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# COUNTY OF WAIMAIRI

# DISTRICT SCHEME

**SCHEME STATEMENT**

and

**CODE OF ORDINANCES**

**UNDER THE**

**TOWN AND COUNTRY PLANNING ACT 1953**

**AND ITS AMENDMENTS**

*Publicly notified -  
1st May 1971*

*Operative -  
1st Sept 1974*

*Review notified -  
1983*

C O U N T Y   O F   W A I M A I R I

D I S T R I C T   S C H E M E

S C H E M E   S T A T E M E N T

AND

C O D E   O F   O R D I N A N C E S

U N D E R   T H E

T O W N   A N D   C O U N T R Y   P L A N N I N G   A C T   1 9 5 3

A N D   I T S   A M E N D M E N T S

It is hereby certified that this is a correct copy of the Scheme Statement and the Code of Ordinances which together with the District Planning Maps form the District Planning Scheme as reviewed for the County of Waimairi and as recommended by resolution of the Waimairi County Council on the 15th April 1971.



COUNTY CLERK

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# S C H E M E     S T A T E M E N T

## PART I

### INTRODUCTORY

#### CLAUSE 1 - DOCUMENTS COMPRISING DISTRICT SCHEME

This Scheme Statement, the Code of Ordinances and the District Planning Maps comprise the County of Waimairi District Scheme (hereinafter called the District Scheme), as required by Section 19 of the Town and Country Planning Act 1953, and Regulation 15 (1) of the Town and Country Planning Regulations 1960. The District Scheme deals with all matters listed on the 2nd Schedule to the Act together with any other matters relevant to the planning of the growth of the County of Waimairi.

#### CLAUSE 2 - AREA

The District Scheme provides for the future development of the County of Waimairi being an area of approximately 28,150 acres as shown on the District Planning Maps.

#### CLAUSE 3 - REVIEW OF DISTRICT SCHEME

The Council is required by Section 30 of the Act to review the District Scheme every five years. The District Scheme became operative on the 1st April 1965 and this is the first review. The review enables the Council to adjust the Scheme to make allowance for social and economic changes in the intervening period, and make use of more up-to-date predictions of growth in the new planning period.

#### CLAUSE 4 - PLANNING PERIOD

The District Scheme covers a term of 20 years (hereinafter called the planning period) being the years 1970 to 1990 and attempts to provide the means necessary for efficient, economic and harmonious development. Some projections have, however, been made for a longer period.

#### CLAUSE 5 - INTERPRETATION

In this statement unless the context requires otherwise, words and phrases have the same meanings as in the Code of Ordinances. Full interpretation and definitions are contained in Ordinance 1.

PART IIPOPULATION, OCCUPATIONAL STRUCTURE, AND FUNCTIONS OF THE DISTRICTCLAUSE 1 - POPULATION, WAIMAIRI COUNTY

The following table illustrates the growth of population within the present county boundaries from 1956. Earlier figures are obscure because of boundary changes. The growth of the Christchurch Region and New Zealand are included as a comparison.

<u>Year</u>	<u>Population</u>	<u>Increase</u>	<u>County</u>	<u>% Increase (Annual)</u>	
				<u>Ch 'Ch Region</u>	<u>N.Z.</u>
1956	25,297				
1961	39,610	14,313	9.39%	2.63%	2.11%
1966	52,164	12,554	5.76%	2.35%	2.11%
1969	57,600 (Est.)	5,436	3.37%	1.46%	1.28%

Source: Population Census,  
Department of Statistics

The rate of population increase throughout the country has declined and the actual increase in the district for the year ending 31st March 1969, has been estimated at being very close to 3.3%.

CLAUSE 2 - POPULATION GROWTH - WAIMAIRI COUNTY

The population growth is dependent on many factors including the industrial growth in the Christchurch region and the area, character and quality of land available for new development, in the district.

A continuation of the present rate of increase in the district is not expected because of the limited area of land available for development.

The available area is controlled by the Christchurch Regional Planning Scheme and in the recent review of that Scheme the area available for urban development in the district prior to 1976 was increased by approximately 390 acres. A further 500 acres are zoned deferred urban and will not be developed until services are available. These areas, together with the vacant land at present in the residential zones, will be the only land available for residential development in the district unless a further review or modification of the Regional Planning Scheme is carried out.

Taking the foregoing into account the future population figures have been estimated as set out in the table below. In the event of any early review or modification of the Regional Planning Scheme being necessary to cater for the natural population increase these figures could be increased dependent on the release of any land in the district from rural protection in any such review or modification.

CLAUSE 2 - POPULATION GROWTH - WAIMAIRI COUNTY (cont.)Population ProjectionsWaimairi County

Population 1970	59,400	
Population 1975	66,000	+ 2.1% p.a.
Population 1980	72,000	+ 1.8% p.a.
Population 1990	83,000	+ 1.4% p.a.

The estimated populations in the above table have taken into account the land available within the urban area at present and also allowing for extensions to the urban area in the future.

CLAUSE 3 - AGE AND SEX STRUCTURE

At the time of the 1966 census the population of the district comprised 25,762 males and 26,402 females.

The total population at the last census falls into the following age groups.

	<u>Per Cent</u>	<u>Per Cent</u> (N.Z. 1966)
Pre School Age (Under 5 Years)	12.9	11.5
School Age (5 and Under 16 Years)	22.2	21.1
Working Age (16 and Under 65 Years)	58.1	59.0
Over Working Age	<u>6.8</u>	<u>8.4</u>
	<u>100.0</u>	<u>100.0</u>

CLAUSE 4 - OCCUPATIONAL STRUCTURE OF THE POPULATION

As the urban area of the district forms part of the Christchurch urban area it is not logical to consider the occupational structure of the district only. Many people who reside in the Council's administrative district work in other parts of the urban area and some residing outside the district work in the district. The occupational structure of the urban area as a whole is, therefore, considered as the only satisfactory guide to the present and future function of the district.

Total Employment - The Christchurch Urban Area - April 1967

Manufacturing	31,718
Building and Construction	6,321
Transport and Communications	7,038
Commerce	17,200
Domestic and Personal Services	3,421
Administration and Professional	11,788
Other	<u>6,637</u>

Source: Labour Department

84,123

CLAUSE 5 - PRESENT CHARACTER OF THE COUNTY

In relation to the surrounding region, particularly the Christchurch urban area, the social and economic functions of the district are mainly of a suburban and residential character. There is a substantial proportion of rural land use, but the rural population is small in comparison to the urban population. The climate is mild and equable and all outdoor sports and activities are popular with residents. The soil is generally good, and a large portion of the rural area is used for market gardening and mixed farming which supply the urban area of Christchurch. Building materials - concrete aggregate, brick and timber, are plentiful and comparatively cheap. There is a continuing demand for building sections in the district and there is every indication that this will continue along with a demand for commercial and industrial development. The district must be planned to cater for these demands and the scheme aims to serve a population of 83,000 within the planning period and also a greater population after 1990.

PART IIILAND USECLAUSE 1 - PRESENT DISTRIBUTION OF LAND USE

The present distribution of land use is shown on the planning data maps which are available for inspection in the Council's Office.

CLAUSE 2 - LAND USE SURVEY ANALYSIS - 1966

The land use survey was conducted by the Christchurch Regional Planning Authority and the land use classification was designed for electronic data processing using a four digit code to describe the various uses. The following list tabulates land use within the County at August 1966.

Code		<u>Total Area</u>	<u>No. of Units</u>
0	Unused Land - Buildings	4,050	850
1	Primary and Extractive Industries	16,455	660
2	Industry (Manufacturing)	303	121
	Industry (Service)	45	81
3	Commerce	104	363
4	Public Use	620	137
5	Railways	69	-
6	Residential	3,217	14,282
7	Utility Services	36	166
8	Open Space - Active Recreation	698	66
	Passive Recreation	168	24
	Natural Environment	1,010	72
9	Storage	11	8
		<u>26,786</u>	

In addition there were 193 miles of road taking up an area of approximately 1,350 acres in the district. This 1,350 acres of road includes 80 acres in motorway which at the time of the survey was vacant land.

CLAUSE 3 - LAND USE IN EXISTING ZONES

The zones created in the first district scheme have directed the growth of various land uses in the County since that scheme was in the undisclosed stage. In order to consider the future growth of land uses it is necessary to examine the development which has occurred under the first scheme.

(1) Land Zoned Residential (First Scheme)

Approximately 5,200 acres were zoned for residential purposes in the first scheme and of this there are at present 1,400 acres of this area still undeveloped for residential purposes.

Of the undeveloped land approximately 500 acres have not been available for development because of the lack of drainage facilities.

(2) Land Zoned Commercial (First Scheme)

Approximately 39 acres were zoned for commercial purposes in the first scheme and of this 9 acres are still undeveloped for commercial purposes.

(3) Land Zoned Industrial (First Scheme)

Approximately 352 acres were zoned for industrial purposes in the first review and 160 acres are developed for this purpose.

A portion of the balance is held by industrial concerns for future expansion and 95 acres are held by the N.Z. Railways in the north-western area of Redwood, west of the Styx overbridge.

In addition, there are approximately 150 acres (at Sawyers Arms Road (101 acres) and at Empire Road - North Road vicinity (49 acres)) zoned for industry not appropriate to urban industrial zones and shown on the Planning Map as Rural Industrial.

(4) Land Zoned Rural (First Scheme)

The balance of the land in the County having an area of 20,200 acres was zoned rural.

PART IVZONING POLICYCLAUSE 1 - INTRODUCTION

- (a) Future building and the development in the district shall be so directed as to avoid the indiscriminate mixture of incompatible uses, with the object of economising in the servicing of the district and maintaining the stability of property values. This objective is 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



CLAUSE 1 - INTRODUCTION (cont.)

(a) (cont.)

future building and other development proceeds, and in some cases securing compatibility by imposing special conditions.

- (b) The areas within the district that are zoned for particular purposes have been designed to provide for the needs of the district over the next 20 years.
- (c) Urban development will be consolidated as far as practicable in areas zoned for urban development in preference to permitting expansion beyond the urban zone.
- (d) The predominant and conditional uses permitted in each zone are set forth in the Code of Ordinances which forms part of the District Scheme.
- (e) To avoid sporadic development during the planning period with consequential demands for uneconomic services, certain areas have been zoned for deferred urban use. The undeveloped areas within the urban area of the district are not of sufficient size to warrant the introduction of stage development into this Scheme.
- (f) Each zone is identified on the District Planning Map by the appropriate notations.

CLAUSE 2 - RURAL ZONES

Rural Zones in the district can be classified into two groups.

Land which because of its actual or potential agricultural value and/or remoteness from existing public services and facilities, should be reserved during the planning period for non urban purposes and

Land which, because of its location and poor agricultural value, is suited to development, under special conditions, for the purpose of those industries which are associated with or ancillary to any uses which are appropriate to a rural area or those industrial uses which are not appropriate to an urban area.

The groups are namely the Rural Zone and the Rural Industrial Zone.

(1) Rural Zone

The area of the rural zone is 19,280 acres and any land within the zone may be used for farming purposes and may also be used for any other purpose permitted in a rural zone under the Code of Ordinances unless the proposed use would:-

- (a) Cause demand for extension of public services that is not in the economic interests of the region or locality.

CLAUSE 2 - RURAL ZONES (cont.)(1) Rural Zone (cont.)

- (b) Cause public services that already exist or are substantially committed to be uneconomically used.
- (c) Tend to promote close settlement.

(2) Rural Industrial Zones

The area of the Rural Industrial Zones is 176 acres. Any use of land in Rural Industrial Zones, other than predominant uses in Rural Zones, shall be the conditional uses as set out in the Code of Ordinances.

CLAUSE 3 - DEFERRED URBAN ZONES

The Deferred Urban Zones constitute temporary rural zones where future urban development is envisaged. While being appropriate areas for urban development in the future, these zones are not suitable for development at the present time because of the lack of services and their location in relation to the major built-up area.

The date when such zones will be available for urban development is dependant on the availability of services and until such time as these are available the Deferred Urban Zones will remain as part of the Rural Zone and subject to all provisions of this Scheme applicable thereto. The aggregate area zoned Deferred Urban is 500 acres.

CLAUSE 4 - RESIDENTIAL ZONES

The General Aims of These Zones Are:-

- (a) To provide sufficient space in appropriate locations for residential development with due allowance for the need for a choice of sites.
- (b) To protect residential areas from objectionable influences.
- (c) To encourage development where full provision of public services and facilities are available.
- (d) To prevent, as far as possible, the intrusion of heavy traffic and through traffic.
- (e) To protect residential areas against congestion, as far as possible, by regulating the bulk of buildings in relation to the land around them and to one another.
- (f) To provide space for those public and private, educational, recreational, health and similar facilities which generally perform their functions more effectively in a residential environment, which serve the need of nearby residents and do not create objectionable influences.

CLAUSE 4 - RESIDENTIAL ZONES (cont.)

Two residential zones are established in the Scheme, namely Residential 'A' and Residential 'B'.

Residential 'A' Zones will continue to provide for single family dwellings and up to two units on any one site.

Residential 'B' Zones of higher density have been provided in close proximity to district shopping centres and community focal points which in providing community services generate a large number of vehicle and pedestrian trips and also in close proximity to the University of Canterbury which itself will create a demand for high density accommodation. The density of population aimed at takes into consideration the use of public services (transport, public utility etc.) and the length of journeys to work, particularly of those employed outside the district in the central employment area of Christchurch.

The progressive decrease in the density of population from the central area of Christchurch to the outer areas of the metropolitan area is logical and provides for the variety of living in such areas. The fact has been taken into account in the establishment of the residential zones in this Scheme.

The range of residential zones established in the Scheme are set out as follows:-

<u>Zone</u>	<u>Area</u>	<u>Residential Density Control</u>
Residential 'A'	5,200 Acres	30 Persons Per Acre
Residential 'B'	150 Acres	64 Persons Per Acre

The number of persons per acre of site is calculated on the basis of the number of bedrooms provided within the buildings. A bedroom of 100 square feet or more shall be assessed as two persons; less than 100 square feet shall be assessed as one person.

CLAUSE 5 - COMMERCIAL ZONES

The commercial areas in the district can be classified into two groups:-

- (1) Commercial areas which cater for the day to day needs of the neighbourhood and comprise of retail shops.
- (2) Commercial areas which cater for larger districts and comprise of other commercial development as well as retail shops.

These two types of commercial areas are zoned as Commercial 'A' and Commercial 'C' respectively.

Further provision is made in the Scheme for development of commercial areas in accordance with a development plan which ensures the development of integrated centres. Such areas have been zoned as Commercial A1 and the development plans which are to be generally conformed with are appended to the Code of Ordinances.

The aggregate area at present used for commercial purposes is 30 acres.

CLAUSE 5 - COMMERCIAL ZONES (cont.)

The aggregate area zoned for commercial purposes in the Scheme are:-

Commercial 'A'	-	13 acres
Commercial 'A1'	-	2.5 acres
Commercial 'C'	-	20 acres

CLAUSE 6 - INDUSTRIAL ZONES

The Industrial Zones are intended to minimise interference of industry with other uses and are grouped according to common characteristics.

In order to achieve this, four zones are specified in the Code of Ordinances thus:-

- Industrial 'A' - (Service and light industry including offices and showrooms)
- Industrial 'A1' - (Light manufacturing and uses having a high density of employment which are restricted to ensure compatibility with a residential environment).
- Industrial 'C' - (Heavy industry other than noxious industries)
- Industrial 'D1' - (Freezing works and associated industries)

The Industrial 'D1' Zone is located at Belfast and includes the existing freezing works and associated industries. This is the only provision made for noxious industries in the district.

Further provision is made for certain industries in Rural Industrial Zones.

The aggregate area at present used for industrial purposes within urban industrial zones is 160 acres.

The aggregate areas zoned for industrial purposes within the urban zone are:-

Industrial 'A'	-	55 acres
Industrial 'A1'	-	169 acres
Industrial 'C'	-	350 acres
Industrial 'D1'	-	130 acres

CLAUSE 7 - CHRISTCHURCH INTERNATIONAL AIRPORT PROTECTION ZONE

This zone is the same as included in the first scheme and was required by the Christchurch City Council as Airport Authority for the Christchurch International Airport. The object of the zone is to protect the airport (with particular reference to the north west - south east subsidiary runway approach path) from encroachment by urban development.

CLAUSE 8 - NON-CONFORMING USES

The non-conforming use is an authorised use established in an area before a planning scheme comes into force. Under the provisions of the Town and Country Planning Act 1953, such a use has the protection of an "existing use" right, even though it may be incompatible with the predominant character of the zone. The creation of commercial or industrial "spot" zones to cover non-conforming uses would enable the owner of the property to carry out any commercial or industrial business on the property appropriate to the "spot" zone. Many of these uses would detract from the amenities of the neighbourhood, and in some cases more so than the original "existing use". In order to provide for the utilisation of land and buildings when any non conforming use has ceased, the policy is generally to permit a succeeding use provided that it is a use which would detract from the amenities of the neighbourhood to a lesser degree than the previous use, particularly where there are substantial buildings of a non-conforming nature on the site. This policy will ultimately achieve uses more in character with the zone in which they are located.

CLAUSE 9 - PREDOMINANT USES

Subject to the provisions of the Ordinances, consent of the Council shall not be required under the Ordinances to the use of any land or building for any use specified at that time as a predominant use in the zone in which it is situated, if that use is in accordance with every requirement set forth in the Code of Ordinances in respect of it as a predominant use; but subject to Ordinance 1. 4. 4. any proposed departure from those requirements shall have the effect to constitute that use a conditional use in that zone and the provision of the Code as to conditional uses in that zone shall apply as if it had been specified as a conditional use within that zone.

