



Borough of Riccarton

DISTRICT PLANNING SCHEME

SCHEME STATEMENT and CODE OF ORDINANCES

Operative Date 28:2:64

Annotated to 8-4-1968

- Change No. 1 - Portion Hotel Zone - Lincoln Road to Industrial C
- " " 2 - Residential H1 Zones - Copy attached
- " " 3 - Designating Land for Recreation purposes - copy attached
- " " 4 - Ordinance 9 - Commercial B Zones - Copy attached

S C H E M E S T A T E M E N T

Under the Town and Country Planning Act, 1953

1. This statement together with the code of ordinances and the district zoning map comprise the Riccarton Borough Council District Scheme (hereinafter called the district scheme) as required by section 21 of the Town and Country Planning Act 1953 and regulation 17 (1) of the Town and Country Planning Regulations 1954

B A S I S O F D I S T R I C T S C H E M E

2. Area: The purpose of the scheme is to provide for the future development of the Borough of Riccarton, being an area of 833 acres as shown on the district planning map.
3. Planning Period: The district scheme covers a term of 20 years (hereinafter called the planning period), being the years 1957 to 1976 both inclusive.

4. The preliminary planning investigation establishes that:-

(a) Function of District:

In relation to the surrounding region the social and economic functions of the district are predominantly residential.

(b) Present Population Structure:

The total population of the district according to the Census Department's figures for 1951 and 1956 and the most recent estimate of the Department in 1959 are -

	<u>Census</u> <u>1951</u>	<u>Census</u> <u>1956</u>	<u>Estimate</u>
Males	3877	3803	3811
Females	4139	4111	4119
<u>Total:</u>	<u>8016</u>	<u>7914</u>	<u>7930</u>

- (c) The total population at the last census, 1956, falls into the following age groups:

	<u>Per Cent</u>	<u>1956</u> <u>Nos.</u>	<u>N.Z.</u> <u>Per Cent</u> <u>1956</u>
Pre-school age (under 5 years)	7.0	554	11.81
School age (5 and under 16 years)	21.01	1663	19.65
Working age (16 and under 65 years)	60.29	4771	59.45
Over working age	11.7	926	9.09
	<u>100.0</u>	<u>7914</u>	<u>100.0</u>

(d) Present Occupational Structure:

The employed population, according to the most recent employment returns, falls into the following groups:-

		<u>Persons</u>
(i)	<u>Primary industry:</u>	
	Farming (estimated)	-
	Forestry	-
	Mining and quarrying	-
	Others	-
	<u>Total for all groups:</u>	-
(ii)	Manufacturing industry (all groups)	1600
(iii)	Power, water and sanitary services	200
(iv)	Building and construction	600
(v)	Other industries -	
	Transport and communication	200
	Commerce, professions, finance, etc.	1100
	Others	200
	<u>Total for all groups:</u>	<u>1500</u>
(vi)	Seasonal industry	
	Numbers at lowest point of year	Seasonal influx
	<u>Persons</u>	<u>Persons</u>
	Meat processing, freezing, etc)	
	Fruit & Vegetable preserving)	100
	Dairy factories & others)	100
	<u>Total for all groups:</u>	<u>100</u>
	<u>Grand Total:</u> 4,000 (excluding seasonal influx).	

5. Future Population:

(1) This district scheme is based on the following estimate of probable population:

These estimates are based on an average annual rate of increase of population of the Borough of Riccarton of -

<u>Present 1959</u>	<u>In Five Years</u> <u>1964</u>	<u>In Ten Years</u> <u>1969</u>	<u>At End of</u> <u>Planning</u> <u>Period</u> <u>1979</u>
7930	8124	8324	8884

(2) The probable trends of population are anticipated to continue at a steady rate and it is considered that the estimated increase can be readily housed in the Borough by the development of vacant land and the re-development of certain areas to satisfactorily accommodate higher densities than at present exist.

USE OF LAND

6. Introductory:

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

- (2) Future building and other development in the district shall be so directed as to avoid the indiscriminate mixture of uses, with the object of economizing in the servicing of the district and maintaining the stability of individual property values. This objective shall be secured as far as possible by allocating particular areas or zones for compatible uses of land and buildings, which shall be grouped in the appropriate zone as future building and other development proceeds, and in some cases securing compatibility by imposing special conditions.
- (3) The areas within the district that are zoned for residential, commercial, and industrial purposes have been calculated to provide for all the needs of the district in those respects over the whole of the planning period.
- (4) The predominant and conditional uses in each zone shall be as set out in the code of ordinances which forms part of this scheme.

7. Residential Zones (1): The aggregate area (excluding streets) now used for residential purposes is 468 acres, and 470 acres have been zoned for these uses to provide for the estimated population as at the end of the planning period. These zones are defined on the district planning map as indicated in the Notations.

Hotel Zones (2): This zone makes provision for existing Hotel sites incorporating 2 acres of land with frontage of 750 feet. The zone is defined on the district planning map as indicated in the Notation.

Commercial Zones (3): The various commercial zones provide primarily for business or commercial development, and consist predominantly of areas for shops, offices, and retail storage. The uses of land in commercial zones shall as far as possible provide continuity of shop frontages without the intrusion at street level of any other use which would tend to affect detrimentally the business or goods of retailers or would tend to draw unnecessary or obstructive vehicular traffic into the streets which retail shopping premises front.

The areas at present used for commercial purposes and the zones proposed are as follows:-

- (a) Aggregate area (excluding streets) at present used for commercial purposes, 13.7 acres, which includes 5060 feet of street frontage.
- (b) Aggregate areas (excluding streets) of zones proposed:
Commercial zones: 14.7 Acres (providing frontage 6986 ft.

The areas zoned are shown on the district planning map as indicated in the Notation.

Industrial Zones (4): Industries shall be grouped according to their common characteristics, distinguishing between them in accordance with the classification set forth in the code of ordinances which forms part of this scheme.

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

The areas at present used and those proposed under the scheme for industrial uses are as follows:-

- (a) Aggregate area (excluding streets) at present used by industries defined in the code of ordinances as -
- | | | | |
|--------------|----|----|----------|
| Industrial A | .. | .. | 6 Acres |
| Industrial C | .. | .. | 94 Acres |
| Saleyards | .. | .. | 11 Acres |
- (b) Aggregate areas (including present areas but excluding streets) of industrial zones proposed for purposes defined in the code of ordinances as -
- | | | | |
|--------------|----|----|------------|
| Industrial A | .. | .. | 40 Acres |
| Industrial C | .. | .. | 64.5 Acres |
| Saleyards | .. | .. | 11 Acres |

The areas classified as industrial zones are shown on the district planning map as indicated in the Notations.

Reserves for public buildings and open spaces intended to be owned by the Council:

- (1) To provide over the planning period, adequate space for the outdoor recreational needs of the various age groups, provision will be made as opportunity offers. Within some zones provision requires to be made for sites for public buildings and other civic and administrative uses and for recreation. Some areas are already owned, and others will be acquired by the Council as opportunity offers. The particular lands acquired and reserved for these purposes are shown in the district planning map, and their areas are as follows:-

	<u>Areas at Present Owned by the Council</u>	<u>Additional Areas Proposed to be Acquired or Provided by Subdividers</u>
(a) <u>Active Recreation:</u>		
Children's playgrounds	-	-
Small sports (bowls, tennis, etc.)	-	-
Field sports (football, cricket, etc.)	-	-
Other recreations, (e.g. golf, etc.)	-	-
	-----	-----
	-	-
	-----	-----
(b) <u>Passive recreation:</u>		
(e.g. parks, gardens, town belt, foreshore, etc.)	7 Acres	-
(c) Public buildings and uses (e.g. car parks, etc.)	21 Acres	-

(2) Under other legislation certain proportions of these areas are required to be provided by subdividers. These areas will be grouped for the greater benefit of the community. This will be given effect by accepting in appropriate cases payment of money instead of land so required to be provided and using the funds so obtained to purchase land in blocks and for the development of the Council's reserves.

