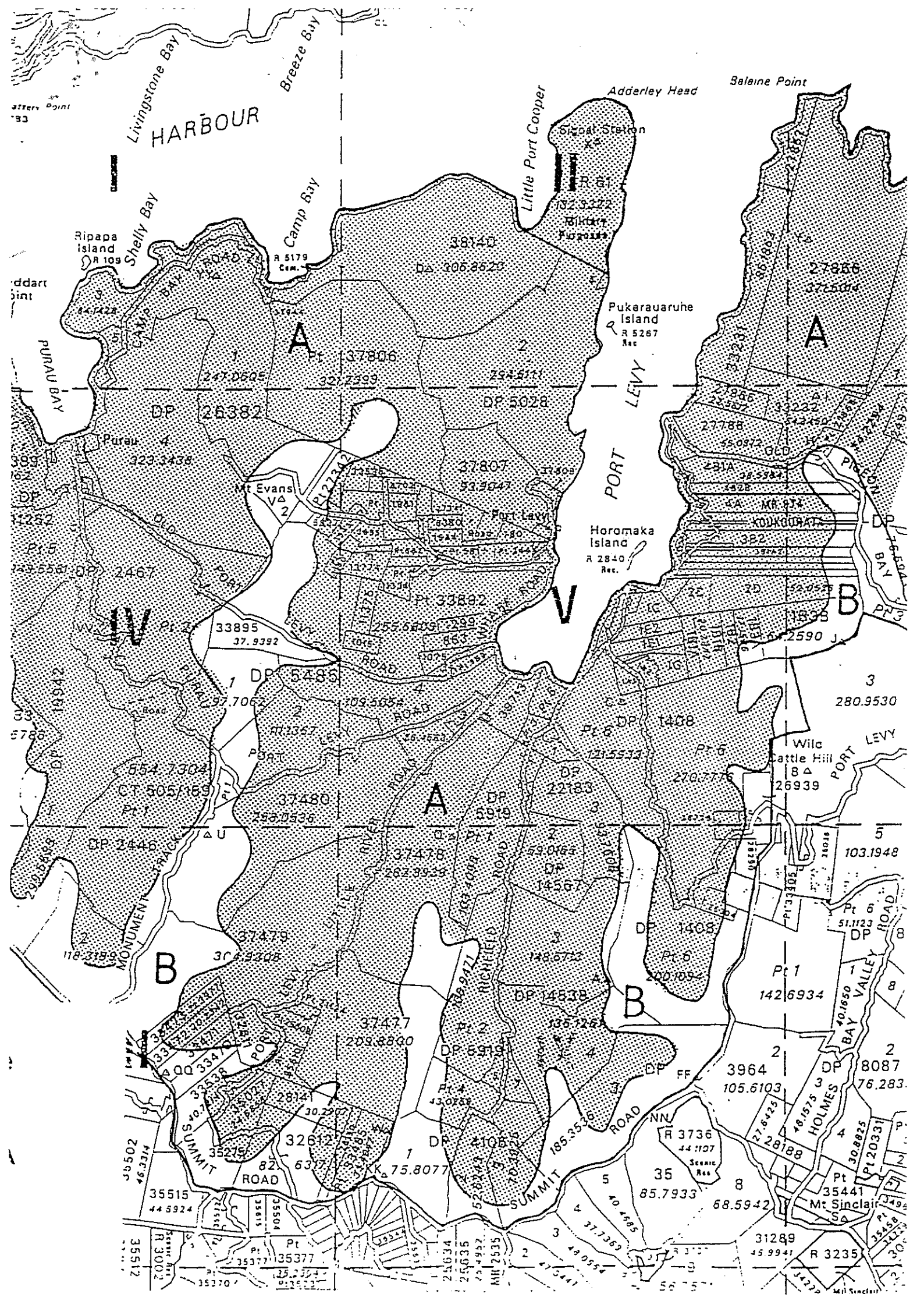
Forest Management Plans shall comply with guidelines published by the National Water and Soil Conservation Organisation 1978 and any subsequent revision. (Note: These guidelines are available from the Canterbury Regional Council or from the Council. They deal with matters such as earthworks including roading, tracking and forest landings, site preparation, establishment and tending of forests, extraction of forest produce and land management after extraction).



RECREATION ZONE AND FORESTRY ZONES

-  Recreation Zone (Harbour)
-  Forestry Zone A
-  Forestry Zone B

Produced from material supplied by the Department of Survey and Land Information. Approved for production by the Mount Herbert County Council in terms of Licence No. CH1985/4. OWN COPYRIGHT RESERVED.



33

33

33

33

33

33

33

33

33

33

33

HARBOUR

Adderley Head

Salaine Point

Little Port Cooper

Signal Station

R 61

132 3222
Mikori
Furze

Pukarauru
Island
R 5267
Rec.

Horomaka
Island
R 2840
Rec.

Ripapa
Island
R 109

R 5179
Cm.

A

A

Pt 1 37806

38140
D 306 2629

27856
3715014

DP 26382

DP 5028

Purau
4
329 3438

37807

Mt Evans
VA 2

37807
53 5047

Horomaka
Island
R 2840
Rec.

KODKOURA

33895
37.9392

DP 5485

37480

DP 1408

280.9530

CT 605/169
Pt 1

37480
256 0536

DP 5919

Wild
Battle Hill
B A
26939

DP 2446

37478

DP 22183

103.1948

B

A

B

5
103.1948

118 319 9

37479

DP 1408

142 6934

33533

37477

DP 14538

3964

35502

2814

DP 6919

DP FF

DP 8087

35515

30 29

Pt 4
43 0785

R 3736

76 575 3

44 5924

32612

DP 21062

44 1107

308825

35512

63 77

Pt 1
75.8077

85.7933

Pt 35441

35512

35377

DP 3235

68.5942

31289

35512

35377

R 3235

45 9941

45 9941

MT HERBERT FORESTRY PROVISIONS

Tree Planting

Objective

To facilitate tree planting not only for soil protection purposes, but also for amenity and commercial production in suitable locations, where landscape, existing native vegetation and services can absorb it.

Policies

1. No types of forestry are permitted above a landscape preservation line except for the planting of native species for soil conservation and beautification.
2. In the remainder of the County shelterbelts, woodlots and mixed woodlots are permitted as of right and other types require a conditional use application.
3. The criteria for conditional use approvals will be different in different parts of the County with visual amenity protection most important in areas of high relief and in the Lyttelton Basin.
4. The Council will not follow its normal procedure of recovering costs of applications in those cases where visual amenity is the main issue.

Explanation

The demand for forestry development has been growing and the dissected ridge and gully landscape has the capacity to absorb some of this. It can provide an opportunity for agricultural diversification. Care needs to be exercised however in the location and type of species planted in order to conserve the natural amenity and resources of the countryside. For this reason forestry development and management will be required to reserve existing natural landscape and vegetation patterns. The open character of the County, particularly Lyttelton Basin is unique in the region and depends particularly on the dominance of the crater rim and ridges. The scheme seeks to preserve these features and no planting on the highest areas would be appropriate. These areas of landscape dominance have been defined by a landscape preservation line using information identified in the landscape study by S Thompson and others for the Port Hills Advisory Group entitled "A Visual Study of the Port Hills". This preservation line is shown as the boundary of Zone C on the Forestry Zoning Map (see planning maps at back).

Similarly, the headlands around the harbour's edge are part of the overall open landscape framework and any development here will be subject to constraints designed to maintain this. While the ridge tops should remain clear, some controlled planting of the steep slopes for conservation purposes is desirable.

Good examples of mixed woodlots may be found in Orton Bradley Park and around Living Springs. Such development should not include large geometrically laid out blocks which disregard landscape patterns, and which are single species stands for eventual clear felling. There is ample scope for production forestry within mixed lots where small stands of different species mature at different times, or where certain conditions with particular regard to visual amenity and other conservation values are met.

It is recognised that the wooded areas around the residential zone are a valued part of the cultural landscape, but further trees in the western part of the County should not shade or increase the fire hazard to settlement.

DEFINITIONS

Forest means a separate block of more than 40 trees.

Forestry means the establishment, tending and harvesting (including coppicing) of forest for soil conservation, regulation of water, production of timber or other forest produce, recreational, aesthetic or scientific purposes.

Woodlot Forestry means the establishment, tending and harvesting of trees with the following characteristics:

- Individual woodlots of less than 2 hectares.
- Covering less than 50% of any land title.

Mixed Woodlot Forestry means the establishment, tending and harvesting of trees with the following characteristics:

- Individual woodlots of less than 5 hectares.
- Covering less than 50% of any land title.
- Each plantation comprising a maximum of 50% of any one species.
- Managed to produce a sustained yield as different species and ages of trees mature at different times and so that clear felling is not required.

The definition of "woodlots" and "mixed woodlot" forestry refers to "individual woodlots". No minimum distance between woodlots is specified because the separation required for woodlots to be individual depends on topography. Generally, if the areas between the woodlots is less than the area of either of those woodlots then they will not be "individual" and consent will be required from the Council.

Plantation Forestry means all types of forestry except:

- Shelterbelts
- Mixed woodlots
- Woodlots, all as defined in this Ordinance
- The planting of native species purely for soil conservation or beautification.

Shelterbelt means individual trees in up to three rows planted with the main purpose of providing shelter for stock, pasture, crops or people.

PART 10

RECREATION ZONE (HARBOUR)

1. ZONE STATEMENT

This zone covers that part of the waters of Lyttelton Harbour that are in the County and some of its margins which require additional protection because they are notable wildlife habitats. The zone provides for continued stormwater and effluent discharges and protects the amenities of the zone particularly for recreational purposes.

The inner harbour has a long term role in the County's open space framework as a natural ecosystem and for recreation that is compatible with the amenities of the zone and adjoining land uses.

2. PREDOMINANT USES

Outdoor recreation activities, public moorings, ramps, jetties and structures accessory to outdoor recreation, navigation aids and signs provided that:

(i) No use or building shall adversely affect the ecosystem or detract from the visual amenities of the harbour or adjoining land.

(ii) Noise emitted from any activity, when measured at the boundary of the zone, shall not increase the background noise level existing in the absence of the activity by more than 10 dBA at any time between 7 am and 9 pm. At other times it shall not increase the background noise level existing in the absence of the activity. No noise event exceeding 85 dBA when measured at the boundary of the zone shall be permitted.

Activities such as water skiing and power boat racing shall generally be restricted to lanes and courses identified for the purpose by the Council or other relevant authority.

3. CONDITIONAL USES

Any reclamation or use of reclaimed land for outdoor recreation, accessory buildings.

3.1 In considering any application for Conditional Use in terms of Section 72 of the Act the Council shall take into account the following additional matters:

(i) The availability and suitability of other land for the proposal.

- (ii) The effect on the ecosystem or ecology of the harbour in general.
- (iii) Visual impact.
- (iv) The effect on the amenity of adjoining properties.
- (v) The effect on areas designated as reserves.
- (vi) The effect on public recreation, public access and public roads.

155MtHDS05

PART 11

LAND SUBDIVISION

1. INTRODUCTION

Under the Local Government Act 1974 and the Town and Country Planning Act 1977, the Council derives powers to control the subdivision of land, certain developments for administrative, residential, commercial and industrial purposes and a range of other matters. There is considerable cross reference in the Local Government Act 1974 to both the operative district scheme and the Town and Country Planning Act. It is the aim of this part of the Scheme to provide policies and ordinances for matters the Council is required to control under the Local Government Act, in particular, subdivision and development.

2. SUBDIVISION

2.1 Subdivision to Conform with Planning Objectives and Policies

Notwithstanding that a proposed subdivision may comply with the requirements of this Scheme in respect of frontage and area, the Council shall not approve the proposed subdivision if the site is not suitable for the use proposed, or the arrangement of sites or shape of any proposed site is not in conformity with both the matters of national importance and the general purpose of District Schemes as set out in Sections 2 and 3 of the Town and Country Planning Act 1977 respectively and the objectives and policies of this Scheme.

In determining whether a site is suitable, regard shall be had to the best use of the land, its economic servicing and development, earthquake fault lines, liability to flooding, erosion and landslip, stability of foundations and safety, health and amenities.

3. SCHEME PLANS

Scheme plans submitted to the Council for the approval of a subdivision shall show information and be prepared as follows:

3.1 Preparation of Scheme Plan

- (a) The scheme plan shall be prepared and signed by a registered surveyor provided that a simple subdivision of not more than two allotments with no easements may, with the Council's approval, be submitted by other than a registered surveyor.
- (b) The scheme plan shall be generally of the same size and layout as is required for title and survey plans.
- (c) The plan shall be drawn to an appropriate metric scale, complete with north point.

