

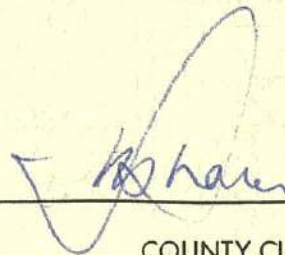
WESTLAND COUNTY



DISTRICT PLANNING SCHEME

WESTLAND COUNTY DISTRICT PLANNING SCHEME

THIS IS A TRUE AND CORRECT COPY OF THE WESTLAND COUNTY DISTRICT
PLANNING SCHEME, APPROVED BY THE WESTLAND COUNTY COUNCIL,
PURSUANT TO SECTION 52 (II) OF THE TOWN AND COUNTRY PLANNING
ACT 1977 ON THE SEVENTEENTH DAY OF NOVEMBER 1983



COUNTY CLERK

OPERATIVE DATE: JANUARY 1st, 1984.

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PART 1

INTRODUCTORY

BEING AN EXPLANATION OF THE DISTRICT SCHEME

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PART 1: INTRODUCTORY

1.1 DOCUMENTS COMPRISING THE DISTRICT SCHEME

These documents comprise the Westland County Council District Planning Scheme (abbreviated to District Scheme) as required by Section 36 of the Town and Country Planning Act 1977 and the Regulations thereunder.

They are comprised of five parts as follows:

- Part 1 Introductory
- Part 2 Planning Objectives and Policies with index
- Part 3 Code of ordinances with index
- Part 4 Planning maps with index
- Part 5 Resources with index

1.2 AREA AND DESCRIPTION

The District Scheme affects the whole of the County of Westland being an area of approximately 1,142,300 hectares. The County consists of a coastal strip 3222km long by 40km wide bounded by the Tasman Sea to the west and the Southern Alps to the east.

The County is sparsely populated with most people being located in the northern developed area. The Haast Pass Road was opened in 1960 linking Otago to Haast area and the completed State Highway 6 link was opened in 1965 giving through access to the greater part of the County for the first time.

Westland County is still substantially undeveloped and largely in its original state. Coupled with this is its huge area, which makes it unlike any other County in New Zealand. Most of the land is taken up by State Forest, National Parks, and other Crown Land. Council is restricted, in the implementation of its policies, to that limited area under its control. Administration problems have and do exist because of the major State ownership in relation to alienated land and this is further complicated because of the different administrations of the three State Departments, namely Works and Development, Lands and Survey, and Forest Service. The implementation of the District Scheme is both financially and administratively difficult for such a numerically small County.

1.3 INTERPRETATION

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

1.4 PRINCIPAL OBJECTS OF THE SCHEME

1.4.1 To control the use of all land within the County by defining certain purposes or Clauses of purposes for which land may be used. Such control is intended to promote and safeguard the health, safety, convenience, economic and general welfare of the inhabitants, the land owners and the travellers.

- 1.4.2 To give notice of development works proposed to be undertaken within the County by Government, Local Bodies and Council. This is done in order that all proposals may be coordinated by and between bodies responsible for planning and is of advantage to the whole community.
- 1.4.3 Reasonable speculation is made on possible proposals and indicated developments to bring such proposals to the public's attention. Within this Scheme it is considered prudent to make predictions and suggestions. In fact very little has been offered in this respect by Government Authorities or ad hoc Bodies. The County is numerically small and remote from Central Government. The Council, however, is traditionally progressive and vigorous and will promote the development of the County in its own and the National Interest.
- 1.4.4 Reference is made to administrative and physical problems affecting a diverse range of organisations. There is no attempt to play down or exaggerate the activities of any Department or unnecessarily criticise any section of the people on controversial matters, comments are intended to be fair and unrestricted with the intent of generating constructive thought and debate.
- 1.4.5 To set standards for zoning, development and subdivision of land. It is intended to safeguard the amenities by conservation and sensible development. Controls are imposed for advertising and adequate maintenance of buildings and land.
- 1.4.6 To provide a register of comprehensive up-to-date planning data for the County.

1.5 EXPLANATION

1.5.1 PART 2 - PLANNING OBJECTIVES AND POLICIES

This section outlines Council's objectives and policies for the future development of the County - that is, what it is trying to achieve and how it intends to go about it. These objectives and policies are further expanded to explain why Council has chosen a particular course of action.

Because of the very nature of the West Coast Region, its geographical isolation and the history of progress and depression, the Council has formulated policies on matters of Regional Development.

Also, within this section, the discussion goes beyond those points directly under control of the Council because the whole Region has such an extraordinary tenure imbalance, between public and private land. Had the Scheme confined itself strictly to those matters and places under the distinct planning control of the Council, it would be ineffective and worthless.

It is from this part of the Scheme that reasoning behind the Code of Ordinances and Planning Maps can be derived.

1.5.2 PART 3 - CODE OF ORDINANCES

This contains a comprehensive set of rules for the administration and implementation of the District Scheme. Along with the Planning Maps contained in Part 4 of the Scheme it will be the most used part.

1.5.3 PART 4 - PLANNING MAPS

These comprise of eighteen sheets including two base maps. Due to the size of the County it was not possible to reduce this section or provide better mapping.

1.5.4 PART 5 - RESOURCES

This part deals with significant historical background, geography and statistics.

The County's resources are discussed in some detail as much of the area is in its original state. This part contains some suggestions as to Objectives and Policy which overlap with, but would be too cumbersome to deal with in, Part 2 of this Scheme.

1.6 GENERAL

The optimism expressed in the scheme is intended. The County's inhabitants are traditionally independent and resentful of uninformed outside interference in their affairs. This is also reflected in the Scheme.

1.7 RELATIONSHIP TO REGIONAL PLANNING SCHEME

Section 37 of the Town and County Planning Act 1977 requires Council to give effect to the provisions of any regional scheme in force in respect of its district. The provisions of Section One of the West Coast Regional Scheme have been taken into account in the preparation of this document.

1.8 REFERENCES

The Romance of Westland:	A.J. Harrop
Westland Today:	E.I. Lord
Old Westland:	E.I. Lord
Women of Westland:	National Council Women
Westlands Golden Century 1960	
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Reminiscences of Arthur Dudley Dobson:	Biography
Coast Development:	M.O.W.D. 1972
Conservation Land Use of West Coast Region:	M.O.W.D. 1972
West Coast Local Government Area Scheme (Draft):	Local Government Commission
Land Utilisation Survey West Coast Region Lands and Survey Dept	
Report West Coast Committee of Inquiry:	1960
Supplementary Report West Coast Committee of Inquiry:	1960
N.Z. Travel & Holidays Association Report:	1964
National Forest Survey of New Zealand:	1955
National Resources Survey Part 1 West Coast Region	M.O.W.D. 1959
Westlands Wealth:	N.Z.F.S. 1959
Scenic Reserves of Westland Lands and Survey Department:	1975

West Coast Forest Policy 1978:
West Coast Agriculture:
South Westland Forest Management Proposals:

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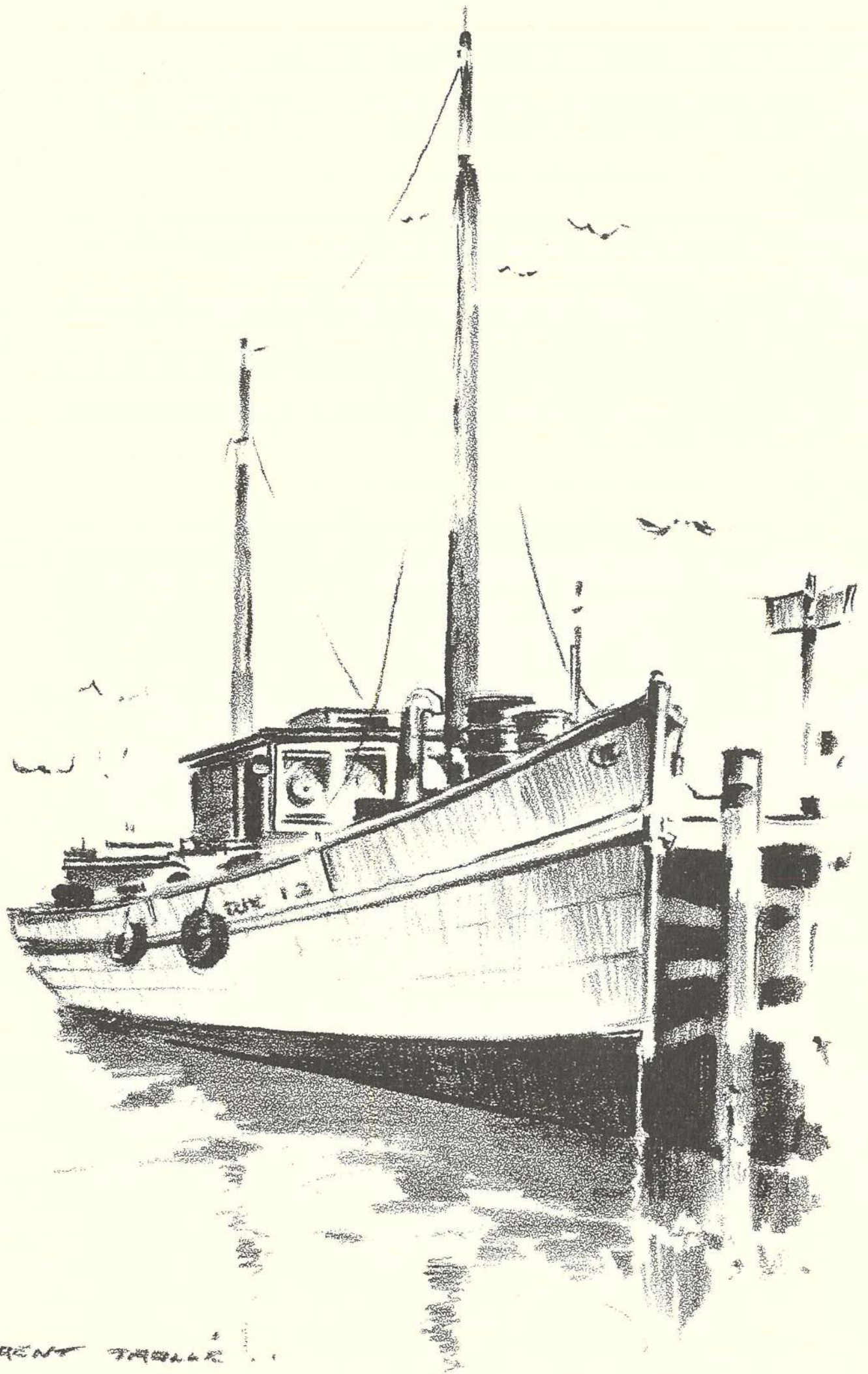
1.9

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BRENT TADLER

PART 2

PLANNING OBJECTIVES AND POLICIES

BEING A STATEMENT ON SAME, HOW THEY ARE TO BE
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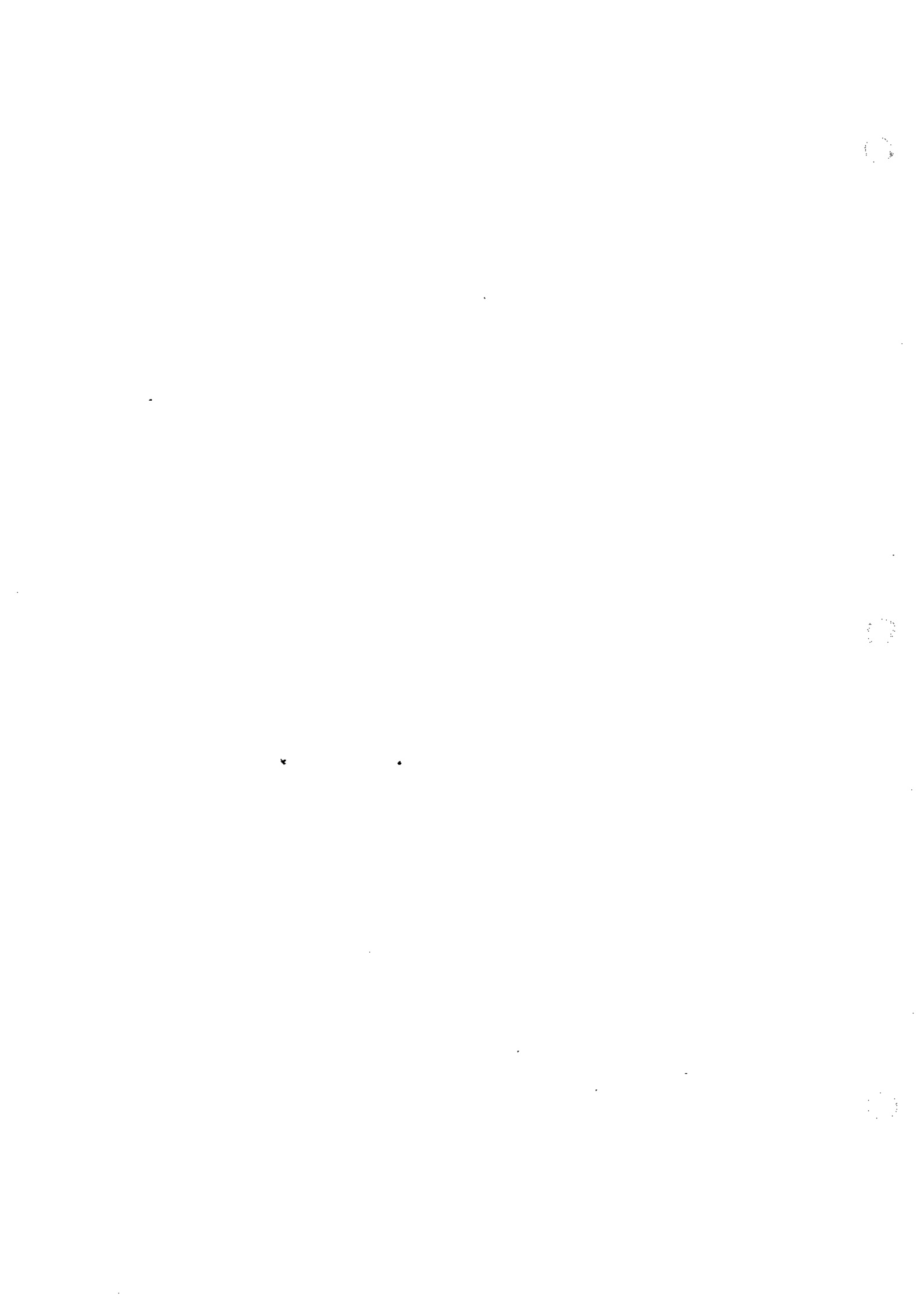
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PART 2: PLANNING OBJECTIVES AND POLICIES2.1 GENERAL

In accordance with the provisions of the Town and Country Planning Act 1977, the general planning objectives of Council will be to ensure the wise use and management of the County's resources and to direct and control development in such a way as will most effectively promote and safeguard the health, safety, convenience and the economic, cultural, social and general welfare of the people and the amenities of the area.

In fulfilling these planning objectives, Council's primary aim will be to:-

- a. Improve the general economic well-being of its inhabitants.
- b. Increase the population growth rate, now well below the National average, by maximising economic opportunity.

Council considers that the residents of the County have the same rights of progress and prosperity as the rest of New Zealand and that it has an obligation to protect both public and private investments by maintaining progress and expansion. Confidence in the development and growth of the County must be maintained.

2.2 GENERAL POLICY REGIONAL DEVELOPMENT

Council supports, as a matter of general policy, the following regional development projects. At the same time, it recognises that its powers of implementation through the district scheme, are limited:-

- 2.2.1 The establishment of a deep sea port or other facilities to handle overseas vessels somewhere along the western coastline.
- 2.2.2 Completion of the road link between Karamea and Collingwood.
- 2.2.3 Completion of the road link from Jacksons Bay to Hollyford.
- 2.2.4 The establishment of beech forest industry.
- 2.2.5 The full development of coal and other mineral resources of the region with careful consideration of any export proposal in the light of future energy requirements.
- 2.2.6 Greater development of farming land, with intensification and diversion of farm production.
- 2.2.7 Reafforestation of milled hill country unsuitable for agriculture including exotic afforestation south of the Waitaha.
- 2.2.8 Investigation of the hydro electric potential of the District's rivers.

- 2.2.9 Promotion of the Glacier-Mt Cook region as a major tourist attraction and its development as such.
- 2.2.10 Upgrading and improvement of the Midland railway line and maintenance of the Westport branch.
- 2.2.11 Development of tourism plus limited and controlled developments of the coastline for holiday settlements.
- 2.2.12 The setting up of a pilot plant for experimental production of methanol from wood.

2.3 FUTURE DEVELOPMENTS GENERALLY

Future development shall be directed so as to:-

- 2.3.1 Avoid the indiscriminative mixture of incompatible uses.
- 2.3.2 Balance the rate and form of development with transportation and servicing capacities and to economise in the servicing of the County.
- 2.3.3 Maintain the stability of individual property values.
- 2.3.4 Avoid the uses of land for urban purposes, where the land is not suitable for development in terms of earthquake fault lines, liability to flooding, erosion and landslip and the stability of foundations.
- 2.3.5 Preserve the quality of natural water and the course of rivers, streams and drains.

2.4 MATTERS OF NATIONAL IMPORTANCE

Section 3 of the Town and Country Planning Act 1977 requires that district schemes recognise and provide for a number of matters of national importance. These include:-

- 2.4.1 The conservation, protection and enhancement of the physical, social and cultural environment.

POLICY

Where conflict occurs between the conservation, protection and enhancement of the physical environment on the one hand and of the social and cultural environment on the other, social and cultural considerations may need to be given precedence.

Where compatible with other objectives, Council aims to protect water and soil conservation values, to promote and safeguard the amenities of every part of the County and to retain and enhance the qualities of the physical environment.

In the social and cultural spheres, Council's aim is to so direct future developments so as to ensure that:-

- i) There are sufficient job opportunities for those wishing to work in the district.

- ii) The quality of life, including access to social, cultural and recreational amenities, is maintained and enhanced.
- iii) The communities and inhabitants of the district can retain their own identity.

The key to achieving those objectives is seen to be an adequate population growth rate.

2.4.2 The wise use and management of New Zealand's resources.

POLICY

The County is well endowed with resources, not the least of which are its people. In applying the principles of wise use and management of the County's resources, Council is firmly of the opinion that people must come first.

- 2.4.3 The preservation of the natural character of the coastal environment and the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.

POLICY

Council will vigorously encourage the retention of the visual qualities of coast and lakeshore lines. At the same time, it will permit limited development balancing the requirements of use and preservation.

- 2.4.4 The avoidance of encroachment of urban development on, and the protection of land having a high actual or potential value for, the production of food.

POLICY

Council recognises that soils with a high actual or potential value for the production of food are a scarce commodity within the County. Wherever possible, it aims to protect such soils from developments likely to prevent their use for food production. This it hopes to achieve through:-

- i) Favouring the continuance of established agricultural practices on prime soils.
- ii) Generally restricting the further subdivision of such land and the issuing of building permits for dwelling-houses to situations where it can be shown that these are necessary for the better utilisation of the land for good production.
- iii) Encouraging, where necessary and practicable, river protection and drainage works to protect these soils from flooding.
- iv) Discouraging mining of Class I Soils.

Applications for conditional uses within the rural zone will need to show that they are sited on soils which in

Council's opinion would not fall within the class intended to be protected by the Act.

2.4.5 The prevention of sporadic subdivisions and urban development in the rural areas.

POLICY

To control sporadic development, Council policy will be to

- i) Restrict the uses permitted in the rural areas to those traditionally associated with these areas and which do not detract from the rural amenities or cause an extension of public services.
- ii) Where it is not practicable to provide for, within the small urban communities, those uses of an industrial nature which are based upon the extraction and processing of natural resources and farm production or which, because of their characteristics, require large land areas, appropriate controls shall be imposed so as to minimise the impact of such uses on the rural area, including proper provision for the disposal of wastes and for landscaping.
- iii) Restrict the subdivision of rural lands except where necessary for a permitted use.

EXPLANATION

"Section 2.10 of this scheme statement sets out the policies in respect of residential development in rural areas. These policies have been formulated having regard to the above general policies, but recognising also that sporadic scattered residential development is part of the heritage and rural character of Westland, and that most of the land area is State owned and unavailable for urban type development.

Such residential development as is provided for in the rural zones is subject to strict controls. These controls, together with factors of demand and economics will inevitably mean that the extent of residential development will be limited and easily accommodated within the vast land area of the district without compromising the essentially rural character of Westland."

Council's primary concern is to control sporadic developments which make the economic provision of public services and community facilities difficult to interfere with the free flow of traffic along major roads, especially state highways and detract from the general rural or natural character of the rural area.

2.4.6 The relationship of the Maori people and their culture and traditions, with their ancestral land.

POLICY

The residential zone at Arahura, and the residential area of the Arahura Maori Community, incorporates both Part Maori Reserve 30 and an area of adjoining freehold land. The latter

has been included in the zone to provide an area free of multiple ownership and therefore, development constraints.

Council's policy is to zone this area Residential 1 which will provide for a wide range of predominant uses. This is considered to be the most flexible way of providing for Rural Maori housing needs.

2.5 AGRICULTURE

2.5.1 POLICIES

To encourage and promote the continued use and development of land for agricultural purposes. To encourage the intensification and diversification of agricultural purposes.

To recognise the significance of agriculture as the corner-stone of the County's future economic growth.

To support the work of the Westland Catchment Board in river protection, soil conservation and drainage.

2.5.2 EXPLANATION

Council believes that every encouragement should be given to the productive use of land through agricultural development. Although there are no large tracts of undeveloped potential farmland remaining in the County, there are still large land areas capable of more intensive farming development or of being converted from non-productive to good agricultural use. The potential for large increases in livestock numbers is indicated by estimates prepared by the Ministry of Works and Development based upon the New Zealand Inventory land use capability worksheets. The following table compares present stock carried with potential carrying capacity in the County

	<u>Number of Animals</u>	<u>Stock Units</u>
Total stock carried	130,113	457,507
Potential stock capacity		4,438,000
Stock carried as a % of potential		10.3
Potential capacity/stock carried		9.7

References: Present stock carried from MAF Bulletin "West Coast Agriculture", December 1978

Potential stock capacity from NZ Land Inventory Worksheets, MOWD.

Source: Ministry of Works and Development, Greymouth.

Although these potential stock carrying capacity figures cover the potential capacity of land under all forms of vegetation and tenure, including land under forest or in

reserves or national parks, they include considerable scope for future agricultural development.

Council supports the role of the Lands and Survey Department in land development within the County. However, it would like to see a reappraisal of the Lands and Survey Department approach with a view of obtaining quicker settlement and earlier settler participation.

It is expected that the traditional emphasis on sheep, beef and dairy production will continue to form the basis of future development. At the same time, innovation and diversification into alternative forms of stock production will be encouraged so long as such activities are properly controlled, to avoid or minimise noxious elements. Deer, goat, opossum, rabbit, fitch farming and horticultural development, are among the possibilities.

2.5.3 PLANNING IMPLICATIONS

Farming, excluding factory farming, is a predominant use in the rural zone. The flexibility provided for by this approach will enable the full development of the County's land resource for agricultural production. It grants protection to land currently being farmed according to known agricultural practices, without restricting the introduction of new farming practices, techniques and cultures.

2.6 FORESTRY

2.6.1 POLICIES

To seek the maintenance of forestry and milling at their present levels, as a minimum requirement, and to encourage their expansion in the interests of economic stability and growth in the County.

To seek a level of exotic afforestation which is sufficient to sustain the industry in the long term.

2.6.2 EXPLANATION

Forestry is a significant source of employment within the County both directly and indirectly through the income flows which it generates and the social structures, services and industries which it supports. The present position of forestry in the economic structure of the County must be maintained, at least at its present level, to ensure the future economic well-being of the County and the viability of a number of its communities.

The Council has strong reservations about the Forest Service's selective logging policy which it sees as impracticable. In effect, it will quadruple production costs and price the timber off the markets, destroying the present industry before exotic self sufficiency is achieved.

Afforestation is essential to the long-term survival of the industry. Council's concern is that, until recently, the planting programme had fallen far behind what it should have been. Current exotic forest establishment of over 1000 hectares a year is helping make up for shortfalls in past planting as well as providing for the current annual production rate. Council will continue to seek a realistic replacement of the County's depleted indigenous resource. This can be achieved through the planting of all previously milled areas, where suitable, and of all areas presently unproductive and not capable of being grassed. Council considers that exotics should not be confined to areas north of the Waitaha, as is present policy, but should be planted throughout the region, where appropriate.

The influence of outside pressure groups in determining forest policy is also of concern. While not necessarily incorrect, these groups appear narrow and inconsistent. Motivated by emotion, they can afford to enjoy the luxury of idealism and to ignore economics. The Council cannot. Such groups would be more consistent if some of their influence and pressure were directed towards increasing the percentage of replanting and towards outlining a more vigorous national policy for the control of forest pests and noxious animals.

With regard to roading in forest areas, the County has enjoyed subsidies on County roads derived from the logging of indigenous timber as provided by Section 17 of the Forests Act 1949. This special purpose subsidy has been of immeasurable benefit in the provision and maintenance of such back-block roading.

Council is concerned that this source of revenue will decline as the remaining indigenous timber is milled or incorporated into various types of reserves. The County does receive grants in lieu of rate where State Forest land is planted in exotics. However, land values are low and the amount received does not match that previously obtained as fifths and tenths. While revenue declines, Council's obligation to expand its roading system will continue.

Council recognises that its abilities to control the above matters through its district scheme is limited. They are largely dependent upon decisions at central government level. It will, nevertheless, endeavour to achieve its aims by persuasion and constructive debate, and by exercising its powers under the Act, both at the district scheme and regional planning levels.

2.6.3 PLANNING IMPLICATIONS

2.6.3.1 Predominant Uses

Protection and production forestry, farm, wood lots and tree nurseries are predominant uses.

Explanation

Council is aware of its obligations to protect land having a high actual or potential value for the production of food. However, there is little evidence of any pressure for conversion of prime agricultural land to forestry use or of afforestation posing a threat to the established system. Most land having a high value for food production is already used for this purpose and on present trends is likely to remain as such.

The protection of prime agricultural land aside, Council is concerned to maintain and improve the viability of its rural communities. It therefore wishes to encourage the productive use of its rural land so that there is a basis for future growth. Afforestation will contribute to the general economic and social welfare of the community. For this reason, Council has granted predominant use status to production forestry so that state and private interests can plan ahead with some degree of confidence. It is recognised however, that in the long-term there may need to be additional planning controls to ensure a satisfactory balance between agricultural use and afforestation in the rural area.

2.6.3.2 Sawmills

Timber mills, sawmills, timber processing and any undertaking ancillary to the forestry and timber industries are provided for as conditional uses in the rural zone.

2.6.3.3 Townships

Where necessary, Council will provide for the proper expansion of existing townships to support any enlarged forestry activities.

2.6.3.4 Management Planning

The preparation and publication of proper forestry management plans, identifying areas for production, replanting, regeneration and preservation for amenity or scientific reasons, is encouraged as the main vehicle for public participation in these areas.

2.6.3.5 Officials Committee Reserves

While supporting the concept of the Officials Committee Reserves, Council believes that any constraints on use within these areas should only be imposed after a full study of the socio-economic implications.

2.6.3.6 Private Forest Retention

The retention of private forests of particular scenic beauty or unique character is encouraged. Such stands can enhance a property

both from an aesthetic and an economic point of view. The private forests on the Haast flats are an example. Total extraction of these forests will eventually result in large areas being denuded and reverting to open swamp. This type of operation is totally destructive and contrary to conservation practices and should be discouraged.

It is considered that any attempt to protect such areas under the district scheme would prove unmanageable and impracticable. Alternative possibilities include the negotiation of open space covenants with the Queen Elizabeth II National Trust, or of conservation covenants under the Reserves Act 1977. Forest Service could consider exchange provisions such as the transfer of timber rights to the Crown for a comparable amount of merchantable timber.

2.6.3.7 Protection of Regenerating Podocarps, Particularly Rimu and Kahikatea, and other Isolated Stands of Scenic Value

This policy represents an attempt to preserve some of the existing visual character of Westland. While a worthy objective, Council recognises that it would be almost impossible to enforce. However, on government development blocks there is certainly scope for the implementation of this policy to ensure that there is not a clean sweep of native flora on development blocks.

2.6.3.8 Forestry Roding

Encourage liaison between the County, Forest Service, New Zealand Electricity Department, Ministry of Works and Development, Mines Department and the West Coast Electric Power Board, so that any roading constructed would give maximum mutual benefit. In particular, Council would favour the construction of the main forestry access roads to such a standard and in such a position as would eventually enable them to become alternative to, or substitutes for State Highway 6. Deviations at Mt Hercules, the Wehekas via the Coast and Paringa-Haast inland, are specific examples.

2.6.3.9 County Roading Subsidies

Investigate the possibility of legislative amendments to provide for either a subsidy on both peelers and exotics as provided for by Section 17 of the Forests Act 1949 or some positive binding requirement with respect to differential rating on all Crown forest areas.

2.7 MINERALS AND MINING

2.7.1 POLICIES

To support and encourage the mining industry as a healthy and desirable economic activity.

To discourage mining on land having a high actual or potential value for the production of food.

Where earthworks are involved, to recommend a standard of land rehabilitation which is the best attainable in terms of available knowledge and technology.

To require that prospecting and mining activities be properly controlled as to minimise their impact upon the natural character of the area.

To discourage mining operations in areas that Council considers are of high conservation value.

To seek to limit the extent of licences to areas that can be realistically justified.

To encourage the retention of areas for the specific use of the hobby gold panner, tourists included.

To urge the Westland Catchment Board to locate and open up rock sources for river protection and make these publicly available at regular and strategic intervals throughout the County.

2.7.2 EXPLANATIONS

In terms of the Mining Amendment Act 1981, the provisions of this district scheme have no jurisdiction over the grant or exercise of any mining privilege. However, Council does have the opportunity to provide input to the application proceedings. On being notified of the receipt of an application, Council must consider its economic social and environmental effects and advise the Ministry of Energy as to whether or not the application should be granted. At a later stage, where the Ministry of Energy proposes to grant a mining privilege, Council has a right of objection to the Planning Tribunal. In this context, the district scheme is seen as the appropriate medium to explain Council's policies on mining.

Properly controlled mining is part of the County's heritage. Council considers there are real possibilities for the further development of mineral resources in the County. It is concerned to ensure that all such resources are recorded and quantified prior to any further significant reserves of land. The conservation movement currently asserts great influence on the Government and on the public at large and has a dampening effect upon the whole mining industry. It is urged that criticism be more informed so that there is a sensible compromise between mining and conservation in the County.

Council generally supports and encourages exploration work and the later development of mineral resources. However, it would discourage mining on land having a high actual or potential value for the production of food - specifically the Class I Hokitika Soils in the Kokatahi-Kowhitirangi areas. Such prime agricultural land is a rare commodity in the County and its soils require protection. In other areas, Council will seek to ensure sufficient safeguards are imposed to protect the natural characteristics of the land and/or its economic potential. The recommended standard of rehabilitation following mining shall be the best attainable in terms of available knowledge and technology for the proposed end use.

From an environmental viewpoint, Council's main concern will be to ensure that the visual and physical impact of any mining operation is minimised. Provision is made under the Mining Act for the imposition of conditions relating to restoration and environmental protection and for the commissioning of environmental impact reports where warranted. Where, in the opinion of Council, the proposed activity is to be sited in an area of special scenic, scientific or wildlife value. Council will recommend that the environmental implications are fully assessed, prior to the granting of any licence.

Council opposes the granting of licences over excessive areas. It believes that licence should be limited to areas which can be realistically justified. What is excessive in terms of area will depend upon the resources of the applicant, his proposed work programme and method of mining. For sea beach claims, Council believes an upper limit of 1000 metres to be adequate and will recommend that such a standard be imposed. Council will generally oppose the granting of mining licences over areas which have potential for public recreational mining.

2.8 TOURISM AND RECREATION

2.8.1 POLICIES

To encourage the development of facilities necessary to allow both New Zealanders and overseas visitors to enjoy the natural attraction of the County to the full.

To provide for the establishment or expansion, as necessary, of tourist towns and resort areas.

To seek the retention of the rural and scenic character of the County through appropriate planning controls.

2.8.2 EXPLANATION

The County contains some of the most impressive natural scenery in New Zealand, including, as it does, rain forests, major glaciers, rivers, lakes and stretches of spectacular raised coastline. It is also rich in history.

Council considers that the development and promotion of this tremendous tourist potential is in the local as well as national interest. It has been largely frustrated in its attempt to implement this objective by the fact that most of the major features are contained in State Forests, National Parks and other Crown-owned areas. While its own powers of implementation are limited, Council will continue to press its case, through persuasion and constructive debate at United Council and Government level.

Tourism is important throughout the district, but increasingly so in South Westland where the decision of Central Government to allocate former State Forest land for conservation means that the local economy will become increasingly dependant on tourism.

Tourism is a very diverse industry. Policies and ordinances in Rural Zones, Service Zones, and Resort Zones as well as the Council's recreation, reserves, roading and signposting policies all relate to the tourism industry.

Tourism is also a rapidly changing and innovative industry. It must be able to respond quickly to changes in the type of visitors to an area, which in the case of overseas visitors is often heavily influenced by overseas currency fluctuations.

A district scheme must be positive and flexible if it is to successfully cope with and encourage tourism. At the same time there must be adequate planning control to ensure that the scenic and other qualities that attract visitors to Westland are not spoilt by tourist development.

A varied mix of visitors are attracted to Westland. They include tour coach groups, backpackers, domestic and overseas visitors, campervanners, all of a wide range of lifestyles and ages.

The Council recognises that a wide range of accommodation and attractions is required to cater for as many visitor market segments as possible.

Council's general policy is to encourage tourist related ventures to locate, wherever possible, in the appropriate zone in the existing larger townships (Kumara, Kaniere, Ross, Harihari and Whataroa) and at Franz Josef, Fox and Haast Townships. (Policy 2.12 - Consolidation of urban development).

Certain tourist related activities need to be located in a rural area, either because that is where the tourist attraction is, or to provide the necessary open, rural atmosphere. Such activities will be generally small scale but need to be carefully controlled to ensure they will not be visually out of place and will not create problems of traffic safety. Most types of tourist activities are provided for as conditional uses in the Rural 1 Zone. An important consideration with such conditional uses is the need for the activity to locate in a rural zone.

As a general principle the Council considers that the convenience, safety, economic and general welfare of the people of Westland is better served by consolidating tourist activities. Therefore an applicant for a tourist related conditional use in the Rural 1 Zone will have to show good reasons why the use needs to locate in the Rural Zone.

Provision is made in the district scheme for the following matters:

2.8.3 RURAL CHARACTER

The rural and natural character of the County will be retained through the imposition of appropriate planning controls.

2.8.4 TOURIST TOWNS .

The planned expansion of Franz and Fox to enable a wide range of accommodation, recreational activities and supporting services, necessary for the development of the tourist industry, to be established.

2.8.5 RESERVES ON SUBDIVISION

Where land is subdivided in terms of the Local Government Act 1974 and subsequent amendments, Council will ensure that adequate land is set aside as reserves to serve the potential needs of the neighbourhood. These reserves may be utilised for a number of purposes including recreational spaces, children's play areas, sites for community facilities such as kindergartens, public accessways to and along rivers and the coastline, pedestrian links between home, schools and shops, the protection of valuable landscape features and the provisions of areas for tree planting.

Where it is unnecessary or impracticable to provide land for reserves within a subdivision, Council may accept money or other land in lieu thereof.

Parks and reserves for amenity or recreational purposes are predominant uses in Residential zones.

2.8.6 PARKS AND RESERVES IN THE RURAL AREA

2.8.6.1 Policy

To require that future proposals to reserve significant areas of land, for their scenic, scientific, wildlife, historic and recreational value, be fully assessed in terms of their socio-economic impact.

Explanation

Council considers that the district is more than adequately served by the existing network of parks and reserves. To achieve some balance between preservation and production, it considers that further reservation proposals should not be implemented until they have been fully assessed and justified as being in the public interest. Such an approach is seen as essential if the County's lands are to avoid becoming a pawn in the hands of conservationist pressure groups.

Past experience has shown that political expediency rather than wise land use is often the determining factor in the setting aside of new parks and reserves. The recent decision to add South Okarito and Waikukupa State Forests to Westland National Park is a case in point. Council is particularly concerned that proposals to extend National Park boundaries have been divorced from the District Planning process. Unlike other land use issues, there have been no opportunity for public scrutiny or redress through reference to an impartial judicial tribunal.

While seeking direct planning control over further major reservations, Council recognises the constraints imposed by other legislation. It therefore accepts that the appropriate legal mechanism lies within the environmental implementation procedures under Section One of the West Coast Regional Scheme. These procedures apply to all proposals of national or regional significance which seek to change the use or status of any Crown owned land or water in the region. Proposals to create or add to a National Park or to create a State Forest Park, would, by virtue of their size,

automatically be subject to the regional scheme procedures. Forest management plans promote an awareness of other proposed status changes on State Forest land, and provide for a degree of public participation and review. In this context, Council's main concern is that it be notified of any proposals to create or extend reserves under the Reserves Act 1977, the Land Act 1948 or the Wildlife Act 1974, where such proposals are not subject to the environmental implementation procedures of Section One of the Regional Scheme. Where any such proposal is considered to have local significance, Council will require the proposing agency to supply sufficient details to enable it to assess the merits of the reservation and the opportunities foregone by its implementation. In determining whether a particular proposal is of local significance Council will have regard to its likely impact on the economic opportunities of the County's communities and the livelihood of its inhabitants.

2.8.6.2 Private Land of Value to the Community

Council will encourage and cooperate with landowners who provide and maintain open spaces in appropriate locations for purposes of value to the community. Land which is privately owned and used by sports clubs is in this category. Such land has been specifically identified on the Planning Maps in accordance with Section 73 of the Act. Reference should also be made to Clause 2 of Ordinance 8 of the Code of Ordinances.

2.8.6.3 Glacier Region

Council would encourage the development and promotion of this area as a major tourist attraction. There is nothing comparable within the Pacific Basin. This same area has tremendous potential as a source of tourist revenue for New Zealand. A tourist focal point within the Glacier region would be complemented by the County's other natural attractions as well as those of the remainder of the South Island. With one such major attraction, tourism would be positively boosted and the lesser attractions would similarly prosper.

Council would favour the creation of a special area, or Tourist Park, divorced from the National Park. Within this corridor, provision could be made for access, accommodation and commercial development far beyond what is possible at present. Such developments, with a European style of approach

as envisaged under part 5.6.3. of the scheme, have the capacity to become an attractive of world renown.

Present status and administration does not provide for such a concept. Council is dissatisfied with the Parks' administration, firstly because the Authority has stifled expansion of the Glacier owns and secondly because of its apparent indifference to tourism. The provision of visitor centres, guided walks, concessions and the like represents some attempt to meet visitor needs but their overall affect is minimal when compared with the developmental potential of the Glacier Region.

2.9 RECREATIONAL ORIENTED RESIDENTIAL DEVELOPMENT

2.9.1 POLICY

To encourage the development, within reason, of a residential base for recreational activities and, in a minority of cases for a quiet retirement home.

2.9.2 EXPLANATION

Because of the very nature of the County there is demand for living along the coastline and near lakes and rivers. This emanates from improved roading and a want to get away from the pressures of large urban areas.

Council would encourage residential development to take advantage of this immense recreational potential. This is seen as desirable in the interests of the overall economy of the County. Such developments may also help to alleviate the squatter problem.

When providing for this kind of use however, it is important, indeed imperative, that the very qualities of isolation and the natural scene which attract the people in the first place, are properly maintained as well as respecting other objectives of the Council. Council's policies will be implemented as follows:-

2.9.3 ISOLATED HOUSES

Single houses will be permitted as a conditional use, subject to very strict criteria, in the rural zone. Refer statement 2.10.3.

2.9.4 POTENTIAL RESORT ZONES

Council will identify areas, particularly along the coastline, where it will consider development for predominantly residential and recreational uses with some commercial uses. Within these areas, Council will, on the application of a developer, consider bringing down a

change pursuant to Section 54 to introduce a resort zone. Such a zone will provide for the comprehensive development of the particular area in such a way as will most effectively provide for residential, recreational and commercial use without detracting from the natural amenities of the area or coastline.

It is hoped that the establishment and growth of such zones will help solve the problem of illegal occupancy of public lands which have occurred throughout the County.

The Code of Ordinances specify strict criteria for establishment as well as servicing and control of size.

2.9.5 SELECTION OF RESORT ZONES

In selecting coastal and other localities suitable for development, regard has been had to access, distribution of the local attraction and features of the areas selected. Concentration of development into a number of well defined areas in this way will greatly assist the preservation of the remaining areas of unspoiled coastline which is a primary objective of the Council. Particular attention will be given to this question at each review of the Scheme.

Those areas generally considered suitable are listed below and shown on the base maps 1 and 2.

Jacksons, Upper Arahura Valley, Kakapotahi, Wanganui River Mouth, Gillespies Beach, Hunts Beach, Bruce Bay, Moeraki River, Whakapohai River, Waita River, Pleasant Flat (outside the National Park), Saltwater Beach, Smoothwater, Barn Bay and Big Bay.

2.9.6 EXISTING RESORT ZONES

A number of settlements are already established or being established:-

Lake Kaniere

A comprehensive resort type development proposed by TNL for the Lake Kaniere (Hans Bay) area has failed to materialise. The potential of this area for such a development would enhance by the completion of the Landsburg-Upper Arahura Valley linkage with State Highway 73. The Council will not allow further expansion at Hans Bay without provision for sewerage and water supply.

A substantial area, comprising the land already cleared, has been included within the resort zone with development being directed away from the Lake. A wide band of open space has been retained along the foreshore. Hokitika is dependent upon Lake Kaniere for its water supply. Any development must, therefore, be carefully controlled and managed so as to prevent pollution.

Okarito

Okarito is the old gold and provincial settlement of South Westland. There are now few old buildings remaining. Although comparatively few sections have been built on in recent years, it does have potential for future development. Geographical constraints limit expansion of the site which is bound by the bluff, the swamp, the lagoon and the sea. With the change in course of the Waitangi River through Lake Wahapo and Okarito Lagoon, erosion problems have occurred. These need to be rectified before the stability of Okarito is assured.

Okuru

This beach settlement on the north bank of the Okuru River was developed and sold by Council on land granted by the Crown. It has proved to be a financial success with most of the land having been taken up, but has done little to alleviate the squatter problem.

Neils Beach

The Neils beach subdivision was undertaken by the Lands and Survey Department and is gradually becoming established. Further expansion would be far better directed out of the swampy bush onto the sandy foredunes.

2.10 RESIDENTIAL DEVELOPMENT IN THE RURAL AREA

To ensure that residential development in rural areas does not detract from the rural character and scenic qualities of the district, does not cause a demand for the uneconomic extension of public services, including roading, is generally in conformity with the existing subdivisional and development pattern, and does not compromise the potential use of productive soils for agricultural purposes.

To strike a balance between ensuring that dwellinghouses in rural areas are reasonably required for rural activities but at the same time recognising the strong desire by many people for a rural-residential lifestyle. Generally this will be achieved by:

1. Dwellings required for predominant uses (e.g. farming) are a predominant use subject to certain requirements.
2. The retention and upgrading of existing houses regardless of site size is a predominant use subject to certain requirements.
3. New dwellings for permanent occupation for rural residential uses on existing sites are a controlled use. Such uses are subject to strict requirements, and the Council will judge each application on its merits as a non-notified application to ensure that the proposal is

appropriate to the area in terms of appearance, landscaping, and access. The applicant must intend to live permanently on the site on a year round basis and will be required to produce a statement to Council to that effect.

4. Subdivision for rural residential purposes is a conditional use.

2.10.1 EXISTING RESIDENTIAL DEVELOPMENT

2.10.1.1 Redundant Housing

Objective

To conserve the County's rural housing stock

Policy

To permit the residential use of existing redundant or abandoned houses, and the reconstruction, or replacement of, or alteration or addition to, such houses where existing use and reconstruction rights would otherwise have terminated in accordance with Sections 90 and 91 of the Act. Provided that:

- the dwelling-house has a reasonable life and does not detract from rural amenities.
- the proposed access is satisfactory and the dwelling-house can be adequately serviced in terms of water, power and sewerage disposal.
- there will not be a demand for extension of services.
- the dwelling-house is not sited so as to have a detrimental effect on the productivity of soils having a high potential for food production.
- the dwelling-house is not sited on land subject to erosion, subsidence, slippage or inundation.

Explanation

The intention is to encourage the preservation of the existing housing stock, helping them make better use of facilities which are already reticulated but under-utilised. Council's policy may also improve the visual amenity of the rural area.

2.10.1.2 Squatters

Objective

To preserve rural amenities by opposing illegal occupancies.

Policy

To oppose the establishment of illegal residential buildings on State-owned land and road reserve within the County.

Explanation

A disturbingly large number of residential buildings have been erected in recent years, without right or title, on State-owned land and road reserve within the County. This includes a large number of whitebaiters encampments, most of which are substandard and have no building permits.

Council considers that these buildings are contrary to the objectives of the scheme and detrimental of the District generally. With the cooperation of the relevant departments, it has attempted to regularise the situation. It is hoped that the establishment and growth of Resort zones will provide an alternative location and therefore a solution to the problem. In the meantime, the erection of any further buildings on public land will be opposed.

2.10.2 NEW DWELLING-HOUSES, AS PREDOMINANT USES

Policy

To permit dwelling-houses which are incidental and ancillary to predominant uses, as a predominant use, in the rural zone, subject to a number of proviso's.

Explanation

The erection of dwelling-houses as predominant uses is limited to those necessary for the efficient and productive use of rural land. Council is of the opinion that the productivity of rural land can only be enhanced by allowing those persons engaged in such activities to live on the site. However, before granting a building permit, Council will require to be satisfied that the dwelling-house will be so sited as to avoid detracting from rural amenities and that the site is not subject to flooding, erosion or landslip risk (refer Ordinance 5.1.2).

Council is also concerned to prevent unnecessary urban development on high quality farmland and to avoid over-capitalisation of farm units, leading to subsequent pressure for subdivision. For this reason, with respect to farming activities, only one dwelling-house per farm unit is permitted as of right. Except that a second dwelling-house will be allowed where it is required for the use of a person working on, and deriving his main income from that unit.

2.10.3 NEW DWELLING-HOUSES AS ON EXISTING SITES FOR RURAL-RESIDENTIAL PURPOSES

Objective

To provide for the rural-residential, part-time and small farmers and other dwellers who seek to locate in rural areas.

2.10.3.1 General Policies

To adequately provide, within the County, for a range of persons wishing to live in the rural area.

To encourage the better utilisation of the County's land resource.

To encourage the repopulation of the County by attracting people from both within, and outside, the region.

Explanation

Council recognises that there are a range of persons wishing to live in the rural area in addition to full-time farmers. These include farm workers, aspiring farmers, agricultural contractors, hobby farms, part-time farmers, retired farmers and those urban-oriented dwellers seeking a rural environment.

The demand for a rural living environment is by no means confined to the County. Rather, it is a national phenomenon. The County is however, ideally suited to cater for this demand and, in this respect, has a number of advantages over more urbanised local authority areas:-

- i) The County comprises an extensive, sparsely populated land area. Rural-residential development can therefore be easily accommodated without compromising the essentially rural nature of the area. This is reinforced by the fact that over 80% of the total area is in Crown ownership and unavailable for any form of "urban" development.

- ii) Scattered residential development is part of Westland's heritage. Throughout the County, there are a number of existing and well-maintained dwellings that are all that remain of former settlements in the boom days of forestry and goldmining. Rural-residential development is therefore very much a part of the County's inherited character and, as such, should continue to be provided for.
- iii) The County contains many underutilised social and commercial facilities.
- iv) Land values are lower than the national average whilst, in terms of aesthetic and natural values, many potential sites are possible unequalled elsewhere.
- v) There are substantial tracts of marginal land much of which is currently utilised, Rural residential use is seen as one of the few viable alternatives. The intensive high capital development often associated with such a use can result in productivity values quite as high as those produced by traditional farming techniques. Provision for rural-residential development on such land can be seen as being of national benefit by helping relieve building pressures on highly productive land outside the region.

In providing for rural-residential development, Council's aim is to attract people from outside the region as a means of promoting the economic and social welfare of the County's inhabitants. In the context of a depressed and punished local economy, hard hit by a decline in traditional economic bases, and a continual cut-back in government services, an expansion in population and associated improvement in the rating base, is seen as a first priority if the economic and social welfare of the County's inhabitants is to be promoted.

Planning Implications

There are sites in the rural areas which were created many years ago and are now too small, or the soils too unproductive for conventional full time rural uses such as farming. In some cases these sites have been amalgamated with adjoining sites, or are held in one ownership with adjoining sites. The Council encourages smaller sites to be grouped to create larger,

usable parcels of land particularly on the better soils, but the process is slow.

Often these smaller sites are in separate ownership and it is unrealistic to expect them to be combined with others. Some of the sites are suitable for rural-residential purposes.

Provided that the proposed rural-residential use will not cause an uneconomic extension of public services, including roading, that the site is suitable for a house, and that the proposed development will not detract from the rural and scenic character of the area, the Council believes that rural-residential uses can be beneficial in the rural areas by strengthening rural communities and better utilising existing public facilities.

Rural-residential development of existing sites is provided for as a controlled use in the Rural 1 Zone. As a controlled use the Council has a discretion to refuse consent, or request changes if in the Council's opinion the proposal would not be compatible in the area. However, before an application for a rural-residential use will be considered, the applicant must show that the proposal meets strict criteria, including a requirement that the applicant intends to reside permanently, on a year round basis, on the site. A primary objective of the rural zones is to encourage the land to be used productively. Rural-residential blocks can be intensively developed and productive, but generally only if the site is permanently occupied.

Uses such as holiday homes which are essentially residential in character are not appropriate in the rural zone. There is adequate provision in the resort zones for new dwellings not intended to be permanently occupied on a year round basis. Such proposals may also be considered as a conditional use in the Rural 1 Zone.

2.10.3.2 Water and Power Supply, Sewerage Disposal

Policy

To ensure that rural-residential development can be satisfactorily serviced in terms of water and power supply and sewerage disposal.

Explanation

Council shall require the applicant, as part of any application for the establishment of a

rural-residential use, to provide details of the proposed method of servicing the development in terms of power and water supply and sewerage disposal. Council's aim is to ensure that the servicing proposals are adequate, that effluent disposal can be provided for without causing any nuisance or hazard and that the proposed development will not cause an extension of public services that is not in the economic interest of the district or locality.

2.10.3.3 Suitability of Land

Policy

To prevent the establishment of rural-residential uses on land susceptible to erosion, subsidence or slippage or inundation arising from such erosion, subsidence or slippage.

Explanation

Where an application for rural-residential development relates to a site considered to be liable to erosion, subsidence, slippage or flooding, Council will require the applicant to furnish sufficient evidence including, where necessary, a geological, or engineering report, to enable and determine the degree and nature of the potential risk.

2.10.3.4 Access

Policy

To ensure that residential development in the rural area is serviced by an appropriate standard of roading and that such development will not require the uneconomic provision of roading services.

Explanation

The applicant shall be required to provide details of access including, where appropriate, internal roading layout.

Council's concern with respect to access are twofold:-

- Roading servicing a rural-residential subdivision must be provided to a standard which Council considers acceptable in terms of both the nature and increase in traffic to be generated by the subdivision

and the standards which Council has routinely adopted for rural roading.

- While wishing to encourage rural-residential development, partly because of potential improvements in the rating base, Council also wishes to ensure that it does not allow a subdivision to proceed which would involve Council in the uneconomic provision of roading services. To do so, would more than offset any economic benefits which would accrue from increased rating revenue, and would be contrary to the public interest - specifically the economic welfare of the County's inhabitants.

a) Roading Standards

With respect to roading standards, Councils general policy is to require that multi-lot residential development be served by a road of adequate width and dimension incorporating a sealed surface of at least five metres in width. Council also requires to be satisfied as to provision of drainage with respect to that road. Where the subdivider is to provide access by way of a private way (as defined in the Local Government Act), which is not vested in Council, a lesser standard of roading may be acceptable. Private ways are considered by Council to be a viable access option providing they service not more than three rural-residential allotments. Where more than three lots are involved, the situation is seen as being unmanageable having regard to the need to obtain multiple agreements to upgrading and maintenance proposals. Council will therefore generally decline a subdivisional proposal where access to more than three new allotments will be dependant upon the formation of a private way. Where access is to be provided by way of a road formed across private land, Council will require that such a road be formed and sealed to the standards and specifications laid down by Council before such a road can vest in the County. The full cost of any required roading work shall be borne by the developer.

b) Uneconomic Provision of Roading Services

Of particular concern, in this regard, is the situation whereby a proposed rural-

residential subdivision fronts on to an unformed or, in Council's view, inadequately formed, legal road. Council's powers under the Local Government Act, with respect to formation and upgrading of such roads, are restricted by Section 321A of that Act. This Section provides that, for the purpose of forming, diverting or upgrading any existing road forming any new road because of new or increased traffic owing to the subdivision of any land, Council may require a fair and reasonable contribution towards the cost of upgrading or forming roads, or parts of roads, within, or adjacent to, the subdivision or any land vested in the same owner. However, the developer/owner's contribution must not exceed the extent to which the road serves, or is intended to serve, the subdivision or, in the case of a road that is adjacent to the subdivision, half the estimated cost of the work, whichever is the lesser.

The implications of the Local Government Act requirements are that the provision of access to service rural-residential subdivision could impose a severe economic burden upon Council. This is particularly true where a proposed subdivision fronts an unformed legal road. Council's powers, under the Local Government provisions, are limited to requiring a contribution towards the cost of formation of new roads, being not more than half the cost of such work. Moreover, legal precedents have established that "formation" does not include gravelling, metalling or sealing of a road. Council could well find itself facing substantial, unbudgetted roading costs, in order to form and upgraded roads which are of benefit solely to a proposal rural-residential subdivision. Accordingly, Council considers that, in the public interest and in order to safeguard the economic welfare of the districts inhabitants as a whole, it would be justified on planning grounds in declining an application for rural-residential subdivision where such a subdivision would involve Council in the uneconomic provision of roading services. In such circumstances, Council's policy shall be as follows. Where a proposed rural residential subdivision fronts an unformed legal road, or a legal road, the existing formation and/or condition of which, is

substantially below the standards required by Council for servicing rural-residential development, such a subdivision shall be declined on planning grounds unless the developer accepts the entire financial responsibility for forming and/or upgrading the required access to a standard specified by Council.

2.10.3.5 Protection of High Quality Farmland

Policy

To protect land having a high actual or potential value for the production of food by restricting the further subdivision of such land for rural-residential purposes.

Explanation

Council is opposed to the establishment of dwellings on land having a high actual or potential value for the production of food except where such dwellings are necessary and accessory to the use of that land for productive purposes. The aim is to protect high quality farmland and existing agricultural services including the dairy company and deer processing plant. Pockets of such land are scattered throughout the district. This fact, together with the sheer extent of the County, would mean that any attempt to identify, map and specifically exclude such land from the application of Council's Ordinances relating to rural-residential use would be an extremely cost and time consuming exercise. Accordingly, where Council considers that an application for rural-residential development may be sited on land of high actual or potential value for the production of food, the applicant will be required to submit a report by a suitably qualified person, detailing soil types, current land use, potential productivity and other relevant soil factors relating to the subject land. Where such a report endorses that the land does not indeed require to be protected by Section 3(1)(d) of the Act, the application will be declined.

As a general guide to potential developers, the following soil types found within the County may, depending upon location and other geological factors, be of high actual or potential value for food production:-

HOKITIKA soils: the geographic distribution of which is generally restricted to strips along the main rivers and creeks (including Hokitika and Kokatahi Rivers) and small areas or fans.

