

23 July 1985.

Scheme Change No 11.

Rezoned Lot 1 D.P. 2166 from Residential
to Commercial B.

(Westland Loop Dairy Co Offices, Weld / Brittan St).

18 December 1985

Scheme Change No 12.

Extension of Commercial B boundaries in
the central business area of the Berouga

(Hamilton, Tancred, SewellSt + Gibson^{Quay} Block).

December 1985

Scheme Change No 13

Amend provisions of dispensation and waivers
to comply with Section 36(6) T.C.P. Act 1977.

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NOTE: EACH PART HAS A SEPARATE INDEX

HOKITIKA BOROUGH COUNCIL

TELEPHONE 418 or 321

OUR REFERENCE TOP 1/1

YOUR REFERENCE

When replying please quote our reference

Please address all correspondence to

THE BOROUGH MANAGER

P. O. BOX 155

HOKITIKA

TOWN AND COUNTRY PLANNING ACT 1977

SECTION 86

OPERATIVE DISTRICT SCHEME

Index of Scheme Changes and Specified Departures

		File Reference
1 October 1980	District Scheme became operative.	TOP 1/1
16 September 1981	W G & B A Hutchison Establish panelbeating business Residential Zone to 15 December 1983	PRP 13 Davie
21 October 1981	W A & L B Williams Establish automotive spray painting business in Residential Zone.	PRP 25 Revell
2 August 1982	Scheme Change No. 1 Amendments to Accessory Building height, coverage and siting standards.	TOP 1/1
	Scheme Change No. 2 Removal of Building Line restrictions on Elcock Lane.	
	Scheme Change No. 3 Rezone Section 3348, 3349 and Part Sections 3294 and 3352, Town of Hokitika, from Industrial A to Residential (Hampden/Fitzherbert Street Intersection).	
	Scheme Change No. 4 Removal of Service Lane over Lot 1 DP 2157 (Pfahlerts Bakery).	
	Scheme Change No. 5 Rezone Part Lot 1 DP 1216 and Reserve 520 from Residential to Commercial A (Stafford/Sale Street intersection).	

Changes 1-5 recompiled
in 1983 reprint.

1 August 1984

Scheme Change No. 6
Rezone the block bounded by Revell,
Beach and Camp Streets and Gibson Quay
and introduce Performance Standards.
Withdrawn.

Scheme Change No. 7
Rezone Section 4138, Town of Hokitika,
from Residential to Commercial B
(Medical Centre).

Scheme Change No. 8
Rezone Section 4123, Town of Hokitika,
from Residential to Commercial C
(Tourist Hotel Complex).

Scheme Change No. 9
Provide for leasehold/ownership units
as predominant uses in a Residential Zone.

29 November, 1984.

Scheme Change No. 10
That block bounded by Revell, Beach and Camp
Streets and Gibson Quay, is zoned as Deferred
Industrial. The intention is to provide a
zone in which service industries will be gradually
phased in and existing residential status phased out.

DETAILS OF SCHEME CHANGE NO. 8.

1. Incorporate, as part of the scheme statement for commercial zones, (Section 3.6):-

Commercial C Zone

Objective

To provide for the establishment of a comprehensive tourist accommodation complex with appropriate services and facilities, on Section 4123, Town of Hokitika.

Policies

- (i) To ensure a reasonable degree of nuisance protection for adjoining residential uses.

Explanation

The terraced topography on the southern portions of the site will provide a natural buffer. Side yard clearances and the screening of parking areas will be enforced to protect the amenities of the residential zone to the west.

- (ii) To require adequate provision for stormwater and sewerage disposal.

- (iii) To ensure that safe vehicle access to the site is possible for all uses to be carried out on the site.

- (iv) To require the provision of sufficient off-street parking to cater for all vehicles generated by the use of the site.

- (v) To ensure that buildings to accommodate the predominant uses do not dominate the visual skyline.

Explanation

The terrace top forms a clearly defined visual horizon. Council considers that a multi-storey development, dominating the horizon would be out of keeping with the existing scale of development along the terrace. The building site is of sufficient extent to enable a low-level building design.

- (vi) To maintain and enhance the aesthetic backdrop to the town and the amenity value of the site.

- (vii) To promote water and soil conservation.

Explanation

Landscaping, amenity and stability planting of that part of the site defined as being within the greenbelt would enhance the visual backdrop to Hokitika. Council is also conscious of the need to promote water and soil conservation values along the terrace face. For this reason, Council will require that provision be made for the maintenance of native bush cover in the greenbelt in accordance with Council's greenbelt policy.

These policies shall be implemented by way of performance standards contained within the ordinances of this zone.

TOWN AND COUNTRY PLANNING ACT 1977

HOKITIKA BOROUGH
DISTRICT PLANNING SCHEME

ENGINEER'S
COPY

Prepared by:

COWAN & HOLMES,
Registered Surveyors,
Consultants in Mining
Engineering, Planning.
Timaru and Greymouth.

Pursuant to resolutions of the Hokitika Borough Council passed on 17 September 1980 this District Scheme was approved and is to become operative on 1 October 1980:-

In witness whereof the Common)
Seal of the Hokitika Borough)
Council was hereunto affixed in)
the presence of:-)



W.A. Reynolds J.P. Mayor
W.A. Reynolds

C.A. Robbins Town Clerk
C.A. Robbins

PART 1

SCHEME STATEMENT

BEING A DESCRIPTION OF THE PARTICULAR PURPOSES
OF THE DISTRICT SCHEME AND OTHER PARTICULARS
NECESSARY FOR ITS PROPER EXPLANATION.

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SCHEME STATEMENT

PART 1 - INTRODUCTORY

1.1. DOCUMENTS COMPRISING DISTRICT SCHEME

This Scheme Statement, the Code of Ordinances and the District Planning Maps, comprise the Hokitika Borough District Scheme (hereinafter called the District Scheme or the Scheme) as required by Section 36 and Regulation 21 of the Town and Country Planning Act 1977.

1.2. AREA INCLUDED WITHIN DISTRICT SCHEME

The District Scheme provides for the future development of the Borough of Hokitika, being an area of 273 ha as shown on the District Planning Maps.

1.3. INTERPRETATION

In this Statement, unless the context otherwise requires, words and phrases have the same meanings as in the Code of Ordinances.

PART 2 - POPULATION & OCCUPATIONAL STRUCTURES &
FUNCTIONS OF DISTRICT

2.1 PAST POPULATION CHANGES

The table below shows how the population of the District has changed since the 1951 census. New Zealand average annual (expressed as percentages) are given for comparative purposes.

Population Changes 1951 - 1976

Census	Total Population	Intercensal Change Numbers	Average Annual Change %	
			District	New Zealand
1951	2986			
1956	3032	+ 46	+ 0.32%	+ 2.42%
1961	3007	- 25	- 0.17%	+ 2.21%
1966	3076	+ 69	+ 0.46%	+ 2.17%
1971	3332	+ 256	+ 1.67%	+ 1.40%
1976	3530	+ 198	+1.14%	Not available

2.2 SEX & AGE STRUCTURES OF POPULATION

According to the four past censuses the sex and age structures of the population were as follows:-

<u>Sex Groupings -</u>	<u>Males</u>	<u>Females</u>	<u>Totals</u>
1956 census	1475	1557	3032
1961 census	1469	1538	3007
1966 census	1477	1599	3076
1971 census	1637	1695	3332
1976 census	1747	1783	3530

2.2
contd.

Age Groups

Hokitika
Numbers Percentage
of total
population
in each age
group

Pre-school age (under 5 years)	309	9%
School age (5 years to 17 inclusive)	865	25%
Working age (18 and under 65)	1975	56%
Over working age (65 years & over)	381	10%
Unspecified	Nil	
TOTALS	3530	100%

2.3 ESTIMATES OF FUTURE POPULATION

On past established growth rates the population could be expected to reach 4500 by 1996. However, if a growth rate comparable to the National average is attained, the population could exceed 5000.

The Council is certainly planning on attaining at least the lower figure.

2.4 EMPLOYMENT AS AT 23RD MARCH 1976, HOUSING, INCOME AND MARITAL STATUS

Occupational Groups

District

	<u>Numbers</u> <u>Employed</u>	<u>% of total</u> <u>employed</u> <u>population</u> <u>recorded</u>
Agriculture, hunting, forestry, fishing	124	
Mining and Quarrying	6	
Manufacturing	264	
Total - all manufacturing	<u>394</u>	<u>27.5%</u>
Electricity, gas & water	35	
Construction	116	
Transport, storage & communication	114	
Finance, real estate, bus services	73	
Community, social & personal services	439	
Wholesale & retail trade, Restaurants and Motels	233	
<u>Total</u> - Service Industry	<u>1010</u>	<u>70.5%</u>
Seasonal industry	30	2%
TOTAL - All Industry	<u>1040</u>	<u>100%</u>

2.4.

contd.

<u>Nature of Dwellings 1976</u>	<u>Total</u>
Private Houses	945
Flats	56
Others	28
	<hr/>
Total	1029
	<hr/>

Occupation - Source of Income 1976

	<u>Male</u>	<u>Female</u>	<u>Total</u>
Employer	66	16	82
Own Account	76	17	93
Wages or Salary	837	397	1234
Unemployed & Seeking Work	12	7	19
Relative Assisting(unpaid)	-	1	1
Not specified	5	-	5
	<hr/>	<hr/>	<hr/>
SUB TOTALS	996	438	1434
	<hr/>	<hr/>	<hr/>
Total not actively engaged	226	833	1059
	<hr/>	<hr/>	<hr/>
TOTAL	1222	1271	2493
	<hr/>	<hr/>	<hr/>

<u>Marital Status 1976</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>
Never married	319	226	545
Married	855	846	1701
Legally Separated	8	12	20
Widowed	38	137	175
Divorced	9	14	23
Not Specified	4	1	5
	<hr/>	<hr/>	<hr/>
TOTAL	1233	1236	2469
	<hr/>	<hr/>	<hr/>

2.5

PRESENT FUNCTIONS OF DISTRICT

In relation to the surrounding region, the social and economic functions of the District are:

Hokitika Borough is basically a service and administrative centre for the surrounding countryside. The town relies on forestry and farming for its existence. Its spheres of influence extend over most of the Westland County.

The District also serves as a communications centre and as a stopover for travellers visiting the Southern and Northern parts of the province. The town is situated on a major State Highway and has direct air links to Christchurch, Nelson and Wellington.

The District is presently developing its tourist potential with accommodation and local industries being geared to this purpose. Provision of accommodation has fallen behind other West Coast areas.

2.6

ANALYSIS OF THE POPULATION FIGURES

The population figures of the District show the following features:

An established and steady pattern of growth since 1961.

The predominance of females over males in sex groupings.

A large number of school children with a balance between pre-school age and retired population. A little over half of the population is of working age.

A relatively small Maori population.

A large proportion of the work force employed in the Public Service.

The shortage of good rentable accommodation.

In occupational structures:

- a. Employment in primary industry in the District is twice the National average.
- b. Employment in manufacturing industry is about two thirds of the National average.
- c. Employment in servicing industry is about 30% above the National average.

2.7

POTENTIAL DEVELOPMENT OF DISTRICT

Hokitika's history is spectacular and one of contrasts. It was founded on Westland's gold rush in the 1860's, with a peak, but restless, population of 50,000. The effects of the rapid rise and decline are still noticeable. Timber milling and dredging, together

2.7
(contd.)

with agricultural development, helped to stabilize the town. This process was also aided by Hokitika's position as the centre of local government and by its large hospital facilities. There are still an unusually large number employed in the public service.

After a long and steady decline, which reached its peak about 25 years ago, Hokitika has experienced a steady growth. A number of sound permanent industries have developed, giving the town a greater stability than has been experienced in the past. Hokitika will continue to be an important servicing centre for Southern Westland.

The establishment of more local industry based on forestry and farming will prove advantageous, particularly as some incentive is required to hold the younger population in the District. As well as providing employment for this group, the raw materials manufactured would provide a sounder economy, both in the District and its hinterland. The full potential of this hinterland both in agriculture and reforestation is far from reached. It has however developed to the stage where both locally and nationally the people are aware of its significance to the future. State planting is now quite significant (up to 1400ha) and private planting is following suit. This has produced a noticeable local optimism.

Hokitika has several natural features that have a potential for tourism. These include:- natural beauty, outdoor attractions, pleasant climate, local history, good location and communications and a friendly population. Hokitika could become a tourist attraction in itself as well as an important tourist accommodation centre.

Council is concerned at the present lack of accommodation. It will therefore promote generally the provision of all types of tourist accommodation. In particular, Council will encourage the establishment of a comprehensive tourist hotel complex with all appropriate modern facilities.

Industries of a local flavour such as greenstone jewellery making, tourist gold claims, and glass blowing, indicate good promise for further similar development.

The discovery of minerals of commercial value in the vicinity could have a profound effect on the District's future. Mineral sands extend in quantity right down the West Coast and these have been under close investigation. Prospecting has been a sizeable industry in itself. Increases in the world price for gold have introduced another era of alluvial mining using modern earthmoving equipment.

Hokitika is now a steady, prosperous, expanding town with all services laid on to provide for a sound future. Council will encourage the full utilisation of these services at every opportunity to ease the loan repayment burden.

PART 3 - USE ZONING

3.1 INFORMATION OF PARTICULAR RELEVANCE

The natural characteristics of the District are its location in relation to Westland County, the Airport, road and rail communications, its scenic beauty and its local customs.

Industries and resources of particular significance are a milk powder factory, dairy factory, game recovery and processing, service industries, greenstone jewellery manufacturing, decorative stone work and stone cutting, glass blowing, psychiatric hospital, tourist accommodation, provincial government administration offices, local engineering works, logging and timber transportation and general contracting. The textile factory was an important source of female employment for a number of years. Its closure represents a major challenge for the business and manufacturing community since alternative female employment opportunities are rare.

Land is available for relatively easy subdivision within the Borough. Land values have increased at an enormous rate over the past few years. However, section values are reasonable and still well below the national average. It is likely that section values will increase considerably yet with pressure of expansion and demand.

With the introduction of a sewerage system it will be possible for an increased density of population in the existing residential area. Many of the houses are over 60 years old and a lot of replacement with resubdivision and more efficient use of the land should result. The Code of Ordinances are framed accordingly.

There are too few rental houses available and it is likely that residential houses and flats will be built. In line with demand elsewhere, ownership flats are becoming popular as well.

Notwithstanding increased density and availability of Council developed sections, it is clear that residential expansion into the County will be required. To this end the Council is negotiating with the County Council to extend Brough services as necessary to meet this growth.

X The main commercial area is adequate for present needs. It is very spread out and therefore not optimal for retailing purposes. This plan will provide for a more concentrated, convenient commercial area, keeping as far as possible to existing uses.

X The industrial zones laid down will be sufficient to meet the District's needs beyond the planning period, with the exception of land for heavy industry which will have to be found outside the Borough.

3.1
(Contd.)

The Council favours and will encourage the establishment of industry in the District to provide employment for the younger group. It is hoped this would help arrest the current losses to the Borough of this age group.

Progressive Councils over the past few years have rated and borrowed heavily to upgrade and provide full services. These include stormwater drainage, water supply, sewerage system, improved roading and access and improvements to the Borough's reserves. The pay off following this burden is now in sight and within five years it should be mostly for maintenance rather than capital works purposes. This situation provides a further assurance of Hokitika's prosperity.

Council accepts that the closure of the Hokitika - Ross rail line will proceed. It is presumed that Hokitika will now remain the permanent southern terminus of the rail link on the West Coast. If Railways Department intends otherwise, then it should make its intentions known now at the time when a rationalisation of services and facilities is being considered. Existing facilities are outmoded and obsolete. This is the ideal opportunity for Railways to ensure that facilities are rationalised and upgraded to meet the long term requirements of the Borough and the surrounding district.

3.2 PRESENT DISTRIBUTION OF LAND USES

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

3.3 GEOLOGY

Very brief notes on the geology of the Borough are shown in appendix 4 hereof.

3.4 GENERAL POLICY AS TO ZONING

3.4.1. General Control

The areas within the District zoned for residential commercial and industrial purposes have been designed to provide for all the foreseeable needs of the District in those respects. Future building and other development in the District will be so directed as to:

- a. Avoid the indiscriminate mixture of incompatible uses.
- b. To economise in the servicing of the District.
- c. To maintain the stability of individual property values.
- d. To maintain and provide amenities appropriate to every locality.

3.4.1. contd. These objectives shall be secured as far as possible by allocating particular areas or zones for compatible uses of land and buildings, by grouping future buildings and other development in the appropriate zone, and in some cases by securing compatibility by imposing special conditions. In this way, non conforming uses will be gradually eliminated.

3.4.2. Predominant and Conditional Uses

The predominant and conditional uses permitted in each zone shall be set out in the Code of Ordinances.

3.4.3. Identification of Zones on District Planning Map

Each zone is shown on the District Planning Map by the notations set opposite its name in the key shown on that map; and where development in any zone is deferred the dividing line between partitions of the zone is marked in accordance with the key shown on that map.

3.5. RESIDENTIAL ZONES

3.5.1. Permitted Uses

Subject to the provisions of the Scheme, land within a residential zone is intended primarily for the residential uses and related services specified in the Code of Ordinances as permitted in that zone. Residential zoning protects residential uses against detriment arising out of mingling of incompatible uses and provides for economic use of urban land.

3.5.2. Area Zoned

The aggregate area (including streets) zoned for residential purposes is approximately 133 ha.

3.5.3. Location

Refer to the District Planning Maps for location of residential zones.

3.5.4. Objectives

To make the best possible use of the residential land providing full and proper servicing to all areas.

To provide the greatest possible choice of sites and variation in modes of residential living.

To encourage replacement of existing older houses with a more efficient use both of the land and of expensive services.

3.5.4. It is considered that the biggest proportion of contd. residential accommodation will be provided by the basic family detached home as in the past. Council sees this as desirable since it represents the wish of the Borough's people. To encourage this, the basic average area of residential lots is 600m².

3.5.5. Policy

Provision is made for variation either side of the average standard house lot down to 400m² for detached houses. In such cases the bulk, location, height, coverage and density requirements shall be adhered to, to avoid crowding.

The Council will allow subdivision of two unit semi-detached houses down to 300m² with a minimum frontage requirement.

Rental flats and apartments are a predominant use with a 250m² unit minimum as well as an overall density control.

Motels shall be regarded as conditional uses with the same requirements generally as apartments.

Leasehold ownership flats or units under the Units Titles Act 1972 shall be regarded as conditional uses save for the very simple cases as expressed in the Code of Ordinances. A basis area requirement of 300m² shall apply, as well as the residential requirements for bulk, location, height, coverage and density. In the case of multi-unit developments, variations may be considered where appropriate for such developments. This would be to provide for greater flexibility and use of the site while retaining the general objectives of the Scheme. For any variation to be considered, the site would have to be planned comprehensively.

In addition to the above, the Council may consider the extension of the existing residential uses for ownership flats or units as a conditional use. It will not be encouraged and consideration will only be given in cases of individual hardship and/or where the land is not further subdivisible.

3.5.6. UNDEVELOPED RESIDENTIAL:

Very little undeveloped residential land remains within the Borough. The last remaining pocket, that on the extension of Davie Street, is currently being developed.

3.6. COMMERCIAL ZONES

Permitted Uses, Objectives and Policy

The commercial zones provide for business or commercial development and consist primarily of areas for shops, offices and retail storage. The uses of the land in commercial zones shall as far as possible provide continuity of shop frontages without the intrusion at street level of any other use which would tend to affect

3.6. detrimentally the business or goods of retailers or
contd. would tend to draw unnecessary or obstructive vehicular
traffic into the streets fronting retail shopping
premises. However, higher density residential uses
with special requirements for minimum number of
household units are permitted as a conditional use,
but this use will be allowed only in the non-commercial
streets.

It is likely that the best retail area will develop
along Weld Street and the near portions of Revell
Street. Weld Street will make an ideal central area
where parking facilities, pedestrian facilities and
beautification will make a very desirable and
attractive commercial centre for the Borough. The
extent of the present commercial area will eventually
take care of itself by reducing naturally around
this centre.

One of the biggest problems is the unsuitable nature
of the commercial subdivision and its adaptability to
present requirements. Far better use could be made
of the commercial space if service lane or back access
was available. Shop keepers and shoppers alike would
benefit from better use of display space and merchandis-
ing space, oriented to the street. Without back
access, warehousing, storage and staff facilities, are
also street oriented to the disadvantage of everyone.
Front loading has a dual inconvenience to all road
users and shoppers.