3.2 Information to be Shown on Scheme Plans

The scheme plan shall contain information sufficient in the opinion of the Council to define or show:

- (a) The position of all existing and proposed allotment and title boundaries within the whole of the land held in physical contiguity by the subdividing owner.
- (b) The areas of existing and new allotments and the total area of the land under subdivision.
- (c) The location and areas of proposed reserves.
- (d) The position of new roads together with their widths, areas and grades (if on sloping ground), service lanes, pedestrian accessways and private way or access lots.
- (e) Topographical information including levels where applicable to determine whether it is practicable for all building sites to be served with satisfactory field tile effluent disposal drainage and stormwater sewers.
- (f) All existing underground services, springs, bores and field tiles and buildings with notes to show if any buildings are to be removed.
- (g) Any significant tree or areas of bush.
- (h) Any archaeological or historical sites.
- (i) Proposed or existing easements for any service, high pressure water, power, telephone, sanitary and stormwater drainage.
- (j) A sufficient legal description to identify the underlying land tenure, including certificate of title references.
- (k) The date of preparation of the plan, owner's name and scale shall be given.
- (l) The location of areas considered unsuitable for building purposes because of hazards such as uncompacted filling or flooding.
- (m) Any stream, watercourse drain or swamp, so that any requirements of any local authority regarding the stream, watercourse or drain may be considered as conditions upon which the subdivision is granted by the Council.
- (n) Any other information which may assist the Council.

3.3 Scheme Plan Report

All scheme plans shall be accompanied by a report signed by the Registered Surveyor submitting the plan. The report shall explain the subdivision layout, the manner in which it complies with the requirements, objectives and policies of this Scheme and the reasons for any dispensation applied for.

4. SUBDIVISIONAL STANDARDS

4.1 Standard Requirements

The standard requirements for subdivision, such as the minimum area and frontage or criteria for subdivision, are set out in ordinances 4.2 - 4.5 below.

4.2 Allotments to be Suitable for Permitted Use

It shall be a requirement for the approval of a subdivision that every allotment shall be suitable for the permitted uses and within a residential, commercial, or industrial zone shall be provided with or serviced by:

- (a) Frontage to a legal road or served by a private way or access lot giving physical access to the allotment. Allotments do not necessarily have to have vehicular access provided that each allotment has allocated space whereby vehicles may be parked or garaged off the legal road.
- (b) Water supply.
- (c) A means of adequate drainage, stormwater and sewage disposal, or on-site effluent disposal.
- (d) Electricity supply.
- (f) Protection against flooding or inundation or erosion and slippage.
- (g) An allowance for reserves or cash in lieu subject to the Council's requirements, or to such standard that will adequately serve the needs of the area as envisaged by the relevant zoning of this Scheme (see Section 284, Local Government Act 1974).

4.3 Underground Reticulation of Electric Power and Telephone Services

Subject to the provisions of Section 283 of the Local Government Act 1974, which requires liaison with the electricity supply authority, where any land is subdivided in any residential, commercial, or industrial zone all electric power lines and telephone services shall be reticulated underground.

4.4 General Exceptions to Minimum Standard Requirements

Notwithstanding the requirements of this ordinance, the Council may permit a subdivision in the following cases:

- (a) Public Works - Where the subdivision is for some purpose of public utility such as to provide a site for an electricity kiosk, substation, drainage or water pump station or other public utility or where the frontage or area of a site is reduced through acquisition by the Council or other public authority of part of that site for street widening or for public reserves.
- (b) Boundary Adjustment - Where the subdivision is an adjustment of boundaries and the number of titles remains the same as prior to the subdivision and where either the adjustment of boundaries will leave each of the adjusted titles of substantially the same area as before or in the case where the areas of titles will be substantially changed, the Council is satisfied that each title may be more effectively utilised for any permitted use.
- (c) Objects or Places of Historic or Scientific Interest or Natural Beauty - Where the subdivision would assist in preserving any object or place of historic or scientific interest or natural beauty (including trees).

4.5 Minimum Requirements

(a) Rural Zone

Every lot created for agricultural, pastoral and horticultural farming, and forestry purposes shall satisfy the following criteria:

- i) That the size and shape of the lot, and its soil type, slope, drainage, water supply and any other relevant factors affecting the lots productive potential are such as to make the lot suitable for the proposed farming use.
- ii) Separate allotments may be created for the purposes of giving effect to any consent granted for the establishment of any conditional use provided that the size and configuration of the proposed lot is consistent with any consent granted.
- iii) The lot has adequate legal and physical access to a formed public road.

Note: The Council may liaise with the Ministry of Agriculture and Fisheries and other appropriate agencies and obtain reports on the suitability of each allotment for the proposed farming use.

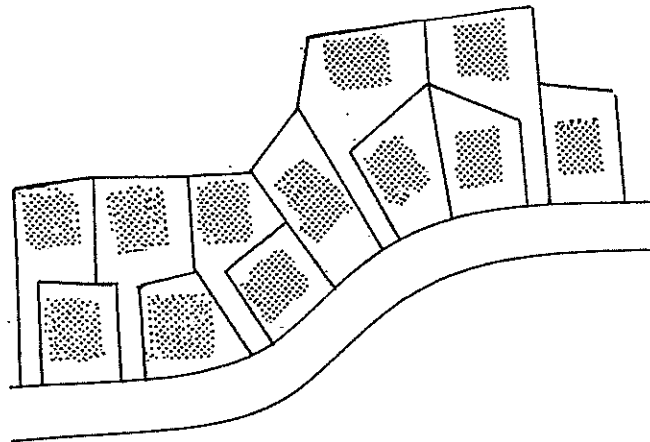
iv) Subdivision of land of not less than 0.5 hectare for other predominant uses (eg veterinary clinic, factory farming) is allowed. The size and shape of the site and access provisions must be suitable to both the use proposed and to the other permitted uses in the zone.

b) Residential Zones

	Minimum Area	Minimum Average Area	Minimum Frontage
<u>Governors Bay and Rapaki</u>			
Residential A and Rapaki	1000 m ²	1250 m ²	6m
Residential B	1250 m ²	2000 m ²	6m
<u>Residential General</u>			
Charteris and Church Bay	1000 m ² or 600 m ² with sewer	2000 m ² or 800 m ² with sewer	6m or 3.5m for a rear site
Purau, Port Levy and other small settle- ments	800 m ² or 600 m ² with sewer 750 m ² for rear site with sewer		15m or 3.5m for a rear site

Provided that:

- (i) All lots without connection to a community sewage system shall be of sufficient size and shape to allow effluent to be disposed of within the boundaries of each lot to the satisfaction of the Council.
- (ii) Site area calculations are to exclude rear site access strips of less than 6m width. Frontage requirements for rear lots shall be met by provision of an access strip.
- (iii) In all cases the dimensions and shape of each lot shall be such as to allow the location therein of a square 20m x 20m.



(iv) Access Strips (see definitions). Access strips shall be of the following minimum widths and formation:

Serving 1 lot	3.5m	Metal Formation
Serving 2 or 3 lots	4.5m	Sealed Formation
Serving 4+ lots	6.0m	Sealed Formation

(v) No subdivision in the Maori Settlement Zone shall have access to the Governors Bay Road in the access so marked on Planning Map No. 1.

(vi) On subdivision of residential areas of Governors Bay outside the drainage area for water supply and sewerage: provision shall generally be made by the subdivider for all newly created lots to connect to the existing water and sewerage reticulations.

"(vii) Parts of the Residential B zone in Governors Bay are identified by diagonal cross-hatching on Planning Maps 2 and 3. Prior to subdivision approval in any of these areas, the Council may require the preparation of a plan showing the general location of building sites and access roading. The plan is to be supported by an engineering geologist's report or a report from a registered civil engineer experienced in soil mechanics, and such other topographical survey and investigations as are necessary to establish the suitability of the site for residential use."

c) Commercial Zone and Light Industrial Zone

	Minimum Area -----	Minimum Frontage -----
Commercial - all uses	125 sq.m	6m
Industrial - all uses	200 sq.m	6m

Rear Sites
- as for adjacent Residential zone

Provided that in refusing or approving any commercial or industrial subdivision, the Council shall take into account the following matters:

- i) the age and condition of existing buildings and the provisions made for vehicular access from the streets, loading and off-street parking,
- ii) the provision made for drainage and other services, and
- iii) the dimensions of the site in relation to their existing use and their proposed use and layout.

5. DEVELOPMENT OF SITES

5.1 Corners

If a corner lot is included in any subdivision the corner must be rounded off to a radius of not less than 6 metres or cut back not less than 4 metres along each road line.

5.2 Enlargement of Public Drain

Where any public drain (see definitions) existing within the general area of the subdivision is already loaded to capacity and so incapable of carrying the increased flow likely to result from the projected subdivision, the Council may require the subdivider to make a reasonable contribution towards the cost of enlarging the public drain to the extent necessary to contain the increased flow.

In the above circumstances, the controlling authority maintains the right to:

- (a) clean, inspect or to maintain the public drain whenever necessary,
- (b) use one bank or berm of the public drain for access, inspection and maintenance and permitting deposition thereon of dross from the public drain. The width of the strip of land to be covered by the easement will vary with the width of the public drain, but will not be greater than 4 metres, and
- (c) place an easement over the drain where it is, piped or enclosed to permit access of the controlling authority to the drain for inspection, maintenance or renewal. The width of the easement to be as reasonably required for these purposes by the controlling authority.

6. WATERCOURSES, STREAMS AND DRAINS

Every subdivision of land which includes a stream, watercourse or drain, or part thereof, 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.

7. RESERVE CONTRIBUTION REQUIREMENTS

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

It is the Council's policy generally to take money in lieu of land in view of the areas already vested as reserve or the need to purchase reserve land in critical locations (see, for instance: Objective G - Recreation and Reserves, which gives details relevant to Governors Bay).

Where reserve contributions are to be in the form of land, the Council will assess its suitability in the following terms:

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

296MthDS01

PART 12

PUBLIC UTILITIES

1. PREDOMINANT USES

The following public utility works shall be predominant uses in all zones, subject to the limitations listed.

(a) Electricity Kiosk Substation

- (i) Maximum height 2.5m and maximum floor area 6 sq.m.
- (ii) The kiosk shall be finished in colours that blend with the surrounding neighbourhood, and the area around it landscaped and/or fenced.

(b) Wastewater and Stormwater Pumping Stations

- (i) Maximum height 7.5m.
- (ii) Minimum yard requirements:

Where the building does not exceed 5m in height:

- front yard 4.5m
- other yards 3m.

Where the height of the building exceeds 5m but does not exceed 7.5m:

- front yard 6m
- other yards 6m.

- (iii) The building shall not detract from the visual amenity of the area and the land around the buildings shall be landscaped including at least 40% of the required front yard.

(c) Telephone Exchanges

- (i) Maximum height 8m.
- (ii) Minimum yard requirements:
 - front yards 5m
 - other yards 6m, provided that where the height of the building exceeds 7m, other yards shall be 6.0m plus 1.4 times the height of the building in excess of 7.0m.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped.

- (iv) Parking - 1 space per 2 staff.
- (v) Loading and access - see Part 11 Transportation and Parking.

2. CONDITIONAL USES

(a) Electricity Building Substation

- (i) Maximum height 4m and maximum floor area 50 sq.m.
- (ii) Minimum yard requirements:
 - front yard 4.5m
 - other yards, 1.8m from the original site boundary.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped including at least 40% of the required front yard.

(b) Electricity District Substations

- (i) Maximum height of substation 4.0m.
Maximum height of accessory structures 6.0m.
- (ii) Minimum yard requirements:
 - front yard 6m
 - other yards 3m provided that where a district substation has coolers, minimum yards shall be increased to 5m.
- (iii) The building shall not detract from the visual amenity of the area and the land around the building shall be landscaped.

3. PUBLIC UTILITIES PERMITTED AS OF RIGHT UNDER THE ACT

Section 69 of the Act provides for the following public utilities to be permitted as of right throughout the district. The section sets out a procedure for informing the Council of the location of some of these utilities and appeal provisions for the Council. The public utilities are:

- (a) Transformers and high-voltage lines, other electric lines (other than service 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, including compressor stations associated with gas pipelines;

- (d) Pipes for the distribution and conveyance of hot water for district heating or as process heat, or ordinary or geothermal steam, 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 pipes and necessary incidental equipment;
- (h) Lighthouses, navigational aids, and beacons; and
- (i) Such other public utilities as may be specified in any regulations in force under this Act.

296MTHDS01

PART 13

TRANSPORTATION AND PARKING

1. INTRODUCTION

This ordinance sets out the requirements for the provision of off street parking and loading, the design and formation of parking and loading areas, and trade vehicle storage areas.

2. GENERAL PROVISIONS FOR PARKING AND LOADING

2.1 Obligation of Owner and Occupier

Every owner or occupier who constructs or who substantially reconstructs, substantially alters or substantially adds to a building on any site or changes the use of any land or building shall make provision, in accordance with the requirements of this ordinance, for the off-street parking and loading of vehicles used in conjunction with the site (whether by the occupiers, their employees or invitees, or other persons).