HARIHARI soils: also located in strips along three main rivers and creeks, including the Taramakau, Arahura, Kaniere and Kokatahi Rivers are relatively substantial stretches in the Harihari/Whataroa locality.

MAHINAPUA: these yellow-brown sands occupy a narrow coastal strip stretching from the Taramakau River south and terminating between the Mikonui and Waitaha Rivers. Depending upon localised circumstances, such soils may be of only medium, rather than high, value for food production.

IKAMATUA soils: extremely limited distribution within the County. Small pockets are found on the north bank of the Arahura River.

For more specific information as to the location of the above soil types, reference should be made to the following publications:-

- SOILS OF GREYMOUTH-HOKITIKA REGION, SOUTH ISLAND, NEW ZEALAND, New Zealand Soil Survey Report 58 (G Mew, New Zealand Soil Bureau, Department of Scientific and Industrial Research, Wellington, New Zealand 1980).

Note: This publication only covers that portion of the County bounded by the Taramakau and Hokitika Rivers, with mapping at 1:50,000.

- GENERAL SURVEY OF THE SOILS OF THE SOUTH ISLAND OF NEW ZEALAND, (New Zealand Soil Bureau, Department of Scientific and Industrial Research, Wellington, New Zealand 1968).

Note: This publication covers the whole of the County but at an imperial scale of 4 miles to the inch. Sheets 5, 7 and 8 are relevant to the County.

2.10.3.6 Preservation of Rural Atmosphere

Policy

To ensure that the type of rural-residential environment provides a true alternative to that available in existing urban areas, and that rural-residential development does not detract from rural amenities.

Explanation

Council will require to be satisfied that the dwelling-houses and accessory structures will be sited on the property in an unobtrusive manner so as not to detract from rural amenities. Where a multi-lot rural-residential development is proposed, Council considers that additional controls are necessary in order to ensure that the resultant allotments are suitable for rural-residential living and return a rural atmosphere. For this reason, where more than one rural-residential allotment is proposed the minimum size of all lots shall be 1.5 hectares and the minimum average size of all lots, 2.0 hectares. All multi-lot rural-residential subdivisions shall be restricted to a maximum of 10 lots.

2.11 SCENIC QUALITIES OF THE COUNTY

2.11.1 POLICIES

To protect and retain the scenic qualities of the County, where possible, through appropriate controls on development in the rural area.

To have special regard to the preservation of the natural character of the coastline, lakes, rivers and mountains.

2.11.2 EXPLANATION

Council is very aware of the need to protect the scenic character of the County. At the same time, it has to take account of diverse interests. For this reasons, it believes a flexible approach is necessary with a combination of both presentation and development. The development of hydro-electric power, tourist facilities and the like, while encouraged by Council, will be controlled under conditional use procedures. Appropriate controls will be imposed so as to minimise the impact of such works on the natural environment.

Council is strictly limited in the controls it can exercise, with regard to the protection of scenic features, because of the large area of land under State Control. The role of Council is seen to be that of providing a focus and a voice for the expression of local opinion.

National Parks administration, in Council's opinion, has been unduly restrictive with an over emphasis on preservation rather than use and enjoyment. Aside from National Parks, the other Parks and Reserves administered by the Lands and Survey Department and New Zealand Forest Service are generally effectively controlled and Council generally supports the Department in its good work.

While Council recognises the scenic and other values contained in State Forest lands, it favours a management approach which balances use and conservation. Council's primary concern is to ensure the maintenance of the timber industry.

To give effect to its policies with regard to the protection of the general scenic character of the County, Council shall:-

2.11.3 PLANNING IMPLICATIONS

2.11.3.1 Rural Character

Restrict the uses permitted in the rural areas to those of a rural character of where other uses are permitted, ensure that proper controls are imposed to limit the affect of these uses on the rural scene.

2.11.3.2 National Parks, Reserves Etc

Where National Park boundaries adjoin the County towns, they are shown on the appropriate planning map. Council's policies on the establishment of further reserves are outlined in 2.8.6.

2.11.3.3 Forest Management Plans

Encourage the preparation and public debate of forest management plans which identify areas and features of special importance to the protection of the rural and natural environment.

2.11.3.4 * Control of Advertising

Control advertising hoardings in rural and residential areas.

2.11.3.5 Control of Coastline

Ensure that the coastline is maintained in its natural state with only limited and properly designed development taking place at suitable locations of limited visual intrusion. With regard to the visual coastline and all lake shore lines, generally, the Council would vigorously encourage the retention of all the seascapes, irrespective of location and would discourage any change below the immediate visual skylines.

2.11.3.6 Subdivision

Ensure that development and subdivision had regard to protecting significant natural landscape features and trees.

2.11.3.7 Retention of All Major Views

Preserve as far as possible and practicable all forested ridges foreground to skyline that afford good views from the Highway and other accessible places.

2.11.3.8 Foreground Wasteland

Encourage the cleaning up and grassing of all foreground land capable of sustaining permanent pasture so as to provide a pleasant contrast to the bushy and mountain backdrop.

Foreground land not capable of being farmed should be planted in appropriate species with the object of restoring to their forested and productive state, those large areas of the County which have been denuded of their original cover.

2.11.3.9 Resiting of Existing Houses and Buildings

The Council has experienced problems with the relocation of existing redundant houses and buildings in all zones. Special conditions as to resiting are included in the Code of Ordinances 5.5.3 including bonding to ensure that conditions are met.

2.12 CONSOLIDATION OF URBAN DEVELOPMENT AND APPROPRIATE ZONING

2.12.1 POLICIES

To consolidate urban development within existing urban areas.

To adopt generous urban zones which recognise a variety of existing uses, topography and ownership patterns.

To recognise the scattered character of most of the townships and include these within residential zones.

To provide for a wide variety of uses of an industrial nature and connected with the tourist industry which might otherwise seek to establish within the rural zone.

To define a clear urban-rural boundary rather than having pockets of urban zoning separated by rural zoning.

2.12.2 EXPLANATION

Such policies will assist with the preservation of good soils and of the natural, scenic character of the rural areas. Council's aim is to economise in the provision of services and community facilities, increase the utilisation of existing commercial facilities, assist with the proper control of traffic especially along State Highways and generally reduce the conflict between rural and urban uses. A stronger urban foci for the surrounding rural areas should result. At the same time, existing urban uses will not be rendered non-conforming. Economic activity and development will therefore be promoted.

2.12.3 RESIDENTIAL 1 AND 2 ZONES

Within the northern part of the County there is a well established pattern of townships which the Council will endeavour to consolidate. These townships are Otira, Kumara, Kumara Junction, Arahura, Kaniere, Kokatahi, Ruatapu, Ross, Harihari and Whataroa. They are essentially servicing townships, providing a range of commercial, industrial and community functions which are supported by farming, forestry, mining and transport. A secondary function is to service the travelling public.

Two main types emerge.

The smaller ones consist of little more than a group of houses around and industry with a school, a hall, a hotel and a store. They are zoned Residential 1 with an external fence within which a wide range of uses are predominant and without the need for internal zoning.

Residential 1 zones are: Otira, Kumara Junction, Arahura, Kokatahi, Ruatapu and Carters Mill.

The second type Residential 2 are the larger townships within which there is some pattern of existing commercial development around which to expand. The objectives and policies relating to such internal service zones are outlined in 2.13 to follow.

Residential 2 Zones are: Kumara, Kaniere, Ross, Harihari and Whataroa.

2.12.4 RESIDENTIAL 3 ZONES

In the southern part of the County the pattern is not so well established. Fox and Franz, although meeting a local servicing function, are expanding as tourist oriented towns which it shall be the Council's policy to encourage. Further south, the new Haast township has now materialised although it would appear that Haast camp is likely to remain for some time.

Carters Mill Settlement is likely to experience some growth following the disposal of the mill houses and a number of vacant lots.

Council would see Fox, Franz Josef and Haast in the same category at present as Residential 2 with internal commercial zoning. These towns are tourist oriented and require that special provision be made for visual control compatible with the natural forest and National Park surroundings.

These three towns are zoned Residential 3 within which there is a commercial oriented zone, service 2.

This later zone is the same as service 1 except for additional requirements with respect to the visual amenity.

Carters Mill will be zoned Residential 1 which will effect sufficient control at present.

2.12.5 RESIDENTIAL 4, 5 AND 6 ZONES

In the Hokitika environs, the scheme provides for the expansion of the Borough eastwards, towards Kanieri. The area immediately east of the borough boundaries is zoned Residential 5, the planning controls within this zone being similar to those adopted for the Residential zone within the Borough itself. The Residential 6 zone, sandwiched between the Residential 5 and Kanieri Township, is intended to provide for the expansion of Hokitika in the longer term. Low density residential development is permitted as a conditional use.

To the north of Hokitika, east of the Highway, a limited area Residential 4 zone has been adopted. Its aim is to provide for an alternative form of residential development by allowing low density attached housing.

2.12.6 INDUSTRY

Council's policies with respect to industrial development are:-

- To encourage and provide for a wide variety of industrial uses.
- To ensure that adequate land is zoned for industrial purposes.
- To minimise the impact of industrial activity on neighbouring land uses.

Explanation

The current scale of industrial development does not warrant either a multiplicity of zones or the zoning of large areas for industrial purposes. For this reason,

Council has adopted two industrial zones both of which accommodate a wide variety of industrial uses. All development must comply with the performance standards for these zones.

The Industrial 1 zoning applies to those areas where industrial development requires strict control having regard to the nature of the surrounding land uses and the amenities of the area concerned. In addition to compliance with certain performance standards, those industries which have potential to create noxious, dangerous or objectionable elements are subject to conditional use control. These industries are listed in Appendix A and B to the scheme. In requiring conditional use consent, the aim is to ensure that the noxious, dangerous or objectionable elements have been removed or reduced to the satisfaction of Council and that the use is appropriate to the particular site.

The Industrial 2 zone is intended for those areas which, because of their nature or location are less sensitive to the impact of industrial development. In this zone, Appendix A and B industries are permitted as of right, subject to compliance with the performance standards.

Industries of both a non-noxious and non-dangerous character are also permitted as conditional uses in the Rural, Service and some Residential zones. This enables a greater flexibility of location for those industries which, by virtue of the nature and scale of the process involved or the building containing the process, do not detract from the amenities of the area. The rural zone conditional use provisions also make specific allowance for those industries based on, or supporting, farming and forestry activities.

2.12.6.1 Industrial Zone 1

Areas zoned Industrial 1 are as follows:

- a. North of Hokitika Borough, both east and west of the State Highway.

This zone recognises the existing industrial development including the commercial meatworks and venison slaughtering and processing facility. Development controls will be aimed at minimising the impact of industrial activity on neighbouring residential uses and on the hospital complex.

Further development west of the highway will be dependent upon the provision of access along Lance Road, currently unformed. New Zealand Railways do not intend granting further access across the railway line to State Highway 6.

- b. Land adjoining Hokitika Borough's Industrial B zone East Town Belt and an area adjoining the West Coast Electric Power Board's premises in Hau Hau Road.
- c. An area of land in the new Haast Township.

2.12.6.2 Industrial Zone 2

Current demand for industrial land does not warrant the specific zoning of Industrial 2 land. Two general areas are considered to be suitable. One is the Three Mile Area, east of the highway and the other along Blue Spur, east of the Borough. As and when required Council will use the provisions of Section 54 to accommodate such a zone.

2.13 DEVELOPMENT OF URBAN SETTLEMENTS

2.13.1 POLICIES

Within the existing townships, Council will endeavour to ensure that development takes place in such a way as will create pleasant, convenient, and interesting community in which to live.

Its general policies shall be to:-

1. Avoid the indiscriminate mixing of incompatible uses.
2. Maintain and provide amenities appropriate to the neighbourhood.
3. Provide for the efficient and convenient movement of vehicles and pedestrians, for proper off-street parking, access and loading facilities.
4. Ensure adequate standards of sunlighting, access, ventilation, privacy, open space and some protection against fire and noise.
5. Provide standards for the control of land subdivision appropriate to the locality and the intended uses of the land.
6. Encourage good design and variety in housing types and layouts, especially in relation to the natural landscape.
7. Provide for the recreational and community needs of the area by ensuring sufficient land is set aside as reserves.

8. Group related community, commercial and industrial uses in order to provide a focus for community activity.
9. Provide for the consolidation of commercial activity and continuity of shop frontages without the intrusion at street level of other uses and vehicular traffic which could affect or obstruct the convenient use of the commercial facilities.
10. Minimise the interference of industrial uses with other uses, by grouping such uses together and providing a buffer between these areas and adjoining uses, especially residential.
11. Economise in the provision of services making proper provision for the disposal of sewerage and stormwater and the supply of water.

2.13.2 URBAN ZONING

Where the settlements are small, scattered, unlikely to grow without a definable focus an urban zoning has been adopted (Residential 1).

In the larger towns, Service Zones will be provided wherein Commercial and some Industrial development will be consolidated (Residential 2 and 3). The objective is to establish a defined focal centre around which the commercial and community life will evolve. At a later stage of development, after more recognisable patterns of growth have occurred, a more sensitive zoning approach involving residential, commercial and industrial zoning may become necessary. Residential Uses within Service Zones will be discouraged and conditional.

Service 1 zones are those within Residential 2.

Service 2 zones are those within Residential 3.

Both Residential 3 and Service 2 carry additional visual amenity requirements appropriate to service areas.

The purpose of all zone is explained in the Code of Ordinances and in general terms in the preceding section 2.12. Within the Zones Residential 1, 2 and 3 (excluding Service Lanes), it is intended that Residential and associated Uses will be predominant and all others, except certain noxious uses, will be conditional.

Council believes that it is essential to preserve the degree of flexibility that this approach provides. At the same time, while considering any applications for Conditional Uses, the appropriate strict regard will be had to the general policies that follow.

Residential 4 and 5 zones provide for the immediate expansion of Hokitika while the Residential 6 zone provides for the expansion of the Borough in the longer term.

2.13.3 OTIRA

Zoning: Residential 1

The town is almost entirely a Government one with Railways involvement being predominant. Other Departments having a presence in the town are NZ Electricity Department, Ministry of Works and Development, and the Police. There are a few private baches and a hotel.

Government activity is not expected to change. A demand for bach sites at Otira is a possibility in view of the restrictions on building at Arthurs Pass and the demand for recreational accommodation in this area.

The Council would encourage this. It has little rating capacity at present to warrant what work it does do in the area. The remoteness of Otira from its other centres of activity is an additional constraint.

The Railway land on the Goat Creek Fan is north facing and well drained. It is the best area both physically and environmentally for expansion in such a high rainfall area.

2.13.4 KUMARA

Zoning: Residential 2 with Service 1

Kumara has a colourful, interesting history. Formerly a Borough whose fortunes depended upon goldmining, it amalgamated with the County in 1968. During wind down following the gold boom, employment was available in the many timber industries. The Kaniere dredge on the Taramakau proved to be a steady employer until it ceased operations in 1982. The town has achieved some stability in recent years. Residents commute to Hokitika and Greymouth for employment choosing the advantages of a County town and cheaper prices particularly for housing. A number of new houses have been erected while several other houses have been bought as holiday homes. The revival of the gold industry has provided a local source of employment. The town has a good water supply and reasonable streets. There is a fine hall and provision for most outdoor sports. The local outdoor Racing Club has its own course and continues to flourish.

The majority of existing houses have been incorporated into the Residential zone. Within this zone there is a lot of vacant land. Title is fragmented and complicated

from the mining days and many of the titles will need to be amalgamated to provide good sites.

Existing isolated houses outside the zone are of little significance except for those either side of the Borough along the Highway. These are detrimental to the Highway and replacement would be resisted.

The Service 1 zone takes in the commercial area as it exists and includes some vacant land.

2.13.5 KUMARA JUNCTION

Zoning: Residential 1

Kumara Junction has lost some of its former importance with the decline of Kumara and the decline of the rail use generally. It is now a scattered group of houses from which residents travel to work. A Restaurant-Service Station complex services the travelling public.

The area zoned for residential use is large, taking in the existing ribbon of houses. The land is not potentially productive in economic terms.

It has a number of characteristics which make it an admirable location for the establishment of a major industry such as one based upon forest products. These include its abundant water supply, its remoteness from urban areas, its central location between Hokitika and Greymouth and its sites on the rail link and at the road junction.

2.13.6 ARAHURA

Zoning: Residential 1

This is the residential area of the Arahura Maori Community. The zone incorporates both Maori land, comprising part of Maori Reserve 30, and an area of freehold land immediately adjoining the Maori Reserve to the north. While there is ample room to satisfy foreseeable development needs within the Maori Reserve itself, multiple ownership has tended to hinder development. Consequently, an enlarged area, free of ownership constraints, has been provided.

A special relationship by the Maori people with its Arahura land has been recognised for generations and there is currently a demand to return to the area. The favourable housing incentives available to the Maori people have helped promote this trend and there could well be a local impetus to consolidate the settlement and encourage other Maori to settle here. There is little in the way of public amenities but the Council would not discourage the Community in its plan to consolidate.

The Residential 1 zone, with its wide range of predominant uses, is considered to be the most flexible way of allowing for the Maori housing needs.

2.13.7 HOKITIKA NORTH

Zoning: Residential 4, Residential 5, Industrial 1, Industrial 2

Apart from a small area of Residential 5, the strip between Hokitika Sewerage Treatment Works and the Borough boundary is zoned Industrial 1. Industrial development is subject to a variety of performance standards, so as to reduce any nuisance factor and ensure a tidy appearance from the hospital on the adjoining terrace. Any further subdivision of the industrial land will need to make provision for an internal roading system. New Zealand Railways do not intend granting individual access across the Railway line.

Tree Planting, as a screen to the sewerage ponds and extending through the Borough, would visually enhance the entrance to the town.

Low density Residential 4 is provided for on part of the terraced land. This land is not potentially productive but as an area for building it is good, having stable alluvial sub-strata and being of good contour and easy to service. A 150 metre Residential clearance line has been adopted, surrounding the Hokitika Borough oxidation ponds, to reduce the possibility of nuisance. This standard is considered to be adequate given the dispersed nature of the residential development permitted. Existing residential uses will not be affected by this restriction. A small area of Industrial 1 land on this terrace give recognition to the deer slaughterhouse and venison packing plant. Industrial 2 or heavy industry will be directed to the vicinity of the existing mill and State Hydro depot at Three Mile. Any proposal for the establishment of industry would need to take into account several soil factors. These include the stability of underlying material for foundations, soil infiltration rates for effluent disposal, iron pans and gley features in the soils and the position local water tables. Recent soils of high value for food production border Hau Hau Creek and the north western side of State Highway 6. These soils should be retained for rural use and expansion onto them avoided.

2.13.8 HOKITIKA EAST

Zoning: Residential 5, Residential 6, Industrial 1

The Residential 5 zone is an area immediately available for the expansion of Hokitika. A water supply has been installed and trunk connections into the Hokitika

Borough sewerage system are feasible from an engineering point of view.

It is envisaged that future development and associated access and roading will be directed towards the Hokitika-Kaniere highway. It is not intended that the Kaniere Tram will become a through road. The elevated frontage along the tram is of amenity value and would be best used for recreational purposes.

Unformed roads within the area would probably be closed.

Development will initially be directed towards the river side of the Highway. Any subdivision will be considered in terms of its overall impact, with a view to grouping reserves to provide for both passive and active recreation. At a later stage an appropriate area may be set aside to provide for day to day shopping.

Prossers Bush, which is vested in the Borough, has an attractive stand of thick regenerating Kahikatea. A privately owned stand of Kahikatea near the rubbish dump, is also worthy of preservation as is the stand south of the State Highway and opposite Prossers Bush.

Two areas have been zoned as Industrial 1. One adjoins Hokitika Borough's Industrial B land and is complimentary to that zone. The other lies between Hou Hou road and the terrace, in the vicinity of the West Coast Electric Power Board's premises. Once the zoned land has been occupied, any further development will be directed towards the area between Russell Road and Hou Hou Road on the flat.

The aim of Residential 6 zone is to provide for the longer term expansion of Hokitika in the form of traditional, high density, urban development. Low density residential development on existing lots is permitted as a predominant use, while residential development on new subdivisions is subject to conditional controls. The objectives of these conditional use provisions are threefold.

- Council wishes to ensure that proposed subdivisions will not inhibit future closer development. Applications for subdivision would need to demonstrate that shapes, access and servicing options are to be preserved.
- Council seeks to ensure that the propose of residential subdivision will be serviced by an adequate standard of roading and that the Council will not be involved in the uneconomic provision of roading services (having regard to S321A of the Local Government Act). Council's main concern is that the subdivision of the rear blocks may force Council into premature and costly formation of Russell Road which, at that stage, may not be in

the County's economic interests. Should such a situation arise, Council may decline the application on planning grounds, unless the developer accepts the entire financial responsibility for roading work.

- Council does not intend, at this stage, to become involved in the permanent servicing of properties in the Residential 6 zone. Accordingly, applications will need to demonstrate that the proposed residential use can be adequately serviced in terms of water and power supply and sewerage disposal. Minimum areas shall be determined by the capacity of the ground to absorb effluents. In no case, shall any allotment be less than 2500sqm.

2.13.9 KANIERE

Zoning: Residential 2 with Service 1

Kanieri is a scattered residential area of mining origin, with the Hokitika River on one side and dredge tailings on the other. It is elevated with an open aspect and has a very pleasant environment. It is also an important road junction.

The Council has plans to reticulate the area with water and is also thinking in terms of a sewerage system at some time. East-west boundaries of the town have gathered in the houses on the fringe which makes it a very long area.

Narrow internal existing streets are being widened as the land is subdivided. A Service 1 zone is provided around the existing Commercial Uses at the Junction.

Arthurstown, Woodstock and Rimu to the south along Highway 6 are mining settlements with a heritage of existing small sections. The Council will allow the retention of existing buildings and some replacements. It is an area where favourable consideration could be given to the odd isolated house as provided in the Rural 1 zone.

2.13.10 WHATAROA

Zoning: Residential 2 with Service 1

Whataroa is based largely on farming, and to a lesser extent, sawmilling. The recent decision to include Waikukupa and South Okarito State Forest in Westland National Park has cast a shadow over the future of the indigenous forest industry in the area and threatens the continued viability of the town.

The town is reasonably compact and present zoning takes in the block of existing development plus a sizeable area for expansion on the north side.

Council's policy will be to contain the town and eventually provide all services as finance will allow.

Drainage is reasonably good and septic tanks work satisfactorily in the open gravel sub-soil.

The Service 1 zone is around the existing commercial properties at the main intersection.

The town has a nice open setting and very attractive mountain backdrop. It would be very much improved with the establishment of further trees around the Domain and at other selected places.

2.13.11 LAKE KANIERE HANS BAY

Zoning: Resort

Council's prime objective is to avoid the pollution of the Lake. A secondary objective is to retain the natural scene by confining development to one area. For this reason, a wide margin along the Lake frontage has been identified as permanent open space.

The Landing and Sunny Bight area will not be allowed to develop further and are zoned Rural 1. Development will be confined to Hans Bay taking in generally the alluvial fan already cleared of forest.

Further development is to be strictly curtailed until ways and means can be found to provide a sewerage system and water supply. On account of the capital cost of such works it is necessary to look to the development of a larger area initially than would normally be the case. The presence of large gullies with extensive slipping in the very steep land immediately behind and above the proposed resort area coupled with the recent nature of the soils suggests that the area is not a particularly stable one. Detailed engineering studies relevant to stability, channelling of the creeks and the necessity for stormwater drains should be carried out before development is allowed to proceed. The completion of the Arahura-Landsburg link will undoubtedly increase the attractiveness of the area to those living east of the Alps. This will make Lake Kanieri almost equal distance with Moana, from Christchurch.

The Council sees the development of a resort area at Lake Kanieri as socially desirable for the people of Hokitika. Substantial money has been spent on improving the road link with the Borough and providing grid power.

2.13.12 KOKATAHI

Zoning: Residential 1

The area zoned incorporates the original town area which is largely undeveloped. With regard to zoning, there

are two distinct approaches possible: whether to stop as presently shown or whether to extend the boundaries west to the Kowhitirangi Junction.

Soils in this area are Hokitika soils and are Class 1, being of high value for food production. For this reason, Council has opted for the smaller area. It considers this approach justified in view of its policy which allows for isolated houses in the Rural 1 zone in special circumstances. Kokatahi, in view of its climate and aspect, could well attract town commuters if overzoned.

2.13.13 RUATAPU

Zoning: Residential 1

The area zoned comprises the Mill, processing plant and existing houses.

The majority of the workers travel from Hokitika and it is not likely to see residential expansion.

2.13.14 ROSS

Zoning: Residential 2 with Service 1

This former Borough, founded on gold, was amalgamated with the County in 1972. This was preceded by the long decline in gold and later decline in sawmilling. Lime and Marbles' proposal to install a gold dredge on the Mikonui River should boost local employment opportunities.

Ross is a pleasant town of rich historical character, good climate and pleasant appearance. It is now partially tourist oriented and becoming attractive as a country retirement town.

The area zoned is large, taking in most of the scattered houses on the flat land. Like Kumara, it is based on an orderly laid out grid and comprises a large number of small allotments that require amalgamation. There would be advantage in some areas of amalgamation and resubdividing.

The Service 1 zone is clearly defined and should not cause any controversy.

Since servicing would be both costly and difficult, the hillside houses have been excluded from the town notwithstanding the individual advantages of the view. This area could be brought in later if expansion so warranted.

2.13.15 HARIHARI

Zoning: Residential 2 with Service 1

The extended zoning for Harihari "gathers in" a host of ribboned subdivisions compounded by various non conforming state developments of recent origin.

Future developments are confined by a zoning in-depth without further elongation.

Unfortunately the commercial development is divided and because of the extension down the Wanganui Flat Road the Service zone has been placed nearer the corner which is the central location.

Drainage is not particularly good at Harihari although vastly improved from the regular flooding of recent years. The Council's policy will be to establish a sewerage system when possible. Without substantial further development this is unlikely to be economically possible in the foreseeable future. The installation of a water supply proved to be very expensive because of the sprawling nature of the town.

2.13.16 FRANZ JOSEF GLACIER

Zoning: Residential 3 with Service 2

Franz Josef is an unfortunate town site in a number of ways. It is topographically restricted on each side and the closed in appearance is gained from both north and south. It tends to spread to the south side of the Waiho River.

Council is of the opinion that the Tourist Hotel Corporation in its choice of sites, was not acting in the best interests of the town. Had the old Hotel site either been reused or made available for commercial purposes and, had elevated land on the south extension of Cron Street been made available, something quite attractive and functional could have been made of the site. These matters were beyond Council control.

Development proposals for the northwards expansion of the town were prepared some time ago by the Lands and Survey Department. The proposals depended upon the release of State Forest Land. They advocated the retention of a strip of roadside forest (to retain the forest avenue effect) and copses of forest (to preserve the rural atmosphere). Council accepts these proposals as making the best use of the area and has taken them into account in forming the zone boundaries.

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The Service zone includes the Park Headquarters, and existing commercial properties. It extends northwards of the existing Westland Motor Inn complex to allow for contiguous expansion in this direction. It also incorporates existing residential properties to the east of the State Highway and west of Cron Street. In defining the extent of Service 2 zone, Council's primary objective is to ensure that the commercial expansion of Franz Josef, as a tourist oriented town, is not stifled by the unavailability of suitably zoned land.

Council acknowledges that a substantial part of the currently unutilised portion of the Service 2 zone to the north may be required to accommodate the future expansion needs of the adjoining Motor Inn complex. However, it would not favour the allocation of the whole of this site to the Motor Inn. Its preference is for some of the prime retail frontage to be retained for retailing and tourist oriented commercial uses. One possibility would be for the establishment of a small shopping centre, incorporating a pedestrian precinct and adjacent parking.

The inclusion of existing residential properties within the Service 2 zone provides an alternative area for commercial expansion. At the same time, existing residential uses are not prejudiced. By virtue of their predominant use status, they have full reconstruction, alteration and addition rights unrestricted by the provisions of Section 91 of the Act.

In the very long term, it is anticipated that the town and the Tourist Hotel Corporation development will link up.

Future residential expansion of the township will be directed primarily towards the land lying to the east of Cron Street and north of Cowan Street. A Council initiated subdivision is currently being promoted to provide serviced sections in this block.

Residential development south of the Waiho will be restricted to its present form.

The Education Department's choice of sites for the new primary school can only be regarded as singularly

inappropriate. Its location, set apart from the town, has resulted in a demand for pedestrian and cyclist facilities along the State Highway.

In respect of servicing, Council has provided a sewerage system for the whole town, including the Tourist Hotel Corporation. It is also Council's policy to expand the water supply.

Conditions are attached to both predominant and conditional uses to ensure visual integration with the scenic features of the area.

2.13.17 FOX GLACIER

Zoning: Residential 3 with Service 2

Fox Glacier is a pleasing town site being open and elevated yet seemingly located at the bottom of the range, European style.

Logically and aesthetically, the expansion of the town should have been to the east of the Highway and onto the gentle elevated slopes. This was not possible because of the encroachment into the National Park.

The only land available which is serviceable, capable of further extension, and not dissected by through roads is that zoned.

Access to the new undeveloped area will be oriented to the Cook Flat Road while Highway 6 will dissect the existing town from the new area. The Council, while not happy with the proposal has no alternative.

Native bush at the southern side of the new area is the reason for the irregular residential boundary. This backdrop is intended to be retained but has not been formally protected as yet.

There has been a recent history of development west along Cook Flat Road as no alternative land has been available. With the advent of the new subdivision, it is not Council's policy to allow any further subdivision in this direction.

Exception may be made for some of the existing commercial uses where expansion is necessary.

A good water supply exists and a sewerage system has been installed.

The Service zone takes in all the land along the Highway enclosed by Sullivan Road on the east and includes the Hotel complex on the west.

Further long term expansion would have to be further west probably to the Motor Camp and Kerr Road.

Conditions are attached to both predominant and conditional uses to ensure visual integration with the scenic features of the area.

2.13.18 HAAST TOWN

Zoning: Residential 3, Service 2, Industrial 1, Deferred Urban

The investigation, siting and servicing of the new Haast Town was a long and complicated saga carried out by the Lands and Survey Department in conjunction with Ministry of Works and Development. Council's role in this process was limited to discussion and debate. Final and convincing Government go ahead was not given until early 1976. Council welcomed the final discussion since the local controversy and debate could then be forgotten and something constructive accomplished. The township has been administered by Council that Haast was not included in and built as part of the Highway 6 link.

The delay caused inconvenience and has proved costly. It is also regrettable that Haast Hotel has established remote from the town. Council's preference for the site was further east.

Council supports the final design and layout as adopted by this scheme. The new township provides residential sections for both temporary and permanent residents, commercial, industrial and motel sites and recreational areas. At the same time, the intention is to create a satisfactory urban environment at Haast by integrating development with the natural character of the area and promoting a high standard of design and amenity. To this end, controls are attached to both predominant and conditional uses.

A deferred urban zone has been indicated on the appropriate planning map to provide for the future expansion of the new Haast township. When, and if the new Haast township nears full development, a scheme change will be initiated to re-zone the deferred urban zone for appropriate urban purposes.

2.13.19 HAAST CAMP

Zoning: Rural

This area has been zoned Rural since it is the Ministry of Works and Development's declared intention to completely clear all signs of the department's occupation from the site. It is not envisaged that any of the older houses will be disposed of for use where is.

Within the area of the present Haast Camp, there are three substantial private properties. Security for these properties is granted by the provisions of 2.10.

2.13.20 CARTERS MILL

Zoning: Residential 1

The settlement currently comprises the Haast School, a few houses west of the Jackson Bay Road, together with the housing settlement formerly owned by the milling company to the east of the road.

With the enforced closure of the mill, this settlement was faced with the problem of possible redundancy. Some 30 houses with 15 lots were subsequently offered for sale, most of which had been taken up. The subdivision and disposal has been generally successful in providing a serviced, maintenance free settlement which is attractive and ongoing.

The settlement has been zoned Residential 1.

2.13.21 JACKSON BAY

Zoning: Rural 1

The area has been in a state of flux ever since it was first inhabited by permanent settlers. It provides the most likely site for a South Westland Port if this is ever established. The jetty is vested in the County Council being responsible for its administration and maintenance. Presently, the whole area is oriented towards a substantial fishing industry. There are freezing and fuelling facilities with a wide range of residential accommodation mostly of a low standard. Several sections are privately owned and there is little flat land beyond the immediate foreshore. The whole of the land in the area is vulnerable to slipping from the adjoining hills.

In the absence of a clear indication as to the direction of future growth, Council is unable to formulate a clear policy for the future of the area. It is certainly dissatisfied with the visual scene resulting from the present use and occupancy. The limited available land is too valuable for permanent residential use. Given expansion of the Bay as a fishing port, it could well be that all available land will be required for associated industrial uses.

To control use of land in the short-term, the area has been zoned rural. This will enable prospective land uses to be assessed on their merits.

2.13.22 OKARITO

Zoning: Resort

Okarito is considered to have potential for future residential development based upon the recreational opportunities available in the area. Erosion problems will need to be rectified before the stability of Okarito can be assured.

2.13.23 NEILS BEACH

Zoning: Resort

Neils Beach was developed by the Lands and Survey Department, as a staged development, over a long period. The objective was to provide for those requiring permanent residence in the area and those wishing to establish a holiday home. Most of the lots in the existing subdivision have been disposed of. The settlement is served by a sealed road, but does not have a reticulated power supply.

2.13.24 OKURU

Zoning: Resort

Okuru was developed by the Council itself, with the objective of providing permanent residential sites for those engaged in whitebaiting, fishing and the venison industry. Most of the lots have been taken up and built on. The settlement is serviced by power and telephone. If warranted, there is scope for expansion to the north, beyond the Hall.

2.14 HOME OCCUPATIONSPolicy

To recognise home occupations, art and handicraft activities as legitimate uses within rural, residential, service and deferred urban zones throughout the County.

Explanation

Council acknowledges that home occupations, art and handicraft activities make an important economic and social contribution to the district. They increase both the range and choice of employment opportunities and provide the opportunity for inhabitants to develop new skills. Potential economic benefits include additional income through the sale of products and the use of local engineering and maintenance services.

Council believes that any potential conflicts of land use between these activities and other permitted uses will be adequately controlled by:-

- the scheme definitions of "handcraft" and "Home occupation" which limit the scope of activity.
- various legislative requirements such as the provision of the Factories and Commercial Premises Act, and the Sales Tax regulations which are enforceable as soon as an enterprise expands beyond a certain level of activity.
- performance standards for noise control.
- legislative provisions for the control of nuisance elements e.g. the Health Act and Clear Air Act.

- the district scheme's requirements relating to the protection of amenities generally.

2.15 LAND SUBDIVISION

2.15.1 GENERAL POLICY

To ensure that subdivision standards, while providing a degree of flexibility, reflect Council's general objectives and are suitable for the intended uses and particularly locality.

Explanation

Subdivisional requirements for predominant uses are specified in the Code of Ordinances. Standards for subdivision of land required for conditional uses may be considered part of the conditional use application but in no case shall a scheme plan of subdivision related to a use which is conditional, be approved until that use has also been approved.

2.15.2 SUBDIVISION FOR PREDOMINANT USES IN THE RURAL ZONE

There are no set area or frontage requirements for such uses. Council will require to be satisfied that various standards and criteria will be met including the requirement that proposed lots be of suitable size and shape and have suitable access for the proposed rural use. Refer Ordinance 4.5. Where the subdivision is for a farming use the overriding criteria be exercised will be that of better utilisation of land for agricultural purposes.

2.15.3 RURAL-RESIDENTIAL SUBDIVISION

2.15.3.1 General

Council acknowledges a need to provide for rural-residential uses - refer 2.10 of the Scheme Statement. Such uses can, in part, be accommodated on existing allotments including:-

- a number of allotments in existing settlement or farm settlements.
- allotments of more than four hectares which were created prior to the coming into effect of the Local Government Act 1974 and its amendments to meet the demand for residential accommodation in the rural areas.

However, Council also acknowledges that the existing subdivisional patterns cannot adequately cater for the existing demand for rural-residential sites. Subdivision may be necessary to subdivide out an existing dwelling - for instance where a farmer wishes

to retire and separate his title from the farm holding itself of where subdivision is necessary to dispose of an existing house, including those no longer required for a farming use. With respect to the latter, conservation of the existing housing stock is the main objective. There are a number of well maintained houses throughout the County which do not hold a registerable title. In such cases, the creation of a separate title would make little difference particularly as there is an historical identification of a house on the particular site. A separate title may well have positive benefits as Housing Corporation finance could then be obtained for housing improvements. Subdivision may also be required to cater for new residential development including both single houses and multi-lot developments.

2.15.3.2 Single Lot Rural-Residential Subdivision

No standard area or frontage requirements are specified. The subdivision in terms of shape, size and access provision, will be required to have regard to the factors listed in Ordinance 4.6. Council will generally approve the subdivision out of an existing farm dwelling-house providing that the dwelling-house is proven to the Council to be surplus to requirements on a farm and that is not likely to be needed for the farm in the foreseeable future. However, Council may also approve a subdivision to enable a farmer who wishes to retire to separate his title from the farm holding itself.

2.15.3.3 Multi-Lot Rural-Residential Subdivision

To prevent the undue fragmentation of rural land.

To ensure that subdivision will not prejudice long term land use practices, nor impede the productive use of adjoining land.

Explanation

Subdivision, to allow the establishment of rural-residential uses in accordance with Council's policies (refer 2.10 of this Scheme Statement), can aid the social and economic development of the district through the intensification of land use and settlement patterns and by attracting settlers from outside the County. Minimum and average size limits are imposed to preserve rural amenities and ensure that multi-lot rural-residential subdivisions provide a true alternative to an urban living environment.

While wishing to encourage rural-residential development, Council is also aware that it must guard against the proliferation of small rural units for which there is no demand. Accordingly, before approving the subdivision, Council shall require to be satisfied that there is a demand for the lots thereby created having regard to such evidence as the subdivider provides relating to market trends, purchase enquiries etc.

Generally, having regard to Council's policies with respect to the protection of land having a high potential for the production of food, a rural-residential subdivision will not be sited on, or near, high quality farmland. However, to ensure that the subdivision is in keeping with the economic structure of the area, Council will also require to be satisfied that it does not prejudice long term land use practices nor impede the productive use of adjoining land.

2.15.4 RESIDENTIAL USES

Subdivisional standards vary accordingly to whether sewerage disposal is within the site or by way of reticulation. Standards for rear sites are larger than those for front sites to compensate for the loss of the sense of open space which a road frontage provides.

2.15.5 COMMERCIAL AND INDUSTRIAL USES

Because of the wide variety in building and land requirements no specific standards have been stated but each subdivision will be considered on its merits having regard to such factors as adjoining land uses, yards, vehicular access and loading and existing buildings in relation to the proposed commercial or industrial use.

2.15.6 DISCRETION ON SUBDIVISIONAL REQUIREMENTS

Where a full compliance with any of the provisions of the scheme relating to subdivision of land for any urban purpose would needlessly or injuriously affect any person or person or cause or operation of any business without any corresponding gain to the community, then in such cases Council may dispense with observations or performance of these provisions of the scheme in accordance with the provisions of Section 76 of the Act.

2.16 SITING AND DESIGN OF BUILDING

2.16.1 POLICIES

To ensure that buildings are so designed, sited and constructed as is appropriate to their intended uses and particular localities having regard to the following objectives:-

1. That buildings and sites and adjoining buildings and sites receive adequate sunlight, daylight and air circulation.
2. That buildings are visually appropriate to the neighbourhood in terms of their bulk, height and site coverage.
3. Provision of adequate open space within sites.
4. Some protection against fire.
5. That the external parts of the buildings can be maintained.
6. That access to the rear of the sites is available.
7. That some degree of privacy and insulation from noise is obtained.

2.16.2 EXPLANATION

Building heights and floor areas are related both to the requirements of the particular zone and to the traffic capacities of adjoining streets.

That portion of sites not permitted to be covered by buildings is primarily for the provision of adequate light, ventilation and amenities but may also be used for parking and loading of vehicles to the extent authorised in the Code.

In areas of high scenic value, Council shall endeavour to ensure that design, siting and construction of buildings have special regard for and are visually appropriate to the natural landscape and scenic character.

2.17 CIVIC USES, PUBLIC UTILITIES AND SERVICES

2.17.1 POLICIES

To consolidate subdivision and building development as far as possible within areas already reticulated before expansion elsewhere is permitted.

To provide good roading, stormwater drainage, water supply and sewerage in all residential zones, as finances permit.

To support the installation of underground power and telephone lines.

EXPLANATION

The aim is to ensure the economic use of public utilities and other works.

Where necessary, Council will create special rating areas for the provision of public services.

In new areas being developed, Council will require full protection of all services within the limits allowable under the Local Government Act 1974 and subsequent amendments. This is to ensure that, as far as possible, all subdivisions for residential purposes are fully serviced before being settled.

Resort zones of any size will be considered in the same light.

2.17.2 EXISTING SERVICES AND PROPOSALS

- 2.17.2.1 Otira - for the most part of a Railways Department settlement. Otira is provided with weather, a refuse collection, Hall and recreation ground. All these services are provided and maintained by the Department.

The Ministry of Works and Development maintains the rubbish tip.

There are no Council plans for provision or extension of any other services at present.

- 2.17.2.2 Kumara - there is an existing water supply and Council maintained rubbish dump. The town has a fine Community Hall and Volunteer Fire Brigade. There are no serious flooding problems and the streets have recently been upgraded and kerbing and channelling installed. The Council has no plans for extension of services or provision of sewerage at present. This is not likely to change without substantial growth.

- 2.17.2.3 Kumara Junction - this small settlement has no community services and none are envisaged.

- 2.17.2.4 Arahura - apart from a communal water supply there are no other services provided nor presently intended.

- 2.17.2.5 Hokitika North - being low density Residential 4, and Industrial 2, if, and where, an application for subdivision is made, Council will require sewer water to be laid on by way of an extension of the Hokitika services.

Council would liaise with the Borough Council and the subdivider in respect of the main trunk connections. It is not considered that this will be likely in the near future. With respect to the Industrial land, Council will require the developer to prove that adequate provision can be made for sewerage disposal before further industrial development is

permitted. Standards for roading and stormwater would be applied as considered appropriate in the circumstances with some relaxation of full urban roading standards likely to be considered.

- 2.17.2.6 Hokitika East - being Residential 5. Servicing standards will be adopted as for the Hokitika residential area. Water reticulation from the Hokitika Borough's system has been installed. The installation of a gravitating sewage disposal system, connecting with that of the Hokitika Borough, is seen as desirable.

- 2.17.2.7 Kaniere - water reticulation currently extends only as far as the Westland County depot.

Septic tank efficiency is not high in the area and Council acknowledges that the installation of a sewerage system is desirable. The timing will depend very much on demand and future developments. At the present time, it would not be economically possible.

With respect to roading, Council is presently seeking widening at every opportunity to bring some of the historically narrow streets up to standard.

- 2.17.2.8 Lake Kaniere - at Lake Kaniere a point has been reached where further development must be curtailed until water and sewerage are available. This will probably retard the growth for a while. Any major development to sustain the provision of services will probably be dependent upon the Landsburg roading link. The Council is determined not to allow developments that might cause a lowering of the water quality.

Provision is made in the zoning for extensive public land along the lake.

Lands and Survey Rangers presently see to the public rubbish containers.

- 2.17.2.9 Ruatapu - this is almost exclusively residential. The forestry company has its own reticulated water supply. They also collect and dispose of rubbish and maintain a community hall.

The Council has no immediate plans for provisions of any services.

- 2.17.2.10 Ross - Ross has a communal water supply, Volunteer Fire Brigade, Domain and Community Hall. The streets are generally adequate for present needs but an upgrading programme would

be required in the event of expansion. A Council maintained rubbish tip is available.

There are not serious flooding problems in Ross.

Septic tanks appear to work reasonably efficiently and it is assumed that some of the effluents escape into the deep network of mining tunnels.

Although there are no immediate plans for provision of sewerage it would be considered if expansion took place.

- 2.17.2.11 Harihari - a water supply serves the whole town. there is a Volunteer Fire Brigade, Domain and Community Hall. Council maintains a communal rubbish tip.

As yet there is no internal roading in Harihari. Any indepth subdivisional roading will be built to proper residential standards.

Traditional flooding has been eliminated with a good surface drainage system.

Septic tanks are not entirely satisfactory because of the high water table. The town would benefit from a sewerage system, but it is doubtful if it would be economically feasible in such a dispersed area without outside financial assistance or a sudden population increase.

- 2.17.2.12 Whataroa - has a water supply, a Community Hall, a fine large Domain and a Council rubbish tip.

The central Westland Police Station is in the town as well as the resident Doctor and Community Hospital.

There are no flooding problems and septic tanks work efficiently in the coarse gravel subsoil. Provision of a sewerage system would not be envisaged at present.

- 2.17.2.13 Franz Josef Glacier - the town is served by the Tourist Hotel Corporation water supply for which the County Council pays a fee. The confined nature of the town and the heavy population have given rise to real problems with the disposal of effluent. A sewerage system has been installed, with a connection to the tourist hotel.

There is a Council maintained rubbish tip, and a Community Hall. The National Park Headquarters building provides an additional recreational facility catering particularly for the needs of the tourist.

As the land available for expansion is owned by the Crown, the Council will ensure as far as possible that any internal roading will be of an adequate, appropriate standard for urban development.

- 2.17.2.14 Fox Glacier - has a good water supply and a sewerage system. There are no stormwater problems, there is a local Volunteer Fire Brigade and a Council maintained rubbish tip.

Internal roading is fairly well up to a standard and future roading will be similarly controlled.

A fine Community Centre Hall and National Park sub-headquarters provides for the recreational needs of both locals and tourists.

The town has lacked a publicly owned recreational area. Land has been designated in the scheme for this purpose.

Law enforcement is a problem, particularly with the influx of tourists in the holiday season. The area is too remote to permit law enforcement from other centres. The Council would strongly press for a resident policeman at least seasonally at Fox Glacier to control activities in the two Glacier towns.

- 2.17.2.15 Haast - this town presented a rare planning opportunity since it was completely new. Development at the township was a Government directed exercise. The responsibility for permanent maintenance and upkeep has been transferred to the County. The township is serviced with water reticulation and a sewerage system.

- 2.17.2.16 Haast Camp - No services are intended to be provided or maintained by the Council. The site has been zoned as rural.

- 2.17.2.17 Carters Mill - Council subdivisional requirements, prior to the disposal of houses and vacant lots owned by the milling company, have meant that the subdivision is now substantially serviced.

The settlement has been kerbed and channelled, provision made for sewerage disposal by way of septic tanks, stormwater disposal, water supply and electrical reticulation.

2.17.2.18 Okuru and Neils Beach Resorts - Council will keep a close watch on these and, in the event of further expansion, consideration will be given to limited servicing appropriate to prevailing conditions and intended size.

2.17.2.19 Okarito - Existing servicing is confined to roading. Council has no proposals for the provision of further services. Development will be restricted by the ability to dispose of effluent. Larger section sizes will be required.

2.17.3 DESIGNATIONS

Apart from those public utilities listed in Ordinance 1.9, land affected by an existing or proposed public work within the meaning of the Public Works Act 1981, has been designated or is deemed to have been designated in this scheme. The implications of designation are explained in Ordinance 6.

Where the designated land is within an existing town boundary, the designated purpose has been indicated on the planning map. The underlying zoning is shown by appropriate zone borders. Otherwise, the general location of the public zone has been shown on the base map by an appropriate notation and a description included in Appendix E to the scheme. The underlying zoning for such area is rural.

2.17.3.f Designations for Hydro-Electric Power Purposes

Where appropriate, designations for either New Zealand Electricity Department or West Coast Electric Power Board purposes are intended to apply not only to buildings and their sites but also to all those works essential to the generating of electricity. They therefore include power stations, dams, penstocks, spillways and water races.

The general location of West Coast Electric Power Board power stations is indicated on the Base Maps. In addition, these are listed in Appendix E to the scheme. Depots and substations, where located within an existing town boundary are designated on the appropriate map. Otherwise, their general location is indicated on the Base Maps and description included in Appendix E.

2.18 AMENITIES

2.18.1 POLICY

To promote and safeguard the amenities of every part of the County.

2.18.2 EXPLANATION

2.18.2.1 Objects and Places of Historical or Scientific Interest or Natural Beauty

Council's aim is to encourage the preservation and maintenance of such objects and places.

The following have been listed in Appendix F to the scheme in recognition of the contribution which they make to the historical, scientific and natural heritage of the County:-

- Monuments and plaques recording events, sites or persons of particular significance in the development of the County.
- Objects, plaques or persons of historical note where council recommends some form of visual commemoration.
- Pioneer cemeteries.
- Historic sites within the County as recorded by the New Zealand Historic Places Trust.

2.18.2.2 Buildings of Historic or Architectural Interest

A number of buildings have been listed in Appendix G as being worthy of recording because of their historic or architectural interest. Where a buildings has been so recorded, written notice shall be given to the Council prior to demolition or any other alteration or change to the building that would affect its historic character. Refer Ordinance 8.

2.18.2.3 Advertising

The display of advertising matter will be controlled in accordance with the provisions of Ordinance 8.4.

2.18.2.4 The Design, Siting and Maintenance of Buildings

All buildings and land shall be designed, sited, constructed and maintained so as not to detract from the scenic character and amenities of the County. In particular, special conditions will be imposed in the town of Franz Josef Glacier, Fox Glacier and Haast for visual control appropriate to these highly scenic areas.

2.18.2.5 Scenic Qualities

Scenic qualities are dealt with more specifically in Part 2.11 of this scheme statement.

2.18.2.6 Trees for Amenity Purposes

Forest Service expertise is available to the County regarding the use of trees for amenity purposes, street beautification, landscape screening and the management of indigenous and exotic forest aesthetic value.

2.18.2.7 Noise

Protection from excessive noise is generally achieved through segregation of potentially incompatible land uses. However, noise performance standards have been adopted for the industrial zones and as a control on home occupations. Such standards afford increased protection to adjoining uses, particularly residential uses, as well as greater flexibility in the location of potentially objectionable activities.

2.19 COMMUNICATIONS AND TRANSPORT

2.19.1 GENERAL

The County, by its very nature and location, is poorly served by transport and communication links. State Highway 6 and 73 provide through access with a spacing of some 240 kilometres between Arthurs Pass and Haast Pass. It is essential that these be maintained as Class 1 Highways. The bottom quarter of the County is entirely inaccessible.

Rail, sea and air communications are limited and localised.

2.19.2 RAIL

The Council will exercise what powers it has to retain the present railway system, a policy which is supported by the West Coast United Council. In particular, it stresses the importance of at least some commitment by the Railways Department to the planning process to avoid a repetition of the surprise announcement regarding the closure of the Hokitika-Ross line.

Use of the Railway network has declined in recent years with the change to road transport for passenger services and the winding down of the milling industry. However, vast quantities of raw materials have been carried out of the County on this system in the past and there is no reason to suggest that this will not happen again, particularly with the looming energy crisis and the undoubted development capacity of the County. The Railway also provides the only all weather transport outlet.

Buildings, tracks and rolling stock are currently run down. The Railways Department faces an extensive capital outlay, with the pending replacement of several major bridges and of decadent buildings. The future of the line is therefore very much a central political decision.

2.19.3 SEA

The shipping of general cargo through Jacksons Bay has now ceased, the port being used almost exclusively as a fishing wharf. Jacksons Bay handles a small, but increasing, volume of wetfish, and Council maintains a jetty for this purpose.

In the event of large scale mining in South Westland, Jacksons Bay is a likely place for harbour development notwithstanding difficulty of road access and lack of shore space.

2.19.4 AIR

Only Hokitika is served by a nationwide scheduled air services. Facilities, including a new airport terminal, are good and capable of expansion. The airport site, on the terrace about Hokitika, is ideal.

The Airport Authority is a joint County-Borough body.

Haast has a sizeable aerodrome with metalled runways and is much less used since the opening of Highway 6. However, it is there and has potential for use by quite large aircraft if needed.

There are many smaller landing fields throughout the County.

There is abundant flat land handy to the Glaciers if large tourist commercial flights were ever introduced, such as to Mount Cook. The Council sees this as possible if the full tourist potential of the Glaciers is ever realised.

2.19.5 ROADING

The State Highway network comprising State Highway 6 and 73 is the County's artery and the maintenance of both links is seen as vital to the future well-being of the County.

The State Highway 73 route to Christchurch via Otira Gorge and Arthurs Pass, traverses Arthurs Pass National park and has been subject to very strong environmental pressure. The road is very vulnerable to erosion and major works could be required in the foreseeable future. It is essential that the work required to maintain State Highway 73 at its present standard can proceed without obstruction. The Lewis Pass route to Canterbury is not regarded as an acceptable alternative particularly in view of the extra distance and fuel costs involved.

Council's own district roading system is extensive, leading off the State Highways and providing access to almost every valley, farming and forested area, north of Jacksons Bay. Where usage is high, County roads are generally of a high standard.

2.19.6 ROADING POLICIES

- 2.19.6.1 To maintain the efficiency of the State Highways by controlling all accesses so that interruption to Highway traffic is minimised.
- 2.19.6.2 To discourage uses that generate high traffic levels such as commercial or industrial activity or facilities oriented towards tourism, from locating along the State Highways.

Explanation

Where this is not possible because of the existing pattern of development, policies will be directed towards ensuring that there is a minimum spread along the Highways, that intersections are kept efficient and that, where practicable, alternative access from other roads or service lanes is provided.

- 2.19.6.3 Where the primary function of roads is to provide access to adjoining properties, to ensure that local convenience and environmental considerations are given precedence over the requirements of through traffic.

2.19.6.4 Roads shall be laid out to standards of width, alignment and grade appropriate to the topographical condition and the service they are intended to provide.

2.19.6.5 To provide service lanes to commercial and industrial properties wherever possible so as to minimise inconvenience to pedestrians and through traffic.

Explanation

The aim is to provide an alternative to parking and loading of bulk goods from the street.

2.19.6.6 To investigate the possibility of using forestry roading as an alternative to the existing State Highways.

Explanation

Interdepartmental planning between Works and Forestry is required and Council will encourage this logical places for this to apply would be Mt Hercules, the Weekdays and Paringa-Haast.

2.19.6.7 To oppose the concept of Limited Access to State Highways 6 and 73.

Explanation

Limited Access is seen as a costly cumbersome legal process and is not considered to be warranted in the Westland context. Traffic densities on the State Highways are low by National standards and are expected to remain so. Access to the State Highways is both a necessity and a legal right. Westland needs tourism and it is desirable that all development be oriented towards State Highways. As an alternative to the Limited Access concept, where necessary Council will impose conditions for widening, with entry and exit lanes, so as to minimise any loss of efficiency of the Highway.

2.19.6.8 To seek Government recognition of all surveyed track routes or through routes by custom and usage, as legal thoroughfares.

Explanation

This policy refers particularly to the Jackson Bay-Hollyford area. Council believes that such routes, having been opened up with public money must not be allowed to disappear but

should be upgraded at least to "backblock" standard.

2.19.7 FUTURE COUNTY ROADING PROPOSALS

The following area not listed in order of priority and are separate from Forestry proposals.

In some cases access already exists but cannot be considered as legally or technically satisfactory.

1. Wainihinihi - Arahura via the Landsburg.
2. Arahura Valley Humphries to Mill Town.
3. Kokatahi-Kowhitirangi via Styx-Kokatahi and Toaroha bridges to Doughboy Road.
4. Doughboy Road to Ross Road via Hokitika Gorge, Doctors Creek, Falls Creek.
5. Upper Kakapotahi to Happy Valley.
6. Completion of the Jackson River Road to Cascade Valley.
7. Linking Cascade Valley to the Lower Hollyford and thus eventually providing a Southern Link to the National roading system. This is considered a matter of National importance in the interest of Tourism, Land Development, Forestry and Mining.
8. Various access roads to the coastline and beaches, where warranted or required.