With the advent of sewerage and improvements in other
services in the commercial area provision of these
amenities is difficult.

It would not appear nor is it intended that there will
be any major distinction between Commercial B and
Industrial A except that the latter has a wider range
of uses and is not compulsorily verandahed, except
for the streets mentioned in Appendix 2.

With a view to obtaining a more compact commercial
centre, the beach fronting land at the rear of Revell
Street is zoned Industrial A. Such zoning should
lead to a very economic, convenient and complementary
use to the commercial land on Revell Street.

The Council's principal objective is to get a compact,
attractive commercial centre with a wide range of
commercial uses. Around this, and in conformity with
existing uses, there will be a ring of controlled
industrial land and a limited, high density
residential area.

X
3.7

INDUSTRIAL ZONES

Permitted Uses, Objectives and Policy

The industrial zones are intended to minimise interfer-
ence of industry with other uses, and within industrial
areas to minimise interference of industries with one
another.

3.7.
contd.

Industries will be grouped according to common characteristics and differences, distinguishing between groups in accordance with the classification set forth in the Code of Ordinances.

The downtown Industrial A zone is intended to provide a convenient place in the Borough to group the tradesmen and provide storage and warehouse space. One is grouped around the commercial area and as far as possible coincides with existing uses. The intent is to provide a buffer zone between the commercial area and the heavier industry.

Council's policy for this area is to adopt a zoning pattern which takes account of existing uses. To minimise administration, a wide range of predominant uses is included. By including Commercial B uses as conditional, it is expected that a merging will result with retail in the centre (by natural process of demand) radiating out to lighter and then heavier industrial uses.

A second industrial area is zoned on aerodrome land. This is at the top of Airport Drive on the flank of the East and West and least used runway.

The Council's objective here is to encourage the leasing of land thereby providing some revenue for the Airport Authority. It will legalise some airport oriented industries that already exist while providing for more. It is an ideal area for contractors yards and bulk storage facilities. It is an alternative place for the less attractive industries which would not be wanted downtown. There is plenty of room for expansion onto flat, gorse covered land which has no other use.

The Industrial B zone on Livingstone Street is the site of two major industries: the Westland Co-operative Dairy Company and Transwest Freighters Limited. The continued efficient functioning of these enterprises is essential to the continued involvement of N.Z. Railways in this area because of their significant contribution to the gross rail revenue between Greymouth and Hokitika. The balance of the area fronting State Highway 6 is owned by the Council and is available for lease now. Council will encourage an industry preferably with a low nuisance factor and high labour content in order that handy jobs will be available to the main residential area without travelling. Industries that require segregation and those that cannot be accommodated in the airport area will have to be located in the County. For the protection of residential property and to ensure that sufficient areas zoned, serviced and roaded, will be available for industry, residential uses shall, except as provided in the said Code of Ordinances, be excluded from industrial zones.

PART 4 - LAND SUBDIVISION

The Borough's sewerage system is now operative and the subdivisional standards are framed accordingly.

Apart from a small block of land to the North of Davie Street, most of the Borough's residential area is subdivided. Accordingly it has been necessary to expand the Ordinances beyond new subdivision and deal in some detail with resub-division of existing property.

There would not appear to be any areas where urban renewal would be warranted.

Council's objectives are as follows:

Retention of a basic separate lot with detached house, working round an average of 600 m².

Provision of a wide variety of choice of site with lot areas down to 400 m² in a limited number of cases.

To get the best possible use of the land when the many older houses on the standard 1000 m² lots are replaced. By allowing subdivision of these lots the Council hopes to see replacement of many of the decadent houses sooner than would normally be expected.

Council's policies are as follows:

To allow a variation of areas in new subdivisions with a minimum average of 600 m². The absolute minimum for detached houses is to be 400 m².

To allow as a special case the subdivision of the basic 1000 m² existing lot.

To retain at all cost an arbitrary shape factor to avoid narrow lots and visual crowding.

To control the density of ownership and rental flats by the application of residential bulk and location ordinances.

To set appropriate standards for commercial and industrial subdivisions.

To retain a flexibility which can be applied when special circumstances warrant it.

PART 5 - RESERVES AND OPEN SPACES

5.1. RESERVES AND BUILDINGS

5.1.1. For Recreation and Open Space

For practical reasons, reserves to cater for the outdoor recreational needs of the community throughout the planning period must be provided in advance of subdivision. Where legislation required that a proportion of the land to be subdivided be set aside as a reserve contribution, these areas will be grouped for greater usefulness. To give effect to this Council, in appropriate cases, will accept money in lieu of land. The funds so obtained will be used to purchase land in blocks and to develop Council's reserves.

Hokitika is different from some urban areas of larger population. It is fronted on one side by the Tasman Sea and on another by the Hokitika River.

Within three to five kilometres of the Borough, there is adequate Crown Land which is undeveloped and likely to remain so for some time. Within a few minutes drive by sealed roads the Borough is blessed by the availability of lakes, bush, mountains and rivers unsurpassed in beauty and variety anywhere in the world. Because of this, the Council's objectives in respect of reserves are to provide:-

- a. Adequate playing fields for organised sports.
- b. Playing areas, as necessary, for small children.
- c. Beautification of existing areas and streets with berms and trees.
- d. Beautification of the river and sea beach frontage including the North Spit.

The particular lands proposed to be reserved for recreational purposes are shown on the District Planning Maps in accordance with the notations thereon assigned to them and their areas are as follows:-

	<u>Existing</u>	<u>Additional Proposed</u>
Public active recreation areas	4.856 ha	4.451 ha
Passive recreation areas & open space*	809 m2 (passive)	17 ha approx (passive & open space)

- * Subject to change to active recreation or civic or other purposes if warranted. Refer to part 6.4.

5.1.2. FOR NATIONAL, CIVIC & OTHER PURPOSES

Land or buildings owned or proposed to be acquired by public authorities for national, civic, cultural and community purposes have been indicated on the District Planning Maps. Where public works are involved, these have been shown as designated; in other cases, a separate notation has been used.

In this category are:

Public Buildings, Municipal buildings, government administration buildings, the fire station, library, museum, municipal pool, band hall, proposed commercial area public car park, the aerodrome and schools existing and proposed where sites have been acquired (apart from private schools).

5.1.3. Details of Land and Buildings to be Acquired

Details of the land and buildings proposed for reserves, open spaces and other uses are shown with their specific uses on the District Planning Map. While Council has no immediate plans, in the long term it is looking to the racecourse for development of further sports areas if required. This area is seen as a potential site for a District Sports complex if this is ever needed.

5. 2. GREENBELT

Council is empowered, by virtue of Section 36(5)(a) of the Act to take such measures as it considers necessary and desirable to preserve or conserve trees, bush, landscape and areas of special amenity value.

The positive contribution which areas of trees and bush could make to the general appearance of the township, as well as to individual sites, is recognised by Council. To give effect to this general policy, it favours the protection of the bush and scrub cover on the Cemetery/Airport terrace face between Fitzherbert Street and the eastern boundary of the Borough. It is considered that the existing and regenerating cover on this escarpment, which forms the visual skyline, will add significantly to the landscape values of the District, particularly in view of the noticeable absence of alternative areas of bush within the Borough boundaries. The retention of the vegetative cover will also promote water and soil conservation values.

To give effect to these objectives, the Borough Council and Lands and Survey Department have agreed that land owned by them and lying on this escarpment will be managed in accordance with 'greenbelt' principles. These areas are indicated on Planning Maps Nos. 1 & 2. The principal management objective for these areas will be to maintain the native bush cover and to allow it to develop as an aesthetic backdrop to the town. Amenity and stability planting of native vegetation and pedestrian access tracks less than 1 metre wide will be the only permitted uses, all buildings being excluded.

5.2. Council's aim is to encourage other owners of land
contd. along this escarpment to accept these 'greenbelt'
principles for their properties. It is hoped that
the property owners will see merit in the proposal,
not only from the amenity point of view but also in
view of the beneficial impact this will have on
property values.

5.3. PRIVATE LAND USED FOR COMMUNITY PURPOSES

5.3.1. APPLICATION

Land used for purposes of value to the community but
not intended to be owned by the Crown, the Council or
any local authority has been identified on the District
Planning Maps and its particular use specified.
Included in this category are private bowling greens,
tennis courts, racecourses and halls and clubrooms on
private land. Potentially the most significant of
these is the racecourse and Council does not expect
any difference of opinion with the Club over this.
Churches and private schools have also been included
in this category.

5.3.2. PROVISION

Landowners will be encouraged to provide and maintain
open spaces in appropriate locations for purposes of
value to the community. Land such as that owned by
Sports Clubs is in this category. Although not
owned or intended to be owned by the Council or by
any public authority, these open spaces are important
in the life of the community.

PART 6 - PUBLIC UTILITIES AND OTHER WORKS

6.1. EXISTING SERVICES AND AREAS SERVED

Areas at present served by various public utilities are
shown on the Planning Data Maps by the notations set
opposite the name of the particular service in the key
endorsed on that map.

6.2. CONSOLIDATION OF DEVELOPMENT

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

6.3. SEWERAGE

The new sewerage treatment works and trunk system to
deal with sewage from existing residential areas and
new residential areas is now in operation.

6.4. PROPOSED WORKS EXTENSIONS

Extensions of services to meet the urban development provided for under this Scheme and works and reserves present and proposed for the maintenance and development of public utilities will be provided as follows:-

6.4.1. Water

The upgrading of the existing water supply system to increased capacity.

6.4.2. Extension to County

Negotiations are being made with Westland County Council to link zoned residential areas on Kaniere Road into the Borough water and sewerage systems.

6.4.3. Stormwater

The upgrading of the existing stormwater disposal services in the commercial zone and immediate adjacent zones, and the provision of stormwater disposal services in new residential areas.

6.4.4. Streets

The upgrading and improvement of those existing streets in the Borough which are still not up to standard.

6.4.5. Lighting

Improve street lighting through the Borough.

6.5. Stormwater Disposal

Ordinance 13 prohibits the free disposal of stormwater over terraces or banks.

6.6. RESERVES DEPARTMENT

Development of a foreshore reserve along the beach backing the commercial zone in Revell Street.

The beautification of Weld Street in the business area by trees and landscaping.

The development of a recreation reserve at the foot of the terrace at the end of the South West Airport Runway.

Développement of a garden play area over part of the block containing the new Historic Museum and Library.

Landscaping and beautification of the new sewerage treatment plant to the North of the Town Belt North in Westland County.

Landscaping and beautification of the North Spit.

Improvement and beautification of the towns Northern approach road.

Beautification of the Hokitika River front at the discretion of the Catchment Board.

Retention of Prossers Bush outside the East Town Belt and development as a natural arboretum.

These aspects of development are shown on the District Planning Maps by the notation set opposite the name of the service on that map.

The Council being the owner of the North Spit intends to vest this as a recreation reserve and develop it accordingly. Apart from those items specifically mentioned above there is the sea beach and the bed of the Hokitika River. These are outside the control of the Council and therefore excluded from the Scheme.

PART 7 BUILDINGS: SITING AND HEIGHT

7.1. SITING

Yards - The position of the buildings on each site are governed to some extent and in some cases by yard requirements designed to ensure that satisfactory access for all purposes is, if and where necessary, provided to the rear of each section, and also that the needs of neighbouring properties in respect of ventilation, lighting and privacy are reasonably allowed for: These requirements are more particularly specified in the Code of Ordinances which forms part of this Scheme.

7.1. Building Line Restrictions -
contd.

No building or part of a building shall be erected or substantially reconstructed if any part of it as so erected or reconstructed would stand between the street boundary and the building line specified in respect of it in accordance with Ordinance 4 and as listed in Appendix 1 of the Scheme Statement.

7.2. HEIGHT

Buildings shall be limited to the maximum site coverage and heights set out in the said Code. These are related to the requirements of the particular zone. Buildings or structures in the proximity of the Airport shall in addition to this Code be subject to requirements of the Department of Civil Aviation.

7.3. USE OF UNCOVERED SPACE

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

PART 8 - COMMUNICATIONS AND TRANSPORTATION

8.1 EXISTING AND PROPOSALS FOR THE FUTURE

8.1.1. Road - The public transport systems and terminals are shown on the District Planning Data Maps.

The provision of a new State Highway bypassing the residential area cannot be provided without heavy financial assistance from Central Government and the National Roads Board. The decision to finance such a scheme will rest mainly on the National Roads Board, and no action is anticipated in this Scheme to press for such a bypass. Hokitika would not want it.

The planning maps show the position of the State Highway in relation to residential streets, through streets and zoning. The State Highway itself is of wide width (30 m and over) with ample berm width to provide for future widening and upgrading if this is necessary. The grid pattern of the town makes road-ing changes difficult and expensive.

8.1.1.
contd.

Widening of Revell Street in the central business area was undertaken several years ago. All buildings are now set back with a resulting great improvement.

With the exception of Revell Street which was the relic of a gold rush town, the streets are of adequate width, many being 30m. There are no real traffic problems in Hokitika and none anticipated. Accordingly there are no proposals for roading changes and none appear warranted. There would be both regional and national benefit by re-routing the State Highway South of the Borough along the Coast, using the Hokitika - Ross rail formation. A new road bridge at the Southern end of Fitzherbert Street would benefit the District but finance would have to come from Central Government. Such a bridge is unlikely a mere 5 km downstream from the Kaniere Bridge.

Irrespective of the future direction of the Highway it can be accommodated through the town without any real problems or expense either to the road users or the Borough.

Substantial improvements to State Highway 6 are seen as desirable. These include the upgrading of:-

The Highway, Hokitika to Greymouth, mainly by replacing both road rail bridges with two way structures.

The Highway through the Borough.

The Highway from the Borough Boundary to Kaniere Bridge.

The whole section Kaniere to Ross with the suggestion that the road swing West to follow the Railway route to the Mikonui Bridge.

8.1.2. Sea - Hokitika has long relinquished the title of a port. Silting up of the bar at the River mouth over this century has completely finished any ideas of a port in the District. Hokitika relies on Greymouth for sea communication.

8.1.3. Railway - The Railway is an important link for the transportation of raw materials, industrial products and stock to and from North Westland and Canterbury. Future developments of the District will be dependant upon the railway services being maintained and continued. The railway road services offer travel services to Greymouth and thence to Canterbury and Nelson, and frequent services are available to South Westland.

The recent announcement of the Hokitika-Ross line closure, has given rise to the need to provide for additional facilities in Hokitika. Council favours the construction of comprehensive facilities in an area where there is adequate land available to meet both current and long term requirements.

8.1.3. Having regard to the two principle railway users (Dairy Co. and Trans-West Freighters) and the Railway - Trans-West proposals for timber handling, Council would now logically seek the provision of all railway freight facilities in the East Town Belt area. The space is available and readily accessible to the highway south.

The previous option north of the town must now have little to support it, save for the continued loading and handling of stock.

It is evident, from Railway's own intent of winding down stock handling plus the establishment of Kokiri Meat Works, that livestock handled will be confined to sheep and pigs.

In respect of any passenger facilities to be established, Council would see a new combined Road Services and Rail Passenger Depot built on Railway Terrace.

The present railway facilities, station, goods shed, road services depot and marshalling yards are inadequate and outdated. Private sidings ease the situation to some extent but further fragment the terminal plan.

No information from Railways has been received during the preparation of the Scheme which would enable any planning at Council level to be done. The Ross closure was a shock announcement and proposals since then are not accepted by the Council being presently the subject of objection procedure.

As changes in the rail system are out of Council's control, the scheme makes no positive provisions. Having regard to the continuity of the line through Hokitika, Council recognises the desirability of seeking improvements that will benefit road and rail traffic alike. These could be done as follows:-

- a. Close the Park Street crossing to vehicular traffic OR
- b. Build a road overbridge at the Park Street crossing and close both the Hampden and Tudor Streets crossing OR
- c. Build a road overbridge at Tudor Street crossing and close all crossings North of Weld Street, OR
- d. Reduction of tracks on Weld Street.

8.1.4. Air - The Airport has a natural location on the Terrace above and to the North of the town, with adequate room for runway extensions if necessary. The 1450m and 1240m sealed runways cater for Friendship flights with direct links to Christchurch, Westport, Nelson and Wellington. Charter services are also available.

The Airport has excellent approaches and is close to the central business area. It is seldom closed to commercial flights by adverse weather. The construction of a new terminal and the laying out of parking areas are significant improvements.

With the increase in tourism, the demand for increased flight numbers is continuing. This is an important factor in the District's development. The Airport has a good sealed road access.

8.2. ROADING STANDARDS

Each proposed street is to be specifically designed both in layout and structural strength to cope with the frequencies and weight of traffic likely to use it. Through traffic streets will be wider, straighter and more heavily constructed than those for the local traffic. The traditional width of 20m will not be universally applied. State Highways will normally be wider than this, but streets in areas permanently zoned as residential and carrying little traffic may be in some circumstances, with safety and economy, be no wider than the minimum 12m.

8.3 SPECIFIC CHANGES

The existing street system will remain basically the same, with the intention of improving existing services as this is required by the Council. New street patterns will conform to modern planning principles standing at the time of design, and in accordance with the Code of Ordinances.

8.4 ADJUSTMENT OF ALIGNMENTS OF PROPOSED STREETS, ACCESS WAYS AND SERVICE LANES

The proposed streets, access ways and service lanes shown on the District Planning Maps are subject to adjustment as to precise location by agreement with the owners of the land directly affected.

8.5. POSSIBLE CLOSING OF STREETS

Some legal unformed streets on terraces and terrace edges have been zone residential or reserve on the District Planning Maps. When development of these areas is being planned these streets may be closed with suitable alternative practical roading being provided in the resubdivision. Closing proposals envisaged are shown in Appendix 3 hereof.

8.6. PROPOSED SERVICE LANES

To avoid confusion and inconvenience to traffic and pedestrians caused by loading and unloading of bulk goods across footpaths and through the front of shops, access to the rear of certain commercial and industrial properties is to be provided by means of properly dedicated service lanes. One advantage of such service lanes is that they will enable new buildings to be so designed as to be correctly oriented to the street or land. Such correct orientation will provide added efficiency and maximum use of space.

Provision is included in the Code of Ordinances to modify requirements as to parking, coverage and open space where service lanes are required.

PART 9 - CIVIL DEFENCE

The District has suffered from earthquakes in recent years and considerable damage has occurred as a result. The Council has implemented a plan for Civil Defence to provide for the welfare of the people in the District in the advent of a natural disaster. This plan is a group Civil Defence Scheme for Hokitika Borough and Westland County Council. It is administered by the Westland County Council and became operative in January 1971.

PART 10 - PARKING AND LOADING OF VEHICLES

10.1 DEFINITIONS

For the purpose of the Scheme Statement, unless the context otherwise requires: -

The terms "parking" and "loading", in relation to a vehicle, have the same meaning as in the Code of Ordinances.

10.2. STATEMENT ON PRESENT SERVICES

Parking - Most dwellings in the District have off street parking. The District is quite free from kerb-parking in residential zones and this trend is unlikely to alter. On-street parking occurs mainly near schools, churches, recreation grounds and commercial areas. As the streets in these areas are 20m or wider there is no overall problem of traffic disruption. At the schools, these parking areas have been sealed for the purpose, and are adequate in extent to cope with future needs. The areas could be extended if this was found to be necessary.

Most churches in the District rely on onstreet parking which is mainly angle parking in nature. While the churches have mainly sealed areas, capable of coping with current parking needs, it would be advisable to provide more sealed berm areas for parking to replace presently grassed areas. Gradients of these grass berms often make backing out difficult.

The main recreation ground, Cass Square, has two definite problems with parking:

- a. All parking is on-street, either kerb-parking or angle parking, mainly on grass verge.
- b. Two streets adjoining the Square are main through roads, Stafford Street (No. 6 Highway) and Weld Street. The backing of vehicles onto these streets is dangerous and causes through traffic disruption.

The netball and tennis courts on the corner of State Highway No. 6 and Livingstone Street also provide a parking problem during the respective seasons.

10.2 The commercial area has no parking buildings, and no
Contd. off-street parking areas of any great size. There
 is a large area available on the foreshore West of
 Revell Street but this does not find ready accept-
 ance. Parking sites and types are shown on the
 Planning Data Maps.