2.2 Places of Historic or Scientific Interest and Protected Trees

The provisions of this ordinance shall not apply where in the opinion of the Council their observance would detrimentally affect the preservation of an object or place of historic or scientific interest or natural beauty or any tree on a particular site in which case the requirements for parking and loading in respect to that site shall be determined by the Council.

2.3 Parking and Loading Spaces to be Kept Clear

All parking and loading spaces, manoeuvring areas, access drives and aisles, made available to meet the requirements of this ordinance for off-street parking shall not be diminished by the subsequent erection of any structure, storage or goods or any other use. Parking and loading spaces shall be clearly defined and shall not be used for any other purpose.

3. PARKING SPACES

3.1 Number of Spaces to be Provided

(a) Assessing Floor Area:

Vehicle accesses, parking spaces, staircases or lift wells contained within a building shall not be included in the area when assessing the number of spaces to be provided with respect to the floor area of any building. 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 expected. The Council will have the power to re-assess the total should it be deemed unreasonably low, and base the parking requirement on the amended total.

(b) **Parking Requirements:**

Off-street parking requirements shall be provided at the following rates:

Dwelling units, family flats	1 parking space per unit
Home occupations	1 extra parking space
Old peoples' homes	1 parking space per 5 guest beds plus 1 parking space per 2 staff
Schools	1 parking space per staff member
Hospitals	1 parking space per 5 beds plus 1 parking space per 2 staff
Places of assembly having a liquor licence	20 parking spaces per 100 sq.m of public floor area
Other places of assembly and entertainment	10 parking spaces per 100 sq.m of public floor area
Pre-school facilities	1 parking space per staff member
Administrative, commercial and professional offices	2 parking spaces per 100 sq.m of parking area
Medical practices and centres	3 parking spaces per professional person plus 1 space per 2 staff
Retail shops and warehouse showroom	1 parking space per 30 sq.m of building area
Professional offices and veterinary clinics situated in a residential building	3 parking spaces
Hotels and taverns	40 parking spaces per 100 sq.m of public area plus one parking space per 5 beds
Industries, warehouses and bulk stores	1 parking space per 100 sq.m
Vehicle sales and hire	1 parking space per 300 sq.m of display area
Service stations	1 parking space per 50 sq.m of building area
Garden centres and market gardens	10 parking spaces per 1 ha of cultivated land where produce or plants are sold from the site.

(c) The provision for parking required above may be made in any case as part of the yard space of any site.

- (d) Where there is vehicular access to the site, off-street parking facilities shall be located on the site, and where that is not practicable and where vehicular access cannot be provided to the site, off-street parking facilities shall be provided as close to the site as practicable.
- (e) Wherever in any building there is a change of use or increase in floor area, the requirements of these ordinances for off-street parking for the new use or floor area shall be complied with.
- (f) Whenever in any zone any building or structure is being erected, reconstructed, altered or modified, off-street parking spaces for motor vehicles shall be provided in accordance with the Scheme.

3.2 Jointly Used Parking Areas

Council may permit two or more developers to construct a parking area 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 in respect of the parking requirement for one or more developers.

The Council reserves the right to re-impose the individual requirement should circumstances change with respect to the right of any developer, owner or occupier to use the joint parking area, and may require the parties concerned to enter into a legally binding agreement, acknowledging their responsibility to provide and maintain the amount of parking required under this Code.

3.3 Amalgamation of Titles

Where all or any part of a parking area is provided on a separate site from the use or building for which that parking area is required, the Council may require the titles concerned to be amalgamated. Where the Council is satisfied that there is no likelihood of a parking area being disposed of to another owner, the Council will permit the creation of a joint parking area.

3.4 Dispensations from Parking Standards

The off-street parking standards may be varied by dispensation where one or more of the following aspects means that a reduced number of spaces will continue to provide off-street parking for all vehicles generated by the uses on the site:

- (a) The number of workers likely to be employed on the site,
- (b) The number of calls likely to be made by servicing and delivery vehicles to the site,

- (c) The number of calls likely to be made by visitors in cars to the site,
- (d) The amount, if any, of public off-street or on-street parking that may or is planned to be, available in the neighbourhood.
- (e) Any physical characteristics of the site or adjoining streets that may affect the ability of the site to provide for off-street parking, or
- (f) The likelihood of future change or intensification of land use on the site.

Provided that the Council may require the owner or developer to enter into an agreement that additional parking be provided in the future should the nature of the use change or develop such that additional parking is necessary.

3.5 Design of Parking Areas

Design Vehicles: Parking areas shall be laid out in accordance with Appendix A. Manoeuvring areas shall accommodate the 90 Percentile design motor car as shown in Appendix B.

3.6 Provision of Barriers or Kerbs

Vehicles shall be prevented by means of permanent barriers or kerbs provided on the site from entering or leaving any site except by vehicle crossings provided, and from encroaching onto or over footpaths, and onto required landscape areas and from damaging boundary fences.

3.7 Screening and Maintenance

Every parcel of land provided under these Ordinances for off-street parking for use by the public shall be developed and maintained so as to attract traffic from the street.

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 by a wall, evergreen hedge, or other planting maintained in a good condition.

3.8 Land Taken for Street Widening

Where a property owner has provided land for increasing the width of road fronting a commercial or industrial site, such extra road width shall be taken into consideration in assessing the area of land to be set aside for off-street parking.

3.9 Access Near Intersections

Access to any commercial or industrial use shall not be located close to intersections dependent on the importance of the roads and the

Handwritten notes:
 77-26
 65
 12

intersection. In built-up areas access to visitor attracting and commercial uses shall be placed no closer than 45 metres from the edge of the intersection of important traffic routes, 30 metres from secondary, and 15 metres from a local road. In rural areas these distances will be extended depending on the planned travel speeds and function of the roads. At all times access points to intense visitor attracting and commercial uses shall have adequate visibility for both patrons and road users consistent with the planned speeds and safety in the locality.

4. LOADING

4.1 Obligation to Provide

On all commercial or industrial sites, adequate provision shall be made for the loading of goods associated with the site. All such loading areas shall be provided on the site, or sufficiently close to the site (but not on any road or service lane) to ensure the ready use of such loading facilities by vehicles in conjunction with the site.

4.2 Dispensations from Loading Provision

Where the configuration of the site precludes the provisions of off-street loading, or the floor area of the building is less than 20 sq.m, and the site is not part of a major development, and the kerbside loading would not cause undue hazard, the Council may waive the loading requirements.

4.3 Design of Loading Area

Loading areas shall accommodate the 90 percentile design two axled truck as shown in Appendix D provided that by dispensation the Council may consent to this being reduced to a 99 percentile design motor car, as shown in Appendix C, where the use of the site does not or cannot require the service of a two axled truck.

4.4 Service Lanes

Except where the Council by resolution determines that this provision need not apply, every owner or occupier of a building in a commercial or industrial zone shall provide vehicular access to the rear of the premises. Such an access may be provided by the dedication of a service lane. Such access shall be formed to the Council's requirements and shall be not less than 6 metres in width, provided that the Council may by resolution reduce this width to not less than 3.5 metres.

5. TRADE VEHICLE STORAGE AREAS

5.1 Obligations to Provide

On commercial or industrial sites, provision shall be made for the storage of all trade vehicles (including passenger service vehicles) normally involved with the use on the site, or on a nearby site.

Where it can be shown that the demand for storage of trade vehicles occurs at different times from the demand for parking or loading, the Council may allow all or part of any parking or loading area to be used for the storage of trade vehicles.

6. DRAINAGE AND SURFACE OF PARKING, LOADING, ACCESS AND MANOEUVRING AREAS

6.1 Drainage

Stormwater originating from parking, loading, access and manoeuvring areas shall be adequately disposed of either within the site or by pipe to an approved outlet.

6.2 Surface

The surface of all parking, loading, access and manoeuvring areas shall be formed, sealed or otherwise maintained so as not to create a dust nuisance and to ensure that material such as mud, stone chips, or gravel is not carried onto any public footpath, road or service lane.

296MTHDS01

PART 14

BUILDINGS AND PLACES OF HISTORIC, SCIENTIFIC,
ARCHAEOLOGICAL OR NATURAL BEAUTY

1. INTRODUCTION

The provisions of this ordinance shall apply to any land specifically identified in Appendix G of the Scheme as occupied by a building or place having architectural, historical, scientific, archaeological or natural beauty to the community but which is not intended to be owned by the Crown, the Council or any local authority.

2. PLACES TO BE PROTECTED

Notwithstanding that the use, work or subdivision is permitted as of right, no person shall wilfully destroy, remove, damage or alter any listed building or feature on any land specifically identified in Appendix G, except as provided under 4 below.

3. PREDOMINANT USES ON IDENTIFIED LAND

All uses, buildings and subdivisions listed as predominant in the zone in which the land is situated provided that such uses, buildings and subdivisions comply with the requirements and standards relating to them.

Works on any listed building or feature on land specifically identified shall be limited to:

- (a) The redecoration and restoration of any original fabric or detailing, provided that it is carried out in the same manner and design and with similar materials to those originally used, and does not adversely affect any architectural, historic, scientific or other feature of the building as listed in Appendix G.
- (b) Minor works of repair, alteration or addition which are in character with and do not adversely affect the building or any feature of the building as listed in Appendix G.

4. CONDITIONAL USES ON IDENTIFIED LAND

Any use other than a predominant use in the zone in which the specifically identified land is located, shall be permitted as a conditional use in any listed building or place.

In considering applications for conditional uses, the Council shall have regard to the benefits of retaining the building against the effects of any particular use proposed, by having regard to:

- (a) Those matters set out in Section 72 of the Act,
- (b) The general objectives, policies, and the integrity of the Scheme,
- (c) The economic uses and maintenance of the listed buildings, and
- (d) The reasons for which the building or feature is listed.
- (e) The importance of the proposed work.

5. RECORD OF BUILDINGS

Where buildings have been listed in Appendix G as being worthy of recording, written notice of not less than three months shall be given to the Council prior to demolition or any other alteration or change to any place or building that would affect its character or the features for which it is listed. The Council may consent to a reduced period of notification when it is satisfied that the item has been adequately recorded. During the period of the notice the Council, its agents and employees shall have reasonable access to the item for recording its features.

6. SUMMIT ROAD (CANTERBURY) PROTECTION ACT 1963

All land within the County delineated on plans numbered S.O. 10134 and 10135 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.

7. PROTECTION OF WATER QUALITY

In order to preserve the quality of natural water there shall be no discharge of effluent to natural water without rights having been applied for and granted under the provisions of the Water and Soil Conservation Act 1967 and its amendments.

306MTHDS01

PART 15

TREE PROTECTION .

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 H.
- (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 H 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 trees.
- (d) Any person or body wishing to remove any listed tree or carry out major tree surgery, pruning or groundworks 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 H.

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 to its satisfaction:

- (i) The trees are dead, dying, diseased, or have lost the 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 application may in accordance with Section 69 of the Act appeal to the Planning Tribunal.

306MtHDS01

PART 16

ADVERTISING SIGNS

1. GENERAL

No sign shall be erected or displayed without obtaining the approval of the Council, as a non notified application, in terms of this ordinance.

Signs (see definitions) shall be limited to those displayed in connection with any permitted building or use in the zone and shall, unless allowed for special reasons by the Council as a result of a non notified application, be located on the property to which they relate.

2. GENERAL CRITERIA FOR ASSESSMENT OF APPLICATIONS FOR SIGNS

Before approving any application the Council must be satisfied that a proposed sign will not:

- (a) Affect detrimentally traffic safety or traffic control by creating a visual obstruction, by causing confusion to the driver of any vehicle, or by creating a situation hazardous to the safe movement or direction of traffic.
- (b) Affect detrimentally the amenities or any land or property, by tending to depreciate the value of adjoining property or by being visually inappropriate to the neighbourhood.

It is the Council's intention to permit signs which have pleasant visual properties and are necessary to inform the general public and which do not detract from the amenities of the area. In considering an application for a sign, the Council will have regard to the following criteria:

- (a) The structure of the sign; the method of support and fixing in general should either be obscured by, or incorporated in the main body of the sign,
- (b) The relationship with other signs and elements; the proposed sign should not contribute to a collective effect of clutter in its vicinity. In areas where there is either an overall absence of signs or a common design or theme, any new sign should not detract from the existing character,
- (c) The effect on residential, rural or recreational land; signs should not be obtrusively visible from these areas,
- (d) The scale, form or harmony of signs in relation to the building or place where the sign is to be erected and the immediate area, and the wider area within the influence of the sign,

- (e) The size of the sign in relation to the size of the building(s) or site(s) that the sign relates to, and
- (f) The number and design of signs to be displayed,
- (g) The necessity for the sign to provide information for the general public.