2.19.8 FORESTRY ROADING LINKS

The following forestry roading links are suggested for consideration. These are in addition to the general long term provision of access into exotic forest areas and sustained yield indigenous areas:-

1. Poerua to Whataroa via the Old Main South Road.
2. Moeraki to Waitaha via the Old Cattle Track.

2.19.9 STATE HIGHWAY DEVIATIONS

The following sizeable works are suggested for consideration and planning.

1. Dillmanstown-Kumara realignment Highway 73. This is currently being investigated by Ministry of Works and Development.
2. Taramakau Bridge-Kumara Junction deviation, Highway 6.

3. Arahura-Greyhound-Kaihinu deviation.
4. Hokitika East to Kaniere Bridge deviation.
5. Kaniere Bridge-Ruatapu to Mikonui Bridge deviation via coastal route.
6. Whataroa South deviation (heavy traffic by-pass only).
7. Potters Creek-Tatare Creek deviation via Waiho Loop.
8. Franz Josef Glacier deviation, Hotel to Canavans Knob.

The suggested deviations, listed 1-5 above, are considered to be particularly important. A clear policy, irrespective of timing would be a logical objective and a great local help.

2.19.10 TOURIST ROADING

Given that the concept of a "Tourist Park" might be acceptable as suggested in 2.8.6, the following roading projects are listed for investigation and possible establishment on a toll basis.

1. Copland Valley to Welcome Flat.
2. High level all weather roading for Glacier access to about 1200m level where moderate sized cable cars would lift visitors onto the glacier neve.

2.20 WATER AND SOIL CONSERVATION

2.20.1 POLICY

To support and promote public awareness of the work of the Westland Catchment Board in its efforts to protect water and soil values on erosion prone land.

To prevent unwise land use by controlling development in areas susceptible to flooding and erosion.

2.20.2 EXPLANATION

There are large areas in the County, generally in the high country, where water and soil values are paramount. Most falls within the Class VII and Class VIII land use capability classifications. The importance of sound water and soil management principles is recognised by Council. Responsibility for the implementation of such principles rests with the Westland Catchment Board which has both the technical knowledge and the ability to enforce its requirements by way of procedures available under its own operating legislation.

Attention is drawn however to the requirements of a public notice issued by the Westland Catchment Board in accordance with Section 34 of the Soil and Conservation and Rivers Control Amendment Act 1959. It states that "the cutting, felling, burning, destroying or clearing of scrub, trees, or undergrowth or the removal of timber from land or the formation of roads, tracks or landings are practices likely to facilitate soil erosion or floods or cause deposits in water courses. The Board declares that no person shall engage in any of the foregoing practices without the written consent of the Board".

Development may need to be controlled along the County's coastline, much of which is subject to moderate to extreme erosion. An adequate width of land should be maintained between any development and the beach to provide for both short and long-term fluctuations in the shoreline. In places, the width of the strip may need to be up to 350 metres landward of the seaward limit of land vegetation. Because of the variation in erosion rates along the coast, it is not possible to impose a uniform building line restriction for the entire coastline. However, Council retains a discretionary control over building in areas susceptible to erosion, landslip and flooding. This is provided for in Ordinance 5.1.2.



BRENT TADLWE
in W. Virginia

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PART 3

CODE OF ORDINANCES

COMPRISING ORDINANCES FOR THE ADMINISTRATION

AND IMPLEMENTATION OF THE DISTRICT SCHEME

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P A R T 3

C O D E O F O R D I N A N C E S

3.1 ORDINANCE 1 - INTRODUCTORY

3.1.1 CLAUSE 1 - DOCUMENTS COMPRISING DISTRICT SCHEME

This Code of Ordinances, together with the Scheme Statement and the District Planning Maps comprise the Westland County District Planning Scheme (hereinafter called the District Scheme or Scheme) as required by Section 36 of the Town and Country Planning Regulations 1978.

3.1.2 CLAUSE 2 - 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 Appendix C hereto.

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 on 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 location of zone boundaries in the case of any errors or omissions.

3.1.3 CLAUSE 3 - RELATIONSHIP OF CODES TO BY-LAWS

The provision of this Code shall have effect, notwithstanding any by-law for the time being in force in the district, and where the provisions of this Code are inconsistent with the provisions of any by-laws, the provisions of this Code shall prevail.

3.1.4 CLAUSE 4 - GENERAL OBLIGATION

Subject to the provisions of the Act and all Regulations made thereunder and the Clause 5 of Ordinance 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 or permit any new work or any reconstruction alteration or modification of any existing work if the use, new work, reconstruction, alteration or modification does not conform with the Scheme, or does not comply in all respects with the terms of any consent or would tend to prevent or delay the effective operation of the Scheme.

3.1.5 CLAUSE 5 - APPLICATION OF REQUIREMENTS WHERE USES OR AREAS CHANGE

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

3.1.6 CLAUSE 6 - APPLICATIONS FOR PERMITS OR APPROVALS

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

1. Supply such drawings and information in detail as may be necessary to indicate that the proposed building or other work will, when erected or carried out, comply in all respects with this Scheme in particular, that the prescribed provisions related to density, siting of buildings including yards, coverage, height and outdoor living areas and off street parking, loading and access for motor vehicles has been complied with.
2. Supply where the application is for an approval for subdivision, a scheme plan of subdivision, prepared by a Registered Surveyor and indicating such details as required by Ordinance 4.1.

3. Supply a legal description of the land concerned, the names of the owner or owners, and a copy of the certificate of title. In cases where the application is not made by the owner or on his or her behalf, a statement that the applicant has a legal option to purchase the land must be supplied.

3.1.7

CLAUSE 7 - SERVICING OF NOTICES

Where any notice is required by this Code to be served on any person or body, the provisions of Section 174 of the Town and Country Planning Act 1977 and Amendments shall apply.

Section 174 (1) and (2) of the Act states:-

1. A notice required by this Act to be served on any person or body may be sent by post in a letter addressed to that person or body at the last known place of abode or business of that person or body and where it is so sent it shall be deemed to have been given at the time at which the letter would have been delivered in the ordinary course of post.
2. If any person on whom a notice is required by this act to be served is absent from New Zealand or if his address is unknown, the notice may be sent to his agent and, if he has no known agent, the notice shall be published in a newspaper circulating in the district.

3.1.8 CLAUSE 8 - DISPENSATING POWER OF THE COUNCIL

3.1.8.1 Scheme Provisions Subject to Dispensations and Waivers

The County may resolve to grant an application for dispensation wholly, or partly, from, or waiver of, any provision of the District Scheme relating to:-

- i) The subdivision of land permitted to be used for any urban purpose.
- ii) The height, bulk and location of buildings permitted on site.
- iii) The provision of parking and loading spaces.
- iv) The design and appearance of buildings and signs and the provision, design and appearance of verandahs.

- v) Landscaping.
- vi) Such other matters as may be specified in that behalf by any regulation in force under the Act.

3.1.8.2 Circumstances in which Consent May be Granted

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

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

3.1.8.3 Consideration of Dispensation or Waiver Applications

In considering a particular dispensation or waiver application, in addition to the above criteria, Council will also have regard to the relevant policies and ordinances of its District Scheme and to such of the following matters as are appropriate:-

- whether the particular provision can be met in other ways.
- whether the terrain is irregular or the site(s) is narrow, small, irregular or of unusual shape.
- whether adjoining uses require the degree of protection provided by the District Scheme.
- whether the scale, extent or range of the development or use is unusually small or insignificant.
- whether existing buildings or additions are involved.
- whether the use of the site, or of adjoining sites, is non-conforming or unusual.
- whether there are legal constraints eg easements, covenants etc.
- whether 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.

3.1.8.4 Specific Matters to be Considered

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

i) Site Area and Frontage

Council may grant an application for a dispensation provided it is satisfied that a useful, servicable subdivision will be created. Relevant factors for consideration include:-

- the suitability of the proposed lot in terms of the intended future use.
- the existing pattern of subdivision in the area.
- the existing network or services.
- in the case of access strips, whether or not it is practical to enforce minimum width standards, having regard to the nature of existing, and proposed, uses.

ii) Height, Bulk and Location of Buildings

- where the usefulness of the site for productive or building purposes would otherwise be diminished.
- whether the average distance from the building to the boundary is not less than the normal scheme requirement.

iii) Provision of Parking and Loading Spaces

- the number of persons likely to be resident, employed or accommodated on the site.
- 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 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 the site makes provision for the required spaces difficult, or impossible (taking into account reasonable building requirements).
- whether it is possible to construct a public parking space for the joint use of two or more developers where the parking demand of one or more of the developers occurs at a different time of day from that of the remaining developers.

iv) Signs

- the impact on traffic safety or traffic control.
- the impact on the amenities of any land or property, including both individual properties and the neighbourhood generally.

v) Provision of Verandahs

- the likely volume of pedestrians.
- the proximity of accessways.

3.1.8.5 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>
i) Urban Subdivision Except that:-	not greater than 20% of the particular standard
a) For the creation of separate titles in residential zones, where buildings are already erected, the maximum dispensation permitted shall be not greater than 5% - refer ordinance 4.11.5 Page 44.	
b) For "special case" subdivisions in residential zones a dispensation or waiver will only be permitted when the subdivision is marginal in which case the minimum areas may be reduced by an amount not exceeding 5%.	
ii) X , site coverage, the area of buildings	not greater than 20% of the particular standard
iii) Yards	not greater than 50% of particular stand- ard. Except that, in no case shall a yard in Commercial or In- dustrial zoned land adjoining residen- tial land be less than 1.5m.
iv) Parking and loading spaces	a 100% reduction in minimum standard.
v) Signs	not greater than 30% of the permitted size.
vi) Verandahs	a 100% reduction in minimum standard.

3.1.8.6 Type of Application

The Council shall not exercise its powers of dispensation and waiver by way of non-notified application unless written consent of every body or person whose interests, might in the Council's opinion, be prejudiced by the proposed dispensation, or waiver, has been lodged with the Council unless, in the Council's 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 Council's powers in respect of dispensation or waivers may be exercised only on a notified application.

3.1.9. **CLAUSE 9 - PUBLIC UTILITIES IN RELATION TO ZONING**

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

3.1.9.2 Every public utility that is provided for in Sub-section (1) of Section 64 of the Act shall be deemed to be a predominant use in every zone and shall be subject to all rights of appeal by the Council to the Planning Tribunal against the location of the said public utility in accordance with the aforesaid section of the Act.

3.1.9.3 Before laying, erecting, constructing or executing any public utility referred to in paragraphs (a), (c), (d) and (h) of sub-section (1) of Section 64 of the Act, any local authority or other body responsible for the work shall advise the Council of its proposed location, provided however that this sub-clause shall not apply and no such notice shall be required in respect of works constructed in an emergency.

3.1.9.4 In addition, the following public utility works are uses permitted as of right in all zones provided they comply with the conditions set out in 3.1.9.5 below:-

- a) Electricity substation buildings.
- b) Waterworks, pumping stations and installations.
- c) Wastewater and stormwater pumping stations and installations.
- d) Telephone exchanges.

3.1.9.5 Conditions relating to public utility works.

a) Maximum Height

Buildings and other structures 7.5m.

b) Yards

As for the zone in which erected except that where required front yards and yards adjacent to residential buildings or zones

are to be landscaped and planted to the satisfaction of Council.

c) Access and Loading

Space may be required depending on the nature of the installation and parking spaces may be required for any persons employed on the site.

d) Appearance

No building or structure shall detract from the amenities of the neighbourhood in which it is sited.

3.2 ORDINANCE 2 - USE OF LAND AND BUILDINGS

3.2.1 CLAUSE 1 - CONTROL OF USES

3.2.1.1 Authorised

Any land or any building thereon may be 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.

3.2.1.2 Not Expressly Mentioned

Any use not expressly mentioned in the District Scheme that falls naturally within a general class of uses authorised in respect of any zone, shall be deemed to be included in that class as if it had been expressly authorised.

3.2.2 CLAUSE 2 - REGULATION AND PROCEDURE IN RESPECT OF USES

3.2.2.1 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 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; any use which does not meet every requirement shall constitute a conditional use, except where otherwise specified in the Code of Ordinances.

"3.2.2A Controlled Uses

Explanation

Controlled uses are provided for under Sections 36(5) and 36(5A) of the Act. Applications for a controlled use must be made on the appropriate forms available from the council and each application will be assessed by an officer of the council acting under delegated authority having regard to the policies and objectives set out in this district scheme, the Act, and the criteria set out below. Controlled uses are not notified.

The applicant may, in accordance with the provisions of the Act have any decision of an officer reviewed by the council. Any application for a controlled use which in the council's opinion (or in the opinion of an officer acting under delegated authority) does not satisfy the criteria for a controlled use, may if the applicant requests, be dealt with as a notified conditional use application.

1. New dwelling houses on existing sites for rural-residential uses.

Subject to:

- a. The site must have been held in a separate certificate of title by an owner who on 1 January 1990 was not also the owner of any adjoining site, ("adjoining site" includes land across any road).

Explanation: In the rural zone council's general policy is to encourage the land to be used productively. Rural-residential uses are appropriate where because of land ownership and subdivision patterns it is difficult to consolidate land into large parcels. The council will discourage any attempt to sell one or more titles from an existing farm where to do so would make the farm uneconomic. Individual cases not complying with this requirement can be considered on their merits as a conditional use.

- b. The site is suitable for the use proposed having regard to earthquake faults, and liability to flooding, erosion, and landslip.
- c. The land is suitable for the disposal of effluent within the boundaries of the site without causing or being likely to cause nuisance conditions or pollution to any drain or natural water course.
- d. * The site has frontage to an existing formed legal road and the proposal will not cause a demand for the uneconomic extension or upgrading of roading or other public services.
- e. The applicant must submit to the council a written, signed statement clearly stating:
 - (i) that the applicant intends to permanently reside in the house on a year round basis; and
 - (ii) the proposed use(s) to which the land will be put.

NOTE: Persons living or intending to live in the rural zone cannot expect, and the council will not provide an urban standard of services. Rural dwellers must expect to be self-sufficient in water supply and effluent disposal. Rural standard roading, without footpaths, is the normal standard. (See policy 2.10.3.4).

CRITERIA FOR ALL CONTROLLED USES

In an area of great scenic beauty such as Westland where tourism is a major part of the local economy it is important that those scenic qualities are not spoilt by insensitive development.

Whilst it does not wish to impose mandatory requirements on essentially subjective matters such as the design and external appearance of buildings, and landscaping, the council does intend to carefully consider and if necessary request changes to controlled uses to ensure that they blend into and are in harmony with the environment.

All applications for controlled uses shall include plans and information sufficient to show:

- (i) proposed layout of buildings, structures and development;
- (ii) floor plans and elevations of proposed buildings;
- (iii) landscaping proposals.
- (iv) relationship to all adjoining roads and existing and proposed access points.

In considering all applications for controlled and conditional uses in the Rural 1 Zone the council will take into account:

1. Design and Appearance

Where possible buildings should be located, designed, and be of colours and materials which are not out of character in the landscape.

Whilst there is room for individual initiative, bold, garish, visually obtrusive siting, design, and colours are not encouraged particularly if they will be visible from major tourist routes such as State Highway 6.

Controlled uses for tourist related activities should, in particular, be carefully landscaped. The landscape design and planting should aim to soften and merge buildings and development to the site and in the landscape.

2. Vehicle Access

Where the site has access to a state highway the following provisions shall apply. In other cases the provisions shall be used as a guide.

(a) Access Driveway Dimensions

Access driveway dimensions to be 4.0m wide with 9.0m internal radius curves.

(b) Distance of Access from Intersections

No driveway to any property shall be sited closer to any intersection than 60 metres in any rural zone (measured from the legal boundary of the other road). Access on the side road shall be 30 metres from the state highway boundary.

(c) Safe Stopping Distances

The location of vehicle access points must also take account of bad visibility features in the existing road alignments (eg: humps, bends).

The table below gives the safe stopping distances for various road traffic speeds. Developers shall be required to locate vehicle access points beyond these distances from bad visibility features on the road alignment.

On state highways, where traffic volumes and speeds are greater, an additional margin for safety is required: compliance with the distance in column C is necessary.

A SPEED LIMIT	B SITE DISTANCE (ALL ROADS)	C SITE DISTANCE (STATE HIGHWAYS)
50 km/hr	60 m	100 m
70 km/hr	95 m	140 m
100 km/hr	160 m	200 m

Visibility shall be determined according to the following: An object 600mm high located at the centre line of the carriageway opposite the proposed vehicle crossing should be visible from the drivers position (1.2 metres high) for the full length of the safe stopping distance, from both directions.

(d) Reduction in Standards

Notwithstanding (a) above, council, may, upon receiving a non-notified application, consent to a reduction in the minimum distance between an intersection and access point if it is of the opinion that:

- (i) the expected traffic generation is so small as to have no significant effect on the safety or efficient operation of the road; and
- (ii) there are no other local traffic requirements which would preclude a reduction.

Where a reduction is requested and a state highway is involved the agreement of the Controlling Authority for state highways will be sought prior to consideration of the application. Should the Controlling Authority for state highways refuse to agree to the reduction, the application shall be notified as an application for conditional use.

3.2.2.2 Conditional Uses

Subject to the provisions of these Ordinances the use of any land or building for any 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, restrictions and prohibitions as to location, height, yards, positions of buildings on sites, coverages, drainage, disposal of effluents and preservation of amenities as are stipulated in the Ordinance relating to the zone, and to such special conditions, restrictions and prohibitions (whether in respect of the same matters or other matters) as the Council may think fit to impose.

3.2.2.3 Procedure in Respect of Conditional Uses

The procedure for application for Conditional Uses and for objections thereto is set out in Section 72 of the Act and Regulation 37 of the Town and Country Planning Regulations 1978.

3.2.2.4 Period of Consent

Any consent given under Section 72 of the Act shall lapse after the expiration of a period of two years from the date when the consent was given, unless the applicant, within that period has established the use of the land or buildings to which the consent was given or, in the opinion of the Council, is continuing to make substantial progress towards establishing that use.

3.2.2.5 Appeals in Respect of Conditional Uses

Rights of Appeal by the applicant or any objector against the Council's refusal of any consent or the granting of consent subject to conditions, restrictions or prohibitions are provided under Section 69 of the Act.

3.2.2.6 Performance Standards

In this Code, every use and building listed as permitted within each zone, is permitted subject to compliance with the performance standards set out for that zone.

3.2.2.7 Controlled Uses

A controlled use in terms of this scheme is a use falling within the provisions of Section 36(4)(b) of the Act. Such a use is permitted as of right, but, because of controls and powers reserving

discretions specified in the scheme, requires Council approval. Controlled uses may be approved on application made without notice.

In considering any application for a controlled use, Council may, at its discretion, grant or refuse its consent having regard to the extent to which the application would serve to achieve the objectives and policies relating to the design and appearance of buildings and site layout.

3.2.3

CLAUSE 3 - OBJECTIONABLE CAUSES

Where there is a use of any land or building which, in the opinion of the Council, has one or more objectionable elements, whether of noise, smoke, smell, vibration, dust, glare, or other noxiousness or danger or detraction from amenities, Council may, subject to the provisions of the Act, require the abatement or removal of the objectionable element or elements.

3.2.4

CLAUSE 4 - DENSITY CONTROL FOR HOLIDAY ACCOMMODATION

These controls apply to all parts of the County.

Where sewer drainage is available the number of persons who may be accommodated on a site shall be determined by the restrictions for height, bulk and location as specified in the appropriate clauses of Ordinance 3.

Where sewer drainage is not available the number of persons who may be accommodated on a site shall be determined by the Council having regard to the disposal of effluents, the avoidance of overcrowding, the preservation of the amenities and any other relevant facts. In no case shall the density exceed that which would be attainable if sewerage was available.

3.3.

ORDINANCE 3 - ZONING

3.3.1

CLAUSE 1 - SUMMARY OF ZONE TYPES AND LOCATIONS

3.3.1.1

Rural 1 Zone

All of the County now otherwise zoned, with the exception of National Parks administered under the National Parks Act 1980.

3.3.1.2

Rural 2 Zone

This is basically deferred residential south east of Hokitika Borough partly bounded by Pine Tree

Road, Hokitika River and north westwards to, and including, RS 1087.

3.3.1.3 Residential 1 Zone

The settlements at Otira, Kumara Junction, Kokatahi, Ruatapu, Arahura, Carters Mill.

3.3.1.4 Residential 2 Zone

The established settlements of Kumara, Kaniere, Ross, Harihari and Whataroa, within which there will be established a commercially oriented Service Zone.

3.3.1.5 Residential 3 Zone

The tourist oriented settlements of Franz Josef Glacier, Fox Glacier and Haast, within which there will be commercially oriented Service zone.

3.3.1.6 Residential 4 Zone

Low density residential area to the north of Hokitika Borough.

3.3.1.7 Residential 5 Zone

This is provided for present urban expansion of Hokitika. The bulk of the area zoned lies to the east of the town. A small area adjoins the Borough's northern boundaries.

3.3.1.8 Service 1 Zone

For commercial orientation of uses within the Residential 2 zones of Kumara, Kaniere, Ross, Harihari and Whataroa.

3.3.1.9 Service 2 Zone

For commercial orientation of uses within the Residential 3 zone of Franz Josef Glacier, Fox Glacier and Haast.

3.3.1.10 Industrial 1 Zone

Caters for a wide variety of industrial uses, subject to strict controls. Areas zoned are to the north and east of Hokitika Borough and in the new Haast Township.

3.3.1.11 Industrial 2 Zone

Provides for heavy industrial uses. No land has been zoned but two areas near Hokitika are

considered suitable:-

- a) At Three Mile, north of Hokitika to the north of Hou Hou Creek and east of Highway 6, and
- b) East of Hokitika, along Blue Spur, to the north of Russell Road.

3.3.1.12 Resort Zones

For the development of holiday homes and recreation. Presently recognised Resort Zones are at Lake Kaniere, Okarito, Okuru and Neils Beach. Areas for consideration as likely Resort zones in the future could be Jacksons, Upper Arahura Valley, Kakapotahi, Wanganui River Mouth, Gillespies Beach, Hunts Pleasant Flat outside the National Park, Saltwater Beach, Smoothwater, Barn Bay and Big Bay.

3.3.1.13 Deferred Urban Zone

To provide for the future expansion of the new Haast township.

3.3.2 CLAUSE 2 - RURAL 1 ZONE BEING ALL OF THE COUNTY NOT OTHERWISE ZONED

3.3.2.1 Purpose of Zone

The general purpose of this zone is to provide for the range of occupational ^{tourism} and recreational activities dependent on the rural environment while at the same time safeguarding good soils and the natural scenic character of the County.

3.3.2.2 Predominant Uses

1. Farming of any kind, with the exception of factory farming.
2. Protection and production forestry, farm woodlots and tree nurseries.
3. Reserves and wildlife refuges set apart under the Acts of Parliament listed in Appendix D subject to the following conditions:-
 - a) Where a proposed new reserve or refuge or significant extension to an existing reserve or refuge is not of regional or national significance, Council shall be formally notified by the proposing agency and

- b) Where any such proposal is considered to be of local significance, Council will require the proposing agency to supply sufficient details to enable it to assess the merits of the reservation and the opportunities foregone by its implementation.
- c) Where a proposed new reserve or refuge or major extension to an existing reserve or refuge, involving Crown Land, is of national or regional significance, it should first be evaluated through the Environmental Implementation procedures of Section One of the West Coast Regional Scheme.

4. Home occupations, the practice and teaching of arts and handicrafts and the sale of handicrafts manufactured on that site from that site.

Performance Standard

Any such use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802: 1977 are not exceeded at any boundary of the site.

<u>Day Time</u>	<u>Night Time</u>
0700 - 1800	1800 - 0700
50 dBA	40 dBA or the background noise plus 5 dBA, whichever is the greater.

5. Buildings accessory to buildings or to the use of land for any of the foregoing purposes, including dwellinghouses except in any position that would, or might, in the opinion of the Council, prejudice the health or safety of the occupiers of any dwellinghouse or detract from the amenities of the neighbourhood. The following provisos shall apply:

- a) only one dwellinghouse will be permitted per farm unit AS OF RIGHT. A second dwellinghouse will be permitted where it is required for the use of a person working on, and deriving his main income from, that unit. The maximum number of dwellinghouses permitted on any farm unit shall be two.
- b) In the siting of any such building, reference should be made to the provisos of Ordinance 5.1.2.

3.3.2.3

Conditional Uses

1. Rural industries such as butter factories, cheese factories, premises used for the manufacture of dried milk products, stockyards, saleyards and stock transport yards, or for any industry which is ancillary to farming of any kind, not being one of the industries listed in Appendix A hereto unless every objectionable noxious or dangerous element is removed to the satisfaction of the Council.

2. Timber mills, sawmills, timber processing and any undertaking which is ancillary to the forestry and timber industries, not being one of the industries listed in Appendix A hereto, unless every objectionable, noxious or dangerous element is removed to the satisfaction of the Council.

3. Depots, offices, and men's quarters, stock transporters and the storage or maintenance of heavy plant and machinery for undertakings engaged in the construction and maintenance of structures, quarrying or excavation. Factory farming, subject to the following performance standards.

Performance Standards

1. Pig Farming: the buildings, feedlots and areas associated with the keeping of pigs shall not detract from the amenities of any adjoining residences or public buildings.

2. Rabbit, Opossum and Fitch Farming:

2.1 All animals are to be kept in secure buildings or enclosures from which they cannot escape, or into which rodents or rabbits cannot enter.

2.2 Liquid and solid wastes are to be disposed of in such a way that no nuisance is created.

2.3 The disposal of dead stock on the site must be in accordance with the requirements of the Ministry of Agriculture and Fisheries.

2.4 The breeding and rearing of rabbits shall at all times be in accordance with the provisions of the Agricultural Pest (Exemption of Domestic Rabbits) Order 1980.

2.5 The premises for slaughtering and the operation hereof shall comply with such provisions of the Meat Hygiene Act 1964, the

Food Hygiene Regulations 1974, the Food and Drug Regulations 1973, and the Health Act 1956 as are appropriate in the particular circumstances.

4. Any industry, warehouse or storage facility, other than those provided for above, but excluding any such use which is listed in Appendix A. Providing that it can be shown, to the satisfaction of Council, that any objectionable elements relating to the use, including noise, smoke, vapour, steam, smell, fumes, vibration, dust and glare can be reduced to the extent that it would not detract from the welfare and convenience of the inhabitants, or the amenities of the neighbourhood.

6. Cemeteries and crematoria.

~~Use of the grounds.~~

6.5 Dwellinghouses and buildings accessory to dwellinghouses other than those provided for as predominant uses. Conditional use applications for the establishment of dwellinghouses shall conform to the relevant objectives and policies set out in 2.10.3 of the scheme statement. In particular, Council shall require to be satisfied that the proposed dwellinghouse(s)

- will be satisfactorily serviced in terms of water and power supply and sewerage disposal.
- will not be sited on land susceptible to erosion, subsidence or slippage or inundation arising from such erosion, subsidence or slippage.
- will be serviced by an appropriate standard of roading and will not require the uneconomic provision by Council of roading services.
- will not lead to any obstruction or other interference with the free flow of traffic on any State Highway or other arterial road.
- will not be sited on land having a high actual, or potential, value for the production of food.
- will be sited on the property in an unobtrusive manner so as not to detract from rural amenities.

"9 Tourist related activities and facilities:

- camping grounds; huts, cabins and accommodation associated with outdoor recreation; guest houses, and accommodation lodges and bases for hunting, fishing and scenic safaris;
- motels, excluding the sale of vehicle fuels;
- shops and restaurants whether in association with other uses or not;
- theme and wildlife parks, historical displays and museums;
- information centres;
- helicopter landing/take off areas and airstrips for commercial fare paying passenger operations.

In addition, where subdivision is involved this shall conform to the requirements of Ordinance 4.6.1.

Conditional use applications for the establishment of dwellinghouses should conform to the guidelines set out in 2.10.7 of the scheme statement.

7. The reconstruction or replacement of, or alteration of addition to, any existing inhabitable dwellinghouse, where the Council is satisfied that the dwellinghouse has been historically and continuously occupied and that bonafide residential use existed at the time of public notification of the scheme.

9. ~~19. Hut sites for overnight shelter associated with outdoor recreation.~~
Tourist Accommodation Facilities.

10. Buildings accessory to buildings or to use of land for any of the foregoing purposes.

3.3.2.4

Conditions relating to conditional uses (apart from those provided for under Clause 3.2.3.6 of this Ordinance

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

1. * Conditional uses shall not be permitted on land having a high actual or potential value for the production of food.

2. The use of any land or buildings shall be permitted only where that use or building is unobtrusively sited and does not detract from the amenities of the neighbourhood, National Parks, Scenic Reserves of the coastline.

3. The use of any land or buildings shall be permitted only where the site is suitable for the proposed use having regard to earthquake fault lines, liability to flooding, erosion and landslips and to stability of foundations.

4. All tailings, sawdust, spoil, waste and effluent shall be so disposed of as to minimise damage to property or disfigurement to the country side.

5. The sites of excavations, heaps, dumps, spoil or other materials at any workings or plant which cause or are likely to cause damage to property or disfigurement to the country side shall be

progressively restored to a reasonably natural state by levelling or backfilling where possible and by the planting of grass or trees and, on completion of work, by removal of plant and buildings.

6. The use of any land or building shall not be permitted where that use would:-

- a) tend to promote closer settlement or,
- b) cause a possible demand for the extension of public services that is not in the economic interests of the district or locality.
- c) cause public services that already exist or are substantially committed in the district or locality to be uneconomically used or,
- d) lead to any obstruction or other interference with the free flow of traffic on any State Highway or other arterial road.

7. Where, in the opinion of the Council, any use is sited in an area of special natural beauty or scientific importance, it may require the developer to support his application with a detailed statement of the impact of the proposed use on the natural environment.

3.3.2.5

Siting of Buildings

1. Predominant Uses - The following shall be the minimum standards:-

	<u>Residential Buildings</u>	<u>Other Buildings</u>
Maximum Height	10m	20m
Front Yard	10m	15m
Other Yards	3m	3m

- a) provided that no milking shed or pigsty shall be closer than 40m from any public road.
- b) provided that where the site adjoins a residential, resort or urban zone, all other yards shall be increased to 10m plus 1m for each 1m or part thereof of height of building over 10m.

Provided that no building for the housing of animals or birds shall be sited closer than 30m from any residential, resort or urban zone boundary.

2. Conditional Uses - The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards for predominant uses.

3.3.3

CLAUSE 3 - RESIDENTIAL 1 ZONE

3.3.3.1

Purpose of the Zone

The general purpose of this zone is to define an area around existing small settlements within the County, within which it shall be the Councils policy to concentrate uses of an urban character necessary to serve the local community, the surrounding rural area and the travelling public.

3.3.3.2

Location

Otira, Arahura, Kokatahi, Ruatapu, Kumara Junction and Carters Mill.

3.3.3.3

Predominant Uses

1. Detached houses.
2. Semi-detached and attached houses.
3. Apartments.
4. Professional offices (including veterinary surgeons, provided there is no boarding of animals), so long as the predominant use of the site as a whole is for residential purposes.
5. A building not exceeding 50msq 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 same site.
6. Recreation, scientific and historical grounds, sites and reserves.

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

7. Public and private hospitals, nursing homes, convalescent homes and homes for the aged.
8. Churches and places for public and private worship.

9. Schools and education establishments including residential buildings in connection with those uses.

10. Home occupations, the practice and teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that site.

Performance Standard

Any such use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802: 1977 are not exceeded at any boundary of the site:

Day Time

0700 - 1800
50 dBA

Night Time

1800 - 0700
40 dBA or the background noise plus 5 dBA whichever is the greater.

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

12. Buildings accessory to the use of buildings or land for any predominant use.

3.3.3.4 Conditions Attached to Predominant Uses

The siting of all buildings must comply with the requirements of Ordinance 5.1.2.

3.3.3.5 Conditional Uses

Any other use not being a use within Appendix A or B to these Ordinance except that those uses within Appendix B may be permitted if it can be shown to the satisfaction of the Council, that any objectionable elements relating to the use can be reduced to the extent that it would not detract from the welfare, and convenience of the inhabitants and the amenities of the neighbourhood.

3.3.3.6 Conditions Relating to Conditional Uses

In considering applications for conditional uses, Council shall have regard to its policies for the development of urban settlements and in addition to many other requirements which may be made, the following provisions shall apply.

1. Any uses fronting onto a State Highway or other arterial road shall be so sited as to minimise any interruption to the free flow of traffic along such highways and roads and where possible shall have alternative access to other roads.

2. A site shall be suitable for the proposed use in terms of its shape and size, and where practicable, shall be located adjoining uses of a similar character.

3. Where immediately adjoining an existing residential house or unit, any proposed use shall be so designed and sited so as to minimise any nuisance to or detraction from the amenities of the residential houses or units.

3.3.3.7

Siting of Buildings

1. Predominant Uses - The following shall be the minimum standards:-

All uses	Maximum height	10m
	Maximum coverage	40%
Detached houses	front site front yard	5m
	side yards	1.5m & 3m
	rear yards	5m
	rear site yards	1x2m & 3x3m
Semi detached houses	front yard	5m
	side yard	3m
	rear yard	5m
Attached houses	front yard	5m
	rear yard	5m
Apartments	front site front yard	5m
	side yards	2m & 3m
	rear yards	5m
	rear site yards	1x2m & 3x3m
	Density 275msq of site area (excl, access strips) per household unit.	
Other uses	front, side & rear yards	5m

provided no yard shall be less than 1.5m plus two thirds of the building height above 4.5m.

2. Conditional Uses

The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as

Subject to:

In addition to the requirements set out in Ordinance 3.2 4 and applicable to all conditional uses in the Rural 1 Zone, the following requirements shall also apply to conditional use applications for tourist related activities:

1. The applicant is required to show why the proposal needs to locate in the Rural 1 Zone and why it cannot be located in any nearby service zone, resort zone or existing township.

Factors such as proximity to existing tourist attractions, outstanding natural or historical features on the site, convenience for tourists, and the need for the facility to be in a rural environment are all relevant considerations.

2. The design, appearance, landscaping and access criteria for controlled uses in the Rural 1 Zone, as applicable.
3. Where the site has frontage to State Highway 6 the road controlling authority (Transit New Zealand) will have the opportunity to comment. Generally:
 - a. All buildings and tourist activities should be sited at least 15 metres from the road boundary, provided that this set back may be reduced for information centres and displays.
 - b. Adequate car parking and vehicle manoeuvring area should be provided, including bus parking and turning as appropriate.
 - c. Access points should be sited as far as possible from bends and intersections. No access shall be provided to the state highway where access is available from an alternative formed road.

- d. Seal widening to accommodate slowing and accelerating vehicles may be required where the particular site characteristics and expected traffic generation warrants.
4. Applications for helicopter landing/take off areas and airstrips for commercial fare paying passenger operations shall comply with the following:
 - a. The main flight routes, direction, expected times and frequency of operation, and type of aircraft shall be detailed in the application.
 - b. The proposed landing/take off area and/or airstrip shall be sited at least 400 metres from any existing dwelling or building used for human habitation or tourist related activity on any other site. The council may permit the landing/take off area and/or airstrip to be sited closer to any existing dwelling where the applicant is able to demonstrate that the aircraft to be used is not likely to produce a noise level exceeding 75 dBA SEL (Sound Exposure Level) measured at the location of any affected building. All measurements shall be in accordance with New Zealand Standard 6801. (The noise produced from each type of aircraft at certain distances is usually available from the manufacturer).

In approving any application for a helicopter landing/take off area or airstrip, the council may impose such conditions as it thinks fit including hours of regular use, direction and frequency of flights.

The applicant is required to obtain preliminary approval from the Ministry of Transport, Air Transport Division, prior to lodging the application.

5. All applications for conditional use consent shall be submitted with sufficient plans and details to show the siting, layout, design and proposed appearance of all existing and proposed buildings, structures, and signs; existing site features including significant vegetation and relationship to adjoining roads; proposed landscaping; and proposed vehicle parking, manoeuvring and access, including existing and proposed access points.
6. The council advises that it may be in the applicant's interests to consult with the Department of Conservation and the West Coast National Parks and Reserves Board where the proposed development is in close proximity to land for which a management plan exists.

for predominant uses. Where a conditional use adjoins an existing residential use, the minimum side or rear yard shall generally be 5m.

3.3.4 CLAUSE 4 - RESIDENTIAL 2 ZONE

3.3.4.1 Purpose of Zone

The general purpose of this zone is to provide for the residential needs of existing settlements and also for those community and service facilities which are compatible with residential uses and which are necessary to service the town in general, the surrounding rural areas and the travelling public. The residential zone may also define the outer boundary of settlements within which it shall be the Council's policy to concentrate uses of an urban character.

3.3.4.2 Location

Kumara, Kaniere, Ross, Harihari, Whataroa.

3.3.4.3 Predominant Uses

1. Detached houses.
2. Semi-detached and attached houses.
3. Apartments.
4. Professional offices (including veterinary surgeons, provided there is no boarding of animals), as long as the predominant use of the site as a whole is for residential purposes.
5. A building not exceeding 50msq of floor area situated on the same site with a residential building and used for the storage only of a plant and materials in connection with the business or employment of a person who is resident on the same site.
6. Recreation, scientific and historical grounds, sites and reserves.

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

7. Public and private hospitals, nursing homes, convalescent homes and homes for the aged.
8. Churches and places of public and private worship.

9. Schools and educational establishments including residential buildings in connection with those uses.

10. Home occupations, the practice and teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that site.

Performance Standard

Any such use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802: 1977 are not exceeded at any boundary of the site:-

<u>Day Time</u>	<u>Night Time</u>
0700 - 1800	1800 - 0700
50 dBA	40 dBA or the background noise plus 5 dBA, whichever is the greater

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

12. Buildings accessory to the use of buildings or land for any predominant use.

3.3.4.4 Conditions Attached to Predominant Uses

The siting of all buildings must comply with the requirements of Ordinance 5.1.2.

3.3.4.5 Conditional Uses

1. Boarding houses, lodging houses, private hotels, and residential clubs and any other residential use not permitted as a predominant use.

2. Hotels, taverns, motels and camping grounds.

3. Places of assembly, club rooms, gymnasium and training sheds.

4. Any light or service industry including warehousing and storage, but excluding any such use which is listed in Appendix A. Providing it can be shown, to the satisfaction of Council, that the use will not cause injury to, or prejudicially affect the amenity of, the locality by reason of the appearance of any building, works or material

by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, waste products or other objectionable element.

5. Buildings accessory to the use of land or buildings for any conditional use.

3.3.4.6 Siting of Buildings

1. Predominant Uses

The following shall be minimum standards:-

All uses	Maximum height	10m
	Maximum coverage	40%
Detached houses	front site front yard	5m
	side yard	1.5m & 3m
	rear yard	5m
	rear site yards	1x2m & 3x3m
Semi-detached houses	front yard	5m
	side yard	3m
	rear yard	5m
Attached houses	front yard	5m
	rear yard	5m
Apartments	front site front yard	5m
	side yards	2m & 3m
	rear yard	5m
	rear site yards	1x2m & 3x3m
	Density 275msq of site area (excl. access strips) per household unit.	
Other uses	front, side and rear yards	5m

Provided no yard shall be less than 1.5m plus two thirds of the building height above 4.5m.

2. Conditional Uses

The standard for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as for predominant uses.

3.3.5 CLAUSE 5 - RESIDENTIAL 3 ZONE

3.3.5.1 Purpose of Zone

The general purpose of this zone is to provide for the residential needs of the Franz, Fox and the new township of Haast and also for community and commercial facilities which are compatible with

residential uses and which are necessary to service the travelling public as well as the town in general and the surrounding rural areas. The residential zone also defines the outer boundary of the settlements within which it shall be the Council's policy to concentrate uses of an urban character. Because of the location of these townships, adjoining the National Park and areas of natural forest, special regard must be had to the protection of the visual amenities of these areas.

3.3.5.2 Location

Franz Josef Glacier, Fox Glacier, Haast.

3.3.5.3 Predominant Uses

1. Detached houses.
2. Semi-detached houses and attached houses.
3. Apartments.
4. Professional offices (including veterinary surgeons, provided there is no boarding of animals), as long as the predominant use of the site as a whole is for residential purposes.
5. A building not exceeding 50msq 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 same site.
6. Recreation, scientific and historical grounds, sites and reserves. Provided that no land or building shall be used for pleasure or entertainment purposes involving any operation detrimental to the amenities of the neighbourhood.
7. Public and private hospitals, nursing homes, convalescent homes and homes for the aged.
8. Churches and places of public and private worship.
9. Schools and educational establishments including residential buildings in connection with those uses.
10. Home occupations, the practice and teaching of arts and handicrafts and the sale of handicrafts manufactured on that site from that site.

Performance Standard

Any use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802: 1977 are not exceeded at any boundary of the site.

Day Time

Night Time

0700 - 1800
50 dBA

1800 - 0700
40 dBA or the background noise plus 5 dBA whichever is the greater.

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

12. Buildings accessory to the use of buildings or land for any predominant use.

3.3.5.4

Conditions Attached to Predominant Uses

1. All buildings shall be designed, sited and constructed as will best ensure their visual integration and compatibility with surrounding buildings and landscape features.

2. In terms of Ordinance 1 Council may refuse the issuing of building permits where in its opinion the objectives of 3.6.1 above have not been satisfied.

3. The siting of buildings must also comply with the requirements of Ordinance 5.1.2.

3.3.5.5

Conditional Uses

1. Boarding houses, lodging houses, private hotels and residential clubs and any other residential use not permitted as a predominant use.

2. Hotels, taverns, motels and camping grounds.

3. Places of assembly, club rooms, gymnasium and training sheds.

4. Buildings accessory to the use of the land or buildings for any conditional use.

3.3.5.6

Siting of Buildings

1. Predominant Uses

The following shall be the minimum standards -

mm

All uses	Maximum height	7m
	Maximum coverage	40%
Detached houses	front site front yard	5m
	side yards	1.5m & 3m
	rear yard	5m
	rear site yards	1x2m & 3x3m
Semi-detached houses	front yard	5m
	side yard	3m
	rear yard	5m
Attached houses	front yard	5m
	rear yard	5m
Apartments	front site front yard	5m
	side yards	2m & 3m
	rear yard	5m
	rear site yards	1x2m & 3x3m
	Density 275msq of site area (excl. access strips per household unit).	

Other uses front, side and rear yards 5m

Provided no yard shall be less than 1.5m plus two thirds of the building height above 4.5m.

2. Conditional Uses

The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as for predominant uses.

3.3.6 CLAUSE 6 - RESIDENTIAL 4 ZONE

3.3.6.1 Purpose of Zone

The purpose of this zone is to provide in a limited way for the future expansion of the Hokitika Borough. However, more importantly it is to provide an opportunity to develop alternative living style to that provided through normal density detached housing or higher density apartment developments by providing an area for very low density detached housing.

3.3.6.2 Location

That area of land north of Hokitika Borough adjoining and north of Westland Hospital and east of the Highway. It is comprised generally of Lot 5 DP 1819; Lots 1 to 4 DP 1818, Lots 1 to 4 DP 1603.

3.3.6.3 Predominant Use

1. Detached houses.
2. Professional offices as long as the predominant use of the site is for residential purposes.
3. Recreation, scientific and historical grounds, sites and reserves.
4. Farming of any kind expecting the housing or keeping animals in any building or enclosure within 30m of any residential building.
5. Building accessory to buildings and to land for any predominant use.
6. Home occupations, the practice and teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that site.

Performance Standard

Any such use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802: 1977 are not exceeded at any boundary of the site.

<u>Day Time</u>	<u>Night Time</u>
0700 - 1800	1800 - 0700
50 dBA	40 dBA or the background noise level plus 5 dBA whichever is greater.

3.3.6.4 Conditions Attached to Predominant Uses

1. No dwellinghouse shall be permitted within 150m of the boundary of the oxidation pond as shown on Planning Map 6.

This condition shall not apply to alterations to, or a reconstruction of, dwellinghouses lawfully established as at the operative date of this scheme where these activities lie outside S.90 and S.91 of the Act.

2. The siting of all buildings must comply with the requirements of Ordinance 5.1.2.

3.3.6.5 Conditional Uses

There shall be no conditional use in this zone.

3.3.6.6 Siting of Buildings

Predominant Uses - the following shall be the maximum standards:-

Maximum height		10m
Maximum coverage		15%
Front site	front yard	10m
	rear yard	10m
	side yard	5m & 10m
Rear site	yards	1x5m & 3x10m

3.3.7 CLAUSE 7 - RESIDENTIAL 5 ZONE

3.3.7.1 Purpose of Zone

The purpose of this zone is to provide for the future expansion of the Hokitika Borough towards Kanieri. The following Ordinances are similar to those adopted by the Borough.

3.3.7.2 Location

1. That area of land east of and adjoining Hokitika Borough bounded by Town Belt East, Highway 6, Hokitika River and east to and including Pt RS 1040.

2. That area of land immediately adjoining Town Belt North of Hokitika being the first section depth up to and excluding Pt RS 822 CT 3A/6.

3.3.7.3 Predominant Uses

1. Dwellinghouses.

2. Two or three residential units.

Note: where three new or two or more additional units are proposed for a site, Council will require that a development plan, in terms of Section 293 of the Local Government Act, be submitted.

3. Pre-school facilities, schools and educational establishments (including residential buildings in association therewith).

4. Places of assembly.

5. 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.

6. Professional offices incorporated in a dwelling unit provided that the principal use of the site is residential and that the professional activity is carried out wholly within a complying unit.

7. Parks, playgrounds and recreation grounds, provided that no use of land or buildings shall give rise to any objectionable element or involve any operation detrimental to the neighbourhood.

8. Home occupations accessory to dwellinghouses. Provided that the home occupation shall not give rise to any nuisance, danger or noxiousness (including offensive noise, vibration, smoke, dust, odours, heat or glare). For this purpose, home occupations shall be conducted as to ensure that noise levels measured at the boundary of adjoining properties zoned Residential shall not at any time exceed 10 dBA above measured background levels. Measuring of noise levels shall be carried out in accordance with the procedures outlined in N.Z.S. 6801 and 6802:1977.

The home occupation shall not cause an increase in traffic generation such that the amenities of nearby residents would be detrimentally affected.

9. Market gardens and nursery gardens.
Note: Market gardens, nursery gardens and accessory buildings shall comply with all relevant statutes and bylaws.

10. Garages or parking spaces to accommodate the private cars of nearby residents.

Provided that the form, materials and design of buildings shall be such as will harmonise with the landscape and other buildings in the neighbourhood.

11. Buildings accessory to any of the foregoing purposes.

3.3.7.4

Bulk and Location Requirements

1. Height Restrictions For Buildings other than Accessory Buildings: - no part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary.

The maximum permitted height is 9m.

For Accessory Buildings: - The height of any accessory building shall not exceed 3, when sited within 1m of the boundary or 3.5m when sited at a distance of 1m or greater from the the boundary.

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

- X - over 2m in height above the average ground level within 3m of any window of a habitable room of a dwelling.
- over 1m in height above the average ground level within 6m of a street corner smaller than 135 degrees.

2. Residential Density

Minimum site area for dwellinghouses is 400msq. Minimum site area for residential units shall be 300msq provided that the minimum site area for three units shall contain a square of minimum dimension of 20m. Maximum density: 80msq per person.

3. Coverage

The maximum coverage of the site, including accessory buildings, is 40%. For rear sites the access strip shall not be taken into account in calculating coverage.

4. On-site amenity for Residential Units

Where units are separated from one another, the minimum separation distance between facing walls of different units shall be:

- where a window of a main living area of one unit faces a window of a main living area of another unit 9m
- where a window of a main living area of one unit faces another unit 6m
- where units face each other without windows of main living areas 4m

5. Outdoor Space for Residential Units

Each unit shall have an outdoor living space with a minimum area of 30msq and a minimum dimension, in any direction, of 3m. Where practicable, the

space shall be accessible to the main living areas of the unit and be designed so as to receive midwinter sunshine.

6. Floor Area of Accessory Buildings

The maximum floor area of buildings accessory to dwellings (excluding swimming pools) shall be 80msq with no more than 50msq located in any one building.

For two and three unit apartments, the maximum floor area of accessory buildings (excluding garages, carport and outdoor swimming pools) shall not exceed 10msq.

Maximum floor area of family flat 35msq.

7. Protection of Views

No dwellinghouse shall be so sited, or be of such shape that, in the opinion of the Council, it needlessly obstructs the view from any other residential building if, by moving the building or modifying its shape, a satisfactory development is still possible. Any applicant who disagrees with a ruling made by Council under the provisions of this Ordinance has the right to appear before Council in support of a request for reconsideration.

The Ordinance does not provide adjacent residents with a right of objection.

8. Siting of Buildings

The siting of all buildings shall comply with the requirement of Ordinance 5.1.2.

3.3.7.5 Minimum Yard Requirements

1. Predominant Uses Except Accessory Buildings

<u>Type of Use</u>	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>
Dwellinghouse	4.5m	6m	1.5m
Residential units not exceeding 1 storey or 2 units	4.5m	6m	1.5m
Residential units exceeding 1 storey or 2 units	4.5m	6m	3.0m

Pensioners Flats or accommodation	4.5m	6m	1.5m
Other buildings (schools, churches, hospitals etc)	4.5m	6m	3.0m
Rear Sites	4.5m	6m	1.5m
Or	3.0m	3m	3.0m

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

2. Corner Sites

On corner sites, one setback from a road may be reduced to 3m. On corner sites, the minimum setback from one side boundary shall be 6m.

3. Accessory Buildings

For siting of accessory buildings in relation to yard spaces, see Clause 5.2 (page 48 of this Code).

3.3.7.6 Exceptions to Yard Requirements

1. For dwellinghouses: On any street greater than 15m wide, the minimum set back of one corner only of a dwellinghouse may be reduced to 3m, provided that no more than 30% of the front of the dwellinghouse lies within the normal 4.5m minimum set back lines.

2. 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 a new lot. For a back yard - side yard combination the aggregate shall not be less than 9m. For a double side yard combination the aggregate shall be not less than 3.0m. 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.

3.3.7.7 Controlled Uses

1. Four or more residential units.

Multi-unit housing schemes of four or more units are permitted as controlled uses. The purpose is to ensure that design standards, site layout, landscaping and access provisions are such as to preserve both on-site and neighbouring amenities.

Full site and design details to explain the proposal shall accompany the application. The site plan shall show the position of proposed buildings, access drives, parking spaces and landscaping, including boundary walls and fences. The uses of private or common ground and the position of buildings on any adjoining sites, within 1.5m of the boundaries, shall also be shown.

The bulk, location, siting and yard requirements shall generally be the same as for two or three residential units (see above).

Bulk and Location Requirements

The bulk and location requirements for controlled uses shall generally be the same as for two or three residential units (see Clause 3.8.4 above).

Some flexibility of standards may be permitted having regard to Council's objectives and to the following factors:-

- the proposed form, materials and general design of buildings and other structures and their relationship to one another and to their surroundings.
- the provision of private open spaces with good aspect.
- 'daylight' and sunlight penetration to buildings.
- visual and rural privacy both between units and in relation to adjacent properties. Where practicable, the main glazing of habitable rooms should not face the windows of habitable rooms of adjoining buildings or narrow side yards.
- for units of more than one storey, the provision of all units of more than one storey, the provision of all units with sufficient functional access to ground space for utility, service and open space purposes.

Note: Where a multi-unit housing programme, as outlined above, is proposed for a site, Council will require that a development plan, in terms of Section 293 of the Local Government Act, is submitted.

1. Buildings for residential purposes, not provided for as predominant uses.
2. Boarding houses, lodging houses, private hotels and private clubs.
3. Motels and camping grounds.

In considering such applications, Council shall have particular regard to:

- the proposed standard of roading within the site.
- the proposed layout of buildings.
- the disposal of effluent.
- the provision of off-street parking.
- the presentation of site and neighbourhood amenities.

4. Museums, Art Galleries, Public Libraries.

5. Shops for the sale of groceries, dairy products, meat and pharmaceutical goods. The shop may be sited close to, or in conjunction with, residential accommodation provided there is not more than one residential unit per shop.
Maximum area: 100 sq m.

6. Public utility works not deemed to be predominant uses by Section 64(1) of the Act. Special regard must be paid to the siting and external appearance of any building and to its affect on the amenities of the neighbourhood.

7. Buildings accessory to any of the foregoing purposes.

3.3.8 CLAUSE 8 - RESIDENTIAL 6 ZONE

3.3.8.1 Purpose of Zone

The purpose of this zone is to provide, in the long-term, for the expansion of Hokitika in the form of traditional, high density, urban development* is permitted, in the short-term, provided it does not prejudice the future orderly development of urban activities.

* low density, residential development

3.3.8.2 Location

The zone, to the south east of Hokitika, is bounded by the Residential 5 zone and Clogstoun Road to the west, Kaniere Township to the east, the terrace bottom to the north and the Hokitika River to the south.

3.3.8.3 Predominant Uses

1. Farming of any kind, with the exception of factory farming.
2. Recreation, scenic and scientific grounds and reserves.
3. Detached houses on sites held in separate certificates of title prior to December 1988.
4. Home occupations, the practice and teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that site.

Note: see Appendix C of scheme for definitions.

Performance Standards

Any such use of land will be so conducted as to ensure the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802:1977.

<u>Day Time</u>	<u>Night Time</u>
0700 - 1800 50 dBA	1800 - 0700 40 d BA or the background noise plus 5 dBA, whichever is the greater.

5. Buildings accessory to buildings or to the use of land for any of the foregoing purposes. Except that, no building shall be erected in any position that would, or might in the opinion of the Council prejudice the health or safety of the occupier of any dwellinghouse or detract from the amenities of the neighbourhood or scenic reserves or impede future roading or other development proposals.

Reference should also be made to the provisions of Ordinance 5.1.2.

3.3.8.4 Conditional Uses

1. Detached house, other than those provided for as predominant uses.

2. Camping grounds, hotels, motels and uses associated with the provision of tourist accommodation, provided it is residential in character.

3. Home occupations, accessory to dwellings, which involve the employment of person beyond those who reside permanently on the site.

3.3.8.5 Siting of Buildings

1. Predominant Uses:- the following shall be the minimum standards.

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

Provided That

- a) No milking shed shall be closer than 40m to a public road.
- b) Where the site adjoins another residential or urban zone, all other yards shall be increased to 10m, plus 1m for each part thereof of height or building over 10m.

2. Conditional Uses:- The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as for predominant uses.

3.3.9 CLAUSE 9 - SERVICE 1 ZONE

3.3.9.1 Purpose of Zone

The general purpose of this zone is to provide for the community, commercial and some of the industrial needs for communities and the surrounding rural areas and facilities for the travelling public. The service zone will also define focal points around which the community life of the township may evolve.

3.3.9.2 Location

Within all residential 2 zones being Kumara, Kaniere, Ross, Harihari, Whataroa.

3.3.9.3 Predominant Uses

- 1. Retail and wholesale shops.

2. Commercial, administrative and professional offices.
3. Libraries, theatres, cinemas, halls, churches, public and private places of entertainment and assembly, nurseries and educational establishments.
4. Hotels, taverns, private hotels, motels and residential and non-residential clubs.
5. Warehouses.
6. Any process of manufacture of goods except those industries listed in Appendix A and B.
7. Service stations, commercial garages and vehicle sale yards.
8. Detached houses existing at the time this Scheme was publically notified.
9. Residential accommodation in association with any predominant use.
10. Home occupations, the practice and teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that site.

Performance Standard

Any such use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802:1977 are not exceeded at any boundary of the site.

<u>Day Time</u>	<u>Night Time</u>
0700 - 1800 50 dBA	1800 - 0700 40 dBA or the background noise plus 5 dBA whichever is the greater.

11. Buildings accessory to the use of buildings or land for any predominant use.

3.3.9.4

Conditions Attached to Predominant Uses

The siting of buildings must comply with the requirements of Ordinance 5.1.2.