CLAUSE 10 - CONDITIONAL USES1. General

Subject to the provisions of the Ordinances, the use of any land or building for any use specified and permitted at that time as a conditional use in the zone in which it is situated is permitted, subject in each case to the consent of the Council and to such conditions, restrictions and prohibitions as the Council shall impose.

2. Procedure

The procedure to be followed is set out in Section 28 (c) of the Act and Regulation 32 of the Regulations.

PART VRECREATION RESERVES AND OPEN SPACESCLAUSE 1 - INTRODUCTION

The provision of recreation and open space is an important part of the District Scheme. Land which is suitable for development as organised sport areas is actively sought after for other uses, hence the need to preserve them in advance of development. Some areas are already vested in the Council and others will be acquired as the opportunity offers.

The Scheme pays particular attention to the preservation of the foreshore and adjacent land for the enjoyment of the public. The open space and recreation areas in the district provide facilities for residents outside the County boundaries and similarly residents of the County use facilities in neighbouring local authority areas.

For the purposes of this Scheme the term "open space" is deemed to be space which is used for passive and active recreation and can be classified in the following categories:-

1. Neighbourhood Open Space where the open space is primarily intended for the use of the residents in the locality in which it is sited.
  - (a) Passive - open spaces in which no facilities have been provided for physical participation in some activity.
  - (b) Active - open spaces in which facilities have been provided for physical activity. This category includes children's playgrounds and playing fields.
2. Regional Open Space where the open space is primarily of benefit to the residents of the general region rather than to the neighbourhood in which it is sited.
  - (a) Passive - including foreshore reserves, picnic spots and gardens etc.
  - (b) Active - including golf courses, athletic tracks etc.
  - (c) Special Uses - open spaces which have been developed as historic places, camping grounds etc.
  - (d) Natural Environmental Areas - including undeveloped foreshore, river-beds, tree and scrub covered areas, scenic places and wild-life refuges.

CLAUSE 2 - PRESENT FACILITIES

The facilities provided in the County at present are as follows:-

CLAUSE 2 - PRESENT FACILITIES (cont.)Neighbourhood Open Space

	<u>Area</u>	<u>Standards</u>
Passive	23 acres	.4 acre per 1,000 population
Active	<u>241</u> acres	4.2 acres per 1,000 population
	264	

Regional Open Space

Passive	58 acres	
Active	475 acres	
Special Uses	72 acres	
Natural Environment	<u>310</u> acres	
	<u>935</u> acres	16.2 acres per 1,000 population
Totals	<u>1,199</u> acres	20.8 acres per 1,000 population

Included in the existing facilities are certain areas which are owned and maintained by private organisations. In this category are private golf courses, playing fields and tennis courts, bowling greens etc., and they are designated under the Scheme as open spaces for the uses shown.

Within the district there are 35 children's playgrounds with an average area of 1 acre - 12 playing fields, with an average area of 17 acres and 5 and a part of 1 golf course.

The recreation areas provided by the University of Canterbury on the Ilam site have not been included in the above assessment and these provide a further area of some 40 acres.

The Council owns a further 57 acres which is held for future recreation purposes in the district.

CLAUSE 3 - POLICY - RECREATION AND OPEN SPACE

While the district is reasonably well served with playing fields, children's playgrounds and passive recreational areas, increased income, mobility and leisure time will mean a greater demand for recreation and open space. The District Scheme seeks to satisfy these important community demands and considerable areas have been designated in the Scheme as proposed recreation areas. The Council will avail itself of any opportunity to provide open space where further provision is considered necessary to meet the demand.

Provision has been made in the scheme for the preservation of land for public use along the foreshore and Brooklands Lagoon. Development of this area will proceed, but because of the large area, will be spread over a considerable time extending until after the planning period.

The development and maintenance of private recreation areas and open space will be encouraged, and although not owned by the Council or by any public authority, these open spaces play an important part in the life of the community.

PART VIDESIGNATIONS

Land designated in the District Scheme is shown on the planning maps by distinctive notations together with the underlying zone notation. These areas of land are designated for various uses which include public, private and proposed open space, public utilities, street works, government works, schools, hospitals, University and other private buildings and uses.

PART VIIBULK AND LOCATION REQUIREMENTS

The position of the buildings on each section are governed within limits by yard requirements designed to ensure that satisfactory access for all purposes is, if and where necessary, provided to the rear of each section and also that the needs of neighbouring properties in respect of ventilation, lighting and privacy are reasonably allowed for. These requirements are more particularly specified in Ordinance II.

PART VIIIPUBLIC UTILITIES

Public utility services have a direct bearing on the cost and feasibility of urban growth and their extent and limitations are critical in the consideration of land to be made available for future urban development. To ensure the economic use of these services and other public works and services, urban development is encouraged so far as is reasonable within areas which are already reticulated or where the services can be readily made available.

The main public utility services and their limiting factors are:-

Limiting Factors

- |                        |   |   |
|------------------------|---|---|
| 1. Foul Sewer          | ) | Gravity and the capacity of the system and treatment works.                       |
| 2. Stormwater Disposal | ) | Gravity and the capacity of the system and outfalls.                              |
| 3. H.P. Water          | ) | Pressure and capacity of system.  |
| 4. Gas                 | ) |   |
| 5. Electric Power      | ) | Distance from source of supply or booster and size of development to be serviced. |
| 6. Telephone           | ) |   |
| 7. Refuse Disposal     | ) | Distance from tips to area served.  |
| 8. Roads               | ) | Traffic service and capacity of network.  |

The inclusion in the Scheme of deferred urban zones will be based upon these principles.



PART IXLAND SUBDIVISION

Subdivisional standards for new subdivisions in each zone are specified in the Code of Ordinances and all subdivisional plans shall be prepared in accordance with these standards and conform with roading layouts adopted by the Council. The standards are intended to set a limit on the minimum size and frontage of allotments, rather than set the standards to which most subdivisions conform. An effort has been made to encourage some variation in the size and shape of allotments by requiring a minimum average area and frontage in any subdivision as well as an absolute minimum area frontage for any allotment. Subdivisional standards have been related to the bulk and location requirements for the predominant uses in each zone.

PART XTRANSPORTATIONCLAUSE 1 - INTRODUCTION

The efficiency of the roading system of the district is a major factor contributing to the growth of the district. The County cannot be considered in isolation as the roading system must be based on the whole of the region. As a constituent member of the Christchurch Regional Planning Authority the Council has been a party to the production of the Master Transportation Plan for the region. The Waimairi County District Scheme and the Regional Planning Scheme are complementary and the provisions relating to transportation in the Council's scheme are in accordance with those of the Master Transportation Plan in so far as they apply to the County. Traffic planning is based on regional population and traffic growth estimated from data assembled in 1959 and modified from time to time, and the resultant scheme has been designed to provide for the transportation needs to the year 1980. The figures on which the scheme is based are as summarised below:-

	<u>1959</u> <u>Total</u>	<u>1980</u> <u>Total</u>	<u>Growth Factor</u> <u>1959 = 1.0</u>
Region Population	196,000	310,000	1.59
Employment	69,000	114,000	1.66
Vehicle Increase Persons/Vehicle Persons/Car	60,000	144,000	2.39
Daily Vehicle Trips - (Average Occupancy 1.25 Persons/Vehicle)	210,000	508,000	2.41
Daily Number Bus Passengers	60,000	70,000	1.19
Daily Bicycles	65,000	65,000	1.00

CLAUSE 1 - INTRODUCTION (cont.)

Source: Extracted from the Christchurch Regional Planning Scheme, Section 2, Communications, 1968.

Further data and conclusions are contained in the Christchurch Regional Planning Authority's publication "Traffic in a New Zealand City" which forms the basic planning data. Much of this data has since been updated and revised.

Communications, particularly road transportation, are inseparable from the growth of employment and land use. Adequate parking and access to property, loading facilities and the protection of pedestrians from the adverse effects of traffic are also essential to the well-being of the district.

CLAUSE 2 - ROADS1. Network of Principal Traffic Roads

The network of regional roads as envisaged in the regional scheme will ensure the efficient transportation of people and goods, the effective use of funds for roadworks and the protection of dwelling and work areas from excessive traffic. It will aim at segregating conflicting functions such as roads requiring to pass heavy traffic and, at the same time, serving commercial and industrial development alongside, together with the resultant kerbside parking and large volumes of pedestrians.

Details of the road network are shown on the map of principal traffic routes and the major elements are described hereunder.

2. Major Elements of the Network(a) Motorways

Motorways form the major spine of the network and both the northern and southern motorways will pass through the district. They will have a very high traffic capacity as they will be for use by motor vehicles only and will not provide any direct access other than at designed intersections. Provision is made in the scheme for the motorways by the designation of a corridor of control for the accommodation of the motorway and ancillary works including landscaping. The construction of new buildings and additions and alterations to buildings in this designated area will be subject to prior consent being obtained to an application for a Specified Departure under Section 35 of the Act.

(b) Arterial Roads

These roads are designed to carry traffic making longer trips and are of a high standard of construction. Their particular functions are to provide inter-connection between major localities and to the central area of Christchurch, as well as to distribute traffic to and from the motorways. Arterial roads will not usually be less than 99 feet between boundaries and in some cases

CLAUSE 2 - ROADS (cont.)2. Major Elements of the Network (cont.)(b) Arterial Roads (cont.)

considerably wider. Access, parking, and loading requirements will be aimed at attaining a high standard of traffic efficiency.

(c) Limited Access Roads

It is proposed to declare certain arterial and primary routes limited access roads under the provision of Section 4 of the Public Works Amendment Act 1963. At the time of declaration of a limited access road, alternative access will be provided to property fronting onto the road or conditions may be applied to accesses allowed to continue. Where land abutting a proposed limited access road or a limited access road is being subdivided the scheme of subdivision shall provide for each allotment alongside a proposed limited access road or limited access road to have frontage and access to an alternative legal road.

Access to any declared limited access road is to be by an approved, licensed access to such a road.

(d) Primary Roads

These roads are of slightly lesser importance than arterial roads, but will still carry a relatively high proportion of long trips and will be developed to high standards of surface and alignment. Requirements of access, loading and parking facilities may be more permissive than on arterial roads but will still aim at attaining as high a standard of traffic efficiency as is consistent with the use of the land alongside the road. Primary roads are normally contained within a one chain road reserve but in the case of new roads a wider reserve may be required.

(e) Major Residential Roads

These roads serve as collectors from minor residential roads and provide connections to roads contained in the network of principle traffic roads and some will also form part of the Primary and Secondary Road Network adopted by the Council and shown on the map of Principle Traffic Roads. Some will also serve as bus routes.

(f) Minor Residential Roads

The roads make up the balance of the district roads and are mainly residential in character. Their use by through traffic is not encouraged in order to preserve the safety, convenience and well-being of the residents.

CLAUSE 2 - ROADS (cont.)2. Major Elements of the Network (cont.)(g) Service Lanes

Service lanes are created in order to provide facilities for loading and unloading goods in order to avoid conflict with pedestrians and other vehicular traffic. These are mainly located at the rear of retail lock-up shops.

3. Roading Standards for Subdivisions

	<u>Width</u>	<u>Turning Circle</u>
Cul-de-sac shorter than 300 feet	48' bdy. - bdy. 24' kerb - kerb	90' bdy. - bdy. 66' kerb - kerb
Cul-de-sac longer than 300 feet	54' bdy. - bdy. 30' kerb - kerb	90' bdy. - bdy. 66' kerb - kerb
Minor Residential Roads	54' bdy - bdy. 30' kerb - kerb	
Primary, Secondary and Major Residential Roads	66' bdy. - bdy. 42' kerb - kerb	

4. Roads Forming the Network of Principal Traffic Roads

Appendix C of the Code of Ordinances contains a list of all roads which form and are classified as part of the Network of Principal Traffic Roads.

CLAUSE 3 - PARKING

The demand for parking has increased with the increase of traffic density throughout the district. The parking requirements contained in this Code are aimed at ensuring adequate parking is provided with all new development and in the case of arterial and primary roads that additional parking would not arise on the road.

Parking requirements can be estimated either on floor area or the number of persons employed. The success of any development which attracts vehicle traffic is closely related to the availability of parking and the provision is the responsibility of the developer. Provision is also required for the location on the site of parking spaces or garages in residential areas.

CLAUSE 4 - LOADING AND ACCESS

In all commercial or industrial development provision shall be made on the site for the loading and unloading of all goods associated with the use of the site.

CLAUSE 4 - LOADING AND ACCESS (cont.)

In local shopping areas this may be by way of a service lane.

Access to any commercial or industrial site shall be kept clear of intersections by a distance depending on the classification of the road and the number of vehicles that could normally be expected to use the access.

In larger commercial and industrial developments provision shall be made for all vehicle manoeuvres to take place on the site and avoid backing to or from the road.

CLAUSE 5 - MAJOR PROPOSALS

The proposals relating to roadworks listed below are the major works that are required to be carried out within the planning period. Some of these works will be done in stages and the purchase of property required will be undertaken possibly several years in advance.

The development of these proposals will have an influence on the adjacent land use and provision has been made in the scheme to avoid conflict where possible.

1. Motorways

The two motorways that pass through the district are the responsibility of the National Roads Board which will carry out the construction.

(a) Southern Motorway

This motorway passes through the district between Lincoln Road and Annex Road and will give relief to Lincoln Road, Blenheim Road and Riccarton Road.

(b) Northern Motorway

This passes through the district from the City boundary to join the existing motorway at Chaney's. During the period up to the time of construction the existing North Road from Cranford Street to the existing motorway at Belfast will serve as the main route north from the City.

2. Fendalton Road - Memorial Avenue

This route is to be developed to serve as an urban arterial route for the north western suburbs and airport access.

3. Harewood Road

From Greers Road to Russley Road this road will become an arterial road and development as a four lane divided carriageway will be completed from Leacroft Street to Russley Road.

CLAUSE 5 - MAJOR PROPOSALS (cont.)4. Northcote - Travis Road

This limited access arterial route will be constructed in stages from Sawyers Arms Road to Travis Road to provide intercommunication between the northern and eastern suburbs and also linking these suburbs with the Northern Motorway.

5. Brooklands Expressway

This route will form an extension of the Woolston - Burwood Expressway and will serve the long term growth to the north towards Spencerville and Brooklands and the need for an arterial route linking all the eastern suburbs of Christchurch from Chaney's south through to the Lyttelton Tunnel Road. Although the location of this route is shown in the scheme construction of the first stage is not envisaged for some years.

6. Johns Road - Russley Road - Radcliffe Road

The Johns/Russley/Carmen/Shands Roads route is for airport access from distant towns and rural localities and also to provide a by-pass on the west and to act as a supplementary ring route. This route is linked to the Northern Motorway at Radcliffe Road which requires the construction of a limited access arterial road between Johns Road and the Main North Road and the upgrading of Radcliffe Road between that road and Marshland Road.

CLAUSE 6 - PROGRAMME OF WORKS

The Council, as a constituent member of the Christchurch Regional Planning Authority, is a party to the Master Transportation Plan and will endeavour to carry out works in accordance with the agreed overall programme for implementing that plan. It should lead to a properly balanced system at any point in time and is aimed at maintaining a high standard of service for all vehicle movement as the years pass and spreading the financial commitments as evenly as possible.

The proposals which make up the plan have been divided into five "development periods" set out in Appendix A to this statement. These development periods have been related to the expected population growth and increase in vehicular traffic in the Region.

The work in each development period is, as far as possible, programmed to be completed before the Region's population reaches the following figures:-

Development Period	I	Population	275,000
	II		300,000
	III		330,000
	IV		360,000

This programme represents the needs as considered at the present time and through the operations of the Regional Scheme will be subject to annual consideration and periodic review.

CLAUSE 7 - PROPOSED LOCAL ROADS

In order to clarify the roading pattern in undeveloped areas several proposed roads are shown on the planning maps. The precise location of any of these proposed roads is in most cases yet to be determined.

CLAUSE 8 - ROAD WIDENING LINES

The Council has adopted a policy of showing road widening lines on the District Planning Maps where future road widening is considered necessary in order to meet the requirements of traffic growth on particular roads, forming part of the overall roading network.

The purpose of a road widening line is to decrease the ultimate cost of the roadway to the community. The road widening line is a provision ensuring that front yards are correctly established in respect of the future widening and road construction, so that the amenity of the properties are preserved and buildings are not placed in areas for road widening. Such provision lessens the acquisition costs and avoids inconvenience to the property owner at a later date.

The proposed road widening lines are shown by distinctive notations on the Planning Maps on roads to be widened in excess of one chain width, on roads to be widened to one chain width within the planning period and where widening is proposed for the re-alignment of existing roads.

The widening of other roads which are at present underwidth will take place as opportunity affords and in all cases the front yard will be established from the proposed roadline.

PART XIAMENITIES

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

CLAUSE 1 - CONTROL OF ADVERTISING

For the purpose of controlling the amenities of the district as well as for safety reasons the control of outdoor advertising has been incorporated into the District Scheme. The policy of the Council includes consideration of visibility of signs from major roads and motorways.

CLAUSE 2 - OBJECTS AND PLACES OF SPECIAL INTEREST

The objects and places of historical or scientific interest or natural beauty listed in Appendix G to the Code of Ordinances are to be registered, preserved

CLAUSE 2 - OBJECTS AND PLACES OF SPECIAL INTEREST (cont.)

or maintained so far as the powers of the Council or Local Authority from time to time permit.