3. SIGNS PERMITTED WITHIN ZONES (SUBJECT TO NON-NOTIFIED APPLICATION)

3.1 Signs in Residential and Rural Zones

- (a) Signs of reasonable size and serving only to direct traffic or to denote the name of the street, the number of any premises, the name of any residential building, or the name, character, or purpose of any premises or the location or timetable or other details of any public utility or facility.
- (b) Signs not exceeding 2 square metres in area erected in connection with a church, school, public museum, library, hospital, nursing home, or convalescent home.
- (c) Signs not exceeding 1.5 square metres in area advertising the disposal of the land or premises on which it is situated.
- (d) Signs advertising an auction sale to be held on the premises on which the sign is erected and so erected and displayed not more than 21 days before and 7 days after the auction.
- (e) Signs not exceeding 0.2 square metres in area in relation to a residential building used for professional or business purposes and bearing only the name, occupation, and hours of attendance or business of a person so using the building.
- (f) Signs displayed in connection with a dairy, are to be located below verandah level and the total area of signs not to exceed 2 square metres.
- (g) In the rural zone only; a sign not exceeding 1 square metre for any factory farm or other predominant use which requires the erection of such a sign, or for the sale of produce grown on the site where it is permitted under the District Scheme.

3.2 Signs in Industrial and Commercial Zones

- (a) No signs shall be erected or displayed in any commercial or industrial zones so as to be obtrusively visible from a residential or rural zone.
- (b) Signs attached to any building will be such that they are contained within the general profile of the building.

- (c) In commercial zones, signs over verandahs will be strongly discouraged because of their visual effect. Only when all other types of signs have been fully considered and found impractical will the Council consider allowing over verandah signs.
- (d) Free standing signs (ie not attached to a building) shall generally not exceed a height of 6 metres above mean ground level, nor exceed a size of 3 square metres in Industrial zones or a size of 2 square metres in Commercial zones. Reference is made, however, to the dispensation provisions.
- (e) In commercial shopping areas, preference will be given to group signs which identify the facilities rather than a number of individual signs.

306MTHDS01

PART 17

RESERVES AND RECREATION
Conservation of the Coast and Hillscape

1. ZONE STATEMENT

The harbour, coastline and hillscape of Mt Herbert County form a landscape of physical and visual contrast. This landscape provides a major source of recreation for the Christchurch urban area and tourists in general. The aim of this ordinance is to provide for the management and protection of those areas already designated as reserves (whether for recreation, amenity, natural beauty or historical reasons) and also to provide new areas as the need arises.

A much needed centrally located reserve has been designated in Governors Bay on which to establish community facilities. This reserve, along with other land and waters already designated or proposed are shown on the district planning maps.

2. PREDOMINANT AND CONDITIONAL USES

The following table indicates the uses permitted conditionally or as of right on reserves and land used or to be used for reserve or recreational purposes. The reserves are classified in accordance with the Reserves Act 1977.

TYPE OF RESERVE	PREDOMINANT USES	CONDITIONAL USES
Recreation	Open space picnic areas with facilities (eg tables), gardens, bush areas, lawns and landscape areas	Pavilions, formation of sports tracks and athletic field facilities
	Playgrounds and equipment, recreation areas (active and passive), pedestrian paths, tracks, cycle routes, walkways, public shelters, toilets, changing sheds, seating, garden sheds, caretaker's accommodation	Facilities of a permanent nature, bowling greens, golf courses and club houses and associated buildings
	Areas set aside for erosion control	Car parks, accessory buildings (other than those above)
	Recreation reserves under The Reserves Act	Boat ramps, launching facilities, boat sheds, moorings

1977 which provide for the above activities

Tearooms, places of public or private assembly or entertainment

Recreation reserves under The Reserves Act 1977 which provides for the above activities

Scenic, historic, archaeological, nature, scientific

Open space, picnic areas, landscape planting

Access for pedestrians, pathways, tracks, bridges, walkways

Historic buildings and monuments, protected trees~

Reserves under The Reserves Act 1977 which provide for the above uses

Access for cyclists and vehicles (where vehicular access will not adversely affect the reserve), public car parks, boat ramps, launching facilities, boat sheds, information kiosks

Buildings such as shelters, toilets, caretaker accommodation, garden sheds, greenhouses

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

Coastal

Open space, tracks, planted areas

Boat ramps, launching facilities, boat sheds

Picnic areas with facilities (eg tables) walkways, shelter and toilet facilities, planted areas

Caretakers' accommodation

Parking and access facilities

Buildings

3. CONDITIONS APPLYING TO ALL USES

No bulk and location, maximum floor area or site coverage standards have been set, but the Council will consider each case on its merits. Factors taken into account will include:

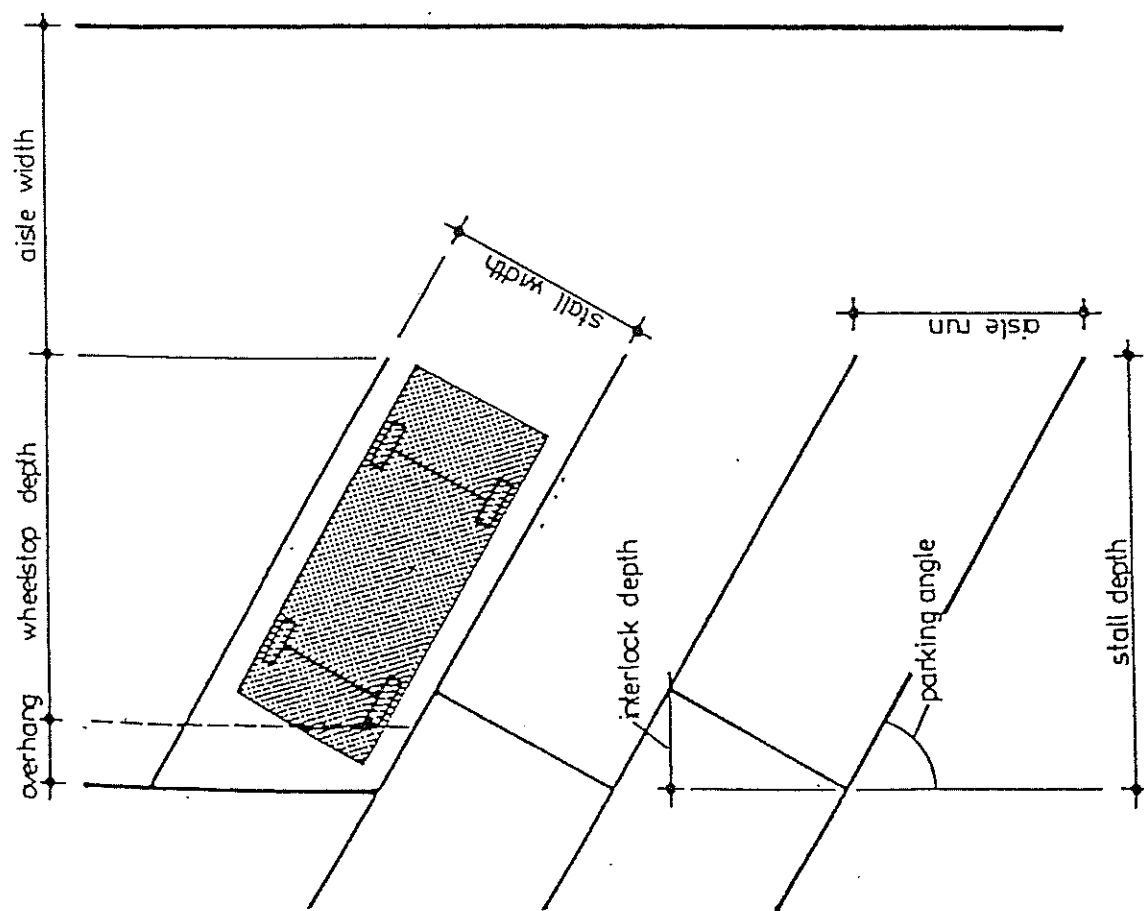
- (a) The proximity of, and effect on, adjoining uses particularly residential uses.
- (b) Site planning, landscape, site development and car park provision, access.
- (c) Any other conditions including those that may relate to user numbers likely and pressure on existing and proposed facilities, grouping of facilities. Impact on vegetation, erosion control measures, visual quality and amenities, water resources.

4. COMPLIANCE WITH THE RESERVES ACT 1977

The statutory controls over reserves other than the provisions set out in this ordinance are contained in The Reserves Act 1977. This provides for management plans to be prepared for reserves to which this Act applies, and for such reserves to be classified according to their purpose.

With the exception of a use or building listed in the table above as predominant or conditional, where any land is subject to the provisions of The Reserves Act 1977, the use or building must be authorised pursuant to the classification of the reserve, and shall conform to any management plan approved for that reserve by the Council.

306MTHDS01



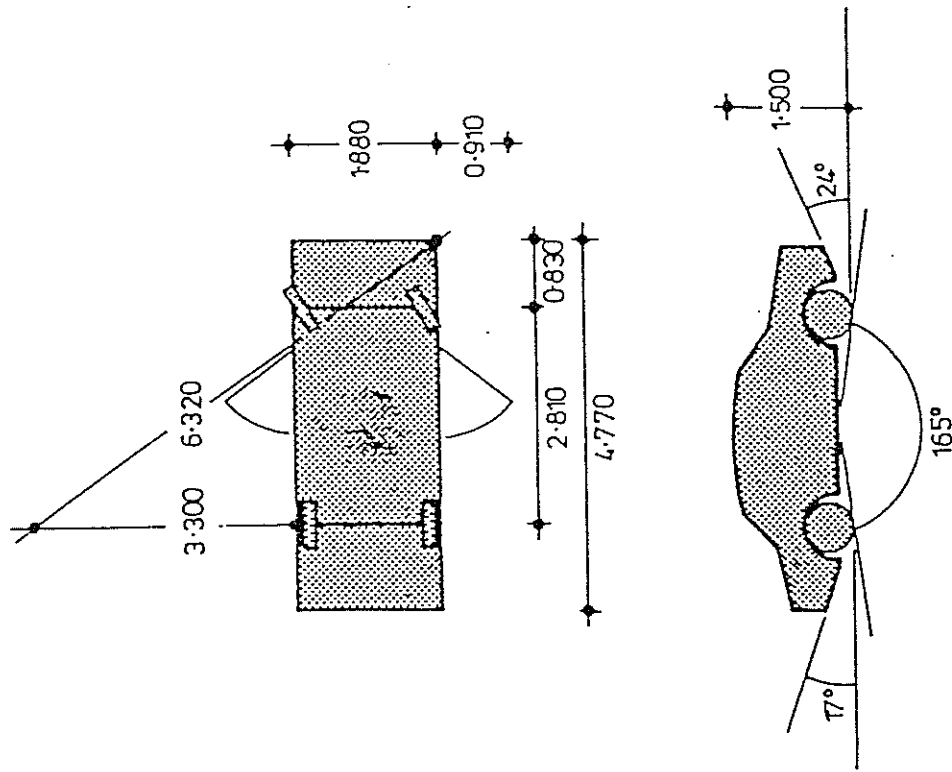
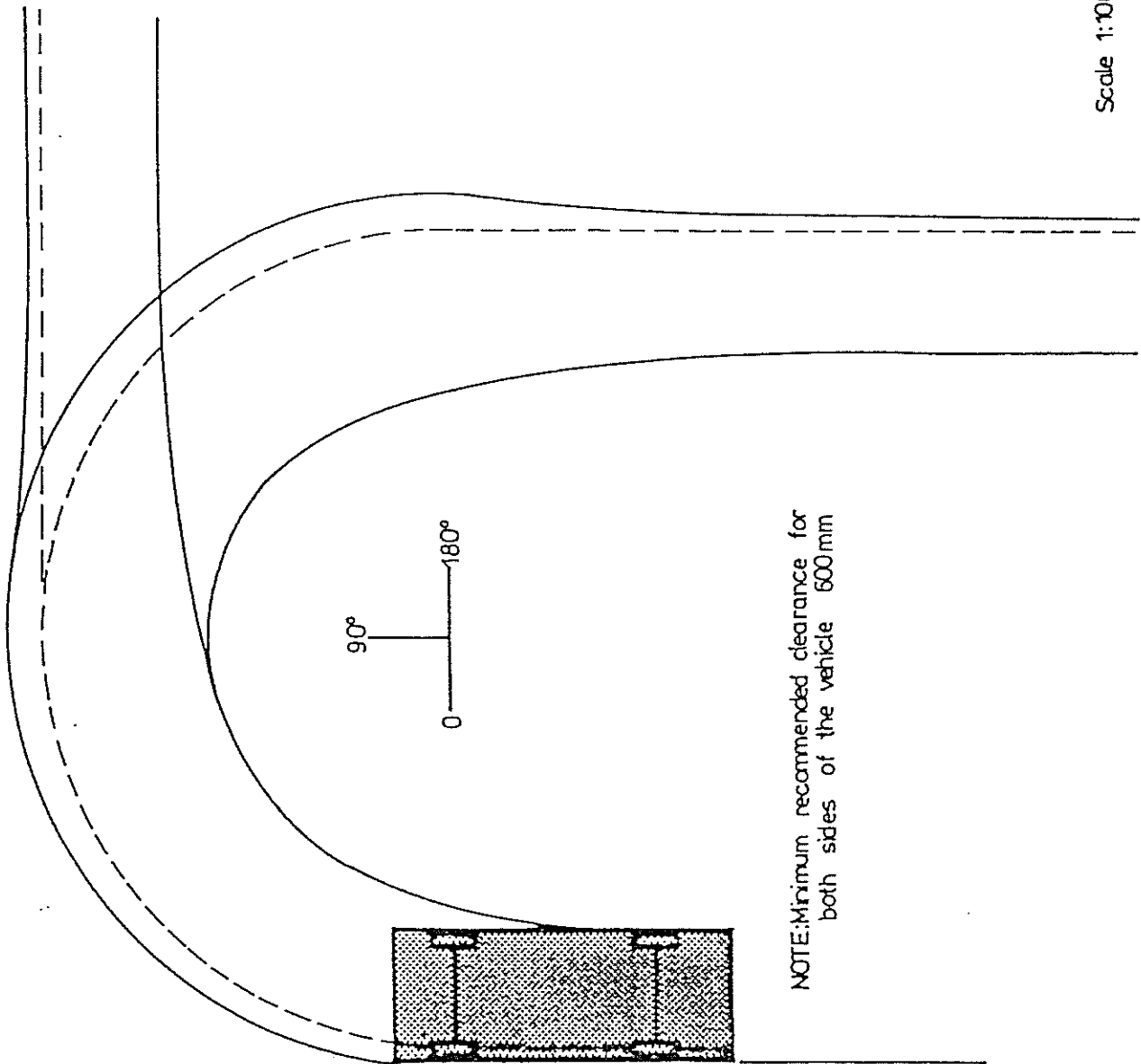
Parking Angle	Barrier/Wheelstop Parking			Interlock Parking		
	Stall Width m	Aisle Width m	Stall Depth m	Wheelstop Depth m	Interlock Depth m	Stall Depth m
90 deg.	2.500	8.500	2.500			0.650
	2.700	8.100	2.700			0.700
	2.900	7.700	2.900	0.800	4.200	0.750
75 deg.	3.000	7.500	3.000			0.800
	2.500	6.600	2.600			0.650
	2.700	6.200	2.800			0.700
60 deg.	2.900	5.700	3.000	0.800	4.600	0.750
	3.000	5.400	3.100			0.800
	2.500	4.500	2.900			1.250
45 deg.	2.700	4.000	3.100			1.350
	2.900	3.500	3.400	0.800	4.600	1.450
	3.000	3.500	3.500			1.500
30 deg.	2.500	3.800	3.500			1.800
	2.700	3.500	3.800			1.900
	2.900	3.500	4.200	0.700	4.300	2.050
Parallel Parking	3.000	3.500	4.200			2.100
	2.500	3.500	5.000			2.150
	2.700	3.500	5.400			2.300
Parallel Parking	2.900	3.500	5.800	0.600	3.800	2.500
	3.000	3.500	6.000			2.600
						5.100