3.3.9.5 Conditional Uses

1. Any industry, warehouse or storage facility, but excluding any such use which is listed in Appendix A. Providing that it can be shown, to the satisfaction of Council, that any objectionable elements relating to the use including noise, smoke, vapour, steam, fumes, vibration, dust and glare can be reduced to the extent that it would not detract from the welfare and convenience of the inhabitants or the amenities of the neighbourhood.

2. Buildings accessory to the use of buildings or land for any conditional use.

3.3.9.6 Siting of Buildings

1. Predominant Uses

The following shall be the minimum standards:-

All uses	maximum height	12m
	maximum coverage	75%

Side and rear yards where adjoining a residential zone or detached house, provided no yard shall be less than 1.5m plus 2/3 of the building height above 4.5m 5m

Service stations, petrol pumps, minimum distance from the front boundary 4.5m

Residential accommodation in association with any predominant use. Open space with a least dimension of 5m 50msq

2. Conditional Uses

The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as for predominant uses.

3.3.10 CLAUSE 10 - SERVICE 2 ZONE

3.3.10.1 Purpose of Zone

The general purpose of this zone is to provide facilities for the travelling public and the community, commercial and some of the industrial needs of Franz Josef Glacier, Fox Glacier and the new township of Haast and the surrounding rural areas. The service zone will also define focal points around which the community and commercial

life of the township may evolve. Because of the location of these townships adjoining the National Park and areas of natural forest special regard to be had to the protection of the visual amenities of these areas.

3.3.10.2 Location

Within all residential 3 zones being Franz Josef Glacier, Fox Glacier and Haast.

3.3.10.3 Predominant Uses

1. Retail and wholesale shops.
2. Commercial, administrative and professional offices.
3. Libraries, theatres, cinemas, halls, churches, public private places entertainment and assembly, nurseries and educational establishments.
4. Hotels, taverns, private hotels, motels and residential and non-residential clubs.
5. Detached houses existing at the time this Scheme was publicly notified.

Except that, with respect to the Service 2 zoning at Franz Josef, detached houses existing as at 1 October, 1987, shall be a predominant use.

6. Residential accommodation in association with any predominant use.
7. Home occupations, the practice and teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that sited.

8. Parking areas.

Note: parking is not provided for as either a predominant or commercial use in the Service 2 zone. This is an anomaly.

Performance Standard

Any such use of the land will be so conducted as to ensure that the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and 6802:1977 are not exceeded at any boundary of the site.

Day Time

Night Time

0700 - 1800
50 dBA

1800 - 0700
40 dBA or the background noise
plus 5 dBA whichever is the
greater.

8. Buildings accessory to the use of buildings or land for any predominant use.

3.3.10.4 Conditions Attached to Predominant Uses

1. All buildings shall be designed, sited and constructed as will best ensure their visual integration and compatibility with surrounding buildings and landscape features.

2. In terms of Ordinance 1 Council may refuse the issuing of building permits where in its opinion the objectives of 3.3.10.1 above have not been satisfied.

3. The siting of buildings must comply with the requirements of Ordinance 5.1.2.

3.3.10.5 Conditional Uses

1. Any process of manufacture of goods except those industries listed in Appendixes A and B provided that those industries listed in Appendix B may be permitted if it can be shown on the satisfaction of the Council that any objectionable elements relating to the use can be reduced to the extent that it would not detract from the welfare and convenience of the inhabitants and the amenities of the neighbourhood.

2. Warehouses.

3. Service stations, commercial garages, motor vehicle, caravan and boat sales and hire.

4. Buildings accessory to the use of buildings or land for any conditional use.

3.3.10.6 Siting of Buildings

1. Predominant Uses

The following shall be the minimum standards:-

All uses	maximum height	10m
	maximum coverage	75%

Side and rear yards where adjoining a residential zone or detached house 5m

Residential accommodation in association with any predominant use. Open space with a least dimension of 5m. 50m sq

2. Conditional Uses

The standards for conditional use shall be set by Council on each application but generally these shall collectively provide the same standards as for predominant uses.

3.3.11 CLAUSE 11 - INDUSTRIAL 1 ZONE

3.3.11.1 Purpose of Zone

This zone provides for a wide variety of industrial uses, subject to strict control where any potentially dangerous, objectionable or noxious elements are involved. Such controls are aimed at minimising the impact of industrial development on surrounding land uses and protecting the amenities of the area.

3.3.11.2 Location

- All that area of land north of Town Belt North, Hokitika, west of the State Highway and Railway and excluding the Residential 5 zone. This area extends from Pt R S 822 up to and including R 16.
- Lot 1, DP 1110, Pt Lot 1 DP 1507, Lot 1 DP 2286, Pt Lot 2 DP 2009, north of Town Belt north, Hokitika, and east of the State Highway.
- Pt Lot 1 DP 553 and Lot 1 DP 2127 Town Belt East, Hokitika.
- Land in the vicinity of the West Coast Electric Power Board's premises in Hau Hau Road including Lot 1 DP 1917 and Lots 1 and 2 DP 2000.
- An area of land in the new Haast Township.

3.3.11.3 Predominant Uses

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

Warehouses, stores, storage yards, contractors' yards.

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

Canteens, restaurants, recreation and other facilities primarily for the convenience of workers in the zone.

Abattoirs, slaughterhouses, meat packing works, bulk sales and associated operations on Lots 19, 20 and Pt Lot 18 Lt 33 (CT 3A/102) and Pt Section 822 (CT 1A/1460).

Buildings accessory to the use of the buildings or land for any predominant use.

3.3.11.4 Conditional Uses

Industries contained within Appendix A and Appendix B.

In addition to any other requirements which may be made, Council will require to be satisfied that any potentially objectionable, noxious or dangerous elements are removed or reduced to its satisfaction.

3.3.11.5 Performance Standards

All uses shall comply with the following standards:-

1. Water Pollution and Drainage

The use of any land or buildings shall comply with the requirements of the Water and Soil Conservation Act 1967, Acts, Regulations and Bylaws administered by the Westland Catchment Board, or legislation of any other applicable authority.

2. Visual Amenities

Except on rear sites, where reasonable or practicable, the office or showroom part of the use shall be sited at the front of the building.

Outdoor storage areas, where visible from any road or residential or rural zone shall be screened by fencing or suitable landscaping.

7. Glare

Any use of land or buildings shall be conducted such that direct or indirect illumination (such as lights, and welding and unpainted metal buildings and fences) arising from the industrial activity does not cause annoyance or nuisance to nearby properties.

8. Solid Waste Disposal

Provision must be made for the satisfactory disposal of solid waste.

Where the proposed method:-

- Involves the use of a publicly funded sewerage system and/or
- Requires consent under other legislative requirements e.g. health/water and soil provisions.

Council will require to be satisfied that the consents of the appropriate administering bodies have been obtained.

9. Outdoor Space for Residential Accommodation

Where residential accommodation is provided in association with an industrial use, an outdoor living space shall be provided or not less than 50m sq with a minimum dimension of 6 metres.

10. Site Coverage and Height of Buildings

The maximum site coverage shall be 75% with a maximum height of 20m.

Council may grant a dispensation from this requirement in accordance with Ordinance 5.7.

3.3.12 CLAUSE 12 - INDUSTRIAL 2 ZONES

3.3.12.1 Purpose of Zone

This zone provides for those industrial uses which require segregation because of their potentially noxious or objectionable character, to establish as of right providing with the performance standards. While no land has been zoned for this purpose, two general areas near Hokitika are considered suitable. If required, Council will consider bringing down a change pursuant to Section 54 to create Industrial 2 zones on these sites.

3.3.12.2 Location

Three Mile area, east of State Highway 6 and to the east of Hokitika along Blue Spur to the north of Russell Road.

3.3.12.3 Criteria for Consideration

In considering the establishment of such a zone the Council shall be satisfied that:-

- The proposed use cannot be provided for within an existing industrial zone within the County or Hokitika Borough.
- Adequate access be provided.
- Adequate provision can be made for the disposal of sewage and stormwater.
- The proposed use will be sited in such a way as to minimise its impact on the amenities of the neighbourhood.

3.3.12.4 Predominant Uses

Industries contained in Appendix A and Appendix B.

Living quarters for a residential caretaker or any other person whose employment is such that he is required to live on the premises.

Canteens, restaurants, recreation and other facilities primarily for the convenience of workers in the zone.

Buildings accessory to the use of buildings or land for any of the foregoing predominant uses.

3.3.12.5 Conditional Uses

There shall be no conditional uses in this zone.

3.3.12.6 Performance Standards

All uses shall comply with the performance standards set down in Ordinances 3.3.11.5 hereto.

3.3.13 CLAUSE 13 - RESORT ZONE

3.3.13.1 Purpose of Zone

The purpose of the resort zone is to provide holiday accommodation near areas important for recreation such as the coastline, lakes and National Parks.

3.3.13.2 Location

Zones already established are Okuru, Lake Kaniere (Hans Bay), Okarito and Neils Beach. Other areas considered appropriate could be Jacksons, Upper Arahura Valley, Kakapotahi, Wanganui River Mouth, Gillespies Beach, Hunts Beach, Bruce Bay, Moeraki River, Whakapohai River, Waita River, Pleasant Flat (outside the National Park).

3.3.13.3 Criteria for Establishment and Extension

Before allowing the establishment of a resort zone the Council would require to be satisfied as listed below and any application to Council to consider the implementation of such a resort zone be supported by a comprehensive report considering the factors 1 to 6 and the impact of the proposed development on the natural environment. As part of any Scheme Change, the Council may vary the requirements listed as to use, siting of buildings and subdivisional standards, to suit the requirements of a particular site.

1. There is a need for holiday accommodation in the locality at the time of application.
2. Adequate access to the locality can be provided.
3. Adequate provision can be made for the disposal of sewage and stormwater.
4. The land is suitable for the proposed use having regard to earthquake fault lines, landslips and stability of foundations.
5. The land does not have a high actual or potential value for the production of food.
6. The land does not have special importance for the preservation of flora and fauna and the natural amenities for the area.

3.3.13.4 Predominant Uses

1. Detached houses.
2. Semi-detached houses.
3. Apartments of not more than two units.
4. Recreational, scientific and historical grounds, sites and reserves.

5. Buildings accessory to buildings and to land for any predominant use.

3.3.13.5 Conditions attached to Predominant Uses

1. Adequate provision shall be made for public reserves along the foreshore and river banks sufficient to provide areas useful for public recreation and erosion protection and to protect the natural features and characteristics of the area and provide public access to the sea and rivers and regard shall be had to any reserve proposals of Government for the area.

2. If a development of over 30 lots for detached housing or 30 separate units of other housing is proposed, a piped sewerage system shall be provided unless the Council determines in the particular circumstances that this is unnecessary or unreasonable.

3. All lots, roads and building sites shall be so sited and designed as to cause the minimum of disturbance to and not detract from the natural landscape features and amenities of the area.

4. Where appropriate, pedestrian access from the residential areas to the sea and rivers shall be provided together with areas of land suitable for new planting.

5. Residential buildings shall be constructed, designed and sited so as to ensure, in the opinion of Council, their visual integration with the surrounding landscape.

6. Council may refuse to approve scheme plans of subdivision or in terms of Ordinance 1 the issuing of building permits within these zones where in its opinion, the objectives of 3.3.13.3 above have not been met. In particular, outstanding views shall be preserved for the general public and adjoining owners.

7. The siting of buildings must comply with the requirements of Ordinance 5.1.2.

3.3.13.6 Conditional Uses

1. Attached houses.
2. Apartment units of more than two units.
3. Retail shops.
4. Motels.

5. Camping grounds.

6. Service stations.

3.3.13.7 Conditions attached to Conditional Uses

As for predominant uses in 3.3.13.5 above.

3.3.13.8 Siting of Buildings

1. Predominant Uses

The following shall be the maximum standards:-

All uses	maximum height	7m
	maximum coverage	40%
Detached houses	front site front yard	5m
	side yard	1.5m & 3m
	rear yard	5m
	rear site yard	1x2m & 3x3m
Apartment houses	front site front yard	5m
(of not more than two units)	side yard	2m & 3m
	rear yard	5m
	rear site yard	1x2m & 3x3m

Provided no yard shall be less than 1.5m plus two thirds of the building height above 4.5m.

2. Conditional Uses

The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as predominant uses.

3.14 CLAUSE 14 - DEFERRED URBAN ZONE

3.3.14.1 Purpose of Zone

The purpose of this zone is to provide for the future expansion of the new Haast township. A general area has been indicated on Planning Map No 16. When the new Haast township nears full development, a scheme change will be initiated to re-zone the deferred urban zone for appropriate urban purposes.

3.3.14.2 Location

Adjoining the southern edge of the new Haast township.

3.3.14.3 Predominant Uses

Those uses which are predominant uses within the Rural 1 zone with the exception of those defined under Clause 3.2.2.5.

3.3.14.4 Conditional Uses

Those which are conditional uses within the Rural 1 zone together with those uses defined under Clause 3.2.2.5 of the Rural Zone Ordinances. The provisions of 3.2.4 and 3.2.5 of the Code of Ordinances shall also apply.

3.4 ORDINANCE 4 - LAND SUBDIVISION

3.4.1 CLAUSE 1 - SUBDIVISION TO BE APPROVED BY COUNCIL

3.4.1.1 Subject to the provisions of the Act and the Local Government Act 1974 and Amendments, no person holding any land in the district shall subdivide the same without the consent of the Council. All scheme plans shall be prepared by a registered Surveyor.

3.4.1.2 Scheme plans must show physical features including all buildings and significant trees. The full extent of possible further subdivision of the land held in physical contiguity by the applicant must be shown. This is to ensure that the scheme does not prejudice full development and so as to indicate subdivisional potential, limits or 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.

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

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

3.4.1.5 All proposed reserves shall be shown and an explanation of their location and particular purpose shall be included within the report.

3.4.1.6 Any easement shall be clearly designated together with a schedule stating the allotments subject to or appurtenant to the easements shown on the plan.

3.4.1.7 All roading, servicing and construction work required shall be to the entire satisfaction of the Council which reserves the right, subject to any contractual obligation, to alter any requirement from time to time as conditions warrant. Prior to any construction being commenced complete engineering plans and specifications must be approved by Council.

3.4.2 **CLAUSE 2 - CIRCUMSTANCES UNDER WHICH LAND MAY BE SUBDIVIDED**

Land may be subdivided for any of the purposes set out in this subclause, but for or to no other purpose. Every subdivision shall be subject to every Ordinance that is applicable thereto.

3.4.2.1 Land may be subdivided to give effect to or assist in the establishment or effective operation of any use permitted under this Code as a predominant use in any zone.

Provided that the subdivision shall comply with all area and frontage requirements specified for that use in that zone.

3.4.2.2 Land may be subdivided to give effect to or assist in the implementation of any use permitted under this Code as a conditional use in any zone.

Provided that the establishment of that conditional use shall have been approved by the Council or the Planning Tribunal before the scheme plan of subdivision is approved.

Provided further that any such subdivision shall comply with all the requirements of the Council in respect of shape, frontage, and area requirements.

3.4.2.3 Land may be subdivided in accordance with any approval granted by the Council or the Planning Tribunal, pursuant to Section 74 of the Act.

3.4.3 **CLAUSE 3 - SUBDIVISIONS TO CONFORM WITH PLANNING PRINCIPALS**

Notwithstanding that a proposed subdivision may comply with the requirements of this District Scheme in respect of frontage and area, the Council shall not approve the proposed subdivision if, in the opinion of the Council, the site is not suitable or the arrangement of sites or shape of any proposed site is not suitable for the proposed use or is not in conformity with both the principles of Town and Country Planning, and the objectives of this District Scheme.

3.4.7.1

Semi-detached
Houses

Attached
Houses

Other predom-
inant uses

Sewered Areas

Front Sites

Minimum area	300m sq	250m sq	500m sq
Average area	-	-	600m sq
Minimum frontage	10m	7m	15m
Average frontage	-	-	17m

Sewered Areas

Rear Sites

Minimum area (excluding access)	-	-	600m sq
Average area (excluding access)	-	-	700m sq

3.4.7.2

Non Sewered Areas

Front Site

Minimum area	-	-	700m sq
Minimum frontage	-	-	17m sq

Rear Site

Minimum area	-	-	800m sq
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3.4.7.3

Access Strips to Rear Sites

Minimum width			
1 Lot	-	-	3.5m
2 & 3 Lots	-	-	4m
4 or more Lots	-	-	5m

Provided that:-

1. In calculating average areas, front allotments shall be calculated separately and all allotments exceeding 800m sq shall be treated as 800m sq allotments.

2. Front allotments with diverging side boundaries may have a minimum frontage of 6m if their widths 10m from the street frontages, are not less than 15m.

3. Where rear allotments in sewered areas adjoin permanent open spaces, their areas maybe 600m sq and excluded from any calculation of average areas.

4. Allotments in sewered areas existing prior to public notification of this Scheme may be sub-

divided into not more than two allotments in accordance with the minimum area and frontage standards and the averaging provisions shall not apply.

3.4.8 **CLAUSE 8 - AREA FRONTAGE REQUIREMENTS - RESIDENTIAL 4 ZONE**

Detached Houses

Minimum area (excluding access)	2500m sq
Minimum frontage	5m
Shape factor	25m x 25m

3.4.9 **CLAUSE 9 - AREA AND FRONTAGE REQUIREMENTS - SERVICE AND INDUSTRIAL ZONES**

The Council, in approving or refusing to approve subdivisions in the service or industrial zones, shall consider each scheme plan on its merits and in particular, shall take into account the following matters.

3.4.9.1 The shape and size of the proposed allotments in relation to the service or industrial uses and buildings proposed.

3.4.9.2 The location, age and condition of existing buildings, and their relationship to the proposed boundaries.

3.4.9.3 The provision made for yard requirements where proposed allotments adjoin residential zones, or detached houses.

3.4.9.4 The provision made for vehicular access from the street, parking and loading.

Any scheme plan of subdivision involving the Industrial 1 land north of Hokitika must make provision for access other than across the railway line.

3.4.9.5 The provision being made for satisfactory disposal of sewage in non sewered areas, discharge of other wastes and pollutants, the provision of adequate space to reduce noise, smell, smoke etc.

3.4.10 **CLAUSE 10 - AREA AND FRONTAGE REQUIREMENTS FOR CONDITIONAL USES - RESIDENTIAL 1 TO 4, RESORT, SERVICE AND INDUSTRIAL ZONES**

No standard area or frontage requirements have been specified for any conditional use. The requirements to be applied to any approval conditional

use shall be determined by the Council having regard to the purpose for which the land is to be used, the bulk and location of buildings, the nature of the adjoining land uses, the parking and loading of vehicles, the provision of access to and from the site and any other pertinent factors.

3.4.11 CLAUSE 11 - AREA AND FRONTAGE REQUIREMENTS - RESIDENTIAL 5

3.4.11.1 No Buildings Erected

The minimum area and frontage shall vary according to the proposed uses of the allotments as follows:-

<u>Use</u>	<u>Minimum Area</u>	<u>Minimum Frontage</u>	<u>Minimum Depth</u>
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Front Site:

Single dwelling-house	500m sq	17m	20m
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Provided that the dimensions of each site are such that it is possible to locate therein a square 15m x 15m.

Residential units	300m sq	10m	
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Rear Site:

Single dwelling-house	700m sq exclusive of access strip	See Clause 5 of this ordinance	Minimum width 18m
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Residential units	350m sq per unit exclusive of access strip	See Clause 5 of this Ordinance	
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3.4.11.2 Other Uses

Each allotment created shall be of sufficient area and of suitable shape to provide for all relevant performance elements and standards required for the use within the zone.

Where no details of the proposed buildings are available, the minimum area and frontage of the new allotment shall be as for a dwelling within the zone.

3.4.11.3 Minimum Standards - Buildings Erected

1. Separate Title

The creation of separate fee simple titles for individual household units, after the erection of buildings, shall be permitted subject to the following conditions:

- The existing residential buildings shall not exceed one residential storey and two units.
- Where the household units are attached, the subdivision shall be subject to compliance with standard building bylaws in respect of dividing walls and to the registration of party wall easements.
- The minimum area per unit shall be 300m sq and the minimum frontage 10m. A dispensation or waiver from this minimum area standard will only be permitted where the subdivision is marginal in which case the minimum area may be reduced by an amount not exceeding 5%.
- Each allotment shall be of sufficient area and of suitable shape to allow the buildings contained within the allotment to satisfy the relevant performance elements and standards.

2. Unit Titles/Owner-Occupier Flat Leases

Where it is proposed to create unit titles or owner-occupier flat leases for the individual titles, after the erection of units, each allotment created shall be of sufficient area and of suitable shape to allow the buildings contained within the allotment to satisfy the relevant performance elements and standards.

3.4.11.4 Special Provisions relating to Subdivisional Requirements

1. Front Sites

In the case of a front site for a dwellinghouse, being an allotment with side boundaries diverging from the street, the frontage may be reduced to not less than 7m if the width of the site, 10m back from the road boundary, is not less than 16m.

The dimension of each site shall be such that it is possible to locate therein a square 15m x 15m.

2. Rear Sites

In the case of a rear site, access to the allotment shall be provided for by way of an access strip, right of way or access lot, in accordance with Section 5 below.

3. Footpath Widening

On street corners, where the change of direction exceeds 45 degrees in all streets up to 20m in width, a 6m cut-off shall be dedicated as street. On street exceeding 20m 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 these requirements.

3.4.11.5 Access Strips, Rights of Way and Access Lots

1. Minimum Standards

The following widths shall apply to access strips, rights of way and access lots to rear lots, dependent upon the number of household units capable of being accommodated on sites using the access.

	Minimum Legal Width(m)
1 or 2 household units	3.5
3 units	4.0
4 or more units	4.5

2. Conditions of Formation

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 subdivider shall, if services do not exist, lay a common high pressure water main and/or a common sewer drain and/or a common water drain as directed by the Council. The mutual access shall be formed, metalled, sealed and drained to the satisfaction of Council.

3.4.12 CLAUSE 11A - AREA AND FRONTAGE REQUIREMENTS - RESIDENTIAL 6

3.4.12.1 Predominant Uses

The criteria to be used in assessing a subdivision for a predominant use shall be as specified for the Rural 1 zone in this Code - see page , Clause 4.5.

3.4.12.2 Conditional Uses

The minimum area and frontage requirements for conditional uses shall be determined by Council having regard to:-

- the purpose for which the land is to be used.
- the bulk and location of proposed buildings and of adjoining buildings.
- the nature of adjoining land uses.
- provision for parking, loading and access, where appropriate.
- the capacity of the ground to absorb effluents.

In no case, shall any allotment be less than 1500m sq.

3.4.12.3 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 adjustment 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.

3.4.12.4 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 the standards most appropriate to such use.

3.4.13 CLAUSE 13 - AGGREGATE AREAS - RESIDENTIAL ZONES

In any residential subdivision of not less than 10 allotments, front lots may be reduced to achieve variation of areas to not less than 15m frontage and not less than 400m sq provided that the aggregate area of all front lots does not average less than 600m sq.

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

3.4.14

CLAUSE 14 - 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 only be subject to dispensation or waiver in marginal cases.

Front Sites

Minimum frontage	15m
Minimum area	400m sq

Rear Sites

Minimum width	18m
Minimum area	425m sq exclusive of the access strip.

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

For dispensation and waiver provisions relating to subdivisional requirements refer Ordinance 1.8.

3.5

ORDINANCE 5 - BUILDINGS - SITING - COVERAGE - HEIGHT - ALTERATIONS AND BUILDING LINES

3.5.1

CLAUSE 1 - GENERAL AS TO USE OF SITES

3.5.1.1

Land to be Suitable for Proposed Use

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

3.5.1.2

Flooding, Erosion or Landslip Risk

Where an application for a building permit relates to a site considered to be liable to flooding, erosion or landslip, Council will require the applicant to produce sufficient evidence to enable

it to determine the nature and extent of the potential risk. In granting or refusing its consent, Council may also consult with other agencies including the Westland Catchment Board.

3.5.1.3 Special Building Lines

Notwithstanding the provisions of this Ordinance, where the Scheme prescribes a special building line on any site, except as an interim use as defined in Ordinance 6, Clause 3 hereof, no building or accessory building, or part of either shall at any time be erected on that part of the site between the building line and the road or boundary to which it is related.

Where an existing building line restriction is at a greater distance from the road than that required by the front yard, the requirements of the building line shall take preference.

3.5.1.4 Road Widening or Re-alignments

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

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

For the purpose of measuring yards, that part of a site which is designated for a proposed public work and that part of a site which is required for a public work under Section 118(1) of the Act shall be excluded from the site and all relevant yards shall be measured from the boundary between the part of the site required for a public work and the balance of the site, provided that where a dedicated service lane or accessway adjoins the rear boundary or side boundary of the site, the minimum width of the yard adjoining that boundary may be reduced by the width of the service lane or accessway which adjoins the boundary.

3.5.1.6 Areas and Coverage Generally

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

shall not be included in the calculation of site coverage for a rear site.

3.5.1.7 Public Utility Sites

For electrical, drainage and other public utility installations, the Council may vary or waive the requirements as to site coverage and yards.

3.5.1.8 Residential Buildings on Rear Sites

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

3.5.1.9 Erection of More Than One Residential Building on a Site

Not more than one residential building may be erected on a site provided that this restriction shall not apply to any site that is occupied for apartments or houses for the aged.

3.5.2 CLAUSE 2 - NORMAL REQUIREMENTS AS TO YARDS

3.5.1.1 Yards to be Provided

Except as expressly provided in or under this Scheme, front, side and rear yards shall be provided on each site in each zone, as required by this Code. The bulk and location requirements for each zone are specified in Ordinance 3.

3.5.2.2 Yards to Remain Unoccupied and Unobstructed

Except as expressly authorised hereunder, no person shall erect any buildings on any front yard, rear yard or side yard and all such yards shall be left unoccupied and unobstructed from the general ground level upwards.

3.5.2.3 Eaves

Eaves of any building may project not more than 0.75m over any required yard.

3.5.2.4 Within Residential, Resort, Service and Industrial Zones

Accessory buildings may be erected on any rear or

side yards of a front site or any yard of a rear site provided that:-

1. The separation distance between detached accessory buildings and the main building on the site shall comply with the standard building bylaws.

except that:-

No accessory building for the housing of livestock, including any fenced area shall be erected within 2m of any boundary or 10m of any residential building or road.

2. An accessory building may be erected on the boundary of the site provided it complies with the standard building bylaws and other provisions of this Code.

3. The height of any accessory building shall not exceed 3m when sited within 1m of the building of the boundary or 3.5 when sited at a distance of 1m or greater from the boundary.

4. Notwithstanding any of the provisions of this scheme, no person shall construct any accessory building in a residential zone:-

a) Over 2m in height above the ground level within 3m of any window of a habitable room or dwelling.

b) Over 1m in height above the average ground level within 6m of a street corner smaller than 135 degrees.

3.5.2.5 Subject to the provisions of 3.5.2.4 private garages and carports 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. On a corner site, the 1.5m and 2.5m limitations shall apply irrespective of the nominated frontage.

3.5.2.6 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 50m sq in area, on any part of the site.

3.5.2.7 A verandah attached to a shop, hall or other non-residential building may project over a front yard.

3.5.2.8 An open fire escape may project over any yard.

3.5.2.9 A fence, boundary wall or retaining wall may be erected on any yard.

3.5.2.10 Yards provided area to relate to one site only, no portion of a yard or other space provided to meet requirements in respect of one site shall be taken into account in computing the area of any yard or space provided to meet requirements in respect of any other site.

3.5.3 **CLAUSE 3 - EXCEPTIONS TO NORMAL YARD REQUIREMENTS**

3.5.3.1 When Owner Provides Land for Accessway or Service Land

When land for a service lane or accessway is provided at the rear or the side of the site, the rear yard requirements or the site yard requirements, as the case may be, shall be diminished correspondingly.

3.5.3.2 Front Yards for Corner Sites

In the case of corner sites, the yards fronting streets shall be front yards and the remaining yards shall be side yards and each yard shall have minimum dimensions as for front sites.

3.5.3.3 Yards for Through Sites

In the case of a through site, the owner shall provide a yard equivalent to two rear yards at or near the middle of the site and front yard on each frontage of the site, unless the Council by resolution declares which frontage of the site shall be deemed to be the rear boundary, in which case the provisions as to rear yards shall apply with respect to that frontage and the provisions as to front yards with respect to the other frontage.

3.5.3.4 Water Course

No building shall be erected within 6m of any open stream, open watercourse or open drain except with the consent of the Council and of other local authority having control of the stream, watercourse or drain.

3.5.3.5 Dispensation by Council

For dispensation and waiver provisions relating to yard requirements, refer Ordinance 1.8.

3.5.4 **CLAUSE 4 - TEMPORARY BUILDINGS**

3.5.4.1 **In any zone there shall be:** permitted temporary offices, storage sheds, storage yards, builders workshops and other similar buildings and uses which are required as an incident to a building or construction project, but only for the duration of that project and not for a period exceeding 12 months unless the consent of the Council to a longer period is obtained, provided that no such temporary building shall be erected prior to the issue of a building permit for the erection of the permanent building on the site.

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

3.5.4.3 **In any residential zone:** council may permit a temporary building for the purpose of constructing a boat, or caravan or other structure that may reasonably be associated with a spare time or retirement pursuit, and is not intended in any way as a commercial enterprise by the applicant. Permission may be granted only after production of specific written consent of adjoining owners or occupiers including apartment dwellers living on the site in question and for such period and upon such terms and conditions as the Council may determine. Any written consent offered shall contain enough information to clearly indicate that the owner of occupier consenting is fully aware of the proposal, its size, its construction and finish and the length of time the applicant anticipates the temporary use to last.

3.5.5 **CLAUSE 5 - ALTERATIONS OF EXISTING NON-CONFORMING BUILDINGS**

3.5.5.1 Subject to the provisions of Sections 90 and 91 of the Act an existing building which is not in conformity with the district scheme or any part or provision of it, may be reconstructed, altered or added to if:-

- a) The reconstruction, addition or alteration 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 by more than 60%.

3.5.5.2

If an existing building does not conform to any, or all, of the provisions of the Scheme in respect of the zone in which such building is situated is wholly destroyed or damaged or partially destroyed to the extent that it is necessary to pull down a substantial part of the remaining portion thereof, before reconstruction, the Council may grant its consent to the erection of a building on the site subject to such conditions as to partial or complete conformity with the provisions of the Scheme as it may think fit to impose.

3.5.5.3

No person shall shift any secondhand building or part of such building into the County of from one site to another or erect any railway carriage, tramcar, fixed caravan or similar structure within the County without the prior consent of the Council. In any conditions as to siting, modification and appearance as is considered desirable or necessary. Unless expressly exempted, a bond shall be imposed by the Council as considered sufficient to ensure that conditions are met.

3.5.6

CLAUSE 6 - AMALGAMATION OF TITLES

Where application is made to Council for a permit to erect a building over land comprising two or more allotments of an existing subdivision or existing subdivisions, the Council may 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.

3.5.7

CLAUSE 7 - DISPENSATION FROM HEIGHT, BULK AND LOCATION REQUIREMENTS

For dispensation and waiver problems relating to height, bulk and location requirements, refer Ordinance 1.8.

3.6

ORDINANCE 6 - USES AND RESERVATION OF DESIGNATED LAND

3.6.1

CLAUSE 1 - APPLICATION

This Ordinance shall apply to land designated under the Public Works Act 1981. Land may only be designated where:

- it is to be used for an essential work.
- it is required for a non-essential work and is owned or leased by the designating authority or

3.7.8.4 Rural Area

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

3.7.7 CLAUSE 7 - DESIGN OF LOADING SPACES

Loading spaces provided under these Ordinances shall be of sufficient size and suitably laid out in accordance with sound engineering practice to accommodate the maximum allowable truck and trailer (19 metres in total length). However where this is over-generous in terms of the proposed use of the site, the maximum allowable rigid vehicle shall be used as the design vehicle.

3.7.8 CLAUSE 8 - EXCEPTIONS TO REQUIREMENTS

Council may grant a dispensation or waiver of loading requirements in accordance with the provisions of ordinance 1.8.

3.7.9 CLAUSE 9 - ACCESS

3.7.9.1 Access to be provided

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

3.7.9.2 Rear Access

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

3.7.9.3 Access Near Intersection

Access to or from a corner site in an urban residential zone shall not be located nearer than 15m from the kerb line or effective carriageway of

the intersecting road or in a rural zone 60m from the effective carriageway of the intersecting road unless the Council approves the design and location of that access or outlet. The Council may refuse approval absolutely of a proposed access or outlet falling within these distances if one more distant from the corner could be provided.

Within the rural zone no access to commercial or industrial uses shall be permitted from state highways. Provided that where a conditional use is approved, the distance of access points from intersections shall be determined having regard to the speed value and the alignment of the roads affected. Access tapers and acceleration and deceleration lanes shall be provided to minimize conflict with through traffic.

3.8 **ORDINANCE 8 - PROVISION AND PRESERVATION OF AMENITIES**

3.8.1 **CLAUSE 1 - BUILDINGS OF HISTORIC/ARCHITECTURAL/VISUAL SIGNIFICANCE**

3.8.1.1 Recorded Buildings

Ordinance 8.1 shall apply to those buildings recorded in Appendix G to this scheme. Council shall forthwith notify the owner and occupier of land upon which any such object or place is situated that it has been so recorded.

3.8.1.2 Preservation

Where a building has been recorded in Appendix G, written notice shall be given to the Council prior to demolition or any other alteration or change to the building that would affect its historic character. On receipt of such a notification the Council, its agents and employees shall have reasonable access to the item for recording its features.

3.8.1.3 Cancellation of Record

The Council may at any time cancel such a recording and shall thereupon notify accordingly, the owner and occupier of the land upon which the object or place is situated. Before making its decision to cancel such recording, the Council shall consult with such experts as it considers appropriate in the circumstances.

- a restriction over the use of the land, water, subsoil or airspace, is necessary to ensure the safe or efficient functioning of an essential work.

3.6.2 **CLAUSE 2 - DESIGNATED LAND**

The use of any land or building 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 or into the Appendices to this Scheme provided that:-

- 3.6.2.1 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 Scheme and relevant Acts and Regulations and subject also to interim use provisions as contained hereunder.

- 3.6.2.2 Except as provided, for in Section 125 of the Act, outline plans of works to be constructed by, or on behalf of, the Crown or by any local authority on designated land, shall be submitted to the Council for its consideration before construction is commenced. An outline plan shall show the height, shape and bulk of the work, its location on site and likely finished contour of the site, vehicular access and circulation and landscaping provisions.

Provided that this sub-clause shall not apply to those public utilities listed in Ordinance 1.9 of this Scheme.

- 3.6.2.3 In considering any outline plan and formulating any request for changes, the requirements laid down for any such use, or similar use in the underlying zone, shall be used by Council as a guide.

3.6.3 **CLAUSE 3 - INTERIM USE OF DESIGNATED LAND**

- 3.6.3.1 Where any land is designated in this District Scheme for a proposed public work.

- a) The carrying out of any work on that land including the construction or alteration of any structure, the making of any excavation or the felling or burning of any tree or bush or
- b) The subdivision of that land shall not be allowed without the consent of the body or person having financial responsibility for the proposed public work.

3.6.3.2 Where a use is not a predominant use in the underlying zone, an application for planning consent shall be required.

3.6.4 **CLAUSE 4 - ALTERATION OF DESIGNATIONS FOR PUBLIC WORKS**

3.6.4.1 Council may, with the agreement of the owners of any land directly affected, alter the position shown on the District Scheme of any proposed highway or alter any designation for a public work or alter any provision made in the District Scheme under Section 43 or Section 118 of the Act, so long as the intention of the District Scheme in that respect is preserved.

3.6.4.2 No such alteration shall be made in respect of a proposed highway or public work for which the Minister or local authority will have financial responsibility, without the consent of the Minister or local authority.

3.7 **ORDINANCE 7 - PARKING, LOADING AND ACCESS**

3.7.1 CLAUSE 1 - GENERAL

This Ordinance sets out the obligation of every owner and occupier wishing to construct or substantially reconstruct or add to or alter any building or use, such obligation being with respect to the provision of off-street parking, loading facilities and access to the property from the street on to which it fronts. No building permit will be issued until the Council is satisfied, either from the plans submitted or from legal undertakings, that the applicant will comply fully with this Ordinance, or will be able to comply when requested to do so, and will also comply with all other relevant Ordinances, statutes and bylaws.

3.7.2 **CLAUSE 2 - GENERAL PARKING PROVISIONS**

3.7.2.1 Obligation of Owner or Occupier

Every owner or occupier who constructs, or who substantially reconstructs or adds to any building, or changes the use of any site, shall make provision for off-street public or private parking on the site in accordance with the requirements of this Ordinance for vehicles used in conjunction with the site (whether occupiers, employees or invitees, customers or other persons) or shall make provisions sufficiently close to the site but not on a street.

3.7.2.2. Counting of Spaces

The assessment of the number of spaces provided by any developer shall be in accordance with the dimensions and vehicle characteristics set out in this Ordinance.

3.7.2.3 Diminution of Land Available

The space that is available about a building to meet the requirements of this Ordinance for off-street parking shall not be diminished by the subsequent erection of any structure, storage of goods, or any other use.

3.7.2.4 Yard Space May be Used

The provision for parking in respect of any site may be made as part of the yard space of that site except in the case of front yards residential zones, provided that where the dimensions or the physical features of a site or the existence of other buildings make the provision of off-street parking on a residential rear or side yard difficult, impracticable or unreasonable, Council may permit such parking with the front yard, subject to such conditions as to siting and design as it considers reasonable in the circumstances.

3.7.2.5 Residential Site Coverage

Required parking spaces shall be deemed to be covered for the purposes of assessing the site coverage in the case of residential uses and must be capable of compliance with the bylaws and the Ordinances as though an accessory building were to be erected. For this purpose, each parking space shall be considered as 17m sq.

3.7.2.6 Assessing Parking Requirements

In assessing the number of spaces to be provided with respect to the floor area of any building vehicle accesses and parking spaces, or staircases and liftwells, contained within the building shall not be included in the area. Where the number of spaces required is based on the number of employees, guests, audience, staff, tables, units or accommodation or any other factor not directly related to floor area, the developer shall indicate the total expected.

The Council will have the power to re-assess the total should it be deemed unreasonably low, and base the parking requirements on the amended total.

3.7.2.7 Multiple Uses on One Site

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

3.7.2.8 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, off-street parking facilities shall be provided as close to the site as is practicable, such alternative sites to be to the approval of the Council.

3.7.2.9 Jointly Used Parking Sites

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

Developers may also enter into an agreement to use an existing parking facility when their parking demand occurs at a different time from that of the owner(s) of the facility or where there is sufficient capacity to accommodate the additional parking. Council reserves the right to re-impose the individual requirement should circumstances change with respect to the right of any developer to use the joint parking site, and may require a legal undertaking or other form of guarantee from the parties concerned, acknowledging their responsibility to provide and maintain the amount of parking required under this Ordinance.

3.7.3 CLAUSE 3 - EXCEPTIONS TO REQUIREMENTS

3.7.3.1 Council may grant a dispensation or waiver of parking requirements, in accordance with the provisions of Ordinance 1.8 of this code.

3.7.3.2 The provisions of Section 295 of the Local Government Act 1974, will be involved where it is not reasonable/nor practicable to make provision for parking spaces.

3.7.3.3 Council may require the developer to enter into a bond to ensure compliance with its parking requirements.

3.7.4 **CLAUSE 4 - PARKING REQUIREMENTS FOR VARIOUS ACTIVITIES**

Detached and semi-detached houses	1 space per house
Apartments	1 space per household unit plus one space per 5 units.
Boarding houses or similar residential institutions	1 space per 5 persons
Professional office within a dwelling	2 spaces
Motel	1 space per unit plus 1 for each diningroom seats in excess of the number of persons for whom accommodation is provided.
Licensed hotels and taverns	40 spaces per 100m sq of bar or public space and a space per 5 guest beds.
Churches, theatres and halls	1 space per 10 seats.
Petrol service stations and commercial garages	5 spaces per 100m sq of gross floor area.
Retail shops	3 spaces per 100m sq of gross floor area.
Offices	2 spaces per 100m sq of gross floor area.
Industries not otherwise provided	2 spaces per 100m sq of gross floor area.
Warehouses and bulk stores	1 space per 100m sq of gross floor area.

Provided that, Council may require specific provision to be made for buses where the proposed use of the land is such that parking for buses will be needed.

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 the above or other uses that are conditional in any zone.

3.7.5 **CLAUSE 5 - DESIGN OF PARKING AREAS**

3.7.5.1 Parking Spaces, manoeuvring areas and access aisles provided under these Ordinance shall be of sufficient size and suitably laid out in accordance with sound engineering practice to accommodate a "90 percentile design motor car" as defined by the Ministry of Transport.

3.7.5.2 All parking areas shall be constructed and maintained to the satisfaction of the Council who may impose conditions related to formation, stormwater disposal, fencing, access from adjoining roads, lighting, landscaping and pedestrian access.

3.7.5.3 Parking areas in a commercial or industrial zone shall be effectively screened on any side which adjoins or faces a residential zone by a wall, evergreen hedge, or other planting maintained in good condition.

3.7.6 **CLAUSE 6 - LOADING**

3.7.6.1 Off Street Loading to be Provided

Every owner or occupier who constructs or who substantially reconstructs or adds to any buildings or changes the use of any site, shall make adequate provision on his own property or by mutual agreement on an adjacent property, for the loading and unloading of all goods associated with the site.

3.7.6.2 Council may require the developer to enter into an agreement with other adjacent developers to provide and maintain a jointly used loading area, or sign a bond in lieu.

3.7.6.3 The provision of loading areas in respect of any site may be made as part of the yard space of that site.

3.8.2 CLAUSE 2 - PRIVATE LAND IDENTIFIED AS BEING USED FOR PURPOSES OF VALUE TO THE COMMUNITY.

3.8.2.1 Identified Land

Ordinance 8.2 shall apply to that land identified in accordance with Section 73 of the Act by an appropriate notation on the district planning maps.

3.8.2.2 Council Consent Required

Where land has been identified on the planning maps as private land used for purposes of value to the community then the use of that land shall be limited to the particular use endorsed by way of description on the District Planning Maps.

Provided that land or buildings thereon owned by sporting clubs and similar organisations may be used for other recreational or sporting purposes which, in the opinion of the Council, will cause no nuisance nor detract from the amenities of the adjoining properties or the neighbourhood generally.

3.8.2.3 Cancellation of Identification

The Council may at any time cancel such identification and shall thereupon notify accordingly, the owner and occupier of the affected land.

3.8.3 CLAUSE 3 - WATER QUALITY

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

3.8.4 CLAUSE 4 - CONTROL OF ADVERTISING

3.8.4.1 Definition for the Purpose of this Ordinance

Sign includes every sign placed or affixed whether by painting or otherwise as advertising matter upon a site and visible from off the site. It shall include the board hoarding or other structure which supports the sign.

3.8.4.2 General

1. The number and design of signs which may be displayed on any building or land shall be subject to the approval of the Council.

2. Notwithstanding that a sign may comply with the following requirements, if at any time the Council having regard to considerations of traffic safety or to the amenities of or view from any land or neighbourhood is of the opinion that the erection, construction or display of any sign or hoarding should be modified, or not be permitted, the Council may, by resolution require such modifications as it considers necessary, or prohibit the erection, construction or display in a like manner or require the modification or removal of any existing sign or hoarding.

3.8.4.3 Procedure

The following procedure shall apply in cases where the Council:

1. Refuses permission for the erection, construction or display of a sign.
2. Gives its consent to the erection, construction or display of a sign on terms unacceptable to the applicant.
3. Prohibits the display or requires the removal of an existing sign upon the grounds that the sign would, or (in the case of an existing sign) does in its opinion, conflict with the requirements of these Ordinances, relating to traffic safety or amenities.

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

3.8.4.4. Residential and Rural Zone

No persons shall erect or construct or display, or cause or permit to be erected or constructed or displayed in any residential or rural zone, any sign.

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

1. Any sign not exceeding 0.5m sq in area and servicing only to direct traffic or to denote the name of the street, the number of any premises, the name of any residential building, or the name, character, or purpose of any premises or land or the location of timetable or other details of any public utility or facility.

MEMORANDUM

TO: District Building Inspector DATE: 28 June 1990

FROM: Director: Planning & Regulatory SUBJECT: Electioneering Signs

Council has adopted the following policy with regard to the erection of electioneering signs:

1. The approval of the property owner is to be obtained in writing.
2. The sign is not to detract or obstruct vision or the amenities of the neighbourhood.
3. The maximum permitted height is 3 m.
4. The maximum permitted area is to be 3 m².
5. The maximum duration for the sign to be displayed shall be no more than six weeks before the election and seven days after the election.
6. The fee shall be \$200.00 for the display of six signs and a further \$20.00 for each additional sign (fee to be reviewed annually).

[Signature]
Richard Simpson
DIRECTOR: PLANNING & REGULATORY

RS/DM

*Decided in Council
with DBI 3:7:90*

Pro Rata:

*Up to 3 Signs for \$100
" " 6 " for \$200*

Westland County Council
Advertising signs

The following is Westland County Council's policy on advertising signs as approved by the Council on 4 February 1986.

Class: 8.4.5

1. Maximum size 2.4 m x 1.2 m
2. No sign to be erected on road reserve.
3. Letter of approval from landowners with application.
4. Maximum height 4 m
5. Sign not to obstruct motorists vision or detract their attention.
6. Sign not to detract or obstruct the visual amenities of the neighbourhood.

Provided the above conditions are met the application will be approved by the Building Inspector without reference to Council.

Any non-complying applications will be referred to Council with a recommendation from the Building Inspector.

The application fee will be calculated on the basis of \$10.00 per sq m of sign, with a minimum fee of \$~~5~~⁶0.00.

A site plan as detailed on the reverse of the building permit application form is also required to accompany all sign applications.

2. Any sign not exceeding 1.5m sq in area erected in connection with a church, school, museum, library, hospital, nursing home, convalescent home, or recreation ground, or an approved condition use.

3. Any sign not exceeding 1m sq in area advertising the disposal of the land or premises on which it is situated.

4. Any sign advertising an auction sale to be held on the premises on which the sign is erected and so erected and displayed not more than seven days before and after the auction.

5. Any sign not exceeding 0.5m sq in area attached to a residential building used for professional or business purposes and bearing only the name, occupation and hours of attendance or business of a person so using a building.

3.8.4.5 Commercial Signs in Residential or Rural Zone

The Council may erect or otherwise allow the erection of a commercial sign or signs for advertising purposes for the benefit of directing the travelling public. Conditions as to size, siting, allocation of space, rentals and any other relevant factors shall be as determined by the Council.

3.8.4.6 Service and Industrial Zones

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

3.8.5 CLAUSE 5 - VERANDAHS IN COMMERCIAL STREETS

Every building which is regularly used or intended for use by the general public, whether for commercial purposes or otherwise and which adjoins or fronts a street in a service 1 or service 2 zone shall, on its erection, reconstruction, or alteration, be provided with a verandah within such minimum and maximum heights as the Council may prescribe, but each so related to its neighbours as to provide continuity and each having a fascia within such limits of depths as the Council may prescribe. No such verandah shall be supported by posts on the street.

3.8.6

CLAUSE 6 - DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS

3.8.6.1

This Ordinance shall apply notwithstanding compliance otherwise with this Code of Ordinances.

3.8.6.2

No structure, sign excavation or other work shall be sited or made or finished so that it would, in the opinion of the Council, (notwithstanding that the design and materials may comply with the Council's building by-laws), be visually inappropriate to the neighbourhood or would otherwise detract from the amenities of the neighbourhood or would tend to depreciate public or private values therein.

Provided any prohibition limitation or requirement imposed under this sub-clause shall be limited to the proposal as described in the building permit application and shall not apply to any lawfully existing structure, sign, excavation or other work.

The applicant, owner or occupier of the property claiming to be injuriously affected by any prohibition, limitation or requirement imposed under the foregoing provision of this Ordinance may, within fourteen days of the receipt of such decision, give notice in writing that he requires that decision to be reviewed by the Council. The Council shall thereupon consider the matter as a conditional use application, and it may receive or call upon such other evidence or specialist opinion as it considers necessary to determine the matter at issue.

3.8.6.3

No structure, sign, excavation or other work shall be left unfinished or shall be allowed to fall into such a condition and no land shall be allowed to deteriorate to or remain in such a condition that it would, in the opinion of the Council, be visually inappropriate to the neighbourhood or would detract from the amenities of the neighbourhood or would tend to depreciate public or private value therein.

Where the Council is of the opinion that any structure, sign, excavation or other work contravenes the provisions of this sub-clause, the Council will take action under Section 77 of the Act in order to require the owner of such structures or other works to remove the objectionable elements.

APPENDIX A

Industries requiring Segregation because of Noxious or Dangerous aspects.

Abattoirs
Acetylene-gas manufacture
Acids manufacture
Aerosol packing and manufacture
Alkali-waste works
Aluminium Alloy manufacture
Ammonia manufacture
Ammunition manufacture
Animal by-products manufacture
Arsenic recovering works
Artificial manure manufacture
Battery manufacture
Bearing manufacture
Bisulphide of carbon works
Boiling down works
Bone crushing
Candle manufacture
Cement bag cleaning works
Cement manufacture and packing
Chemical manufacture
Chloring works
Coke manufacture
Detergent manufacture
Distillation of coal, wood or bones
Explosive manufacture or storage
Fat rendering
Fellmongering
Fertiliser manufacture
Fibrous plaster manufacture
Fireclay products manufacture
Fireworks manufacture or storage
Fish curing and preserving
Flourine works
Fuel oil refining and storage
Fur curing and tanning
Gas (coal) manufacture
Gelatine manufacture
Glue manufacture
Gunpowder manufacture
Gypsum manufacture
Hydrochloric acid works
Incinerator
Iron works
Knacker yard
Lamblack manufacture
Leather tanning

Lead Works
Linoleum manufacture
Lime manufacture, packing and bag cleaning
Manure (artificial) manufacture
Meat works - killing, freezing and packing
Oil distillation and refining
Oxygen gas manufacture
Paint manufacture
Paper-pulp manufacture
Pottery manufacture
Pyridine works
Rubber goods manufacture
Sausage casing manufacture
Soap manufacture
Smelting metals
Steel works
Stockyards:
Provided that for the purpose of ordinances relating to conditional uses in rural zones stockyards shall be deemed to be a use of land ancillary to farming, and not a use to which this Appendix relates
Sulphur chloride manufacture
Sulphur dioxide manufacture
Sulphuric acid works
Tallow melting, refining and processing
Tanning and curing
Tar manufacture, refining, mixing
Timber treating
Turpentine manufacture
Varnish manufacture
Whaling station
White lead manufacture
Wool scouring
Zinc chloride
Zinc works

Or any other industry that is, or under any conditions may become, noxious or dangerous in relation to adjacent areas.

APPENDIX B

Industries requiring Segregation because of Noise, Smoke, Smell, Effluent, Vibration, Dust, Glare or Other Like Objectionable Aspects.

Aeroplane manufacture, assembly, repair and testing	Glass manufacture
Agricultural machinery and implements manufacture	Glass product manufacture
Animal foods manufacture	Glucose manufacture
Asbestos cement products manufacture	Gold mining
Asbestos manufacture	Grain elevator
Asphalt manufacture, refining storage or mixing	Grain milling
Bacon and Ham curing	Grain threshing and crushing
Bags and sacks (textile) manufacture	Gravel, sand or shingle pits
Bitumen products, treatment and storage	Graving dock
Blacksmith's shop	Gypsum products
Boat building	Harbour facilities - wharfage sheds etc
Boiler works	Hides, wool, and tallow warehouse
Bottle factory	Ink manufacture
Brass foundry	Iron foundry
Brewery	Iron mining
Brick and tile manufacture	Iron smelting
Briquette manufacture	Iron stove, range and grate manufacture
Burnt clay products	Jam, fruit and vegetable preserving
Carpet manufacture	Joinery workshop
Casein manufacture	Junk yard, scrap metal, bottles etc
Celluloid works	Lucerne processing
Cement products manufacture	Malting
Coal briquette manufacture	Margarine manufacture
Cold storage	Metal and metal ore reduction, refining, smelting, alloying
Concrete central mixing plant	Metal recovery works
Constructural engineer's workshop or yard	Match manufacture
Cooperage works	Motor body building
Creosote manufacture and treatment	Motor car wrecking
Dairy factory	Motor vehicle assembly
Diecasting and diemaking	Nail manufacturing
Disinfectant manufacture	Oil cake manufacture
Distillation of spirits	Oil storage
Dried milk manufacture	Oils - essence or extract manufacture
Drugs manufacture	Oils - vegetable manufacture
Dyers manufacture	Packing case manufacture
Electric power generating station	Panelbeating works
Electroplating	Paper manufacture
Engineers' (constructional) workshop or yard	Patent fuel manufacture
Felt manufacture	Petrol storage (bulk)
Flax milling	Pickles and sauce manufacture
Flock mills	Plaster of Paris manufacture
Flour milling	Plastics manufacture
Gas storage	Plywood manufacture
General engineering	Polishes manufacture

Post splitting and sleeper and
prop cutting
Pumice Pit
Quarry road metal, gravel, sand
Shingle, marble, building stone
Railway goods yards
Railway trackage
Railway workshop
Roading contractor's workshop
or yard
Rolling mill
Rug manufacture
Sacks and bags (textile)
manufacture
Sandblasting
Sash and door factory
Sauce and pickle manufacture
Sawmill
Scrap metal yard
Seed cake manufacture
Seed cleaning
Sheep dip manufacture
Sheet metal manufacture
Shell crushing
Ship building
Shoddy manufacture
Spray painting
Stains manufacture
Starch manufacture

Steel mill
Stock transporter's yard
Stone crushing
Stone cutting or dressing
Stone quarrying
Stove, range and grate
manufacture
Stoving or enameled ware
Sugar refining
Tar storage
Timber mills
Timber yard (wholesale)
Tinplate manufacture
Tram repair shop
Tyre manufacture, recap and
retread
Varnish blending
Vehicle, motor assembly
Veneer manufacture
Vinegar manufacture
Wall board manufacture
Wire manufacture
Woodbox manufacture
Wood shaving packing manufacture
Wood hides and tallow warehouse
Woollen mills
Wool packs, rugs etc manufacture
Yeast manufacture

Or any other industry that is, or under any conditions, may become
objectionable in relation to adjacent areas.

APPENDIX C

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

THE ACT: means the Town and Country Planning Act 1977.

ACCESSORY BUILDING: means a building the use of which is incidental to that of any other building or buildings on the site; and in relation to a site on which no building has been erected, incidental to a use permitted on that site.

APARTMENT: means any residential building on one site which includes two or more household units or any residential building containing one or more household units which shares a site with one or more household units and includes a block of flats but does not include semi-detached or attached houses.

ATTACHED HOUSES: means one of a group of household units, whether of one or more storeys, each being the only household unit on the 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 bylaws for party wall between dwellinghouses; and if an end unit, being so joined in one side only.

BOARDINGHOUSE: means a residential building, not being a licensed hotel, in which board and lodging is provided or is intended to be provided for four or more boarders or lodgers, for reward or payment; and includes a private or unlicensed hotel and a private residential club.

BUILDING: means any structure, whether temporary or permanent, movable or immovable, of not less than 1.2m in height and includes any fence or wall other than a retaining wall and any stack or heap of building material.

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

CODE: means this Code of Ordinances.

COMMERCIAL GARAGE: means land or buildings used for the lubrication and repair of motor vehicles, but does not include the sale by retail of petroleum products.

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

COVERAGE: means that portion of a site which may be covered by buildings, including accessory buildings, but not including fences, terraces or retaining walls, expressed as a percentage.