CLAUSE 3 - VERANDAHS ON COMMERCIAL PREMISES

Verandahs on commercial premises provide shelter for pedestrians and shop fronts and have come to be regarded as a necessary part of shopping centres. The provision of verandahs will be required on all commercial premises where continuity of design and pedestrian shelter is required. Ordinance 7.3 provides for the control of such verandahs.

CLAUSE 4 - APPEARANCE AND MAINTENANCE OF LAND AND BUILDINGS

For the better preservation of amenities the Code of Ordinances requires adequate maintenance of land and buildings.

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## APPENDIX A

### PROGRAMME FOR IMPLEMENTATION OF MASTER TRANSPORTATION PLAN

#### DEVELOPMENT PERIOD I

##### Limited Access Arterial Roads

1. Johns Road - 2 lane deviation between Russley Road and Sawyers Arms Road (completed).

##### Urban Arterial Roads

1. Harewood Road - 4 lane Greers Road to Leacroft Street, divided carriageway (completed).
2. Northcote Road - 4 lane extension from railway to Greers Road.

##### Primary Roads

1. Pukako Terrace deviation, Kotare Street and Kahu Road improvements.

#### DEVELOPMENT PERIOD II

##### Motorways

1. Southern - Length through district (Lincoln Road to Annex Road) - N.R.B.

##### Urban Arterial Roads

1. Fendalton Road - 4 lane Harper Avenue to railway.
2. Harewood Road - 4 lane Leacroft Street to Crofton Road.

##### Primary Roads

1. Peer Street - 2 lane extension to Waimairi Road.

#### DEVELOPMENT PERIOD III

##### Motorways

1. Northern - City Boundary to Winters Road - N.R.B.

DEVELOPMENT PERIOD III (cont.)Limited Access Arterial Roads

1. Travis Road - extension 2 lane Burwood Road to Winters Road to Motorway.
2. Innes Road - extension to new Expressway.

Urban Arterial Roads

1. Fendalton Road - 4 lane widen railway to Otara Street.

Bridges

1. Fendalton Road - at railway.

Primary Roads

1. Grahams Road - widen intersection Memorial Avenue.
2. Waimairi Road - realign to Grahams Road.

DEVELOPMENT PERIOD IVLimited Access Arterial Roads

1. Russley Road - 4 lane Yaldhurst Road to Harewood Road (Boundary Road with Papanui County).

Urban Arterial Roads

1. Memorial Avenue - widen to 4 lane divided. Otara Street to Greers Road.
2. Greers Road - widen to 4 lane divided. Harewood Road to Sawyers Arms Road.

Primary Limited Access Roads

1. Highsted Road - extension 2 lane to Johns Road.

DEVELOPMENT PERIOD VMotorways

Northern - Rural Waimairi section, Winters Road to Chaney's - N.R.B.

DEVELOPMENT PERIOD V (cont.)Limited Access Arterial Roads

1. Johns Road - widen to 4 lane, Harewood Road to Highsted Road extension.
2. Radcliffe Road - widen to 4 lane, Motorway to Hawkins Road to Marshland Road.
3. Radcliffe Road - widen to 4 lane divided, Motorway to Main North Road.
4. Radcliffe Road - extension as 4 lane, Main North Road to Johns Road.
5. Winters Road - widen to 4 lane divided, Motorway to Marshland Road.
6. Travis Road - extension to 4 lane divided, Burwood Road to Marshland Road.
7. Travis Road - widen to 4 lane and service road, Burwood Road to Barkers Road.

Limited Access Primary Roads

1. Annex Road - Realign Motorway to Blenheim Road

Urban Arterial Roads

1. Harewood Road - widen to 4 lane divided, Crofton Road to Russley Road.

Bridges

1. Radcliffe Road - over railway 4 lane.
  2. Annex Road - over railway 2 lane plus.
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C O D E    O F    O R D I N A N C E S

ORDINANCE 1

INTRODUCTORY

1.1 DOCUMENTS COMPRISING THE DISTRICT SCHEME

This Code of Ordinances, together with the Scheme Statement and the District Planning Maps, comprise the review of the Waimairi County District Scheme (hereinafter called the District Scheme) as required by Section 30 of the Town and Country Planning Act 1953.

1.2 CODE 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.

1.3 INTERPRETATION

1.3.1 Definitions

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

"The Act"                      Means the Town and Country Planning Act 1953 and its amendments.

"Accessory Building"              In relation to any site means a building the use of which, in the opinion of the Council, is incidental to that of any other buildings on the site and in relation to a vacant site on which it is proposed to erect a building is a building which, in the opinion of the Council, is incidental to any permitted use of that site.

"Apartment Building"              Means any residential building which contains two or more household units and includes a block of flats but does not include a semi-attached dwelling, motels or a motor camp.

"Boarding House"                      Means a residential building including a private hotel in which board and/or lodging is provided or intended to be provided for reward or payment for four or more boarders or lodgers (other than the members of the

1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)"Boarding (cont.)  
House"

family of the occupier or person in charge or control of the building) but does not include a licensed hotel or building forming part of a motor camp or motel.

## "Building"

Means any structure whether temporary or permanent, movable or immovable and includes a swimming pool with a capacity of 5,000 or more gallons and also a fence or boundary or retaining wall but does not include a fence or boundary wall of less than six feet in height or a retaining wall of less than four feet in height which are not used for advertising or for some purpose other than or in addition to its use as a fence, boundary or retaining wall.

"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 and includes a motor camp.

## "Code"

Means the Code of Ordinances.

"Car Sales  
Premises"

Means any land and/or building on or in which motor vehicles, caravans, boats or trailers are sold, leased or hired, offered for sale, lease or hire, or on or in which such items are stored awaiting sale, lease or hire.

"Conditional  
Use"

In relation to any land or 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 site.

## "Council"

Means the Waimairi County Council, or any Committee, Sub-Committee or person to whom the Council's powers, duties and discretions under this Act have been lawfully delegated pursuant to the provisions of the Act.

1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)

- "Coverage" Means that portion of a site, exclusive of any access strip in the case of a rear site, which may be covered by buildings, including accessory buildings, expressed as a percentage of the site.
- "Commercial Services" Means such activities as shoe repairs, tourist agencies, land agencies, banks, professional offices and hairdressers, which in the opinion of the Council are carried out in premises similar in character to shops in respect of their visual and physical affinity with the street activities.
- "Dwellinghouse" Means a detached residential building designed for or occupied exclusively as one household unit.
- "Engineer" Means the County Engineer, his deputy or assistant, or any person authorised by the County Engineer to perform, for the time being, any of the County Engineer's functions, or any officer or other person appointed by the Council to control any of the matters contained in this Code of Ordinances.
- "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 to another position on the same site and "erect" and "erected" have corresponding meanings.
- "Factory" Means a building or 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. (See also "Private Garage").
- "Height" In relation to a building, means the difference between the average level of the ground along the external wall nearest the street and the highest point of the building.

1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)

## "Height" (cont.)

Provided that in all cases (except in relation to airport height restrictions under Ordinance VI), for the purpose of calculating height account shall be taken of parapets but not of chimneys, ventilation shafts, water tanks, lift housing, steeples, towers and such finials and similar parts of buildings as constitute only decorative fixtures.

## "Household"

Means any housekeeping unit, whether of one or more persons.

## "Household Unit"

Means a room or rooms used or intended for habitation by one household only.

## "Institution"

Means land and buildings administered for the purposes of public health, education or culture.

## "Licensed Hotel"

Means any land or building for which a hotel premises or tavern premises licence or tourist house premises licence has been issued or has been authorised in terms of the Sale of Liquor Act 1962 and its amendments.

## "Loading"

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

## "Minister"

Means the "Minister of Works".

## "Medical Room"

Means professional or consulting rooms of registered medical and associated practitioners, dentists or opticians.

## "Motel"

Means land and one or more buildings used principally for the day to day accommodation of travellers and their vehicles and may include caretakers' accommodation and services by way of shops, restaurants, swimming pools, playground facilities and the like, all restricted to use by patrons only but does not include a private hotel or motor camp.



1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)

"Motor Camp"	See "Camping Ground".
"Motor Repair Garage"	Means land or buildings used for the lubrication and repair of motor vehicles but does not include the sale, by retail, of petroleum products or the sale of motor vehicles.
"Non-Conforming"	In relation to a site or a building or to the use of a site or building, means a site or building, or a use of either that does not conform with the provisions of this Scheme.
"Permitted Use"	Means every predominant use, whether or not a permit has been obtained and every conditional use that is permitted by Council in accordance with 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 subject to compliance with all requirements of this Code.
"Private Hotel"	See "Boarding House".
"Places of Assembly"	Means land or buildings which are used in whole or in part for the assembly of persons for such purposes as deliberation, worship, entertainment, education, recreation, or similar purposes and includes such buildings associated with hotels, residential institutions, motels and camping grounds.
"Private Garage"	Means a building or part of a building used as a garage for private vehicles the use of such building being incidental to the use of a residential building and includes a carport.
"Private Hospital"	Means a building licensed as a private hospital under the Hospitals Act, 1957.
"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, convalescent home, boarding school, or charitable institution providing board and lodging and having accommodation for four or more persons other than management and staff but excludes motels and camping grounds.



1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)

"Road"	Includes "Street".
"Proposed Road"	Includes a road reserve or any land shown on any scheme plan lodged with the Council, or shown as such on any planning map and any land which has been surveyed and in the opinion of the Council will be required for a future road.
"Limited Access Road"	Means a road or part of a road which has been declared a limited access road by the controlling road authority under the provisions of the Public Works Amendments Act 1963.
"Proposed Limited Access Road"	Means a road or part of a road which is to be declared a limited access road under the provisions of Section 4 of the Public Works Amendment Act 1963.
"Semi-Attached Dwelling"	Means one of a pair of household units each being the only household unit on its site, the two being built side by side on adjoining sites and joined by a wall common to both that meets the requirements of the Council's By-Laws for a party wall between units.
"Service Station"	Means any site used for the retail sale of motor spirits and lubricating oils for motor vehicles and the sale of kerosene, diesel fuel, tyres, batteries and other accessories normally associated with motor vehicles and shall include premises for the mechanical repair and servicing of motor vehicles provided that the repairs undertaken on the premises shall be confined to the mechanical repair of motor vehicles (other than heavy diesel fuel vehicles) and domestic garden equipment and shall exclude panel beating, spray painting, heavy engineering such as engine reboring and crankshaft grinding and car sales (where these are not a predominant use in the zone).
"Shop"	Means any land, building or part of a building on or in which goods are sold or offered or exposed for sale by retail and includes a lending library, a restaurant, a hairdressers' premises, a depot for receipt and delivery of articles to be cleaned, laundered or dyed and premises which are required to be registered

1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)

- "Shop" (cont.) under the Health (Registration of Premises) Regulations 1966 but does not include premises for the sale of fuel for motor vehicles or car sales premises.
- "Site" Means an area of land permitted by the Scheme and by the general law to be used as a separate unit for one or more specified or ascertainable uses and includes all related buildings and curtilages.
- "Corner Site" Means a site having a frontage of not less than the minimum prescribed by this Scheme for front sites in the particular zone in which it is situated, to each of two or more roads or proposed or private roads not less than 40 feet in width if the frontages are contiguous and the included angle measured within the site between two such minimum frontages is not greater than 135 degrees.
- "Front Site" Means a site having one frontage of not less than the minimum prescribed by this Scheme for the particular zone in which the site is situated to a road, or proposed or private road.
- "Rear Site" Means a site situated substantially at the rear of another site facing the same street and which has included in the same Certificate of Title a strip or portion of land having a frontage, conforming to the provisions of the Scheme in regard to rear sites, to a road, or proposed or private road.
- "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.
- Provided that an encroachment over any yard by the eaves of a residential building to an extent not exceeding 2 feet shall not constitute an obstruction of the yard.
- "Front Yard" Means a yard between any road line or proposed or private road line and a line parallel thereto and extending across the full width of the site; provided that;

1.3 INTERPRETATION (cont.)1.3.1 Definitions (cont.)

## "Front Yard" (cont.)

- (a) Where land required for road widening purposes has not been dedicated the road line referred to in this definition shall be the line of the future boundary of the road.
- (b) A front yard in relation to accessory buildings means a yard between the road or proposed or private road line (subject to proviso (a)), and a line parallel thereto and extending across the full width of the site in line with the nearest point of the main building to the road, proposed road or private road line.

## "Rear Yard"

Means a yard between the rear boundary of the site and a line parallel thereto and 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 the centre and a radius of 30 feet.

## "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.

1.3.2 Notices

- (a) A notice required by this Code to be served on any person may be sent by registered post in a letter addressed to that person at his last known place of abode or business and where it is so sent it shall be deemed to have been given at the time at which the letter would have been delivered in the ordinary course of post.

### 3 INTERPRETATION (cont.)

#### 1.3.2 Notices (cont.)

- (b) Where under this Code any notice or document is required to be served upon the owner or occupier of any land that is registered under the Land Transfer Act 1952, the obligation to serve the notice or document shall be limited to serving the notice or document on each person whose name is recorded in the office of the District Land Registrar as having a registered interest as owner or occupier in the land and on each person having an unregistered interest as the Council has actual notice at the time when the notice is served.

#### 1.3.3 Interpretation of District Planning Maps

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

- (a) Zone boundaries shown following the sides of roads, streams, drains or other physical features shall be deemed to follow the centre line of such roads, streams, drains or physical features.
- (b) The underlying zone for any designated land shall be deemed to be that within which the designated land is situated.
- (c) The Council shall have the right to determine the exact locations of zone boundaries in the case of any errors or omissions or where such boundaries are in dispute.

### 4 IMPLEMENTATION OF DISTRICT SCHEME

#### 1.4.1 General Obligations

Subject to the provisions of the Act and of Regulations made thereunder and to Ordinance 2.1.4 and to any modification or dispensation granted in terms of any provision to that effect in the Code, 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 to any existing work if the use, new work, reconstruction, alteration or modification does not conform with the Scheme, or would tend to prevent or delay the effective operation of the Scheme.

#### 1.4.2 Applications for Permits and Approvals

In addition to the information required by any By-Law, the applicant for any permit or approval in accordance with this Code shall supply:-

1.4 IMPLEMENTATION OF DISTRICT SCHEME (cont.)1.4.2 Applications for Permits and Approvals (cont.)

- (a) Such drawings and information in detail as may be necessary to indicate that the proposed building or other work will, when erected or carried out, comply in all respects with this Scheme and in particular that the prescribed provision has been made for off-street parking, loading and access for motor vehicles.
- (b) A legal description of the land concerned and the names of the owner or owners.

1.4.3 Applications of Requirements Where Uses or Areas Change

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

1.4.4 Dispensing Power of the Council

Where, in the opinion of the Council, a full compliance with any of the provisions of this Code would needlessly and injuriously affect any person or persons in the course of operation of the business of or be attended with loss or inconvenience to any person or persons without any corresponding gain to the community, then, and in any such case or cases, the Council may dispense with the observance or performance of any of the requirements of this Code, subject to the following procedure, except where otherwise provided for in this Code.

- (a) Where, in the opinion of the Engineer, the dispensation is a minor one which does not conflict with the spirit and intent of the Code and accordingly he recommends that dispensation should be granted, the Council may resolve to dispense with the observance or performance of the requirements of this Code subject to such conditions as may be recommended by the Engineer; or
- (b) In any other case the dispensation shall be deemed to be a conditional use and the procedure for approving a conditional use shall be adopted.



ORDINANCE 2USE ZONING2.1 GENERAL2.1.1 Method of Presentation

This Ordinance specified the types of zones within the district, the predominant and conditional uses of land and buildings within each zone, the conditions which generally apply to certain conditional uses of land and the bulk and location requirements in respect of buildings for certain uses within each zone.

2.1.2 Zone Titles - Notations

The zones constituted for the purposes of the scheme are shown on the District Planning Maps by the notations listed in the key shown on those maps and have the following titles:-

Rural  
 Rural Industrial  
 Residential 'A'  
 Residential 'B'  
 Commercial 'A'  
 Commercial 'A1'  
 Commercial 'C'  
 Industrial 'A'  
 Industrial 'A1'  
 Industrial 'C'  
 Industrial 'D1'  
 Deferred Urban Zone  
 Airport Protection Zone

2.1.3 Control of Use Within Zones and Uses Not Expressly Mentioned(a) Uses Authorised

Any land or any building thereon may be used for any use at that time permitted for that site under the Act or the use thereof may be changed to any, at that time permitted under this Code for that site, but in neither case for or to any other use, and every authorised use shall be subject to every Ordinance that is applicable thereto.

(b) Uses Not Expressly Mentioned

In respect of any use that is not expressly provided for within the district in any of the zones thereof by this Ordinance hereof the Council shall determine in which zone or zones (if any) it may be permitted and in respect of that zone or each of those zones whether it shall be

2.1 GENERAL (cont.)2.1.3 Control of Use Within Zones and Uses Not Expressly Mentioned  
(cont.)(b) Uses Not Expressly Mentioned (cont.)

a predominant use or a conditional use or in what circumstances predominant and in what circumstances conditional and (where it is predominant) what the bulk and location requirements shall be and (where it is conditional) subject to the provisions of Clause 2.1.9. hereof what the bulk and location requirements and other conditions shall be.

2.1.4 Alterations of Existing Non-Conforming Buildings

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

2.1.5 Public Utilities

Where any local authority or other public authority is authorised by any Act to determine the location within the district of the Council of the public utilities under its control without the approval of the Council, every such public utility shall be deemed to be a predominant use in all zones, otherwise it shall be deemed to be a conditional use.