Notes:

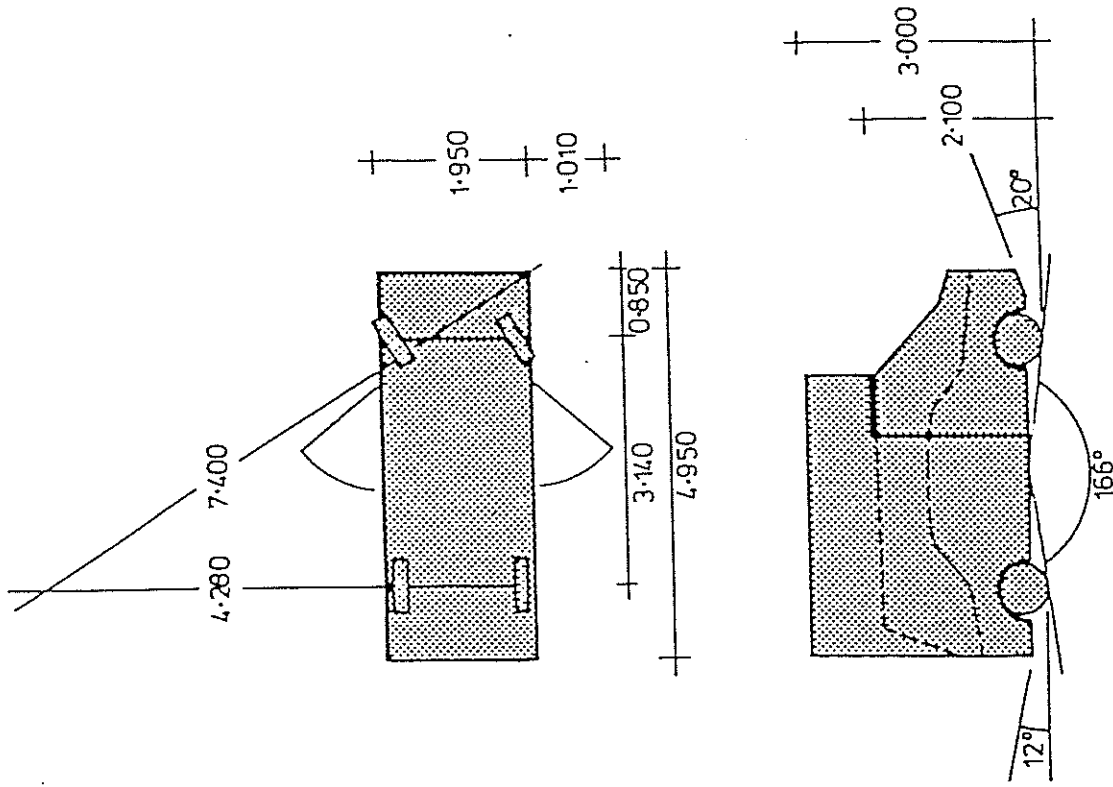
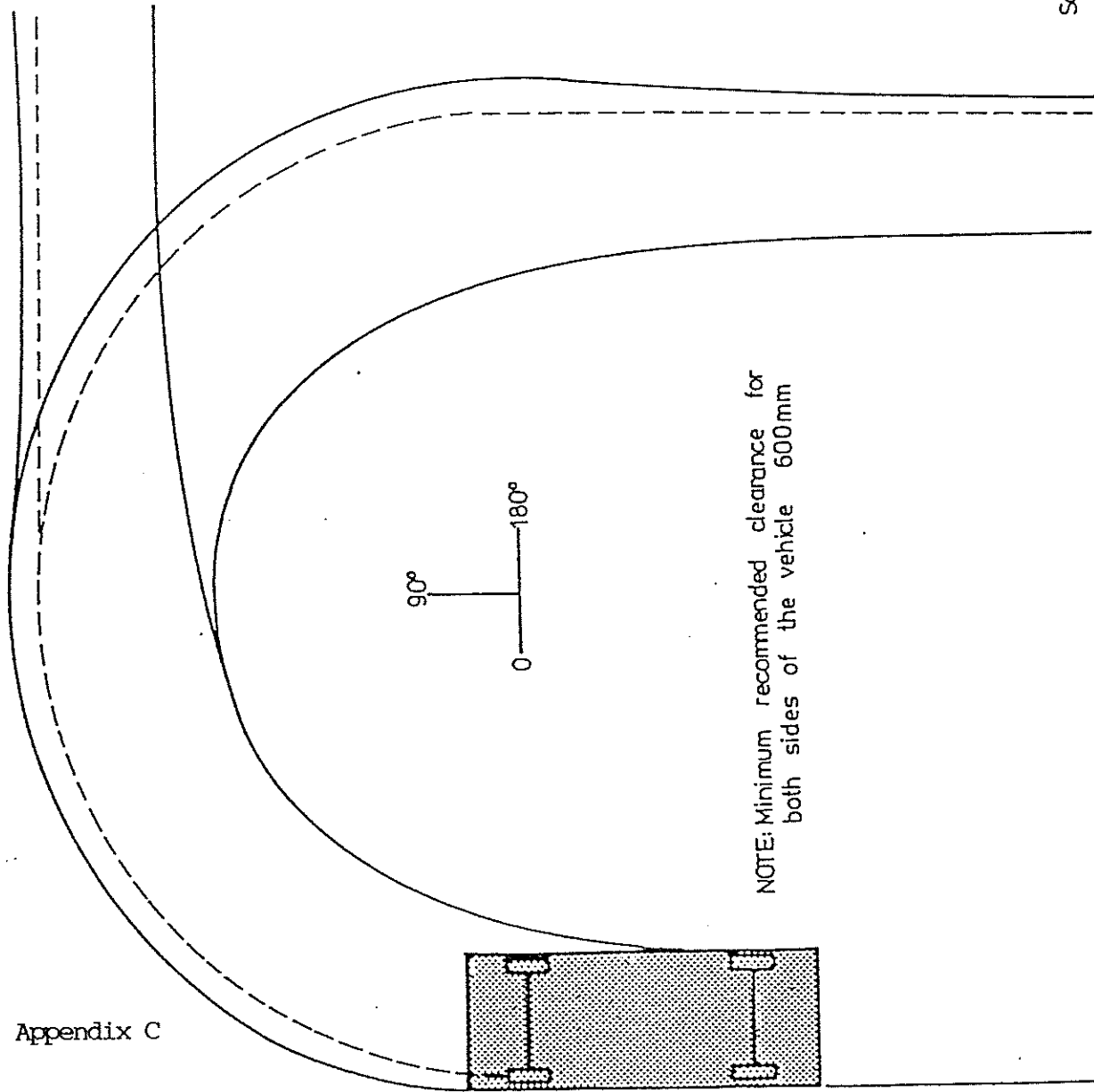
- (1) Two way flow is permitted with 90 deg. parking.
- (2) Aisle run distances are approximate only.
- (3) Stall widths shall be increased 300 where they abut obstructions such as columns or walls.

Parallel Parking
 Stall length = 6.100
 Aisle width = 3.700
 Stall width = 2.500

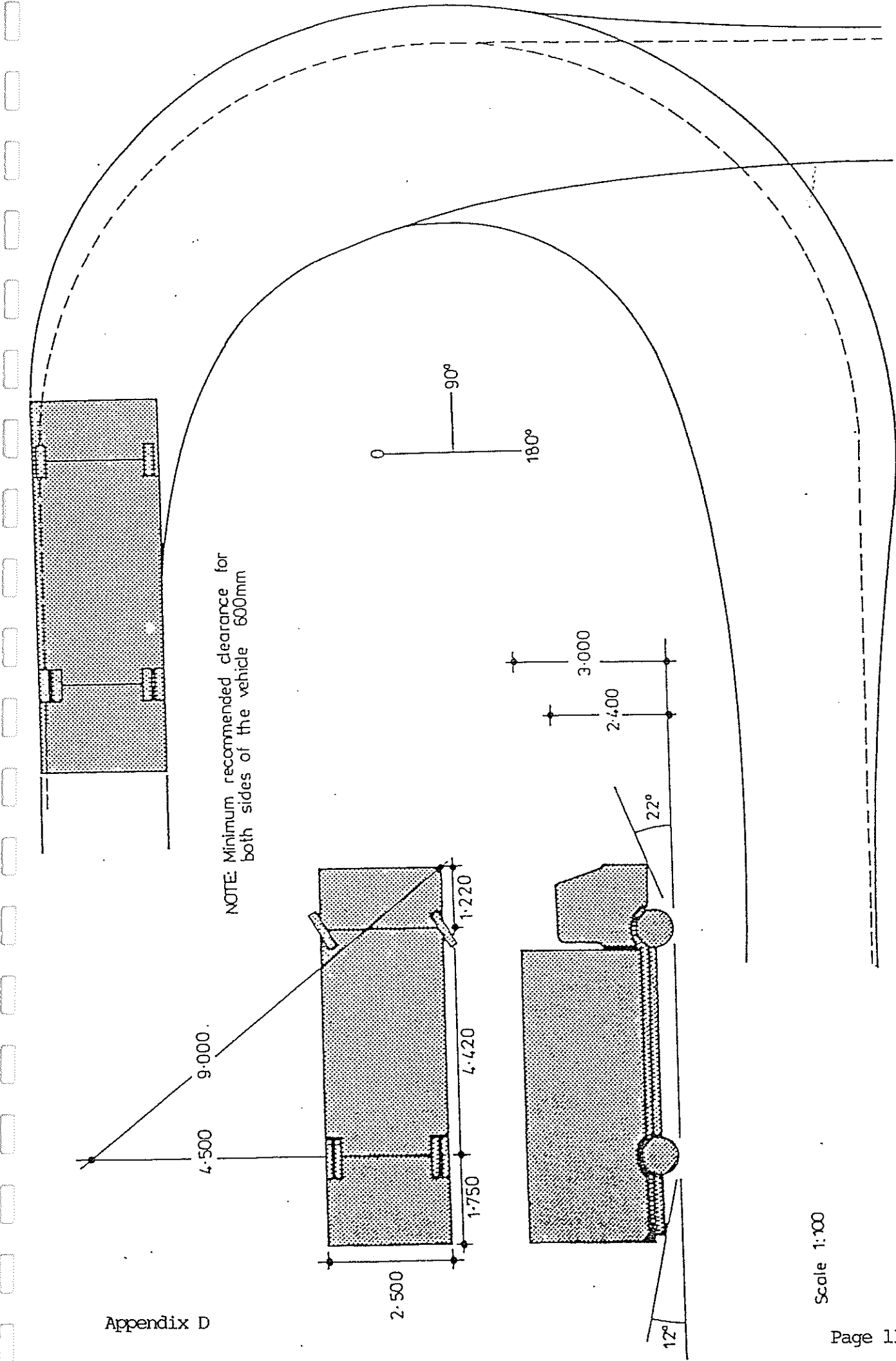
Scale 1:100



Scale 1:100



Scale 1:100



APPENDIX E

FOREST MANAGEMENT PLAN

A Forest Management Plan shall include:

1. A plan showing the areas and species to be planted. If this is to be carried out over more than one planting season an indication of the intended sequence of planting is required.
2. An indication of initial planting densities and the expected timing of thinning and pruning.
3. A description of the proposed land preparation (scrub clearing, formation of vehicle tracks, fencing, etc.).
4. A description of the likely harvesting methods and timing. The Council wishes to ensure that adequate consideration has been given to such matters in the planning stages and does not require a firm commitment to specific methods or timing.