Council realises that on-street parking in the commercial area is not ideal, in terms of sound town planning principles. However, this type of parking is the most economic and is adequate for the District's needs, given the relatively low population.

While limits are imposed on parking in the commercial area, there is no metering of parking spaces. The Council has no intention of introducing metered spaces at the present time.

With regard to hotels, most of the tourists would be conveyed in coaches and accordingly parking requirements are less than usual requirements. Where parks are required and provided they will be so designed as to facilitate tourist coaches.

Most firms to date have not made provision for off-street parking of their own vehicles. The introduction of service lanes would greatly improve parking by making back land available and getting service vehicles off the street.

Generally shoppers have no long walk and can readily find parking spaces in or on the outskirts of the commercial area.

Some of the more enterprising firms have provided customer car parks. Such parks are easing the demand for parking spaces in the streets of the commercial area. These private car parks are identified on the Planning Data Maps.

Ordinance 6: Provides the Council with the necessary machinery to deal with parking throughout the Borough. This Ordinance also provides the Council with some discretionary powers. At this time provision of parking in the commercial area will have to be adhered to.

Problems will occur in future if present requirements are neglected.

10.3 LOADING

Commercial vehicle congestion is a problem in the business area, particularly in Revell Street, though all streets are affected to some extent.

This congestion is particularly noticeable in peak periods.

Perry Lane is the only true service lane in the District's commercial area. The sealed road between Revell Street and the sea is ideally a service lane, but commercial traffic still uses the commercial street frontages along Revell Street for off-loading, because the buildings were not designed for back access. In addition the sections are too big.

10.4 COUNCIL'S PROPOSALS

10.4.1. General Intentions

The Council proposes to provide for parking of vehicles in the following ways: -

- a. By off-street parking lots.
- b. By requiring provision to be made by the owners or occupiers in or about new and existing buildings in certain cases.
- c. By the up-dating and continuance of on-street parking adjacent to schools, churches and recreation grounds where off-street parking is not financially possible or practical.
- d. By the introduction of service lanes.

10.4.2. Parking Lots

To reduce congestion of vehicular traffic in or about areas devoted to industry, commerce, or recreation, where the congestion is caused by the parking of private and commercial vehicles on the parts of streets which should be available for moving traffic, public parking lots are to be provided, where this need exists. Such land will be acquired as it becomes available or when it is required for the development of the area. Proposed areas for parking lots are shown on the Planning Map.

10.4.3. Obligations of Property Owners

Property owners who or whose tenants have goods to be loaded or unloaded onto or from vehicles are required to provide on their own land or premises adequate space for the vehicles and operations. Property owners are required to make provision for the off-street accommodation for vehicles in accordance with Ordinance 7.

10.4.4. Pedestrian Streets

While the Council recognises the benefits of such streets, the cost involved in converting vehicular streets in the commercial area to pedestrian streets and the provision of associated services would be out of proportion to the results achieved.

The size, nature and layout of the commercial area would also support this decision.

PART 11 - AMENITIES

11.1. GENERAL INTENTIONS

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

11.2. OBJECTS AND PLACES OF SPECIAL INTEREST

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

11.2.1. Historical Interest

The Pioneer Monument - Situated on the corner of Stafford and Fitzherbert Streets, this marble statue depicts an early goldminer.

The Robert Burns Memorial - This marble statue of the Scottish poet Burns is situated on a grass plot on the Southern corner of Cass Square.

The Town Clock - Situated on the intersection of Sewell and Weld Streets, this is perhaps the most well known feature of Hokitika. The concrete clock tower has several plaques, one of which commemorates the Boer War.

The Revell Plaque - This plaque commemorates the setting up of the first store in Hokitika. The plaque is located on the corner of Revell Street and Gibson Quay, this being the store's original site.

11.2.1.
Contd.

Whitcombe Memorial - This obelisk is situated outside the cemetery gates and is a memorial to the drowned West Coast Surveyor Explorer, Whitcombe.

Exhibition Statue - This statue is located near the South Eastern wall of the Public Library. It commemorates the great exhibition held in Hokitika in 1924.

The Cenotaph - This is situated on the South Eastern side of Cass Square and contains the names of those who fell (from the District) in the 1st World War.

Richard John Seddon Statue - This fine statue is situated at the entrance of the Government Buildings in Sewell Street.

The Cass Square Cannon

11.2.2. Scientific Interest

The Plane Table - The plane table is located on the top of Airport Drive and was recently erected by the Hokitika Rotarians. It provides tourists and local people with a commanding view of Hokitika and the Southern Alps.

11.2.3. Natural Beauty

Prossers Bush - This is a stand of small indigenous timber on Part Res. 452 outside the Borough on the Eastern side. It is on State Highway No. 6. It is a Council Reserve. The bush is to be retained and developed as an arboretum with tracks and descriptive naming of the trees.

Trees Generally. Hokitika is generally short of trees and recognising this, it will be Council's intention to encourage planting.

Tree Register. The scheme brings attention to the Tree Register already established. By recording all trees and shrubs of beauty or merit with co-operation of the owners and the community, protection and preservation will be effected.

11.3. CONTROL OF ADVERTISING

The display of advertising matter will be controlled in accordance with Ordinance 9 of the Code of Ordinances.

11.4. VERANDAHS IN COMMERCIAL STREETS

The streets and parts of streets in the commercial zones are designated as commercial streets in which continuity of verandah design and shelter is required. In addition to this, some Industrial A streets are also to be verandahed as shown in Appendix 2.

11.5. MAINTENANCE OF BUILDINGS AND STRUCTURES

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

PART 12 - PUBLIC HEALTH

12.1. CEMETERY

No change in the location of the cemetery is envisaged. There is ample room for expansion within the reserve.

12.2. REFUSE DISPOSAL

Presently this is conveniently handy to the Borough on the Blue Spur Road. There will not be any dumping of refuse in the Borough and plenty of suitable sites for tips would be available in the Westland County. The present tip is effectively reclaiming swampy reserve land for long term recreational purposes.

APPENDIX 1

Areas which are subject to building line restrictions, as specified in these Ordinances, being required for street widening and service lanes or to enable mechanical equipment to service drains and water-courses shall be as follows:-

Streets

1. Camp Street Secs. 79 and 245 C.T./637

3. Stafford Street sec. 3200 C.T. 3A/748

Service Lanes

1. Lots 1 & 2, D.P. 1173, Lots 11 to 14) off Tancred
D.P. 1489) Street, Nth.
side.

2. Secs. 282 and Parts 696, 179, 705,) Tancred St.
722 and 278) Weld St.
) South end.

3. Lot 3, D.P. 1207, Lots 1 & Pt 2,)
D.P. 1280) Tancred St.
& Lot 2 D.P. 2157) Sewell St.
) North end.

Note: Positions are not precise and may be altered by agreement with owners. Adjoining property may also be involved.

Maintenance of Waterways

No building or structure, other than a fence, may be erected or re-erected within six metres of a specified open watercourse. Properties affected by this restriction are: -

Lot 1 and 2 D.P. 1765.

All sections on the east and west of Railway Reserve

RS 4075

RS 4123

Pt. R 150 (Municipal Reserve)

Pt. R 453 (Cemetery)

R 108 (Primary School)

Pt. R 446

Note: This building line restriction applies to one side of the drain or watercourse only.

APPENDIX 2

Portions of Industrial A streets required to be verandahed.

1. All of Revell Street on both sides between Hamilton and Stafford Streets.
2. The Northern side of Hamilton Street between Revell and Tancred Streets.
3. The Southern side of Hamilton Street between Tancred and Sewell Streets.

APPENDIX 3

Street Closing Proposals Intended

Foreshore Road West of Beach Street - This land could be made available for addition to existing residential properties and to give title to squatters.

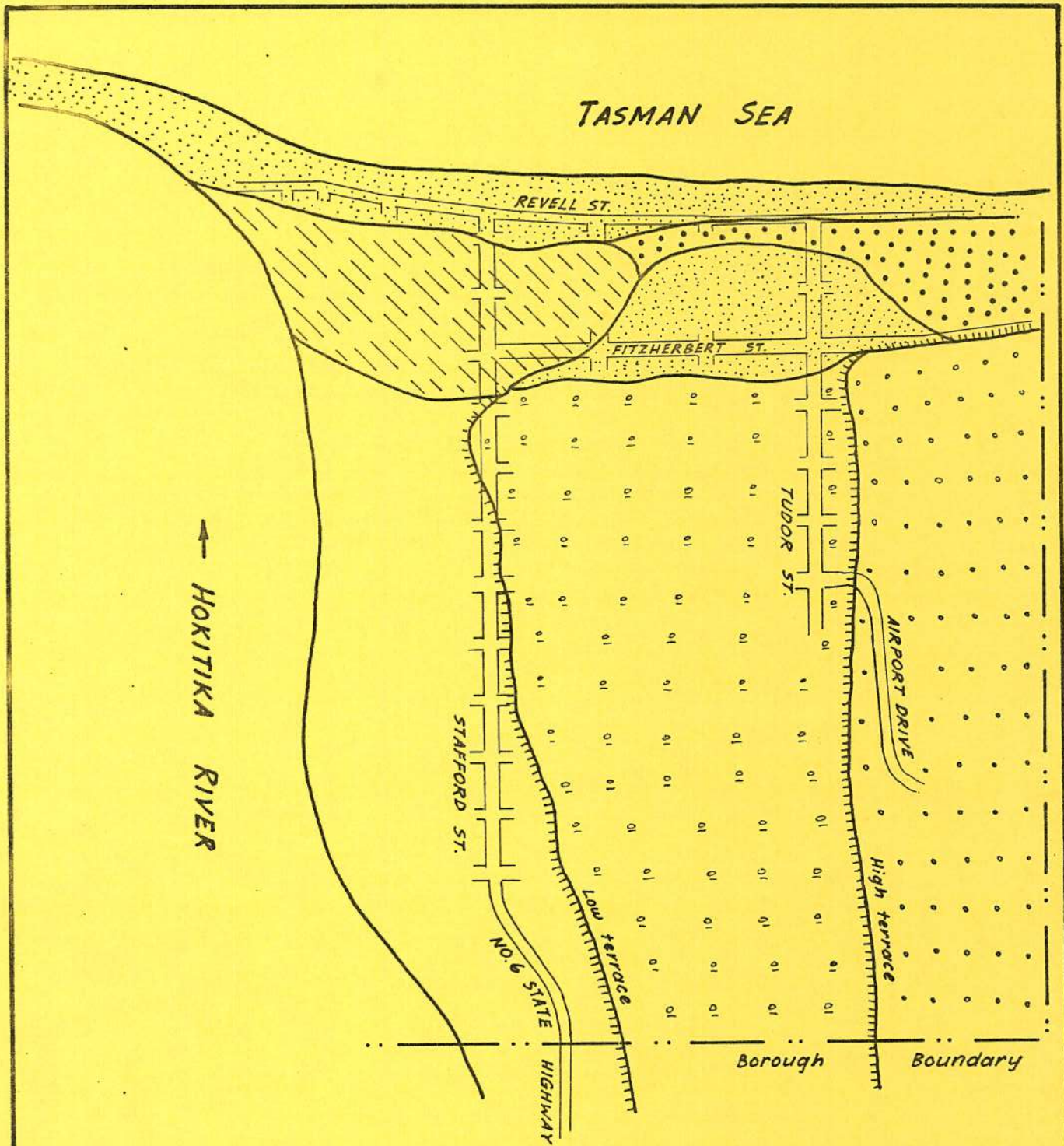
Part of Sale Street - This land is for addition to Westland High School.

APPENDIX 4

General Geology

The Borough is comprised of alluvial and coastal deposits and poorly sorted sandy glacial outwash gravel terraces. Low density sand and silt deposits may fill old river channels and estuarine areas and these, if present, would be more sensitive to seismic shock than the terrace gravels.

In the event of heavy structures planned on land off the terraces, investigations should be carried out to determine the presence or absence of such low density or saturated deposits and the suitability for foundation. (see map page 32).



APPENDIX 4 — GEOLOGY.

LEGEND.

- | | | | | | |
|--------------|---|-----------------------|-----------------|---|-------------------------|
| Post-glacial | } | Dune sand. | Late Quaternary | } | Gravel of low terrace. |
| | | Dune sand and gravel. | | | Gravel of high terrace. |
| | | Estuarine deposits. | | | |
| | | River gravel. | | | |

PART 2

CODE OF ORDINANCES

COMPRISING ORDINANCES FOR THE ADMINISTRATION AND
IMPLEMENTATION OF THE DISTRICT SCHEME

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CODE OF ORDINANCES

ORDINANCE 1 - INTRODUCTORY

1.1. DOCUMENTS COMPRISING DISTRICT SCHEME

This Code of Ordinances, together with the Scheme Statement and the District Planning Maps comprise the Hokitika Borough District Scheme as required by Section 36 and Regulation 21 of the Town and Country Planning Act 1977.

1.2. RELATIONSHIP OF CODE TO BYLAWS

The provisions of this Code shall have effect, notwithstanding any bylaws for the time being in force in the District & when the provisions of this Code are inconsistent with the provisions of any bylaw, the provisions of this Code shall take priority.

1.3. INTERPRETATION

In this Code of Ordinances and in each document relating to this Scheme, unless the context otherwise requires, words and phrases have the meanings as in Section 2 Town & Country Planning Act 1977.

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

1. Zone boundaries shown of the sides of streets, streams, drains or other physical features shall be deemed to follow the centre line of such streets, streams, drains or physical features.
2. Underlying zones for any designated land shall be deemed to be as those within which the designation lies.
3. The Council shall have the right to determine the exact locations of zone boundaries in the case of any errors or omissions.

1.4. OBLIGATION TO COMPLY WITH SCHEME

Subject to the provisions of the Act and all Regulations thereunder and to Ordinance 2.1.5. 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 to permit any new work, reconstruction or alteration or modification of any existing work if the use new work, reconstruction, alteration or modification does not conform with the Scheme, or does not comply in all respects with any terms of any conditional consents.

1.5. APPLICATIONS FOR PERMITS OR APPROVALS

For scheme plans of proposed subdivision of land refer Ordinance 3.1.

For building permits the applicant shall, in addition to any plan or information required by any bylaw, supply such drawings and information in detail as may be necessary to indicate that the proposed building will when erected comply in all respects with the Scheme. In particular it must be shown that provision has or can be made for access, parking and loading of vehicles.

The legal description and title reference of the land will be required with any application and the Council may, before granting approval require evidence of correctness of occupation boundaries if they exist or alternatively a definition of boundaries by a Registered Surveyor.

For any other work the applicant shall supply such drawings, specifications and information as may be deemed necessary to indicate that the proposed work will comply with the Scheme.

In the case of applications for a building permit where the proposed building overlaps more than one saleable parcel, the applicant shall be required to lodge a Land Transfer Plan and have it deposited to amalgamate the parcels into one title.

Alternatively, fire resistant walls complying with the relevant bylaws shall be built along or adjoining the common boundary between the parcels of land.

1.6 Dispensations and Waivers (Scheme Change No. 13 18/12/85)

1. Scheme Provisions Subject to Dispensations and Waivers.

The Council may grant an application for dispensation wholly or partly from, or waiver of, any provision of the district scheme relating to:

- (a) The subdivision of land permitted to be used for any urban propose.
- (b) The height, bulk and location of buildings permitted on sites.
- (c) The provision of parking and loading spaces.
- (d) The design and appearance of buildings and signs and the provision, design and appearance of verandahs.
- (e) Landscaping.
- (f) Such other matters as may be specified in that behalf by any regulation in force under that Act.

2. Circumstances in which Consent may be granted

The Council may grant its consent to a dispensation or waiver where it is satisfied that:

- (a) *Sec. 74* The dispensation or waiver would encourage better development of the site or that it is not reasonable or practicable to enforce the provision in respect of the particular site.
- and
- (b) *Sec. 74* The dispensation or waiver will not detract from the amenities of the neighbourhood and will have little town and country planning significance beyond the immediate vicinity of the land in respect of which the dispensation or waiver is sought.

3. Consideration of Dispensation or Waiver applications

In considering a particular dispensation or waiver application, in terms of the above criteria, Council will have regard to the relevant policies and ordinances of its district scheme and to such of the following matters as are appropriate:

- where the particular provision can be met in other ways
- where the terrain is irregular or the site(s) is narrow, small, irregular or unusual in shape
- where adjoining uses do not require the same degree of protection as provided by the district planning scheme
- where the scale, extent or range of the development or use is unusually small or insignificant

- where existing buildings or additions are involved
- where the use of the site, or of adjoining sites, is non-conforming or unusual
- where there are legal constraints e.g. easements, covenants etc
- where the dispensation or waiver would assist with the conservation of buildings, other objects or places of historic scientific, or architectural interest or natural beauty or the preservation of notable trees.

4. Specific Matters to be considered

In addition to 2. and 3 above, the following specific matters may be considered, where relevant:-

(i) Site Area and Frontage

- the suitability of the proposed lot in terms of the intended future use
- the existing pattern of subdivision in the area
- the existing network of services

(ii) Bulk and Location of Buildings

- in the case of rear and side yards in Commercial zones, and Industrial zones, whether alternative side or rear access can be provided
- where the usefulness of the site for productive or building purposes would otherwise be diminished

(iii) Parking Spaces and Loading Areas

- whether the number of calls likely to be made by visitors, customers and other persons in vehicles to the site is less than that anticipated by the district scheme requirements
- whether the number of calls likely to be made by servicing and delivery vehicles to the site is likely to be less than that anticipated by district scheme requirements
- the number of persons likely to be resident, employed or accommodated on the site
- the amount of public off-street parking that may be available in the neighbourhood
- the amount of parking that adjacent streets can properly be expected to provide

- in conjunction with the above, whether adequate alternative arrangements for access, parking and loading are available
- whether the surface or boundary configuration of of the site makes provision for the required spaces difficult, or impossible (taking into account reasonable building requirements).

5. Extent to which Provisions can be Dispensed or Waived

Any dispensation or waiver shall be limited as follows:-

<u>Type of Provision</u>	<u>Maximum Extent</u>
(a) Urban Subdivision	not greater than 20% of the particular standard
(b) Height, site coverage, the area of buildings	not greater than 20% of the particular standard
(c) Yards	Not greater than 50% of the particular Standard. Except that, in no case shall a side yard in Commercial or Industrial zoned Land adjoining residential Land be less than 1.5m.
(d) Parking and loading spaces	a 100% reduction in minimum standard
(e) Signs	not greater than 20% of the particular standard in Residential zones

6. Type of Application

The Council shall not exercise its powers of dispensation and waiver by way of a non-notified application unless written consent of everybody or person whose interests might in the Councils' opinion, be prejudiced by the proposed dispensation or waiver, has been lodged with the Council unless, in the Councils opinion, it is unreasonable in the circumstances existing to require such consent to be obtained.

If such consents have not been lodged, and the Council has not found that it is unreasonable to require them, the Councils powers in respect of dispensation or waivers may be exercised only on a notified application.

1.7. PUBLIC UTILITIES IN RELATION TO ZONING

1. Every public utility provided for in Section 64(1) of the Act shall be deemed to be a predominant use in every zone and shall be subject to all rights of appeal by Council to the Planning Tribunal against the location of the said public utility in accordance with the aforesaid section of the Act. These public utilities include: -
 - (a) Transformers and high-voltage lines and pylons.
 - (b) Lines as defined by the Post Office Act, 1959.
 - (c) Gas, water, drainage and sewer pipes and necessary incidental equipment.
 - (d) Pipes for the distribution and conveyance of ordinary or geothermal steam or hot water for district heating or as process heat and necessary incidental equipment.
 - (e) Service lines for the conveyance of electricity and minor extensions of electric lines.
 - (f) Household connections to gas, water, drainage and sewer pipes.
 - (g) Water and irrigation races, drains, channels and necessary incidental equipment.

2. Every public utility that is not provided for in Section 64 (1) of the Act shall be deemed to be a conditional use in every zone.

ORDINANCE 2 - ZONING

2.1. GENERAL

2.1.1. Presentation

This Ordinance specifies the type of zones within the District, matters relating to the control of use within zones, predominant uses, conditional uses, bulk and location and other requirements relating to each zone.

2.1.2. Classification

The zones constituted for the purpose of the Scheme are shown in the legend with the Planning Maps by the distinctive notations.