2.1.6 Changing Location of Proposed Streets and Reserves

In accordance with Sub-Section (5) of Section 33 of the Act the Council may, with the agreement of the owners of the lands directly affected, vary the position shown on the Scheme of any proposed road or the location or shape shown in the Scheme of any proposed reserve, as long as the intention of the Scheme in that respect is secured.

2.1.7 Designated Uses(a) Uses Limited to Designated Use

Where any area is designated by symbols and description set out by way of notation on the District Planning Map, the use of any land or building within that area shall be limited to the use designated.

2.1 GENERAL (cont.)2.1.7 Designated Uses (cont.)(a) Uses Limited to Designated Use (cont.)

Provided that where any such land is designated and held for a public purpose within the meaning of the Public Works Act 1928, or for a public reserve within the meaning of the Reserves and Domains Act 1953, the Council may, if the land is not required for immediate use for such purpose, use the land or permit it to be used for any purpose which will not detract in any substantial way from the amenities of adjoining properties or the neighbourhood generally or prejudice its ultimate use for the designated purpose.

(b) Erection of Buildings Requires Consent of the Council

The erection or completion of any building or the carrying out of any work of a substantial nature on any land affected by this Sub-Clause is prohibited, unless expressly authorised by the Council with the consent of the Minister or any local authority responsible for the proposed designated use.

(c) Conditions May be Imposed by Council

Every use referred to in the foregoing sub-clause to which the Council has given consent shall be subject to such conditions, restrictions and prohibitions as to location, the time and duration of such use or development, height, yards, position of buildings on sites, coverage, drainage, disposal of effluents, preservation of amenities, off-street parking and such other matters as the Council shall think fit to impose in respect of such use.

(d) Designated Land No Longer Required for Designated Use

Where the Minister, local authority, or Council having responsibility for any existing or proposed public work requires that the land be no longer designated in the Scheme, the land shall be deemed to be zoned in accordance with underlying zoning as shown in the District Planning Map.

2.1.8 Predominant Uses(a) When Permitted

The use of any land or building for any use specified as a Predominant Use in any zone in which such land or building is situated is permitted without further consent of the Council under this Code;



2.1 GENERAL (cont.)2.1.8 Predominant Uses (cont.)(a) When Permitted (cont.)

Provided that:-

Such use is in accordance with:-

- (1) The relevant bulk and location requirements set out in this Ordinance or modified or dispensed with in pursuance of Ordinance 1.4.4.
- (2) The relevant requirements for parking, loading and unloading set out in Ordinance 5.
- (3) All other Ordinances applicable thereto.

(b) When Deemed to be Conditional Uses

Any such use which does not comply with the relevant bulk and location requirements set out in this Ordinance or modified or dispensed with in pursuance of Ordinance 1.4.4 shall be deemed to be a conditional use.

2.1.9 Conditional Uses(a) When Permitted

The use of any land or building for any use specified and permitted at that time as a conditional use in the zone in which it is situated (or is deemed to be a conditional use as provided in Sub-Clause 2.1.8 (b)) 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, water supply, 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.

(b) Procedure in Respect of Conditional Uses

The procedure for dealing with applications for consent to a conditional use shall be as set out in Section 28 (c) of the Act and Regulation 32 of the Regulations.

2.1 GENERAL (cont.)2.1.9 Conditional Uses (cont.)(b) Procedure in Respect of Conditional Uses (cont.)Section 28 (c) of the Act States:-

- (1) Application to the Council for its consent to a conditional use shall be made in accordance with regulations made under this Act notwithstanding anything to the contrary regarding procedure in the Operative District Scheme.
- (2) The Minister and every person who, or body, which claims to be affected by the application shall have the right to object to the Council against the application being granted and to be heard by the Council when it considers the application.
- (3) After the application and all objections have been considered, the Council may allow or refuse the application; and in allowing the application may impose such conditions, restrictions and prohibitions as it thinks fit.
- (3A) In allowing or refusing the application, the Council shall have regard to:-
  - (i) The suitability of the site for the proposed use determined by reference to the provisions of the Operative District Scheme; and
  - (ii) The likely effect of the proposed use on the existing and foreseeable future amenities of the neighbourhood and on the health, safety, convenience and the economic and general welfare of the inhabitants of the district.
- (4) Any consent given under this section shall lapse after the expiration of a period of two years from the date when the consent was given, unless the applicant, within that period, has established the use of the land or buildings to which consent relates for the purpose for which the consent was given or, in the opinion of the Council, is continuing to make substantial progress towards establishing that use.

Regulation 32 States:-

- (1) Form of application - Applications for consent to change of use under Section 38A of the Act, applications for consent to a Specified Departure under Section 35 of the Act and applications for

GENERAL (cont.)2.1.9 Conditional Uses (cont.)(b) Procedure in Respect of Conditional Uses (cont.)Regulation 32 States (cont.)

## (1) (cont.)

consent to a conditional use under Section 28C of the Act shall be in form N set out in the First Schedule hereto or to the like effect.

- (2) Service of application - The Council or any Committee or authorised officer thereof shall, within seven days of receipt of the application, direct the applicant to serve copies of the application, together with such plan as the Council or any Committee or authorised officer thereof may consider necessary to explain the application and the proposed public notice on such persons and bodies as the Council, Committee, or officer considers to have a greater interest in the application than the community generally has.

- (3) Particulars to be publicly notified - After lodging the application with the Council, the applicant shall publicly notify full particulars thereof, including any special conditions, restrictions and provisions proposed. The public notification shall be in Form O set out in the First Schedule hereto or to the like effect.

- (4) Period for objections - The public notification shall require the Minister and any person or body objecting to the application to submit to the Council by a date to be specified in the notification, which date shall be not less than 21 days after the date of the completion of the public notification.

- (4A) Service of Copies of objections - As soon as possible after submitting an objection to the Council, the objector shall serve on the applicant a copy of the objection.

- (5) Distribution of copies of application - The applicant shall, not later than the date of the completion of the public notice, serve a copy of the public notice on the Council and a copy of the notice and of the application on the Commissioner of Works, the District Commissioner of Works, the Regional

2.1 GENERAL (cont.)2.1.9 Conditions Uses (cont.)(b) Procedure in Respect of Conditional Uses (cont.)Regulation 32 States (cont.)

## (5) (cont.)

Planning Authority (if any) and on the persons and bodies directed to be served pursuant to sub-clause (2) of this Regulation.

- (6) Statutory declaration required - Before the application is considered by the Council, the applicant shall, within three months of the date of the completion of the public notification, submit to the Council a statutory declaration to the effect that the provisions of sub-clause (3) and (5) of this regulation have been complied with and setting out such details as to service of the public notice and of the application as the Council may require.

- (7) Consideration by Council - The Council shall, as soon as conveniently may be after receiving the statutory declaration required by sub-clause (6) of this Regulation, consider the application.

- (8) Procedure for hearing - The provisions of Regulations 21 and 22 hereof, relating to the hearing of objections and to witnesses, shall apply to the hearing of objections to any application under this Regulation and the Council shall advise the applicant of the time and place of the hearing. The Council shall give the applicant and each objector not less than 7 days' notice of the hearing of objections. The Council or any Committee appointed by the Council shall at the hearing of any objection under this Regulation, have power to summon witnesses and to hear evidence on oath.

- (9) Distribution of decision - As soon as the Council has considered the application and any objections thereto, it shall serve notice of its decision on the applicant, the owner, the occupier, the District Commissioner of Works, the Regional Planning Authority (if any) and each objector:-

"Provided that, where any person or body has been represented in respect of the application by a solicitor or agent, notice of the decision may be served on that solicitor or agent alone."



2.1 GENERAL (cont.)2.1.9 Conditional Uses (cont.)(b) Procedure in Respect of Conditional Uses (cont.)Regulation 32 States (cont.)

- (10) Time of decision - The application shall be deemed to be granted or refused, as the case may be, for the purpose of an appeal by any person when notice of the decision is served on or sent to that person.
- (11) Cost - The reasonable cost of or incidental to any application under this Regulation and to the public notification and distribution of the consent and copies, shall be payable by the applicant.

2.2 RURAL ZONE2.2.1 Predominant Uses

The following shall be predominant uses in Rural Zones:-

- (a) Farming of any kind, racing stables, veterinary hospitals, animal boarding or breeding establishments, subject, however, to the provisions of any By-Laws of the Council, from time to time being in force, relating to the keeping of any particular type of animal or poultry, provided that pigs and/or animals in boarding and breeding establishments shall not be kept or housed within 200 feet of any residential building on any neighbouring property or housed within 100 feet of the boundary of any property.
- (b) Parks, playgrounds, recreation grounds and scenic reserves.
- (c) A dwellinghouse erected on any site provided the site is suitable for residential purposes.
- (d) Buildings accessory to buildings or to the use of land for any of the foregoing purposes (except where By-Laws relating to sub-clause (a) of this clause prohibit such building).

2.2.2 Conditional Uses

The following shall be conditional uses in Rural Zones:-

- (a) Camping grounds, caravan parks, motor camps and motels, all being designed and operated for the occupants to enjoy the rural environment.

2.2 RURAL ZONE (cont.)2.2.2 Conditional Uses (cont.)

- (b) Educational institutions, hospitals, nursing homes, convalescent homes and charitable and philanthropic institutions, boarding houses and hostels used in connection with those uses.
- (c) Timber mills and sawmills where they are directly associated with and sited within a forest and which are to be used solely in connection with the primary stage of timber extraction from such forest.
- (d) The winning and processing of materials occurring naturally in the vicinity but excluding the removal of top soil which in the opinion of the Council has agricultural potential.
- (e) Cemeteries and crematoria.
- (f) The sale of farm produce from the property in which it was grown provided that no such sale shall be permitted from property fronting onto an Arterial Road listed in Appendix C.
- (g) Accessory buildings for any of the purposes set out in the preceding paragraphs (a) - (f).

2.2.3 Conditions Relating to Certain Conditional Uses

The following general conditions shall apply to conditional uses in Rural Zones in addition to any conditions set by the Council on any particular application.

(a) Industrial Uses

- (i) All tailings, sawdust, spoil, waste and effluent shall be so disposed of as to minimise damage to property or disfigurement of the countryside and prevent pollution of any watercourse, stream, creek, or foreshore.
- (ii) The sites of excavations, heaps, dumps, spoil or materials at any workings or plant which cause or are likely to cause damage to property or disfigurement to the countryside shall be restored progressively to a reasonably natural state by levelling or back-filling where required by the Council and by the planting of grass and trees and, on completion of the work, by removal of plant and buildings.

2.2 RURAL ZONE (cont.)

2.2.3 Conditions Relating to Certain Conditional Uses (cont.)

(a) Industrial Uses (cont.)

(iii) The yard space or open space about buildings, plant or workings shall be formed, treated, planted and maintained to the satisfaction of the Council at all times.

(b) Sale of Farm Produce

(i) One joint entry and exit lane 20 feet wide and a parking area for at least six cars with an adequate turning area is to be constructed with an all weather surface to the satisfaction of the Council.

(ii) No produce is to be displayed for sale within 150 feet of the front boundary of the site.

(iii) A building may be used for the sale of produce where it is situated within 150 feet of the legal road frontage:

Provided that no produce displayed for sale shall be visible from the road and the required parking area is constructed behind or alongside the building to the satisfaction of the Council.

(iv) The retail floor area on any approved site is not to exceed 150 sq. ft.

(v) Advertising is to be confined to one signboard as defined in Ordinance 7.2.2 and to include the words "Please Drive In".

2.2.4 Bulk, Location and Height Requirements

The following shall be the normal bulk, location and height requirements in Rural Zones.

(1) For Predominant Uses

<u>Type of Use</u>	<u>Maximum Height</u>	<u>Front Yards Minimum Depth</u>	<u>Rear Yards Minimum Depth</u>	<u>Side Yards Minimum Width</u>
(a) <u>Front Sites</u>				
Residential Buildings	35 ft.	25 ft.	25 ft.	5 ft.
Other Buildings	35 ft.	50 ft.	5 ft.	5 ft.

2.2 RURAL ZONE (cont.)2.2.4 Bulk, Location and Height Requirements (cont.)(1) For Predominant Uses (cont.)

<u>Type of Use</u>	<u>Maximum Height</u>	<u>Front Yards Minimum Depth</u>	<u>Rear Yards Minimum Depth</u>	<u>Side Yards Minimum Width</u>
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(b) Rear Sites

All Build-ings

35 ft.

All Yards 5 ft. + 2/3 of Height Above 15 ft.

- (c) All buildings on allotments of less than 2 acres shall be sited in accordance with the requirements for Residential 'A' Zones.

(2) For Conditional Uses

The normal bulk, location and height requirements shall provide the same general standards as for predominant uses.

2.3 RURAL INDUSTRIAL ZONES

2.3.1 Predominant Uses - Any of the predominant uses in Rural Zones.

2.3.2 Conditional Uses

The following shall be conditional uses in rural industrial zones:-

- (a) Timber mills, sawmills, timber processing and any undertaking which is ancillary to the timber and forestry industries, not being one of the industries listed in Appendix A hereto.
- (b) Constructional engineers' workshops or yards and ancillary uses only where the proposed use is appropriate to a rural area.
- (c) Roothing or cartage contractors' workshops or yards only where the proposed use is appropriate to a rural area.
- (d) Concrete products manufacture and concrete mixing plants.
- (e) Industrial uses which in the opinion of the Council are not appropriate to an urban area.



2.3 RURAL INDUSTRIAL ZONES (cont.)2.3.3 Conditions Relating to Uses in Rural Industrial Zones

- (a) All tailings, sawdust, spoil and waste shall be so disposed of as to minimise damage to property or disfigurement to the countryside.
- (b) The user to make provision for the disposal of effluent and to provide adequate drainage to the satisfaction of the Council.
- (c) Access to the site to be located as directed by the Council.
- (d) Where required the user to provide a water supply to the satisfaction of the Council.
- (e) The yard space or open space about buildings, plant or workings shall be formed, treated, planted and maintained to the satisfaction of the Council at all times.

2.3.4 Bulk and Location Requirements

<u>Maximum Height</u>	<u>Front Yards Minimum Depth</u>	<u>Rear Yards Minimum Depth</u>	<u>Side Yards Minimum Width</u>	<u>Coverage</u>
35 ft.	25 ft.	10 ft.	10 ft.	50%

2.4 RESIDENTIAL 'A' ZONES2.4.1 Predominant Uses

- (a) Dwellinghouses.
- (b) Semi-attached dwellings.
- (c) Apartment buildings containing 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 which in the opinion of the Council would be detrimental to the amenities of the neighbourhood.

- (e) Farming, excluding the housing or keeping of pigs and more than 24 poultry but including pastoral and agricultural and dairy farming, market gardens and nursery gardens subject, however, to the provisions of

2.4 RESIDENTIAL 'A' ZONES (cont.)2.4.1 Predominant Uses (cont.)

- (e) any By-Laws of the Council from time to time being in force relating to the keeping of any particular type of animal or poultry.
- (f) Buildings accessory to buildings or the use of land for any of the foregoing purposes.
- (g) A building having a floor area of not more than 120 square feet to be used only as separate sleeping accommodation and to be occupied by the children or an aged parent of the occupier of a dwellinghouse on the same site.

2.4.2 Conditional Uses

- (a) Churches and buildings used only for religious purposes.
- (b) Educational institutions, including boardinghouses or hostels used in connection therewith.
- (c) Private hospitals, nursing homes, convalescent homes and homes for the aged.
- (d) Comprehensive developments.
- (e) Nurseries, play centres and plunket rooms.
- (f) Halls, rooms, places of assembly, land and buildings for recreational purposes.
- (g) Motels.
- (h) Apartment buildings containing more than two household units.
- (i) Shops for the sale of groceries and dairy products, offices or rooms of Registered Medical Practitioners, Physiotherapists, Dentists and Veterinary Surgeons (providing there is no boarding of animals) all being attached to a dwellinghouse and provided the predominant use of the premises, as a whole, is that of a dwellinghouse.
- (j) Industries, which by reason of the type of manufacturing process to be used would not detract from the amenities of the neighbourhood and the external appearance of the buildings to be erected would not disfigure the locality or tend to depreciate the value of adjoining properties.
- (k) Groups of garages or parking spaces for letting for private vehicles.

2.4 RESIDENTIAL 'A' ZONES (cont.)2.4.2 Conditional Uses (cont.)

- (l) Provision for public parking.
- (m) Buildings and structures of public utility not deemed to be a predominant use by reason or virtue of the provisions of Section 21 (9) of the Act.
- (n) Buildings accessory to buildings used for any purposes or to the use of land for any purposes defined in the foregoing paragraphs in connection with conditional uses in Residential 'A' Zones.

2.4.3 Bulk and Location Requirements

The following shall be the normal bulk and location requirements for predominant uses in Residential 'A' Zones.

(1) Front Sites

<u>Type of Use</u>	<u>Maximum Height</u>	<u>Front Yards Minimum Depth</u>	<u>Rear Yards Minimum Depth</u>	<u>Side Yards Minimum Depth</u>	<u>Coverage Per Cent</u>
Dwelling- houses	30 ft.	15 ft. * (a)	25 ft. * (b)	5 ft. * (c)(d)	35
Semi-Attach- ed Dwelling	30 ft.	15 ft. * (a)	25 ft. * (b)	10 ft.	35
Apartment Building Containing Two House- hold Units	30 ft.	15 ft. * (a)	25 ft. * (b)	20 ft. Total * (c)(e) 5 ft. Minimum Individual	35
Building Other Than Residential as Above	30 ft.	25 ft.	25 ft.	10 ft.	35
Accessory Buildings	12 ft.	See Paragraphs (3) (4) (6) Below.			