Forest Management Plans shall comply with guidelines published by the National Water and Soil Conservation Organisation 1978 and any subsequent revision. (Note: These guidelines are available from the Water and Soil Division, Ministry of Works and Development or from the Council. They deal with matters such as earthworks including roading, tracking and forest landings, site preparation, establishment and tending of forests, extraction of forest produce and land management after extraction).

077MthDS01

APPENDIX F

FOREST HARVEST NOTICE

The purpose of a Forest Harvest Notice is to enable the Council to be informed of any impending harvest of forest produce. If necessary, the Council can make allowances in its road maintenance programme to cope more adequately with the effect of logging trucks. It may be necessary for instance, to delay sealing until after logging activity or to complete certain maintenance before it begins. A Forest Harvest Notice shall include the following information on tree felling:

1. A plan showing the area to be harvested.
2. An indication of the nature and volume of forest produce to be removed.
3. An indication of the harvesting methods to be employed including any earthworks and the approximate timing of these operations.
4. An indication of the means of transport, the routes to be followed and the intended frequency and timing of truck movements. (Note: Danger and delay for other road uses can be avoided by avoiding operations during weekends, public holidays and holiday periods).
5. A description of the proposed rehabilitation of the site and intended replanting or alternative uses.
6. Information about the proposed disposal methods of any effluent.

077MtHDS01

APPENDIX G

BUILDINGS AND PLACES OF ARCHITECTURAL, HISTORIC, SCIENTIFIC,
ARCHAEOLOGICAL AND NATURAL BEAUTY

Archaeological Sites

Metric Grid Reference	Site Description	
E2484300	N5733300	Midden
E2481800	N5729200	Midden
E2482900	N5729600	Skulls and Artefacts
E2481500	N5731000	Midden
E2481500	N5729800	Midden
E2481700	N5730600	Earthworks (may be Ohinetahi Pa)
E2481600	N5729500	Occupation layer
E248700	N5729600	Cave
E2484400	N5730900	Midden
E2482900	N5726300	Oven
E2484900	N5730900	Adze find
E2485000	N5727100	Cave
E2490100	N5732400	Musket redoubt
E2499800	N5731800	Cave with midden
E2498800	N5733100	Midden
E2497000	N5730300	Midden
E2496200	N5728100	Midden
E2496400	N5725900	Pit
E2495400	N5727200	Oven
E2495600	N5729900	Terraced Headland
E2495600	N5729800	Midden
E2495700	N5731200	Midden
E2496000	N5731600	Pits/terraces
E2490300	N5730900	Midden
E2490000	N5731500	Rock shelter
E2490100	N5731600	Pits/midden
E2490200	N5731600	Midden
E2490500	N5731600	Midden
E2490900	N5731800	Midden
E2491500	N5732200	Midden
E2492900	N5731800	Midden
E2490100	N5731700	Midden
E2490400	N5731000	Ovens
E2492600	N5731800	Midden
E2492600	N5731700	Midden

Historical and Traditional Sites

Post European Contact

Metric Grid Reference	Description
E2479200 N5727600	Rhodes Spring

Pre European Contact

Metric Grid Reference	Description
E2484100 N5733700	Rapaki Pa
E2481500 N5731200	Village - Governors Bay
E2484000 N5734900	Te Upoko Okuri - 'Kuri's Head' - Witch Hill
E2479800 N5730100	O Rongo Mai - 'The Place of Listening' - Cass Peak
E2479800 N5727400	Mawete - 'The Place of Mawete' - Coopers Knob
E2480900 N5724000	Kawa Taua - 'Battlecharm for War Party' - Summit of Gebbies Pass
E2481500 N5729600	Kaitangata Pa Site - Ease of Allandale
E2481400 N5730300	Ohinetahi Pa Site - South of Governors Bay

Source: C.U.C. 1986. *Port Hills Study.*

Geological Interest

Metric Grid Reference	Description
E2484800 N5722500	Remarkable Dykes
E2480800 N5724200	Black Quartz Rhyolite

077MIHDS01

APPENDIX H

PROTECTED TREES

The following are trees covered by the requirements of Part 13 'Tree Protection':

- | | | |
|----|--|---|
| 1. | Lot 24
DP 16297
Main Road
Governors Bay | Two Sequoia sempervirens
(Californian Redwood) |
|----|--|---|

077MthDS01

M T H E R B E R T

PLANNING MAPS

LEGEND

County Boundary

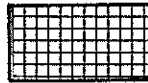


ZONES

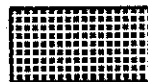
Residential



Commercial



Industrial



Maori



P = Public

DESIGNATIONS

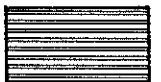
Reserves



Reservoir Site

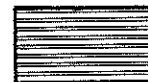


Fire Station

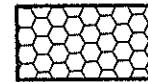


FORESTRY

Zone A



Zone B



Zone C



RESERVES

Rec = Recreation

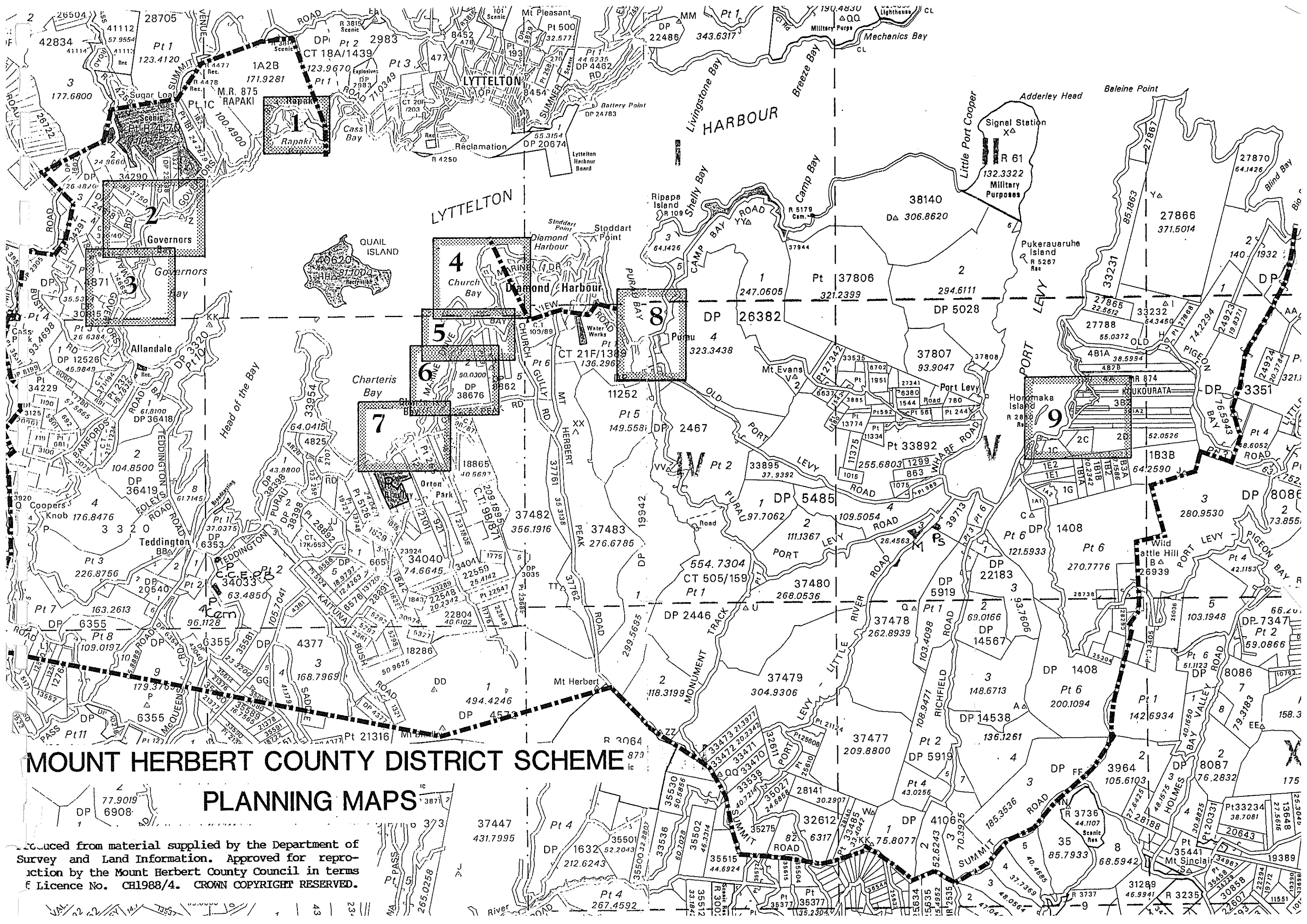
Ps = School

M = Metal

CCEPB = Central Canterbury Electric Power Board

Pcem = Cemetery

Pv = Private

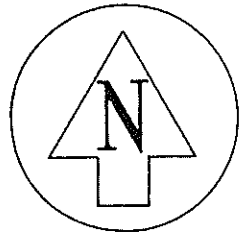


MOUNT HERBERT COUNTY DISTRICT SCHEME

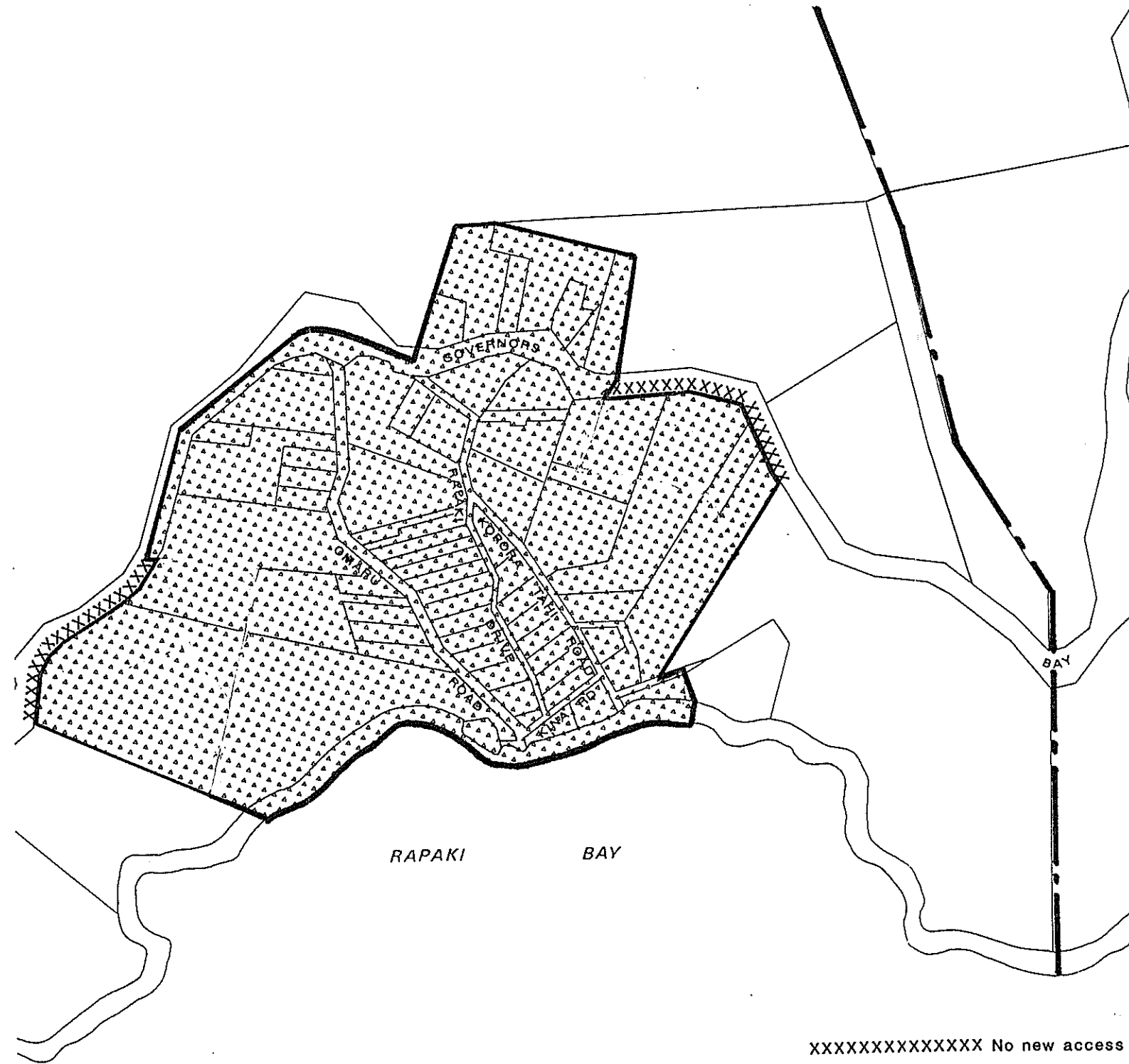
PLANNING MAPS

Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/4. CROWN COPYRIGHT RESERVED.