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

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

DWELLINGHOUSE: means a detached residential building, being the sole residential building on the site, except where there is a family flat on the site, designed for or occupied exclusively as one household. Where a site containing residential units is subsequently subdivided into fee simple titles, the residential buildings shall, for the purpose of the Scheme, remain residential units.

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

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

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

FACTORY FARMING: means any primary productive activity exhibiting two or more of the following characteristics:-

- little dependancy on the quality of the soils of the site.
- substantial coverage in permanent buildings having concrete or otherwise impervous floors for the housing and growing of the livestock and/or vegetative matter.

- substantial environmental control or modification to facilitate growth of livestock and vegetable matter.
- high output of waste material per hectare and includes, for example, poultry farming, mushroom farming, opossum, fitch and pig farming.

FARMING: means the use of land for the purpose of horticulture, fruit-growing, seed growing or dairy farming, the breeding and keeping of livestock for the production of food, wool and skins or for use in the farming of land, gardens and nursery grounds and the use of farm woodlots where it is part of farm management.

FORESTRY: means the management of forests for soil conservation, regulation of water, production of timber or other forest produce and recreation.

GARAGE: means a building or land used for the housing or care of self-propelled vehicles but does not include a commercial garage.

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

- The highest point of the parapet or coping in the case of a flat roof; or
- The mean level between the eaves the highest point of the roof in the case of a sloping roof - excluding in either case chimneys, ventilation shafts, water tanks, elevator lofts, steeples and towers.

HANDCRAFTS: are those goods produced by hand, by the use of hand tools or the use of mechanical appliances where such appliances:-

- Do not produce the goods in a repetitive manner through the use of jigs, templates, moulds, patterns, dies, jolleys or other similar devices except that such devices may be used to produce the original or first unit; or
- Do not produce the goods other than through the direct control of the operator, or do not produce the goods according to a predetermined pattern for production run purposes; and
- The person producing such goods must have complete and variable control over the production of every piece at every stage production.

Provided however that the handcrafts offered for sale on the site are solely those produced on the property.

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

HOUSEHOLD UNIT: means the self-contained home or residence of a single household.

HOUSEHOLD: including every housekeeping unit, whether of one or more persons.

INTERIM USE: has the meaning specified in Clause 3 of Ordinance 6 hereof.

LICENSED PREMISES: means a building in respect of which there is for the time being in force, a hotel keepers's licence issued under the Sale of Liquor Act 1962.

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

MOTEL: means land and one or more buildings principally for the day-to-day accommodation of travellers by road and their vehicles; and includes as accessory to the principal use, any services or amenities provided on the site such as fuelling of vehicles, shops, restaurants, bath houses and swimming pools, playgrounds and the like.

NON-CONFORMING: in relation to a site or a building or to the use of a site or building, means a site or building or a use of either that does not conform with the provisions of this Scheme.

PARKING: in relation to a vehicle, includes the stopping or standing of a 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.

PLACE OF ASSEMBLY: means any building used for the public, and except otherwise provided by this Code, private, assembly of people primarily for worship, recreation, education or deliberation and includes any church, church hall, sports clubrooms, clubrooms, gymnasium, pavilion, indoor sports facility, community centre or other building used for public meetings whether any such building has a general ancillary licence or not. The term place of assembly shall not include any place of entertainment, or licensed premise (other than chartered club or premises having a general ancillary licence).

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.

POSTER: has the meaning specified in Clause 4 of Ordinance 8 hereof.

PREDOMINANT USE: in relation to land in any zone, means any use specified in these Ordinances as a predominant use.

PRIVATE GARAGE: means a garage other than a commercial garage as herein defined; and includes a car port.

PRODUCTION FORESTRY: means the planting, maintenance, thinning and harvesting of trees.

PROFESSIONAL OFFICE: means the office of a person whose calling involves a branch of learning of science, involving a recognised course of training at tertiary level and in which professional service is available and carried out. The term includes the offices of accountants, solicitors, architects, surveyors, engineers and medical practitioners.

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

RESIDENTIAL UNIT: where two or more household units are located on one site, each residential building or part of a residential building designed for, or occupied by a household unit shall be known as a residential unit. Provided however, that the term residential unit shall not include any elderly persons housing, old people's homes, boarding house, hostels, hotels, travellers accommodation or camping grounds. Where a site containing residential units is subsequently subdivided into fee simple titles, the residential building shall for the purposes of the scheme, remain residential units.

SEMI-DETACHED HOUSE: means one 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 bylaws for a party wall between dwellinghouses.

SERVICE STATION: means an establishment for the fuelling, lubrication and minor servicing of motor vehicles, not including engine or body repairs or overhaul, or trimming or spray painting.

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

SIGNBOARD: has the meaning specified in Clause 4 of Ordinance 8 hereof.

SITE: means an area of land permitted by the Scheme and by the general law to be used as a separate unit for one or more specified or ascertainable uses; and includes all related buildings and curtilages:

- **Corner Site:** means a site having a frontage of not less than the minimum prescribed by this Scheme for front sites in the particular zone in which 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.
- **Front Site:** means a site having one frontage of not less than the minimum prescribed by this Scheme for the particular zone in which the site is situated to a street or a private street.
- **Rear Site:** 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 that zone.
- **Through Site:** means a front site having two frontages to a street or streets, such frontages not being contiguous and the average width of the site measured at right angles to the axis of the site being not less than the minimum frontage required for a front site.

STREET: includes road.

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

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

- **Front yard:** means a yard between the street line and a line parallel thereto and extending across the full width of the site.
- **Rear Yard:** means a yard between the rear boundary of the site and a line parallel thereto extending across the full width of the site.

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

- **Side Yard:** means a yard between a side boundary of the site and a line parallel thereto,
 - a) From the front yard to the rear yard; or
 - b) If there is not 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.

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APPENDIX D

Acts of Parliament - refer Ordinance 3.2.2.5 (Rural Zone).

Land Act 1948

Wildlife Act 1974

Reserves Act 1977

APPENDIX E

Land deemed to be designated on Base Map North (Planning Map No. 1) and Base Map 2 (Planning Map No. 2).

1. DEPARTMENT OF EDUCATION (S.P.)

<u>Description</u>	<u>Purpose</u>	<u>Area</u>
Pt RS 212, Lot 1 DP 1230 and 346 School Reserve Block XIII Kaniere S.D.	Primary School KOWHITIRANGI	1.1532ha
R 899 Block XVI Waitaha S.D.	Primary School WAITAHA	2.023ha
Pt R 316, Block XI Bruce Bay S.D.	Primary School JACOBS RIVER	4021m sq

2. POST OFFICE

Pt 965 Block I Toaroha S.D.	Telephone exchange	
Pt Lot 1 DP 1771 Block XIII Kaniere S.D.	Proposed Telephone Exchange	543.9msq

3. NEW ZEALAND ELECTRICITY DEPARTMENT (NZED)

Pt Sec 1151 Block XIII Waimea S.D. NZ Gaz. 1937 (page 109)	Sub-station	
Pt RS 3914 Block VIII Waitaha S.D. NZ Gazs. 1965 (page 82)	Sub-station	

4. HOKITIKA BOROUGH COUNCIL (H.B.C.)

Rural Sections 3697, 3698 and 3699 Block I, Kaniere S.D.	Reservoir and Water Treatment site	
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5. WEST COAST ELECTRIC POWER BOARD (W.C.E.P.W.)

N.B. Designation applies to all works essential to the generation of electricity, including power stations, dams, penstocks, spillways, etc.

1. Dillmanstown
2. McKays Creek
3. Kaniere Forks

4. Amethyst (Harihari)
5. Whataroa Sub-station (Lot 1 DP 1514, Pt RS 91 Block XIV
Whataroa Survey District).
6. Lake Wahapo
7. Tatare
8. Fox Glacier
9. Turnbull

APPENDIX F

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

1. MONUMENTS AND PLAQUES

Westland County Council		Mikonui
Memorial Trig Station		Mikonui
Tasman		Okarito
Haast Pass Opening		Knights Point
Westland-Vincent Counties		Haast Pass
R J Seddon	plaque	Kumara
Maori and Greenstone	plaque	Arahura
Hon, Roddy Nugget	notice	Ross
Guy Menzies Tasman Flight	notice	Harihari
Douglas Memorial	notice	Karangarua
Thomas Brunner	plaque	Paringa River
Gates of Haast	plaque	Haast River
Settlers	plaque and graves	Jacksons Bay

2. RECOMMENDATIONS FOR VISUAL COMMEMORATION

Otira Tunnel	Otira
Kumara Gold Workings	
Police Sergeant Cooper and Other (Graham Tragedy)	Kowhitirangi
First Dairy Factory and Farmers Whataroa Saleyards	Kokatahi
Waitangi River change of course	
Haast Aerodrome and the early Airmen	
Ship and Ships Creek, Whalers and Sealers	
Waiho Okarito Fork Gold Workings	
Okarito township and historic wharf	
Beach Gold Workings at Gillespies	
Gold Sluicing - Blue Spur Mine - Mont D'Or	
Timber Milling Era - Butlers venture at Bruce Bay	
Paringa-Haast Cattle Track, Stockmen, Packers and Drivers, Roadmen and Ferrymen (possibly at Haast Bridge).	

3. PIONEER CEMETERIES

Stafford
Arawata
Ross
Waikukupa
Maori Cemetery (Bruce Bay)
Gillespies
Okarito

4. HISTORIC SITES RECORDED BY THE NEW ZEALAND HISTORIC PLACES TRUST

A file containing information on sites recorded for NZMS 1 S. 50 and 51 Hokitika topographical map, is held at the County Office. The list includes the sites of former mining towns, coaching stops, mining claims and Maori pas. It will be added to as further records are received from the Historic Places Trust.

5. OBJECTS OF SCIENTIFIC INTEREST, NATURAL BEAUTY ETC

Paringa - Haast Cattle Track, opening up, maintaining and preservation.

Gillespies - Okarito Coastal Track, opening up, maintenance and preservation.

Stunted indigenous old forest Waita River to Haast preservation.

Seal Colony Arnott Point, preservation.

Penguin Rookeries, North of Cole Creek and below Knights Point, preservation.

Cascade Point.

6. GAZETTED SCENIC RESERVES

The following is a list of gazetted Scenic Reserves. Most have been described in the booklet, Scenic Reserve of Westland 1975 published by the Lands and Survey Department. Numbers where given, correspond to those given in this publication and are shown accordingly on the base maps.

9. Taramakau
20. Okuru
21. Kawaka Creek
22. Loopline Road
24. Rocky Point
25. The Avenue
27. Mahinapua Lake
28. Pleasant Point
29. Kaniere Lake
30. Lake Arthur
31. The Doughboy
32. Fergusons Bush
33. Hokitika Gorge
34. Kakapotahi
35. Waitaha
36. Pukekura
37. Lake Ianthe
38. Saltwater
40. Lake Rotokino
41. Poerua River

- 42 Wilberg Range
- 43. The Exile
- 44. Mt. Hercules
- 47. Whataroa
- 48. Rohutu
- 55. Mahitahi
- 56. Jacobs River
- 56A. Lake Moeraki
- 57. Lake Paringa
- 58. Paringa Bridge
- 59. Lake Ellery
- Karangarua Bridge
- Toaroha Creek
- The Waitangiroto Nature Reserve also lies with the County.



BRENT THOLLE

CONTENTS

Sheet No.

1	Base Map North
2	Base Map South
3	Otira
4	Kumara
5	Kumara Junction and Arahura
6	Hokitika North
7	Kaniere Road
8	Kaniere and Whataroa
9	Lake Kaniere
10	Kokatahi
11	Ruatapu
12	Ross
13	Harihari and Okarito
14	Franz Josef Glacier
15	Whataroa Fox Glacier
16	Haast Township
17	Haast Camp and Carters Mill, Neils Beach and Okuru.
18	Jackson Bay

Note: Sheets 1 and 2, Base Maps, have printed reference legends.

All sheets are reduced imperial size and have representative scales for both imperial and metric units of length.

ENLARGEMENT SHEET REFERENCES


State Highways 0000000000

Railways 

National Park Boundaries **+++++**

Zoning

Resort 
 Rural 1 All of the County not otherwise zoned Ru/1

Rural 2  Ru/2

Residential  R/1 to R/5

Industrial  I/1 or I/2

Service  S/1 or S/2

Deferred Urban 

Identified Land

Existing  Pr. O.S.

Designations

Existing 

Proposed 

Abbreviations as follows

Aerodrome	-	Aerodrome
Cemetery	-	Cem.
Fire Station	-	F.S.
Railways	-	N.Z.R.
Hospitals Public	-	H.Pub.
Ministry of Works and Development	-	M.W.D.
National Park	-	N.P.
Electricity Dept	-	N.Z.E.D.
Post Office	-	P.O.
Police	-	Pol.
Public open space	-	P.O.S.
Schools Primary	-	S.P.
Westland County Council	-	W.C.C.
West Coast Electric Power Board	-	W.B.
Hokitika Borough Council	-	H.B.C.

Note: Underlying zoning to designated areas is shown by appropriate zone borders.

PART 4

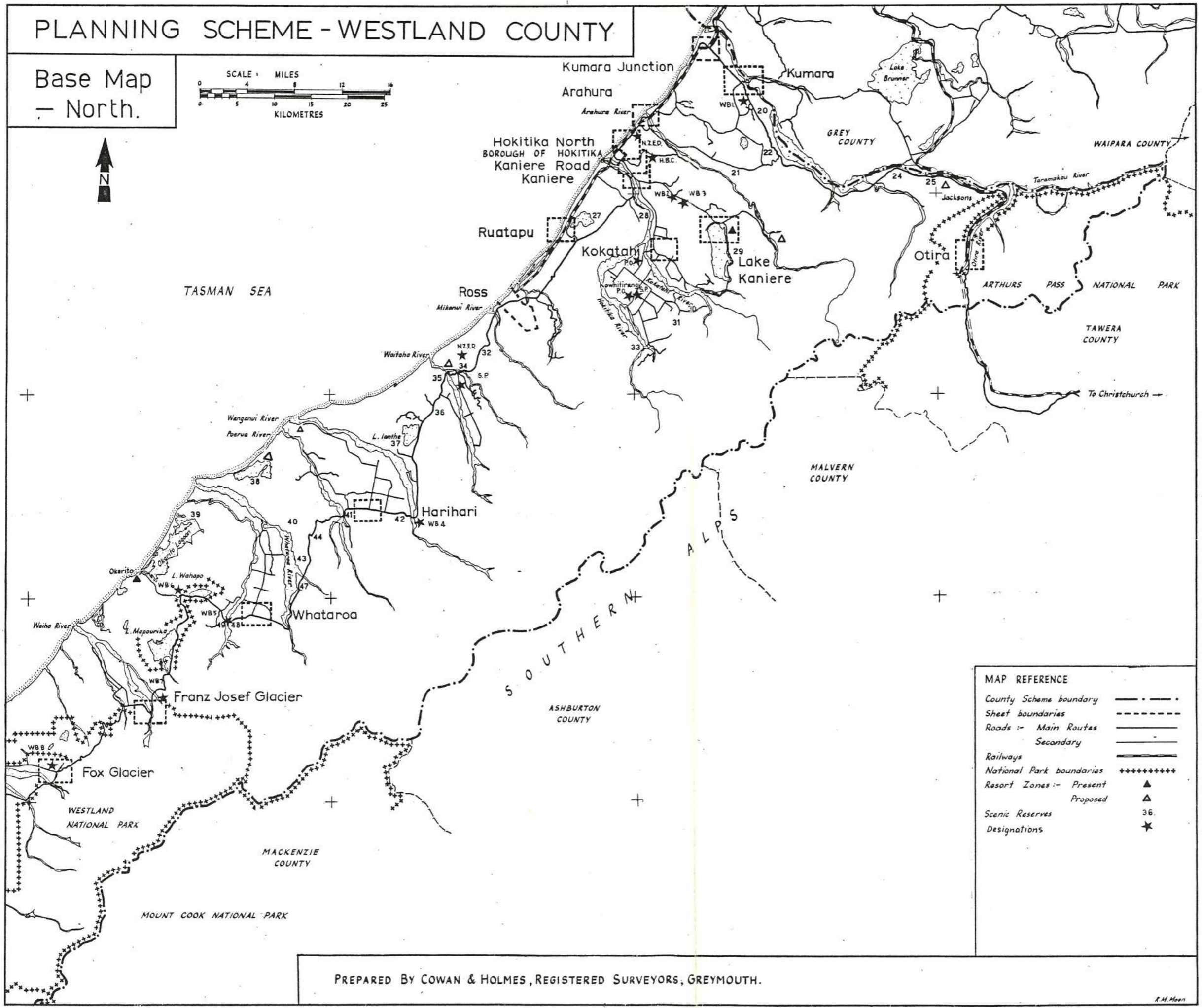
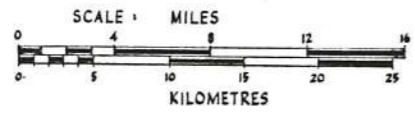
PLANNING MAPS

BEING A SERIES OF 18 MAPS TO ILLUSTRATE

THE DISTRICT SCHEME

PLANNING SCHEME - WESTLAND COUNTY

Base Map
- North.

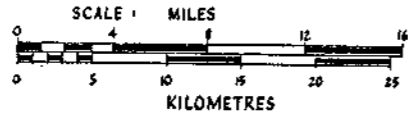


MAP REFERENCE	
County Scheme boundary	— · — · — ·
Sheet boundaries	- - - - -
Roads :- Main Routes	—————
Secondary	- - - - -
Railways	—————
National Park boundaries	*****
Resort Zones :- Present	▲
Proposed	△
Scenic Reserves	36
Designations	*

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

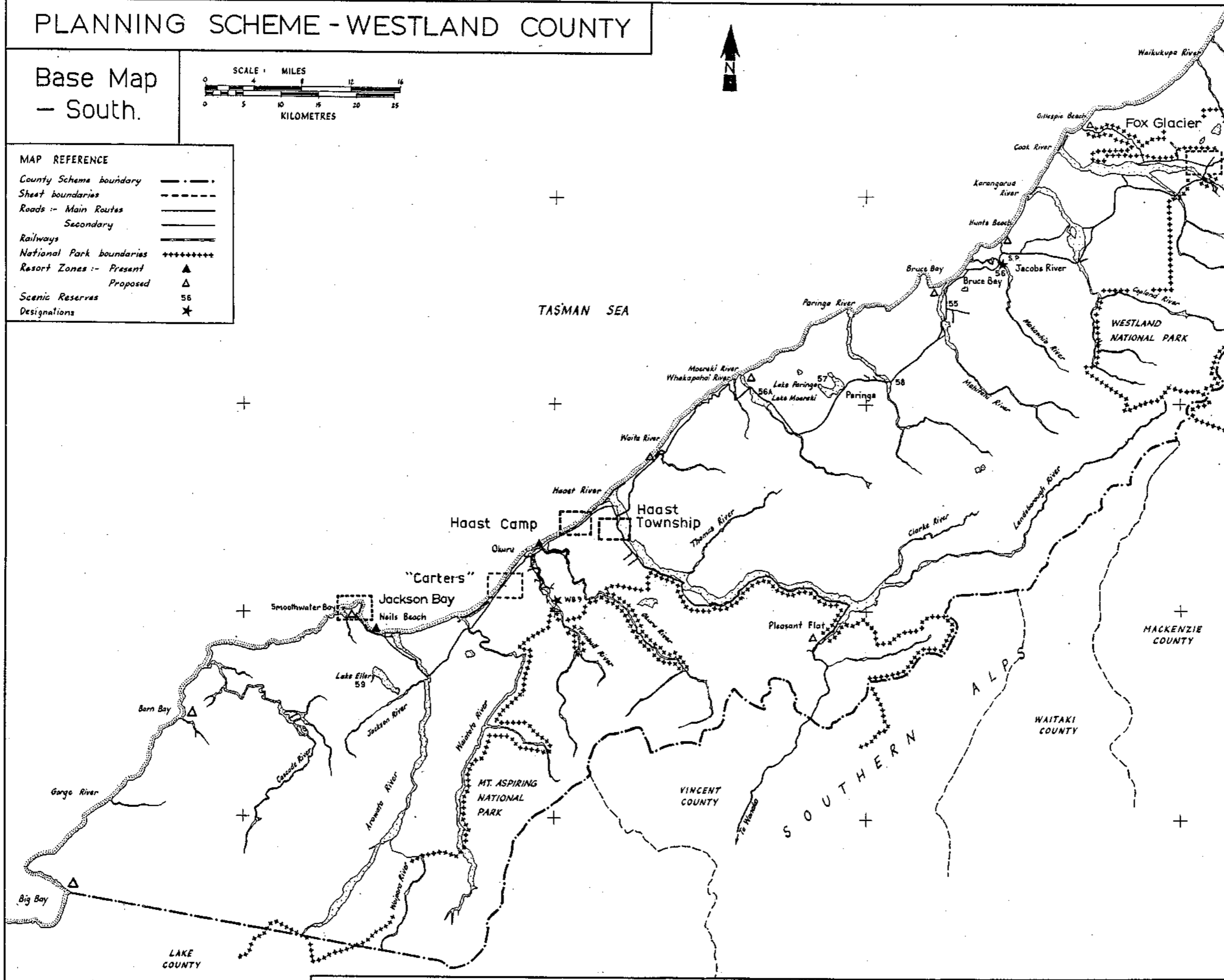
PLANNING SCHEME - WESTLAND COUNTY

Base Map
- South.



MAP REFERENCE

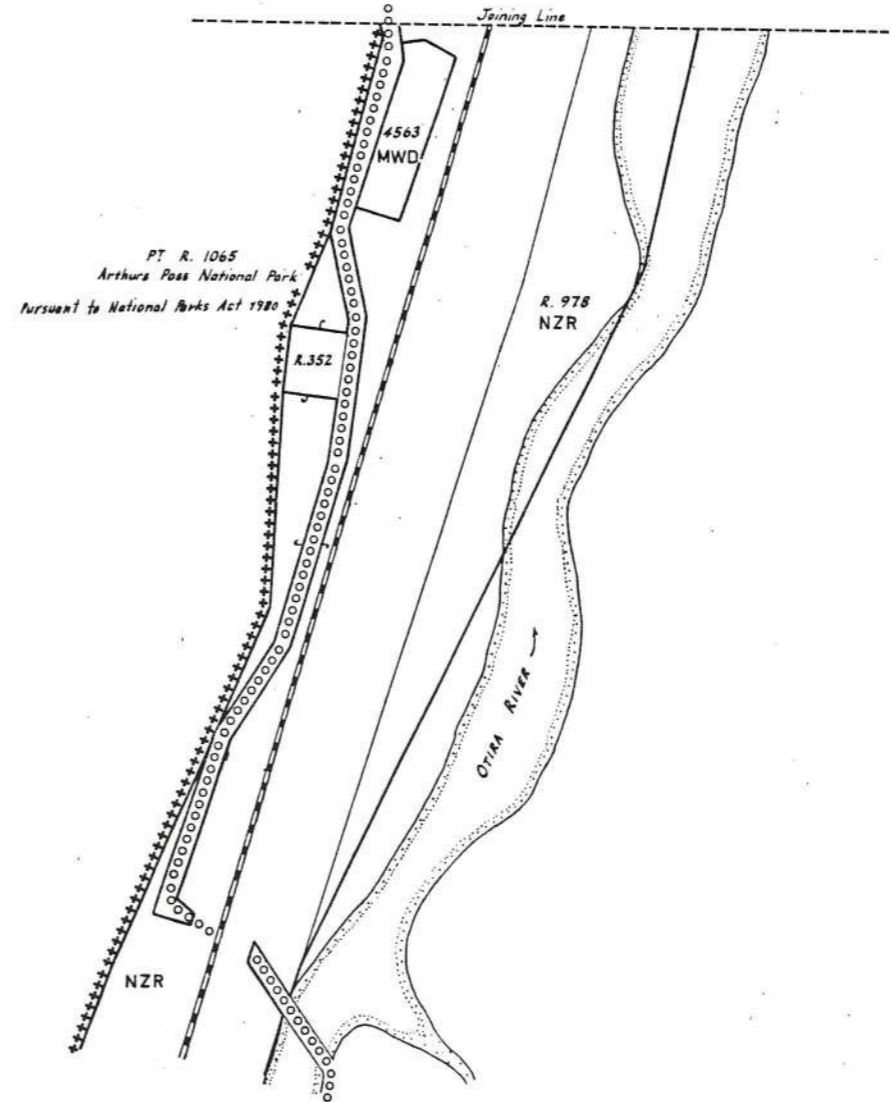
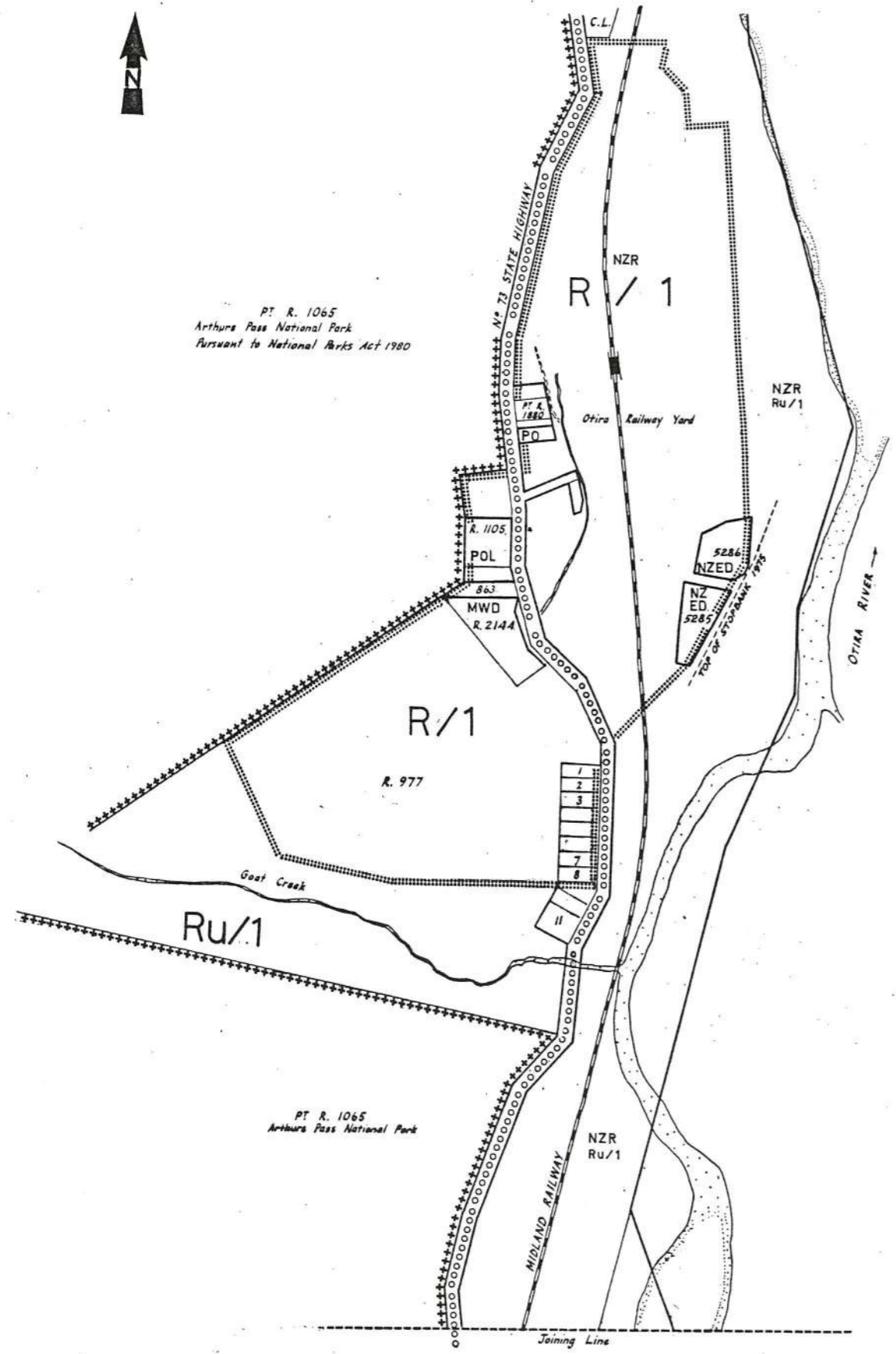
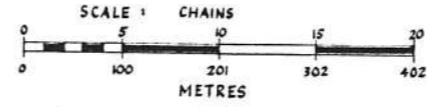
County Scheme boundary	— · — · —
Sheet boundaries	- - - - -
Roads :- Main Routes	=====
Secondary	=====
Railways	=====
National Park boundaries	+++++ + + + +
Resort Zones :- Present	▲
Proposed	△
Scenic Reserves	56
Designations	*



PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

A.M. Heen

PLANNING SCHEME - WESTLAND COUNTY



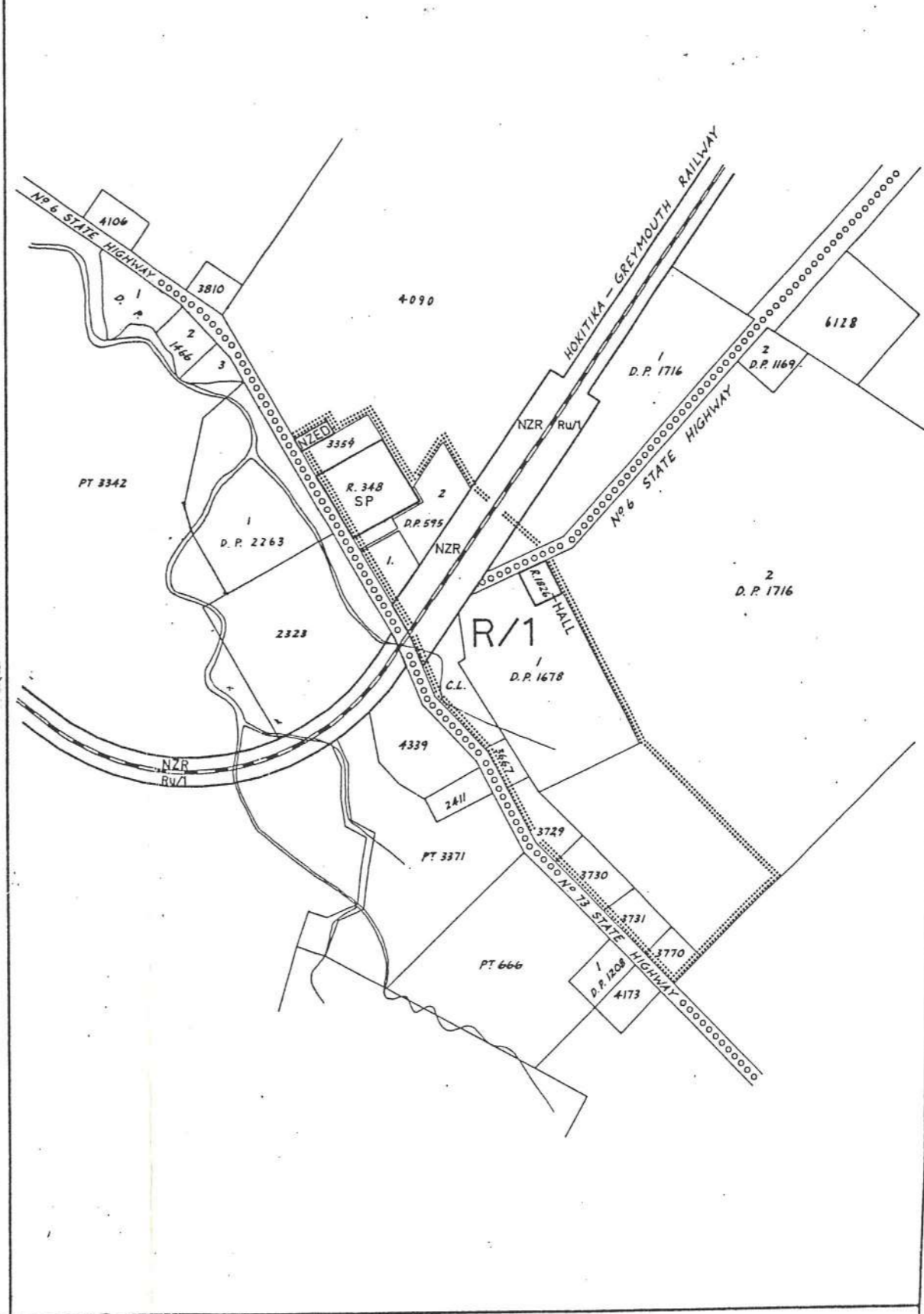
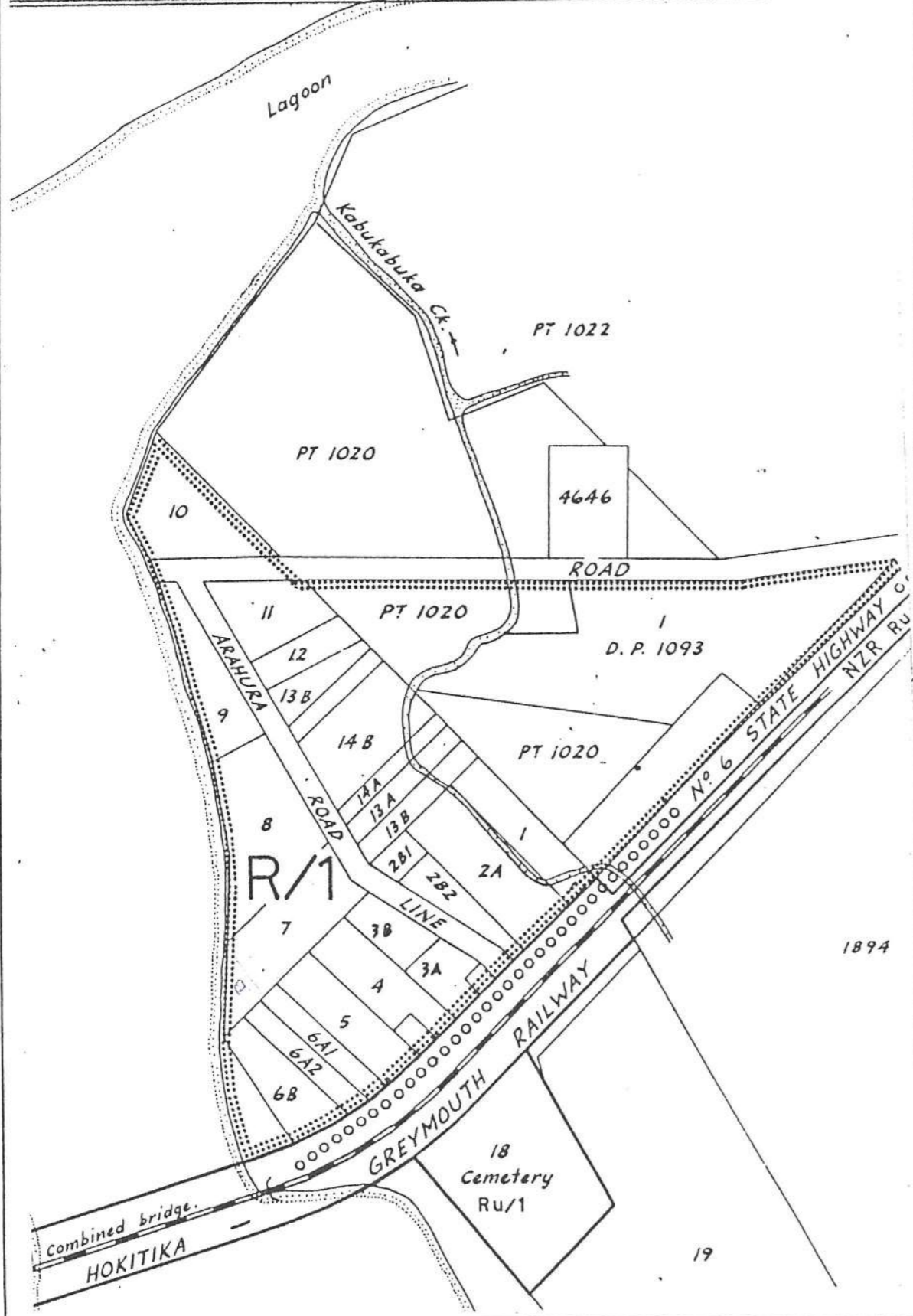
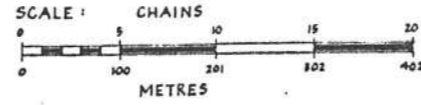
OTIRA ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

A.M. Moon

PLANNING SCHEME - WESTLAND COUNTY

SCHEME CHANGE No 9: ARAHURA

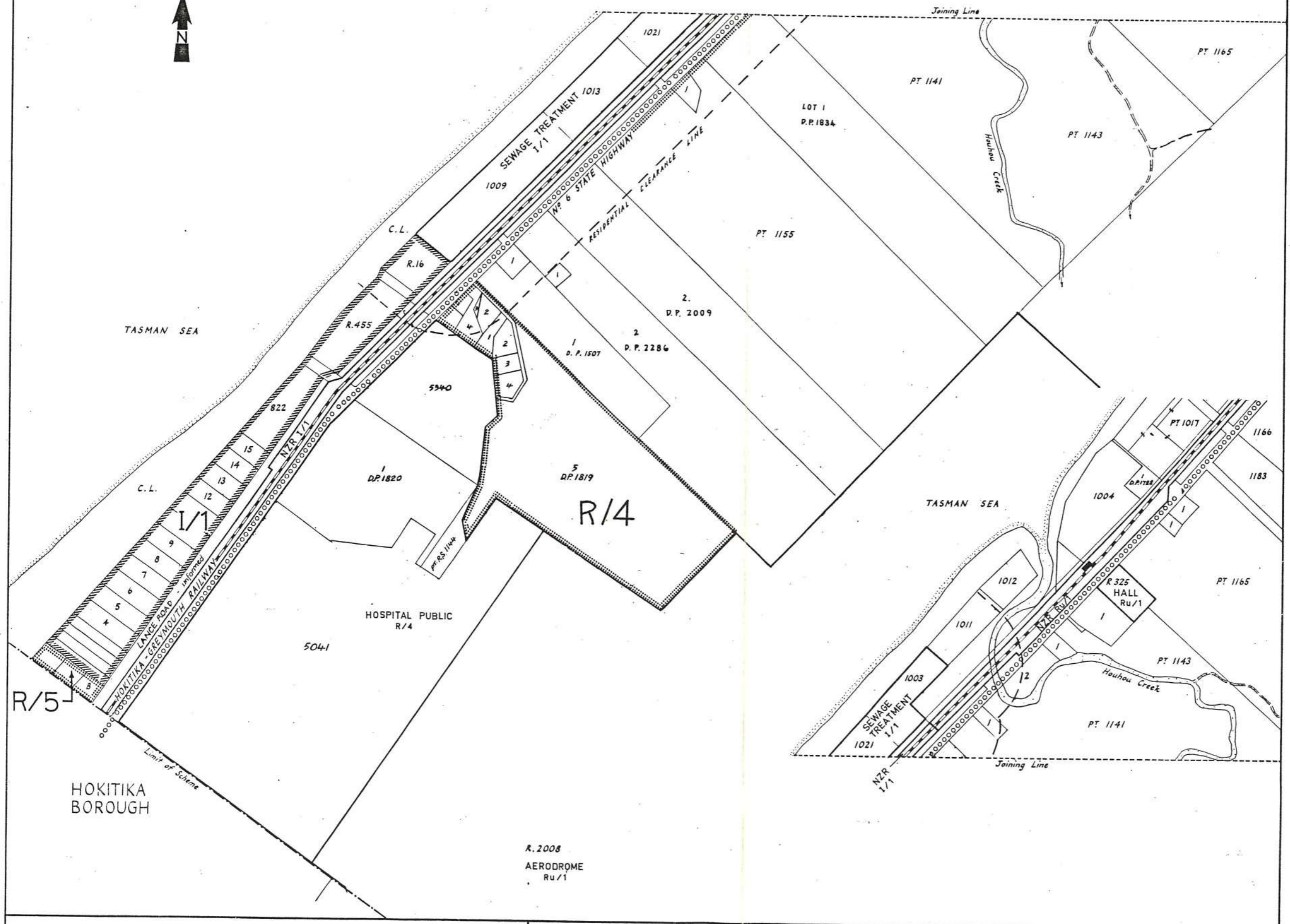
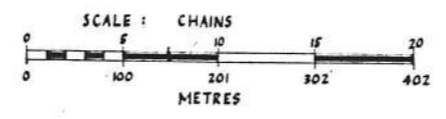


ARAHURA ENLARGEMENT

PREPARED BY COWAN & HOLMES,
REGISTERED SURVEYORS, GREYMOOUTH.

KUMARA JUNCTION ENLARGEMENT

PLANNING SCHEME - WESTLAND COUNTY



HOKITIKA NORTH ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

R. M. HOAN

WESTLAND DISTRICT COUNCIL

Our Reference ...TOP.7.3.....
Your Reference
When replying please quote our reference

Please address all correspondence to:
THE GENERAL MANAGER
PRIVATE BAG 704
HOKITIKA.

CHANGE NO. 12: WESTLAND DISTRICT TRANSITIONAL PLAN

1. Scheme Statement:

- * Add to Clause 2.12.5;

"There is also a second Residential 4 Zone to the north of Hokitika in the Blue Spur area".

2. Code of Ordinances (Rules):

- * Ordinance 3.7.2 Location. Add the following:

"A second area has also been zoned in the Blue Spur area north of Hokitika. It is comprised generally of Rural Sections 2019, 3298, 1257, 1441, 1449, 1964, 1965."

- * Ordinance 4, Clause 4.8:

"Amend 2500 m² minimum area (excluding access) to 2000 m²."

3. Planning Maps:

- * Amend planning map 7 to show Rural Sections 2019, 3298, 1257, 1441, 1449, 1964 and 1965 as Residential 4.

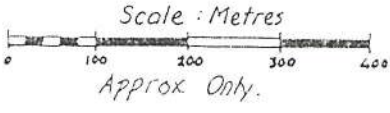
This is a copy of plan change number 12 which was approved under Seal of Council on 20 August 1992.


Richard Simpson
DIRECTOR: PLANNING & REGULATORY



Plan Change No. 12.

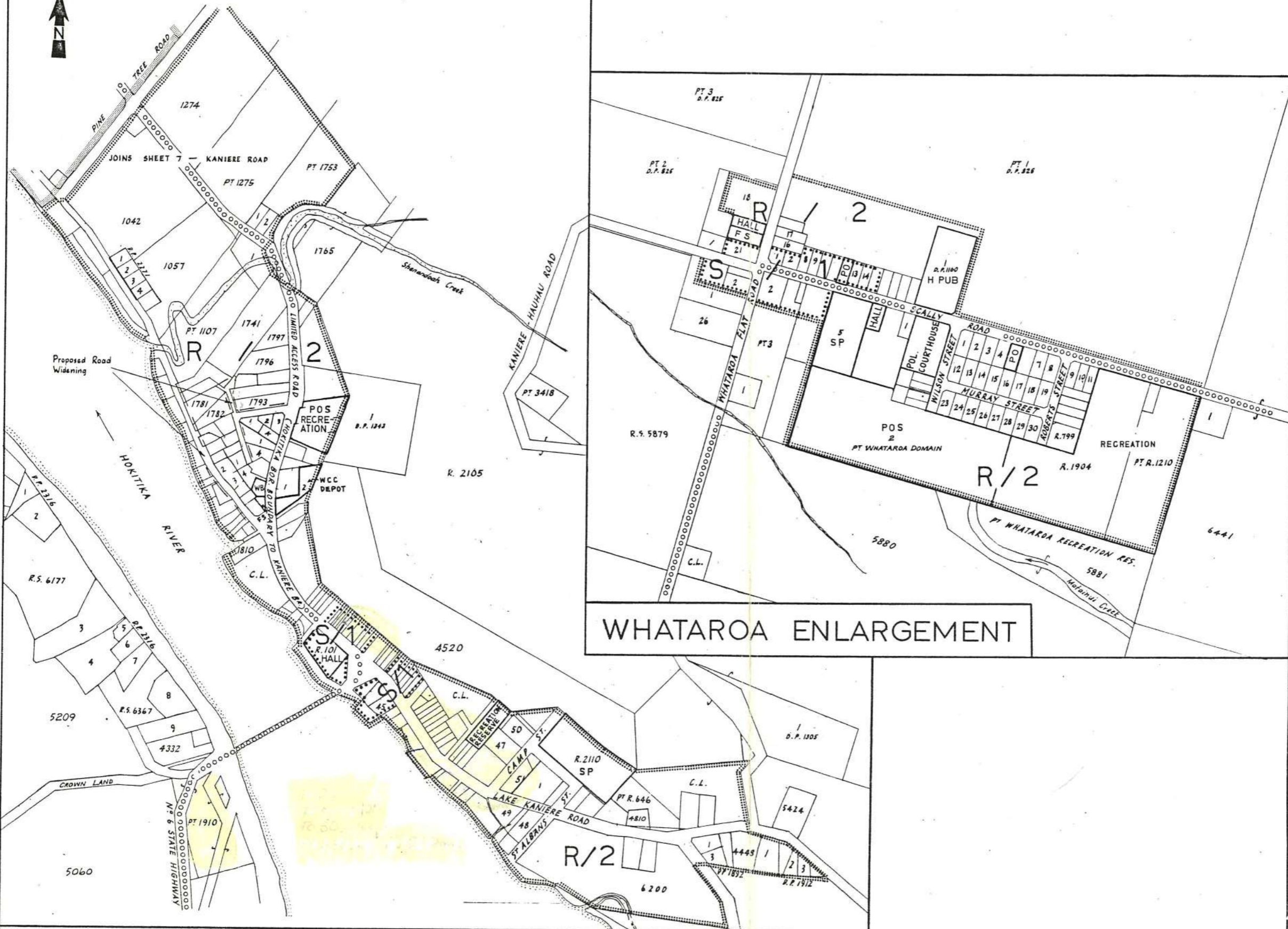
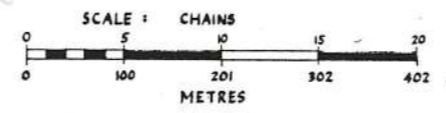
Residential 4 Zone



Prepared by Cowan and Holmes

AMENDMENT TO PLANNING MAP 7

PLANNING SCHEME - WESTLAND COUNTY

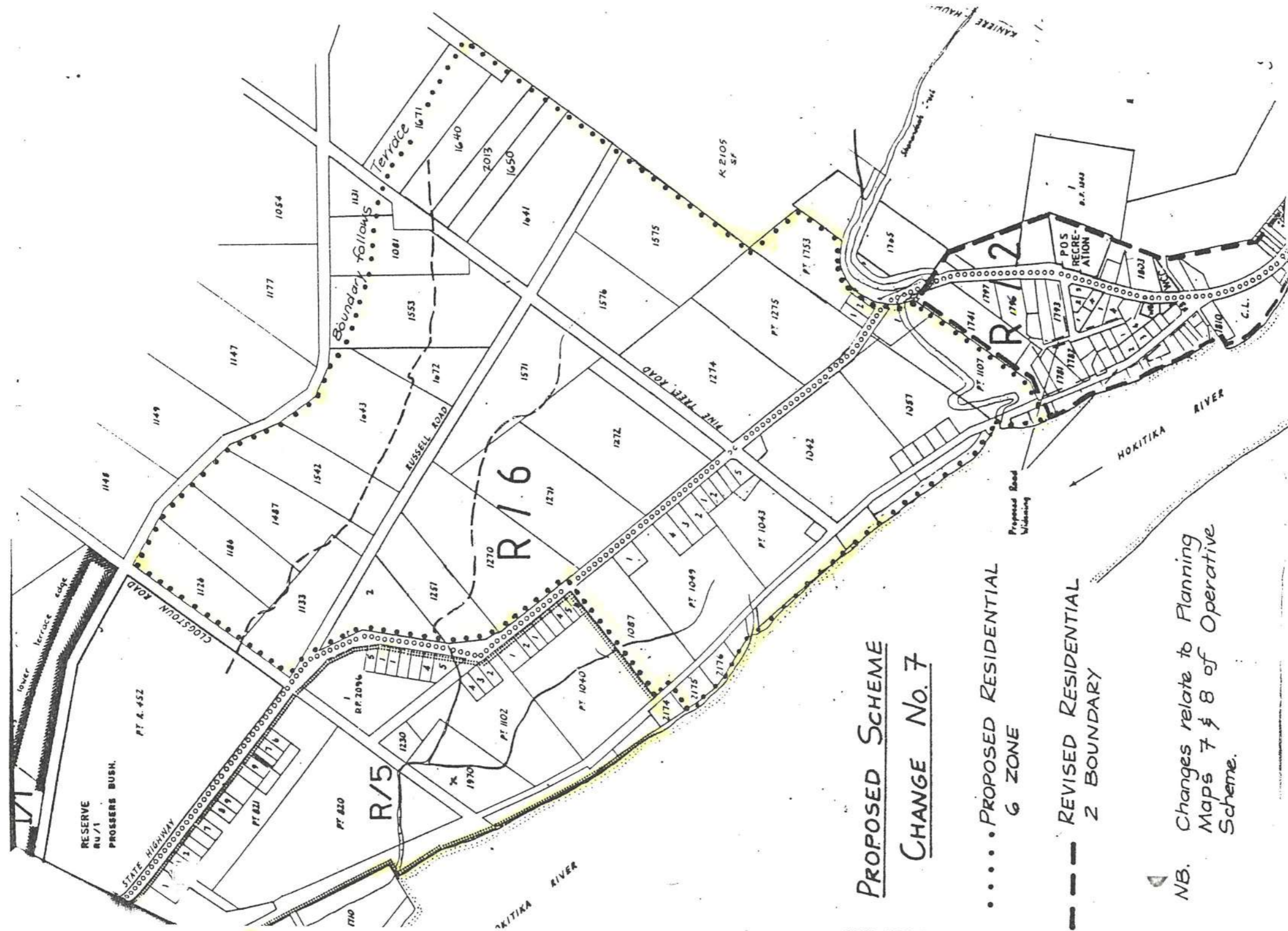
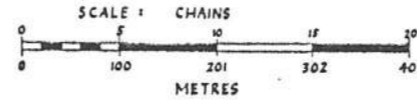


WHATAROA ENLARGEMENT

KANIERE ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

PLANNING SCHEME - WESTLAND COUNTY



**PROPOSED SCHEME
CHANGE No. 7**

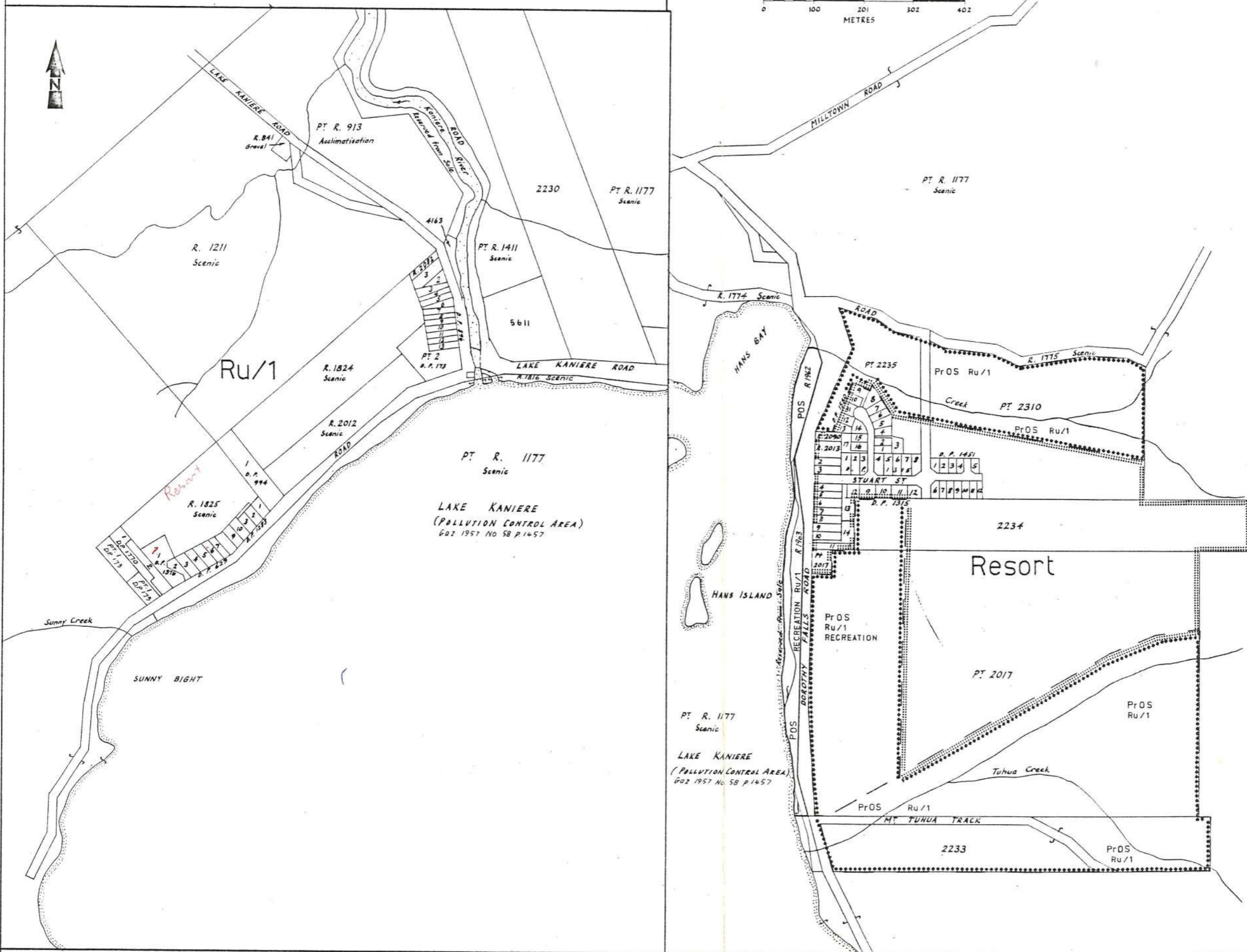
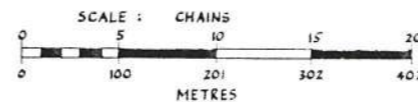
- PROPOSED RESIDENTIAL 6 ZONE
- REVISED RESIDENTIAL 2 BOUNDARY

NB. Changes relate to Planning Maps 7 & 8 of Operative Scheme.