9. Other open spaces not intended to be owned by the Council:

(1) Within some zones private land owners will be encouraged to provide or maintain open spaces in appropriate places for purposes of value to the community. Land used by sports clubs and public undertakings such as schools and hospitals is in this category. Although not owned or proposed to be acquired by the Council nor even in some cases by any public authority, these open spaces play an important part in the life of the community and consequently are designed under the scheme as open spaces for the uses shown. These lands are separately shown on the district planning map as indicated in the Notation.

(2) For the purpose of this scheme every designated open space shall be deemed to be zoned for the particular purpose for which it is designated under the scheme.

10. Position and bulk of buildings:

(1) The positions of the buildings on each section are governed within limits by yard requirements designed to ensure that satisfactory access for all purposes, if and where necessary, is provided to the rear of each section, and also that the needs of neighbouring properties in respect of ventilation, lighting, and privacy are reasonably allowed for. These requirements are more particularly specified in the Code of Ordinances which forms part of this scheme.

(2) Buildings are limited to the heights and floor areas set out in the said code. These are related both to the requirements of the particular zone and to the traffic capacity of adjacent streets. Maximum heights of and maximum site coverage by buildings permitted in each zone are set out in the said code. The portions of sites not permitted to be covered by buildings are required primarily for the provision of adequate light, ventilation, and amenities, but may also be used for parking and loading of vehicles to the extent authorised in the said code.

11. Main and other streets:

(1) The proposed street communications system comprises the present system modified or varied as hereinafter described.

(2) The provisions for traffic routing include public passenger transport routes, routing of arterial through traffic and of local through traffic, routes for special industrial and commercial traffic, and all restrictions whether existing or proposed upon the normal use of any street for two-way traffic are shown in Appendix B hereto and by the explanatory diagrams therein mentioned.

(3) Each proposed street is to be specifically designed both in layout and structural strength to cope with the frequencies and weights of traffic that seem likely to use it from time during the planning period. Through traffic streets will be wider, straighter, and more heavily constructed than those for local traffic; and the traditional standard width of 66 feet will not be universally applied. Motorways, State Highways and main highways will normally be wider than this, but streets in areas permanently zoned as residential and carrying little traffic may in some circumstances, with safety and economy, be no wider than the minimum of 40 feet.

(4) It is clear from the vehicular traffic and parking surveys carried out in connection with the preliminary planning investigation that the existing street communications system should be modified or varied in accordance with the particulars elaborated in the Parts of Appendix C hereto referred to in the following paragraphs:-

- (a) Streets to be deviated are listed in Part 1.
- (b) Existing streets to be closed are listed in Part 2.
- (c) Existing streets to be widened are listed in Part 3.

- (d) Existing streets to be narrowed are listed in Part 4, which shows in each the Council's proposals for the accomplishment of such narrowing of the streets.
- (e) Existing streets to have important alterations of levels or other engineering features are listed in Part 5, which shows in each case the particular part to be altered and the proposed changes.
- (f) Proposed streets are listed in Part 6.
- (g) Proposed service lanes are listed in Part 7.
- (h) Proposed access ways are listed in Part 8.
- (i) Important tunnels, subways, bridges, overhead bridges, and ramps for vehicular or other traffic, traffic roundabouts, breastworks, and reclamation work to be constructed or carried out, are mentioned in their appropriate paragraphs in Appendix C hereto.

12. To avoid confusion and inconvenience to traffic and pedestrians caused by the loading and unloading of bulk goods across footpaths and through the fronts of shops, common access to the rear of commercial and industrial properties is to be provided wherever possible by means of properly registered rights-of-way.

13. To reduce congestion of vehicular traffic, in and about areas devoted to industry, commerce, or recreation, caused by the parking of private and commercial vehicles on the carriage-ways of streets which should be available for moving traffic, public parking areas are to be provided in the vicinities listed in Appendix D hereto, which shows also the capacity in number of vehicles of each such parking area. Property owners who or whose tenants have regular or frequent or numerous visits from vehicular traffic are required to provide on their own land or premises adequate parking and loading space for such traffic in accordance with the requirements set out in clause 10 hereof and the code of ordinances which forms part of this scheme.

14. Access Ways: It is not the intention of the Council to provide access ways at this stage of the scheme, but it will insist that adequate vehicular access to the rear of all commercial or industrial properties is provided.

SUBDIVISIONAL STANDARDS

15. (Show here subdivisional standards as in ordinance 10)
- (1) Normal minimum standards for new subdivision in residential zones are -
Area: 24 perches. Frontage: 50 ft.
- (2) Normal minimum standards for new subdivision in industrial and commercial zones are -
Commercial: Area: 8 perches. Frontage: 20 ft.
Industrial: Area: 8 perches. Frontage: 24 ft.
16. (1) Areas at present serviced by various Public Utilities:
All areas are serviced by Electricity and Sewerage. Gas is or can be supplied to all areas by a Limited Company. Water is or can be supplied to all areas in the Borough with the exception of a small area in the south-east corner where the completion of the High Pressure Water reticulation is now being carried out.
- (2) To ensure best use of these services, subdivision and building development is to be consolidated within areas already reticulated before expansion elsewhere is permitted.
- (3) Extensions of services to meet the urban development provided for under this scheme are listed in Appendix E hereto and are further described in the programme of development hereinafter set out.
17. Historical Places: There are no known places or objects of historical interest in the Borough.
18. No building or part of a building shall be erected or substantially reconstructed if any part of it as so erected or reconstructed would stand between the street named and the building line specified in respect of it in Appendix G hereto.
19. Programme of Development: The Borough is to a large extent fully developed into normal residential sites. There is therefore little scope for major new development.

APPENDIX B.

Provisions for Traffic Routing:

Appendix B to be deferred until the Christchurch Regional Planning Authority's Metropolitan Transport Scheme is produced, considered by the Council, and appropriate action taken or the next five-yearly review of the District Scheme is made.

APPENDIX C

Part 1: Streets to be Deviated:-

- (a) Names: Nil
- (b) How affected: "

Part 2: Streets to be Closed:-

- (a) Names: Nil
- (b) Description or part: "

Part 3: Streets to be Widened:-

- Princess Street - North side between Clarence Street and Dalgety Street to be widened to 66 feet.
- Bernard Street - North-East side to be widened to 40 feet.
- Wise Street - South-West side to be widened to 66 feet.

Part 4: Streets to be Narrowed:-

- (a) Names: Nil
- (b) Description of part and side or sides affected: "
- (c) Extent of narrowing: "
- (d) Proposals for accomplishment: "

Part 5: Streets to have important Alterations of Levels or Other Engineering Features:-

- (a) Names: Nil
- (b) Description of part: "
- (c) Proposed change: "

Part 6: Proposed Streets:-

It is proposed that a new street be provided to allow for the subdivision of rear land in the area bounded by Riccarton Road, Matipo Street, Maxwell Street and Division Street.

A new street - Henrietta Place - has been allowed for in a recent subdivision of land situated on the South-East corner of Mandeville Street and Riccarton Road.

Part 7: Service Lanes to be Provided:-

- (a) Descriptions: Nil
- (b) Street connections: "

Part 8: New Access Ways:-

Nil

Part 9: Important Tunnels, Subways etc.:-

Appendix C Part 9 to be deferred until the Christchurch Regional Planning Authority's Metropolitan Transport Scheme is produced, considered by the Council and appropriate action taken or the next five-yearly review of the District Scheme is made.

APPENDIX D

Public Parking Areas:-

Nil

APPENDIX E

Extensions of Public Utility Services:-

The Borough is already fully serviced with electricity, gas and sewer. The installation of a high pressure water system is completed with the exception of a small portion in the South-West area of the Borough which is now being proceeded with.