MT. HERBERT COUNTY DISTRICT SCHEME

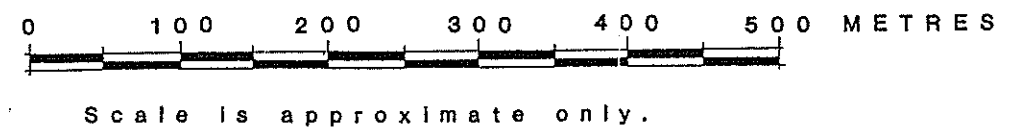


1:5000

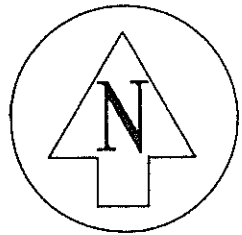


XXXXXXXXXXXXXXXXX No new access to Governors Bay Road

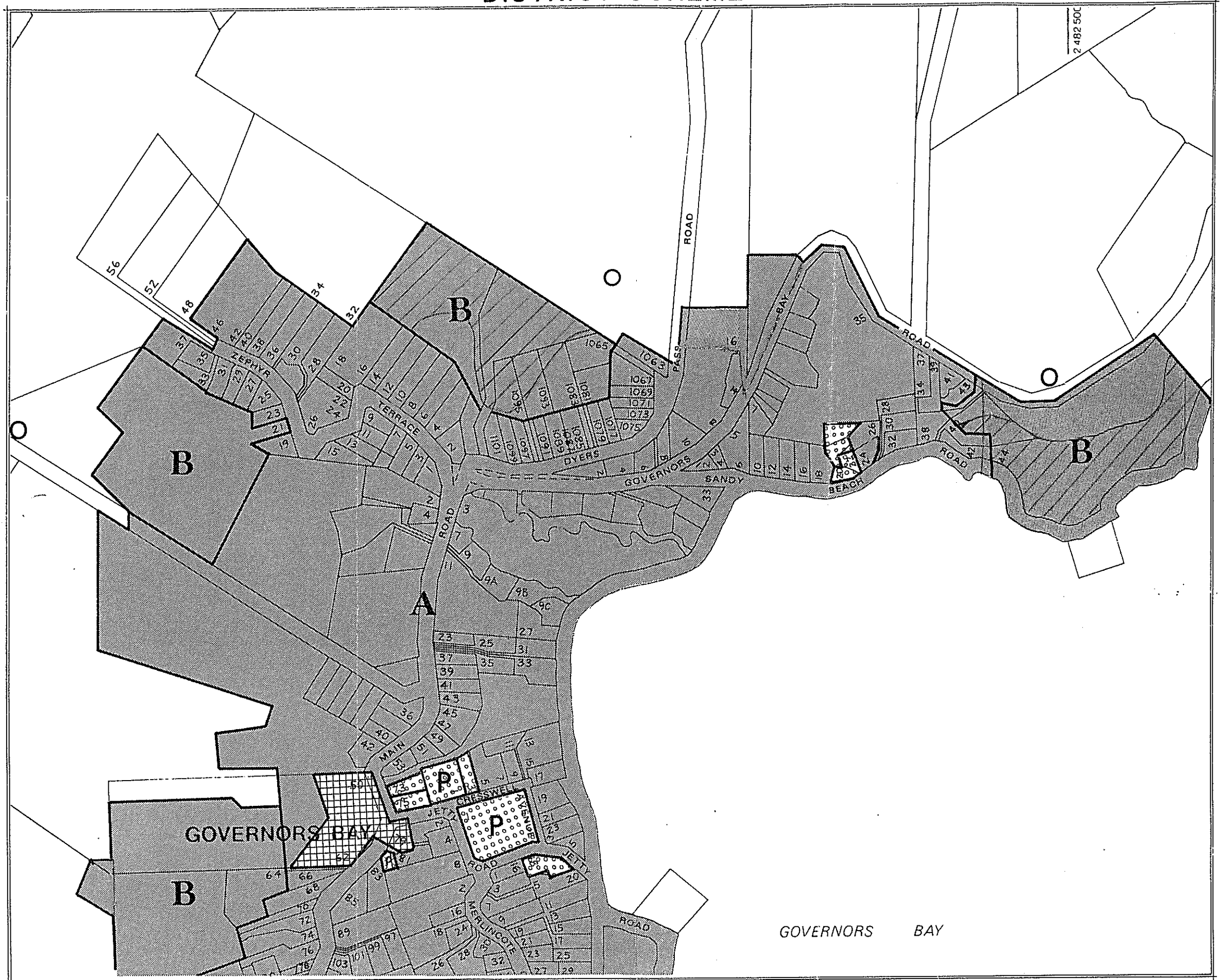
Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.



MT. HERBERT COUNTY DISTRICT SCHEME



1:5000

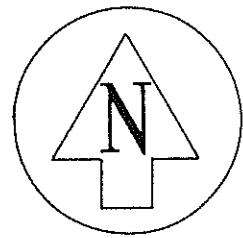


Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.

0 100 200 300 400 500 METRES

Scale is approximate only.

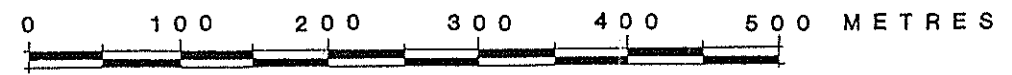
MT. HERBERT COUNTY DISTRICT SCHEME



1:5000

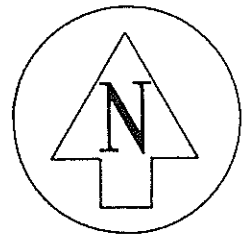


Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.

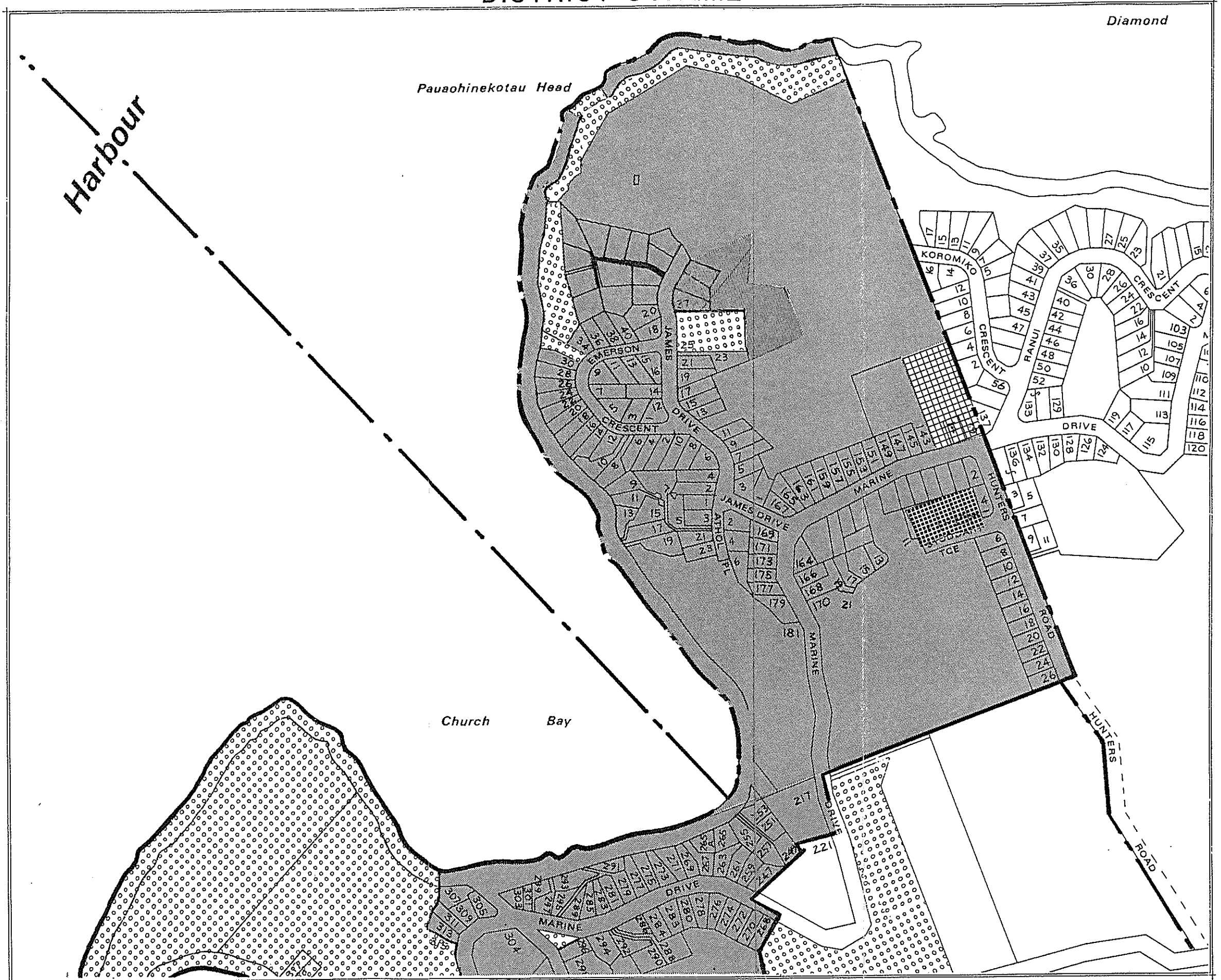


Scale is approximate only.

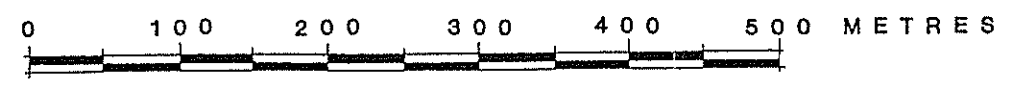
MT. HERBERT COUNTY DISTRICT SCHEME



1:5000

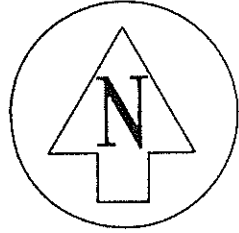


Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.



Scale is approximate only.

MT. HERBERT COUNTY DISTRICT SCHEME



1:5000



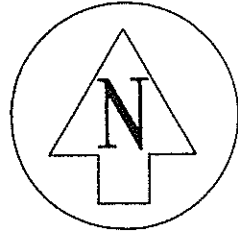
Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.

0 100 200 300 400 500 METRES



Scale is approximate only.

MT. HERBERT COUNTY DISTRICT SCHEME



1:5000

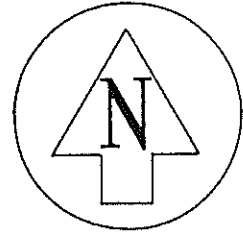


Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.

0 100 200 300 400 500 METRES

Scale is approximate only.