KANIERE ROAD ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

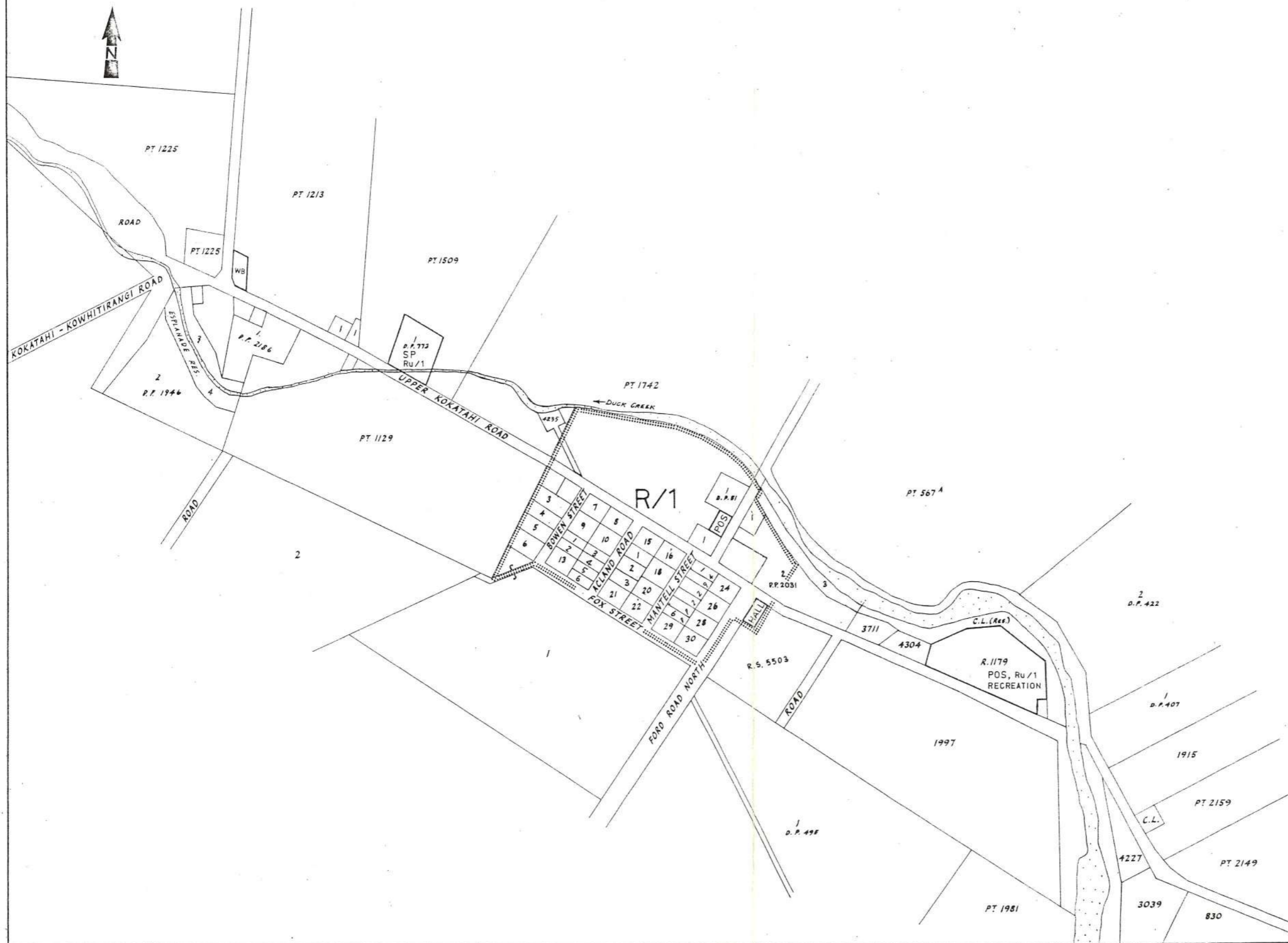
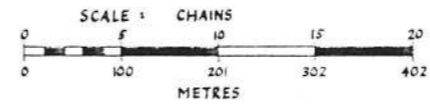
PLANNING SCHEME - WESTLAND COUNTY



PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

E.H. Noon

PLANNING SCHEME - WESTLAND COUNTY

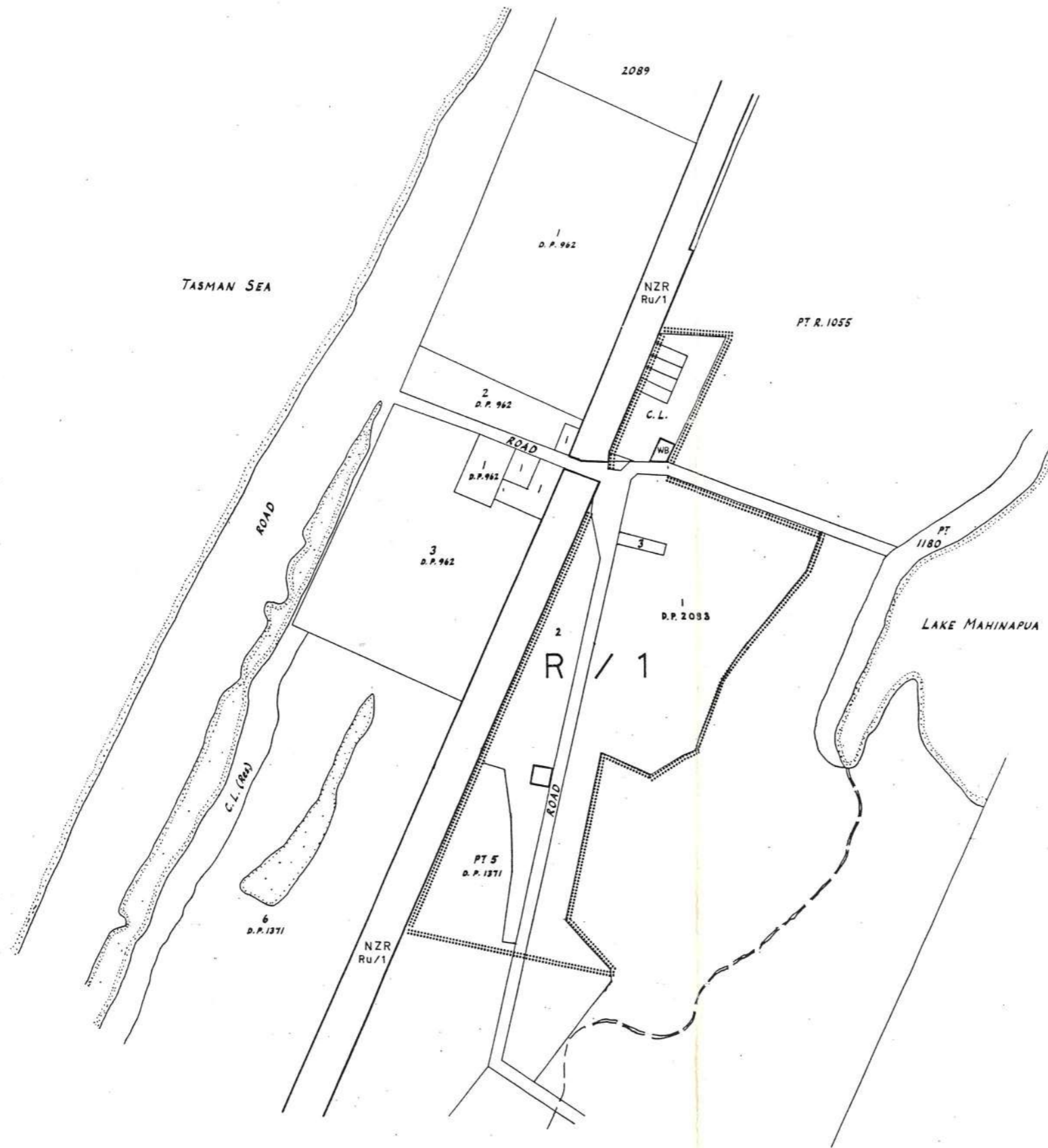
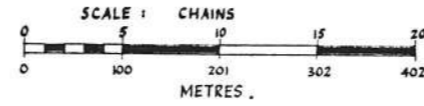


KOKATAHI ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

R.M. Haen.

PLANNING SCHEME - WESTLAND COUNTY

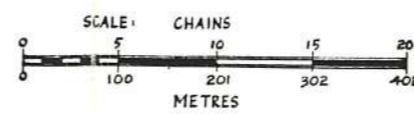
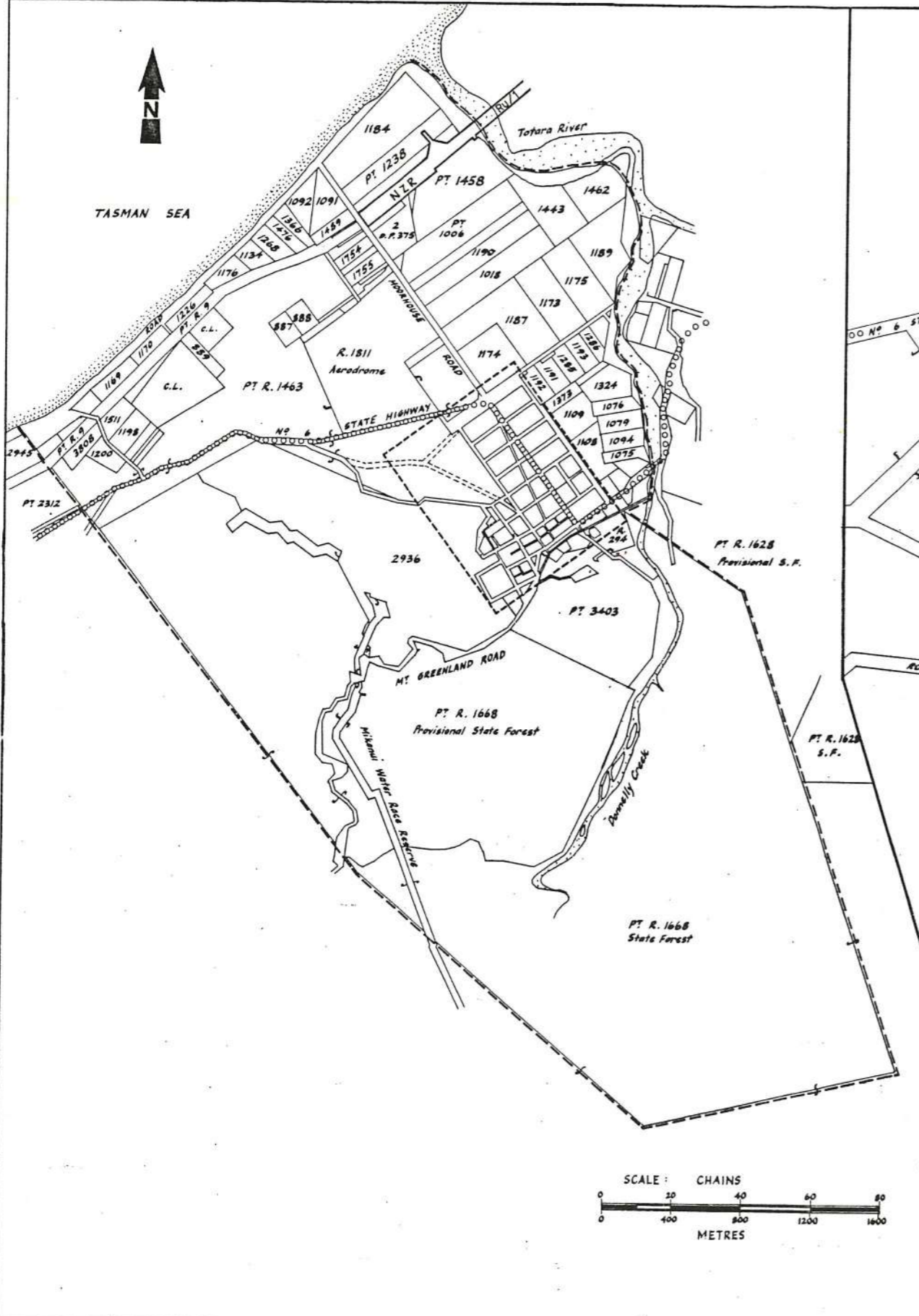


RUATAPU ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

R.N. Hoer

PLANNING SCHEME - WESTLAND COUNTY



ROSS ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

WESTLAND DISTRICT COUNCIL

Our Reference LND 6
Your Reference
When replying please quote our reference

Please address all correspondence to:
THE GENERAL MANAGER
PRIVATE BAG
HOKITIKA.

4 October 1991

Director Planning & Regulatory
Westland District Council
HOKITIKA

ATTN: J BARNES

Dear Sir

LEVELS AT OKARITO TOWNSHIP

A level traverse was run from the West Coast Regional Council staff gauge at the Okarito Wharf.

A reading was taken directly to the staff gauge whose base was determined as -1.182 metres in terms of 1986 Lands & Survey Datum.

On the attached plan 1.44 metres is to be deducted from the contours to bring them in terms of the Lands & Survey 1986 Datum.

Two survey marks (terriers) were placed on the top step of T Clapperton's property on Section 3 Town of Okarito, and the south western corner of Obelisk on Reserve 1007 respectively. A dumpy peg was placed on the boundary between Section 370 and 371 and levelled to. A height was also placed on the verandah of the new dwelling on Section 387 and a spot height on *RS*, -3710.

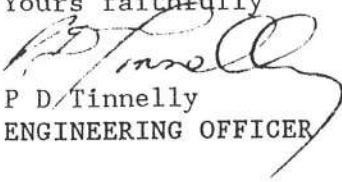
The design 50 year flood level from the West Coast Regional Council (1 metre higher than the 1985 flood) is 2.820 metres in terms of Lands & Survey 1986 Datum.

I recommend that this be the minimum finished floor level for all future buildings in Okarito.

The levels are:

		(Finished Floor Levels) (Min. Foundation Height will be)
Terrier 1 (steps Claperton Sec. 3)	2.195	+ 0.625
Terrier 2 (steps Obelisk)	2.660	+ 0.160
Mean level RS 3710	1.91	+ 0.910
Sec. 387 Verandah	3.060	- 0.240
Top Fence Post Sec. 371	2.510	+ 0.310
Picket boundary Sec 370/371 (Field book WDC 21 pg 39)	1.460	+ 1.360

Yours faithfully


P D Tinnelly
ENGINEERING OFFICER

Stake 20x20 end of ground.
1358

Note.
Above
— Flood Level.
Below

Veranda Landcorp Section
240 Below

Approx. 980 above

310 above Middle
fence post.

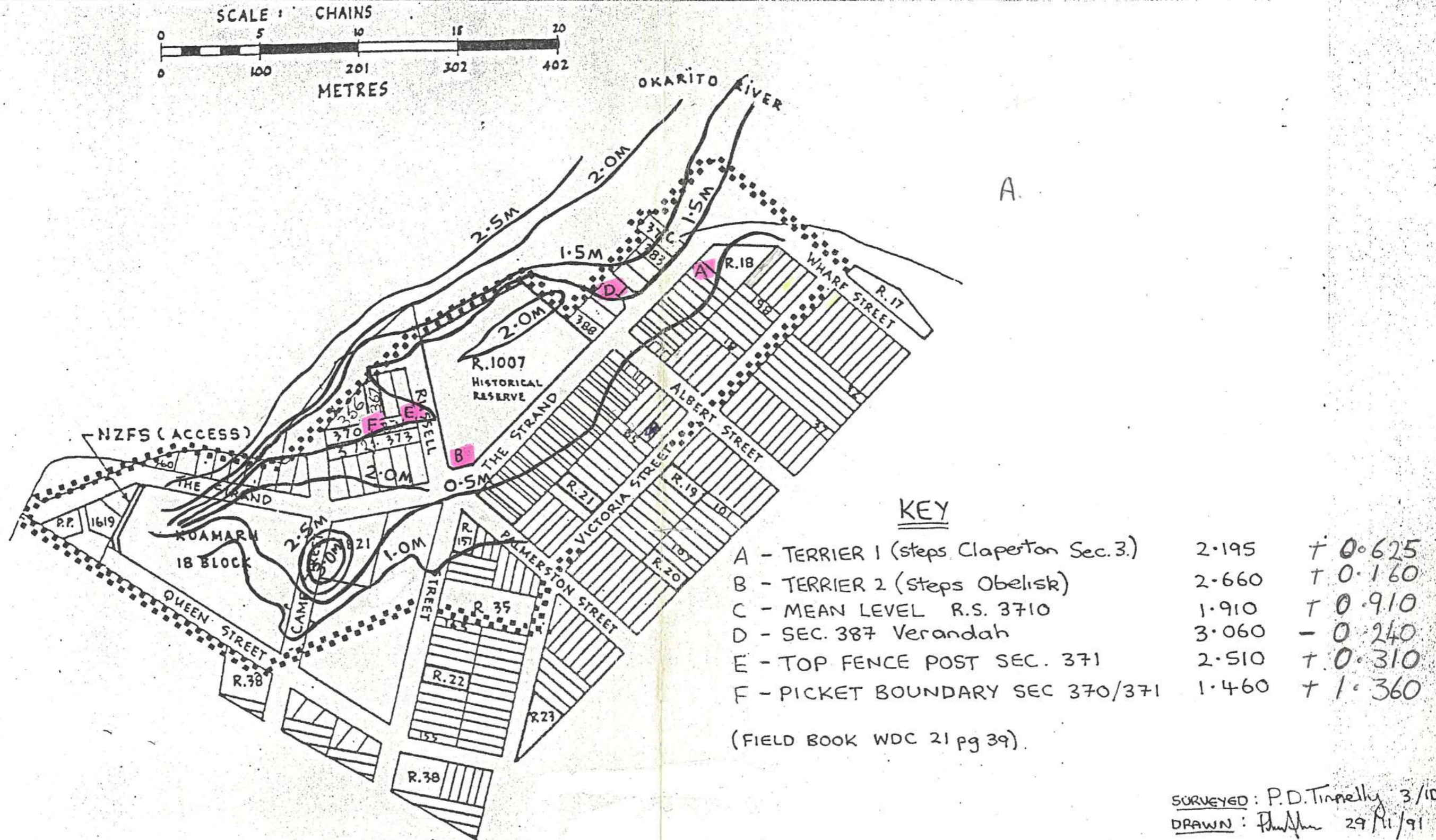
Terrace 2
above
156

Terrace 1
above
628

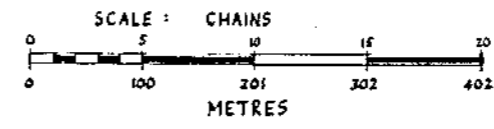
Dry Ground



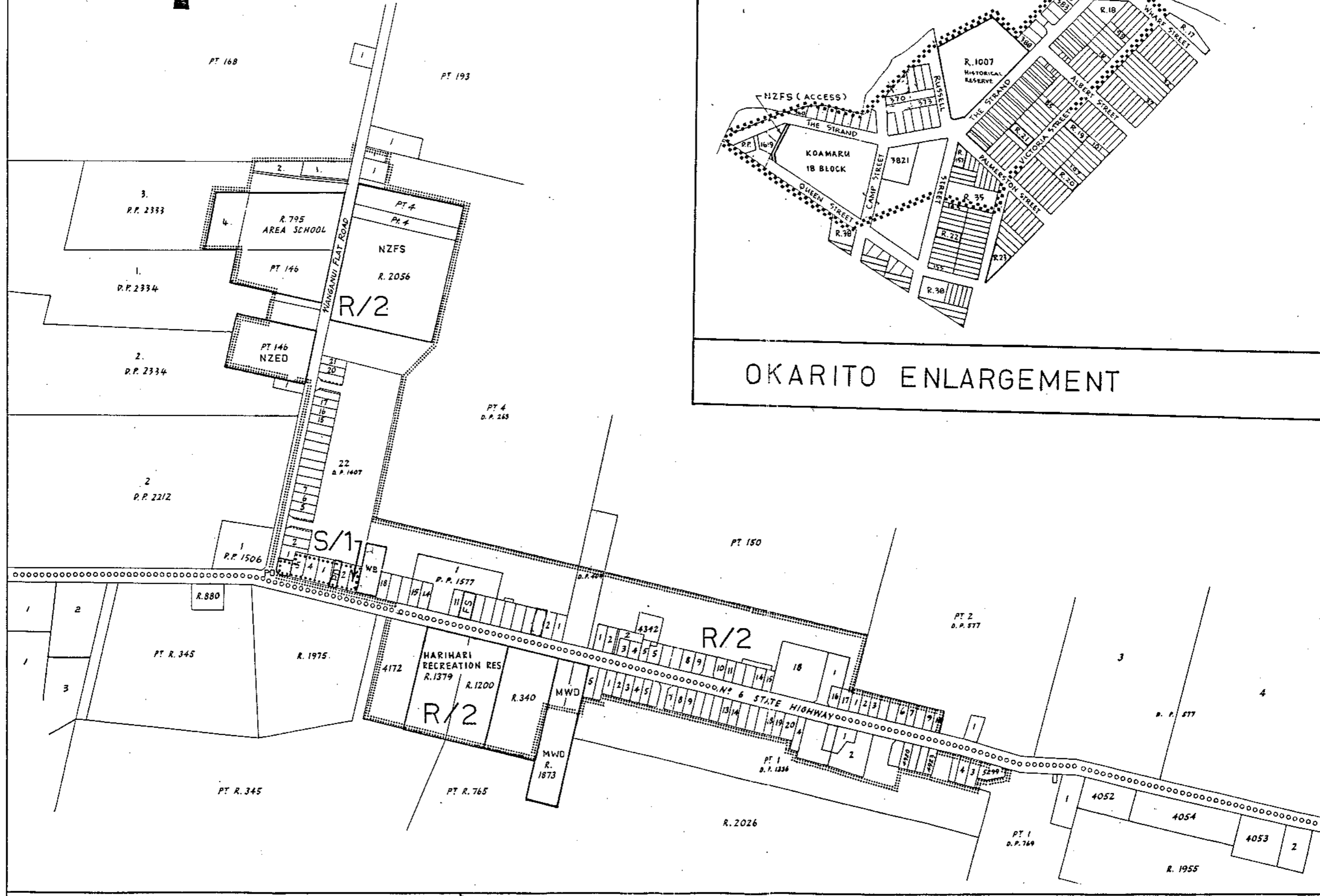
OKARITO TOWNSHIP CONTOURS AND LEVELS



PLANNING SCHEME - WESTLAND COUNTY

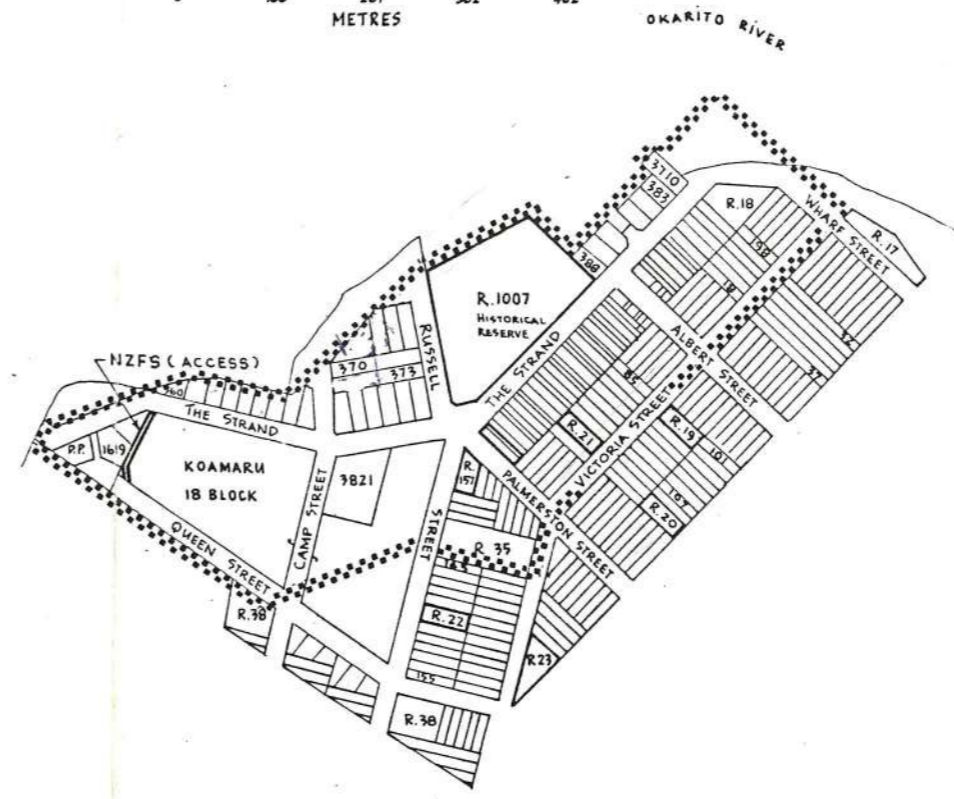
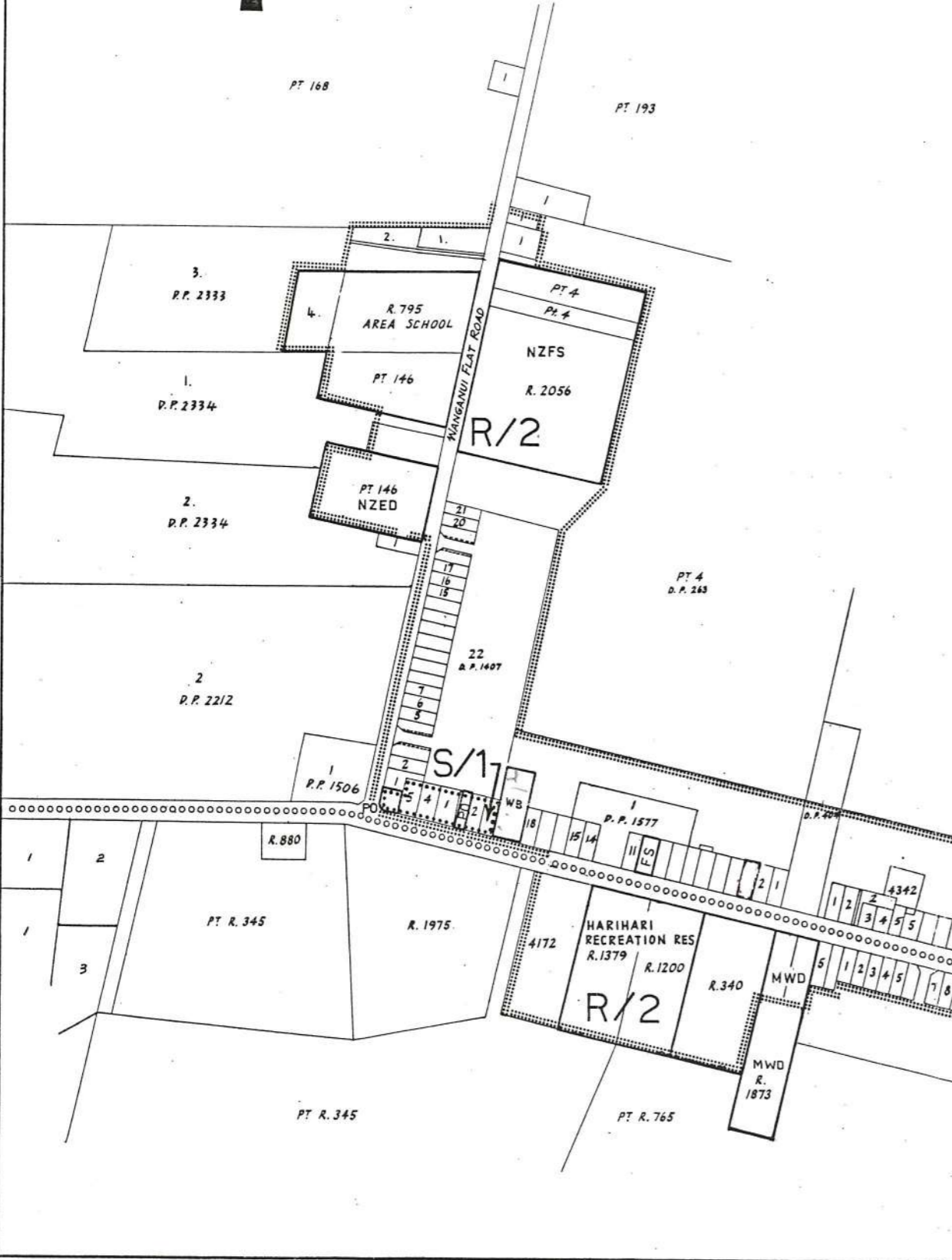
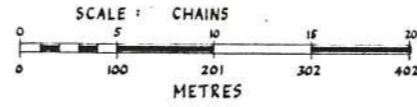


OKARITO RIVER



OKARITO ENLARGEMENT

PLANNING SCHEME - WESTLAND COUNTY



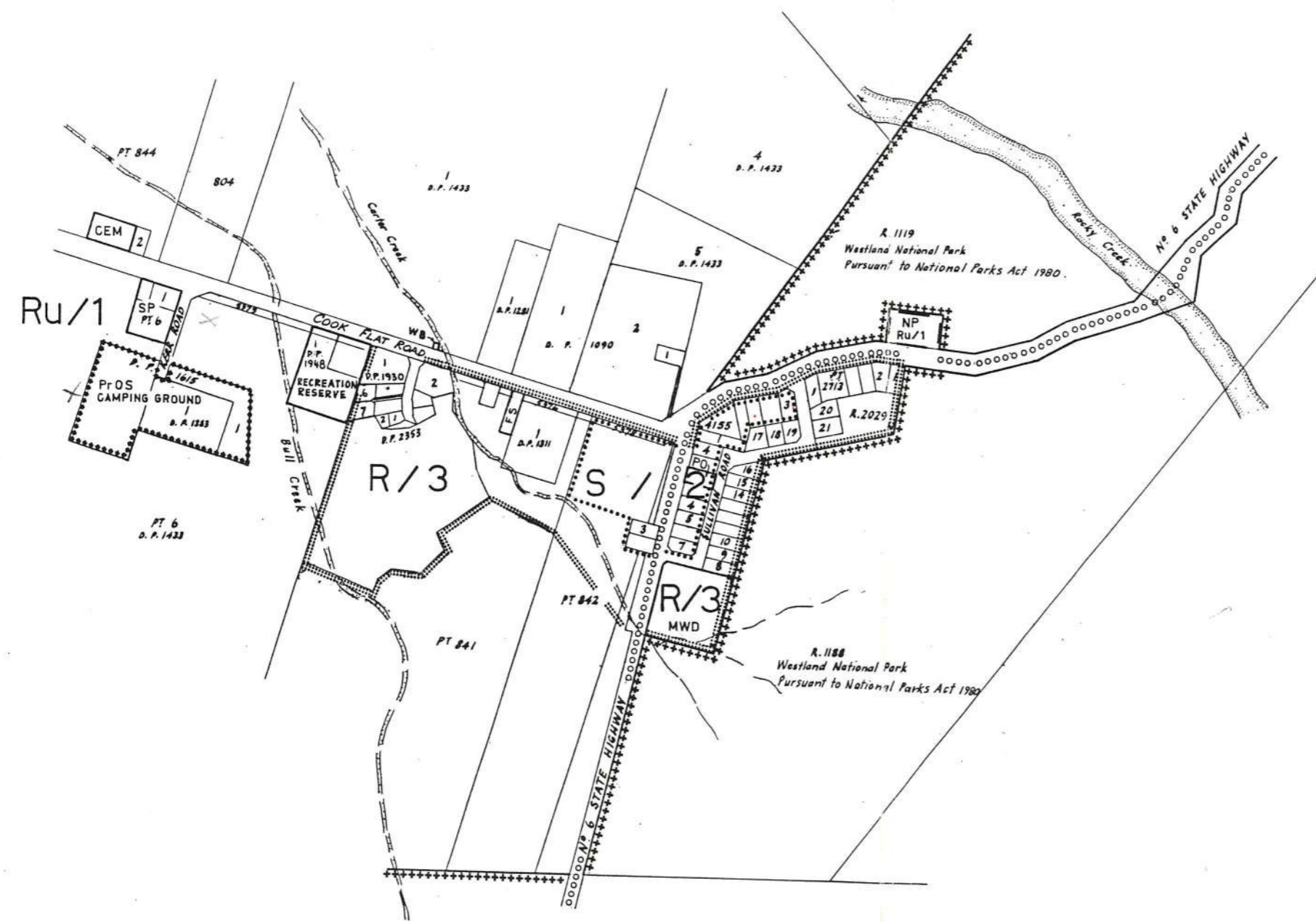
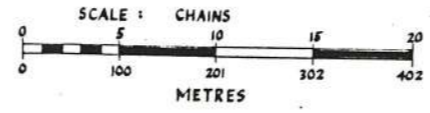
OKARITO ENLARGEMENT

HARIHARI ENLARGEMENT

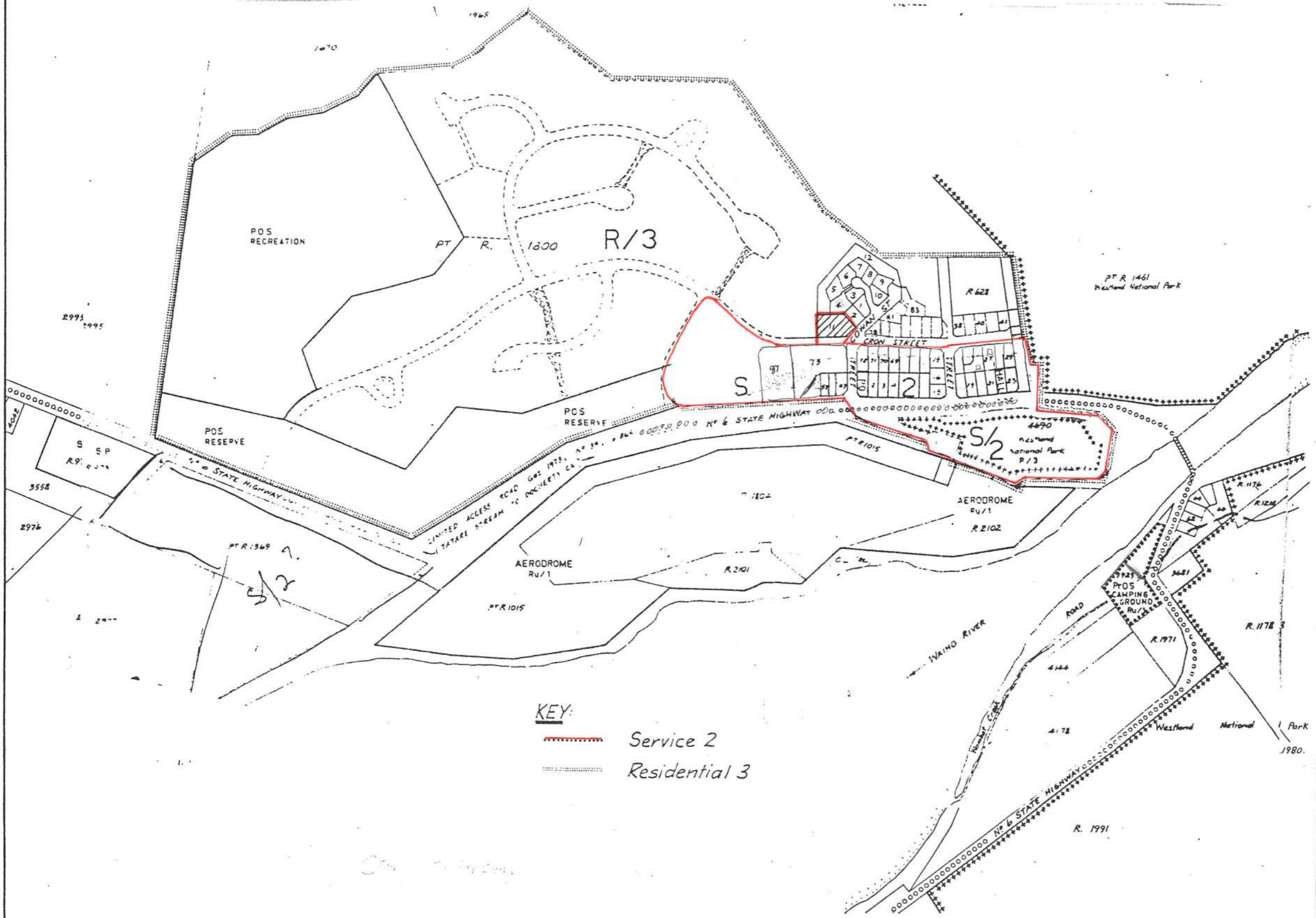
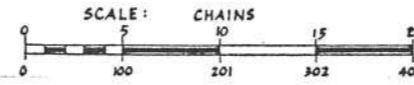
PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

R.M. Hunt

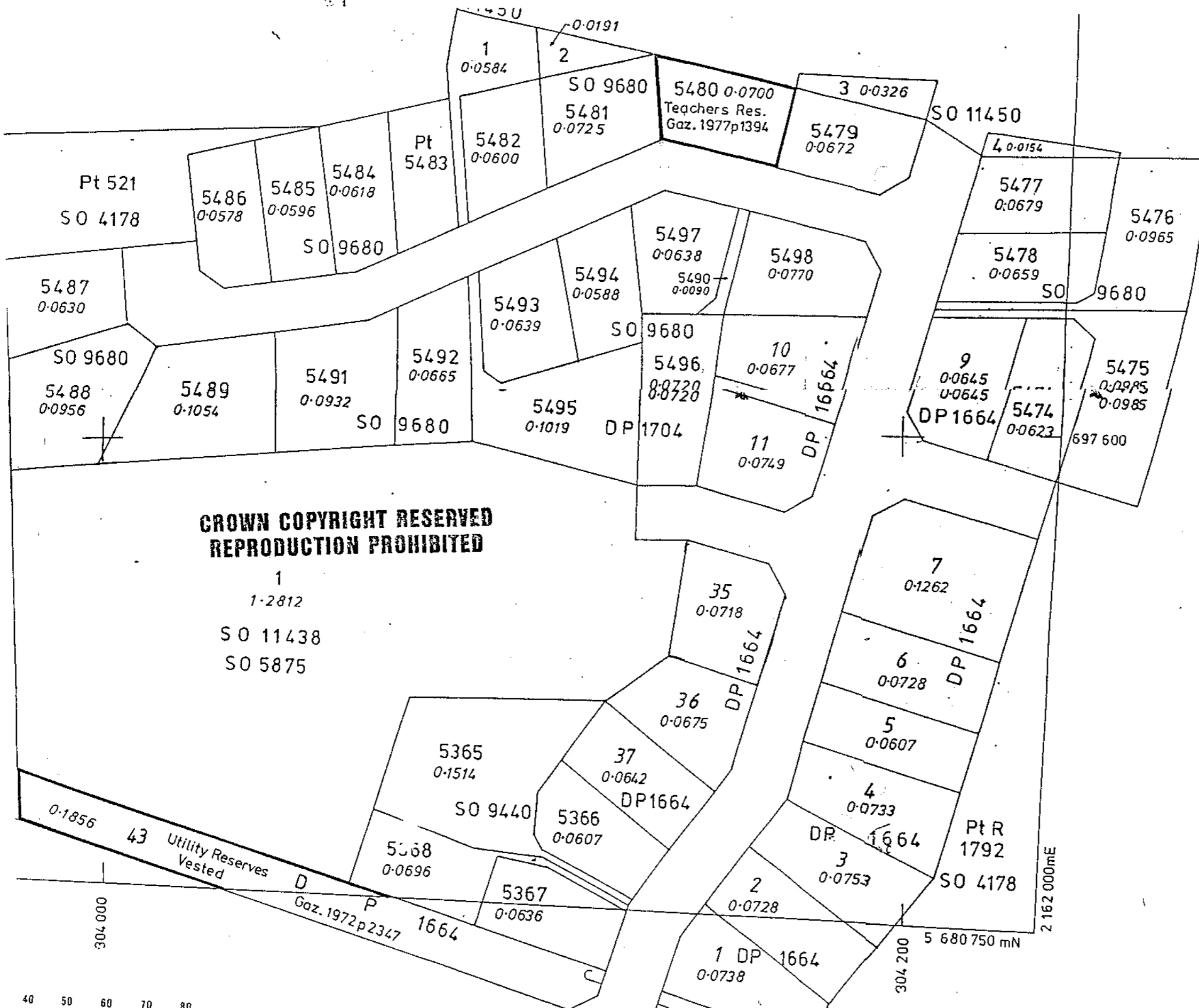
PLANNING SCHEME - WESTLAND COUNTY



PLANNING SCHEME WESTLAND COUNTY



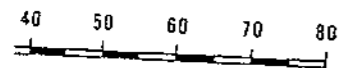
KEY:
----- Service 2
----- Residential 3



**CROWN COPYRIGHT RESERVED
REPRODUCTION PROHIBITED**

1
1-2812
SO 11438
SO 5875

0-1856
43 Utility Reserves Vested
D
Gaz. 1972p2347
P
1664



1:1000
are shown thus,
1432
are shown thus,
552
4552 square metres

FOR PLOTTING PURPOSES
This sheet has been drawn to Geodetic
Datum 1949 (as revised 1974-76)

E 37 - 1000/64-39
NEILS BEACH

Approved: *[Signature]*
 The common seal of Carter
 Memorials (Māori) Ltd
 Ltd was here to affixed
 this 21st day of
 1979

Registered
 Proprietor.

Pursuant to a resolution under Section 34
 Counties Amendment Act 1961 dated 17th day
 of August 1978 Westland County
 Council has approved this plan of subdivision
 conditional upon the granting or reserving of
 the easements shown in the memorandum
 endorsed hereon and certifies that it has
 no operative District Scheme.
 The common seal of the Westland County
 Council was affixed hereto in the presence
 of: *[Signatures]*

MEMORANDUM OF EASEMENT IN-GROSS.

PURPOSE.	LETTER	SERVIENT TENEMENT	GRANTEE.
Rights of Way	A	Lot 2	Westland
	C	Lot 10	
	G	Lot 22	
Stormwater	B	Lot 6	County
	C	Lot 10	
	D	Lot 44	
	G	Lot 22	
Water	A	Lot 2	Council.
	E	Lots 34-43, 47	
	F	Lots 3, 4, 5	
	H	Lots 22, 26, 27, 30, 31, 33.	

Comprised in C.T. 1A/379 (All).

Total Area: 4-4520 ha.

I, Leonard John Holmes at Greymouth Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from surveys executed by me or under my direction, that both plan and survey are correct and have been made in accordance with the regulations under the Survey Act 1968.

Dated at Greymouth this 21st day of May 1979. Signature *[Signature]*
 at March 1979. Signature *[Signature]*

Field Book 12.98 B. 6 Traverse Book 59 a 67.7.
 Reference Plans S.O.s. 5147, 5183, 5940.

Examined *[Signature]* District Registrar

Approved as to Survey *[Signature]*
 9-5-79 Chief Surveyor

Deposited this 1st day of May 1979 *[Signature]*

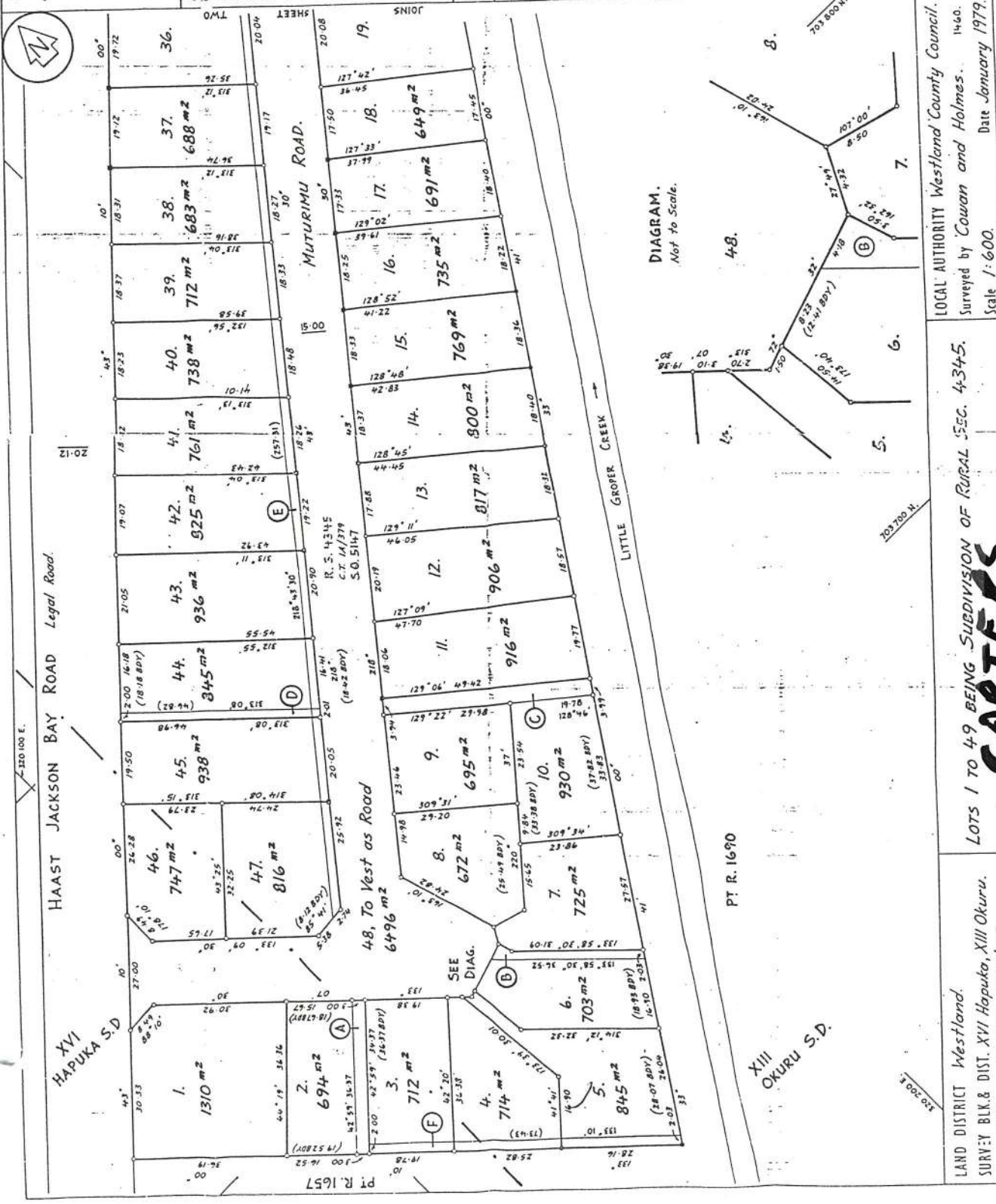
1460.
 Surveyed by Cowan and Holmes.
 Date January 1979.
 Scale 1:600.

LOCAL AUTHORITY Westland County Council.

LOTS 1 TO 49 BEING SUBDIVISION OF RURAL SEC. 4-34-5.

CARTERS HANNAH'S CLEARING

LAND DISTRICT Westland.
 SURVEY BLK. & DIST. XVI Hapuka, XIII Okuru.
 NZMS 261 SHEET NO. F37/2-3



1460.
 Surveyed by Cowan and Holmes.
 Date January 1979.
 Scale 1:600.

LOCAL AUTHORITY Westland County Council.

LOTS 1 TO 49 BEING SUBDIVISION OF RURAL SEC. 4-34-5.

CARTERS HANNAH'S CLEARING

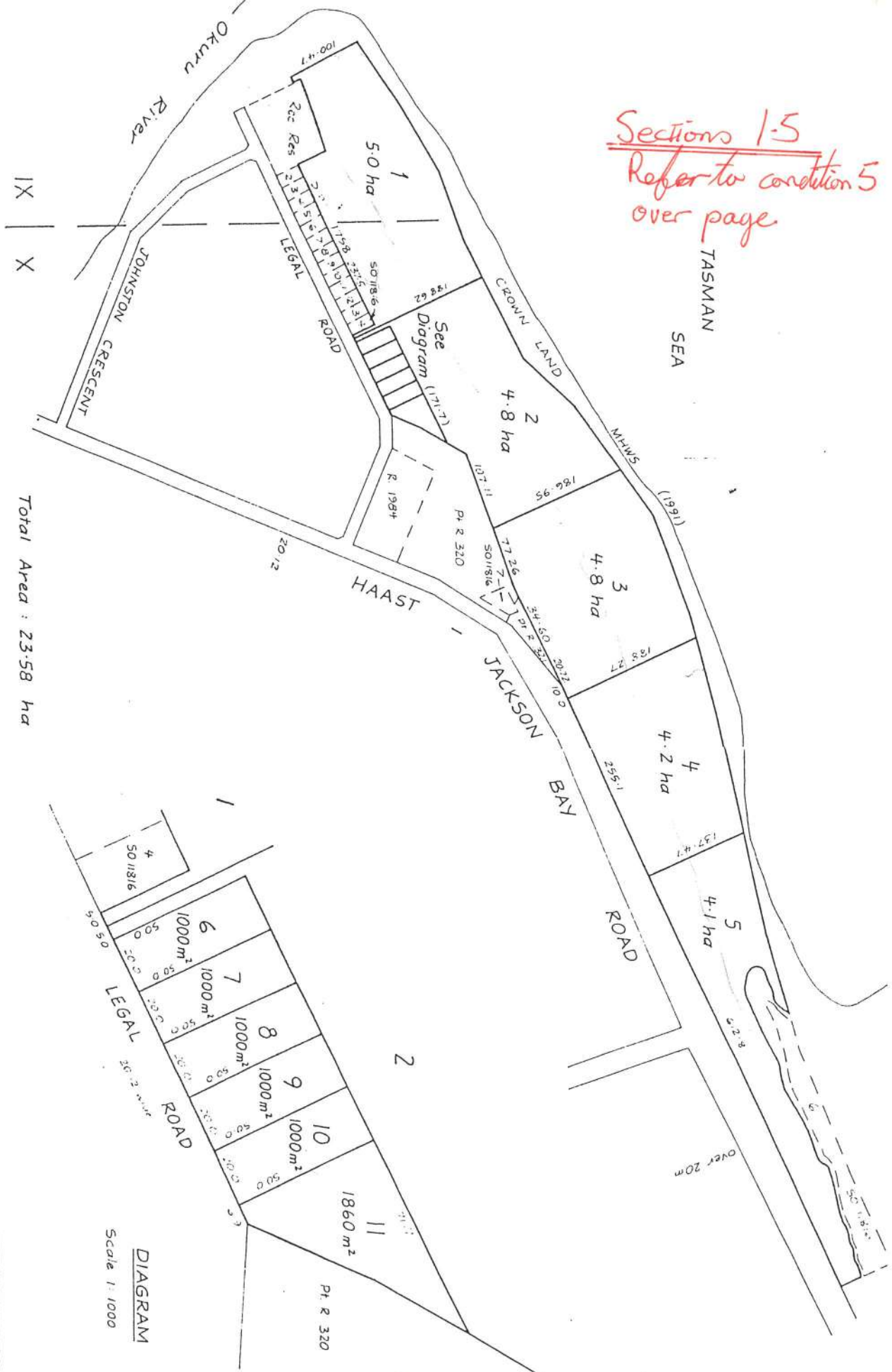
LAND DISTRICT Westland.
 SURVEY BLK. & DIST. XVI Hapuka, XIII Okuru.
 NZMS 261 SHEET NO. F37/2-3

1460.
 Surveyed by Cowan and Holmes.
 Date January 1979.
 Scale 1:600.

LOCAL AUTHORITY Westland County Council.

LOTS 1 TO 49 BEING SUBDIVISION OF RURAL SEC. 4-34-5.

Sections 1-5
Refer to constitution 5
over page



Total Area : 23.58 ha

Flood come to second step on B. Becker's House.
Water entered Barretts garage around 87. approx 20h

Local Body	WESTLAND DISTRICT COUNCIL
Survey District & Block	IX & X OKURU
Land District	WESTLAND
Title Reference	RA 1/412
Map Reference	NZMS 261 F37
Air Photo Reference	
Origin of Levels	

LOTS 1-11 BEING PROPOSED SUBDIVISION
OF SECTION 1 SO 11816
APPLICANT: LANDCORP MANAGEMENT SERVICES LTD

Scale:	1:1000
Drawn	J. HOPKINS
Traced	S. DODD
Checked	
Approved	

COWAN & HOLMES
REGISTERED SURVEYORS
TIARANUI & GREYMOUTH
NEW ZEALAND

Reference No.	3399
Sheet	of
SI	

WDC

CONDITIONS:

Pursuant to Sections 108 and 220 of the Resource Management Act 1991 this resource consent includes the following conditions:

1. The proposed Lot 5 is to be held with Section 6 SO 11816 (Residue CT8A/412) and that one certificate of title be issued. (ALR Reference: 093947).
2. A financial contribution is to be paid in respect of reserves:
 - a) Lots 1-5 are assessed to be valued at \$9,000.00 each, four of which attract a reserve contribution. Accordingly reserves contributions amounting to \$2,700.00 (inclusive of GST) which is 7.5% of the assessed value is payable.
 - b) Lots 6-11 are assessed to be valued at \$4,200.00 each and a reserves contribution of \$315.00 is payable at a rate of 7.5% in respect of each of the allotments concerned being a total of \$1,890.00 (inclusive of GST).
3. The access to Lots 3 and 4 are to be sited in such a position as to allow for a clear road site distance of 160 metres in accordance with the following standard:

An object 600 mm high located at the centreline of the carriageway opposite the proposed vehicle crossing shall be visible for the drivers position (1.2 m high) for the full length of the safe stopping distance from both directions.
4. All vehicle accesses to be provided to individual allotments are to be formed to a standard approved by Council's Operations Manager and shall in no case be less than the following:
 - i) All accesses are to be 4 metres wide.
 - ii) Soil is to be removed to the depth of insitu gravel or 600 mm (minimum depth in all cases shall be 600 mm).
 - iii) No organic material is to remain above insitu gravels or above the 600 mm depth.
 - iv) Basecourse shall be to a thickness of 500 mm.
 - v) Topcourse shall be a thickness of 100 mm.
 - vi) Finish shall be to first coat chip seal in accordance with Transit New Zealand standard P/3.
 - vii) Where necessary culverting shall be provided at all accesses to conform with the existing roadside drainage.
5. No building is to be erected on Lots 1, 2, 3, 4 or 5 beyond a line 60 metres north of the southern boundaries. This building line restriction is to be a continuing condition which will be subject to a consent notice pursuant to Section 221 of the Resource Management Act 1991.

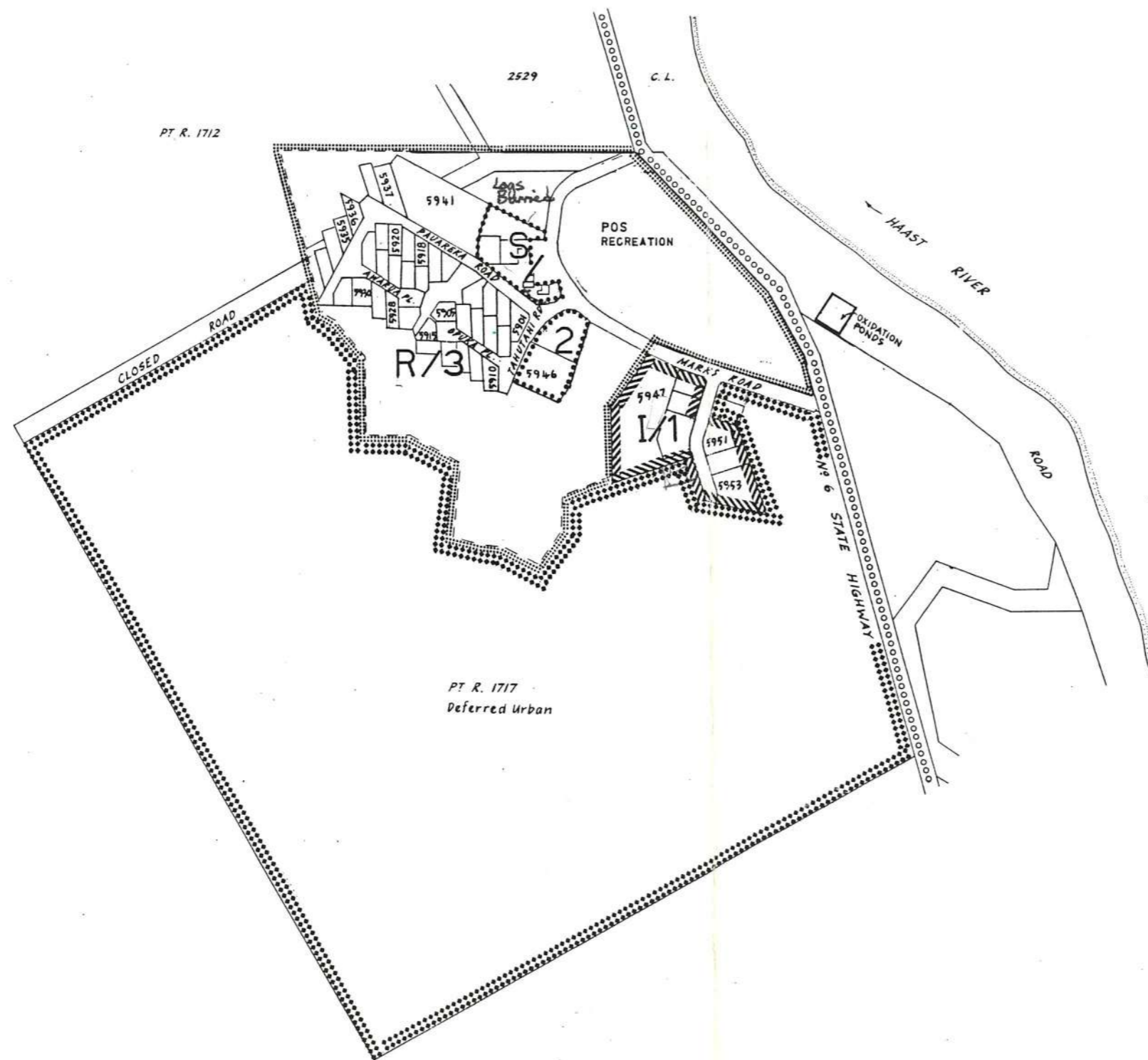
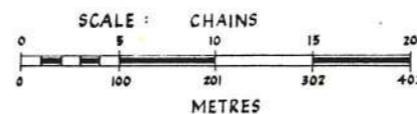
NOTE TO THE CONSENT:

The Consent Holder is advised that any habitable building to be erected on any of the new allotments will be the subject of a building consent issued pursuant to Section 36(2) of the Building Act 1991 and a minimum floor level relating to previous known surface flooding levels will be required to be achieved.