APPENDIX F

Objects and Places of Historical Interest and Natural Beauty:-

(a)	Nature:	Nil
(b)	Description:	"
(c)	Action to be taken:	"

APPENDIX G

(1) Building Lines for Street Widening Purposes:-

<u>Clarence Street</u>	-	West side between Elizabeth Street and Lyndon Street - 33 feet from original centre.
<u>Princess Street</u>	-	North side between Clarence Street and Dalgety Street - 33 feet from original centre.
<u>Bernard Street</u>	-	North-East side - 40 feet from South-West side.
<u>Wise Street</u>	-	South-West side - 66 feet from North-East side.
<u>Chatham Street</u>	-	33 feet from original centre.
<u>Princess Street</u>	-	49½ feet from South side.
<u>Walsall Street</u>	-	44½ feet from South side.
<u>Bartlett Street</u>	-	33 feet from original centre.

(2) Building Lines to Make Off-street Provision for the Loading and Unloading of Vehicles and for Standing Vehicles:-

(a)	Name of Street:	Nil
(b)	Portion affected:	"
(c)	Building Line:	"

(3) Building Lines for Amenity Purposes:-

(a)	Name of Street:	Nil
(b)	Portion affected:	"
(c)	Building line:	"

CODE OF ORDINANCES

RICCARTON BOROUGH COUNCIL DISTRICT PLANNING SCHEME

Code of Ordinances Under the Town and Country
Planning Act, 1953.

ORDINANCE 1: Arrangement of Code:-

(1) This code is arranged as follows:-

<u>Number of Ordinances</u>	<u>Subject Matter</u>
1 - 4	Preliminary.
5 - 9	Zoning.
10	Subdivisional standards.
11	Proposed streets and reserves.
12	Information to be supplied with applications for permits.
13 - 17	Siting of buildings.
18	Angle controlling height.
19	Traffic: loading and parking.
20	Alterations, etc.
21 - 25	Provision and preservation of amenities.
26	Christchurch Airport: Safety Zoning provisions for flight operations.
27	Wigram Airfield: Provisions for obstruction clearance areas.

(2) This code of ordinances forms part of the Riccarton Borough Council District Scheme, and is for the administration and implementation of that scheme.

ORDINANCE 2: Interpretation.

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

"Accessory building", in relation to any land, means a building the use of which is incidental to that of the main building on the land or to the use of that part of the land not built upon:

"The Act" means the Town and Contry Planning Act, 1953; and includes its amendments:

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

"Boardinghouse" means a residential building, not being a licensed hotel, in which board and lodging is provided or is intended to be provided for four or more permanent boarders or lodgers, for reward or payment:

"Building" means any structure, whether temporary or permanent, movable or immovable; and includes any stack or heap of materials:

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

"Code" means the code of ordinances:

"Clearance Surfaces" means approach, approach lighting, horizontal or transitional surfaces as the case may be.

"Commercial garage" means a garage -

- (a) For three or more self-propelled vehicles which are regularly used for any commercial or business purpose; or
- (b) In which two or more self-propelled vehicles used as public conveyances for hire or reward, are housed or cared for; or
- (c) For any two or more self-propelled vehicles which are housed for reward; or
- (d) In which any self-propelled vehicle not belonging to the occupier of the premises or his family is serviced, overhauled, or repaired.

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

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

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

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

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

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

"Height" in relation to a building, means the average difference between the level of the ground along the external wall nearest to the street 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:

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

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

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

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

"Lodginghouse" means a residential building in which lodging alone is provided for four or more lodgers:

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

"Predominant use", in relation to land in any zone means any use specified in these ordinances as a predominant use, being a use that is permitted as of right:

"Private garage" means a garage other than a commercial garage as herein defined:

"Private hotel" means a residential building designed to accommodate four or more non-permanent guests and to provide service and accommodation equivalent to those provided in a licensed hotel:

"Residential building" means any building or part of a building used or intended to be used for human habitation:

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

"Semi-detached house" means one of a pair of household units built side by side on separate sites and separated by a wall common to both that meets the requirements of the Council's By-Laws for a party wall between dwellinghouses:

"Shop" means any land, building, or part of a building on or in which goods are sold or exposed for sale by retail; and includes auctioneers' and land agents' premises:

"Site" means an area of land having frontage to a street or private street and permitted by the scheme to be occupied -

- (a) In the case of residential buildings, by one building and its accessory buildings:
- (b) In the case of buildings other than residential, by one or more buildings comprised in the same premises and their accessory buildings, - and includes in every case the curtilage of the building or buildings:

"Corner site" means a site having a frontage of not less than the minimum prescribed by this scheme for front sites in the particular zone in which the site is situated to each of two or more streets or private streets not less than 40 ft. in width as defined in the Municipal Corporations Act 1933, if the frontages are contiguous and the included angle measured within the site between two such minimum frontages is not greater than 135 degrees:

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

"Rear site" means a site situated in the rear of another site and not having the frontage for a front site required in the zone:

"Through site" means a front site having two frontages to a street or streets, such frontages not being contiguous and the average width of the site measured at right angles to either of the side boundaries being not less than the required minimum frontage for a front site:

"Street" includes road:

"Terrace house" means one of a group of household units each of which is separated vertically from one neighbour on each side by a wall common to both that meets the requirements of the Council's By-Laws for a party wall between dwellinghouses:

Provided that the unit at each end of every such group shall be deemed to be a semi-detached house:

"Yard" means a part of a site which is required by this scheme to be unoccupied and unobstructed by buildings from the ground upwards, except as otherwise provided by this scheme.

"Front yard" means a yard between the street line and a line parallel thereto and extending across the full width of the site:

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

Provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and a radius of 30 ft:

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

ORDINANCE 3: Scheme to Prevail Over By-Laws:

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

ORDINANCE 4: Scheme to be Complied With:

Subject to the provisions of the Act and all regulations made thereunder, no person shall use or permit the use of any land or building or undertake or permit any new work or any reconstruction, alteration, or modification of any existing work if the use, new work, reconstruction, alteration, or modification does not conform with the scheme.

ZONING

ORDINANCE 5: Classification of Zones:

The zones constituted for the purposes of the scheme are shown on the district planning map as indicated in the Notations.

ORDINANCE 6: Control of Use:

- (1) Any land or any building or other structure thereon may be used for, or the use thereof may be changed to any purpose prescribed by this code for the zone in which the land, building, or other structure is situated, but for or to no other purpose, and every such use shall be subject to every other ordinance that is applicable thereto.
- (2) Any use that falls naturally within a general class of uses authorised in respect of any zone shall be deemed to be included in that class as if it had been expressly authorised; but in respect of any other use that is not expressly provided for within the district by ordinance 9 hereof the Council shall determine in which

zone or zones it may be permitted, and in respect of that zone or each of those zones whether it shall be a predominant use or a conditional use or in what circumstances predominant and in what circumstances conditional, and (where it is conditional) what the conditions shall be.

(3) Where any public authority is authorized by statute or otherwise to determine the precise location within the district of the public utilities under its control without approval of the Council, every such public utility shall be deemed to be a predominant use in every zone; but every other public utility shall be deemed to be a conditional use in every zone.

ORDINANCE 7: Control of Bulk and Location of Buildings on Site:

The bulk of all buildings and other structures and the location of each in relation to the site shall conform with -

- (a) The provisions prescribing requirements as to yards, height, coverage, density, and angle controlling height hereinafter set out in respect of the zone in which the site is located:
- (b) The requirements for off-street parking and loading as set out under ordinance 19:
- (c) All other ordinances applicable thereto.