2.1.3. Control of Use

Any land or any building thereon may be used for any use at that time permitted for that site under the Act, or the use thereof may be changed to any use at that time permitted under this Code for that site, but in neither case for or to any other use; and every authorised use shall be subject to every Ordinance that is applicable thereto. Any use not expressly mentioned in the District Scheme that falls naturally within a general class of uses authorised in respect of any zone, shall be deemed to be included in that class as if it had been expressly authorised.

2.1.4. Non Conforming Uses

The Scheme does not prevent the continuation of any use which was in existence at the time the Scheme became operative, even though that use does not conform to the provisions of the Scheme. Change of ownership does not affect the right to continue an existing use.

2.1.5. Alterations to Non Conforming Buildings

An existing building which is not in conformity with the district scheme or any part or provision of it as in force for the time being, may be reconstructed, altered or added to if: -

- (a) The reconstruction, alteration or addition does not increase the degree by which the building fails to conform to the scheme or any part or provision of it, and
- (b) The reconstruction, alteration or addition would not increase the current market value of the building by more than 60 per cent,
Provided, wherever possible, such work shall comply with the provisions of this Code relating to the zone in which the building is situated.

2.1.6. Public Utilities

Every public utility listed in S. 64 (1) of the Act and buildings for uses reasonably ancillary to the prime function of this utility shall be deemed to be a predominant use in the district, provided that, in the case of buildings for uses reasonably ancillary to the prime function, the same shall comply with the bulk and location requirements for that use group, otherwise it shall be deemed to be a conditional use.

2.1.7. Regulations and Procedure in Respect of Uses

Predominant Uses - Subject to the provisions of these Ordinances consent of the Council shall not be required under these Ordinances to the use of any land or building for any use specified and at that time permitted as a predominant use in the zone in which it is situated, if that use is in accordance with every requirement set forth in this Code in respect of it as a predominant use; and use which does not meet every requirement shall constitute a conditional use, except where otherwise specified in the Code of Ordinances.

Conditional Uses - Subject to the provisions of these Ordinances the use of any land or building for any use specified and permitted at that time as a conditional use in the zone in which it is situated is permitted subject in each case to the consent by resolution of the Council and to such conditions, restriction and prohibitions as to location, height, yards, position of buildings on sites, coverage, drainage, disposal of effluents and preservation of amenities as are stipulated in the Ordinances 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.

2.2. RESIDENTIAL ZONING

2.2.1. Predominant Uses

Dwelling houses.

Semi detached houses.

Apartment houses.

Parks, playgrounds, recreation grounds and scenic reserves provided that no land or buildings shall be used for pleasure or entertainment purposes involving any operation detrimental to the amenities of the neighbourhood.

Schools and educational establishments including residential buildings in connection herewith.

Churches and other buildings used for religious purposes including church functions of a social character.

Public and private hospitals, nursing homes, convalescent homes and homes for the aged including pensioners flats or accommodation but excluding psychiatric hospitals and veterinary hospitals.

Professional offices including Veterinary Surgeon (provided there is no boarding of animals) situated in a residential building, provided the greater part of the building is used for residential purposes.

2.2.1.

Contd. Market gardens and nursery gardens including glass houses in compliance with all relevant statutes and bylaws.

Groups of garages or parking spaces to accommodate private cars of nearby residents where the siting and access to and from the street is to the satisfaction of the Council.

A building not exceeding 50 m² of floor area situated on the same site with a residential building and used for the storage only of plant and materials in connection with the business or employment of a person who is resident on the site.

Buildings accessory to any of the foregoing purposes

DETAILS

1. Add to the list of predominant uses in the residential zone:-

"Leasehold ownership flats or ownership units under the Unit Titles Act 1972.

Provided that where three or more new, or two or more additional, flats or units are proposed for a site, Council will require that a development plan in terms of Section 293 of the Local Government Act 1974, is submitted." *Scheme Change No 10 24/1/84*

Maximum height - 9m. *see under* ↗

Maximum density - No detached dwelling or semi detached dwelling shall be erected on any area less than 400 m². The minimum area for ownership flats requiring separate title shall be 300m² per unit (see Ordinance 3.3.2.). The minimum area for apartment houses and rental flats shall be 250m² per unit with a maximum density of 80m² per person or 135 persons per hectare. *Min. Area 400m²*

Where sewer drainage is not available and not likely to be available, the number of persons who may be accommodated on any site shall be determined by the Council having regard to the disposal of effluents, the avoidance of overcrowding, the preservation of the amenities and other relevant factors.

Maximum coverage - 40% ~~provided that the Council may in exceptional circumstances approve a greater coverage up to a maximum of 50%.~~ *Scheme Change No 13 18/12/85*

2.2.3. Minimum Yard Requirements

<u>Type of Use</u>	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>
Dwellinghouse (Motel)	4.5	7.5	1.5
Semi detached house	4.5	7.5	1.5
Apartment house not exceeding -			
1 storey or 2 units	4.5	7.5	1.5
Apartment house exceeding -			
1 storey or 2 units	4.5	7.5	3.0
Pensioners flats or accommodation.	4.5	7.5	1.5
Other buildings (Schools churches, hospitals etc.)	4.5	7.5	3.0
Rear sites	4.5	7.5	1.5
OR			
Corner sites	4.5	1.5	1.5

In all cases chimneys or eaves or fire escapes may encroach by not more than 0.75.

2.2.4. Exception Clause

To allow maximum variation in siting on any street greater than 15m wide a front yard may be reduced where one corner only of the house can be built within 3m of the street provided that not more than 30% of the front of such house is within the normal 4.5m line.

~~In the case of steep country where high batters exist the Council may reduce the front yard requirement to 2.5m subject to any conditions it may impose.~~ *Scheme Change No 13 18/12/85*

In a "special case" subdivision of one lot into two where an existing house is to remain the Council may allow aggregate yard spaces to apply, by imposing restrictions on the siting of the building on the new lot. For a back yard - side yard combination the aggregate shall be not less than 10m. For a double side-yard combination the aggregate shall be not less than 3m. Eaves and overhangs of existing buildings must in all cases be clear of the boundary and sufficient space must be preserved around the existing building for proper maintenance.

2.2.5. Conditional Uses

Boardinghouses, lodginghouses, private hotels, residential clubs and any other residential use not permitted as a predominant use.

Motels and camping grounds.

Museums, art galleries, public libraries and charitable and philanthropic institutions.

Halls, rooms and buildings used for arts or recreation but not for any public meeting, public performance or public amusement.

Shops for the sale of groceries, dairy products, meats and pharmaceutical goods, either alone or in conjunction with residential accommodation provided there is not more than one residential unit per shop.

Electrical works, drainage works and any other works of public utility not deemed to be predominant uses by virtue of Sec. 64 (1) of the Act.

Buildings, accessory to any of the foregoing purposes.

Occupations which are customarily carried on in a dwelling such occupation being clearly incidental and secondary to the use of the dwelling and which is conducted by one member only of the family residing in the dwelling.

~~Leasehold ownership flats or ownership units under the Units Titles Act 1972.~~

*Scheme Change No 9
1. 8. 84.*

2.2.6. Bulk and Location Requirements

The same as for predominant uses in 2.2.2. ~~except that the maximum height may be increased at the discretion of the Council.~~ *Scheme Change No 13 18/12/85* The following additional clause shall apply:-

Camping grounds and motels - the consent of the Council shall (inter alia) be subject to such conditions as may be imposed under the Camping Grounds Regulations, 1936 and further the Council shall impose conditions for the purpose of securing appropriate standards of roading within the site, satisfactory layout of buildings, disposal of effluents, off street parking and the preservation of amenities.

For leasehold units or ownership flats - the density requirements of 2.2.2. shall apply.

i.e. 80m² per person and 300m² per unit.

2.2.6 The Council may impose additional conditions having
Contd. regard to the shape and topography of the site. It
is intended generally to get 9m spacing in depth
and 3m spacing in width between units.

Applications for more than one detached unit or more
than two attached units shall be supported by a scale
site plan showing the precise position of the
proposed buildings, access drives and parking spaces.
It shall also be necessary to show buildings on any
adjoining sites within 1.5m of the boundaries. The
various divisions and uses of private or common
ground shall be shown.

Where the spacing is not as specified above and
modifications are sought, internal planting screens,
landscaping and any internal fencing shall be shown.

Any loss in depth spacing must be compensated for
with a comparable increase in side spacing to attain
an aggregate balance and avoid crowding.

For units of more than one storey, provision for
stairways or lifts must be made to provide all units
with sufficient functional access to some ground
space for parking, clothes drying etc., as consider-
ed necessary.

2.2.7. Exception Clause (as in predominant uses)

For electrical, drainage and other public
utility installations, the bulk and location re-
quirements of this clause may be waived or varied
at the discretion of the Council.

2.3. COMMERCIAL A ZONES

2.3.1. Predominant Uses

Retail shops serving the day to day needs of the
community including such shops where residential
accommodation is incorporated in the same building
if there is not more than one household unit per
shop.

Professional and commercial offices and Post Offices.

Parking lots.

Buildings necessary to use of buildings or land for
any of the uses specified in this zone.

2.3.2. Conditional Uses

Retail shops not provided for as predominant uses. Where workrooms, including kitchens are incorporated in the shop each workroom shall be incidental to the shop of which it forms part and shall serve that shop only.

Petrol service stations for the retail sale of motor vehicles, caravans, petroleum, motor accessories, maintenance and for running repairs. The workshop area shall be limited to 140m² and access shall be to the satisfaction of the Council.

Electrical works, drainage works and any other works of public utility not deemed to be predominant uses by virtue of Sec. 64 (i) of the Act.

2.3.3. Bulk and Location Requirements

Maximum height - 9m

Front yard - Where the Council so requires, the frontage of any site shall be set back for a minimum of 3m to enable footpath widening and set back of kerb for off traffic lane parking.

Rear yard - 6m.

Side yard - 3m where adjoining a residential zone, and provided that on any corner site at least one side yard shall be provided.

Eaves and fire escapes and chimneys may encroach on yards up to 0.75m.

Coverage - 75% for buildings without residential accommodation.

50% for buildings with residential accommodation.

Where commercial and residential uses are combined there shall be not less than 100m² of open space provided immediately accessible from and for the exclusive use of each dwelling unit. Part of a flat roof or similar structure may be used for this purpose.

~~Where alternative side or rear access is provided to the site to the satisfaction of the Council, the rear and side yards may be reduced. In no case shall a side yard adjoining residential land be less than 1.5m.~~ *Scheme change No 13 18/12/85*

2.3.4. Exceptions

For electrical, drainage and other public utility installations the bulk and location requirements of this clause may be varied or waived at the discretion of the Council.

2.4. COMMERCIAL B ZONES

2.4.1. Predominant Uses

Retail and wholesale shops and restaurants.

Administrative buildings of central and local government. Professional and commercial offices, banks and exchanges.

Libraries, exhibitions, museums and art galleries.

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

Theatres, cinemas, halls, places of public and private worship or entertainment, places of public or private assembly.

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

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

Auction rooms and show rooms.

Buildings accessory to use of buildings or land for any of the uses specified in this zone.

2.4.2. Conditional Uses

Retail shops with living accommodation incorporated in the same building provided that there is not more than one household unit per shop.

Petrol service stations, commercial garages, car sales and car parks providing access shall not impede the traffic and is to the satisfaction of the Council.

Fire stations, bus terminals, passenger shelters.

Motels,

Bakeries and dry cleaning works.

Any process of light manufacture of goods principally for sale by retail on the premises.

Printing and distribution of newspapers.

2. Incorporate the following Commercial C Zone Ordinances in the Code of Ordinances:-

Commercial C Zone

1. Predominant Uses

- 1.1. A hotel or motor inn complex, being a licensed premises, (other than a tavern) in terms of the Sale of Liquor Act 1962 and its Amendments, and having as its primary purpose the provision of meals and accommodation for the travelling public.
- 1.2. Buildings and uses accessory to the principal use including retail shops, restaurants, saunas, indoor and outdoor recreation facilities.
- 1.3. Parks and Reserves as defined in Reserves Act 1977.
- 1.4. Traditional pastoral farming, horticulture and orcharding.
- 1.5. Accessory buildings for any of the foregoing uses.

2. Conditional Uses

There shall be no conditional uses in this zone.

3. Performance Standards

The permitted uses shall comply with the following performance standards:-

3.1. Stormwater and Sewerage

Provision shall be made for the disposal of stormwater and sewerage, to the satisfaction of Council.

3.2. Access

The accessway to Section 4123 from Airport Drive shall be formed and paved to a width and standard approved by Council.

3.3. Parking and Loading

3.3.1. All parking areas, access drives and aisles shall be formed, paved and maintained so as to be available in all weathers.

3.3.2. Sufficient parking shall be provided to cater for all vehicles generated by the use of the site.

Parking requirements are set down in Ordinance 7.3.10.

The developer shall ensure that an adequate number of spaces are available which are accessible to tour coaches.

3.3.3. Loading: See Ordinance 7.3.11.

3.4. Yard, Site Coverage and Building Height Standards

3.4.1. The maximum site coverage shall be 75%. Outdoor recreation facilities shall not be included in the coverage of the site.

3.4.2. Maximum height: 12 metres.

3.4.3. Where the site adjoins residential zone boundaries, buildings shall be set back a minimum distance of 6 metres from these boundaries.

Council may grant a dispensation from these requirements in accordance with Ordinance 5.7.

3.5. Greenbelt

The developer shall maintain the native bush cover in the greenbelt in accordance with Council's greenbelt policy.

4. Development Plan

Before any development may proceed, a development plan shall be submitted to the Council setting out:-

- the proposed layout of buildings
- the height and bulk of buildings and their location with respect to site boundaries.
- the location of parking, loading and access points
- sufficient site levels to enable an assessment of drainage requirements
- a summary of the floor space of buildings on site together with site coverage calculations.

2.4.2. Apartment houses, rental flats, ownership flats
Contd. (minimum of 4 units).

Electrical works, drainage works and any other works of a public utility not deemed to be predominant uses by virtue of Section 64(1) of the Act.

2.4.3. Bulk and Location Requirements

Maximum height - 12m ~~an increase may be authorised by resolution of Council subject to any conditions necessary.~~ *Scheme Change No 13 18/12/85*

Rear yard - 6m if adjoining a residential zone.

Side yard - 3m if adjoining a residential zone.

Eaves, chimneys and fire escapes may encroach on yards up to 0.75m.

Coverage - 80% for buildings other than residential ~~which may be increased by resolution of the Council.~~ *Scheme Change No 13 18/12/85*

Where commercial and residential uses are combined there shall not be less than 100m² of open space provided immediately accessible from and for the exclusive use of each dwelling unit. Part of a flat roof or similar structure may be used for this purpose.

~~Where alternative side or rear access is provided to the site to the satisfaction of the Council the rear and side yards may be reduced. In no case shall a side yard adjoining residential land be less than 1.5m.~~ *Scheme Change No 13 18/12/85*

Any service lane or private way serving the site shall in a commercial B zone be regarded as part of the site.

2.4.4. Exceptions

For electrical, drainage and other public utility installations, the bulk and location requirements of this clause may be waived or varied at the discretion of the Council.

COMMERCIAL C ZONES

2.5. INDUSTRIAL A ZONES

2.5.1. Predominant Uses

All trades and industries such as laundries, bakeries, milk processing, service stations, commercial garages, panel beaters, tradesmens workshops, storage yards and warehouses which serve the day to day needs of the District.

2.5.1.

Contd. Living quarters for a caretaker or other person whose employment requires that he lives on the premises.

Appendix 1

Buildings accessory to use of buildings or land for any of the uses specified in this zone.

2.5.2. Conditional Uses

Any of the uses specified as predominant or conditional uses in the Commercial B zone excepting theatres and cinemas.

*Sec. 91
T. S. C. 1977.*

Any existing use other than residential provided that extension of such use either by additions alterations or erection of new buildings, shall comply with the requirements of this Scheme appropriate to such use. It is also provided that the Council may impose restrictions on such existing use as are considered necessary for the control or abatement of any smoke, fumes, noise or other factors liable to cause nuisance or annoyance to neighbouring occupiers.

Any industry falling within Appendix A hereto provided the appearance and process of operation is so modified that in the opinion of the Council it does not detract from the amenities of the zone.

2.5.3. Bulk and Location Requirements

~~Maximum height - 12m an increase may be authorised by resolution of Council, subject to any conditions considered necessary.~~ *Scheme Change No 13 18/12/85*

Rear Yard - 6m if adjoining a residential zone.

Side Yard - 3m if adjoining a residential zone.

Eaves chimneys and fire escapes may encroach on yards up to 0.75m.

~~Coverage - 80% for buildings other than residential which may be increased by resolution of the Council.~~ *Scheme Change No 13 18/12/85*

Where industrial and residential uses are combined there shall be not less than 100m² of open space provided immediately accessible from and for the exclusive use of each dwelling unit. Part of a flat roof or similar structure may be used for this purpose.

2.5.3.

Contd. ~~Where alternative side or rear access is provided to the site to the satisfaction of the Council the rear and side yard may be reduced. In no case shall a side yard adjoining residential land be less than 1.5m.~~ *Scheme Change No 13 18/12/85*

Any service lane or private way serving the site shall in an Industrial A zone be regarded as part of the site.

2.5.4. Exceptions

For electrical, drainage and other public utility installations the bulk and location requirements of this clause may be varied or waived at the discretion of the Council.

2.6. INDUSTRIAL B ZONES

2.6.1. Predominant Uses

Any industry except those falling within the category of those listed as requiring segregation in Appendix B hereto.

Warehouses, stores, storage yards, contractors yards.

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

Buildings accessory to the use of buildings or land for any of the uses specified in this zone.

2.6.2. Conditional Uses

Retail shops, restaurants and offices serving the locality.

Any of the uses specified as predominant uses in the Industrial A zone.

Any industry falling within Appendix B hereto provided the process of operation is so modified that in the opinion of the Council it does not detract from the amenities of the zone.

Any existing use other than residential and excepting theatres and cinemas, provided that extension of such use either by additions, alterations or erection of new buildings, shall comply with the requirements of this Scheme appropriate to such use.

2.6.3. Bulk and Location Requirements

Maximum height - 18m ~~an increase may be authorised by resolution of Council subject to any conditions considered necessary.~~ *Scheme Change No 13 18/12/85*

Rear yard - 6m if adjoining a residential zone.

Side yard - 3m if adjoining a residential zone.

Eaves, chimneys and fire escapes may encroach on yards up to 0.75m.

Coverage - 80% for buildings other than residential ~~which may be increased by resolution of the Council.~~ *Scheme Change No 13 25/12/85*

Where industrial and residential uses are combined there shall be not less than 100m² of open space provided immediately accessible from or for the exclusive use of each dwelling unit. Part of a flat roof or similar structure may be used for this purpose.

~~Where alternative side or rear access is provided to the site to the satisfaction of the Council the rear and side yard may be reduced. In no case shall a side yard adjoining residential land be less than 1.5m.~~ *Scheme Change No 13 18/12/85*

Any service lane or private way serving the site shall in Industrial B zone be regarded as part of the site.

2.6.4. Exceptions

For electrical, drainage, and other public utility installations the bulk and location requirements of this clause may be varied or waived at the discretion of the Council.

2.7 Deferred Industrial Zone

2.7.1. Predominant Uses

Dwellinghouses

Playgrounds and recreation areas

Market gardens and nursery gardens including glasshouses in accordance with the bylaws.

The grazing and keeping of animals in accordance with the bylaws.

Groups of garages or parking spaces to accomodate private cars of nearby residents.

A building not exceeding 50 m2 of floor area situated on the same site with a residential building and used for the storage only of plant and materials in connection with the business or employment of a person who is resident on the site.

Residential accessory buildings.

Uses accessory to uses located on an Industrial A site adjoining the Deferred Industrial Zone, restricted to car parking and offices.

2.7.2. Bulk and Location Requirements

Bulk and location standards shall be those applicable to predominant uses in the Residential Zone - refer Clause 2.2.2.

2.7.3 Conditional Uses

2.7.3.1. Trades and industries such as laundries, bakeries, milk processing, service stations and commercial garages, panel beaters, tradesmens workshops, warehouses, stores and storage yards, which serve the day to day needs of the District.

2.7.3.2. The sale, by retail, of goods manufactured on the site or directly associated with a use listed under Clause 2.7.3.1.

above. Provided that the principal use of the site is a trade or industry permitted under clause 2.7.3.1.