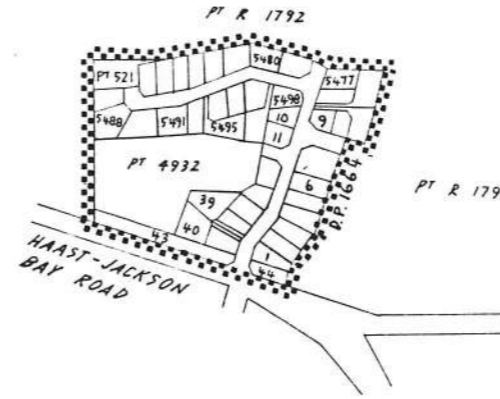
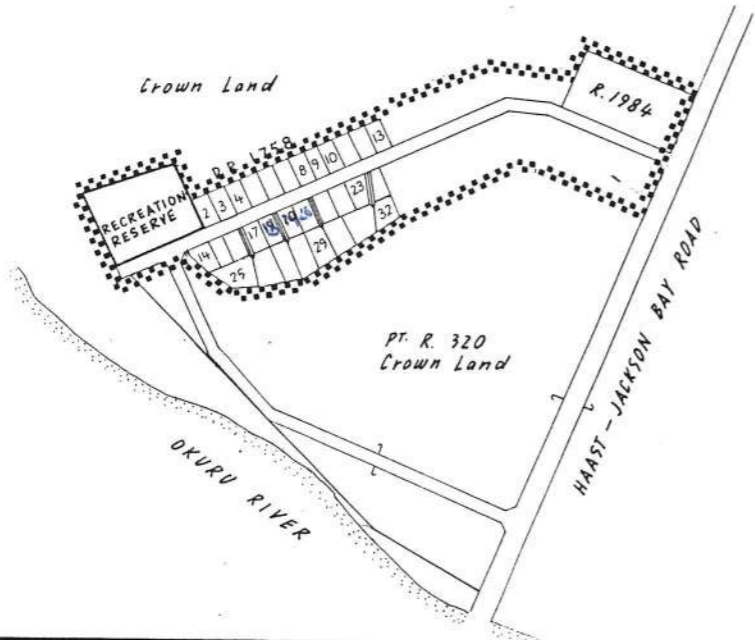
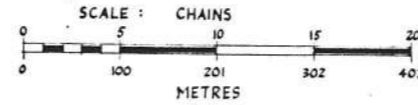
REASON FOR DECISION:

The proposal is complimentary to the amenities of the area and will satisfy a demand for residential accommodation. The Consent Authority is concerned with the proximity of the development to a

PLANNING SCHEME - WESTLAND COUNTY

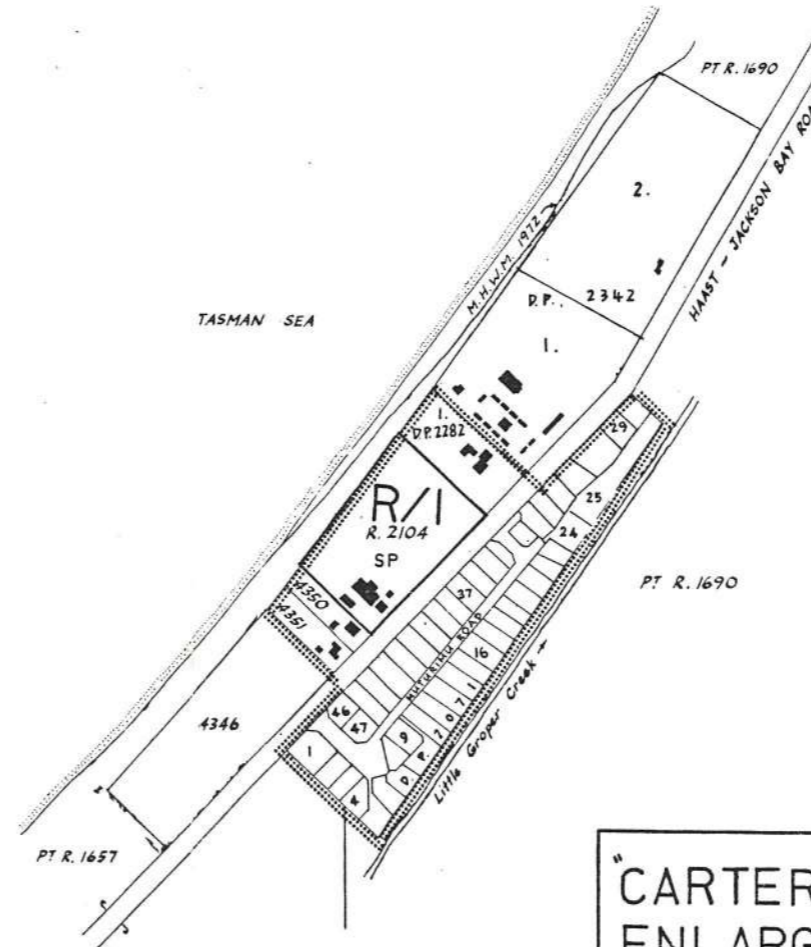
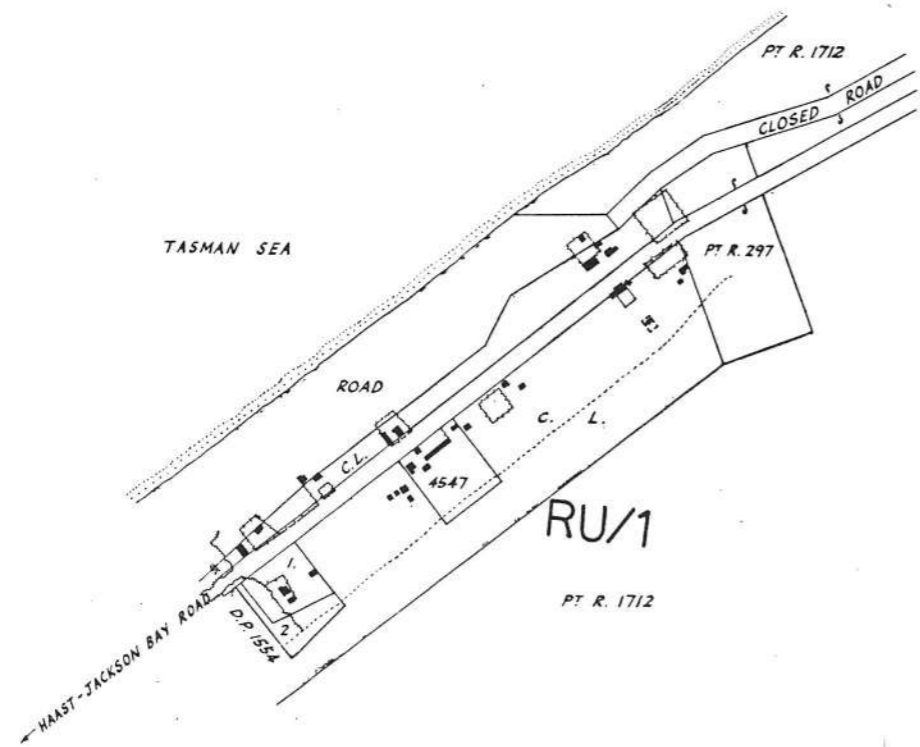


PLANNING SCHEME - WESTLAND COUNTY



OKURU

NEILS BEACH



HAAST CAMP
ENLARGEMENT

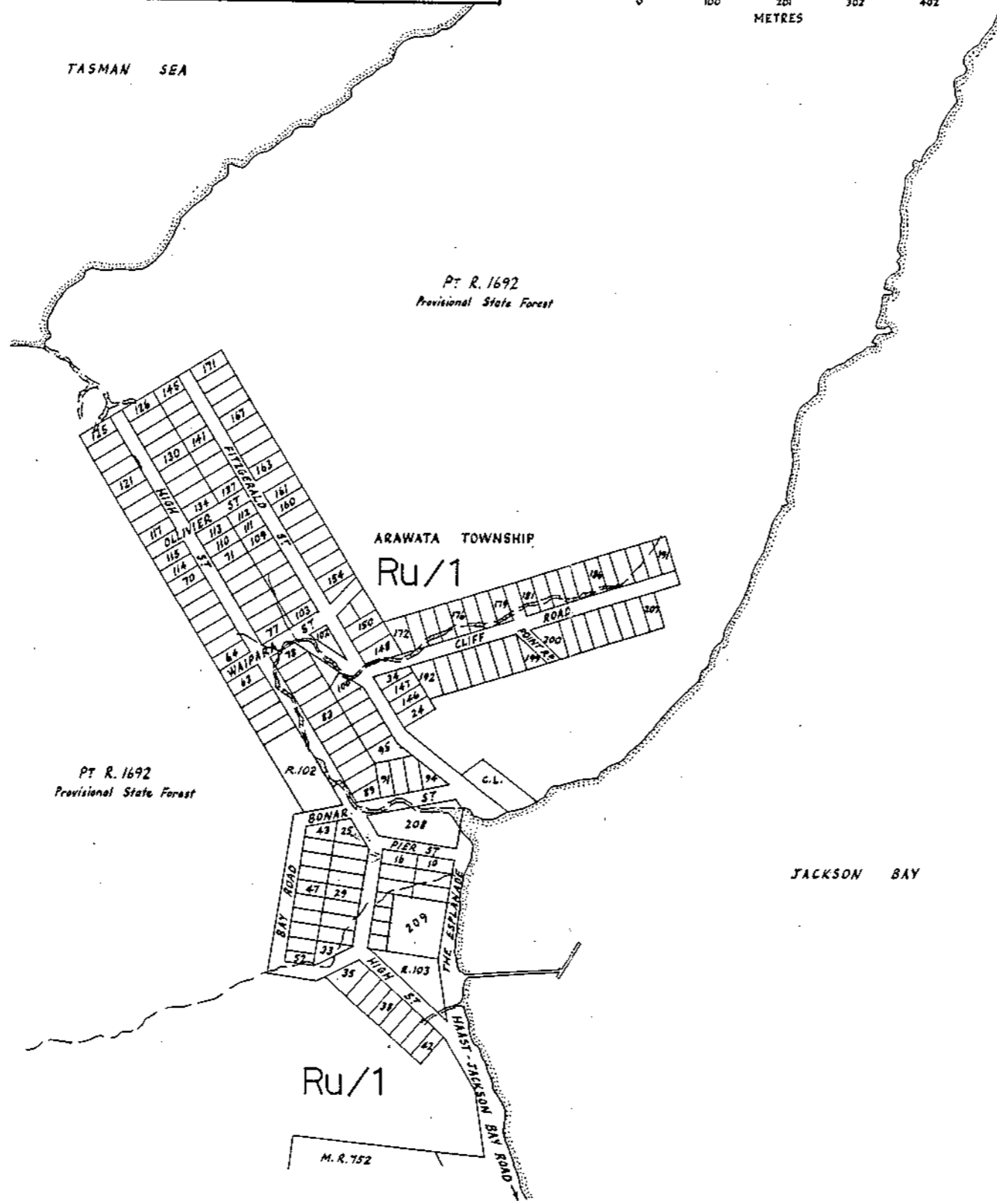
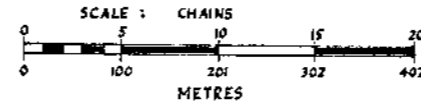
"CARTERS"
ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

[CARTER MERCHANTS (MARAMARUA) LTD.
SETTLEMENT]

L.H. Moore.

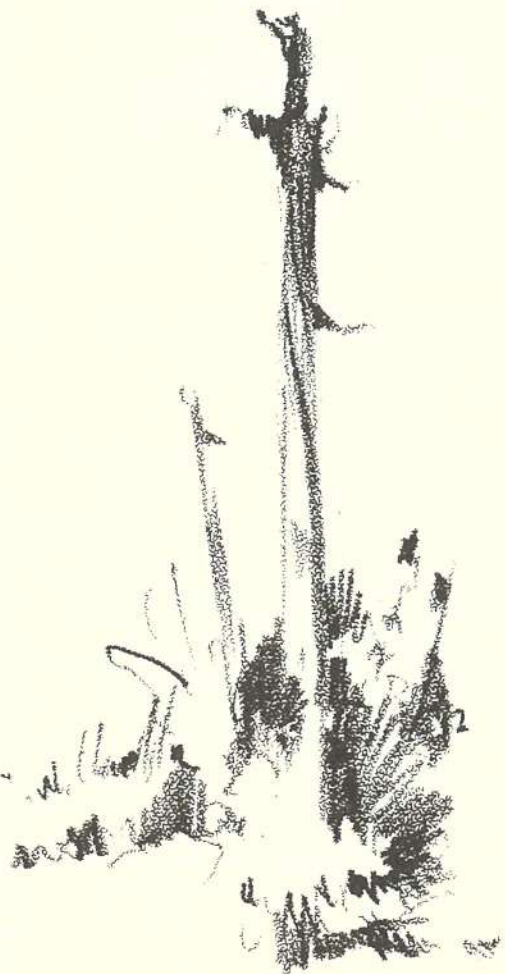
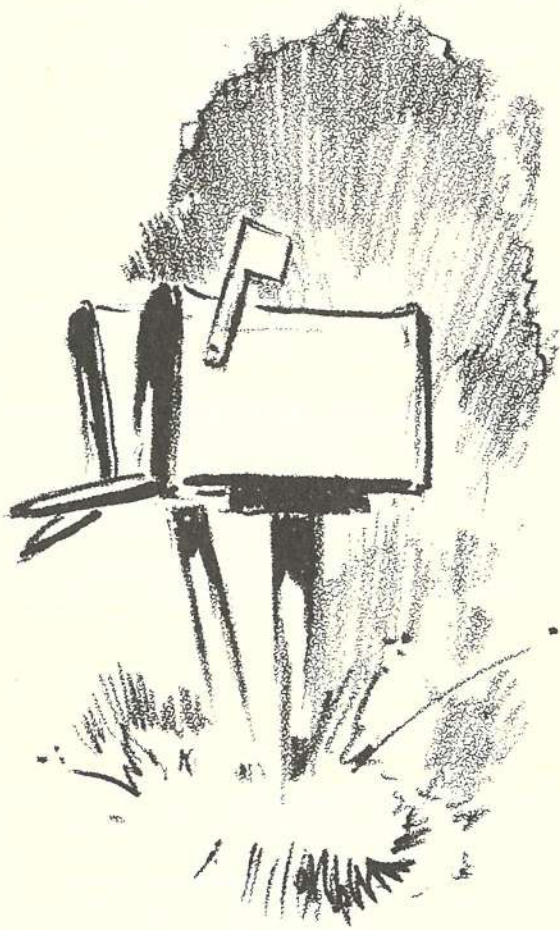
PLANNING SCHEME - WESTLAND COUNTY



JACKSON BAY ENLARGEMENT

PREPARED BY COWAN & HOLMES, REGISTERED SURVEYORS, GREYMOUTH.

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PART 5

RESOURCES

BEING AN APPRASIAL OF THE COUNTY'S RESOURCES,
A HISTORY, ITS GEOGRAPHY AND SOME FURTHER STATEMENTS OF
OBJECTIVES AND POLICY

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P A R T 5

R E S O U R C E S

5.1 HISTORICAL

5.1.1 PRE-EUROPEAN

The Maori population of Westland was never large, the unfavourable topography and moist climate acting as deterrents. The small settlements were largely confined to the sea beaches and river mouths.

In pre-European days, greenstone was the most valued article of Maori trade in New Zealand. Westland was the only source of this treasure. Most of the alpine passes and coastal routes were used by the Maoris during their tribal wars and quests for greenstone.

Westland was the first part of New Zealand sighted by Tasman in 1642. Neither Tasman, Cook nor D'Urville could recognise the eventual potential of the region from the sea but each was deeply impressed by the rugged beauty of the coastline and the grandeur of the Southern Alps; a scene which is unchanged today.

5.1.2 FIRST EUROPEANS AND EXPLORERS

Whalers and Sealers during the early 19th century, became the first European settlers to inhabit the shores. This rough band had few favourable impressions of the area.

The surveyors, Brunner and Heaphy were the first Europeans to reach Westland by land, travelling the coastline from Nelson in 1846, travelling overland and traversing most of Westland's coastline. The term "Great Journey" is an understatement. From Brunner's diary the first factual information on Westland, of interest to the European, was obtained.

5.1.3 PURCHASE, PROVINCIAL HISTORY, GOLD

The New Zealand Constitution Act of 1852 created the Province of Canterbury which included the present Westland County. James MacKay (Native Land Purchaser) bought Westland from the Maoris at Greymouth in May 1860 for \$300. This final settlement was the conclusion of a long and difficult period of negotiation with the Maoris. At that time, no one could have predicted the

incalculable value of natural resources that have been taken away in the last 115 years.

MacKay's actions were as enterprising and as creditable as his vision, for he was the first person to recognise some potential in Westland as a home for Europeans.

West Canterbury received little attention from its fully committed Provincial Government in the first few years. Harper and Locke were the first Europeans to make a transalpine crossing in 1857, although such crossings were not new to the Maoris.

Following the purchase, there was a slow awakening in the East. Provincial Surveyors, Whitcombe and Howitt were dispatched to cut tracks and report on trans-alpine access. Reports of gold discoveries from enterprising prospectors during the late 1830's and early 1860's were coming in. Contracts were let for survey and mapping to Messrs Dobson and Bain; A D Dobson carrying out the Northern contract and R P Bain in the Southern one.

Whitcombe was drowned, Howitt and two of his assistants were drowned. Townsend, the Survey Depot Manager and two of his men were drowned. Dobson's men resigned and Bain was shipwrecked at Martins Bay.

In the face of these disasters and others not recorded, development might have ceased but for the discovery of gold in payable quantities by Hunt and others in 1860. Gold was the most significant thing in the history of Westland. Its discovery was followed by an exciting era of prosperity. It was the gold that forced the first controversial road into Westland via Arthurs Pass in 1865 by a Government who could ill afford it at the time.

Westland remained under Canterbury administration until it acquired Provincial status in 1873. The separation involved a very stormy political period for the two areas. Westland, at that time, extended from the Grey River to Otago. The County as it is today was created with the abolition of the Provinces in 1876.

5.1.4

ACCESE

The original access up and down the County consisted of beach travel with river crossings and many bluffs. Following the firsts diggers, tracks were cut over the bluffs and ferries were provided

on the major rivers. A more stable inland route from Ross was established during the early part of the century for horse and coach traffic. Until the early 1930's the Glaciers were the Southern extent for motor vehicles. By the end of the 1930's roading extended to Paringa. The section of road from Jacksons Bay to Haast was also built during the late 1930's, together with the eastern approach to the Haast Pass.

Post-war activity on the road link, recommended in the early 1950's, culminated in the completion of the Highway No. 6 link through Westland to Otago in 1965, exactly 100 years after the opening of the first road access via Arthurs Pass.

Apart from the opening of this national link, the 1960's and 1970's was a period of great progress in subsidiary roading. Projects and improvements in the County roading system moved at an unprecedented rate. Access is currently being extended into virgin areas of forest by Government and private agencies.

Compared with other West Coast areas which had developed around the coal mining industry where there were ports, through roads, outlet roads and rail access with Canterbury, the Westland County was very much behind its sister areas in terms of access.

Railway connection to the Grey area and port was made from Ross before the turn of the century. This link to the extreme north of the County did not connect with Canterbury until the opening of the Otira tunnel in 1923.

Westland County was never endowed with any satisfactory ports. Jacksons Bay jetty was constructed in the late 1930's to service Ministry of Works roading projects. It is now administered by the County Council as a servicing port to the fishing industry and a barely satisfactory timber shipping wharf. Hokitika River, Okarito Lagoon and every other major river down the coast was used for shipping in the early days simply because this was the only means of access.

5.1.5

LAND

The settlers came along with and at times, in advance of the gold prospectors. Settlement had spread inland along every fertile valley and south beyond Jacksons Bay by 1880. These settlers had few possessions, few neighbours and few resources. Characteristics which enabled them to survive and

prosper have been retained and are still noticeable today.

Cattle and sheep fattening formed the basis of farming. Though grassland was limited and had to be hewn from the bush, summer growth was prolific and the winters short. An abundance of bush feed in the form of native shrubs rendered winter feed cropping unnecessary. Butter and cheese produced at home was mostly sold to the gold diggers.

Following a similar pattern to the dairy industry in the north the first dairy factory in Westland County was established at Kokatahi in 1900. Others followed and flourished for over half a century until market trends and improved access resulted in the establishment of the Westland Co-op Dairy Company's milk powder factory in Hokitika in 1969. All dairy manufacturing for Westland is now centred in Hokitika.

5.1.6

AIR TRANSPORT

Air transport has played a significant role in the development of South Westland by overcoming its isolation and improving communications particularly during the vital period from 1933-65. The Alps and most of the County were traversed by M W Buckley in 1924. Barnstorming visits followed and the first trans-Tasman solo crossing by Guy Menzies ended at Harihari in 1931.

1932 saw the introduction of the first airmail service in the British Empire by the enterprising Squadron Leader, McGregor. Fortnightly overland mails by horseback was the order of the years prior to this.

An air service was maintained to South Westland by private operators for over 30 years using Fox Moths and the Havill and Dominies until 1965 when the regular service became uneconomic.

5.1.7

POPULATION

The first settlers and miners were a curious mixture, originating mainly from the four British countries. They had a strong Celtic flavouring and comprised all skills and professions. A large number of the main land-holdings are still held by the descendents of the original settlers.

Steady reduction of the original population coincided with the decline in gold mining over the first 50 years. Since 1910, numbers have remained fairly stable, save for a rise in the 1930's based

on public works in South Westland. There is now a steady increase based mainly on permanent industries in farming, sawmilling and tourism.

Historic Kumara Borough was amalgamated within the County in 1968 and Ross in 1972.

5.1.2

RECENT HISTORY

This is recorded in some detail as it has a bearing on current problems and their solution.

Attention first focused on the repercussions of Highway 6 opening when the Government-appointed Committee of Inquiry produced its report in 1960. Recommendation 28 of this report was substantially correct, but, it appears, unheeded by Government Authorities.

Patriotic local organisations directed all-out efforts at the Government for greater progress and more finance for the road itself to hasten completion of the link.

A change in Government in 1956 brought very great pressure to reduce the gap. Impetuosity increased and by 1960 when the Haast Pass was opened, completion was a political issue. Following a further change the same year, the end was in sight and everyone was "hell bent" on completion. There was no regard for the local side effects or the needs of the people who were to use the road. At that stage all effort was directed at getting the vehicles rolling with no thought spared for those who sat in them. In the circumstances, this fact is understandable but still reflects a woeful lack of planning in modern times where the same Government Department that built the road also administers the Town and Country Planning Act.

The Westland County Council became fully conscious of the problem once the completion was imminent and it had time to consider such things rather than direct its activities at Government in respect of fund raising. The first official meeting was held in March 1964 when the District Commissioners of Works and Crown Lands were present.

Planning proposals were forwarded in respect of the Haast township and during the rest of 1964 a lot of Council time and effort was directed at planning. The County Council was without experience in the planning field and certainly not set up for the difficulties created by the opening of Highway 6.

A report followed the N.Z. Travel and Holidays Association, tour of April 1964 which focused attention on the problems. Applications for Crown unalienated or State Forest land at that time numbered about 150 for every use imaginable.

Following a public meeting at Haast in 1964 and subsequent detailed research, the Council adopted a report which sited the Haast township at Greenstone. An approach to the then Assistant Director General of Lands at Fox Glacier the same month for some National Park land for expansion of Fox and Franz Glacier townships, resulted in a rebuff, without suggestion as to any practical alternative.

During the remainder of 1964 and early 1965 there were numerous meetings of local department heads and the County Council. Little was achieved.

In 1965, a Council deputation waited on the Minister of Lands and Works to instigate urgent action re the alienation of lands for settlement and to request interdepartmental cooperation in this respect. At that time the Council declared that if necessary, for expediency, it would itself carry out the physical development work at Greenstone and other places.

The only result achieved from this deputation was the calling of tenders for completely undeveloped sites at Greenstone by Land and Survey Department. Ministry of Works who held the key to the success of this move would not cooperate or commit itself to the new township despite earlier and repeated assurances that it would do so.

November 1965 marked the opening of Highway 6. Traffic densities exceeded those predicted. In the succeeding six years there were numerous fruitless meetings and discussions, mostly coinciding with changes of departmental heads. Accommodation and tourist facilities of varying standards were set up at various points along the highway. Overall facilities for the travelling public are still not adequate and practically no land has been made available for private residential or commercial purposes, either in agreement or contravention of the Council's zoning policy. A hotel has been built at the Haast Bridge Junction on an exposed site, devoid of any aesthetic value, and locally isolated.

At Harihari, the Council has been frustrated with departmental non-conformity. In Franz Josef the only land that might have been available for commercial purposes was acquired by the Westland National Park Board from the Tourist Hotel Corporation. This was without planning consideration and had the appearance of a very convenient interdepartmental "Jack Up". The Lands and Survey Department has acquired some of the State Forest north of the Township and it appears that all future expansion will be directed this way. Fox Glacier is also full and the Council faces continued pressure from private developers creating a ribbon of commercial and residential uses down the Cook Flat Road.

Throughout most of South Westland is a conspicuous, sub-standard, illegal occupancy of both Crown and private land. Such buildings comprise buildings associated with the wild game recovery industry. The adoption of a number of Resort Zones represents an attempt by Council to solve this problem.

Reflect back 100 years to the chaos of the original settlement and its controversial politics prior to the separation of Westland and Canterbury. Historical writings have indicated that work actually performed by the heavily committed Provincial Government was in token only and that a sense of irresponsibility to Westland prevailed.

It is amazed how similar the present circumstances are to the first decade in European Westland. It appears that history has taught us nothing.

5.1.9

CONCLUSIONS

Westland's short history is colourful and spectacular. In terms of the rest of New Zealand, we are merely starting in the Southern half of the County and it is in comparison, the youngest County in New Zealand.

On account of its size, geography and access, it is still essentially an area for pioneering in all ways.

From the Northern boundary to Harihari; we have an established pattern to build around and there are few problems.

Overall, the area is so new and different that there is little to guide the Planner except the experience of development in very recent years. Accordingly, this Scheme Statement should and must involve some speculation on the future.

5.2 GEOGRAPHY

5.2.1 BOUNDARIES

The northern boundary is defined by the Taramakau River and is common for its entire length with the Grey County boundary. From its eastern terminal at Harpers Pass it follows the crest of the Southern Alps for over 320 kilometres terminating on Mount Aspiring. It then follows an arbitrary line slightly north of west to the mouth of the Awarua River in Awarua or Big Bay, from which point it follows north up the coastline to the commencing point at the mouth of the Taramakau River.

Area of the County is 1,142,200ha or 11,422km sq.

5.2.2 GENERAL DESCRIPTION

There would be no person better qualified to describe Westland than early Surveyor, G J Roberts. His graphic description is quoted as "presenting a bewildering succession of white crested ridges, sparkling snowfields, craggy outrunning spurs outlining gleaming glaciers, rolling foothills with a strip of undulating littoral country clothed in sombre and unbroken forest coverage, dotted with lakes streaked by foaming alpine rivers and backed by the eternal snows of the great divide."

A prevailing anti-clockwise ocean movement around the Tasman Sea brings a warm current upon the West Coast of New Zealand. rainfall in all areas of the County exceeds 2540mm, in some places substantially. By contrast, average sunshine hours approach 2000. In future contrast, the elevation rises from semi-tropical conditions at sea level to permanent snowfields some 40km inland.

Geologically, the land is very young, bearing evidence of glacial sculpturing in recent ice ages. Fast flowing rivers occur at close intervals right down the Coast and these are now the principal eroding agents. Mountains and foothills are deeply gorged, but in their lower meandering courses the rivers have formed alluvial

flood plains making heavily silted fertile valleys. Debris deposited in the sea has caused the formation of a narrow coastal flat.

Everywhere from sea level to 900m the land is clothed in luxuriant forest. Westland is not subject to any strong or seasonal cyclonic winds.

In all ways, Westland is a place of absolute contrast within itself and compared to the rest of New Zealand climatic elements, land forms, history and geography if considered singly, will produce a limited picture. It is a combination of all these things which make the area unique and produce the distinctive climate, scenery and character.

5.3 POPULATION, OCCUPATION, HOUSING

5.3.1 POPULATION

The Westland County is long and narrow with one arterial road for its backbone. It follows that most of the people live in settlements along or handy to this road. Hokitika Borough is the only urban area and serves as such for most of the northern and central part of the County. Most of commercial needs of the residents in the Haast area are met in Otago towns via the Haast Pass.

Ross Borough was the only municipality within the area and was amalgamated into the County in 1972. Kumara Borough became part of the County in 1968.

Following the gold era when great fluctuations occurred, the population was fairly static. public works in the southern area caused an increase during the 1930's this being lost during the Second World War. From 1926 to 1961, excluding the temporary works boom of the late 1930's, the total population gain was a mere 194 people. By 1966 the effects of the road was beginning to show. The opening resulted in a drop in construction workers, which was offset by an increase in people in the tourist industry. In the 15 years from 1961 to 1976 there was a gain of 670 people or twelve and a half percent. This trend has since reversed, probably as a result of uncertainty and decline in the traditional economic activities, particularly forestry.

5.3.2

POPULATION CHANGES 1951 - 1981

All figures include Kumara and Ross

Census	Total	Inter-censal Change	Average - County	Annual Change% New Zealand
1951	5493			
1956	5591	+98	+0.4	+2.3
1961	5345	-246	-0.9	+2.1
1966	5548	+203	+0.8	+2.1
1971	5677	+129	+0.5	+1.4
1976	6015	+338	+1.2	+2.0
1981	5750	-265	-0.9	+0.2

Population changes of individual settlements over this period were:-

	<u>1951</u>	<u>1956</u>	<u>1961</u>	<u>1966</u>	<u>1971</u>	<u>1976</u>	<u>1981</u>
Kuamra B & T	478	505	435	379	304	308	303
Kaniere T	277	270	266	230	286	310	428
Kokatahi Loc & T	217	210	190	201	179	195	227
Ross T & Loc	471	549	503	436	429	368	373
Harihari T	171	193	250	388	486	543	410
Whataroa T	159	200	236	232	195	219	242
Franz T & Loc	126	66	57	252	293	431	471
Fox Loc	124	163	146	262	393	528	538
Jacksons Bay Loc	2	1	2	4	23	42	22
Otira T	239	213	234	210	215	163	146
Ruatapu T	215	160	113	85	115	121	91
Haast (Include M.O.W. Camp)	61	107	132	286	151	208	147
Carters Mill	-	-	-	-	130	142	72

5.3.3 AGE AND SEX STRUCTURES (1981)

<u>Age Group</u>	<u>% of Total in County</u>
0 to 4	8.3
5 to 14	17.7
15 to 19	8.3
20 to 64	56.0
65 and over	9.7

5.3.4 OCCUPATIONAL STATUS

The following shows the 1981 occupation structure:-

	<u>Number</u>
Agriculture, forestry and fishing	711
Professional, technical	165
Administrative, Managerial	24
Clerical and related	180
Sales	90
Service	258
Production, Transport, Labourer	728
Not classified	81
Total activity engaged	2229

5.3.5 HOUSING

The following table shows the nature of inhabited dwellings as indicated by the 1981 census:

	<u>Number</u>
Total Permanent Private Dwellings	1356
Temporary Private Dwellings	30
Group Living Quarters	48
Average Occupants per dwelling	3.2

5.3.6

ESTIMATE OF FUTURE POPULATION

The present population is currently declining and tends to be older than the national average. It includes a greater proportion of males and single people. Agriculture, forestry and mining are the major source of employment.

However, it would be difficult to make any projection of population for the planning period based entirely on statistics. The present density averages a little over one person per square mile and allowing for the settlements along the highway, it means that most of the County is practically uninhabited.

Indications are that forestry and milling will continue but little expansion could be expected.

Farming must develop and the bulk of this will take place in the undeveloped south. Since the opening of the highway, land development in South Westland is unaccountably slow. Established dairying in the north is expanding rapidly but the scope is limited compared to the undeveloped south.

Game recovery should continue but is not likely to expand beyond the present level of activity.

The fishing industry could increase around Jacksons Bay but with present marketing and transportation problems this too is likely to remain static.

Tourism and mining are the two areas where predictions cannot be made. Without these industries it would be reasonable to assume a growth rate at somewhere near the New Zealand average.

Overseas visitors are increasing with at least a rate comparable to the improvements in air travel. Within New Zealand inter-island transportation is improving, making it possible for great increases in the numbers to visit the South Island.

Expansion of population could be envisaged at Haast as a stop-over and servicing point while the main expansion should occur at the two glacier towns.

Taken collectively, the Mt Cook and Westland glacier region is one of New Zealand's prime tourist attractions. There is unlimited scope for developments around these attractions without bespoiling or destroying the unique natural scene.

Estimate or prediction, it requires little imagination to see that two towns will establish at Franz Fox based principally on tourism; providing they are not stifled as at present for want of land.

Mineral prospecting, sizeable industry in the early 1970's, has received a boost with the soaring price of gold on the world markets. In the mineral belt of the far south it is likely that some mining ventures will establish. It is speculative but should not be overlooked. Any mining venture which did go ahead would be based on a long period of intensive prospecting and would certainly be on a big scale. The access required for such prospecting would open land for forestry and agriculture which again brings population increases. A big industry might well require the establishment of a deep sea port and the development of hydro power in some of the big rivers.

In short, as the area is in its natural state, any prudent estimate for a region of this size should have some element of speculation and imagination.

5.4 CLIMATE

5.4.1 ELEMENTS

There is an anti-clockwise ocean current around the Tasman Sea which brings a warm current up the west of New Zealand. Water temperatures are noticeably warmer than on the East Coast.

The South Island is on the edge of the Roaring Forties which are created by the rotation of the earth. Prevailing westerly winds across the Indian Ocean and Tasman Sea are moisture laden and without any interrupting land until they strike the high Southern Alps, causing precipitation of the moisture west of the divide.

There are no regular seasonal periods of extreme rain or drought. Regular movements of high and low pressure, usually fast moving and alternating, result in heavy regular rain and bright warm regular sunshine.

Perpetual ice and snow exist along the Southern Alps. The winter-summer temperature range is small especially near the coastline. Humidity is high. Hail is infrequent, averaging about six falls per year. There is a high incidence of thunderstorms; about 16 per year. Strong winds are unusual and average velocities are comparatively low.

The climate of the Westland County is very much maligned in New Zealand. In such contrasts of weather, the bad feature (rain) is very much over emphasised. Climatically the area is ideal for grass growing in an almost continuous season. It is also eminently suitable for the growth of certain exotic trees.

5.4.2

RAINFALL

Along the coastal lowlands, this is in the range of 2540mm to 3810mm. Inland and along the mountains, the rainfall increases to above 5080mm and rainfalls as high as approximately 10160mm have been recorded in the mountains.

Rainfall intensity is very high. 50mm per hour could be recorded in any part of the County of short periods. 254mm in 24 hours is not unusual and in some places, this intensity could continue for three days.

The number of rain days per year is in contrast to the intensity as would be expected. Auckland has the same number of rain days as Hokitika and Southland more.

The rainfall decreases slightly from south to north and increases from the coast inland. Highest rainfall intensities are recorded at night.

5.4.3

TEMPERATURE

Though the County is very long, there is no significant differences due to latitude.

Coastal lowland temperatures would be as follows:-

Mean Summer Temperature - Dec. to Feb. - 14 degrees celsius.

Mean Winter Temperature - June to August - 7 degrees celsius.

Overall Mean temperature (annual) - 11 degrees celsius.

Average Diurnal Temperature Range - . 8 degrees celsius.

Maximum Temperature - 29 degrees celsius.

Minimum Temperature - -4 degrees celsius.

The climate is mild and temperate with a small seasonal fluctuation, the winter is short. The temperature range and number and intensity of frosts increase in direct proportion to the distance from the sea.

5.4.4

SUNSHINE

Westland is remarkably free from fog and mist and is noted for its contrast in weather. Along with high rainfall intensities there are corresponding high sunshine hours. When it is fine it is usually clear and calm.

Average sunshine hours Hokitika-Haast are given below:-

Spring	September to November	492 hours
Summer	December to February	565 hours
Autumn	March to May	432 hours
Winter	June to August	378 hours
	Annual Total	1867 hours

Compared with other parts of New Zealand, this is a favourable total exceeding some places on the east coast.

Hours of winter sunshine compare very favourably with other parts of New Zealand where temperatures are much colder.

Westland has its clearest cloud-free days during winter.

5.5

GEOLOGY AND MINERALS

5.5.1

GENERAL

Nowhere within New Zealand are the rocks more diverse, the geological structures more complex, or the land forms more spectacularly displayed than in this region.

Although many of the rocks are extremely old, the area is geologically young. The land has been uplifted and the landscape developed from it quite late in geological time.

-10-

Landscape development has, and is, processing in two ways - partly deformation and movement and partly by the sculpturing of the land surface by erosion. The deformation movements have taken place very slowly but have been sufficient in the course of millions of years to raise the mighty Alps and to rough out the shape of the other main relief features. Movements have consisted of both faulting and folding. As deformation has proceeded, glaciers, rivers and streams have carved the pattern of hills and valleys from the changing land form. Glaciers from the last ice age (Pleistocene Period) are responsible for much of the present day landscape at lower areas. Pleistocene moraines are widespread throughout Westland to the sea coast and it is on these that the main rimu forests are established.

The most powerful erosion agents today are the rivers. They are regularly spaced along the west of the divide and display noticeable and spectacular progress. All of the agricultural land in Westland is confined to the river valleys and terraces.

One of the main features of Westland's geology is the Alpine Fault. Subsidiary faults occur widely but this major earth fracture separates the greywacke and schist of the Alps from the younger rocks to the west. It forms a natural western boundary to the Alps and is well marked by a linear depression which can be easily seen as followed along its length except where covered by later alluvium.

Horizontal movement along the fault is said to be 483km and although no known movement has occurred it is still considered to be active.

5.5.2

SEDIMENTARY ROCKS

Most of the rock in Westland west of the alpine fault is sedimentary. Following deposition, sediments were compacted into rock elevated to form land.

The main types of sedimentary rocks in the area are sandstone, siltstone, greywacke, argillite, limestone, quartzite, breccia, conglomerate and gravels. Fossils are common in those rocks suited to their location.

There is great variation in the ages of these rocks.

5.5.3 IGNEOUS ROCKS

These rocks are mainly confined to the east of the alpine fault but are spread over the entire length of the area. they are formed by slow crystallisation and cooling of molten rock materials.

They are made up of irregularly shaped and interlocking crystals of feldspar, mica, quartz and other silicates to form granites, gneiss and diorites.

5.5.4 METAMORPHIC ROCKS

These rocks are located on the western flank of the Southern Alps. the schists in the region were formed by the metamorphism of greywacke and argillite.

5.5.5 ECONOMIC GEOLOGY

Unlikely long term ventures such as farming and forestry, the situation in respect of economic mineral deposits could alter radically within a short period. A new discovery would have a profound effect on Westland or alternatively the every changing needs of science and technology could render valuable some existing know deposit of something currently quite valueless. One thing certain, is that the world's demand for raw materials of all types are increasing in inverse proportion to the known workable deposits.

In recent years there has been a great prospecting boom only preceded by the original search for gold.

All of the likely areas of the County were held during early 1970's under prospecting warrants by a wide variety of seekers. In total, these comprised a very large proportion of the whole County. Most of these have lapsed but the whole prospecting scene is currently experiencing a revival in the search for gold. Reconnaissance surveys, geo-chemical prospecting and surface prospecting have been and still are being carried out together with seismic surveys on and off shore.

Some prospecting syndicates are holding land for speculative purposes while others have claimed spectacular discoveries of various minerals. this is not new on the mining scene but the indications are that prospecting will continue as a substantial industry for many years. It will rise and fall with overseas trends as it has in the past.

5.6 PRESENT FUNCTIONS OF THE DISTRICT AND FUTURE PROSPECTS

5.6.1 AGRICULTURE

Ministry of Agriculture and Fisheries statistics for the County show:-

No. of holdings 1979	434
Occupied farmland	629974ha
Area of grassland and lucerne	64965ha

The area occupied reflects the area which is currently available for farming. there are other areas capable of being farmed but not all will be available for agricultural use. Some is under forest cover and will be used for sustained yield logging or for exotic afforestation. Greater productivity will generally depend upon on more intensive use of existing farmed land.

The Lands and Survey Department has been heavily involved in land development in the County particularly on land with high initial costs for large scale drainage and bush clearing. A number of dairy units have been settled and eleven blocks - Kapitea Creek, Kaniere, Raft Creek, Mt Diedrichs, Lake Arthur, La Fontaine, Butlers, Waitaha, Duart, Rotokino and Franz Josef - are currently being developed. Council would encourage a re-appraisal of the Department's development approach with a view to obtaining quicker settlement and earlier settler participation. it is not generally realised that some of the country's richest farms are in Westland. Dairy farms in the Kokatahi-Kowhitirangi areas consistently out-produce the Waikato while beef cattle from South Westland are renowned for their meat and breeding qualities with large numbers sold outside the district at the Addington saleyards.

Attempts at diversification of the County's agricultural base include deer farming which is experiencing a boom period and beekeeping, a thriving industry on the West Coast with potential for further expansion. Alternative forms of stock production such as goats, rabbits, opossums and fitches is to be encouraged.

The Westland County can be split into two main districts on the basis of the farming carried out. In the northern area between the Taramakau River and Mt Hercules dairying is the predominant form of agriculture. Concentration is in the valleys -

Arahura, Kokatahi-Kowhitirangi, Waitaha and Harihari. To a large extent, future production increases in this district will come from more intensified use of the present grassed area, rather than breaking in marginal land.

There does not appear to be any great problem created by land tenure. There are however, problems of drainage, flooding and river protection yet to be resolved and most of these can best be treated on a communal basis. Unless the scheme to alleviate these is complete and comprehensive, it is uneconomic in the long term and only creates a problem for another property.

The total area of good land is limited though very productive. In order to attain full development, a change of attitude from the Soil Conservation and Rivers Control Council would appear to be needed. In an undeveloped area it is hard to produce a viable scheme before the work is done. More consideration should be taken of the need to do the work on which maximum development can result.

There is a good tradition of farming in northern Westland and a noticeably changing attitude by some of the less enterprising farmers. Farm improvement is dependent upon the readily availability of capital at nominal interest rates. If development finance continues to be available, the northern part of the County could be intensely developed in a few years.

It is pleasing to record that the Westland Catchment Board is widening the scope of its services into soil conservation, an overdue service which will nicely complement those already available and another way in which subsidy money can be obtained for the benefit of the farming community.

The southern area runs from Mt Hercules to Big Bay. Dairying has been largely confined to Te Taho but is now expanding in Whataroa. However, the predominant form of agriculture remains beef and sheep farming.

By far the biggest area of potentially productive land is in the Whataroa area. Waiho, Cook, Karangarua and Paringa have significant areas of good land but small by comparison to the acreage and potential of Whataroa. Cascade Valley is also significant but without access. Land in the Haast area is fragmented and very limited.

In addition to its area, Whataroa is relatively easy to service. It presents the largest area of relatively secure tenure, fully serviced by roads, power and telephone and the district is within the economic range of the Westland Dairy Co-op's tanker collection service. High freight costs are however a major deterrent to diversification into beef fattening and the adoption of more intensive stocking systems.

It could therefore be profitably developed as a dairy farming district.

Before it can progress at a significant rate, the following problems must be overcome.

- The course of the Waitangitona River must be officially as well as physically decided.
- There must be a community drainage and river control scheme implemented.
- The present pattern of beef production must be intensified as well as transition to dairying.

Farming in southern Westland is characterised by large holdings only partially developed and carrying relatively few stock. Many of the owners of these properties are second and third generation occupiers and the cattle prices of recent years have enabled them to obtain extremely good profits without developing to combat increased costs. In addition to this, it is not unusual to indulge in profitable seasonal activities such as whitebaiting or game recovery. A big proportion of the farmers are not efficient nor enterprising at farming and they do not have to be.

There has been little change in the farming scene south of Whataroa since the opening of Highway 6 and at present it must be recorded with disappointment that significant intensification of farming is unlikely in the near future.

South of Whataroa, a large proportion of the country grazed is held on temporary tenancies along the rivers. More permanent title would be a prerequisite in every case to land development by the adjoining farmer. In most cases permanent tenure is not readily given due to the susceptibility to erosion. River protection on the scale of ten required is usually too expensive for the temporary tenant.

Some points not covered above are worthy of comment:-

- Other than hay, silage and crops for winter feed there is no cropping done in Westland. Agriculture is directed entirely to the keeping of stock. Even the cropping for winter feed is on a limited scale due to the relatively mild short winter and the general understocking in South Westland.
- Within the areas actually cultivated, there is a significant disparity with the area topdressed.
- The potential for bringing in large tracts of land is extremely limited, with the exception of the Whataroa locality. Limited areas could be available with improved access, drainage and flood protection. Based on scientific knowledge at present available, improved production will be restricted to the land presently farmed.

5.6.2

FORESTRY

Foestry, sawmilling and other associated trades are the biggest employers of labour in Westland County.

The course of the industry in recent years, has been greatly influenced by Foresty Service policy. That policy has largely been directed to comply with the recommendations of the West Coast Committee of Inquiry 1959 and the West Coast Forest Policy 1978.

The impact of the Commission's recommendations was seen in the allocation of long term cutting rights to millers who were willing to process and improve efficiency and conversion rates. Most long term contracts were made in the 1960's generally for 20 years and most expire in the mid 1980's. A change to larger milling units resulted.

In the central Westland County, Foresty Service and the milling companies operate as a partnership to supply logs to the integrated processors. This again is in line with the Committee of Inquiry's recommendations.

The West Coast Foresty Policy 1978 has important implications for the future development of the forestry industry in the County. Its effect is to greatly reduce the podocarp volumes hitherto though to be available to the industry. The major

objectives of this Policy, relevant to production forestry, are as follows:-

- to perpetuate State indigenous forests, both as natural forests and main stands, as one of the few longterm sources of a very limited supply of podocarps for the country.
- to manage selected podocarp and beech production forests for sustained yield of wood and other compatible forest values.
- to maintain sawmilling throughout the West Coast in the short term at a level which allows a steady supply of sawlogs either from podocarps, beech and/or exotic forests.
- to manage existing exotic forests and add new areas in such a way as to maintain a steady sawlog supply to forest industries in the longterm.

The South Westland Forest Management Proposals (1980) outline the options available to the industry in the area south of the Waitaha, if the objectives of the Forest Policy are to be met. The report clearly states that, given current government policy, it is no longer possible for the industry to continue at its present level. The key issue is the manner in which the volume of timber required to meet the remaining contractual obligations for supply, will be found. The options are distinctly limited particularly in the light of the government's decision to add South Okarito and Waikukupa State Forests to Westland National Park. The unavailability, both in economic and policy terms, of the indigenous forest resource south of the Cook River compounds the problem. Planting of exotics on a significant scale commenced in the 1960's, but the earliest will not mature until the 1990's. Until recently, the industry itself appeared unwilling to accept the fact that the resource is not unlimited.

One possibility would be to prop up the industry until exotics came onstream by depleting the sustained yield potential of South Westland's terraces and hills. The sustained yield attainable after 1990 if this policy were adopted, would be very small indeed.

Alternatively, saw logs could be imported with the processed material not used locally being exported again. This would be of doubtful value.

A further alternative would be for the Forest Service to reduce the cut by purchasing and closing down some of the mills to which it has given long term cutting rights.

A rationalisation of the timber industry throughout the region is long overdue. There is a strong case for better utilisation of the podocarps and elimination of present wastes. Various species are not taken from milling areas because they are not considered to be economically attractive. Chipping may be the answer.

There is justification in taking a fresh look at the Reefton beech. Maybe a scaled down version might be acceptable for its utilisation. This would bridge the gap to self sufficiency in exotics. It would certainly helping North Westland.

Westland County is, and will remain, the main source of indigenous timber for all of New Zealand. As a diminishing resource, it is certain to increase greatly in value with emphasis on treatments and processing rather than sawing. Untreated framing grades will probably be hard to market against radiata while the clean lines will be of immeasurable value.

With regard to afforestation, the West Coast Forest Policy 1978 states that sufficient exotic forest will be established on the West Coast to ensure that the level of cut resulting from re-negotiated sales in this subregion can be sustained regionally. In the region as a whole, the Forest Service has made great strides in increasing the planting rate of exotics. However, there is clear evidence that the project is twenty years too late. Granted, we now have a good annual plant rate, but there is a long way to go to catch up with the denuded terraces of the past 100 years. Encouragement and subsidies for private planting should continue and there is tremendous potential for planting associated with farming.

Other general points which should be discussed are as follows:-

Forest Service policy is to release land for agriculture, where it is more suited to that use. Although there are no substantial areas within the County which would be cut to provide agricultural land, this policy may be applicable in some isolated valley areas.

Land will be released when necessary on a limited scale for the extension of towns or creation of resort settlements.

Control of noxious animals is reasonably satisfactory. Thar, chamois and goats are not plentiful while deer are presently controlled by the commercial operators. Opossums cause some concern and control by poisoning is carried out in the critical areas. The recent advent of Bovine T.B. is a matter of concern.

With regard to conservation, there has been considerable criticism of Forest Service policies by pressure groups. Much of this is uninformed and certainly without heed of the local economy of people. Substantial forested areas within the County are already under some form of protective status. Westland National Park, together with the various reserves administered by the Lands and Survey Department, comprise over 20% of the total area. These are not confined to the alpine country. They include substantial stands of indigenous forest, together with most of the lakes, waterways and coastal lagoons. The future preservation of these areas is assured. At the same time, Forest Service management policies have led to the zoning of extensive areas as protection forest.

There is no conflict between agriculture and forestry. Farming is confined to the river flats with a generally clear delineation. There could be a good case for planting exotics on some of the marginal land rather than spending vast sums on agricultural development. This technique could certainly apply to some farms containing marginal lands where the two activities would be complementary.

The possibility of chemical extraction from timber should not be lost sight of particularly with the rising cost of synthetic oil derivatives.

5.6.3

TOURISM

Westland has been hosting tourists in the Glacier region for many years but in a general sense, the industry is in its infancy. Tourism, either directly or indirectly, employs a substantial part of the work force and therefore is one of the main industries in the County.

As expected, it is an industry with growing pains and problems which will take several years to resolve. The inhabitants of the County could not

have forseen the effect of the Haast Road and the Government who built the highway was unplanned and unprepared.

There is a need for in-depth research into the tourist industry. We know all too little about the people we are trying to cater for. Like any industry its effective development will be dependant upon constant research based upon statistical analysis.

It is estimated that presently something over 150,000 tourists per annum travel through Westland. This is probably about a third of the tourist who travel in the South Island. There is, therefore, no room for complacency. Apart from overseas tourists, there is a great tourist potential from the North Island.

For the school summer vacation, all accommodation is taxed to capacity. During the rest of the summer it is also very busy. This has had the effect of extending the season and it is getting noticeably longer each year. No doubt this is also governed by the inter-island ferries which also run at capacity in the summer holidays. The trend for a longer season and winter travelling should be actively promoted as higher occupancies will result in better profits and accordingly, more investments.

At the present time, it could be speculated that our promotion campaign is ahead of the development. Many of the smaller tourist oriented businesses are grossly under-capitalised. Perhaps some of the promotion should be directed at lending institutions, for money has been and still is extremely hard to get for tourist development. There is visual proof that capital can be acquired for the large scale businesses such as tourist hotels but these do not nearly fill the tourist accommodation needs.

A chain of good tourist hotels/motels is developing which is tailoring itself to the needs of its main customers, the bus tour companies.

The scope for development of tourism is great. Each year the length of the season increases and so too does the number travelling. There are also too many travelling too quickly. A concentrated effort to provide a wide variety of attractions in one area is needed so that there is something on at all seasons and in all weathers. We are fortunate to have natural assets second to none, high mountains, snowfields, luxuriant forest,

glaciers, lakes, rivers, thermal water, glorious coastline, game animals and a mild, equitable climate all in the space of a few miles.

Main promotion on the West Coast should be directed at the one prime tourist attraction and not fragmented as it is. The things to see and do on the way will then take care of themselves once the people are directly regionally.

Unfortunately, development will probably be quite slow as the large investment needed will unlikely be anticipated. Rather than being available to invest and bring the tourists, it will probably come slowly from the faults that occur and the demands from the public.

With some speculation, it can be anticipated that sizeable towns will be established at both Fox and Franz. An airfield is feasible and will come in due course when warranted. The main thing needed is the provision of access into the focal point of the whole region, the glacier snowfields. People have to be got to a point where they can see and appreciate the mountains, lakes and glaciers and this cannot be done by chasing the everchanging terminal in the valley. The best prospect seems to be the provision of all weather roading to a suitable site at say 1200m where facilities could be built where the people can see the snowfields and feel the country. From such a terminal point a rope lift of modest proportion could be constructed, giving a lift of a further say 800m in enclosed cars. At the 2000m level, people could stand on the snowfield all year round and really appreciate the scene that is unique in this quarter of the world. Both roading and ropeway could be financed on a toll system.

The first priority is the provision of glacier access and sealed highways and airport facilities to transport the people. Once this point has been reached, the following factors could be considered:-

1. Roading to mineral baths at Welcome Flat.
2. Gold links and sports facilities at both towns.
3. Swimming baths which could double as skating rinks.
4. Skating rink and ski tows at the end of a glacier ropeway.

5. Horse treks and walking treks, some of which are currently being developed.
6. Stocking Lakes Mapourika and Wahapo with salmon and trout.
7. Hunting safaris.
8. Aerial scenic rides both fixed wing aircraft and helicopters.
9. Gambling facilities.
10. A transalpine cable.

Along with this, there would need to be a good variety of accommodation. Popular gimmicks such as gold panning or blacksanding and some form of historical museum would provide alternative sources of entertainment.

This concept of commercialisation of the glaciers is likely to be ill-favoured by some. Such development could in fact occur with almost negligible change to the present scene. It would, however, require expansion of Fox and Franz townships. Advantages to the Westland County, the West Coast region and the nation as well as to the recipient tourists would be immeasurable.

5.6.4 FISHING

5.6.4.1 General

By virtue of its very long sea frontage, the fishing industry is important to Westland as a function, though the direct benefit is quite limited in relation to other industries. Apart from whitebait and crayfish, any discussion or speculation on the fishing industry is, in very general terms, a national function.