ORDINANCE 8: Regulation and Procedure in Respect of Uses:-

(1) The use of any land or building or other structure for any purpose specified as a predominant use in relation to the zone in which it is situated is permitted without further consent of the Council under this code provided that the use for that purpose is in accordance with every requirement set forth in this code in respect of it as a predominant use; but any proposed reduction of standard below those requirements shall have effect to constitute that use a conditional use, and the provisions of this code as to conditional uses in that zone shall apply as if that use had been specified as a conditional use within that zone.

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

- (3) Before the Council consents to a conditional use of any land, building, or other structure, it shall notify the proposal and special conditions, restrictions, and prohibitions it contemplates in such manner as the Council thinks fit, and shall give written notice to adjoining owners and occupiers and such other persons as, to the Council, appear likely to be affected.
- (4) Any owner or occupier of property may object to the proposed use of the property by notice in writing delivered to the Council at any time within one month after the first notification of the proposal. Every such notice shall state the grounds of the objection.
- (5) Before arriving at a decision, the Council shall take into account every objection received as aforesaid. Every objector shall be entitled to be heard by the Council or a committee thereof appointed for the purpose either specially or as a standing committee.

ORDINANCE 9: Use Within Zones:

This ordinance specifies the types of zones within the district to which the scheme relates, the predominant and conditional uses of land within the zones, the conditions which apply in connection with conditional uses of land, and the bulk and location requirements for various uses within the zones.

Residential A1 Zones

(See Change No. 2 to Scheme)

RESIDENTIAL A ZONES

Predominant Uses

The following shall be predominant uses in residential A zones:

- (a) Dwellinghouses:
- (b) Semi-detached houses:
- (c) Apartment houses containing not more than two household units:
- (d) Parks, playgrounds, recreation grounds, and scenic reserves:

Provided that no land or buildings shall be used for pleasure or entertainment purposes involving any operation detrimental to the amenities of the neighbourhood:

- (e) Farming, including pastoral and agricultural and dairy farming, market gardens, and nursery gardens; excepting the housing or keeping of animals in any building or enclosure within 40 feet of any boundary of the site:
- (f) Professional offices situated in a dwelling permitted under this ordinance, so long as the predominant use of the premises as a whole is that of a dwellinghouse:
- (g) Buildings accessory to buildings or the use of land for any of the foregoing purposes.

Conditional Uses

The following shall be conditional uses in residential A zones:

- (a) Churches and buildings used only for religious purposes:
- (b) Museums, art galleries, libraries, and educational institutions; including boardinghouses or hostels used in connection therewith:
- (c) Places of assembly, including gymnasiums and training sheds:
- (d) Fire stations and electrical substations, transformers, drainage and pumping stations, omnibus and tramway passenger shelters, water reservoirs and water towers, and other structures of public utility:
- (e) Shops for the sale of groceries and dairy products, either alone or in conjunction with residential accommodation:

- (f) Apartment houses: and camping grounds:
- (g) Terrace houses consisting of not more than six household units, with rear access either common or individual to each household unit:
- (h) Buildings accessory to buildings used for any purpose or to the use of land for any purpose defined in the foregoing paragraphs in connection with conditional uses in residential A zones:
- (i) Garages for hiring or for the housing of private vehicles.
- (j) Boardinghouses, lodginghouses, private hotels, and private residential clubs:
- (k) Public and private hospitals (other than mental hospitals), nursing homes, and convalescent homes, exclusive of premises used for the treatment of animals:
- (l) A building not exceeding 200 square feet floor area situated on the same site with a residential building used for the storage only of plant and materials in connection with the business of a builder, painter, paperhanger, plumber, electrician, or person conducting any other business connected with the building trade, who is resident on the same site:
- (m) Buildings accessory to buildings used for any of the foregoing purposes or to the use of land for any of the foregoing purposes.

Bulk and Location Requirements

The following shall be the normal bulk and location requirements for predominant uses in residential A zones:

<u>Type of Use</u>	<u>Maximum Height in feet</u>	<u>Front yards Minimum Depth in ft.</u>	<u>Rear Yards Minimum Depth in ft.</u>	<u>Side Yards Minimum Depth in ft.</u>	<u>Total Coverage Per Cent</u>
Dwellinghouse	30	15	25	5 & 8 for frontages under 50 ft. 5 & 9 for frontages 50 ft. and over. +	35
Semi-detached house	30	15	25	9*	35
Apartment house	30	15	25	5 & 9	35
Building other than residential as above	30	15	25	10	35

+ 10 ft. side yard required if height greater than 30 ft.

* Only one side yard required (10 ft. side yard required if height greater than 30 ft.)

The Bulk and Location of Public Utility Buildings to be decided in each case by the Council.

The following shall be the normal bulk and location requirements for conditional uses in residential A zones:-

<u>Type of Use</u>	<u>Maximum Height in feet</u>	<u>Front Yards Mini-mum Depth in ft</u>	<u>Rear Yards Mini-mum Depth in ft</u>	<u>Side Yards Mini-mum Depth in ft</u>	<u>Cover-age per cent</u>	<u>Density</u>
Apartment House	30	15	25	10	40	440 Sq.ft of site area per person provided for.
Terrace house	30	15	25	Nil (End units are semi-detached houses)	45	10 perches per household unit

Other buildings classified in paragraphs (a) to (e) of the subclause of this ordinance 9 which specifies conditional uses in residential A zones

40	25	25	15	35
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Where building exceeds 30 feet in height the side yards shall be increased by 1 ft. for each additional 2 ft. of height.

Grocery or dairy shop	30	15	25	5 & 9	40
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The Bulk and Location of all Public Utility Buildings to be decided in all cases by the Council.

Hotel Zones: For Licensed or Private Hotel use, only to which the bulk and location requirements as for Commercial B shall apply.

Commercial B Zones
Predominant Uses

The following shall be predominant uses in Commercial B Zones: *see proviso incorporated by Change No. 4 to Scheme.*

- (a) Retail and wholesale shops and auction rooms.
- (b) Administrative buildings of the Central and local Government, professional and commercial offices, banks and exchanges.
- (c) Libraries, exhibitions, museums and art galleries.
- (d) Theatres and halls and places of public and private worship, entertainment, and public and private assembly.

Licensed and private hotels, residential and non-residential clubs.

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

Conditional Uses

The following shall be conditional uses in commercial B zones: *See Change No. 4 B Scheme for new provision*

- (a) Retail and wholesale shops and auction rooms where living accommodation is incorporated in the same building if there is not more than one dwelling unit per shop.
- (b) Commercial garages and stores for the sale of petroleum by retail and garages for running repairs in cases where the floor space to be used for repair work does not exceed 1000 square feet and where access from the street in each case is to the approval of the Council:
- (c) Fire stations, electrical substations, transformers, drainage and pumping stations, bus terminals and shelters, and structures of public utility:
- (d) Any process of manufacture of goods most of which are sold by retail on the premises, excluding any of those industries set out in Appendix A and B.
- (e) Buildings accessory to buildings used for any of the foregoing purposes specified in this subclause:
- (f) Retail shops and storage for materials and articles for sale, auction rooms, and residential accommodation in conjunction with retail shops.
- (g) Living quarters for a caretaker or other person whose employment requires that he live on the premises:
- (h) Buildings accessory to buildings used for any of the foregoing purposes:
- (i) Car parking buildings:
- (j) Warehouses for the storage and distribution of goods of a light nature.
- (k) Use of a rear site for any purpose which is permitted in this zone.

Bulk and Location Requirements

The following shall be the normal bulk and location requirements in commercial B zones:

Rear Yards Minimum Depth	25 feet if adjoining a residential zone without intervention of a street, private street, or private way. (See also next succeeding subclause.)
Side Yards Minimum Depth	15 feet on side adjoining a residential zone without intervention of a street, private street, or private way. (See also next succeeding subclause.)