2.7.3.3. The hire of vehicles and general equipment.

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

2.7.3.5. Buildings accessory to the use of buildings or land for any of the uses specified in this zone.

2.7.4. Bulk and Location Requirements

The standards for conditional uses shall be set by Council on each application. Generally these shall collectively provide the same standards as for uses in the Industrial A zone including yard requirements where a proposed use adjoins a residential property.

*Scheme Change No 10
29/1/81*

ORDINANCE 3 - SUBDIVISION OF LAND

3.1. GENERAL

Scheme Plan

In accordance with the Local Government Act 1974, Section 275(1) scheme plans of all proposed subdivisions within the Borough shall be submitted to the Council. All scheme plans shall be prepared by a Registered Surveyor.

Scheme plans must show physical features including all buildings. The full extent of possible further subdivision of the land held in physical contiguity by the applicant must be shown. This is to ensure that the scheme does not prejudice full development and so as to indicate subdivisional potential, limits of roading, drainage and water supply which may be needed in the future. The extended portion of the scheme need not be detailed and can be shown by insert diagrams on a smaller scale.

Contours and spot heights shall be shown in sufficient detail to determine the approximate grades of roads, the general siting of buildings and the general level of the land being subdivided.

The scheme plan shall be accompanied by a report stating the purpose of the subdivision with reference to all matters that will assist in the interpretation and approval of the proposal.

All easements shall be clearly designated together with a schedule stating the allotments subject or appurtenant the easements shown on the plan.

3.2. SUBDIVISION TO CONFORM TO PLANNING PRINCIPLES

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

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

3.3. STANDARD AREA AND FRONTAGE REQUIREMENTS

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

3.3.1. Residential Zones

Front sites	Minimum frontage	17m
	Minimum depth	20m
	Minimum area	600m ² .

Provided that in the case of an abtment with diverging side boundaries the frontage may be reduced to not less than 7m if the width 10m back from the road boundary is not less than 16m. Provided also that the dimensions of each site shall be such that it shall be possible to locate therein a square 15m x 15m.

Corner sites	Minimum frontage	34m
	Minimum area	500m ²

Provided that the dimensions of each site shall be such that it shall be possible to locate therein a square 15m x 15m.

Footpath widening - On street corners where the change in direction exceeds 45° on all streets up to twenty metres in width a 6m cut off shall be dedicated as street. On streets exceeding twenty metres wide a 3m cut off shall be required.

No penalty as to minimum area or shape factor shall be incurred on any adjoining lot because of those requirements.

Rear sites	Minimum frontage	3m
	Minimum width	18m
	Minimum area	700m ² exclusive of the access strip.

Provided that the dimensions of each site shall be such that it shall be possible to locate therein a square 18m x 18m. Provided also that every rear site shall have as its access a strip of land at least 3m wide and as straight as topography will allow, which is not part of the minimum area.

3.3.1.
Contd.

For 2 or 3 lots the strip shall be at least 4m wide. For 4 or more lots the strip shall be at least 5m wide. Reciprocal rights-of-way shall be required for all mutual access strips.

Where access to rear sites is by adjoining strips with mutual rights-of-way the subdividor shall if services do not exist, lay a common high pressure water main, a common sewer drain and/or a common stormwater drain as directed by the Council. The mutual access shall also be formed, metalled sealed and drained to the satisfaction of the Council.

3.3.2. Ownership Flats Attached

Ownership flats or attached houses not exceeding one residential storey and two units may be subdivided and placed on separate titles to become semi detached houses subject to the following conditions.

- a. Compliance with all other requirements of this Code.
- b. Compliance with standard building bylaws in respect of dividing walls.
- c. Minimum area per unit 300m² Minimum frontage 10m.
- d. Registration of Party Wall Easements.

3.3.3. Commercial A & B Zones

Where, in the opinion of the Council, adequate provision has been made for parking, loading and access as required under Ordinance 6 the following standards shall apply -

Minimum frontage 5m

If adjoining residential 6m.

No minimum depth or area are specified unless residential accommodation is attached in which case minimum depth to be 20m. On street corners where the change in directions exceeds 45° a 3 metre cut off shall be provided for street.

3.3.4. Industrial A & B Zones

Where in the opinion of the Council, adequate provision has been made for parking, loading and access as required under Ordinance 6 the following standards shall apply -

3.3.4.			
Contd.	Front sites	Minimum frontage	6m
		If adjoining residential	8m
		Minimum area	200m ²

On street corners where the change in direction exceeds 45° a 3m cut off shall be provided for street.

Rear sites	Minimum width	15m
	Minimum width of access strip	4m
	Minimum area excluding access strip	600m ²
	Maximum length of access strip	60m.

3.4. EXCEPTIONS TO STANDARD REQUIREMENTS

3.4.1. Tolerance

In any zone where a subdivision is marginal, the dimensions and or areas may at the discretion of the Council be reduced by an amount not exceeding 5% provided that the application of this tolerance does not yield more allotments than would have been obtained without it and also provided that any surplus land is dedicated to the Council for a public purpose or disposed of in accordance with the Council's instruction. There shall be no tolerance exercised where a subdivision is applied for as a "special case" as in 7 below.

3.4.2. Public Utility Sites

In any zone the requirements of this Ordinance shall not apply to a site or allotment which is being or has been reduced to not less than four fifths of the standard in any one or more respects by the taking part thereof under the Public Works Act 1928 or by the sale of part thereof with the approval of Council for a purpose of public utility, nor shall those requirements apply to the part so taken or sold.

3.4.3. Boundary Adjustments

In any zone the requirements of this Ordinance shall not apply to a subdivision if the Council is satisfied that the subdivision is intended solely for the adjustment of boundaries which will leave each of the adjusted allotments substantially as before. In the case of an existing allotment which does not comply with standard minimum frontage and or area requirements, the Council may approve having regard to both sites if it is of the opinion that the resulting subdivision is an improvement on the existing situation.

3.5. EXISTING BUILDINGS

Where any building is situated on the land to be subdivided the Council may refuse its consent to such subdivision if the open spaces around such building or area available for off street parking or loading within the new site will, in the opinion of the Council be inadequate having regard to the use of that building and of the new site and to such standards most appropriate to such use.

3.6. AGGREGATE AREAS - RESIDENTIAL ZONES

In any residential subdivision of not less than ten allotments, front lots may be reduced to achieve variation of areas to not less than 15m frontage and not less than 400m² provided that the aggregate area of all front lots does not average less than 600m².

In the case of diverging boundaries the requirements are as previously prescribed and the same shape factor is applicable.

3.7. SPECIAL CASES - RESIDENTIAL ZONES

In a residential zone, an allotment occupied as a separate holding may be subdivided into not more than two allotments in accordance with the following minimum dimensions and areas which shall not be subject to any tolerances.

Front sites	Minimum frontage	15m
	Minimum area	400m ²
Rear sites	Minimum width	18m
	Minimum area	525m ² ←
		exclusive of the access strip.

In front and rear sites the same shape factors apply as for normal subdivisions.

3.8.1. General Requirements

In subdivisions involving the construction of new streets the Council requirements shall be generally as follows:-

- a. Full width clearing and construction of formation.
- b. Shape, gradients, curves and construction strength as required by the Council.
- c. Provision of concrete kerb and channel with complete piped stormwater system and connections to each lot.
- d. Provision of sewer mains with side connections to the boundary of each lot.
- e. Provision of pressure water mains complete with isolating valves, fire hydrants and connection to each lot.
- f. Sealing of carriageways and footpaths.
- g. Underground wiring for power and telephone for each lot.
- h. Street lighting.

3.8.2. Engineering Plans

On conditional approval of any scheme plan, the Council will require, prior to any construction being commenced complete engineering plans and specifications for approval.

3.8.3. Construction Standard

All roading construction work shall be to the entire satisfaction of the Council which reserves the right to alter any requirement from time to time as conditions may warrant.

3.9. CONTRIBUTION TO RESERVES

Every subdivision within the Borough shall be subject to a contribution to reserves.

The Council may require an area of land to be set aside as reserved for Public purposes amounting to not less than 100m² and not more than 130m² for each new allotment on the plan which will be used for residential purposes. Provided that for each allotment that has a frontage to any new road being constructed by the owner the amount to be set aside shall not be less than 75m².

3.9
Contd. Where in the opinion of the Council it is undesirable or unnecessary to require the owner to make provision for the making of reserves for public recreation or enjoyment:-

- a. The Council may in lieu thereon make it a condition of approval that the owner shall pay a sum of money to the Council within such time as it may specify.
- b. The Council and the owner may agree that instead of making such a payment the owner shall set aside from the land in the subdivision an area of land to be vested in the Borough equal to the area that would otherwise be required to be set aside as reserves for public recreation or enjoyment.
- c. The Council and the owner may agree that a combination of any of the provisions outlined above may apply.

The amount to be paid under a. above shall be an amount equal to 7.5% of the value of the allotments when the allotments are first available for sale.

Where any allotment is to be used for commercial or industrial purposes the Council shall require as a condition of its approval that an amount equal to 10% of the value of the allotment shall be paid to the Council.

Council may require the owner to enter into a bond for the due payment of any amount payable under these Ordinances.

No contribution shall be payable if the subdivision is an adjustment of boundaries, and the lots concerned previous to adjustment come within the minimum area and frontage requirements as set out above.

Provided that Council may waive or reduce the contribution payable for reserves in special cases.

ORDINANCE 4 - USES AND RESERVATION OF
DESIGNATED LAND

4.1. APPLICATION

This Ordinance shall apply to land designated under this Scheme for an existing or proposed public work within the meaning of the Public Works Act, 1928, including any existing or proposed public reserve within the meaning of the Reserves Act 1977.

4.2. USES LIMITED TO THOSE DESIGNATED

The use of any land or buildings situated within a designated area shall be limited to the use which is designated or reserved in respect thereof by symbols and description set out by notations on the District Planning Maps, provided that existing use rights are not thereby affected and owners and occupiers are entitled to continue the existing use of the land subject to the provisions of the District Scheme and any relevant Acts and Regulations, and subject also to interim use provisions as contained hereunder.

4.3. CONDITIONS MAY BE IMPOSED BY THE COUNCIL

Every use referred to above shall be subject to such conditions, restrictions and prohibitions as to location, yards, position of buildings, coverage, drainage, preservation of amenities, off street parking, any such other matter as the Council may think fit to impose.

4.4. CHANGING LOCATIONS OF PROPOSED PUBLIC WORKS

In accordance with Section 123 (1) of the Act, Council may with the agreement of the owners of any land directly affected -

- (a) Alter the position shown on the district scheme of any proposed highway,
or
- (b) Alter any designation for a public work;
or
- (c) Alter any provision made in the district scheme under Section 43 or Section 118 of the Act.

4.5. BUILDINGS NOT TO INTERFERE

4.5.1. Prohibition

The subdivision of any land, the erection or completion of any building or the carrying out of any work of a substantial nature on any land forming part of the site of a proposed road, street, accessway, service lane, reserve, or designated open space or public work is prohibited, except as an interim use expressly authorised by the Council with the consent of the Minister or any local authority responsible for the proposed permanent use.

4.5.2. Definition of "Interim Use"

For the purposes of this Ordinance, an "interim use" means a use that does not conflict with the present amenities of the neighbourhood in which it is located, and which may reasonably be established at that time and be continued until the date or occasion fixed in or under the District Scheme by the Council for the prohibition of that use on that site, or for a different use of that site, to become enforceable.

4.5.3. Areas Subject to Building Line Restriction

Areas which are required for future streets or accessways, or to enable mechanical equipment to service drains and watercourses, shall be subject to building line restrictions as set out and described in Appendix 1 of the Scheme Statement.

ORDINANCE 5 - USES OF IDENTIFIED LAND

5.1. APPLICATION

This Ordinance shall apply to land identified on the District Planning Maps as private land use for purposes of value to the community in accordance with the provisions of S. 73 of the Act.

5.2. USES NOT LIMITED TO THOSE IDENTIFIED

Where land has been identified in accordance with this section, then: -

- (i) The carrying out of any work on that land including the construction or alteration of any structure or the making of any excavation, or
- (ii) the subdivision of that land, or
- (iii) the use of that land for any purpose which is inconsistent with the identified purpose.

5.2 shall be subject to conditional use consent
Contd. only where this is required by the provisions
of the Code of Ordinances applicable to the
zone in which it is situated and shall not be an
automatic requirement in accordance with Section
73 of the Act.

ORDINANCE 6 - BUILDINGS AND LAND AS TO SITING,
COVERAGE, HEIGHT, ALTERATION AND
DENSITY

6.1. GENERAL

The permitted uses, height, open space, site area
and coverage in the respective zones shall be
those set out in Ordinance 2 of this Code with the
following exceptions.

- 6.1.1. In any zone verandahs attached to any building
other than residential, may project onto the
front yard.
- 6.1.2. Accessory buildings may be erected on rear yard.
- 6.1.3. Garages and Carports may be erected on side yards
in a residential zone, subject to Ordinance 6.1.4.
and 6.6.1.

Garages and carports in a residential zone, subject
to the same Clauses where applicable, may be
erected on front yards to within not less than 1.5m
of a street over 20m wide and 2.5m of a street less
than 20m wide unless the Council approves otherwise
in accordance with Clause 1.5 below. On a corner
site the 1.5m and 2.5m limitations shall apply
irrespective of the nominated frontage.

- 6.1.4. Subject to Ordinance 6.7 the maximum height of any
accessory building shall be that applicable to other
predominant uses within that zone.

Except that:-

- 6.1.4.1. Where an accessory building in an industrial
or commercial zone is on a site which adjoins a
residential zone, the maximum height shall be that
applicable to accessory buildings in the residential
zone,
- 6.1.5. Where the dimensions or physical features of the site
or the existence of other buildings make adherence to
the prescribed regulations unreasonable or impracticable,
the Council may conditionally permit the erection of
accessory buildings not exceeding 50m² in area on any
part of the site.

6.2. LAND TO BE SUITABLE FOR PROPOSED USE

Notwithstanding conformity with this Ordinance, the Council may waive or modify its requirements if they seriously detract from the usefulness of the site for building in a particular zone.

In determining the suitability of any site, regard shall be had for its economic servicing, liability to flooding, erosion or slipping, to stability of foundations and to safety, health and preservation of the amenities.

6.3. THROUGH SITES

In the case of a through site the owner shall provide two rear yards at or near the middle of the site and front yards on each frontage of the site unless the Council resolves otherwise as in 1.4 or 2 above.

6.4. RESIDENTIAL BUILDINGS ABOUT A PLACE

Definition of a Place

For the purpose of this Ordinance the term "place" means an open unoccupied space not less than 12m in width and not less than that frontage to a public street and permanently set apart as the principal means of access to two or more residential buildings.

Every building site shall comply with the area frontage, space and height requirements of Ordinance 6 as if the place were a street.

Where independent street access to each of the building sites does not exist, the owner or owners thereof shall provide and maintain a paved driveway constructed to standards acceptable to the Council for both pedestrian and vehicular access to each site.

Wherever considered necessary by the Council the owners shall provide adequate lighting to illuminate any place.

6.5. DENSITY OF RESIDENTIAL BUILDINGS

Subject to compliance with all relevant provisions of this Code more than one residential building may be erected on any one site.

It is provided that each building shall be designed and related to each other to the satisfaction of the Council.

6.5. It is also provided that each building shall be
Contd. spaced at a minimum distance of 9m from the other
with the following exceptions:-

Motels and Motor Camps. Pensioners homes,
rest homes, and convalescent homes provided by
an approved authority. Staff accommodation
for hospitals or other public institutions.

The existence of or permission to erect multiple
residential buildings shall not infer that the
Council approval may be obtained to a subdivision
of the site conforming to the said building.

Special provisions relating to leasehold flats
or unit titles are provided in Ordinance 2.2.6.

6.6. SITING OF ACCESSORY BUILDINGS IN RESIDENTIAL
ZONES

Accessory buildings where permitted by these
Ordinances shall be sited to conform to the
following minimum limits:-

6.6.1. Subject to Ordinances 6.6.3. and 6.7, accessory
buildings may be erected on the boundary of the
site provided they comply with and are constructed
in accordance with standard building Bylaws.

6.6.2. Subject to Ordinance 6.6.3, the separation
distance between detached accessory buildings
and the main building on the site shall comply
with the standard set in the building Bylaws.

6.6.3. Buildings of any construction for housing live-
stock, including any fenced space.

1.5m from the boundary of any site.

9m from any dwelling house or street.

6.7 MAXIMUM HEIGHTS NEAR WINDOWS AND ON STREET CORNERS
IN RESIDENTIAL ZONES

Notwithstanding any of the provisions of this
Scheme, no person shall construct, re-erect or
reconstruct any accessory building, structure
or erection or fence or shall plant or permit
to grow a hedge, tree or other growth, whether
on a boundary or not.

6.7.

Contd.

- a. Over 2m in height above the average ground level, within 3m of any window of a habitable room of a dwelling.
- b. Over 1m in height above the average ground level within 6m of a street corner smaller than 135°.

These provisions shall not apply to poles, aeri-als or similar structures.

6.8. AMALGAMATION OF TITLES

Where application is made to Council for a permit to erect a building over land of the applicant comprised of two or more allotments of an existing subdivision or existing subdivisions, the Council shall, as a condition of the issue of a permit, require the applicant to lodge a Land Transfer plan and have it deposited to amalgamate the parcels under one title.

6.9. ALTERATIONS TO NON CONFORMING BUILDINGS

See Ordinance 2.1.5.

6.10. YARD SPACE 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 to form part of the yard for any other site.

6.11. YARD SPACE REQUIREMENTS IN OTHER THAN RESIDENTIAL ZONES WHERE SERVICE LANE PROVIDED

Where land for a service lane or accessway is provided at the rear or side of a site the corresponding yard requirements shall be diminished accordingly.

ORDINANCE 7 - PARKING, LOADING, UNLOADING AND ACCESS OF VEHICLES

7.1. DEFINITION

In this Ordinance "Parking Space" means a space on the site available for a vehicle while awaiting use.

"Loading Space" means a space on the site available for a vehicle while being loaded or unloaded. It shall be counted as one or more parking spaces according to the number of vehicles it is capable of accommodating.

7.2. RESIDENTIAL SITES - PARKING AND ACCESS

- 7.2.1. Vehicular access shall be provided from the street to every garage or parking space required under this clause to the satisfaction of the Borough Council unless in its opinion this requirement for the time being would be impracticable or unreasonable.
- 7.2.2. The site plan furnished in connection with an application for a permit to erect any residential building shall in addition to the information otherwise required hereby, show in the general layout of the site provision for space for garage accommodation of offstreet parking for cars as follows: -
- a. In the case of a dwelling house, a semi-detached house or terrace house, or an apartment house containing not more than two household units, accommodation for one car for each household unit.
 - b. In the case of an apartment house for building containing service flats, accommodation for cars in the proportion of not less than one car to each household unit, which the building is designed to accommodate.
 - c. In the case of a boardinghouse, a lodging house or a similar residential institution used for permanent residents, accommodation for cars in the proportion of not less than one car for every four persons or fractional part thereof whom the building is designed to accommodate.
 - d. In the case of motels, accommodation for one car for each motel unit.
 - e. In the case of an alteration or extension to an existing house, parking provision shall apply to all cases where value of alterations or improvements is greater than 25% of G.V. of existing buildings.
 - f. In the case of professional offices within a residence two extra parking spaces will be required.
- 7.2.3. In addition to the parking requirements above under Ordinance 7.2.2. where five or more units are proposed or where the addition of more units to an existing development would bring the total to five or more, vehicular access at least 5m wide from the street shall be formed, sealed and drained to the satisfaction of the Council. The Council may also require provision of turning facilities to avoid the necessity of backing onto the street.

7.3. OTHER THAN RESIDENTIAL SITES

7.3.1. Provision and Formation of Parking and Loading Spaces

Where a building is constructed, substantially reconstructed, altered or added to, or where there is a change in the use of any land or building that requires the consent of Council.

- a. Provision shall be made for vehicles used in conjunction with that site (whether by occupiers their employees or invitees or other persons) to stand on that site but not on the street or service lane, while such vehicles are awaiting use and where the site is used or intended to be used for the manufacture, servicing, storage or sale of any goods, materials or substance while such vehicles are in the course of being loaded, unloaded or fuelled,

and
- b. The whole of the required parking and loading space or spaces, access drives and aisles, shall, before the commencement of the use to which those loading and parking spaces relate, and thereafter for as long as that same use is continued, be formed, surfaced and maintained so as to be available for use in all weathers.