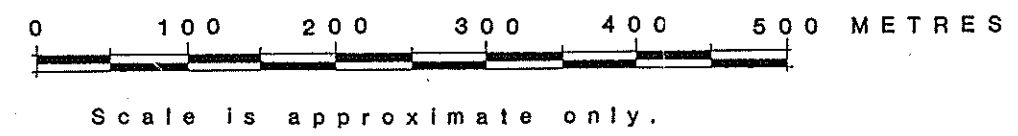
MT. HERBERT COUNTY DISTRICT SCHEME



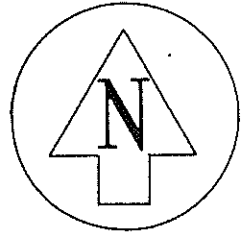
1:5000



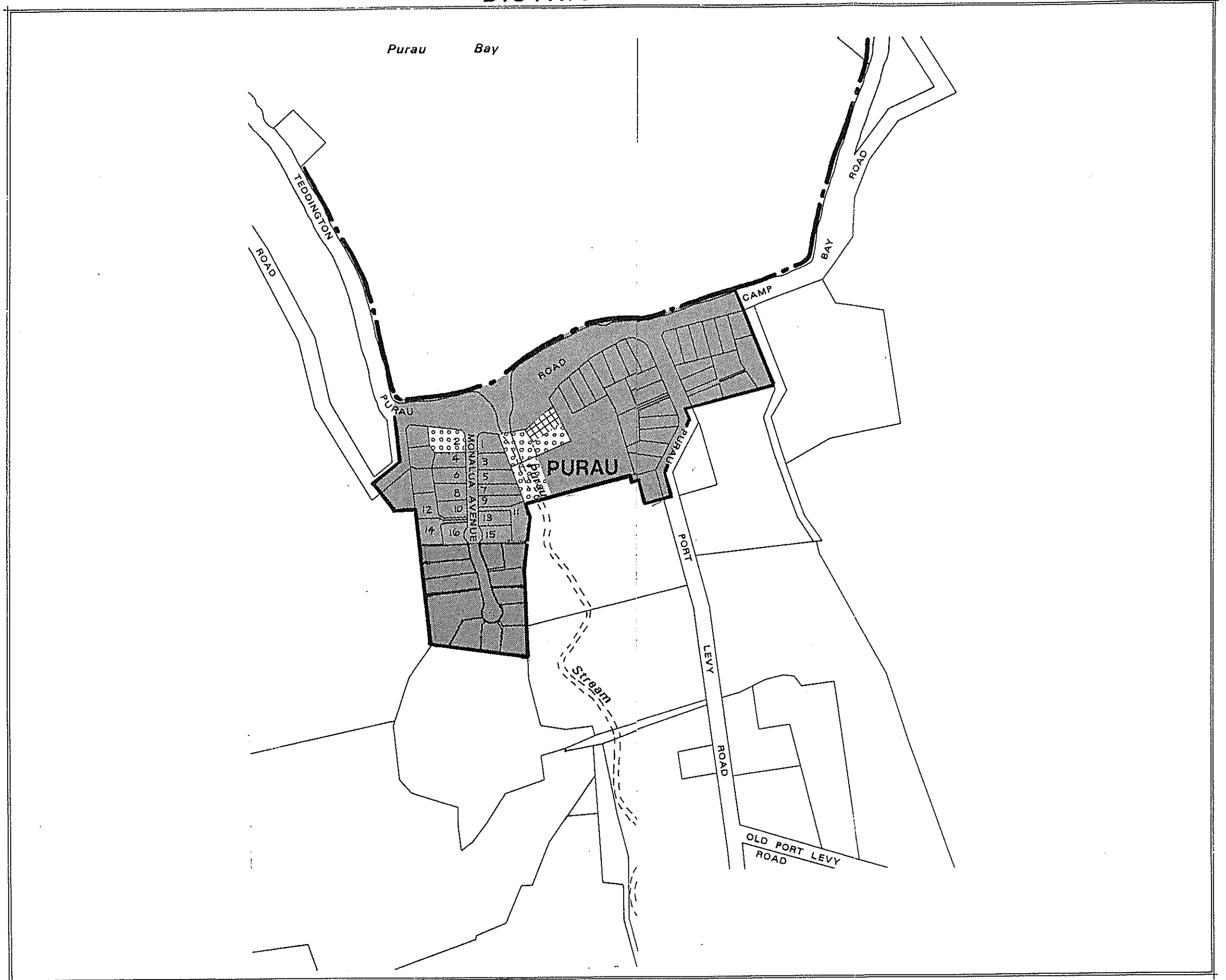
Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.



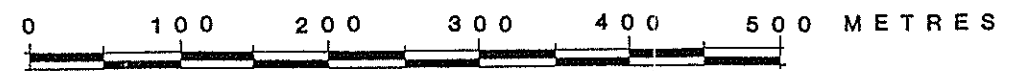
MT. HERBERT COUNTY DISTRICT SCHEME



1:5000

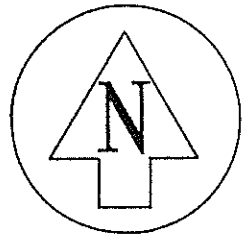


Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.

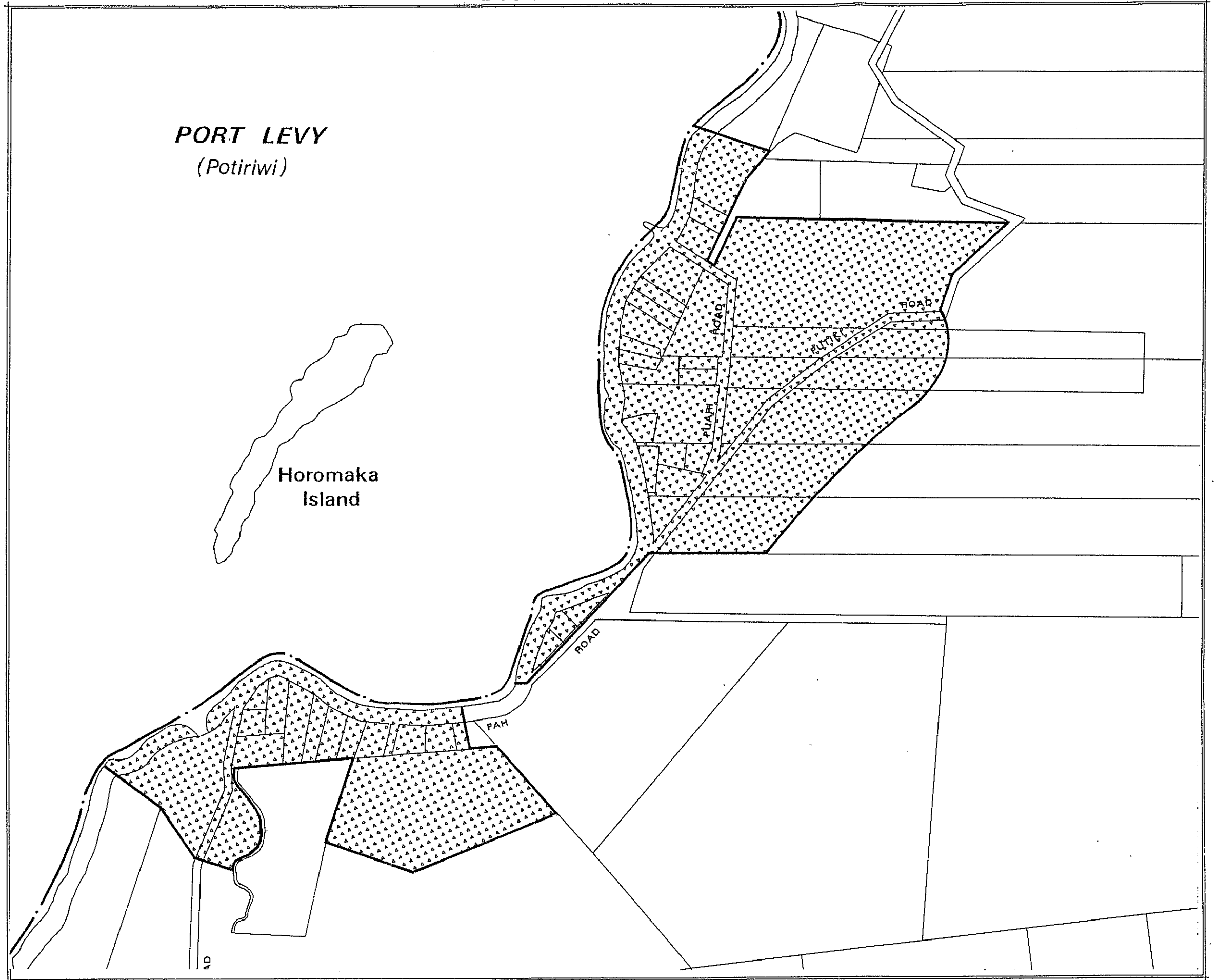


Scale is approximate only.

MT. HERBERT COUNTY DISTRICT SCHEME



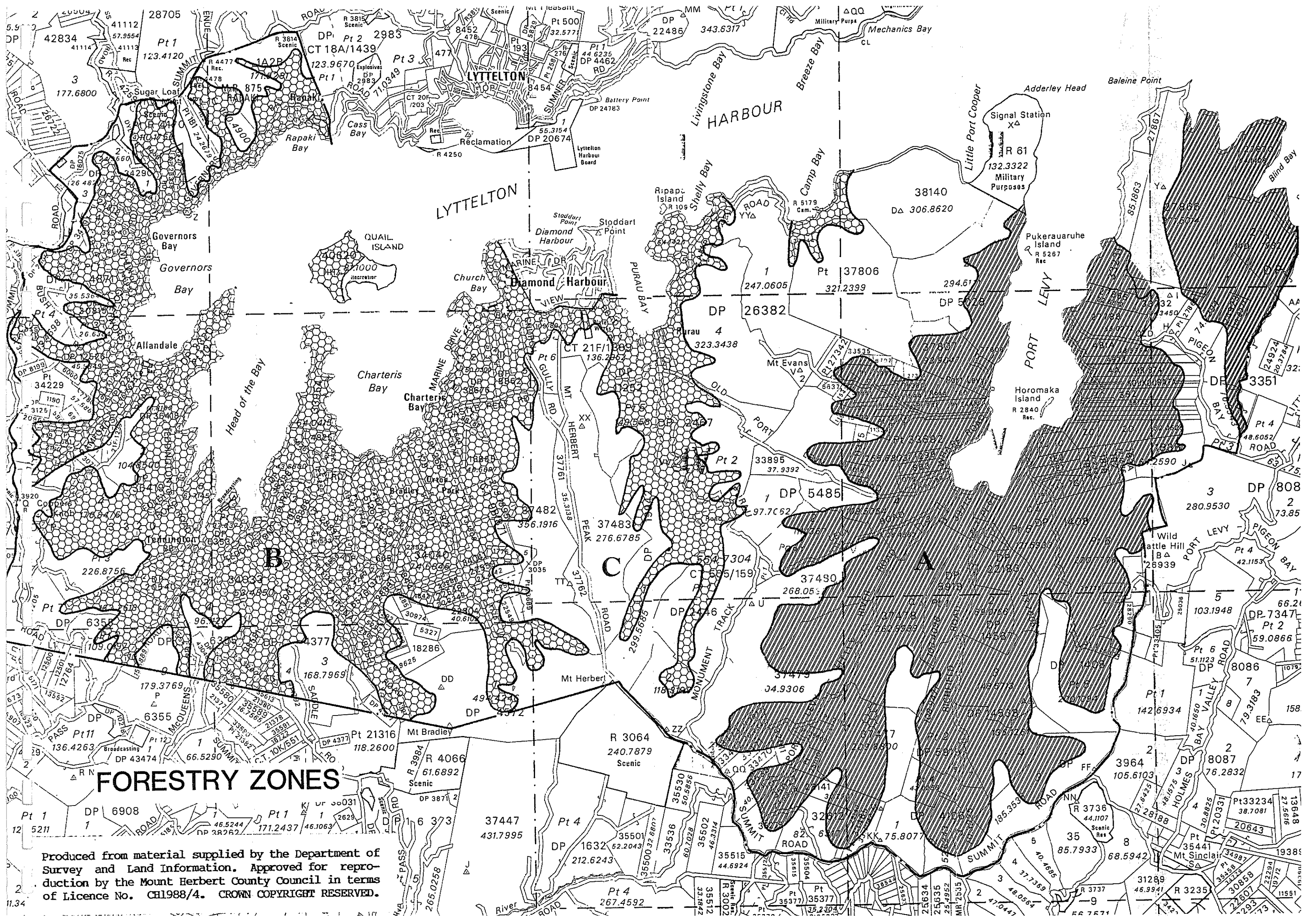
1:5000



Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/3. CROWN COPYRIGHT RESERVED.

0 100 200 300 400 500 METRES

Scale is approximate only.



FORESTRY ZONES

Produced from material supplied by the Department of Survey and Land Information. Approved for reproduction by the Mount Herbert County Council in terms of Licence No. CH1988/4. CROWN COPYRIGHT RESERVED.