Coverage	75 per cent for buildings other than residential. 50 per cent for buildings containing residential accommodation.
**	For rear sites see ordinance 14
Density	Where commercial and residential uses are combined, the site shall have not less than 1000 square feet of open space about the building for each dwelling unit.
Angle Controlling Height	65°. For graph showing heights permitted for various distances from middle line of Street, see Appendix C of this code.
Maximum Height	110 feet maximum limit

The application of the foregoing requirements to sites within subdivisions existing when this ordinance first becomes operative in respect of the site shall be modified where permanent structures have been erected on the land so that where land for a service lane or private way is provided by the owner at the rear or at the side of the site, the rear yard requirements or the side yard requirements, as the case may be, shall be diminished correspondingly.

Commercial B 1 Zone

Commercial B 1. which zone shall be as importing all definitions provisions and restrictions applicable to commercial B zone, save that the following special conditions shall operate and shall in case of conflict have over-riding effect, namely:-

- (a) The land to be used solely for Commercial purposes i.e. no industry of any kind to be permitted.
- (b) No nuisance to be created particularly by way of smoke, smell or noise.
- (c) That a substation site and/or building be provided if necessary.
- (d) That off-street parking provision of at least 25 feet in depth be provided and used as a barrier between all residentially zoned properties and the commercial buildings and that such parking provision be 180 to 200 cars as shown in the Company's application.
- (e) That full protection be given by some means to safeguard residents from night noises caused through the servicing trades. The Council's opinion in this matter to be final.
- (f) That there be no vehicular exit to Riccarton Road and that such signs be erected and other steps taken as the Council may require to prevent the eastbound traffic entering the property from Riccarton Road.
- (g) That no buildings be erected closer than 20 feet to Riccarton Road.
- (h) That there shall at all times be maintained two entrances and two exits to the property other than off Riccarton Road.

- (i) That no future subdivision of the land be allowed and that the Council's Code of Ordinances be complied with.
- (j) That as to the property known as No. 14 Maxwell Street (C.T. 242/204) the following conditions shall apply:-
 - (i.) The property shall be used as an entrance and exit only to the main block.
 - (ii.) Parking shall be permitted only as far forward as the existing rear walls of the dwellings at 12 and 16 Maxwell Street.
 - (iii.) That carriageways and footways shall be sealed and the remainder of the property suitably landscaped.

Note: For reference to Commercial B 1 see Beath & Co. Ltd. versus Riccarton Borough Council Town Planning Appeal Board No. 231/62.

Industrial A Zones

Predominant Uses

The following shall be predominant uses in industrial A zones:

- (a) All trades and industries such as laundries, bakeries milk processing and distribution, garages, tradesmen's workshops, wood and coal yards, warehouses, stores and storage yards which serve the day to day needs of the district in cases where the total floor space of all floors so used by any such trade or industry does not exceed 5,000 square feet except with the special consent of the Council and provided that in no case shall the total floor area of all buildings on the site exceed 75% of the area of the site and provided further that the Council is satisfied that the proposed use of the buildings will not be detrimental to the amenities of the neighbourhood or -
- (b) Such industries within their present siting as are existing and operative at the 7th June, 1962, within the Industrial A Zones so long as they continue to comply with any conditions imposed by the Council prior to such date.

Conditional Uses

The following shall be conditional uses in industrial A zones:

- (a) Any of the predominant or conditional uses permitted in commercial B zones except licensed and private hotels:
- (b) Any industry other than those falling within Appendix A and - or Appendix B, with the exception that the Council may in its absolute discretion permit industries falling within Appendix B, provided that prior to the issue of any permit under this sub-clause of the conditional uses in Industrial A zones, the Council must be satisfied in all cases that the conduct of the business would not be detrimental to the amenities of the district with particular reference to the effect of smoke, smell, noise or other nuisance.

- (c) Living quarters for a caretaker or other person whose employment requires that he live on the premises:
- (d) Canteens, dining rooms, and ablutions, recreation, and other facilities for the convenience of those engaged in the zone:
- (e) Use of a rear site for any use which is permitted in this zone

Bulk and Location Requirements

The following shall be the normal bulk and location requirements in industrial A zones:

Rear Yards Minimum Depth	25 ft. if adjoining a residential zone without intervention of a street, private street, or private way. (See also next succeeding subclause.)
Side Yards Minimum Depth	15 ft. on side adjoining a residential zone without intervention of a street, private street, or private way. (See also next succeeding subclause.)
Coverage	75 per cent for buildings other than residential. 50 per cent for buildings containing residential accommodation. For rear sites see ordinance 14.
Density	Where industrial and residential uses are combined, the site shall have not less than 1000 square feet of open space about the building for each dwelling unit.
Angle Controlling Height	65°. For graph showing heights permitted for various distances from middle line of street, see Appendix C of this code.
Maximum Height.	110 feet maximum limit.

The application of the foregoing requirements to sites within subdivisions existing when this ordinance first becomes operative in respect of the site shall be modified where permanent structures have been erected on the land so that, where land for a service lane or private way is provided by the owner at the rear or at the side of the site, the rear yard requirements or the side yard requirements, as the case may be, shall be diminished correspondingly.

Industrial C Zones

Predominant Uses

The following shall be predominant uses in industrial C zones:

- (a) Any industry except those falling within Appendix A hereto.
- (b) Living quarters for a caretaker or other person whose employment is such that he is required to live on the premises:

- (c) Canteens, diningrooms, and ablution, recreation, and other facilities for the convenience of those engaged in the zone.

Conditional Uses

The following shall be conditional uses in industrial C zones:

- (a) Living quarters for persons required to be at call when off duty:

Bulk and Location Requirements

The following shall be the normal bulk and location requirements in industrial C zones:

Rear Yards Minimum Depth	25 ft. if adjoining a residential zone without intervention of a street, private street, or private way. (See also next succeeding subclause.)
Side Yards Minimum Depth	15 ft. on side adjoining a residential zone without intervention of a street, private street, or private way. (See also next succeeding subclause.)
Coverage	75 per cent for buildings other than residential. 50 per cent for buildings containing residential accommodation. For rear sites see ordinance 14.
Density	Where industrial and residential uses are combined, the site shall have not less than 1000 square feet of open space about the building for each dwelling unit.
Angle Controlling Height	65°. For graph showing heights permitted for various distances from middle line of street, see Appendix C of this code.
Maximum Height	110 ft. maximum limit.

The application of the foregoing requirements to sites within subdivisions existing when this ordinance first becomes operative in respect of the site shall be modified where permanent structures have been erected on the land so that, where land for a service lane or private way is provided by the owner at the rear or at the side of the site, the rear yard requirements or the side yard requirements, as the case may be shall be diminished correspondingly.

Saleyards Zone: For licensed saleyards use only to which the bulk and location requirements as for Industrial C shall apply.

Subdivisional Standards and Building Sites

ORDINANCE 10: Subdivisional Standards, and Minimum Site Area and Frontage of Building Sites.

(1) Land shall be so subdivided as to meet the requirements of sites for predominant or conditional uses, and as to the bulk and location of buildings, that apply in that zone.

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

<u>Zone</u>	<u>Use</u>	<u>Minimum Area</u>	<u>Minimum Frontage</u>
Residential	(a) Any terrace house	10 perches	25 feet
"	(b) Any semi-detached house	16 perches	40 feet
"	(c) Any dwellinghouse or other building	24 perches	50 feet
Commercial	Any use	8 perches	20 feet
Industrial	Any use	8 perches	24 feet

(2) The requirements of this ordinance shall not apply to any subdivision if the Council is satisfied that the subdivision is intended solely for the adjustment of boundaries which will leave each of the adjoining allotments of substantially the same area as before or if the subdivision is for some purpose of public utility such as to provide a site for an electric or drainage substation and the other site or allotment for separate occupation complies so far as in the opinion of the Council is reasonable with those requirements.