- \* (a) Where the required parking spaces by way of garage accommodation is attached to or included in the main building, the nearest point of the front of the garage shall be not less than 20 ft. from the road boundary or the boundary which it fronts, provided this distance may be reduced to 18 feet

2.4 RESIDENTIAL 'A' ZONES (cont.)2.4.3 Bulk and Location Requirements (cont.)(1) Front Sites (cont.)

## \* (a) (cont.)

if the garage doors do not project beyond the front of the building when opening.

\* (b) Where side yards are provided of a depth greater than required by this Ordinance, the rear yard may be reduced in depth by that amount by which the side yard exceeds the depth required but in no case is the rear yard to be of a depth less than 10 ft.

\* (c) One side yard to be not less than 9 ft. in depth except in the following cases:-

(i) Corner sites.

(ii) Where the required parking spaces by way of garage accommodation is provided within the dwellinghouse in such a way that vehicular access to the side or rear of the building is not necessary.

\* (d) Side yards to be a minimum depth of 10 ft. if height greater than 25 ft.

\* (e) Where an apartment building containing two household units is built parallel to the street, the side yards may be reduced to 5 ft. if the required parking spaces by way of garage accommodation are provided in the main building.

(2) Rear Sites

<u>Type of Use</u>	<u>Maximum Height</u>	<u>All Yards Minimum Depth</u>	<u>Coverage Per Cent</u>
Residential Buildings	30 ft.	5 ft.	35
Building Other Than Residential	30 ft.	10 ft.	35
Accessory Buildings	12 ft.	See Paragraphs (3) (4) (5) and (6) Below.	

2.4 RESIDENTIAL 'A' ZONES (cont.)2.4.3 Bulk and Location Requirements (cont.)(3) Provision for Private Garages

On any site where private garages are not situated, no building shall be so located as to render impracticable the erection of private garages and/or provision of car parking spaces as required by Ordinance 5 and complying with this Code and with the By-Laws and situated in a position to which it would be practicable to form a driveway from the street.

(4) Accessory Buildings

Accessory buildings shall be erected behind the front line of the existing main building or in the case where the accessory building is erected before the main building, 80 feet from the road frontage.

(5) Area of Accessory Buildings

- (a) The total floor area of an accessory building or buildings shall not exceed 560 sq. ft. on a 20 perch section provided that the total floor area may be increased at the rate of 10 sq. ft. for each perch in excess of 20 perches but not to exceed 900 sq. ft.
- (b) The floor area of any single accessory building shall not exceed 700 sq. ft.
- (c) The floor area of any accessory building situated in a side yard shall not exceed 400 sq. ft:-

Provided that 150 sq. ft. of a glasshouse on any site shall not be deemed to be an accessory building for the purpose of this clause.

(6) Siting of Accessory Buildings

- (a) Accessory buildings may be sited in any yard other than a front yard, except that the front of a garage may not be sited less than 20 feet from any road, proposed or private road or boundary to which it fronts.
- (b) Accessory buildings shall be constructed and sited to comply with all relevant Ordinances, Statutes and By-Laws.
- (c) No accessory building shall be erected or used for any purpose if in the opinion of the Council such

2.4 RESIDENTIAL 'A' ZONES (cont.)2.4.3 Bulk and Location Requirements (cont.)(6) Siting of Accessory Buildings (cont.)

## (c) (cont.)

building or use will cause undue annoyance in any manner to adjacent neighbours.

- (d) In the case of a corner site, the owner may select either street boundary as the front boundary of the site, for the purpose of fixing the rear yard and for the purpose of siting a garage the rear yard shall be deemed to extend to the road line provided no building shall be sited within 5 feet of the rear boundary.

2.5 RESIDENTIAL 'B' ZONES2.5.1 Predominant Uses

- (a) Any of the predominant uses in Residential 'A' Zones.
- (b) Apartment buildings.
- (c) Boardinghouses.
- (d) Homes for the aged.
- (e) Private hospitals, nursing homes and convalescent homes, exclusive of premises used for the treatment of animals.
- (f) Buildings accessory to buildings or the use of land for any of the foregoing purposes.

2.5.2 Conditional Uses

Any of the uses specified as conditional uses in Residential 'A' Zones not included as predominant uses in Residential 'B' Zones.

2.5.3 Bulk and Location Requirements

The bulk and location requirements for predominant uses in Residential 'B' Zones which are also predominant uses in Residential 'A' Zones shall be the same as those for predominant uses in Residential 'A' Zones.

2.5 RESIDENTIAL 'B' ZONES (cont.)

2.5.3 Bulk and Location Requirements (cont.)

(a) Uses Other Than Apartment Buildings

<u>Maximum</u>	<u>Front</u> <u>Yards</u> <u>Minimum</u> <u>Depth</u>	<u>Rear</u> <u>Yards</u> <u>Minimum</u> <u>Depth</u>	<u>Side</u> <u>Yard</u> <u>Minimum</u> <u>Width</u>	<u>Coverage</u>	<u>Density</u>
30 ft.	20 ft.	25 ft.	10 ft.	50%	64 Persons Per Acre

(b) One Storey Apartment Buildings

- (i) Maximum Coverage 50%.
- (ii) Density Control - 64 persons per acre.
- (iii) Spacing between blocks - There shall be no limit to the number of blocks including single unit blocks erected on any one site, provided that if more than one block is erected on the same site there shall be a distance of not less than 30 feet between each block; and provided that in the case of blocks not parallel in plan the average distance between blocks must not be less than 30 feet with no part of any block encroaching within 15 feet of any other block.
- (iv) Maximum attached units - No more than 3 attached units may be built in any one block, provided that there shall be no limit to the number of attached units in one block if a step in plan of at least 10 feet measured at right angles to the long axis of the block is made to each outer wall at each vertical division between units or every alternate vertical division between units.

(v) Minimum Yard Requirements

Front Sites

Front Yards: 15 feet provided that where in the opinion of the Council a block has or could have more than one road frontage this provision shall apply to each frontage and provided also that no garage shall be sited within 20 feet of a street frontage.

2.5 RESIDENTIAL 'B' ZONES (cont.)2.5.3 Bulk and Location Requirements (cont.)(b) One Storey Apartment Buildings (cont.)(v) Minimum Yard Requirements (cont.)Front Sites (cont.)

Rear Yards: 25 feet provided that in the case of blocks not parallel to the boundary, the average distance from the rear boundary of the site to any wall of any unit shall be not less than 25 feet with no part of the building encroaching within 20 feet of the rear boundary and provided also that if not less than half the required off-street parking spaces form part of the main building, these distances may be reduced by 10 feet.

Side Yards: Side yards shall be computed according to the number of units without a step in plan erected substantially parallel to the longest boundary. Where there is one unit between steps in plan or between end walls or between a step in plan and an end wall the minimum width of the two side yards together shall be not less than 15 feet; provided that no unit shall be erected within 5 feet of any side boundary; and that at least one side yard shall be not less than 10 feet in width. Where there are two units between steps in plan or between end walls or between a step in plan and an end wall the minimum width of the two side yards together shall be not less than 25 feet, provided that no unit shall be erected within 5 feet of any side boundary and at least one side yard shall be not less than 10 feet in width.

Where a block has three units without a step in plan, the minimum width of the two side yards together shall be not less than 35 feet; provided that no unit shall be erected within 10 feet of any side boundary.

Rear Sites

The provision of (iv) above shall not apply provided that two yards shall be 25 feet and the other yards 10 feet.



2.5 RESIDENTIAL 'B' ZONES (cont.)

2.5.3 Bulk and Location Requirements (cont.)

(b) One Storey Apartment Buildings (cont.)

(v) Minimum Yard Requirements (cont.)

Corner Sites

The provisions of (iv) above shall not apply provided that all front yards shall be 15 feet and provided also that no garage shall be sited within 20 feet of a street frontage - other yards 20 feet and 10 feet or 2 or 15 feet.

(c) Two or Three Storey Apartments

(i) Maximum Coverage - 50%,

(ii) Density Control - 64 persons per acre.

(iii) Maximum attached units - each floor to conform to (b) (iv) above.

(iv) Minimum Yard Requirements:-

Front Sites

Front Yards: The same provisions as for one storey blocks shall apply.

Rear Yards: The minimum distance from the rear boundary of the site to the nearest part of any wall of any unit shall be not less than 25 feet; provided that in the case of blocks not parallel to the boundary the average distance from the rear boundary of the site to any wall of any unit shall be not less than 25 feet with no part of the building encroaching within 20 feet of the rear boundary and provided also that if not less than half the required off-street parking spaces form part of the building these distances may be reduced by 10 feet, provided that no rear yard shall be less than 5 feet +  $\frac{2}{3}$  height above 15 feet.

Side Yards: The same provisions as for one storey blocks shall apply except that no yard shall be less than 5 feet +  $\frac{2}{3}$  height above 15 feet.

2.5 RESIDENTIAL 'B' ZONES (cont.)2.5.3 Bulk and Location Requirements (cont.)(c) Two or Three Storey Apartments (cont.)(iv) Minimum Yard Requirements (cont.)Rear Sites

The provisions of (iii) above shall not apply, provided that two yards shall be 25 feet, others 10 feet and provided also that no yard shall be less than 5 feet +  $\frac{2}{3}$  height above 15 feet.

Corner Sites

The provisions of (iii) above shall not apply, provided that all front yards shall be 15 feet, provided also that no garage shall be sited within 20 feet of a street frontage - other yards 20 feet and 10 feet or 2 of 15 feet provided further that no side yards shall be less than 5 feet +  $\frac{2}{3}$  height above 15 feet.

(d) Apartment Buildings More Than Three Storey

(i) Maximum Coverage - 50%.

(ii) Density Control - 64 persons per acre.

(iii) Minimum Yard Requirements:-

Front Sites - Front Yard - 20 feet; Rear and Side Yards - 5 feet +  $\frac{2}{3}$  height above 15 feet.

Rear Sites - All Yards - 5 feet +  $\frac{2}{3}$  height above 15 feet.

Corner Sites - Front Yards - 20 feet; Other Yards 5 feet +  $\frac{2}{3}$  height above 15 feet.

(e) Accessory Buildings

The bulk and location requirements for accessory buildings shall be as for Residential 'A' Zones provided that if the permitted coverage is not exceeded, the total floor area and maximum plan area permitted in any single building may be increased to meet the requirements of this Code relating to car parking and contained in Ordinance 5.2.

2.6 COMMERCIAL 'A' ZONES2.6.1 Predominant Uses

- (a) Retail shops excluding car sales.
- (b) Professional offices and commercial services.
- (c) Workrooms (including kitchens); provided that each workroom is only incidental to the shop of which it forms part and shall serve that shop only.
- (d) Residential accommodation in cases where the dwelling accommodation is situated mainly above or partly at the rear of the shop; provided that there is not more than one dwelling unit per shop and also provided 900 sq. ft. of open space per unit is provided about the building.
- (e) Buildings accessory to any of the foregoing purposes.

2.6.2 Conditional Uses

Any predominant use which does not comply in respect of the bulk and location requirements and location, parking, loading and access requirements laid down for such uses or modified or dispensed with in pursuance of Ordinance 1.4.4 shall be deemed to be a conditional use.

2.6.3 Bulk and Location Requirements

The following shall be the normal bulk and location requirements in Commercial 'A' Zones.

Maximum Height - 25 feet.

Front Yards - 5 feet (Note: Where land has been set aside for a front yard, the Council may accept dedication of the whole or part of the yard for the purpose of the street widening and such area will be regarded as part of the site for the purpose of computing the allowable coverage).

Rear Yards - 10 feet in the case of lock up shops.

25 feet in the case of shops with dwelling accommodation. (See note below under side yards).

Side Yards - 15 feet where adjoining a rural or residential zone.

Appendix 1.4.4.1 - Commercial 'A' Zones and Municipal Ave.

2.6 COMMERCIAL 'A' ZONES

2.6.3 Bulk and Location Requirements (cont.)

(Note: Where land for a service lane or private way is provided by the owner at the rear or side of a site, the rear and side yard requirements, as the case may be, shall be diminished correspondingly.)

2.7 COMMERCIAL 'A1' ZONES

Every Commercial 'A1' Zone shall be a special development area.

- (a) The whole of any area covered by a Commercial 'A1' Zone shall be developed as one holding or in such holdings as the Council by resolution may determine.
- (b) All development shall be undertaken in accordance with an overall comprehensive development plan for the Commercial 'A1' Zone which shall set out all the relative detail concerning the layout, siting and design of vehicular and pedestrian access, buildings, parking, landscape and open space provision; such plan having been adopted for the time being by resolution of the Council.

2.7.1 Predominant Uses

- (a) Any use permitted as a predominant use in Commercial 'A' Zones.

2.7.2 Conditional Uses

- (a) Any use permitted as a predominant use in Commercial 'C' Zones which is not a predominant use in Commercial 'A' Zones.

2.7.3 Bulk and Location Requirements

The bulk and location requirements for any use in a Commercial 'A' Zone shall be as set out in the development plan relating to that particular zone provided that the maximum height of any building shall be 25 feet.

Plans

Development plans for the following Commercial 'A1' Zones are included as Appendices to the Code of Ordinances.

- Appendix D - South-western corner of Clyde Road and Memorial Ave.
- Appendix E - South-eastern corner of Clyde Road and Ilam Road.

## 2.8 COMMERCIAL 'C' ZONES

### 2.8.1 Predominant Uses

- (a) Retail shops and storage for materials and articles for sale, auction rooms and residential accommodation in conjunction with retail shops as for Commercial 'A' Zones.
- (b) Administrative buildings, professional offices and commercial services.
- (c) Libraries, museums and art galleries.
- (d) Theatres, halls and places of public and private entertainment and public and private assembly.
- (e) Living quarters for a caretaker or other person whose employment requires that he live on the premises.
- (f) Buildings accessory to buildings used for any of the foregoing purposes.

### 2.8.2. Conditional Uses

- (a) Service Stations.
- (b) Buildings and structures of public utility not deemed to be a predominant use by virtue of the provisions of Section 21 (9) of the Act.
- (c) Premises used for the sale of used cars, caravans and boats.
- (d) Warehouses for the storage and distribution of goods of a light nature.
- (e) Any process of manufacture of goods for sale by retail on the premises.
- (f) Private restaurants and reception rooms.
- (g) Buildings accessory to buildings used for any of the foregoing purposes.

### 2.8.3 Bulk and Location Requirements

The following shall be the normal bulk and location requirements in Commercial 'C' Zones.

Maximum Height - 35 feet.

2.8 COMMERCIAL 'C' ZONES (cont.)2.8.3 Bulk and Location Requirements (cont.)

- Front Yards - 5 feet (Note: Where land has been set aside for a front yard the Council may accept dedication of the whole or part of the yard and such area will be regarded as part of the site for the purpose of computing the allowable coverage).
- Rear Yards - 25 feet if adjoining a rural or residential zone. (See note below under side yards.)
- Side Yards - 15 feet if adjoining a rural or residential zone.

(Note: Where land for a service lane or private way is provided by the owner at the rear of a site, the rear or side yard requirements, as the case may be, shall be diminished accordingly.)

2.9 HOTEL ZONES

Any Hotel Zone is for the specific use as a site for the premises in respect of which there is for the time being in force, a licence authorised by sub-section 1 of Section 54 of the Sale of Liquor Act 1962 or any licence authorised by any legislation enacted to amend or substitute for that sub-section.

2.9.1 Bulk and Location Requirements

The bulk and location requirements for Hotel Zones, parking facilities and general layout, including entrances to and exits from the site are to be as required by the Council.

2.10 INDUSTRIAL 'A' ZONES2.10.1 Predominant Uses

- (a) All trades and industries such as laundries, bakeries, milk processing and distribution, tradesmen's workshops, wood and coal yards, stores and storage yards which serve the day to day needs of the public and any other use which in the opinion of the Council falls naturally into this group and which will not detract from the amenities of the locality.
- (b) Wholesale storage and retail outlets in conjunction with permitted uses.

2.10 INDUSTRIAL 'A' ZONES (cont.)2.10.1 Predominant Uses (cont.)

- (c) Any industry other than those falling within Appendix A and Appendix B of this Code.
- (d) Living quarters for a caretaker or other person whose employment requires that he live on the premises.
- (e) Canteens, dining rooms and ablutions, recreation and other facilities for the convenience of those engaged in the zone.
- (f) Buildings accessory to buildings or land used for any of the foregoing purposes.

2.10.2 Conditional Uses

- (a) Service stations.
- (b) Premises used for the sale of used cars, caravans and boats.

2.10.3 Bulk and Location Requirements

The following shall be the normal bulk and location requirements in Industrial 'A' Zones.

Maximum Height - 10 feet plus the shortest horizontal distance between that part of the building and the nearest boundary of any residential zone abutting the site.

Front Yards - 5 feet.

Rear Yards - 25 feet if adjoining a rural or residential zone.

(See note below under Side Yards).

Side Yards - 15 feet if adjoining a rural or residential zone.

(Note: Where land for a service lane or private way is provided by the owner at the rear or side of a site, the rear or side yard requirements, as the case may be, shall be diminished accordingly.

Coverage - Front site 50% - Rear site 40%,

## 2.11 INDUSTRIAL 'A1' ZONES

There shall be no predominant uses in Industrial 'A1' Zones.