~~Provided that where in the opinion of the Council the position of existing buildings, the topography of the site or the locality would make adherence to the provisions of this Ordinance impracticable or the usefulness of the site would be seriously diminished, the Council may vary or dispense with any or all of such provisions. *Scheme Change No 13 18/12/85*~~

7.3.2. Rear Access

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

7.3.3. Joint Provisions

Nothing in these Ordinances shall be construed to prevent two or more owners from jointly making provision for offstreet parking or loading facilities for their buildings so long as the total provisions so made is not less than the sum of the requirements of the various buildings or uses computed separately except where the vehicles are or will be attracted to

7.3.3.

Contd. each site regularly at time that seldom coincide with the times when vehicular traffic is attracted to the other or others of them, in which cases the requirements may be computed as for the sum of the uses which demand the greatest provision at any particular time.

7.3.4. Yard Space May Be Used

The provision for parking and loading required in respect of any site may be made in any case as part of the yard space of that site, except in respect of any residential site no car space shall be sited within a front or side yard unless otherwise authorised by this Code.

7.3.5. Location

Where there is vehicular access to the site, off street parking facilities shall be located on the site, and where that is not practicable and where vehicular access cannot be provided to the site, offstreet parking facilities shall be provided as close to the site as is practicable, such alternative sites to be to the approval of the Council.

7.3.6. Availability of Motor Vehicle Facilities

All parking and loading spaces, manoeuvring areas, access drives and aisles must be kept clear at all times for the use of motor vehicles and must not be used for the storage of goods, articles, materials or substance or for any other purpose.

7.3.7. Size of Parking Spaces

Every parking space shall be of usable shape and shall have dimensions not less than 2.5m x 5.5m (13.75m²) exclusive of access drives, manoeuvring areas and aisles.

7.3.8. Access to Parking Spaces

Every parking space shall be provided with such access drives and aisles as are necessary for ingress and egress of motor vehicles from and to the street and for the manoeuvring of motor vehicles within the site. Hotels or other premises with a capacity of more than 30 persons who are required to provide parking shall ensure that the spaces are oriented to and accessible for tourist coaches.

7.3.9. Screening of Spaces

Where four or more parking spaces are provided on a site which adjoins or faces any residential zone the area comprising such spaces shall be screened from such residential properties by a permanent fence not less than 1.5m in height.

7.3.10. Parking -

Assessment of Floor Area

The area of any parking 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 provided.

Parking Spaces Inside a Building

Where any parking spaces are located within a building such spaces shall be clearly defined and shall not be used for any other purpose.

Number of Parking Spaces Required

The number of parking spaces to be provided in respect of any particular site shall be as follows: -

<u>Use of site</u>	<u>Parking spaces required</u>
Licensed premises	one per 4.5m ² of bar space plus one per 4 guest beds
Petrol service stations commercial garages	one per 45m ² of workshop area
Warehouses, bulk stores and carrier depots	one to every 90m ² of gross floor area used for storage.
Retail shops, administrative, professional and commercial offices	one to each 45m ² of gross floor area.

7.3.10
Contd.

Use of site

Parking spaces
required

Churches	one to every ten persons assessed on maximum seating capacity, provided that where a Church and a hall are erected on the same site the maximum requirements applicable to that site in pursuance of this sub-clause shall be the maximum requirements as aforesaid in respect of such Church or hall whichever is the greater.
Theatres and halls	one to every ten persons whom the building is designed to accommodate.
Manufacturing or servicing premises (not otherwise provided for)	one to each 45m ² of gross floor area of building.
Public Utility	Nil.

Nothing in this Ordinance shall limit the powers of the Council to impose other conditions as to the provision of parking spaces in respect of conditional uses.

7.3.11. Loading

Size of Loading Spaces

Every loading space shall be of usable shape and shall be of the following dimensions:

For freight depots, carrier depots, truck terminals and other similar uses - not less than 10m in depth.

For shops, offices, hotels, warehouses, bulk stores, manufacturing premises, servicing premises and other similar uses - not less than 8m in depth.

Notwithstanding anything to the contrary in the foregoing clauses, where articulated vehicles are used or are intended to be used in connection with the site, sufficient loading spaces not less than 12m in depth shall be provided for the purpose.

No loading space shall be less than 3m in depth.

7.3.11. Access to Loading Spaces

Contd.

Every loading space shall have adequate physical access to the street and the building or land which it is intended to serve. Every loading space shall be provided such access drives and aisles as are necessary, in the opinion of the Council, for the egress of motor vehicles using such spaces from and to the street and for the manoeuvring of motor vehicles within the site.

Number of Loading Spaces Required

The number of loading spaces required shall be such as the Council considers to be reasonable and practicable in all the circumstances of the case.

7.4. ACCESS

Access to or outlet from a corner site shall not be located nearer to the corner of a street than 9m unless the Council approves the design and location of that access or outlet.

Where access from the street to any site would be undesirable in relation to the function or nature of that street or properties fronting that street, or would be likely to cause a traffic hazard, the Council may require further or other provisions to be made for access to the site or may prohibit such access and any parking and/or loading spaces whether or not required by this Code.

7.5. POWER TO MODIFY OR WAIVE

~~The Council may either unconditionally or subject to such terms and conditions as it thinks fit, modify or waive the provisions of this Ordinance or any of them where it is of the opinion that the application of the same to or in respect of any particular site would be impracticable, unreasonable or unnecessary.~~ *Scheme Change No 13 18/12/85*

The Council may modify or waive the provisions of this Ordinance in terms of the criteria set down in Ordinance 1.6.

ORDINANCE 8 - OBJECTS AND PLACES OF HISTORICAL
OR SCIENTIFIC INTEREST OR
NATURAL BEAUTY

8.1. DESIGNATION AND REGISTRATION

In respect of any object or place of historical or scientific interest or natural beauty which is specified in the Scheme Statement as intended to be preserved, the Council shall enter particulars thereof in a register to be kept at the office of the Council, and shall forthwith notify the owner and occupier of land upon which any such object or place is situated that it has been registered and is required under the scheme to be preserved. The register shall be open at all reasonable times for inspection by persons interested.

8.2. PRESERVATION

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

8.3. CANCELLATION OF REGISTRATION

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

ORDINANCE 9 - CONTROL OF ADVERTISING

9.1. INTERPRETATION

In this Ordinance "sign" means:-

Every sign placed or affixed (whether by painting or otherwise) as advertising matter upon a site and visible from off the site,

and

the board hoarding or other structure which supports such sign.

9.2.

ERECTION OF SIGNS IN A RESIDENTIAL ZONE

No sign shall be erected or displayed in a residential zone except -

- a. Traffic signs erected by or with the consent of the Council or signs denoting the name of a road, location and name of a scenic attraction or the location or other details of a public utility, facility or amenity.
- b. A sign not exceeding 1m² in area on the site of and ancillary to the uses of any recreation ground, church or hall.
- c. Signs of the site of and ancillary to any other permitted use of that particular zone, provided that any such sign shall not be erected without the consent of the Council and subject to such conditions as the Council thinks fit.
- d. A sign not exceeding 0.5m² advertising the intention to sell the land or premises on which it is situated.
- e. A sign advertising an auction or similar sale to be held on the premises on which it is situated and displayed not more than seven days before or after the date of the sale.
- f. A temporary sign for electioneering or other purposes.
- g. A sign not exceeding 0.2m² bearing only the name of the premises and the trade names of occupiers and the name, occupation and hours of attendance of a person or group of persons using the premises.

9.3.

WAIVER

The Council may, waive or modify these exceptions on special application in which case it may set conditions in respect of type, design, position, manner in which or period during which the advertisement may be displayed.

9.4.

POWERS TO PROHIBIT SIGNS

If at any time the Council, having regard to, the control or safety of traffic, the amenities or views from any area, the detrimental effect on any adjoining property or is of the opinion that a sign should not be permitted, the Council may by resolution prohibit the erection or display of any sign.

ORDINANCE 10

Except where the Council determines that this Ordinance partially applies, every building reconstruction or alteration shall, fronts a street, be provided with a veranda within such maximum or minimum heights as Council may prescribe, but each so related to its neighbours as to provide continuity and each having a facia within such limits of depths as the Council may prescribe.

ORDINANCE 11 - EXTERNAL APPEARANCE OF BUILDINGS

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

ORDINANCE 12 - MAINTENANCE OF LAND AND BUILDINGS

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

ORDINANCE 13 - STORMWATER DISCHARGE REQUIREMENTS

The disposal of stormwater from high land on to lower lying land is to be effected through the Borough Council's stormwater system.

The free discharge of stormwater over terraces and banks is totally prohibited, unless approval of the Westland Catchment Board is obtained.

APPENDIX A

INDUSTRIES WHICH MAY BE CONDITIONAL USES (*Notified by Zone*)

INDUSTRIAL A ZONES

Blacksmith shop	Match manufacture
Boat building	Motor body building
Brewery	Motor vehicle assembly
Ceramics manufacture	Paint manufacture
Coal merchant	Panel beating
Contractors yard	Pottery manufacture
Fat rendering	Rubber goods manufacture
Fish canning	Sheet metal works
Fur curing	Stone cutting and masonry
Glass blowing	Stone polishing
Incinerator	

APPENDIX B

INDUSTRIES REQUIRING SEGREGATION, CONDITIONAL USES (*Notified Department*)

INDUSTRIAL B ZONES

Abattoirs	Disinfectant manufacture
Acetylene-gas manufacture	Distillation of coal, wood or bones
Acids manufacture	Distillation of spirits
Aeroplane manufacture or assembly	Drugs manufacture
Agriculture machinery and implements manufacture	Explosive manufacture or storage
Alkali-waste works	Fell mongering
Ammonia manufacture	Fertiliser manufacture
Ammunition manufacture	Fireworks manufacture
Animal by-products manufacture	Flax milling
Animal foods manufacture	Flour milling
Arsenic-recovery works	Fluorine works
Artificial manure manufacture	Fuel-oil refining and storage
Asbestos manufacture	Gas (coal) manufacture
Asphalt manufacture, refining storage or mixing	Gas storage
Bisulphide-of-carbon works	Gelatine manufacture
Boiler works	Glass manufacture
Bone crushing	Glucose manufacture
Bottle factory	Glue manufacture
Brass foundry	Grain elevator
Brick and tile manufacture	Grain milling
Briquette manufacture	Grain threshing and crushing
Candle manufacture	Gravel, sand or shingle pits
Casein manufacture	Graving dock
Celluloid works	Gunpowder manufacture
Cement bag cleaning works	Gypsum manufacture
Cement manufacture	Hides, wool and tallow warehouse
Chemical manufacture	Hydrochloric-acid works
Chlorine works	Iron foundry
Coal briquette manufacture	Iron smelting
Coke manufacture	Iron, stove, range and grate manufacture
Concrete central mixing plant	Iron works
Creosote manufacture and treatment	Knacker yards

Appendix B contd

Lampblack manufacture	Stove, range and grate manufacture
Lead works	Sugar refining
Lime manufacture	Sulphur-chloride manufact.
Malting	Sulphur-dioxide manufact.
Manure (artificial) manufact.	Sulphur-acid works
Margarine manufacture	Tar manufacture, refining mixing
Meat works - killing, freezing and packing	Tar storage
Motor car wrecking	Timber mill
Nail manufacture	Timber treating
Oil distillation and refining	Tinplate manufacture
Oil storage	Turpentine manufacture
Oxygen gas manufacture	Varnish manufacture
Paper manufacture	Veneer manufacture
Paper-pulp manufacture	Vinegar manufacture
Patent fuel manufacture	White-lead manufacture
Petrol storage (bulk)	Wire manufacture
Plaster of Paris manufact.	Wool, hides, and tallow warehouse
Plywood manufacture	Wool-scouring
Pyridine works	Yeast manufacture
Quarry - road metal, gravel sand, shingle, marble building stone	Zinc Chloride
Railway workshop	Zinc works
Rolling mill	
Sawmill	
Scrap-metal yard	
Seed cleaning	
Sheep-dip manufacture	
Shell crushing	
Shoddy manufacture	
Smelting metals	
Soap manufacture	
Stains manufacture	
Starch manufacture	
Steel mill	
Steel works	
Stockyards	
Stone crushing	
Stone quarrying	

APPENDIX C

DEFINITIONS

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

"Accessory Buildings" in relation to any site means any separated building the use of which is incidental to that of any other principal building or use on the site and for residential uses includes a sleep out or granny flat, garage, carport or garden shed, glasshouse, mast or similar structure. Any garage or carport which is attached to or part of any other building except the principal building shall be deemed to be an accessory building.

Provided that, in relation to a residential site, a garage (other than a private garage as herein defined, page 45) is not an accessory building.

"Advertisement" means any poster or signboard (See Ordinance 8).

"The Act" means the Town and Country Planning Act 1977 and includes its amendments.

"Apartment House" means any residential building which contains two or more household units and includes a block of flats, but does not include a semi-detached house or terrace house, lodging house, boarding house, licensed premises, private hotel, or building forming part of a motor camp or motel.

"Boarding House" means a residential building not being licensed premises, in which board and lodging is provided or intended to be provided for five or more boarders or lodgers, for reward or payment; and includes a private or unlicensed hotel and a residential club, but does not include a building forming part of a motor camp or motel.

"Building" means whether temporary or permanent, moveable or immovable, in addition to its ordinary and usual meaning shall include the following:-

1. Any structure or erection enclosed or partly enclosed within walls or supported on columns whether it has a roof thereto or not.
2. Any grandstand or structure or erection in which sitting or standing accommodation is provided, whether such grandstand structure or erection be enclosed or not.

Appendix C Cont

3. Any retaining wall which either exceeds a height of 1.5m from the lowest ground level adjoining or is within 1.5m of the boundary of a street or public place.
4. Any wall:
 - a. Being of concrete or masonry and of a height exceeding 2m from the lowest ground level adjoining; or
 - b. Being of other material and of a height exceeding 2.5m from the lowest ground level adjoining; but shall not include a frame-work supporting mesh or wire or netting or similar open material.
5. Any tank, including its supporting structure:
 - a. Which has a capacity of not less than 22,000 litres; or
 - b. Which, having a capacity of 1800 litres or more, is supported at a height of more than 2m from the base of its structure; or
 - c. Which is supported at a height of more than 4m from the base of its supporting structure.
6. Any part of a building as defined above including any construction for the permanent support or partial support of a building when such construction is erected or placed in position on the site as an independent stage in the erection of a building.

"Building Line Restriction" means a restriction imposed on a site to ensure when new buildings are erected or existing buildings re-erected, altered or substantially rebuilt no part of any such building shall stand within such distance from the original or proposed centre line or side line of that street as the Council specifies.

"Camping Ground" means a camping ground within the meaning of the Camping Ground Regulations 1936 i.e.

"Any area of land used or designed or intended to be used for rent, hire, or reward for the purpose of temporary living places as herein defined by two or more families or parties (whether consisting of a single person or of more persons than one) living independantly of each other, irrespective or whether such families or parties enjoy the use in common on entrances, water supplies, cookhouse, sanitary convenience or other premises or equipment."

"Code" means this Code of Ordinances.

"Carport" means an accessory building or part of an accessory building having no doors or walls on at least 50% of its perimeter and used for the housing or care of motor vehicles owned by persons living on the site.

Appendix C contd.

"Commercial Garage" means land or a building on or in which:

a. Vehicles not belonging to the occupier or the premises or his family are serviced, overhauled or repaired;

or

b. Three or more vehicles which are regularly used for any commercial business purpose are housed or cared for;

or

c. Two or more vehicles, used as public conveyance for hire or reward, are housed or cared for;

or

d. Any three or more vehicles are housed for reward.

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

"Council" means the Hokitika Borough Council, or any Committee, Sub-Committee, or person to whom the Council's powers, duties and discretions under this Code have lawfully been delegated pursuant to the provisions of the Act.

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

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

"Density" in relation to residential development means the number of persons per hectare of site calculated on the basis of the number of bedrooms provided within the buildings. A bedroom of 10m² or more shall be assessed as two persons; less than 10m² shall be assessed as one person.

"Dwellinghouse" means a detached residential building designed for or occupied exclusively as one household unit.

Appendix C Contd.

"Electrical Works" means the requirements of the Authority or Authorities from time to time authorised to distribute electricity in the Borough of Hokitika for the distribution of electricity and includes the erection of all necessary poles, and sub-stations, transformers, conductors, (whether aerial or underground) and all manner of other equipment or erections in the opinion of such Authority as are reasonably necessary for the safe and efficient distribution of electricity.

"Entrance Strip" in relation to a rear site means all that part of the site extending from the street frontage having a width, measured at right angles to its course, less than that prescribed for a front site. An entrance strip shall be subject to the front and side yard requirements for front sites in the zone in which it is situated.

"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.

"Existing" in relation to buildings and uses, means lawfully in existence at the time when the Ordinance first became enforceable; and lawfully continuing in existence until the time of interpretation.

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

"Flats" - see "Apartment House".

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

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

1. The highest point of the parapet or coping in the case of a flat roof;

or

2. The mean level between the eaves and the highest point of the roof in the case of a sloping roof - excluding chimneys.

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

"Household Unit" means the self-contained home or residence of a single household.

Appendix C Contd.

"Interim Use" means a use that does not conflict with the present amenities of the neighbourhood in which it is located, and which may reasonably be established at that time and be continued until the date or occasion fixed in or under the District Scheme by the Council for the prohibition of that use on that site, or for a different use of that site to become enforceable.

"Licensed Premises" means any land or buildings for which a hotel premises or tavern premises licence or tourist house licence has been issued or has been authorised in terms of the Sale of Liquor Act 1962, and its amendments.

"Livestock" shall have the meaning assigned to it by the Agricultural and Pastoral Societies Act 1908.

"Living Place" - under the Camping Ground Regulations 1936 means -

"A tent or other structure or shelter, caravan or other vehicle occupied either wholly or in part as a temporary living place for human habitation

and

for the purpose of the Code includes any building, whether temporary or permanent, occupied either wholly or in part as a temporary living place for human habitation."

"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.

"Lodginghouse" means a residential building in which lodging alone is provided for five or more lodgers. (see "Boarding House").

"Minister" means the Minister of Works.

"Motel" means land and one or more buildings principally for the day-to-day accommodation of travellers and their vehicles; and includes as accessory to the principal use any services or amenities provided on the site such as shops, restaurants, bathhouses and swimming pools, playgrounds and the like, but does not include a camping ground, motor camp, apartment house, boarding house, licensed premises or private hotel.

"Motor Camp" - see "Camping Ground."

Appendix C Contd.

"Net Area" in relation to a rear site means the difference in area between the area of such rear site and its entrance strip.

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

"Parking" in relation to a vehicle, includes the stopping or standing of the vehicle in the same place approximately, whether the driver is with it or not, whether the engine is running or not, and whether the vehicle is capable of moving under its own power or not, but a vehicle shall not be deemed to be parked on a street if the period of standing is not more than five minutes or, being more than five minutes, is enforced by circumstances beyond the control of the licensed driver present in charge of the vehicle; and "park" in relation to a vehicle, has a corresponding meaning.

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

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

"Place" means an open unoccupied space not less than 12m in width and of not less than that frontage to a public street, and permanently set apart as the principal means of access to two or more sites.

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

"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 Garage" means a garage other than a commercial garage as herein defined and includes a car port.

Appendix C contd

"Private Hotel" means a residential building, not being licensed premises, designed to accommodate five or more non-permanent guests and to provide service and accommodation equivalent to those provided in a licensed hotel.

"Residential Building" means any building or part of a building, including any tent, caravan or other structure or erection that is used or intended to be used, either wholly or in part for human habitation.

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

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

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

"Sign" means every sign placed or affixed (whether by painting or otherwise) as advertising matter upon a site and visible from off the site and also includes the board, boarding or other structure which supports the sign.

"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.

"Site-corner" means a site having a frontage of not less than the minimum prescribed by this Scheme for front sites in the particular zone in which the site is situated to each of two or more streets or private streets not less than 12m 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.

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

Appendix C Contd.

"Site-rear" means a site which is situated generally to the rear of another site and which has not the frontage required for a front site for that use in the zone.

"Site-through" means a front site having two frontages to a street or streets, such frontages not being contiguous and the average width of the site measured at right angles to the axis of the site, being not less than the minimum frontage required for a front site.

"Street" shall have the meaning assigned to it by Section 315 (1) of the Local Government Act 1974 or any amendments thereto or any Act passed in substitution therefor; and includes an accessway and service lane within the meaning of Part 1 of the Public Works Amendment Act 1948, and includes "road."