(3) Notwithstanding any other provisions of these ordinances, any site or allotment for separate occupation as a site for a detached dwellinghouse may be reduced in area by not more than one-fifth of the area prescribed if the total number of sites or allotments for separate occupation which would have been obtained without that reduction is not thereby exceeded and if any surplus land is dedicated to the Council for a public purpose or disposed of in accordance with the directions of the Council.

(4) In the case of a front site for a dwelling in a residential zone, being a site with side boundaries diverging from the street, the frontage may be reduced at the discretion of the Council if the width of the site at a distance from the street boundary is not less than the frontage prescribed in subclause (1) of this ordinance.

- (5) No person shall erect any dwelling house on a rear site in a residential zone unless the site has an area of not less than 30 perches and has as its access from a street a strip or piece of land in the same certificate of title at least 14 feet wide and not more than 198 feet long, that is as straight as practicable, and that is not computed or included in the said minimum area. Provided that where two or more such strips are side by side the width of each may be reduced at the discretion of the Council if the total width of the strips does not exceed 20 feet measured at right angles to their course, and if each strip is subject to a right of way in favour of the owners of each of the other strips and provided that the length of such strips may be at the discretion of the Council in cases where it is impracticable to provide a legal street.
- (6) Notwithstanding the requirements of these ordinances as to area and frontage, a dwellinghouse may be erected in a residential zone on a site comprising the whole of a parcel of land which, -
- (a) Being a front site, contains an area of not less than 12 perches with street frontage of not less than 30 feet if it is held in a separate certificate of title or conveyance issued or executed pursuant to a subdivision approved by the Council and is not in the same ownership as any adjoining land; or
 - (b) Is a parcel resulting from the subdivision into not more than two lots of an area occupied as a separate holding if it is impracticable for each lot to satisfy the requirements of subclause (1) of this ordinance and if each lot that is a front site contains not less than 20 perches with street frontage of not less than 40 feet and each lot that is a rear site contains not less than 24 perches exclusive of any land access to the street.
- (7) Subject to the requirements of any By-Law on the subject a copy of every subdivisional plan shall be supplied to the Council for its record.

Protection of Sites for Proposed Streets Etc.

ORDINANCE 11: Buildings not to be Erected on Sites of Proposed Streets, etc.: and Variation of Proposed Streets and Reserves.

- (1) The erection or completion of any building or the carrying out of any work of a substantial nature on any land forming part of the site of a proposed road, street, access way, or service land, public reserve, or designated open space or public work is prohibited without the prior consent of the Council; and, subject to the provisions of section 35 of the Town and Country Planning Act 1953, the Council may give its consent either absolutely or subject to such conditions as it may think fit to impose.

(2) The Council may, by agreement with the owners of the lands thereby affected, vary the position of any proposed road, street, access way, or service lane, or the location or shape of any proposed reserve, so long as the general intention of the original scheme in that respect is secured.

General Ordinances

ORDINANCE 12: Information to be supplied with applications for permits.

In addition to the information required by any By-Law, the applicant for a permit for a building, subdivision, or other work shall, when making his application, supply such drawings and information in detail as may be necessary to indicate that the proposed building, subdivision, or other work will when erected or carried out comply in all respects with this scheme, and in particular that the prescribed provision has been made for off-street parking and loading and garage accommodation for motor vehicles.

ORDINANCE 13: Siting of Buildings
Conditions under which restrictions on buildings and land are to apply.

The permitted uses, height, open spaces, site area, and coverage in the respective zones shall be those set out in ordinances 5 to 9 of these ordinances:

Provided that -

- (a) No person shall erect any building on any front yard, rear yard, or side yard, and all such yards shall be left unoccupied and unobstructed from the general ground level upwards:

Provided also that accessory buildings may be erected on any rear yard if they do not occupy altogether more than one-fifth of the area of the rear yard; and that garage accommodation for private cars on residential sites may be erected on any side yard so long as the garage does not exceed 12 feet in height:

Provided further that, where the physical features of the site are such that adherence to these requirements would be unreasonable, the Council may permit the erection of accessory buildings not exceeding 600 square feet in area on any part of the site:

- (b) No person shall erect in a residential zone accessory buildings the total floor area of which shall exceed on any site of the minimum area permitted there, 600 square feet; or, on any larger site, that floor area plus one-third of the area by which the area of the site exceeds the minimum area permitted:

- (c) If in the opinion of the Council compliance in any particular case with the yard requirements of this scheme would seriously diminish the usefulness of the site for building purposes and subject to the written consent of the owners of the adjoining land on the side where yard space is to be diminished, the Council may, by resolution in respect of that site, vary or dispense with the provisions of this scheme relating to one or more of the yard requirements:

Provided that in no case shall the total area of yard space required by this scheme be reduced:

- (d) In the case of a corner site, the owner may select either street boundary as the front boundary of the site:
- (e) In the case of a through site, the owner shall provide two rear yards at or near the middle of the site and front yard on each frontage of the site unless the Council by resolution declares which frontage of the site shall be deemed to be the rear boundary, in which case the provisions as to rear yards shall apply with respect to that frontage and the provisions as to front yards with respect to the other frontage.

ORDINANCE 14: Requirements as to commercial and industrial buildings on rear sites.

On a rear site in a commercial or an industrial zone, the coverage shall not exceed three-quarters of the coverage permitted on a front site and the building shall be sited so as to facilitate fire fighting and to allow access and turning space for vehicles.

ORDINANCE 15: Requirements as to residential buildings on rear sites.

No person shall erect any residential building or cause or permit any residential building to be erected on a rear site unless every part of the building is 10 feet or more from any boundary of the site; and in the case of a residential building other than a dwellinghouse or a semi-detached house, the owners shall construct and maintain an adequate driveway or footpath or both giving access to the site and the buildings thereon, and the owners shall provide at all times while the street lights are lit artificial light sufficient to illuminate properly the drive and footpaths.

ORDINANCE 16: Special conditions applying to residential buildings grouped about a place.

- (1) For the purpose of this ordinance "place" means an open unoccupied space not less than 40 ft. in width and of the same frontage to a public street, and permanently set apart as the principal means of access to two or more sites.

- (2) In the case of sites for residential buildings grouped about a place -
- (a) Every site shall comply with the frontage and area requirements under this scheme for sites on which residential buildings may be erected as if the place were a street:
 - (b) Every building shall comply with the provisions of this scheme for the zone in which it is situated as to height and space about buildings as if the place were a street:
 - (c) Where independent street access to all of the building sites does not exist, the owner or owners thereof shall provide and maintain a paved driveway, of width, location, grade, and construction prescribed by the Council, to give vehicular and pedestrian access to each building site:
 - (d) The owners shall provide at all times while the street lights are lit artificial light sufficient to illuminate properly the means of vehicular and pedestrian access to each building site.

ORDINANCE 17: Minimum areas not to be reduced.

- (1) No person shall so reduce or diminish any site or cause or permit any site to be so used, reduced, or diminished that the open spaces thereof shall be smaller than are prescribed by this scheme.
- (2) 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.

Heights of Buildings in Commercial and Industrial Zones

ORDINANCE 18: Angle Controlling Height.

- (1) At the street frontage of any site the term "angle controlling height" means an acute angle formed at the middle of the street between -
 - (a) A horizontal plane at curb level extending between the curb and the middle line of the street; and
 - (b) An inclined plane rising at an angle of 65 degrees from the middle line of the street at curb level and extending over the whole site.
- (2) At the rear of any site the term "angle controlling height" means an angle of 65 degrees formed in the same manner as at the street frontage of the site, except that if there is a lane at the rear of the site the middle line thereof at ground level shall be taken instead of the middle line of the street, and, if not, the rear boundary shall be taken instead of the middle line of the street.