### 2.11.1 Conditional Uses

- (a) Any industry in which the building or works thereby occupied or employed, the process carried on, the materials used or stored, machinery employed and the transportation of goods and commodities to and from the premises will not in the opinion of the Council, cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such building, works or material or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastepaper, waste products, grit, oil, or the presence of vermin or otherwise.
- (b) Living quarters for a caretaker or other person whose employment requires that he live on the premises.
- (c) Canteens, dining rooms, ablutions, recreation and other facilities for the convenience of those engaged in the zones.

### 2.11.2 Bulk and Location Requirements

Maximum Height - 30 feet maximum of right, though increased height may be authorised by resolution of Council.

Front Yards - 50 feet.

Rear Yards - 25 feet if adjoining a residential zone.

Side Yards - 25 feet if adjoining a residential zone.

Coverage - Front site 50% - Rear site 40%.

### 2.11.3 External Appearance of Buildings

No work shall be commenced on any site of any proposed development unless approval has been given by the Council to satisfactory designs for the exterior of all buildings and the layout and treatment of the site, including vehicle parking areas.

### 2.11.4 Air Pollution

In an Industrial 'A1' Zone, the land shall not be used for any purpose which, in the opinion of the Council, is likely to result in the discharge into the atmosphere of smoke, chemical fumes, industrial waste gases or any other vapourous substance or dust.



2.12 INDUSTRIAL 'C' ZONES2.12.1 Predominant Uses

- (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, dining rooms, ablutions, recreation and other facilities for the convenience of those engaged in the zone.
- (d) Buildings accessory to buildings or land used for any of the foregoing purposes.

2.12.2 Conditional Uses

- (a) Any industry falling within Appendix A hereto if the process or operation is so modified as to preclude every element of noxiousness or danger in relation to adjacent properties and undertakings.

2.12.3 Bulk and Location Requirements

The following shall be the normal bulk and location requirements in Industrial 'C' Zones.

Maximum Height - 10 feet plus the shortest horizontal distance between that part of the building and the nearest boundary of any residential zone abutting the site.

Front Yards - 5 feet.

Rear Yards - 25 feet if adjoining a Residential Zone (see note below.)

Side Yards - 25 feet if adjoining a Residential Zone.  
(Note: Where land for a service lane or private way is provided by the owner at the rear or side yard of a site, the rear or side yard requirements, as the case may be, shall be diminished accordingly.)

Coverage - Front sites 60% - Rear sites 50%.

2.13 INDUSTRIAL 'D1' ZONES

2.13.1 Predominant Uses

- (a) Meat Works, Stock Yards, Wool Scouring, Soap Manufacture and other uses allied to the meat industry.

2.13.2 Bulk and Location Requirements

The Bulk and Location Requirements for Industrial 'D1' Zones, parking facilities and general layout are to be as required by the Council.

2.14 RESERVES FOR PUBLIC AND PRIVATE RECREATION, PUBLIC PURPOSES AND OTHER DESIGNATED LAND

The bulk, location and parking requirements in the above reserves are to be generally in accordance with the underlying zone but the Council reserves the right to fix the siting, size and height of any building in such a reserve where it is of the opinion that the building or proposed use would detract from the amenities of the adjoining properties or neighbourhood.

2.15 CHRISTCHURCH INTERNATIONAL AIRPORT PROTECTION ZONE

The predominant uses, conditional uses, bulk and location, subdivisional standards and any other requirements of these Ordinances shall be those specified for Rural Zones, except that cemeteries shall be prohibited.

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ORDINANCE 3SUBDIVISIONAL REQUIREMENTS3.1 GENERAL(a) Predominant Uses

Land shall be so subdivided as to meet the site requirements of predominant uses for which the subdivision is intended and the layout, levels and general topography shall be such that the erection of buildings and access thereto shall be practicable.

(b) Procedure

The procedure for submission and implementation of proposed subdivisions shall be in accordance with Part II of the Counties Amendment Act 1961.

(c) Public Utilities

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

(d) Corner Roundings

If a corner lot is included in any subdivision, the corner must be rounded off to a radius of 20 feet unless the Council is of the opinion that a larger radius is required because of any particular situation.

## (e) A proposed or declared Limited Access Road cannot be used for legal frontage for subdivisional purposes. Any land adjoining a Limited Access Road cannot be subdivided unless legal frontage to an alternative road is provided.

(f) Comprehensive Developments

The subdivisional standard for such developments should be generally in accordance with the standards of the zone in which they are located but the Council may reduce the standards in order to provide for better utilisation of land and to ensure the preservation of the existing character of any particular site. (See sub-clause 3.2.3(i) of this Ordinance)

3.2 SUBDIVISIONAL STANDARDS

Every subdivision of land shall comply with the following requirements as to area and frontage.

3.2 SUBDIVISIONAL STANDARDS (cont.)3.2.1 Rural Zones

Minimum Frontage - 660 feet.  
 Minimum Area - 20 acres.

3.2.2 Rural Industrial Zones

Front Lots - Minimum Frontage - 66 feet.  
 Minimum Area - 40 perches.

Rear Lots - Minimum Frontage - 20 feet.  
 Minimum Area - 40 perches exclusive  
 of access strip.

Provided that two adjoining rear sites may be served by adjoining strips of land each not less than 10 feet in width over which reciprocal rights of way shall be created.

3.2.3 Residential Zones(a) Front Lots

<u>Use</u>	<u>Area</u>		<u>Dimensions</u>		
	<u>Minimum</u>	<u>Average</u>	<u>Minimum Frontage</u>	<u>Average Frontage</u>	<u>Minimum Depth</u>
Dwellings & Apartment Buildings	20p	24p	50'	55'	66'
Semi- Attached Dwellings (One Site)	16p		40'		66'

(b) Rear Lots

<u>Use</u>	<u>Area (Excl. of Access Strip)</u>			<u>Access Strip</u>	
	<u>Minimum</u>	<u>Average</u>	<u>Dimen- sions</u>	<u>Minimum Width</u>	<u>Length</u>
Dwelling & Apartment Buildings	27p	30p	60' in either direc- tion	12'-1 lot 16'-2 lots 20'-3 or more Lots	200' max. " "

3.2 SUBDIVISIONAL STANDARDS (cont.)3.2.3 Residential Zones (cont.)(c) Calculation of Average Areas

Average areas shall be calculated for front lots and rear lots separately. Corner lots and access strips shall be excluded from the calculation. For calculation, every front lot 30 perches or over shall be treated as a 30 perch lot and every rear lot 35 perches or over shall be treated as a 35 perch lot.

(d) Corner Lots

<u>Use</u>	<u>Area</u>	<u>Dimensions</u>	
	<u>Minimum</u>	<u>Minimum Width</u>	<u>Minimum Depth</u>
Dwellings & Apartment Buildings	24p	60'	60'
Semi-Attached Dwellings (One Site)	16p	40'	66'

(e) Reduced Standards

Where in the opinion of the Council reduced standards would assist in better utilisation of land locked or small blocks of land the following minimum areas and frontages may be permitted, provided such reduction shall apply to one front lot and one rear lot only.

	<u>Minimum Area</u>	<u>Minimum Frontage</u>
Front Lots	18p	45'
Rear Lots	24p	10' Wide Access Strip
Corner Lots	20p	

(f) Subdivisions in Non Sewered Areas

Where no sewer connection is available to a lot, the minimum area for a front lot shall be 32 perches and for a rear lot 40 perches, exclusive of the access strip, provided that no subdivision shall be permitted unless prior tests prove to the satisfaction of the Council that the site is suitable for the disposal of effluent by percolation into the ground.

3.2 SUBDIVISIONAL STANDARDS (cont.)3.2.3 Residential Zones (cont.)(g) Design of Lots

- (i) A front lot with side boundaries diverging from the street may have a minimum frontage of 20 feet if the width of the site at a distance of 30 feet from the street is not less than 50 feet.
- (ii) A corner lot shall have a minimum frontage of 110 feet and a minimum depth of 60 feet at any point in any direction from its frontage with any road line or private or proposed road line.

(h) Rights of Way

- (i) Where in the opinion of the County Engineer, it would not be practical or economical to require a new road to be constructed, the Council may allow a subdivision with more than 3 lots on one mutual right of way and/or allow a right of way to exceed 200 feet in length subject to conditions as to formation and provision of services as considered necessary by the County Engineer in any particular case.
- (ii) Wherever practicable, the access strips comprising a mutual right of way shall be of the same width.
- (iii) A right of way may be reduced in width below the normal requirements where in the opinion of the County Engineer, such reduction is warranted because of existing buildings or physical features and sufficient widths for passing places have been provided.

(i) Comprehensive Developments in Residential Zones

- (i) The developer shall make a conditional use application to the Council and submit plans of the proposed subdivision, physical features, existing trees on the site and other features which could preserve the character of any particular site.
- (ii) If adequate grounds are established in respect of any such application for a conditional use the Council may vary any of its standards relating to subdivisions or roading, provided buildings are designed and related to one another and to the site or any particular features of the site, to the satisfaction of the Engineer and comply with all relevant Statutes. By-Laws...

3.2 SUBDIVISIONAL STANDARDS (cont.)3.2.3 Residential Zones (cont.)(i) Comprehensive Developments in Residential Zones (cont.)

(iii) In approving a comprehensive development the Council may waive or vary any of the standards relating to bulk and location contained in these Ordinances where it is of the opinion such waiver or variance will tend to provide better utilization of the site and preserve the amenities of the site and will not detract from the amenities of adjoining properties.

(iv) Scheme plans shall be approved in accordance with the Counties Amendment Act 1961, subject to the condition that the buildings are constructed as shown on the proposed development plan.

3.2.4 Commercial Zones(a) Lots Without Residential Accommodation

Minimum Frontage - 15 feet ) Provided in the opinion of  
 Minimum Depth - 60 feet ) the Council adequate  
 ) provision has been made for  
 ) car parking, loading and access  
 ) in accordance with Ordinance  
 ) V.

(b) Lots With Residential Accommodation

Minimum Frontage - 20 feet ) Provided in the opinion of  
 Minimum Depth - 80 feet ) the Council adequate  
 ) provision has been made for  
 ) car parking, loading and  
 ) access in accordance with  
 ) Ordinance V and open space  
 ) as required in Ordinance  
 ) 2.6.1

(c) The Council May Approve Subdivisions to other standards subject to:-

(i) Suitable buildings being designed and built to suit the proposed lots.

(ii) Compliance with all requirements as to loading, parking and access contained in this Code.

(iii) Compliance with all relevant By-Laws and Statutes, with particular reference to fire partitions and party walls.

3.2 SUBDIVISIONAL STANDARDS (cont.)3.2.4 Commercial Zones(c) The Council May Approve Subdivisions (cont.)

- (iv) All lots adjoining residential land being capable of complying with side yard and rear yard requirements.

3.2.5 Industrial Zones(a) Front Lots

Minimum Frontage - 50 feet.

Minimum Area - 20 perches.

(b) Rear Lots

Minimum Frontage - 20 feet.

Minimum Area - 32 perches.

Provided that the adjoining rear sites may be served by adjoining strips of land each not less than 10 feet in width over which reciprocal rights of way shall be created.

Provided further that a single access strip may be reduced to 12 feet in width if it is less than 200 feet in length and serves a site of less than 40 perches in area, exclusive of the access strip.

3.2.6 Subdivisions Abutting Proposed Limited Access Roads or Limited Access Roads

Where land having frontage to a Proposed Limited Access Road or a declared Limited Access Road is to be subdivided, the scheme plan shall include provision for alternative legal frontage, in accordance with these Ordinances, to a road other than a Proposed or a Declared Limited Access Road and that the subdivision development shall also have practicable access from a road other than a Proposed or Declared Limited Access Road.

3.2.7 Subdivision to Conform with Planning Principles

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

Provided that in determining whether a site is suitable, regard shall be had to the best use of the land and its economic



3.2 SUBDIVISIONAL STANDARDS (cont.)

3.2.7 Subdivision to Conform with Planning Principles (cont.)

servicing and development, to earthquake fault lines and to liability to flooding, erosion and landslip, to stability of foundations, to safety, health and amenities.

ORDINANCE 4BUILDINGS - SITING, COVERAGE, ALTERATIONS AND BUILDING LINES4.1 GENERAL AS TO USE OF SITES FOR BUILDINGS(a) Land to be Suitable for Proposed Use

Notwithstanding conformity with the zoning requirements of these Ordinances, no building shall be altered, erected or placed and no use shall be established on any land which is not suitable for the use proposed; and for the purpose of determining whether any land is suitable for any particular use, regard shall be had to the best use of the land and its economic servicing and development, to earthquake fault lines, to liability to flooding, erosion, or landslip, to stability of foundations and to safety, health and amenity.

(b) Road Widening and Realignments

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

(c) Area and Coverage Generally

The permitted minimum site areas and yard areas and the proportionate part of the land which is to be covered by buildings shall be those specified in these Ordinances and no person shall so reduce or diminish any site, or cause or permit any site to be so used, reduced or diminished, that the areas that are not built over will be smaller than those prescribed by these Ordinances. The area of any access strip shall not be included in the calculation of site coverage for a rear site.

(d) Buildings on Rear Sites

Where more than one residential unit or more than one user has rights over the same access to a rear site or sites, the owners shall construct and maintain an adequate driveway or footway or both, giving access to the site and buildings thereon.

(e) Minimum Residential Building Sites

Notwithstanding the requirements of these Ordinances as to area and frontage, a dwellinghouse may be erected in a residential zone on a site comprising a whole parcel of land which:-

Being a front site, contains an area of not less than 12 perches with a 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 before

4.1 GENERAL AS TO USE OF SITES FOR BUILDINGS (cont.)(e) Minimum Residential Building Sites (cont.)

same ownership as any adjoining land.

(f) Information to be Supplied With Application for Permit

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.

4.2 REQUIREMENTS AS TO YARDS4.2.1 Normal Requirements

- (a) Yard to be Provided - Except as expressly provided in or under this Scheme, front, side and rear yards shall be provided on each site in each zone, as required by this Code. The bulk and location requirements for each zone are specified in Ordinance 2.
- (b) Yards to Remain Unoccupied and Unobstructed - Except as expressly authorised under this Scheme, no person shall erect any building on any front yard, rear yard, or side yard and all such yards shall be left unoccupied and unobstructed from the general ground level upwards, except for the projection of eaves of any building over any land but such eaves must not project more than 2 feet over any required yards.
- (c) Yards Provided are to Relate to One Site Only - No portion of a yard or other space provided to meet requirements in respect of one site shall be taken into account in computing the area of any yard or space provided to meet the requirements in respect of any other site.

4.2.2 Exception to Normal Requirements

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

ORDINANCE 5TRANSPORTATION5.1 GENERAL

This Ordinance sets out the obligation of every owner or occupier who constructs or who substantially reconstructs, alters or adds to any building on any site or who changes the use of any land or building with respect to the provision of off-street parking, loading facilities and access to the property from the road onto which it fronts. No building permit will be issued until the Engineer is satisfied, either from the plan submitted or from legal undertakings, that the applicant will comply fully with this Ordinance, or will be able to comply when requested to do so and will also comply with all other relevant Ordinances, Statutes and By-Laws.

5.2 PARKING OF VEHICLES(a) Number of Parking Spaces Required

The minimum requirements for off-street parking spaces in respect of any particular site shall, subject to sub-clauses (b) and (c) hereof, be determined as follows:-

<u>Use of Site</u>	<u>Parking Spaces Required</u>
(i) Dwelling houses, semi-attached houses, apartment buildings and residential accommodation in conjunction with commercial or industrial uses	2 to each household unit.
(ii) Motels	1 to each room used or intended to be used as a bedroom and 1 to each 250 sq. ft. of gross floor area of service buildings.
(iii) Licensed Hotels and Clubs	40 spaces to each 1,000 sq. ft. of bar or public space, plus one space to each guest bed, plus one space to each two staff.
(iv) Hospitals	1 per 2 patients and staff.
(v) All other residential buildings	1 space to every two persons the building is designed to accommodate



5.2 PARKING OF VEHICLES (cont.)(a) Number of Parking Spaces Required (cont.)

- | <u>Use of Site</u>                    | <u>Parking Spaces Required</u>                                |
|---------------------------------------|---|
| (xii) Uses not expressly provided for | Spaces to be determined through conditional use applications. |
- (b) Nothing in this Ordinance shall limit the power of the Council under Ordinance 2.1.9 to impose conditions as to the provision of parking spaces in respect of conditional uses.
- (c) The area of required space or spaces and of access drives and aisles provided within a building shall be excluded from the assessment of gross floor area of that building for the purposes of ascertaining the total number of spaces required.
- (d) The space that is available about a building to meet the requirements of this Ordinance for off-street parking shall not be diminished by the subsequent erection of any structure, storage of goods, or any other use.
- (e) The provision of parking in respect of any site may be made as part of the yard space of that site except in the case of front yards of residential property.
- (f) Nothing in these Ordinances shall be construed to prevent two or more developers jointly making 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 that where it can be shown that the demand of one or more of the developers occurs at a different time of the day from that of the remaining developers, a partial or complete dispensation may be allowed in respect of the parking requirements for one or more of the developers. Council reserves the right to re-impose the individual requirement should circumstances change with respect to the right of any developer to use the joint parking site and may require a legal undertaking or other form of guarantee from the parties concerned, acknowledging their responsibility to provide and maintain the amount of parking required under this Ordinance.
- (g) Where there is vehicular access to the site, the parking spaces shall be located on the site; where, however, that is not practicable, or where vehicular access cannot be provided to the site, the off-street parking requirements shall be provided as close to the site as practicable.
- (h) Where an application for development does not conform with sub-clause (a) above the Council may impose such requirements as are appropriate to the development and the following matters shall be taken into consideration:-

5.2 PARKING OF VEHICLES (cont.)

(h) (cont.)