"Subdivision" has the meaning assigned to it by Section 271 of the Local Government Act 1974 or any amendments thereof or any Act passed in substitution therefor.

"Terrace House" means one of a group of household units, whether of one or more storeys, each being the only household unit on its site and each (except the unit at each end) being joined to one unit on each side by a wall common to both that meets the requirements of the Council's By-laws for a party wall between dwelling-houses; provided that the unit at each end of every such group shall be deemed to be a semi-detached house.

"Vehicle" shall have the meaning assigned to it by the Transport Act 19 9.

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

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

"Front Yard" of a "Rear Site" means a yard between the front boundary of the site and a line parallel thereto and extending across the full width of the site.

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

Provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and a radius of 9m.

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

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- a. from the front yard, to the rear yard; or
- b. if there be no front yard, from the front boundary of the site to the rear yard; or
- c. if there be no rear yard, from the front yard or boundary as the case may be to the rear boundary of the site; or
- d. if there be two or more front yards, from yard to yard.

PART 3

PLANNING MAPS







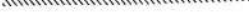

BEING A SERIES OF THREE MAPS TO ILLUSTRATE THE
DISTRICT SCHEME

HOKITIKA BOROUGH DISTRICT PLANNING SCHEME

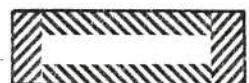
MAP REFERENCES

ZONINGS

RESIDENTIAL	R
COMMERCIAL A	C/A
COMMERCIAL B	C/B
INDUSTRIAL A (LIGHT)	I/A
INDUSTRIAL B (HEAVY)	I/B

ZONE BOUNDARY	
BOROUGH BOUNDARY	
SHEET BOUNDARY	
RAILWAY	
STATE HIGHWAY NO 6	
BUILDING LINE RESTRICTION	
GREENBELT	
PROPOSED SERVICE LANES	

PUBLIC WORKS



PROPOSED PUBLIC WORKS



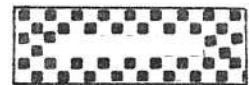
PUBLIC LAND

USED FOR COMMUNITY, CIVIC, CULTURAL PURPOSES

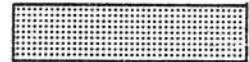


PRIVATE LAND

USED FOR COMMUNITY PURPOSES



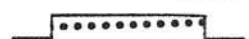
PROPOSED STREETS



PROPOSED STREET CLOSING



PROPOSED STREET WIDENING



ZONINGS

COMMERCIAL C	C/C
DEFERRED INDUSTRIAL	D/I

PLANNING SCHEME - HOKITIKA BOROUGH

SCALE 5 CHAINS TO AN INCH

SEE HOKITIKA NORTH SHEET
WESTLAND COUNTY SCHEME

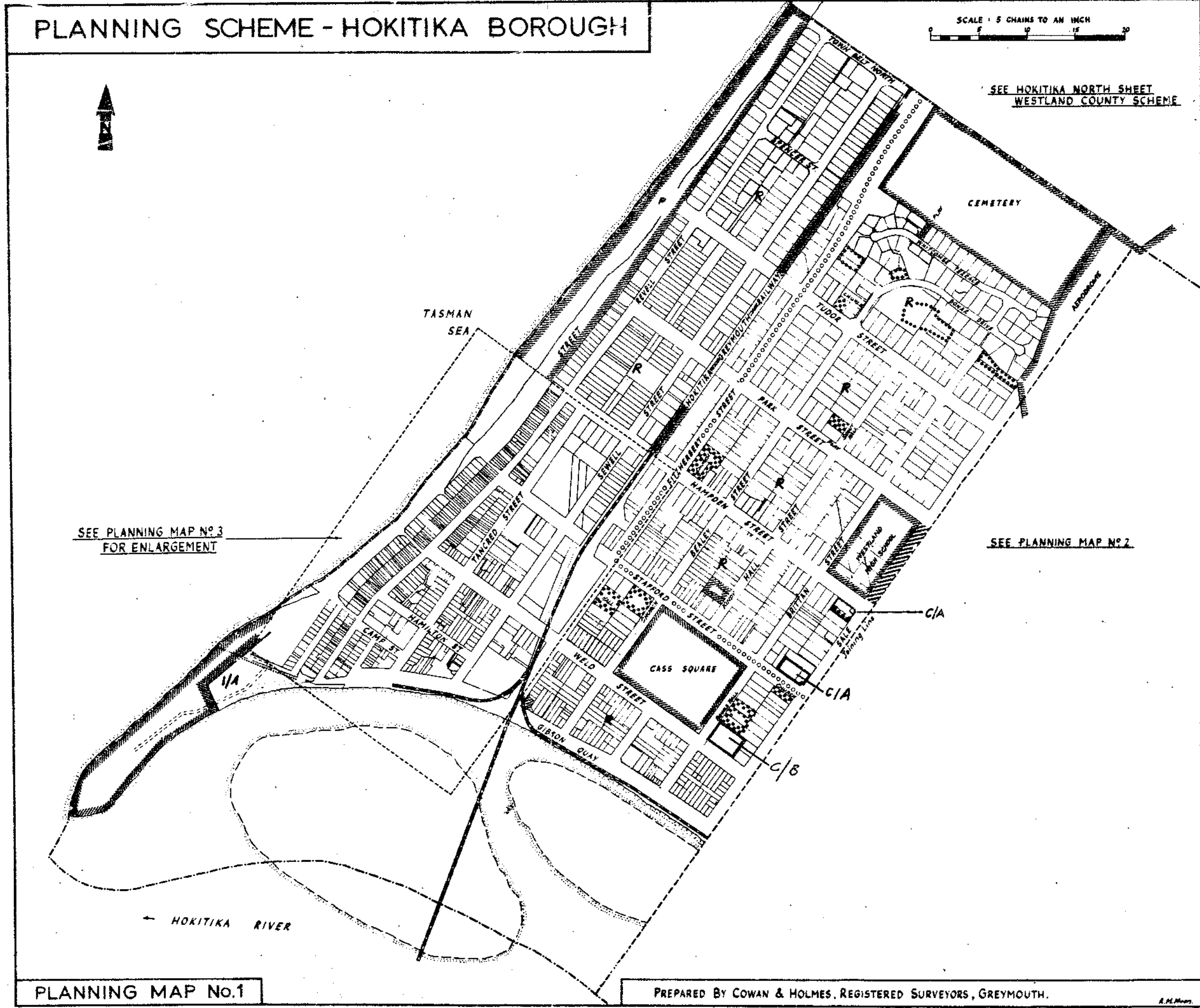


SEE PLANNING MAP No. 3
FOR ENLARGEMENT

SEE PLANNING MAP No. 2

PLANNING MAP No. 1

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

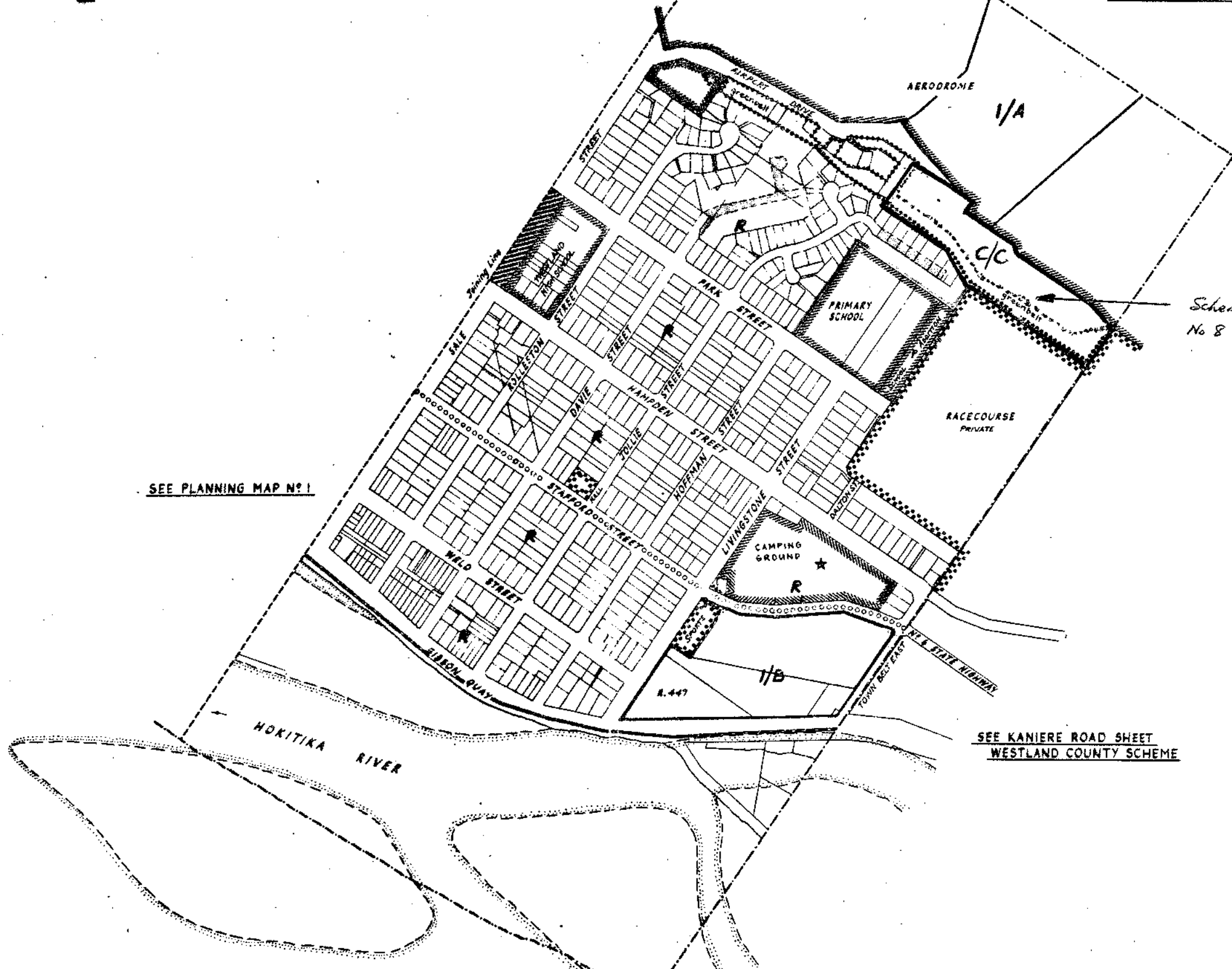


PLANNING SCHEME - HOKITIKA BOROUGH

SCALE: 5 CHAINS TO AN INCH



SEE HOKITIKA NORTH SHEET
WESTLAND COUNTY SCHEME



*Scheme Change
No 8 1.8.84*

SEE PLANNING MAP No. 1

SEE KANIERE ROAD SHEET
WESTLAND COUNTY SCHEME

PLANNING MAP No. 2

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

R.M. 1/10/84

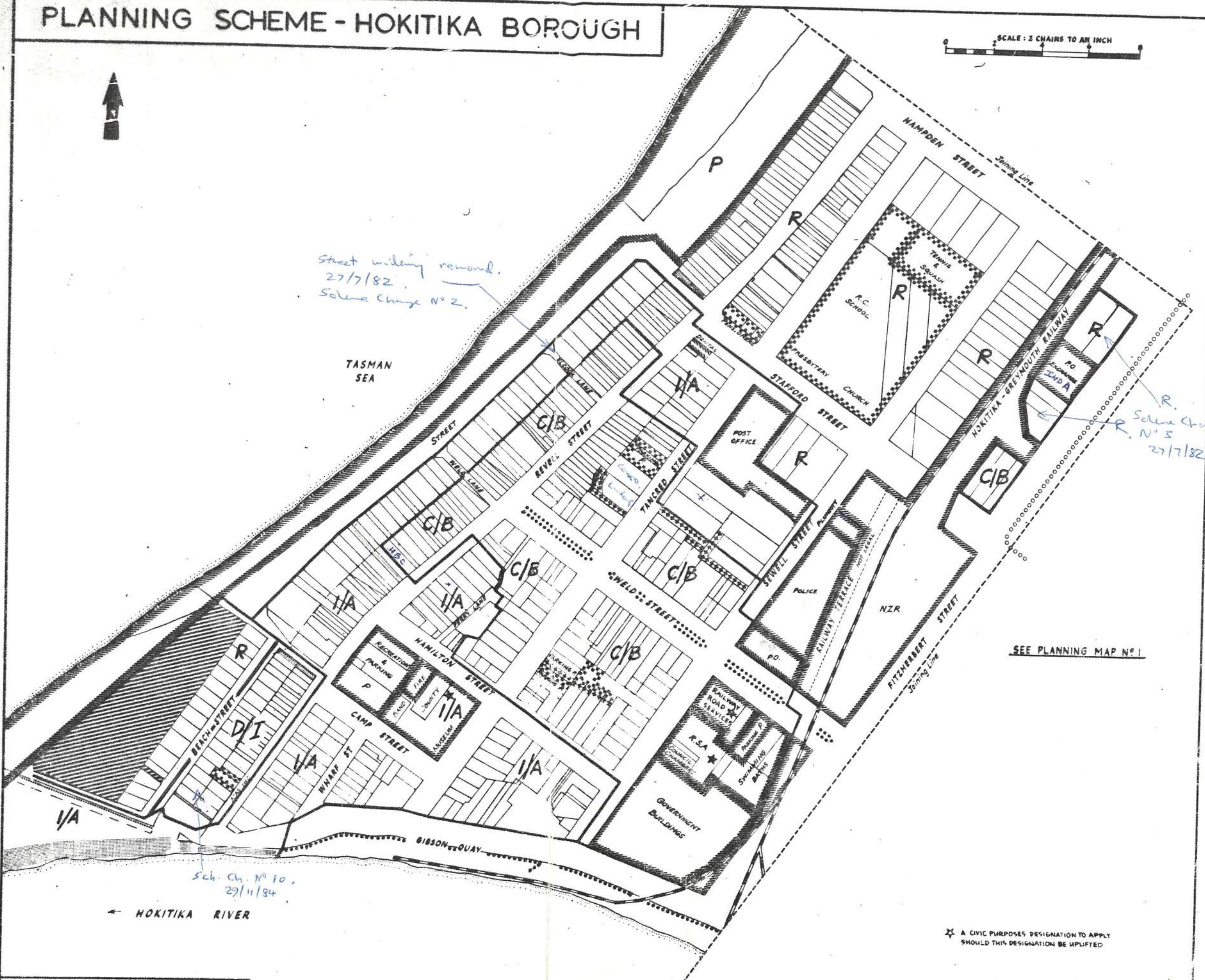
PLANNING SCHEME - HOKITIKA BOROUGH

SCALE: 2 CHAINS TO AN INCH



*Street widening reserved.
27/7/82.
Scheme Change N° 2.*

*R.
Scheme Change
N° 3
27/7/82*



SEE PLANNING MAP N° 1

*Sch. Ch. N° 10,
29/11/84*

HOKITIKA RIVER

* A CIVIC PURPOSES DESIGNATION TO APPLY SHOULD THIS DESIGNATION BE UPLIFTED

PLANNING MAP No. 3

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

R.M. Allen

Consideration of the application

Once the closing date for objections has passed the application may be dealt with in one of two ways:

1. If there are no objections and Council officers support the application, or have reached an agreement on suitable conditions, no hearing takes place and the application is considered by the Town Planning Hearings Panel.
2. If there are objections, or the Council officers do not support the application, then a hearing will be necessary. No less than ten days notice of a hearing is given by the Council.

The procedure and requirements for Town Planning Hearings are outlined in the Council's Planning Information Booklet No. 1.

Decisions

In the case of an application for a conditional use or specified departure, the Town Planning Hearings Panel will make a decision and report it to the Town Planning Committee for its information before the decision is released. The recommendation of the Hearings Panel regarding a work contrary to the Review of or proposed change to the operative District Planning Scheme, will be reported to the Council which will make the decision.

Appeals

The applicant or any objector has one month from the date on which the Council's decision is deemed to have reached them to appeal to the Planning Tribunal against the decision of the Council. Scheduling of appeals is done by the Justice Department and not the Council.

Validity of consents

Consent to an application by either the Council or the Planning Tribunal is usually valid for a period of 2 years from the date it was given or determined. The Council does have power to extend this period in certain cases. Any variation to town planning consent may necessitate another application, unless the variation is of a very minor nature.



Town Planning Division,
Christchurch City Council,
Civic Offices,
163-171 Tuam Street,
Revised August, 1980.

Making a notified planning application

The image shows four overlapping forms from Christchurch City Council, each with a different title and purpose:

- Form A:** "Received application" form for a "Notified application" under the Resource Management Act 1977. It includes a section for "Comments" and a "Date" field.
- Form B:** "Received application" form for a "Notified application" under the Resource Management Act 1977. It includes a section for "Comments" and a "Date" field.
- Form C:** "Received application" form for a "Notified application" under the Resource Management Act 1977. It includes a section for "Comments" and a "Date" field.
- Form D:** "Received application" form for a "Notified application" under the Resource Management Act 1977. It includes a section for "Comments" and a "Date" field.

At the bottom of the collage, the text "Christchurch City Council Planning information booklet No. 10" is visible.

Introduction

This booklet has been prepared to assist you in making a notified town planning application to the City Council. Notified applications are all advertised in a metropolitan daily newspaper and may be objected to by persons or bodies who may be affected, and some public interest groups. Non-notified applications are normally for minor planning matters. They usually follow a simple procedure and are not advertised. This type of application is fully described in Planning Information booklet No. 11.

Types of notified planning application

There are four main types of notified application which follow the same procedures although as explained below, the criteria under which each is assessed is different.

- A conditional use application is a use permitted in a zone but which requires the approval of the Council on a particular site. In general terms it is assumed that the use is a suitable use within the zone but not necessarily on every site. If approved the Council will often set conditions for the particular application. The Town and Country Planning Act 1977 (Section 72) lays down the criteria which must be considered by the Council in assessing the application.
- A specified departure covers exceptions to the requirements of the City Plan and may also be subject to conditions laid down by the Council e.g. provisions for landscaping. A specified departure from the Council's City Plan can only be granted when exceptional circumstances apply or in cases where no provisions have been made for the proposed use in the scheme. It follows that if the City Plan provides for an adequately wide range of uses, departures would be very rare. The Town and Country Planning Act 1977 (Section 74) lays down some very strong tests which the applicant must prove he will meet, before the Council can consider allowing a departure.
- Works contrary to a proposed change or review. Once the Council has advertised in a newspaper that there is a proposal to change or review the City Plan, it is necessary to obtain the Council's consent for any planning proposal that would normally require the consent of the Council as a conditional use and/or a specified departure had the proposed change or review become operative.
- Dispensations and waivers in certain circumstances.

Making a notified planning application

- Complete an application Form A1, available from the Town Planning Division.
- Submit a covering letter describing what is proposed by your development. The more information you provide at this stage the less the likelihood of the Council or its officers misinterpreting or misunderstanding the application. These details should include: the type, location and size of the proposed use, etc. factors of the site itself, the legal description of the site, and reasons why you feel the application should be granted by the Council bearing in mind the Council's planning objectives and policies, as expressed in the City Plan.

It is important to note that this detail is essential as the Council can only consider those uses actually specified in the application and not those implied. An applicant may be requested to supply extra plans and details necessary for a reasonable understanding of the application. The Council believes that it is in the interests of all parties, including the applicant, that full details can be provided at the public notification stage.

- A recent title search of the land/property involved must be enclosed.
- Scaled plans of the site and buildings must accompany the application including:
 - A site plan showing the location of the proposed use, existing buildings (if any) on the site, and other features on adjoining sites or in the vicinity likely to be affected by the proposal.
 - Building plans if it is proposed to erect, alter or extend any building. Elevations and perspective of the proposed buildings are required, in addition to plans showing details of the location of buildings in reference to boundaries, and the size and height of the buildings. In certain situations, details of materials and colours will be required. Structural detail will not normally be required.
 - Car parking layout and access points must be indicated on the plan.
 - Landscaping including trees existing on the site, are to be shown together with the details of proposed landscaping including where necessary, fencing and outdoor storage areas.
 - If the property in respect of which the application is made is situated on a slope, levels will be required.
 - All plans are to be drawn to a metric scale (1:100, 1:200 or 1:500 will usually be found to be satisfactory) and are to show the north orientation.
 - A summary of the floor space of buildings on the site is to be shown on the face of the plan together with plot ratio and site coverage calculations where this is necessary.
 - Any further information requested by the Council e.g. additional copies of plans are required to be served on persons affected by the application.