- (3) In any industrial or commercial zone (other than a commercial A zone) the height of every building (including its parapet, cornice, roof ridge, or other solid element), or other structure or part thereof, shall be restricted so that every part thereof shall be contained within the angle controlling height.
- (4) In determining the width of a street and the middle line of a street with respect to a given site in an industrial or commercial zone, all streets more than 100 ft. in width shall be considered to be 100 ft. in width, and the middle line taken at 50 ft. from the front boundary of the lot.
- (5) In the case of a corner site fronting streets of different widths, the middle line of the narrower street shall be deemed to lie at the same distance from the boundary of the site as the middle line of the wider street for a distance of 100 ft. from the corner or the length of the frontage to the narrower street, whichever is the less.
- (6) In determining whether any building or structure or part thereof is contained within the angle controlling height, the following shall not be taken into account:
- (a) Lift wells, elevator and stair bulkheads, roof water tanks, and cooling towers (together with their enclosures):
Provided that the maximum dimension thereof parallel to the middle line of the street shall not exceed 30 ft.
 - (b) Chimneys and flues:
Provided that the maximum dimension thereof parallel to the street shall not exceed an aggregate of 15 ft. for any 100 ft. of frontage:
 - (c) Spires, flagpoles, aerials, wire, chain, link, or other open or transparent fences:
 - (d) A one-story structure located in a rear yard when permitted by the use ordinance for the zone, including any of the following:
 - (i) A basement or first floor used for accessory off-street parking spaces:
 - (ii) A ground floor used for retail or commercial purposes:
 - (iii) A one-story detached accessory building:
 - (iv) A wall along a boundary of a site.

TRAFFIC

ORDINANCE 19: Loading and Parking.

- (1) Every person who proposes to erect, re-erect, construct, or reconstruct a building on a site fronting a public highway or intended public highway shall provide within the site suitable and efficient accommodation for any loading, unloading, or fuelling of vehicles which is likely to arise from the use of the building.
- (2) Except where the Council by resolution determines that this provision need not apply, every owner or occupier of a building in a commercial or industrial zone shall provide adequate vehicular access to the rear of the premises, either over his own land or by the dedication of a service lane or otherwise.
- (3) 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 unless the Council otherwise determines by resolution.
- (4) The site plan furnished in connection with an application for a permit to erect any residential building shall, in addition to the information otherwise required hereby, show in the general layout of the site provision for space for garage accommodation or off-street parking for cars as follows:
 - (a) In the case of one family or two family dwellinghouses, accommodation for 1 car for each household:
 - (b) In the case of an apartment house or building containing service flats, accommodation for cars in the proportion of not less than 1 car to every 1 household which the building is designed to accommodate:
 - (c) In the case of a boardinghouse, a lodginghouse, or a similar residential institution used for permanent residents, accommodation for cars in the proportion of not less than 1 car for every 5 persons or fractional part thereof whom the building is designed to accommodate.
- (5) Off-street parking requirements for other buildings.

Provision for off-street parking of vehicles in accordance with the following ordinances shall be made in respect of every site as follows:-

<u>Use of Site</u>	<u>Parking Spaces Required</u>
Hotels	1 for each 6 guest rooms.
Hospitals	1 for every 10 patients' beds plus 1 for each resident or consulting doctor who might be in attendance at the time when the greatest number of such doctors are likely to be in attendance.

<u>Use of Site</u>	<u>Parking Space Required</u>
Cinemas, churches and mortuary chapels	1 to each 25 seats
Halls	1 to each 200 square feet of gross floor area.
Industrial Uses & Commercial Garages	1 to each 600 square feet of gross floor area.
Retail shops, libraries, depots, professional & business offices	1 to each 600 square feet of gross floor area.
Warehouses, stores, or storage yards	1 to each 2000 square feet of area so used.
Roadside restaurants	1 to each 4 seats.

- (6) The provision for parking required above may be made in any case as part of the yard space of any site.
- (7) 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 is practicable.
- (8) Every off-street parking space shall have an area of not less than 180 square feet exclusive of access drives or aisles and shall be of usable shape and condition. There shall be adequate provision for ingress to and egress from a parking space.
- (9) Wherever in any building there is a change in use or increase in floor area, the requirements of these ordinances for off-street parking for the new use of floor area shall be complied with.
- (10) With the consent of the Council two or more owners may subject to such conditions as the Council may impose jointly make provision for off-street parking facilities for their buildings so long as the total provision so made is not less than the sum of the requirements of the various buildings or uses computed separately, except where vehicles are or will be attracted to each site regularly at times that seldom coincide with the times when vehicular traffic is attracted to the other or others of them, in which cases the requirements may be computed as for the sum of the uses which demand the greatest provision at any particular time.
- (11) 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.

- (12) 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 good condition.

ALTERATIONS AND MODIFICATIONS

ORDINANCE 20: Repairs, alterations and modifications to non-conforming premises.

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

PROVISION AND PRESERVATION OF AMENITIES

ORDINANCE 21: Preservation of objects and places of historical interest and natural beauty.

- (1) In respect of any object or place of historical interest or natural beauty which is specified in the statement as intended to be preserved, the Council shall enter particulars thereof in a register to be kept at the office of the Council; and shall forthwith notify the owner and occupier of land upon which any such object or place is situated that it has been registered and is required under the scheme to be preserved. The register shall be open at all reasonable times for inspection by persons interested.
- (2) No person shall, without the written consent of the Council wilfully destroy, remove, or damage any object or place registered by the Council as aforesaid.
- (3) The Council may at any time cancel such registration, and shall thereupon make an appropriate alteration in the register and notify accordingly the owner or occupier of the land upon which the object or place is situated.

ORDINANCE 22: Control of Advertising.

- (1) For the purpose of this ordinance -

"Poster" includes any poster, placard, handbill, writing, picture, painting, engraving, carving, illuminated sign, or other device for attracting attention of passers by, whether affixed to or incorporated with or painted on to any building or part thereof or other erection and whether permanently or temporarily so affixed or incorporated or painted thereon:

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

- (2) No person shall erect or construct or display or cause or permit to be erected or constructed or displayed in any residential zone any signboard or poster; and no signboard or poster shall be erected in any zone so as to be obtrusively visible from a residential zone:

Provided that this subclause shall not apply to -

- (a) Any poster or signboard of reasonable size and serving only to direct traffic or to denote the name of the street, the number of any premises, the name of any residential building, or the name, character, or purpose of any premises or the location or timetable or other details of any public utility or facility:
- (b) Signboards not exceeding 12 square feet in area erected in connection with a church, school, public museum, library, hospital, nursing home or convalescent home:

- (c) Any signboard not exceeding 6 square feet in area advertising the disposal of the land or premises on which it is situated:
 - (d) Signboards advertising an auction sale to be held on the premises on which the signboard is erected and so erected and displayed not more than seven days before and after the auction:
 - (e) Any signboard not exceeding 2 square feet in area attached to a residential building used for professional or business purposes and bearing only the name, occupation, and hours of attendance or business of a person so using the building.
- (3) If at any time the Council, having regard to the amenities of, or to the views from, any neighbourhood, is of the opinion that the erection, construction, or display of any signboard or poster ought not to be permitted, the Council may by resolution prohibit the erection, construction, or display of any such signboard or poster.
- (4) The number and designs of signboards which may be displayed on any site or building shall be subject to the approval of the Council.

ORDINANCE 23: Verandahs on commercial premises:

Where the Council has designated any street in a Commercial Zone as a commercial street and the owner of any building confronting that street desires to erect a verandah then such verandah shall conform to such minimum and maximum heights as the Council may prescribe but each so related to its neighbours as to provide continuity, and each having a fascia within such limits or depths as the Council may prescribe. No such verandah shall be supported by posts on the street.

ORDINANCE 24: Harmony in design and external appearance of building

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

ORDINANCE 25: Preservation of Amenities.

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

ORDINANCE 26: Christchurch Airport, Safety Zoning Provisions for Flight Operations.