- (i) The number of workers likely to be employed on the site and their arrival by car.
- (ii) The number of calls likely to be made by servicing and delivery vehicles to the site.
- (iii) The number of calls likely to be made by visitors and cars to the site.
- (iv) The amount, if any, of parking that the adjacent streets can properly be expected to provide. In this respect, should the adjacent streets be principal routes designated in the Road Network, such streets will not be included in any calculation of street parking.
- (v) The amount, if any, of public off-street parking that may or is planned to be available in the neighbourhood.
- (vi) Any physical characteristics of the site or adjoining streets that may affect the ability of the site to provide for off-street space.
- (vii) Any other factors appearing to be relevant to the case in question.

Any off-street parking requirements which are varied up or down in view of such considerations require to be confirmed by resolution of the Council.

5.3 PHYSICAL DETAILS OF PARKING SPACES AND PARKING AREAS

- (a) Every parking space shall be of useable shape and shall have an area of not less than 150 square feet exclusive of the access drives and aisles.
- (b) Every required space shall be provided with such access drives and aisles as are necessary for ingress and egress of motor vehicles from and to the road and for manoeuvring of motor vehicles within the site.
- (c) Except in respect of a site used or to be used for a dwelling-house, semi-attached dwelling or apartment building containing two units, the whole of the required space or spaces and access drives and aisles shall, before the commencement of the use to which the requirement relates, be formed and sealed to the satisfaction of the Engineer and shall at all times thereafter be maintained in the like order and condition; provided the Council may, subject to the conditions it thinks fit, consent to the completion of such work after the commencement of such use as aforesaid.

5.3 PHYSICAL DETAILS OF PARKING SPACES AND PARKING AREAS (cont.)

- (d) Where five or more required spaces are provided on a site which adjoins or is situated within a residential zone, the area comprising such spaces shall be screened by a close-boarded fence or wall, not less than six feet in height or by an evergreen hedge or other planting maintained in good condition, provided the Council may consent to any other form of screening or if it is of the opinion that no screening is necessary to preserve the amenities, it may waive such requirement.

5.4 LOADING5.4.1 General

- (a) Except where the Council by resolution determines that this provision need not apply, every owner or occupier who constructs or who substantially reconstructs or adds to any building or changes the use of any site in an industrial or commercial zone, shall make adequate provision on his own property, or by a mutual agreement on an adjacent property, for the loading and unloading of all goods associated with the site.
- (b) The provision of loading areas in respect of any site may be made as part of the yard space of that site.

5.4.2 Loading Requirements to Depend on Class of Road(a) Properties Fronting Classified Roads

Where a property fronts onto an arterial, primary, or secondary road, as determined by Appendix C and illustrated in the plan of the Principal Road Network, off-street loading facilities, together with access and turning space, shall be designed so that it is not necessary to reverse vehicles either onto or off the road. Where the number of service vehicles expected to service the site is expected to be low and there are no over-riding local traffic considerations, the Engineer may grant a dispensation to allow a loading dock or other approved loading facility in respect of properties fronting primary and secondary roads.

(b) Properties Fronting Unclassified Roads

Where a property fronts a road unclassified in Appendix C, off-street loading facilities may be in the form of a loading dock as defined in Ordinance 5.4.5.



5.4 LOADING (cont.)5.4.3 Service Lanes to Retail Shops

Vehicular access to retail shop sites in Commercial Zones may be provided by way of service lanes, provided suitable and efficient accommodation is provided within the site for the loading and unloading of vehicles which is likely to arise from the use of the site. Service lanes may be dedicated and shall be formed and sited to the Council's requirements and shall be not less than 20 ft. in width, provided the Council may by resolution reduce this width to not less than 12 ft.

5.4.4 Operation of Loading Facilities Not to Obstruct

On all roads, the method of loading shall at no time cause the footpath or access to adjacent property to be blocked, nor shall it create a traffic hazard on the road.

5.4.5 Design of Loading Areas(a) Layout and Vehicle Dimensions

The layout of any loading area will depend on the area and shape of the land available, the purpose for which loading is required and functional design of the building. The layout shall generally be of sufficient size to accommodate a "90 Percentile Two-Axled Truck" design vehicle as defined by the Ministry of Transport. The dimensions and turning circle of this vehicle are shown in Appendix F.

(b) Loading Docks Facing Street

Where loading docks are permitted to front directly onto the road, their position shall conform with the access requirements of this Ordinance. The minimum dimensions for a loading dock shall be 12 feet wide and 25 feet deep, measured from the street boundary.

(c) Design and Construction

All loading and manoeuvring areas shall be designed and constructed or formed to the satisfaction of the Engineer prior to the commencement of the use to which the requirement relates.

5.5 ACCESS TO PROPERTY5.5.1 Obligation of Owner or Occupier

- (a) Access to be Provided - Except where, in the opinion of the Engineer, this provision need not apply, every owner or occupier shall provide vehicular access to his property for parking or loading over his own land or by mutual right of way or service lane.
- (b) Responsibilities of Council and Developer - All work on culverts and crossings within the road reserve shall be done by the Council at the expense of the owner. This shall be done on a prepaid basis, the rates being the standard cost of construction of the culvert and the crossing as determined from time to time. In the case of industrial and commercial developments, the rates shall be the actual cost of constructing the access within the road reserve including any kerb and channel, formation and surfacing of the access within the road reserve, provided that where considered expedient the Engineer may permit or require the work to be carried out by the developer, such work to be to the Engineer's requirements and complete satisfaction.
- (c) Standards of Construction for Accessways
- (i) All accessways to commercial and industrial properties shall be formed and sealed so as to adequately prevent deleterious material such as mud, stone, chip and gravel being carried into a public street or footpath. The requirement of this paragraph will be met if the first 40 feet of the accessway measured from the road boundary is so treated.
- (ii) Stormwater originating from the property shall be disposed of to the satisfaction of the Engineer.
- (d) Drive-in Facilities - Where the use of the property requires drive-in facilities, such as in service stations, the location of accesses and the layout of the site shall be subject to specific approval to ensure that:-
- (i) Interference with pedestrians is kept to a minimum.
- (ii) Use of the site is consistent with the smooth traffic flow in the adjoining road.

Proposals shall be subject to the approval of the Engineer.

5.5 ACCESS TO PROPERTY (cont.)5.5.2 Access to Depend on Class of Road(a) Network of Traffic Roads

The form of access to the property and the location of accesses with respect to road intersections shall be as set out in the subsequent clauses having particular regard to the class of road onto which the property fronts, and where applicable, the class of the road intersecting that road to form a nearby intersection. The class of road shall be determined by Appendix C and illustrated in the plan of the Principal Road Network.

5.5.3 Design of Accesses(a) General

Access from the carriageway to the property shall normally be gained by culvert and crossing. The access shall be designed and constructed to the satisfaction of the Engineer, taking into account the location and such factors as relate to the particular use.

There are two types of vehicular crossings - "residential" and "heavy duty". The residential type is built to carry car traffic and the "heavy duty" type is built for heavier traffic.

(b) Drive-In Accesses

All details of drive-in accesses shall be subject to the specific approval of the Engineer. The following general requirements will normally apply:-

- (i) The number, spacing and length of accesses and the direction of flow shall be so determined to suit the particular development and traffic pattern of the road or roads onto which the property fronts.
- (ii) The access shall be formed and surfaced to a standard capable of carrying the design, volume and weight of traffic.
- (iii) Provision shall be made for the disposal of storm-water from the access.
- (iv) The developer shall be responsible for any work required on the existing road reserve to marry the access to the existing road formation.

5.5 ACCESS TO PROPERTY (cont.)5.5.3 Design of Accesses (cont.)(c) Widths of Vehicular Crossings

The standard widths of vehicular crossings are:-

	<u>Residential</u>	<u>Commercial or Industrial</u>
(i) On local roads	10 feet	12 feet
(ii) On secondary roads	10 feet	12 feet
(iii) On primary or arterial roads	12 feet	14 feet

The standard width may be increased where, in the opinion of the Engineer, local traffic considerations or the type of vehicle commonly used to serve the property justify an increase.

(d) Distance of Access From Intersections

Access to any commercial or industrial property (or to any other property where, in the opinion of the Engineer this provision is necessary) shall be sited not closer to any intersection than the distance given in the following table. Distances are measured in feet to the intersecting kerb-line.

<u>Frontage Road</u>	<u>Arterial or Motor- Way Ramp</u>	<u>Primary</u>	<u>Second- ary</u>	<u>Local</u>
Rural Arterial	900'	900'	600'	600'
Rural Primary	600'	600'	300'	300'
Rural Unclassified	300'	300'	200'	200'
Urban Arterial	300'	300'	200'	200'
Urban Primary	200'	200'	100'	100'
Urban Secondary	150'	150'	50'	50'
Urban Unclassified	150'	150'	50'	50'

Notwithstanding the above, the Council may grant a dispensation under Ordinance 1.4.4 in respect of properties fronting onto a primary, secondary or local road if it is of the opinion that:-

- (i) The expected traffic generation from the property is so small as to have no significant effect on the safety or efficient operation of the intersection; or,
- (ii) There are no other local traffic requirements which would preclude this dispensation but such dispen-

5.5 ACCESS TO PROPERTY (cont.)5.5.3 Design of Accesses (cont.)(d) Distance of Access From Intersections (cont.)

## (ii) (cont.)

sation will not apply at the intersection of any designated road which is likely in the future to be controlled by traffic signals.

5.6 LIMITED ACCESS AND PROPOSED LIMITED ACCESS ROADS5.6.1 Limited Access Roads

No person shall drive or move any vehicle or cattle, or permit any vehicle or cattle to be driven or moved onto or from any limited access road declared as such by the Council or declared by the National Roads Board in the case of a State Highway, except:-

- (a) At a motorway, road, street or service lane from which vehicles might lawfully be driven or moved onto the road declared to be a limited access road immediately before its declaration as such; or
- (b) In any case to which paragraph (a) of this sub-clause does not apply, at a motorway, road, street or service lane from which access to the limited access road has been authorised by the Council and in accordance with such conditions as may be approved and publicly notified by the Council; or
- (c) At a specified access place authorised by the Council and in accordance with such conditions (including conditions relating to the form of the accessway and frequency of use) as are for the time being specified by the Council.

5.6.2 Proposed Limited Access Roads

No person shall drive or move any vehicle or cattle, or permit any vehicle or cattle to be driven or moved, on to or from any proposed limited access road except:-

- (a) At a motorway, road, street or service lane from which vehicles may, apart from anything contained in these Ordinances, lawfully be driven or moved onto the proposed limited access road or part thereof; or

5.6 LIMITED ACCESS AND PROPOSED LIMITED ACCESS ROADS (cont.)5.6.2 Proposed Limited Access Roads (cont.)

- (b) At any access place which is shown to have been in use when the proposed limited access road was first designated as such in this District Scheme at or after the time at which it became an Operative District Scheme, such driving or movement of vehicles and cattle being restricted in nature, frequency and degree to that obtaining at the time of such designation, or to that from time to time authorised by the Council and in any case in accordance with such conditions (including conditions relating to the form of the access way and the frequency of use) as are for the time being specified by the Council; or
- (c) At any other access place authorised for the time being by the Council and in accordance with such conditions and the frequency of use as are for the time being specified by the Council.

5.6.3 In this clause, the expression "cattle" shall bear the same meaning as in the Public Works Act 1928, which reads "Cattle" includes any horse, mare, gelding, colt, filly or foal, any bull, cow, ox, steer, heifer or calf; any ram, ewe, wether or lamb and any ass, mule or goat, or any boar, sow or other pig.

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ORDINANCE 6AIRPORT SAFETY PROVISIONS6.1 CHRISTCHURCH INTERNATIONAL AIRPORT, SAFETY ZONING PROVISIONS

- (a) The safety zoning provisions for flight operations at the Christchurch International Airport are included in the Scheme in accordance with a policy maintaining standards of airport safety consistent with Department of Civil Aviation standards.
- (b) The land that lies under the various clearance surfaces specified for safety zoning provisions for flight operations is shown for the purpose of this Scheme on the District Planning Maps by distinctive notations and where a line appears on a planning map, the land affected by the safety zoning provision lies on that site of the line indicated by plus symbols.
- (c) No building, mast, pole, tree or other object shall penetrate any of the approach slopes, the horizontal surfaces and surrounding sloping planes as generally shown on the District Planning Map and defined in detail on Waimairi County Council Map No. D.P.S.1.; provided that where there is any conflict between these height control limits, the lowest height restriction shall prevail.
- (d) Provided further, that limited infringement of the said height control limits may be permitted in exceptional cases subject to the prior written consent of the Director of Operations and Technical Services, Department of Civil Aviation and subject to any conditions he may require.
- (e) For the purposes of this Scheme, the mean level of the landing area of the Christchurch Airport is a height of 105 feet above mean sea level.

6.2 WIGRAM AIRFIELD, PROVISION FOR OBSTRUCTION CLEARANCE AREAS

- (a) The following provisions for obstruction clearance areas at Wigram Airfield are included in the Scheme in accordance with the requirements of the Minister of Works under the provisions of Section 21 of the Town and Country Planning Act 1953 and its amendments.
- (b) Notwithstanding any height restriction specified under Ordinance 2, no building, structure, mast, pole, tree or other object shall in respect of:-
  - (i) The areas shown on the District Planning Map, penetrate a plane rising at a gradient of 1 in 50 from the nearest point on the effective flying field boundary to a horizontal distance of 7,500 feet, that is to a height

6.2 WIGRAM AIRFIELD, PROVISION FOR OBSTRUCTION CLEARANCE AREAS (cont.)

(b) (i) (cont.)

of 150 feet above the airfield. This area is shown in the District Planning Map by distinctive notations and where a line appears on a planning map, the land affected by the safety zoning provision lies on that side of the line indicated by plus symbols.

(ii) The areas shown on the District Planning Map, penetrate a plane rising at a gradient of 1 in 7 on the edge of the 1 in 50 gradient to a height of 150 feet above the airfield. These areas are shown on the District Planning Map by distinctive notations and cross hatched.

(iii) The area shown on the District Planning Map, penetrate a horizontal surface at a height of 150 feet above the airfield and extending out to a distance of 10,500 feet from the nearest point on the effective flying field boundary. This area is shown on the District Planning Map by distinctive notations and where a line appears on the planning map, the land affected by the safety zoning provision lies on the side of the line indicated by plus symbols.

Provided that where two or more of any of these height restrictions apply at the same place, then the lowest height restriction is predominant; provided further that limited infringement of the height restrictions imposed hereunder may be permitted in exceptional cases subject always to the prior written consent of the Secretary of Defence and to any conditions he may require.

(c) For the purpose of this Scheme, the mean level of the landing area of Wigram Airfield is a height of 74 feet above mean sea level.

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ORDINANCE 7AMENITIES7.1 OBJECTS AND PLACES OF HISTORIC OR ARCHITECTURAL INTEREST OR NATURAL BEAUTY(a) Designation and Registration

In respect of any object or place or historical or scientific interest or natural beauty which is intended to be preserved, or listed in Appendix G, the Council shall enter particulars thereof in a register to be kept at the office of the Council and shall forthwith notify the owners and occupiers 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 during office hours for inspection by persons interested.

(b) Preservation

No person shall, without written consent of the Council, wilfully destroy, remove or damage any object or place registered by the Council as aforesaid.

(c) Cancellation of Registration

The Council may at any time cancel such registration and shall thereupon make an appropriate alteration in the register and notify accordingly the owner or occupier of the land upon which such object or place is situated.

7.2 CONTROL OF ADVERTISING7.2.1 General

Without in any way derogating from or limiting the generality of application of any By-Law of the Council, it is expressly declared that this part of the Code of Ordinances is complementary to and not in substitution for the By-Laws of the Council relating to the control and licensing of signs and advertising.

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 onto any building or part thereof or other erection and whether permanently or temporarily so affixed or incorporated or painted thereon.

7.2 CONTROL OF ADVERTISING (cont.)7.2.1 General (cont.)

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

7.2.2 Rural and Residential Zones

No person shall without the consent of the Council erect or construct or display or cause or permit to be erected, or constructed or displayed any signboard or poster in any rural or residential zone.

Provided that this sub-clause shall not apply to:-

- (a) Any poster or signboard of reasonable size and serving only to direct traffic on any site or to denote the name of any 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, community hall, library, hospital, nursing home or convalescent home.
- (c) Any signboard not exceeding 6 square feet in area (or such greater size as the Council may permit in any particular case) advertising the disposal of the land of premises on which it is situated and displayed not more than 21 days before and 3 days after such disposal.
- (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 21 days before and 3 days after the auction.
- (e) Any signboard not exceeding 2 sq. ft. in area attached to a residential building used for professional or business purposes and bearing only the name, occupation and hours of attendance or business of a person so using the building.
- (f) Any poster or signboard which has been approved by resolution of the Council under the provisions of the By-Laws.
- (g) Temporary posters or signboards relating to elections.
- (h) One signboard of an approved "emblem" type on the site of each petrol service station.

## 7.2 CONTROL OF ADVERTISING (cont.)

### 7.2.3 Commercial and Industrial Zones

- (a) The number and designs of signboards which may be displayed on any building, premises or site in any Commercial or Industrial Zones shall be subject to the approval of the Council.
- (b) No signboard or poster shall be erected or displayed in any Commercial or Industrial Zone so as to be obtrusively visible from any Residential Zone.