Public notification

Processing of an application does not commence until the application, covering letter and plans necessary for a reasonable understanding of the application are received and checked.

The Council will then: (i) publicly notify the application in a Christchurch metropolitan newspaper, with details of the objection closing date, i.e. no sooner than 21 clear days after publication of the notice. (ii) Send copies of your application including plans and written details to those persons and bodies it considers to have a greater interest in the application than the public generally. This will usually include your immediate neighbours.

Fees

A charge of \$20.00 is made at present for public notification and this is payable when the application is first made.

Or in the case of a vertical sign (taller than they are wide)

- Project no more than 1.2 m from the building.
- Be no higher than the building.
- Flashing signs must be at least 20 m from any intersection and if within 40 m of an intersection, must be at least 5 m above kerb level.

(vi) Fascia Signs

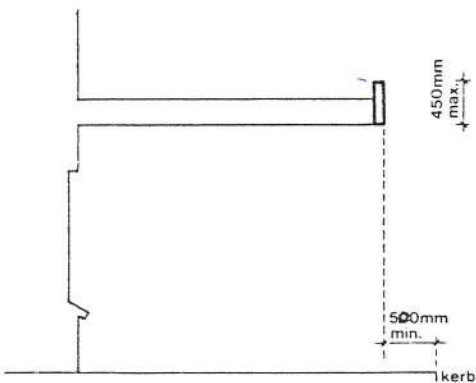
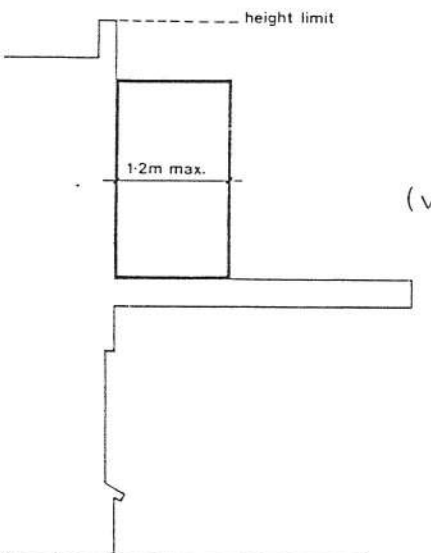
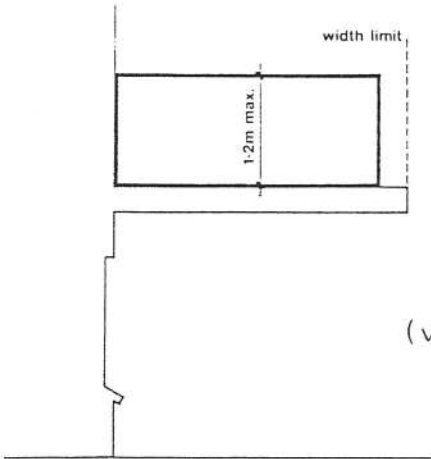
Signs on the fascia of a veranda must:

- Be no deeper than 450 mm.
- Be at least 500 mm back from the line of the kerb.
- Flashing signs must be at least 40 m from any intersection.

(vii) Sandwich board signs placed on footpaths must:

- Not obstruct the pedestrian flow.
- Be removed when business is closed.
- Be no larger than 600 mm wide by 900 mm high.
- Be confined to outside normal business hours Monday to Friday and be removed when the business is closed.

Permit fee subject to above.



* Footnote:

All signs in all zones are subject to the issue of a Building Permit and compliance with the bylaws.

HOKITIKA BOROUGH COUNCIL
OPERATIVE DISTRICT SCHEME

- POLICY ON
SIGNS.

PROPOSED SCHEME CHANGE NO. 14

ADVERTISING AND SIGNS

1. Explanation:

This change is to amend the provisions of the District Scheme relating to the control of advertising.

Currently controls by way of ordinances apply only to signs in a residential zone. In certain cases these controls appear to be a little restrictive and Council wishes to relax the criteria. *(Need council approval.)*

There are no advertising controls in commercial and industrial zones and this necessitates an application to Council for each and every sign. This has proven to be most time consuming and inconvenient both to Council and the applicant. Council therefore wishes to introduce an additional clause to the advertising ordinances to set the criteria by which signs will be permitted in commercial and industrial zones. Comparing the recent sign applications approved by Council, approximately 95% of those signs would meet the proposed criteria set out below.

2. Details:

2.1 Delete Clause 11.3 (Control of Advertising) from the Scheme statement and substitute the following clause:

"11.3 Control of Signs and Advertising

Signs are an important feature of townscape but the design and appearance of signs including their size, shape, colour, lettering and location, can have a marked effect on amenities.

The purpose of some outdoor signs is to inform the general public of the availability of goods and services and give notice of forthcoming events. Other signs display direction to traffic and pedestrians.

In general the Scheme recognises the necessity for many types of signs and a variety of advertising but in order to protect visual amenity and avoid conflicts with traffic safety, some controls are necessary.

In the residential area limitations are placed on signs including their size, the structures to which they may be affixed, the sites on which they may be displayed and their general content. On the other hand, in commercial and industrial areas, reasonable freedom for all forms of advertising, except hoardings and sky signs, is given with only some control over size and location. The design, content, colour and lettering is left largely to the discretion of the advertiser.

In accordance with Ordinance 9 of the Code of Ordinances, which controls the display of advertising matter, the main objective is to ensure that signs are not displayed in a manner that would be detrimental to the visual amenities of an area or would create a traffic hazard."

- 2.2 Delete Ordinance 9.2 (Erection of Signs in a Residential Zone) and substitute the following:

"9.2 Permitted Signs in a Residential Zone and their Performance Elements and Standards

(a) Amenities of Neighbours

No sign shall detrimentally affect the amenities of any land or property, tend to depreciate the value of adjoining property, or be visually obtrusive in the neighbourhood.

(b) Traffic Safety and Control

No sign shall detrimentally affect pedestrian or vehicular traffic safety or traffic control by obstructing drivers' vision, or causing confusion or distraction for drivers or creating a situation hazardous to the safe movement of pedestrians or vehicular traffic.

(c) Contents of Signs

Except as otherwise provided all signs shall relate to the name of the property or premises or the goods or services available from the property or premises on which the sign is located.

(d) Design and Appearance

Signs may be illuminated but non-flashing, shall have neat and uncluttered lettering and shall be painted in non-fluorescent colours.

Signs shall be limited to:

(i) Those which identify the name of a residential building, the street number of any premises, or the name, character, purposes, location, timetable, or other details of a public utility or facility. No such sign shall exceed 0.5 m² in area.

(ii) Those attached to a building used for a medical practice or medical centre and bearing only the name, occupation and hours of attendance of the persons so using the building. No such sign shall exceed 0.2 m² in area for each professional person, and if more than one sign is displayed on one site the total area of the signs shall not exceed 1 m².

3.

- (iii) One sign attached to or on a building used for home occupation in bearing only the name, occupation and hours of attendance of the persons so using the building. No such sign shall exceed 0.2 m² in area.
- (iv) One sign displayed in connection with the sale of produce or plants from the site on which they are grown. No such sign shall exceed 1 m² in area.
- (v) Those displayed in connection with a shop dwelling (dairy) and located below veranda level except that one sign not exceeding 1 m² in area and bearing only the word Dairy may be located above veranda level substantially at right angles to the line of the building frontage. On any one site the total area of signs shall not exceed 1.8 m².
- (vi) Those displayed in connection with and on the same site as a licensed hotel, tourist house premises or tavern, or a service station. On any one site the total area of signs shall not exceed 1.8 m².
- (vii) One sign displayed in connection with and on the same site as any travellers' accommodation or boarding house. No such sign shall exceed 1 m² in area.

Notwithstanding the provisions of Ordinance 1.6 a dispensation may be sought for a larger sign up to but generally not exceeding 1.8 m² in area provided the Council is satisfied that the proposed sign is - Designed to contain all information within one structure.

- Neat and uncluttered in its lettering.
- Easily legible from passing vehicles.
- Located close to the site frontage.
- No higher than 4 metres above ground level.

- (viii) Those displayed in connection with and on the same site as any of the following uses:

- Parks and recreation grounds
- Places of Assembly
- Community facilities
- Hospitals, old peoples homes
- Schools
- Cemetery and crematoriums
- Any similar use approved by the Council.

On any one site the total area of signs shall not exceed 1.8 m².

- (ix) Those advertising the intention to sell or dispose of land or premises on which the sign is situated. No such sign shall be displayed for a period exceeding six months and no such sign shall exceed 1 m² in area.
- (x) Those displayed for electioneering purposes or advertising forthcoming cultural, religious, educational or sporting events. No such sign shall be displayed for a period exceeding three months and signs shall be removed within seven days after the election or event. Signs on any one site shall not exceed 3 m² in area and 3 m in height.
- (xi) Those erected on a construction site giving details of the project. No such sign shall be displayed for longer than the duration of the construction period. On any one site the total area of signs shall not exceed 1.8 m²."

2.3 Add the following new Ordinance:

9.3 Erection of Signs in Commercial and Industrial Zones

(a) Amenities of Residential Neighbours

No sign shall detrimentally affect the amenities of any land or property, tend to depreciate the value of nearby property or be obtrusively visible from a residential zone.

(b) Traffic Safety and Control

No sign shall detrimentally affect pedestrian or vehicular traffic safety or traffic control by distracting drivers' vision or causing confusion or distraction for drivers or creating a situation hazardous to the movement of pedestrian or vehicular traffic.

(c) Contents of Signs

Except as otherwise provided all signs shall relate to the name of the property or premises or the goods or services available from the property or premises on which the sign is located.

(d) Design and Appearance

The following signs shall be permitted:

- (i) Signs attached to or on any building or its walls or a veranda, provided that no part of the sign protrudes above the line of the eaves or parapet of the building.
- (ii) Freestanding signs (i.e. signs not attached to or on a building) not exceeding 3 m² in area and 6 m in height.

Provided that:

(iii) Where there is no veranda all signs must:

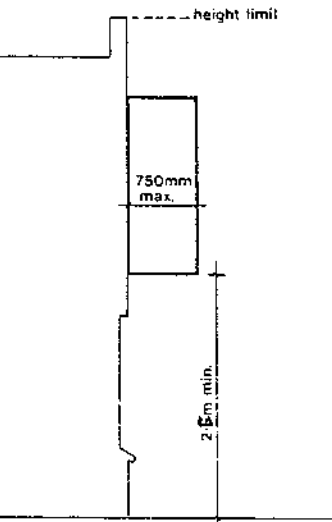
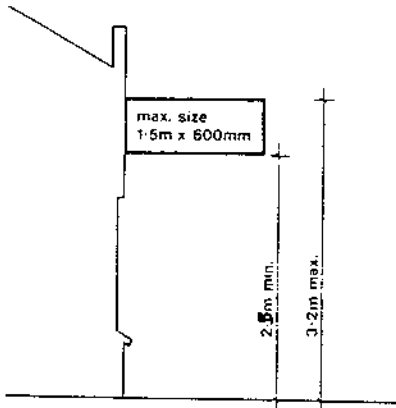
- Be at right angles to the street or against the face of the building.
- Be at least 2.5 m above kerb level.

Or in the case of a horizontal sign (either square or wider than they are tall)

- Be no more than 600 mm deep.
- Project no more than 1.5 m from the building.
- Be no higher than 3.2 m above kerb level.
- Flashing signs must be at least 60 m from any intersection.

Or in the case of a vertical sign (taller than they are wide)

- Be no wider than 750 mm.
- Be no higher than the building.
- Flashing signs must be at least 20 m from any intersection.
- Flashing signs within 60 m of an intersection must be at least 5 m above kerb level.



(iv) Where there is a veranda all signs must:

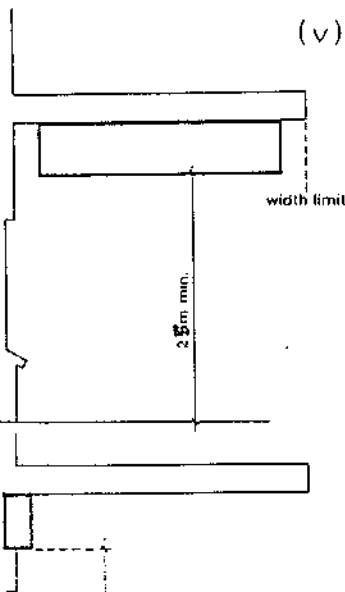
- Not project beyond the face of the veranda.
- Not swing.
- Be at least 2.5 m above kerb level unless they do not project over the footpath.
- Flashing signs must be at least 60 m from any intersection.

(v) Where the signs are above a veranda all signs must:

- Be at right angles to the street or against the face of the building.
- Not project beyond the face of the veranda.

Or in the case of a horizontal sign (either square or wider than they are tall)

- Be no higher than 1.2 m above the veranda.
- Flashing signs must be at least 40 m from any intersection.



Delegation of certain Town Planning Powers to Council Officer and/or a Sub-Committee and/or a Commissioner wasn't provided for by Statute and was now an accepted practise in many Councils. It was particularly appropriate where the matters under consideration were of a day to day, non-controversial nature and where the persons to whom the powers were delegated had a particular knowledge or expertise in Town Planning matters. The Borough Engineer outlined the relevant section of the Town and Country Planning Act which provided for such matters.

The Committee Recommends:-

1. That pursuant to section 169A of the Town and Country Planning Act 1977 Council delegate its dispensating powers to a Committee to consider and either grant, modify or refuse any non-notified application in respect of the following:-
 - i. The subdivision of land permitted to be used for any urban purpose.
 - ii. The height, bulk and location of buildings permitted on site.
 - iii. The provision of parking and loading spaces.
 - iv. The design and appearance of buildings, signs and the provision, design and appearance of verandahs.
 - v. Landscaping.
 - vi. Access of vehicles.
 - vii. Control of advertising.
2. That the Committee be the Building Committee.
3. That pursuant to Section 48 of the Town and Country Planning Act 1977 Council delegate to the Committee powers to deal with all objection to Scheme Changes, variations and reviews and to make recommendations to Council.

General Provision for Signs in Industrial and Commercial Areas:

Council had previously sought clarification of a suitable criteria for signs in the Commercial and Industrial areas. In clause 4 of his Report 28/83 outlined for the Committees consideration a Report from Councils Planning Consultants dated 28 September 1983 on this matter.

The current situation was that every application to erect a sign in these zones was currently placed before Council for a decision. Also the District Scheme failed to provide any criteria by which to judge the merits or otherwise of a sign proposed to be erected in the Commercial or Industrial zones.

As a result the Consultants provided recommendations which included proposed Ordinances for the control on signs in Industrial and Commercial areas.

The Committee Recommends that Council adopt for inclusion into the Operative District Scheme Ordinance 10: Control of signs in Industrial and Commercial Areas, as set out in the Cowan and Holmes Report 28/9/83 1.2. Referenced 1002.

Old Style Sign Writing:

Council had referred a letter received from Mr Neil Clifton regarding introducing Old Style Sign Writing in Revell Street as a means of promoting the historical heritage of the Borough to its Planning Consultants for comment.

The Planning Consultants had commented on a number of general issues as well as the specific queries raised by Council. It was considered unlikely that the resources would be available to preserve the character of buildings having historical/architectural significance or to ensure that modifications or building replacements were of a particular design quality. Accordingly, the emphasis in Hokitika would need to be on the less costly, smaller scale aspects such as the suggestion of Old Style Sign Writing. There was however some doubt as to whether, in terms of visual

HOKITIKA BOROUGH DISTRICT SCHEME

PROPOSED CHANGE NO 9: LEASEHOLD AND OWNERSHIP UNITS

EXPLANATION

The district scheme currently provides for dwellinghouses, semi-detached houses and apartment houses as predominant uses and leasehold ownership flats and ownership flats under the Unit Titles Act 1972 as conditional uses. This distinction in terms of planning treatment, between the various types of multiunit development is no longer considered to be valid. Council considers that leasehold and ownership units, should be predominant uses subject to existing bulk and location controls.

DETAILS

1. Add to the list of predominant uses in the residential zone:-

"Leasehold ownership flats or ownership units under the Unit Titles Act 1972.

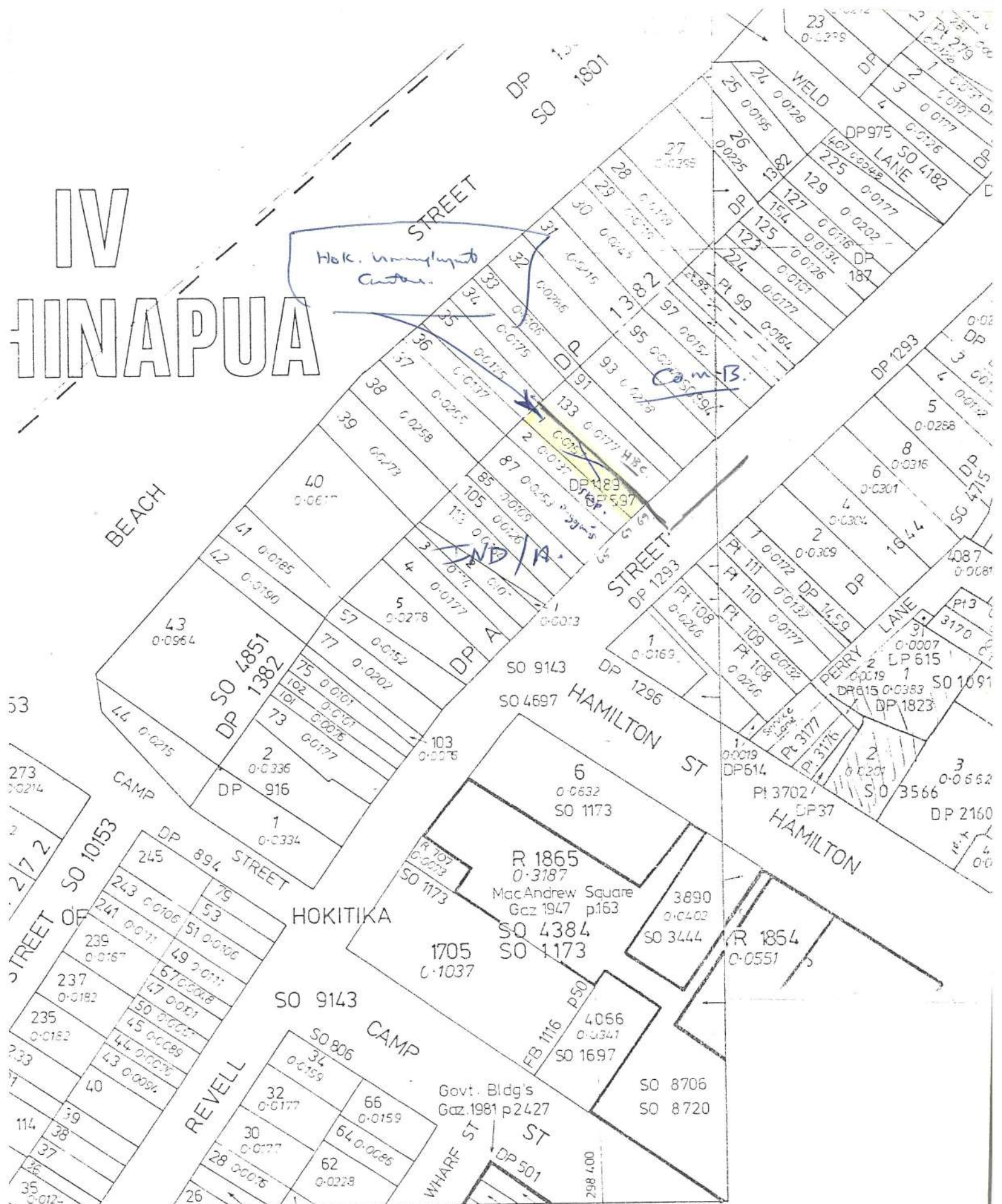
Provided that where three or more new, or two or more additional, flats or units are proposed for a site, Council will require that a development plan in terms of Section 293 of the Local Government Act 1974, is submitted."

2. Delete the existing provision relating to leasehold and ownership flats from the conditonal use clauses of the residential zone.

Special Building Com. 1/5/84.

A. R. P.

IV HINAPUA



J32 / 26-40