- (1) The safety zoning provisions for flight operations at Christchurch Airport form part of this Scheme and are included in accordance with the requirements of the Minister of Works supplied in a Statement dated 29th November, 1960, under the provisions of Section 21 of the Town and County Planning Act, 1953 and amendments thereto:
And as further required by the Minister these safety zoning provisions shall be implemented and any liabilities resulting therefrom shall be met in accordance with arrangements made between the Minister-in-Charge of Civil Aviation on the one hand and the Christchurch City Council on the other.
- (2) The land that lies under the various clearance surfaces specified for safety zoning provisions for flight operations is shown for the purposes of this scheme on the District Scheme map as indicated by the Notation:
- (3) Any object or portion thereof that extends above the clearance surface shall be regarded as an obstruction and shall be removed.
- (4) Any new building, or portion thereof, that would project above the clearance surface shall be prohibited.
- (5) Notwithstanding the requirements of sub-section three and sub-section four of this section, any object or portion thereof that projects or, being a new building, would project above the clearance surface specified may, with the consent of the Minister-in-Charge of Civil Aviation, be permitted to project above the clearance surface specified:
Provided that any such object or portion thereof shall be marked in accordance with the requirements of the Minister-in-Charge of Civil Aviation for obstruction marking.
- (6) For the purposes of the Scheme, the mean level of the landing area of Christchurch Airport is a height of 105 feet above mean sea level.

ORDINANCE 27: Wigram Airfield, Provisions for Obstruction Clearance Areas.

- (1) The provisions for obstruction clearance areas at Wigram Airfield form part of this Scheme and are included in accordance with the requirements of the Minister of Works supplied in a statement dated 29th November, 1960, under the provisions of Section 21 of the Town and Country Planning Act, 1953 and amendments thereto.
- (2) The land that lies under the obstruction clearance surfaces is shown, for the purposes of this Scheme on the District Scheme map as indicated by the Notation.

- (3) Any object or portion thereof that extends above the obstruction clearance surface specified shall be regarded as an obstruction, and shall be removed.
- (4) Any new building or portion thereof that would project above the obstruction clearance surface specified shall be prohibited.
- (5) Notwithstanding the requirements of sub-section three and sub-section four of this section, any object or portion thereof that projects or being a new building would project above the obstruction clearance surface specified may with the consent of the Minister of Works, be permitted to project above the obstruction clearance surface:
Provided that any such object or portion thereof shall be marked in accordance with the requirements of the Minister of Works for obstruction marking.
- (6) For the purposes of this Scheme the mean level of the landing area of Wigram Airfield is a height of 74 feet above mean sea level.

APPENDIX A

Abattoirs
Acids Manufacture
Ammunition Manufacture
Animal By-products Manufacture
Arsenic Recovery Works
Artificial Manure Manufacture

Boiling Down Works
Bone Crushing

Candle Manufacture
Cement Bag Cleaning Works
Cement Manufacture

Distillation of Coal, Wood or Bones

Explosive Manufacture or Storage

Fat Rendering
Fellmongering
Fertilizer Manufacture
Fireworks Manufacture or Storage
Fish curing and Preserving
Fuel Oil Refining and Storage
Fur Curing and Tanning

Gas (coal) Manufacture
Gelatine Manufacture
Glue Manufacture
Gunpowder Manufacture

Incinerator

Knacker Yards

Leather Tanning
Lime Manufacture
Manure (artificial) Manufacture
Meat Works - killing, freezing, and packing

Oil Distillation and Refining

Paper Pulp Manufacture

Sausage Casing Manufacture
Soap Manufacture
Stockyards:

Provided that for the purpose of ordinances relating to conditional uses in rural zones stockyards shall be deemed to be a use of land ancillary to farming, and not a use to which this Appendix relates.

Tallow Melting and Refining
Tanning and Currying
Tar Manufacture, Refining, Mixing
Turpentine Manufacture

Varnish Manufacture

Whaling Station
Wool Scouring

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

APPENDIX B

Acetylene Gas Manufacture
Aeroplane Manufacture or Assembly
Agricultural Machinery and Implements Manufacture
Ammonia Manufacture
Animal Foods Manufacture
Asbestos Cement Products Manufacture
Asbestos Manufacture
Asphalt Manufacture, Refining, Storage, or Mixing
Bags and Sacks (textile) Manufacture
Blacksmith's Shop
Boat Building
Boiler Works
Bottle Factory
Brass Foundry
Brewery
Brick and Tile Manufacture
Briquette Manufacture
Burnt Clay Products

Carpet Manufacture
Casein Manufacture
Celluloid Works
Cement Manufacture
Chemicals Manufacture
Coal Briquette Manufacture
Cold Storage
Concrete - Central Mixing Plant
Constructional Engineer's Workshop or Yard
Cooperage Works
Creosote Manufacture and Treatment

Disinfectant Manufacture
Distillation of Spirits
Drugs Manufacture
Dyes Manufacture

Electric Power Generating Station
Engineer's (constructional) Workshop or Yard

Felt Manufacture
Fireclay Products Manufacture
Flax Milling
Flock Mills
Flour Milling

Gas Storage
Glass Manufacture
Glass Products Manufacture
Glucose Manufacture
Gold Mining
Grain Elevator
Grain Milling
Grain Threshing and Crushing
Gravel, Sand, or Shingle Pits
Graving Dock
Gypsum Manufacture

Harbour Facilities - Wharfage, Sheds etc.
Hides, Wool, and Tallow Warehouse
Hydro-Electric Power Station

Ink Manufacture
Iron Foundry
Iron Mining
Iron Smelting
Iron Stove, Range, and Grate Manufacture
Jam, Fruit, and Vegetable Preserving
Junk Yard, Scrap Metal, Bottles etc.
Linoleum Manufacture
Malting
Margarine Manufacture
Match Manufacture
Motor Body Building
Motor Car Wrecking
Motor Vehicle Assembly
Nail Manufacture
Oil Cake Manufacture
Oil Storage
Oils - Essence or Extract Manufacture
Oils - Vegetable Manufacture
Oxygen Gas Manufacture
Packing Case Manufacture
Paint Manufacture
Panel Beating Works
Paper Manufacture
Patent Fuel Manufacture
Petrol Storage
Pickles and Sauce Manufacture
Plaster of Paris Manufacture
Plywood Manufacture
Polishes Manufacture
Post Splitting and Sleeper and Prop Cutting
Pottery Manufacture
Pumice Pit
Quarry - Road Metal, Gravel, Sand, Shingle, Marble,
Building Stone
Railway Goods Yards
Railway Trackage
Railway Workshop
Roading Contractor's Workshop or Yard
Rolling Mill
Rubber Goods Manufacture
Rug Manufacture
Sacks and Bags (textile) Manufacture
Sash and Door Factory
Sauce and Pickle Manufacture
Sawmill
Scrap Metal Yard
Seed Cake Manufacture
Seed Cleaning
Sheep Dip Manufacture
Sheet Metal Manufacture
Shell Crushing
Ship Building
Shoddy Manufacture
Smelting Metals
Stains Manufacture
Starch Manufacture
Steel Mill
Stone Crushing
Stone Cutting or Dressing (except Monumental Masonry)

Stone Quarrying
Stove, Range, and Grate Manufacture
Sugar Refining

Tar Storage
Timber Yard (Wholesale)
Tinplate Manufacture
Tram Repair Shop

Varnish Blending
Vehicle, Motor, Assembly
Veneer Manufacture
Vinegar Manufacture

Wallboard (other than fibrous plaster) Manufacture
White Lead Manufacture
Wire Manufacture
Wood Box Manufacture
Wood Shaving Packing Manufacture
Wool, Hides, and Tallow Warehouse
Woollen Mills
Wool Packs, Rugs, etc. Manufacture
Yeast Manufacture

APPENDIX C

Permitted Height Relative to Distance from Centre Line of Street or Rear Boundary of Site with a Ruling Angle Controlling Height of 65 degrees.