### 7.2.4 Council May Prohibit

- (a) If at any time the Council, having regard to the amenities of, or to the views from, any neighbourhood or motorway, arterial or primary road, 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.
- (b) If at any time the Council, having regard to consideration of traffic safety or the requirement of traffic control, is of the opinion that the erection, construction or display of any sign ought not to be permitted, the Council may, by resolution, prohibit the erection, construction or display of any such sign. No flashing directional illuminated signs which could confuse a vehicle driver and affect the traffic safety shall be permitted and in the case of motorways and limited access roads, hoardings or roof top signs shall not be permitted in any zones if they are visible from, or likely to divert the attention of drivers travelling on such roads.

## 7.3 VERANDAHS ON COMMERCIAL PREMISES

Unless, in the opinion of the Council, insufficient pedestrian movement will be generated on the pavement fronting a building, every building used for commercial purposes shall, in its erection or on being reconstructed or altered in a way that substantially changes the appearance of its face, be provided with a verandah designed in compliance with the Building By-Laws and placed with such minimum or maximum heights as the Council may prescribe but each so related to its neighbours as to provide continuity and each having a fascia within such limits of depth as the Council may require, provided that no such verandah shall be supported by posts on the road.

7.4 HARMONY IN DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS

- (a) 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.

No structure, sign, excavation or other work shall be sited, or made or finished (notwithstanding that the design and materials may comply with the Council's Building By-Laws ) or shall be left unfinished or allowed to fall into such a condition, or remain in such a condition that it would in the opinion of the Council be visually inappropriate to the neighbourhood, or would otherwise interfere with the amenities of the neighbourhood or would tend to depreciate private or public values therein.

Where the Council is of the opinion that any building, structure or other work contravenes the provisions of this sub-clause, the Council will take action under Section 34A of the Act in order to require the owner of such building, structure or other work to remove the objectionable element.

- (b) If, in the opinion of the Council, the design and appearance of a proposed building will materially detract from the amenities, it shall refuse permission for such development as being in conflict with this Ordinance.

7.5 PRESERVATION OF AMENITIES

- (a) All land and buildings shall be so maintained as to preserve the amenities of the locality in which they are situated.
- (b) Except for the areas developed for buildings, for paved pedestrian and vehicular access and for parking, any site shall be grassed and planted and maintained as an amenity to the site and its vicinity to the satisfaction of the County Engineer.
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APPENDIX A

INDUSTRIES REQUIRING SEGREGATION

BECAUSE OF NOXIOUS OR DANGEROUS ASPECTS

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  
Fell Mongering  
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 Predominant 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

INDUSTRIES REQUIRING SEGREGATION

BECAUSE OF NOISE, SMOKE, SMELL, EFFLUENT, VIBRATION, DUST,

GLARE OR OTHER LIKE OBJECTIONABLE ASPECTS

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  
Casein Manufacture  
Celluloid Works  
Cement Manufacture  
Chemicals Manufacture  
Coal Briquette Manufacture  
Cold Storage  
Concrete Central Mixing Plant  
Construction 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  
Grain Elevator  
Grain Milling

APPENDIX B (cont.)

Grain Threshing and Crushing  
Gypsum Manufacture  
Harbour Facilities - Wharfage, Sheds etc.  
Hides, Wool and Tallow Warehouse  
Hydro-Electric Power Station  
Ink Manufacture  
Iron Foundry  
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  
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  
Panel Beating Works  
Paper Manufacture  
Railway Goods Yards  
Railway Trackage  
Railway Workshop  
Roading Contractor's Workshop or Yard  
Rolling Mill  
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

APPENDIX B (cont.)

Sheet Metal Manufacture  
Shell Crushing  
Ship Building  
Shoddy Manufacture  
Smelting Metals  
Stains Manufacture  
Starch Manufacture  
Steel Mill  
Stone Cutting or Dressing (except monumental masonry)  
Stove, Range and Grate Manufacture  
Sugar Refining  
Tar Storage  
Timber Yard (wholesale)  
Tinplate Manufacture  
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.

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APPENDIX C

CLASSIFICATION OF ROADS

FORMING NETWORK OF PRINCIPAL TRAFFIC ROADS

List of Abbreviations

P	-	Primary Roads
LAP	-	Limited Access Primary
S	-	Secondary Roads
A	-	Arterial Roads
LAA	-	Limited Access Arterial

Annex Road	LAP	
Avonhead Road	S	
Barnes Road	S	
Beach Road	P	
Belfast Road	S	
Blakes Road	S	
Blenheim Road	A	
Breens Road	S	
Briggs Road	S	
Broad Road	P	
Burwood Road	P	Lake Terrace Road to Travis Road
	S	Travis Road to Prestons Road
Cavendish Road	S	Styx Mill Road to Grampian Street
Claridges Road	S	Grampian Street to Gardiners Road
Clyde Road	P	Fendalton Road to Riccarton Road
	S	Greers Road to Fendalton Road
Cotswold Avenue	S	
Cranbrook Avenue	S	
Cranford Street	P	
Creyke Road	P	
Daniels Road	S	
Dickeys Road	S	
Farrington Avenue	S	
Fendalton Road	A	
Frosts Road	LAA	
Gardiners Road	S	
Glandovey Road	P	Railway to Strowan Road
	S	Fendalton Road to Idris Road
Grahams Road	P	Greers Road to Waimairi Road
Grampian Street	S	
Greers Road	A	Harewood Road to Sawyers Arms Road
	P	Harewood Road to Grahams Road
	S	Grahams Road to Waimairi Road

APPENDIX C (cont.)

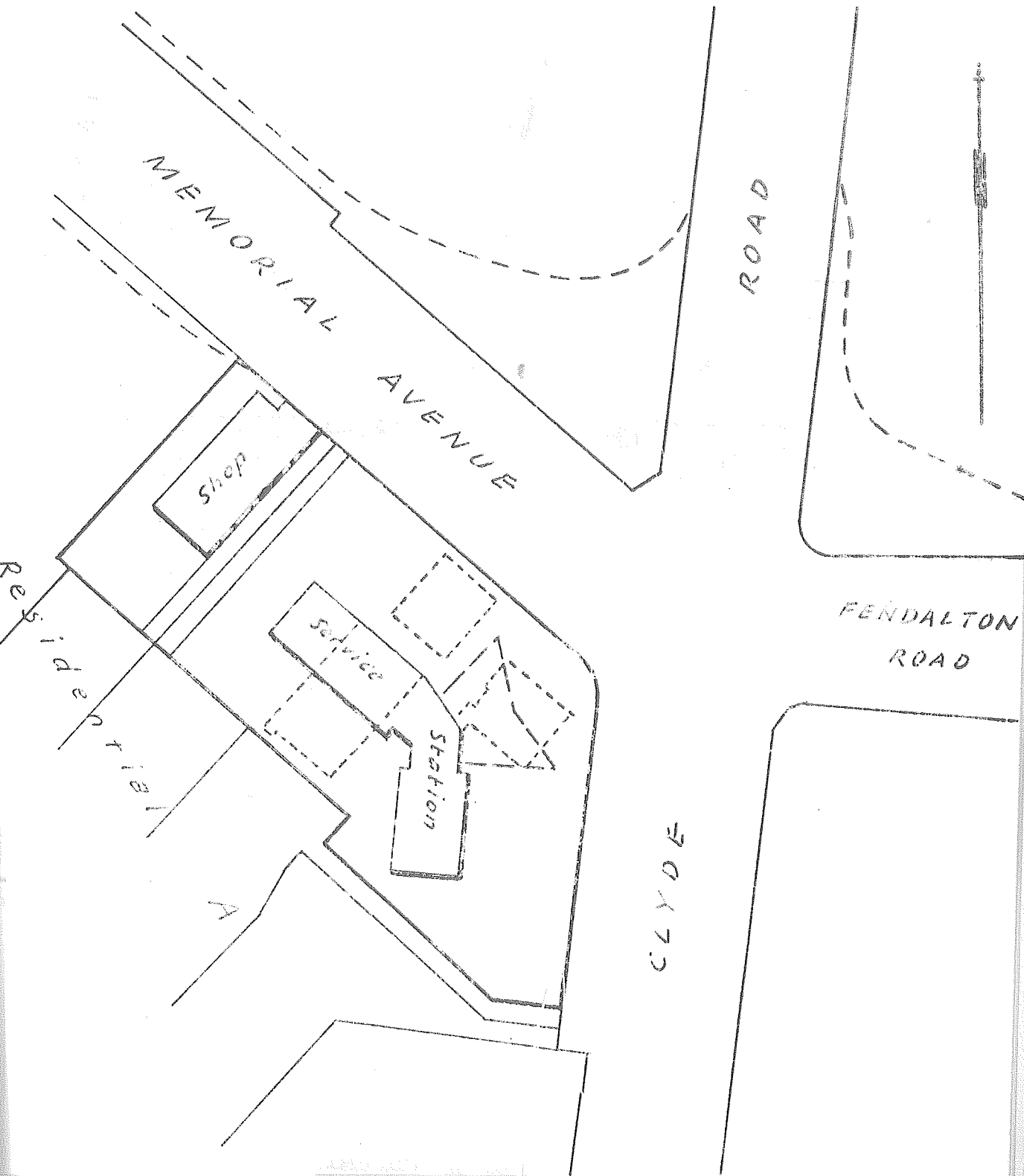
Grimseys Road	S	Winters Road to Prestons Road
Guildford Street	S	
Halls Road	S	
Hansons Lane	P	
Harewood Road	A	Johns Road to Greers Road
	P	Greers Road to City Boundary
Harbour Road	P	
Hawkins Road	LAP	
Heyders Road	P	
Highsted Road	P	Harewood Road to Styx Mill Road
Holmwood Road	P	
Idris Road	P	
Ilam Road	S	
Inwoods Road	S	
Isleworth Road	S	
Jeffreys Road	S	
Johns Road	LAA	Harewood Road to Belfast Gun Club
	LAP	Belfast Gun Club to North Road
Kahu Road	P	
Kainga Road	P	Straven Road to Kotare Street
Kendal Avenue	S	
Kilburn Street	S	
Kotare Street	P	
Lake Terrace Road	S	
Lincoln Road	P	
Lower Styx Road	LAP	Marshland Road to Earlham Street
	P	Earlham Street to Harbour Road
Maidstone Road	P	
Main North Road	A	City Boundary to Styx Overbridge
	LAA	Styx Overbridge to 7 Chains South of Englefield Road
	A	7 Chains South of Englefield Road to Belfast Hotel
	LAA	Belfast Hotel to Waimakariri Bridge
Mairehau Road	S	Burwood Road east to No. 363
Marshland Road	P	
Matipo Street	S	
Memorial Avenue	A	
Merrin Street	S	Avonhead Road to Withells Road
Northcote Road	A	Extension, Railway to Sawyers Arms Road
Peer Street	P	
Philpotts Road	S	
Prestons Road	P	
Pukako Terrace	P	

APPENDIX C (cont.)

Radcliffe Road	LAA	Main North Road to proposed Motorway
	LAP	Proposed Motorway to Hawkins Road
Riccarton Road	P	
Rossall Street	P	
Roydvale Avenue	S	
Russley Road	LAA	
Sawyers Arms Road	P	Johns Road to Greers Road
	S	Greers Road to Railway
Spencerville Road	S	
Straven Road	P	
Strowan Road	P	
Styx Mill Road	S	
Travis Road	LAA	
Veitch Road	S	Grampian Street to Sawyers Arms Road
Waimairi Road	P	Grahams Road to Riccarton Road
Wairakei Road	P	
Weka Street	P	Kotare Street to Puriri Street
Wharenui Road	S	
Winters Road	LAA	No. 142 to Hills Road
	S	No. 33 to Grimseys Road
Withells Road	S	
Wooldridge Road	S	
Yaldhurst Road	A	Russley Road to Peer Street
	P	Peer Street to Riccarton Road

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APPENDIX D



COMMERCIAL A1 ZONE

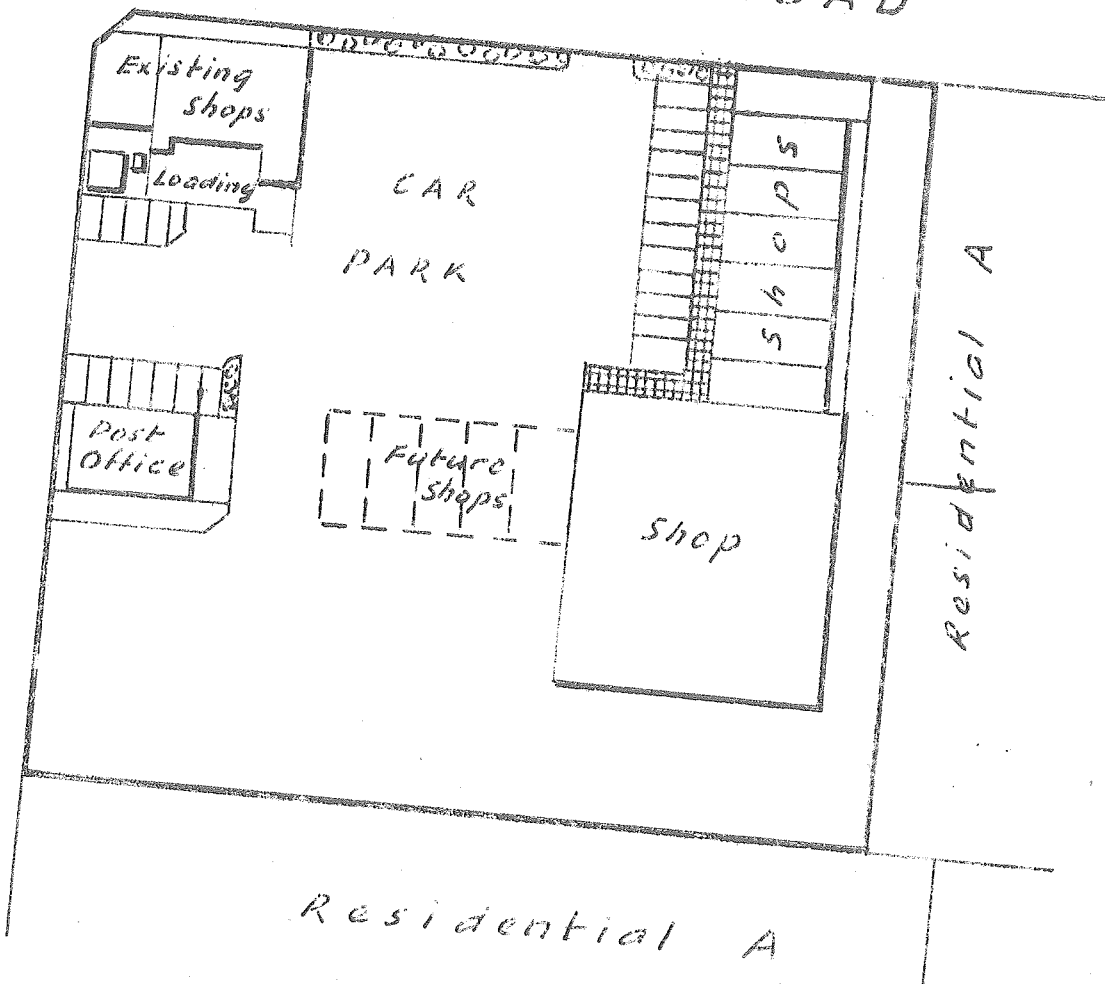
SCALE - ONE CHAIN TO ONE INCH

APPENDIX E

ROAD

ILAM ROAD

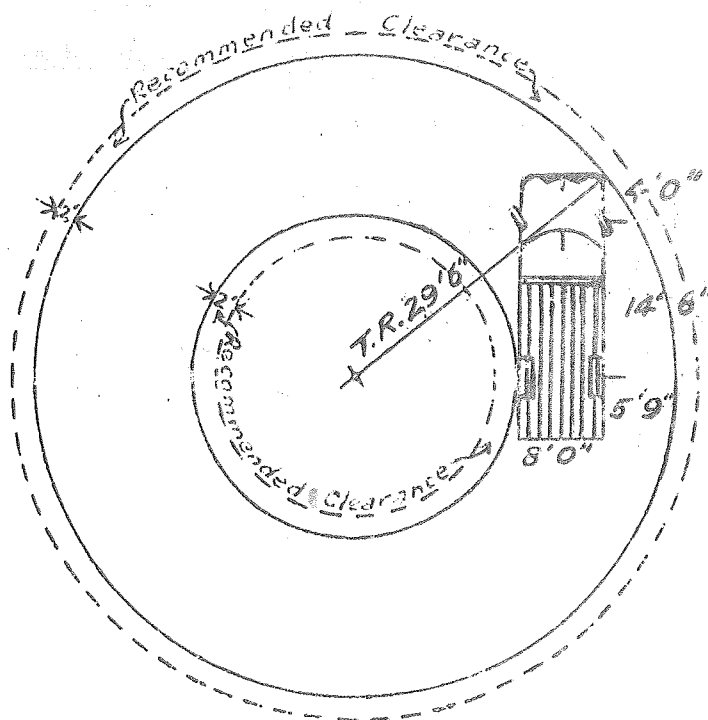
CLYDE



COMMERCIAL A1 ZONE

SCALE - ONE CHAIN TO AN INCH

APPENDIX F



STANDARD DESIGN VEHICLE

90 PERCENTILE TWO-AXLED TRUCK

APPENDIX G

OBJECTS AND PLACES OF HISTORIC OR  
ARCHITECTURAL INTEREST OR NATURAL BEAUTY

1. Deans Bush
2. Deans Cottage (Deans Bush)
3. Riccarton House
4. Cabbage Trees (Cordyline Australus) Burnside High School
5. All Public Open Space