The whole fishing industry in New Zealand needs to be organised. We must learn to catch fish, process it, market it and eat it. To do this would require better harbour facilities and bigger ships to get efficiency and a consistent supply irrespective of the weather. It is doubtful then in a general sense, if a large scale fishing industry in New Zealand would give any great direct benefit to Westland. The ships would all operate out of bigger ports at the main centres. Jacksons Bay however, could become an important servicing port for the industry on account of its convenient location and accessibility to main roads.

5.6.4.2 Whitebait

Whitebaiting is the truly local side of fishing in Westland and has more direct interest to the County than any other type of fishing. Since the advent of deep freezing on a small scale there has been little fluctuation in riverside prices. Whitebait is a high priced delicacy and therefore high transportation costs such as airfreighting can be absorbed by the industry. The value of the catch makes a substantial contribution to the economy of Westland. Indications are that the whitebaiting is steadily declining. Even in the rivers of far South Westland the catches are regularly and noticeably diminishing, notwithstanding the added seasonal variation. There would be two main reasons for the decline in this valuable industry.

- Reclamation of and changes to the breeding grounds caused by drainage works etc.
- Over-fishing of the key areas.

The Westland County Council is concerned about the future of the industry. At present it is certainly running down any increased prices are not compensating for the smaller catch. Research should continue into the further possibilities of achieving a sustained yield season for whitebait, even if this means a substantial reduction in the annual catch.

5.6.4.3 Crayfishing

The waters off South Westland south from Paringa to the Fiords are traditional grounds for crayfish. Since the 1950's when the fish were trawled the yields seem to have steadied with the result that there are well over 100 boats working in the area.

No statistics have been sought and are probably not available for this area. Crayfishing is however, a multi-million dollar industry to New Zealand and no small part of this comes from the waters of South Westland. Most of the boats operate from outside ports, though Jacksons bay offers sheltering and fuelling facilities. Some fishermen are resident there.

Research should continue and controls be effected to arrest the decline in the crayfish catch. The waste of crayfish bodies resulting from tailing at sea is also a matter requiring further research. The market for crays is almost solely in the

U.S.A. Any industry with a single outlet for its product should never be complacent.

5.6.4.4 Wetfish

There is practically no wetfish industry in Westland with the exception of the trawling done for cray bait. There is however, this enormous tract of water which is territorially ours and therefore its potential is significant.

The main port within the County is Jacksons Bay although part time individuals put out from other points along the coastline. The maintenance of the jetty at Jacksons Bay is essential for the fishing fleet. Fishermen are predominantly engaged in trawling with some longlining, most fishing being done by small nearshore vessels.

The total wetfish catch landed at Jacksons Bay is small. Encouragement should be given to establish processing locally, the bulk of the catch currently being transported for processing.

There is a tremendous potential for deepwater trawl in the 50 to 100 fathoms range formerly the preserve of the foreign vessels. The larger domestic vessels required to take advantage of this fishery could probably not be catered for by existing harbour facilities on the West Coast.

A major component of the fish catch with a significant potential for growth is the tuna fishery. The Greymouth-Hokitika area is one of the three main areas in New Zealand for the small vessel albacore tuna fishery. The blue fin fishery also shows considerable promise, the domestic industry having only recently organised itself to take advantage of the fresh chilled 'sashimi' trade. The lack of suitable storage vessels is a problem while market manipulation, resulting from New Zealand's dependency on the Japanese market, is also a concern. There is potential tourist attraction in the sporting aspects of catching tuna.

The catching and marketing of squid should also be encouraged although squid fishing is seasonal and coincides largely with the albacore season.

5.6.4.5 Freshwater Fish

The processing of eels for export has been undertaken in the County in recent years. There do not appear to be any marketing problems. Further local processing (such as smoking) would be desirable.

Eeling is a comparatively new industry. Its effects will have to be carefully assessed to ensure that it can be sustained on a long term basis. Current research may well establish that there is potential for aquaculture in the eeling industry. A substantial industry would then be a definite possibility.

With regard to freshwater fish farming, it seems illogical to talk of this in the light of our extensive coastal waters. Nevertheless, fish farming is a major industry in many places and protein yields per ha are comparable with dairying and meat production. A prime requisite of fish farming is an abundance of good water. With this to offer, together with unlimited areas of cheap, unproductive, terraced land, fish farming may well have an important application in the future which should be kept sight of. Sea fishing is expensive and seasonal. Fish farming may prove to be a lucrative form of land management in years to come. There is currently one salmon farm operating on the Kaniere River.

As a potential tourist attraction, the Council would press for research into the fish carrying capacity of the County's lakes.

5.6.4.6 Shellfish

Council favours the protection of the abundant shellfish contained in adjoining coastal waters. Accordingly, it is Council's policy to oppose any commercial fishing for either pauas or mussels.

There could be potential for rock oyster farming in some of Westland's tidal lagoons. Conditions are very similar to those in the water around Coromandel and Northland where this is now a viable proposition. The Council would seek some experimentation by the Marine Department to determine the suitability of the area for rock oyster farming.

5.6.5 GAME RECOVERY

In the ten years 1960 to 1970, this industry grew to a point where it practically took over the control of the red deer from the New Zealand Forest Service. After some initial setbacks, caused by accidents, inefficiencies, a reduction in the number of animals and market fluctuations, the industry settled down to a more established pattern. An efficient and viable industry resulted, earning valuable foreign exchange.

Goat, thar, chamois and pigs were also taken although the market for these animals is more limited.

In recent years, the industry has undergone a change of emphasis. With a declining wild deer population, the recovery of live deer to provide breeding stock for the growing number of deer farms is now a significant part of operations. This should also ensure that the current contribution of the deer industry to both the local and national economy is sustained. Helicopter recovery operations have developed a high degree of sophistication. The comparatively high number of accidents would suggest that it is an industry of considerable risks with compensating high returns.

The main venison market is western Europe with by-products such as dried blood and antlers being exported to Asian countries, primarily South Korea. Notwithstanding the diversity of the market, the industry relies on getting luxury prices for the end product. It would therefore be very vulnerable to a sudden depression.

Game animals do so well in Westland that it is unlikely that deer will ever be hunted out. This is particularly so in that the main areas from 450m to 1000m are largely inaccessible to both helicopters and foot hunters.

Until recently, most of the processing and packaging of game was carried out in the large centres of the East Coast. Carcasses were freighted by road transport. The establishment of Westland Processors plant at Hokitika has helped rectify this situation. The plant has now incorporated a slaughtering facility to enable the full processing of farmed stock.

Apart from venison, there is great scope for the production of opossum meat if a market could be found. The skins find a ready market while the

carcasses are wasted. There is no useful recovery from the Forest Service's poisoning campaign. The opossum poses a threat to the native flora and requires regular control. It is also a proven carrier and spreader of Bovine T.B. The Government might well sponsor some sort of export market investigation. The most likely prospect would appear to be the pet food industry.

5.6.6 MINING, QUARRYING AND MINERAL EXPLORATION

If not a major employer of labour, mining in Westland County is still a very important industry when considered overall.

5.6.6.1 General

There are two limeworks, one at Ross and the other at Kowhitirangi. The Ross works supplies a big proportion of the lime used in the Grey County as well.

Greenstone is mined in the Upper Arahura Valley at Olderog Creek.

Alluvial greenstone is also found in the Arahura and Taramakau Rivers, and north of the Taramakau in the Grey County as far as the Arnold River. The majority of stone is now processed into jewellery in Hokitika, making an important local industry in the Borough.

Various decorative pebbles and sands taken from the sea beaches in a small way for export. This is one industry that could grow substantially in time. Beaches in the Maast area yield excellent pebbles which can be economically screened for sealing chips. These pebbles have a very high proportion of white and cream coloured stones which given an excellent night driving surface. If port facilities were available at Jacksons Bay, there would probably be a good market for these sealing chips both in the North Island and Australia.

Rock quarrying is carried out right throughout the County for river protection work and this is now small industry.

The gold dredge operating on the Taramakau River ceased operation in 1982. It is hoped that the consequent loss of employment will be compensated for by the proposed dredge on the Mikonui River.

Split schists are used for decorative fire surrounds and panels. There is both local

manufacture of the surrounds and also a good export of the split stone.

Mica has been mined and could be again and there are known coal measures at Moeraki.

5.6.6.2 Previous Prospecting

Previous mineral prospecting in Westland during the past 100 years has been primarily directed towards the search for gold, either in its alluvial form or in the reefs as in the Taipo Valley. The emphasis has now changed however to the search for both metallic and non-metallic minerals.

From the gold era to the 1970 prospecting boom, almost all geological work was done by Government geologists. Completion of the geological survey was as late as the 1960's and while this was a mammoth task and of infinite use, it is still true to say that Westland is still practically unprospected. Physical difficulties, access, finance and isolation are the reasons for this. Apart from gold, efforts have been concentrated for geological reasons on the most likely areas.

Prospectors have confirmed the occurrence of a wide range of minerals over a wide area. Little is known of the Alpine Ultramafic Belt which lies within the schists to the east of the alpine fault. Morgan (1908) lists 55 minerals that occur in the Miconui subdivision alone. Paddy Corcoran in 1957 discovered a boulder rich in the radio-active mineral Thorium in the Haast Valley.

Prospecting in the Taramakau-Arahura-Hokitika areas in the 1970's, indicated that a valuable deposit of greenstone was present. Copper, magnetite, talc and serpentine were also noted, although the deposits were considered to be too small for commercial exploitation. There are still several lensoid serpentine bodies remaining to be prospected so that the possibility of a worthwhile deposit is always present.

During 1937, there was some detailed prospecting west of the alpine fault in the Paringa-Haast area. Gold, coal and iron were prospected without anything worthwhile being located. (Evans and Bolitho 1937). Also in this area, the intrusions of the Mataketake and Kinnaird Ranges were prospected, resulting in the limited scale mining for mica during the second world war. (Wellman 1947).

In the Red Hills area, which straddles the southern County boundary, limited prospecting highlighted the presence of numerous mineral deposits including chromite, copper, nickel, tin, silver and gold (Mutch 1965).

This is by no means a complete overview of past mineral exploration within the County. It serves to demonstrate that the mineral search is in its infancy and there are many prospects for future discoveries.

5.6.6.3 Metallic Minerals

Of the metallic minerals, gold has been the most widely and in most cases, adequately prospected. Recent price rises have heralded a new interest in the industry. The small scale mechanical operation, using earthmoving equipment and a rotary screen, has proven particularly popular. The exact number currently engaged in gold recovery as a livelihood is unknown but is thought to be quite sizeable.

As for the rest of the metallic minerals, to generalise it is correct to say that nearly all the normal metallic minerals have been found at some time. Some of the more important ones at present would be, antimony, cassiterite, chromite, copper, lead, nickel, platinum, silver and thorium. To date these and others have only been discovered in small quantities but recent work given publicity and some which has not, does show promise. Geologically, the Red Hills area appears to be the most likely place for success.

5.6.6.4 Non-Metallic Minerals

Non-metallic minerals cover limestone, feldspar, coal, oil, garnet, greenstone, mica, asbestos and road metal. These differ from the metallic minerals that some, namely limestone, road metal and greenstone are already being mined within the County. It is certain that the output of these will increase, while industries based on others not yet exploited may well be established.

Limestone use for agricultural purposes can be predicted with certainty and deposits about Moeraki and in Jacksons Bay may fill a serious need for the farming community in South Westland.

Garnet occurs abundantly in the blacksands of Bruce Bay and Gillespies Beach. Within 20 years we could well see a small abrasive industry based on this.

Illmenite ore occurs in most of the coastal fringes and together with large deposits held in the Grey County this forms a predictable basis for a large industry producing titanium oxide. Illmenite prospecting has reached a very detailed and advanced stage.

Metamorphic mica schists are exported for decorative facings, making a small but useful industry. Also exported are special sands and pebbles for use in building panels and special aggregates. There should be scope for expansion of this industry and in addition to this there could be scope for the sale of polished granites and serpentines. New Zealand is importing facing stone and accordingly, the transport should not be a barrier providing suitable stone is available. Other examples are the possible exploitation of the mica and feldspar deposits of the Mataketake Ranges.

In the oil search, possible structures were drilled on shore in the mid 1970's in the vicinity of Okarito. Off-shore drilling of structures may follow.

Asbestos in quantity is one of the most recently discovered minerals in the Red Hills Area. Here too, prospecting is long past the stage of surface sampling. Detailed prospecting including mapping, drilling and tunnelling has been done. The lack of road access and depressed world markets have caused this operation to cease. It is certain to resume again when the economic climate improves or when road access is available.

5.6.6.5

Summary

Generally, it is a reasonable prediction that, on deposits already found and partially proven together with others yet to be found, mining in Westland will develop in the fullness of time. In the case of mineral sands and asbestos it would seem to be a matter of market requirements and discoveries elsewhere in the world, that will determine when, rather than whether, these minerals will be commercially mined. The capital involved today for both prospecting and mining render the whole industry remote from both local and national control.

Future exploitation of existing deposits, together with prospecting for new ones in the Red Hills area, including some of the valuable metallic minerals, will be essentially affected by the

provision of access. Linking of Jacksons Bay to the Hollyford will not only benefit tourism, forestry and agriculture, but is a prerequisite to any mining activity.

Such a road might well be in the national interest on geological considerations alone. The Westland County Council will actively seek an extension to Jackson Valley Road which is already started.

The Council is greatly concerned at the present national attitude to mining. The conservation movement asserts great influence on the Government and the public at large. The conservation climate is such today that mining has been rendered practically impossible. The Council would urge rationalisation of present mining attitudes and would hold the view that there is a place for both mining and conservation in Westland County.

5.6.7

MISCELLANEOUS

4.6.7.1

Flaxmilling is an industry of the past which has never seen great stability. The County contains considerable quantities of flax which could no doubt be cropped, if it were to prove economic to do so.

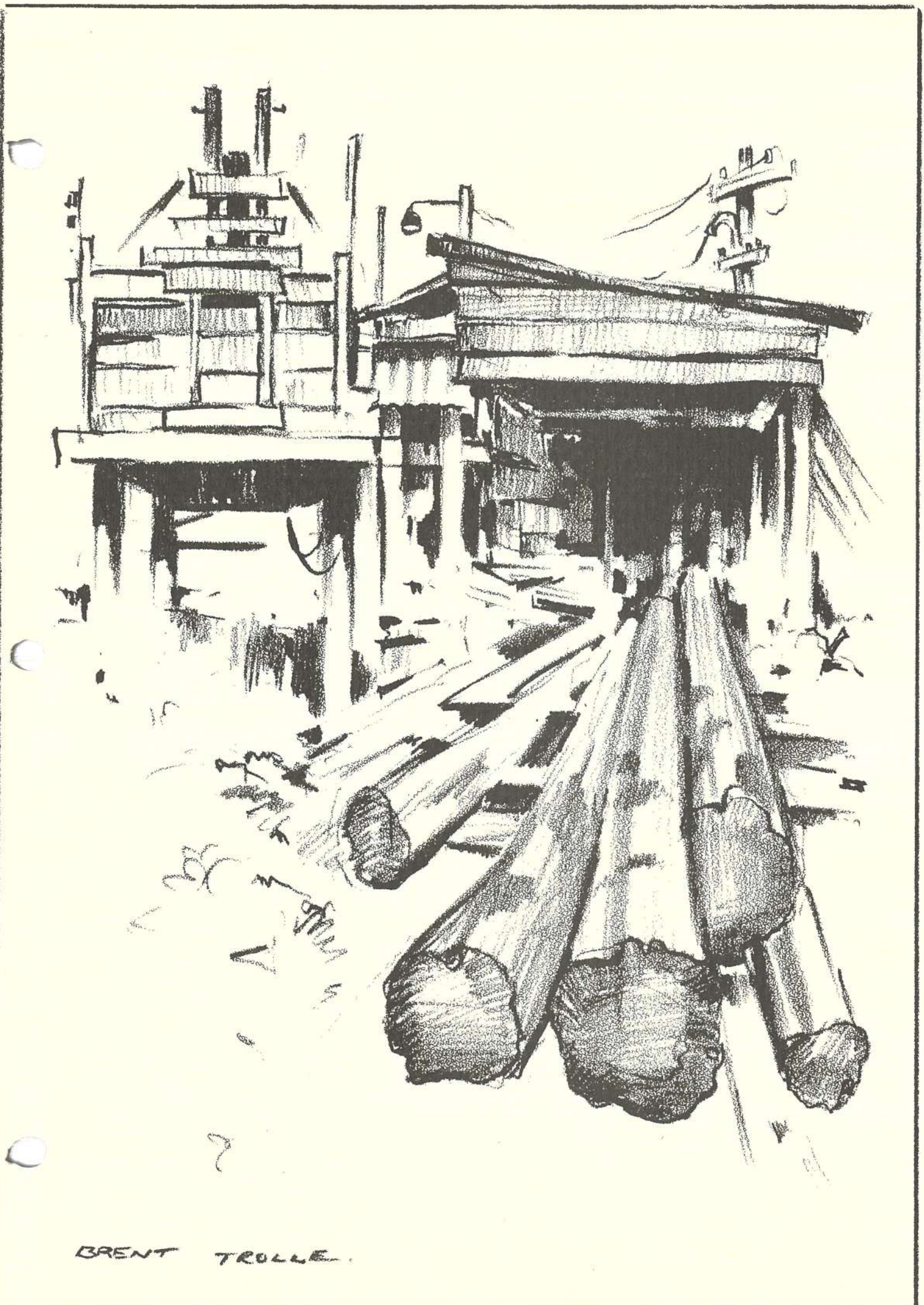
5.6.7.2

Opossum furs are a comparatively new industry, as yet quite small. Enterprising companies have cured and processed opossum furs. These are being manufactured into a surprising variety of high quality articles which seem to find a ready market. This industry has considerable potential. The carcasses must also have substantial potential by processing into pet foods.

The recent spread of Bovine T.B. could have alarming consequences to the farming industry and this would support a policy of eradication of the pests if possible.



BRENT TROTT



BRENT TROLLE

WESTLAND DISTRICT COUNCIL

Our Reference
Your Reference
When replying please quote our reference

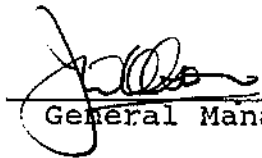
Please address all correspondence to:
THE GENERAL MANAGER
PRIVATE BAG
HOKITIKA.

WESTLAND DISTRICT COUNCIL

PLANNING SCHEME

This is a true and correct copy of the Westland District Scheme Change Number 11 approved by the Westland District Council on 18 October 1990.

In accordance with Section 52(2) of the Town and Country Planning Act, 1977, the Common Seal of the Council is affixed hereto.


General Manager




Mayor

Operative Date: 1 November 1990

THE TOWN AND COUNTRY PLANNING ACT 1977

WESTLAND DISTRICT COUNCIL-WESTLAND DISTRICT SCHEME

APPROVED SCHEME CHANGE NUMBER 11 -

SCHEME STATEMENT

Delete the last paragraph of the explanation to Clause 2.4.5 (as amended by Scheme Change No. 4) and substitute:

"Section 2.10 of this scheme statement sets out the policies in respect of residential development in rural areas. These policies have been formulated having regard to the above general policies, but recognising also that sporadic scattered residential development is part of the heritage and rural character of Westland, and that most of the land area is State owned and unavailable for urban type development.

Such residential development as is provided for in the rural zones is subject to strict controls. Those controls, together with factors of demand and economics will inevitably mean that the extent of residential development will be limited and easily accommodated within the vast land area of the district without compromising the essentially rural character of Westland."

Add the following to Clause 2.10 (as inserted by Scheme Change No. 4):

"POLICY

To ensure that residential development in rural areas does not detract from the rural character and scenic qualities of the district, does not cause a demand for the uneconomic extension of public services, including roading, is generally in conformity with the existing subdivisional and development pattern, and does not compromise the potential use of productive soils for agricultural purposes."

"To strike a balance between ensuring that dwelling houses in rural areas are reasonably required for rural activities but at the same time recognising the strong desire by many people for a rural-residential lifestyle. Generally this will be achieved by:

1. Dwellings required for predominant uses (eg: farming) are a predominant use subject to certain requirements.
2. The retention and upgrading of existing houses regardless of site size is a predominant use subject to certain requirements.
3. New dwellings for permanent occupation for rural residential uses on existing sites are a controlled use. Such uses are subject to strict requirements, and the council will judge each application on its merits as a 'non-notified application to ensure that the proposal is appropriate to the area in terms of appearance, landscaping, and access. The applicant must intend to live permanently on the site on a year round basis and will be required to produce a statement to council to that effect.
4. Subdivision for rural residential purposes is a conditional use.

After Clause 2.10.3 (as inserted by Scheme Change No. 4) by amending the title to: "New dwelling houses on existing sites for rural-residential purposes". Leave the remainder of Clause 2.10.3 and 2.10.3.1 unaltered except delete the entire paragraph titled "Planning Implications" and substitute the following:

"Planning Implications"

"There are sites in the rural areas which were created many years ago and are now too small, or the soils too unproductive for conventional full time rural uses such as farming. In some cases these sites have been amalgamated with adjoining sites, or are held in one ownership with adjoining sites. The council encourages smaller sites to be grouped to create larger, usable parcels of land particularly on the better soils, but the process is slow.

Often these smaller sites are in separate ownership and it is unrealistic to expect them to be combined with others. Some of the sites are suitable for rural-residential purposes.

Provided that the proposed rural-residential use will not cause an uneconomic extension of public services, including roading, that the site is suitable for a house, and that the proposed development will not detract from the rural and scenic character of the area, the council believes that rural-residential uses can be beneficial in the rural areas by strengthening rural communities and better utilising existing public facilities.

Rural-residential development of existing sites is provided for as a controlled use in the Rural 1 Zone. As a controlled use the council has a discretion to refuse consent, or request changes if in the council's opinion the proposal would not be compatible in the area. However, before an application for a rural-residential use will be considered, the applicant must show that the proposal meets strict criteria, including a requirement that the applicant intends to reside permanently, on a year round basis, on the site. A primary objective of the rural zones is to encourage the land to be used productively. Rural-residential blocks can be intensively developed and productive, but generally only if the site is permanently occupied

Uses such as holiday homes which are essentially residential in character are not appropriate in the rural zone. There is adequate provision in the resort zones for new dwellings not intended to be permanently occupied on a year round basis. Such proposals may also be considered as a conditional use in the Rural 1 Zone."

Delete the reference to conditional use in the explanation to Clause 2.10.3.2.

Add to Clause 2.8.2 the following:

"Tourism is important throughout the district, but increasingly so in South Westland where the decision of Central Government to allocate former State Forest land for conservation means that the local economy will become increasingly dependant on tourism.

Tourism is a very diverse industry. Policies and ordinances in rural zones, Service Zones, and Resort Zones as well as the council's recreation, reserves, roading and signposting policies all relate to the tourism industry.

Tourism is also a rapidly changing and innovative industry. It must be able to respond quickly to changes in the type of visitors to an area, which in the case of overseas visitors is often heavily influenced by overseas currency fluctuations.

A district scheme must be positive and flexible if it is to successfully cope with and encourage tourism. At the same time there must be adequate planning control to ensure that the scenic and other qualities that attract visitors to Westland are not spoilt by tourist development.

A varied mix of visitors are attracted to Westland. They include tour coach groups, backpackers, domestic and overseas visitors, campervanners, all of a wide range of lifestyles and ages.

The council recognises that a wide range of accommodation and attractions is required to cater for as many visitor market segments as possible.

Council's general policy is to encourage tourist related ventures to locate, wherever possible, in the appropriate zone in the existing larger townships (Kumara, Kaniere, Ross, Harihari, Whataroa) and at Franz Josef, Fox and Haast townships. (Policy 2.12 - Consolidation of urban development).

Certain tourist related activities need to be located in a rural area, either because that is where the tourist attraction is, or to provide the necessary open, rural atmosphere. Such activities will be generally small scale but need to be carefully controlled to ensure they will not be visually out of place and will not create problems of traffic safety. Most types of tourist activities are provided for as conditional uses in the Rural 1 Zone. An important consideration with such conditional uses is the need for the activity to locate in a rural area.

As a general principle the council considers that the convenience, safety, economic and general welfare of the people of Westland is better served by consolidating tourist activities. Therefore an applicant for a tourist related conditional use in the Rural 1 Zone will have to show good reasons why the use needs to locate in the rural zone.

CODE OF ORDINANCES

Add to 3.2.1 Rural 1 Zone Purpose of Zone: the word "tourism" after "occupational"

Add a new Clause 3.2.2A as follows:.

"3.2.2A Controlled Uses

Explanation

Controlled uses are provided for under Sections 36(5) and 36(5A) of the Act. Applications for a controlled use must be made on the appropriate forms available from the council and each application will be assessed by an officer of the council acting under delegated authority having regard to the policies and objectives set out in this district scheme, the Act, and the criteria set out below. Controlled uses are not notified.

The applicant may, in accordance with the provisions of the Act have any decision of an officer reviewed by the council. Any application for a controlled use which in the council's opinion (or in the opinion of an officer acting under delegated authority) does not satisfy the criteria for a controlled use, may if the applicant requests, be dealt with as a notified conditional use application.

1. New dwelling houses on existing sites for rural-residential uses.

Subject to:

- a. The site must have been held in a separate certificate of title by an owner who on 1 January 1990 was not also the owner of any adjoining site, ("adjoining site" includes land across any road).

Explanation: In the rural zone council's general policy is to encourage the land to be used productively. Rural-residential uses are appropriate where because of land ownership and subdivision patterns it is difficult to consolidate land into large parcels. The council will discourage any attempt to sell one or more titles from an existing farm where to do so would make the farm uneconomic. Individual cases not complying with this requirement can be considered on their merits as a conditional use.

- b. The site is suitable for the use proposed having regard to earthquake faults, and liability to flooding, erosion, and landslip.
- c. The land is suitable for the disposal of effluent within the boundaries of the site without causing or being likely to cause nuisance conditions or pollution to any drain or natural water course.
- d. The site has frontage to an existing formed legal road and the proposal will not cause a demand for the uneconomic extension or upgrading of roading or other public services.
- e. The applicant must submit to the council a written, signed statement clearly stating:
- (i) that the applicant intends to permanently reside in the house on a year round basis; and
 - (ii) the proposed use(s) to which the land will be put.

NOTE: Persons living or intending to live in the rural zone cannot expect, and the council will not provide an urban standard of services. Rural dwellers must expect to be self-sufficient in water supply and effluent disposal. Rural standard roading, without footpaths, is the normal standard. (See policy 2.10.3.4).

CRITERIA FOR ALL CONTROLLED USES

In an area of great scenic beauty such as Westland where tourism is a major part of the local economy it is important that those scenic qualities are not spoilt by insensitive development.

Whilst it does not wish to impose mandatory requirements on essentially subjective matters such as the design and external appearance of buildings, and landscaping, the council does intend to carefully consider and if necessary request changes to controlled uses to ensure that they blend into and are in harmony with the environment.

All applications for controlled uses shall include plans and information sufficient to show:

- (i) proposed layout of buildings, structures and development;
- (ii) floor plans and elevations of proposed buildings;
- (iii) landscaping proposals.
- (iv) relationship to all adjoining roads and existing and proposed access points.

In considering all applications for controlled and conditional uses in the Rural 1 Zone the council will take into account:

1. Design and Appearance

Where possible buildings should be located, designed, and be of colours and materials which are not out of character in the landscape.

Whilst there is room for individual initiative, bold, garish, visually obtrusive siting, design, and colours are not encouraged particularly if they will be visible from major tourist routes such as State Highway 6.

Controlled uses for tourist related activities should, in particular, be carefully landscaped. The landscape design and planting should aim to soften and merge buildings and development to the site and in the landscape.

2. Vehicle Access

Where the site has access to a state highway the following provisions shall apply. In other cases the provisions shall be used as a guide.

(a) Access Driveway Dimensions

Access driveway dimensions to be 4.0m wide with 9.0m internal radius curves.

(b) Distance of Access from Intersections

No driveway to any property shall be sited closer to any intersection than 60 metres in any rural zone (measured from the legal boundary of the other road). Access on the side road shall be 30 metres from the state highway boundary.

(c) Safe Stopping Distances

The location of vehicle access points must also take account of bad visibility features in the existing road alignments (eg: humps, bends).

The table below gives the safe stopping distances for various road traffic speeds. Developers shall be required to locate vehicle access points beyond these distances from bad visibility features on the road alignment.

On state highways, where traffic volumes and speeds are greater, an additional margin for safety is required: compliance with the distance in column C is necessary.

A SPEED LIMIT	B SITE DISTANCE (ALL ROADS)	C SITE DISTANCE (STATE HIGHWAYS)
50 km/hr	60 m	100 m
70 km/hr	95 m	140 m
100 km/hr	160 m	200 m

Visibility shall be determined according to the following: An object 600mm high located at the centre line of the carriageway opposite the proposed vehicle crossing should be visible from the drivers position (1.2 metres high) for the full length of the safe stopping distance, from both directions.

(d) Reduction in Standards

Notwithstanding (a) above, council, may, upon receiving a non-notified application, consent to a reduction in the minimum distance between an intersection and access point if it is of the opinion that:

- (i) the expected traffic generation is so small as to have no significant effect on the safety or efficient operation of the road; and
- (ii) there are no other local traffic requirements which would preclude a reduction.

Where a reduction is requested and a state highway is involved the agreement of the Controlling Authority for state highways will be sought prior to consideration of the application. Should the Controlling Authority for state highways refuse to agree to the reduction, the application shall be notified as an application for conditional use.

Delete from Ordinance 3.2.3 "Conditional Uses" the following:

- "5. *Camping Grounds*
8. *Hut sites for overnight shelter associated with outdoor recreation."*

Renumber the remaining uses 1 - 8 accordingly.

Add a new use 9 as follows:

- "9 **Tourist related activities and facilities:**
- camping grounds; huts, cabins and accommodation associated with outdoor recreation; guest houses, and accommodation lodges and bases for hunting, fishing and scenic safaris;
 - motels, excluding the sale of vehicle fuels;
 - shops and restaurants whether in association with other uses or not;
 - theme and wildlife parks, historical displays and museums;
 - information centres;
 - helicopter landing/take off areas and airstrips for commercial fare paying passenger operations.

Subject to:

In addition to the requirements set out in Ordinance 3.2 4 and applicable to all conditional uses in the Rural 1 Zone, the following requirements shall also apply to conditional use applications for tourist related activities:

1. The applicant is required to show why the proposal needs to locate in the Rural 1 Zone and why it cannot be located in any nearby service zone, resort zone or existing township.

Factors such as proximity to existing tourist attractions, outstanding natural or historical features on the site, convenience for tourists, and the need for the facility to be in a rural environment are all relevant considerations.

2. The design, appearance, landscaping and access criteria for controlled uses in the Rural 1 Zone, as applicable.
3. Where the site has frontage to State Highway 6 the road controlling authority (Transit New Zealand) will have the opportunity to comment. Generally:
 - a. All buildings and tourist activities should be sited at least 15 metres from the road boundary, provided that this set back may be reduced for information centres and displays.
 - b. Adequate car parking and vehicle manoeuvring area should be provided, including bus parking and turning as appropriate.
 - c. Access points should be sited as far as possible from bends and intersections. No access shall be provided to the state highway where access is available from an alternative formed road.

- d. Seal widening to accommodate slowing and accelerating vehicles may be required where the particular site characteristics and expected traffic generation warrants.
4. Applications for helicopter landing/take off areas and airstrips for commercial fare paying passenger operations shall comply with the following:
 - a. The main flight routes, direction, expected times and frequency of operation, and type of aircraft shall be detailed in the application.
 - b. The proposed landing/take off area and/or airstrip shall be sited at least 400 metres from any existing dwelling or building used for human habitation or tourist related activity on any other site. The council may permit the landing/take off area and/or airstrip to be sited closer to any existing dwelling where the applicant is able to demonstrate that the aircraft to be used is not likely to produce a noise level exceeding 75 dBA SEL (Sound Exposure Level) measured at the location of any affected building. All measurements shall be in accordance with New Zealand Standard 6801. (The noise produced from each type of aircraft at certain distances is usually available from the manufacturer).

In approving any application for a helicopter landing/take off area or airstrip, the council may impose such conditions as it thinks fit including hours of regular use, direction and frequency of flights.

The applicant is required to obtain preliminary approval from the Ministry of Transport, Air Transport Division, prior to lodging the application.

5. All applications for conditional use consent shall be submitted with sufficient plans and details to show the siting, layout, design and proposed appearance of all existing and proposed buildings, structures, and signs; existing site features including significant vegetation and relationship to adjoining roads; proposed landscaping; and proposed vehicle parking, manoeuvring and access, including existing and proposed access points.

6. The council advises that it may be in the applicant's interests to consult with the Department of Conservation and the West Coast National Parks and Reserves Board where the proposed development is in close proximity to land for which a management plan exists.

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WESTLAND COUNTY DISTRICT SCHEME

PROPOSED CHANGE NO. 4: RURAL - RESIDENTIAL PROVISIONS

A PART 2 - SCHEME STATEMENT - MATTERS OF NATIONAL IMPORTANCE

PROPOSED ALTERATION:-

Substitute existing scheme statement 2.4.5 (p4) with the following:

(Note: policies remain the same, explanation amended and expanded).

"2.4.5 The prevention of sporadic subdivisions and urban development in rural areas.

POLICY

To control sporadic development, Council policy will be to:-

(i) Restrict the uses permitted in the rural areas to those traditionally associated with these areas and which do not detract from the rural amenities or cause an extension of public services.

(ii) Where it is not practicable to provide for, within the small urban communities, those uses of an industrial nature which are based upon the extraction and processing of natural resources and farm production or which, because of their characteristics, require large land areas, appropriate controls shall be imposed so as to minimise the impact of such uses on the rural area, including proper provision for the disposal of wastes and for landscaping.

(iii) Restrict the subdivision of rural lands except where necessary for a permitted use.

Council's primary concern is to control sporadic developments which make the economic provision of public services and community facilities difficult, interfere with the free flow of traffic along major roads, especially state highways and detract from the general rural or natural character of the rural area.

Council's policies with respect to rural-residential development (refer Section 2.10) of this scheme statement) have been formulated having regard to the above policies and are in no way contradictory. Further rural-residential development is subject to strict conditional use controls. These controls, together with factors of demand and economics, will inevitably mean that the extent of rural-residential subdivisions will be limited. Moreover the requirements of Section 3 (1)(e) of the Act have

less relevance in an area where sporadic scattered residential development is part of the County's heritage and rural character and where a substantial part of the land area is State-owned and unavailable for any form of urban development. These factors, together with the vast land area within the County, mean that rural-residential development can easily be accommodated without comprising the essentially rural nature of the County."

B PART 2 - SCHEME STATEMENT - RESIDENTIAL DEVELOPMENT IN RURAL AREAS

PROPOSED ALTERATION:-

Replace existing Scheme Statement 2.10 Residential Development in Rural Areas (pp 15-18) with the following:-

2.10 RESIDENTIAL DEVELOPMENT IN THE RURAL AREA

2.10.1 EXISTING RESIDENTIAL DEVELOPMENT

2.10.1.1 REDUNDANT HOUSING

OBJECTIVE

To conserve the County's rural housing stock.

POLICY

To permit the residential use of existing redundant or abandoned houses, and the reconstruction, or replacement of, or alteration or addition to, such houses where existing use and reconstruction rights would otherwise have terminated in accordance with Sections 90 and 91 of the Act. Provided that:

- the dwellinghouse has a reasonable life and does not detract from rural amenities.
- the proposed access is satisfactory and the dwellinghouse can be adequately serviced in terms of water, power and sewerage disposal.
- there will not be a demand for extension of services
- the dwellinghouse is not sited so as to have a detrimental effect on the productivity of soils having a high potential for food production.
- the dwellinghouse is not sited on land subject to erosion, subsidence, spillage or inundation.

EXPLANATION

The intention is to encourage the preservation of the existing housing stock, helping to make better use of facilities which are already reticulated but under-utilised. Council's policy may also improve the visual amenity of the rural area.

2.10.1.2 SQUATTERS

OBJECTIVE

To preserve rural amenities by opposing illegal occupancies.

POLICY

To oppose the establishment of illegal residential buildings on State-owned land and road reserve within the County.

EXPLANATION

A disturbingly large number of residential buildings have been erected in recent years, without right or title, on State-owned land and road reserve within the County. This includes a large number of whitebaiters encampments, most of which are substandard and have no buildings permits.

Council considers that these buildings are contrary to the objectives of the scheme and detrimental to the District generally. With the co-operation of the relevant departments, it has attempted to regularise the situation. It is hoped that the establishment and growth of Resort zones will provide an alternative location and therefore a resolution to the problem. In the meantime, the erection of any further buildings on public land will be opposed.

2.10.2 NEW DWELLINGHOUSES AS PREDOMINANT USES

POLICY

To permit dwellinghouses which are incidental and ancillary to predominant uses, as a predominant use, in the rural zone, subject to a number of proviso's.

EXPLANATION

The erection of dwellinghouses as predominant uses is limited to those necessary for the efficient and productive use of rural land. Council is of the opinion that the productivity of rural land can only be enhanced by allowing those persons engaged in such activities to live on the site. However, before granting a

building permit, Council will require to be satisfied that the dwellinghouse will be so sited as to avoid detracting from rural amenities and that the site is not subject to flooding, erosion or landslip risk (refer Ordinance 5.1.2).

Council is also concerned to prevent unnecessary urban developments on high quality farmland and to avoid over-capitalisation of farm units, leading to subsequent pressure for subdivision. For this reason, with respect to farming activities, only one dwellinghouse per farm unit is permitted as of right. Except that a second dwellinghouse will be allowed where it is required for the use of a person working on, and deriving his main income from that unit.

2.10.3 NEW DWELLINGHOUSES AS CONDITIONAL USES

OBJECTIVE

To provide for the rural-residential, part-time and small farmers and other dwellers who seek to locate in rural areas.

2.10.3.1 GENERAL POLICIES

To adequately provide, within the County, for a range of persons wishing to live in the rural area.

To encourage the better utilisation of the County's land resource.

To encourage the repopulation of the County by attracting people from both within, and outside, the region.

EXPLANATION

Council recognises that there are a range of persons wishing to live in the rural area in addition to full-time farmers. These include farm workers, aspiring farmers, agricultural contractors, hobby farmers, part-time farmers, retired farmers and those urban-oriented dwellers seeking a rural environment.

The demand for a rural living environment is by no means confined to the County. Rather, it is a national phenomenon. The County, is however, ideally suited to cater for this demand, and, in respect, has a number of advantages over more urbanised local authority areas:-

(i) The County comprises an extensive, sparsely populated land area. Rural-residential development can therefore be easily accommodated without compromising the essentially rural nature of the area. This is reinforced by the fact that over 80% of the total area is in Crown ownership and unavailable for any form of "urban" development.

(ii) Scattered residential development is part of Westland's heritage. Throughout the County, there are a number of existing and well-maintained dwellings that are all that remain of former settlements in the boom days of forestry and goldmining. Rural-residential development is therefore very much part of the County's inherited character and, as such, should continue to be provided for.

(iii) The County contains many underutilised social and commercial facilities.

(iv) Land values are lower than the national average whilst, in terms of aesthetic and natural values, many potential sites are possibly unequalled elsewhere.

(v) There are substantial tracts of marginal land much of which is currently unutilised. Rural-residential use is seen as one of the few viable alternatives. The intensive high capital development often associated with such a use can result in productivity values quite as high as those produced by traditional farming techniques. Provision for rural-residential development on such land can be seen as being of national benefit by helping relieve building pressures on highly productive land outside the region.

In providing for rural-residential development, Council's aim is to attract people from outside the region as a means of promoting the economic and social welfare of the County's inhabitants. In the context of a depressed and punished local economy, hard hit by a decline in its traditional economic bases, and a continual cut-back in government services, an expansion in population and associated improvement in the rating base, is seen as a first priority if the economic and social welfare of the County's inhabitants is to be promoted.

PLANNING IMPLICATIONS

Residential uses not associated with a predominant use, are provided for as conditional uses throughout the rural zone.

2.10.3.2 WATER AND POWER SUPPLY, SEWERAGE DISPOSAL

POLICY

To ensure that rural-residential development can be satisfactorily serviced in terms of water and power supply and sewerage disposal.

EXPLANATION

Council shall require the applicant, as part of any conditional use application for the establishment of a rural-residential use, to provide details of the proposed method of servicing the development in terms of power and water supply and sewerage disposal. Council's aim is to ensure that the servicing proposals are adequate, that effluent disposal can be provided for without causing any nuisance or hazard and that the proposed development will not cause an extension of public services that is not in the economic interest of the district or locality.

2.10.3.3 SUITABILITY OF LAND

POLICY

To prevent the establishment of rural-residential uses on land susceptible to erosion, subsidence or slippage or inundation arising from such erosion, subsidence or slippage.

EXPLANATION

Where an application for rural-residential development relates to a site considered to be liable to erosion, subsidence, slippage or flooding, Council will require the applicant to furnish sufficient evidence including, where necessary, a geological, or engineering report, to enable to determine the degree and nature of the potential risk.

2.10.3.4 ACCESS

POLICY

To ensure that residential development in the rural area is serviced by an appropriate standard of roading and that such development will not require the economic provision of roading services.

EXPLANATION

The applicant shall be required to provide details of access, including where appropriate, internal roading layout.

Council's concerns with respect to access are two-fold:-

- Roading servicing a rural-residential subdivision must be provided to a standard which Council considers acceptable in terms of both the nature and increase in traffic to be generated by the subdivision and the standards which Council has routinely adopted for rural roading.

- While wishing to encourage rural-residential development, partly because of **potential** improvements in the rating base, Council also wishes to ensure that it does not allow a subdivision to proceed which would involve Council in the uneconomic provision of roading services. To do so, would more than offset any economic benefits which would accrue from increased rating revenue, and would be contrary to the public interest - specifically the economic welfare of the County's inhabitants.

a. ROADING STANDARDS

With respect to roading standards, Council's general policy is to require that multi-lot residential development be served by a road of adequate width and dimension incorporating a sealed surface of at least five metres in width. Council also requires to be satisfied as to provision of drainage with respect to the road. Where the subdivider is to provide access by way of a private way (as defined in the Local Government Act), which is not vested in Council, a lesser standard of roading may be acceptable. Private ways are not considered by Council to be a viable access option providing they service not more than three rural-residential allotments. Where more than three lots are involved, the situation is seen as being unmanageable having regard to the need to obtain multiple agreements to upgrading and maintenance proposals. Council will therefore generally decline a subdivisional proposal where access to more than three new allotments will be dependant upon the formation of a private way. Where access is to be provided by way of a road formed across private land, Council will require that such a road be formed and sealed to the standards and specifications laid down by Council before such a road can vest in the County. The full cost of any required roading work shall be borne by the developer.

b. UNECONOMIC PROVISION OF ROADING SERVICES

Of particular concern, in this regard, is the situation whereby a proposed rural-residential subdivision fronts on to an unformed, or in Council's view, inadequately formed, legal road. Council's powers under the Local Government Act, with respect to formation and upgrading of such roads, are restricted by Section 321A of that Act. This Sections provides, that, for the purpose of forming, diverting or upgrading any existing road or forming any new road because of new or increased traffic owing to the subdivision of any land, Council may require a fair and reasonable contribution towards the cost of upgrading or forming roads, or part of roads, within, or adjacent to, the subdivision or any land vested in the same owner. However, the developer/owner's contribution must not exceed the extent to

which the road serves, or is intended to serve, the subdivision or, in the case of a road that is adjacent to the subdivision, half the estimated cost of the work, whichever is the lesser.

The implications of the Local Government Act requirements are that the provision of access to service rural-residential subdivision could impose a severe economic burden upon Council. This is particularly true where a proposed subdivision fronts an unformed legal road. Council's powers, under the Local Government provision, are limited to requiring a contribution towards the cost of formation of new roads, being not more than half the cost of such work. Moreover, legal precedents have established that "formation" does not include gravelling, metalling or sealing a road. Council could well find itself facing substantial, unbudgetted roading costs, in order to form and upgrade roads which are of benefit solely to a proposed rural-residential subdivision. Accordingly, Council considers that, in the public interest and in order to safeguard the economic welfare of the districts inhabitants as a whole, it would be justified on planning grounds in declining an application for rural-residential subdivision where such a subdivision would involve Council in the uneconomic provision of roading services.

In such circumstances, Council's policy shall be as follows. Where a proposed rural-residential subdivision fronts an unformed legal road, or a legal road, the existing formation and/or condition of which, is substantially below the standards required by Council for servicing rural-residential development, such a subdivision shall be declined on planning grounds unless the developer accepts the entire financial responsibility for forming and/or upgrading the required access to a standard specified by Council.

2.10.3.5 PROTECTION OF HIGH QUALITY FARMLAND

POLICY

To protect land having a high actual or potential value for the production of food by restricting the further subdivision of such land for rural-residential purposes.

EXPLANATION

Council is opposed to the establishment of dwellings on land having a high actual or potential value for the production of food except where such dwellings are necessary and accessory to the use of that land for productive purposes. The aim is to protect high quality farmland and existing agricultural services including the dairy company and deer processing plant. Pockets of such land are scattered throughout the district. This fact, together with the sheer extent of the County, would mean that any attempt to identify, map and specifically exclude such land from the application of Council's Ordinances relating to rural-residential use would be an extremely cost and time consuming exercise. Accordingly, where Council considers that an application for rural-residential development may be sited on land of high actual or potential value for the production of food, the detailing soil types, current land use, potential productivity and other relevant soil factors relating to the subject land. Where such a report endorses that the land does indeed require to be protected by Section 3(1)(d) of the Act, the application will be declined.

As a general guide to potential developers, the following soil types found within the County may, depending upon location and other geological factors be of high actual or potential value for food production:

HOKITIKA soils: the geographic distribution of which is generally restricted to strips along the main rivers and creeks (including Hokitika and Kokatahi Rivers) and small areas or fans.

HARIHARI soils: also located in strips along the main rivers and creeks including the Taramakau, Arahura, Kaniere, and Kokatahi Rivers and relatively substantial stretches in the Harihari/Whataroa locality.

MAHINAPUA soils: these yellow-brown sands occupy a narrow coastal strip stretching from the Taramakau River south and terminating between the Mikonui and Waitaha Rivers. Depending upon localised circumstances, such soils may be only medium, rather than high, value for food production.

IKAMATUA soils: extremely limited distribution within the County. Small pockets are found on the north bank of the Arahura River.

For more specific information as to the location of the above soil types, reference should be made to the following publications:-

- **Soils of Greymouth-Hokitika Region, South Island, New Zealand**, New Zealand Soil Survey Report 58 (G Mew, New Zealand Soil Bureau, Department of Scientific and Industrial Research Wellington, New Zealand 1980).

Note: This publication only covers that portion of the County bounded by the Taramakau and Hokitika Rivers, with mapping at 1:50 000.

- **General Survey of the Soils of the South Island of New Zealand** (New Zealand Soil Bureau, Department of Scientific and Industrial Research, Wellington, New Zealand 1968).

Note: This publication covers the whole of the County but at an imperial scale of 4 miles to the inch. Sheets 5, 7 and 8 are relevant to the County.

2.10.3.6 PRESERVATION OF RURAL ATMOSPHERE

POLICY

To ensure that the type of rural-residential environment provides a true alternative to that available in existing urban areas, and that rural-residential development does not detract from rural amenities.

EXPLANATION

Council will require to be satisfied that the dwellinghouses and accessory structures will be sited on the property in an unobtrusive manner so as not to detract from rural amenities. Where a multi-lot rural-residential development is proposed, Council considers that additional controls are necessary in order to ensure that the resultant allotments are suitable for rural-residential living and return a rural atmosphere. For this reason, where more than one rural-residential allotment is proposed the minimum size of all lots shall be 1.5 hectares and the minimum average size of all lots 2.0 hectares. All multi-lot rural-residential subdivisions shall be restricted to a maximum of 10 lots.

C. PART 2 - SCHEME STATEMENT - LAND SUBDIVISION

PROPOSED ALTERATION:-

Delete existing provisions 2.15.1, 2.15.2, 2.15.3 (2.15 Land Subdivision pp 34-35) and substitute the following:-

11/...

2.15 LAND SUBDIVISION

2.15.1 GENERAL POLICY

To ensure that subdivisional standards, while providing a degree of flexibility, reflect Council's general objectives and are suitable for the intended uses and particular locality.

EXPLANATION

Subdivisional requirements for predominant uses are specified in the Code of Ordinances. Standards for subdivision of land required for conditional uses may be considered as part of the conditional use application but in no case shall a scheme plan of subdivision relate to a use which is conditional, be approved until that use has also been approved.

2.15.2 SUBDIVISION FOR PREDOMINANT USES IN THE RURAL ZONE

There are no set area or frontage requirements for such uses. Council will require to be satisfied that various standards and criteria will be met including the requirement that proposed lots be of suitable size and shape and have suitable access for the proposed rural use. Refer Ordinance 4.5. Where the subdivision is for a farming use the overriding criteria to be exercised will be that of better utilisation of land for agricultural purposes.

2.15.3 RURAL-RESIDENTIAL SUBDIVISION

2.15.3.1 GENERAL

Council acknowledges a need to provide for rural-residential uses - refer 2.10 of the Scheme Statement. Such uses can, in part, be accommodated on existing allotments including:-

- a number of allotments in existing settlement or farm settlements
- allotments of more than four hectares which were created prior to the coming into effect of the Local Government Act 1974 and its amendments to meet the demand for residential accommodation in rural areas.

However, Council also acknowledges that the existing subdivisional patterns cannot adequately cater for the existing demand for rural-residential sites. Subdivision may be necessary to subdivide out an existing dwelling - for instance where a farmer wishes to retire and separate his title from the farm holding itself or where subdivision is necessary to dispose of an existing house, including those no longer required for a farming

use. With respect to the latter, conservation of the existing housing stock is the main objective. There are a number of well maintained houses throughout the County which do not hold a registerable title. In such cases, the creation of a separate title would make little difference particularly as there is an historical identification of a house on the particular site. A separate title may well have positive benefits as Housing Corporation finance could then be obtained for housing improvements. Subdivision may also be required to cater for new residential development including both single houses and multi-lot developments.

2.15.3.2 SINGLE LOT RURAL-RESIDENTIAL SUBDIVISION

No standard area or frontage requirements are specified. The subdivision in terms of shape, size and access provision, will be required to have regard to the factors listed in Ordinance 4.6. Council will generally approve the subdivision out of an existing farm dwellinghouse providing that the dwellinghouse is proven to the Council to be surplus to requirements on a farm and that it is not likely to be needed for the farm in the foreseeable future. However, Council may also approve a subdivision to enable a farmer who wishes to retire to separate his title the farm holding itself.

2.15.3.3 MULTI LOT RURAL-RESIDENTIAL SUBDIVISION

To prevent the undue fragmentation of rural land.

To ensure that subdivision will not prejudice long term land use practices, nor impede the productive use of adjoining land.

EXPLANATION

Subdivision, to allow the establishment of rural-residential uses in accordance with Council's policies (refer 2.10 of this Scheme Statement), can aid the social and economic development of the district through the intensification of land use and settlement patterns and by attracting settlers from outside the County. Minimum and average size limits are imposed to preserve rural amenities and ensure that multi-lot rural-residential subdivisions provide a true alternative to an urban living environment.

While wishing to encourage rural-residential development, Council is also aware that it must guard against the proliferation of small rural units for which there is no demand. Accordingly, before approving the subdivision, Council shall require to be satisfied that there is a demand for the lots hereby created having regard to such evidence as the subdivider provides relating to market trends, purchase enquiries etc.

Generally, having regard to Council's policies with respect to the protection of land having a high potential for the production of food, a rural-residential subdivision will not be sited on, or near, high quality farmland. However, to ensure that the subdivision is in keeping with the economic structure of the area, Council will also require to be satisfied that it does not prejudice long term land use practices nor impede the productive use of adjoining land.

D. PART 3 - CODE OF ORDINANCES - ORDINANCE 3.2
RURAL 1 ZONE

PROPOSED ALTERATIONS:-

- (a) Delete existing clause 3.2.2.5 (Accessory buildings as predominant uses in the rural zone) and substitute the following:-

"3.2.2.5 Buildings accessory to buildings or to the use of land for any of the foregoing purposes, including dwellinghouses except in any position that would, or might, in the opinion of the Council, prejudice the health or safety of the occupiers of any dwellinghouse or detract from the amenities of the neighbourhood. The following provisos shall apply:-

- a) Only one dwellinghouse will be permitted per farm unit AS OF RIGHT. A second dwellinghouse will be permitted where it is required for the use of a person working on, and deriving his main income from, that unit. The maximum number of dwellinghouses permitted on any farm unit shall be two.
- b) In the siting of any such building, reference should be made to the provisos of Ordinance 5.1.2."
- c) Delete existing clause 3.2.3.6 (Dwellinghouses as conditional uses in the rural zone) and substitute the following:-

"3.2.3.6 Dwellinghouses and buildings accessory to dwellinghouses other than those provided for as predominant uses. Conditional use applications for the establishment of dwellinghouses shall conform to the relevant objectives and policies set out in 2.10.7 of the scheme statement. In particular, Council shall require to be satisfied that the proposed dwellinghouse(s)

- will be satisfactorily serviced in terms of water and power supply and sewerage disposal.
- will not be sited on land susceptible to erosion, subsidence or slippage or inundation arising from such erosion, subsidence or slippage.
- will be serviced by an appropriate standard of roading and will not require the uneconomic provision by Council of roading services.
- will not lead to any obstruction or other interference with the free flow of traffic on any State Highway or other arterial road.
- will not be sited on land having a high actual, or potential, value for the production of food.
- will be sited on the property in an unobtrusive manner so as to not detract from rural amenities.

In addition, where subdivision is involved this shall conform to the requirements of Ordinance 4.6.1."

(c) Amend heading of 3.2.4 (p11) to read:-

"3.2 4 Conditions relating to conditional uses (apart from those provided for under clause 3.2.3.6 of this Ordinance)"

E PART 3 - CODE OR ORDINANCES - ORDINANCE 4 - LAND SUBDIVISION

Delete existing Clauses 4.5 and 4.6 of the Code of Ordinances (p41) and substitute the following:-

4.5 CLAUSE 5 - AREA AND FRONTAGE REQUIREMENTS FOR PREDOMINANT USES IN RURAL 1 AND 2 ZONES

- 4.5. 1 There are no set area or frontage requirements for the rural zone. Council will consider each case on its merits taking into account the following factors.
- 4.5. 2 For Farming Uses Council will require to be satisfied that:-
- the subdivision is necessary to ensure the better utilisation of the land for agricultural purposes.
 - the lots will be of suitable size and shape and with suitable access for the proposed farming use of the lot.
 - the proposed use of the new allotment will ensure that the land is used to a significant degree of its productive potential, taking into account the productivity or potential productivity of the soil
 - the new allotment will be used for the type of use proposed taking into account market availability, capital investment and specialised techniques.

With respect to the above factors, Council may itself consult the Department of Agriculture and Fisheries, Soil Bureau of DSIR or any other source of information and may request the subdivider to supply each other information as it considers necessary.

- 4.5. 3 For other Predominant Uses Council will require to be satisfied that the proposed lot(s) will be of a suitable size and shape and have suitable access for the proposed rural use of the lot. The subdivider will also be required to furnish such evidence as will satisfy the Council that the new allotment will be used for the predominant use proposed.

4.6 Clause 6 AREA AND FRONTAGE REQUIREMENTS FOR CONDITIONAL USES IN RURAL ZONES.

4.6. 1 Multi-lot Rural Residential Subdivision

The minimum sized lot shall be 1.5 hectares, with a minimum average of all lots of 2.0 hectares. The maximum number of residential lots shall be 10. Council shall also require to be satisfied that:-

- there is a demand for the proposed lots having regard to such evidence as the subdivider provides relating to market trends, purchase inquiries etc.
- the subdivision will not prejudice long term land use practices in the area nor impede the productive use of adjoining land.

4.6. 2 Other Conditional Uses

No standard area or frontage requirements are specified. Council will require to be satisfied that the lots will be of suitable size and shape and have suitable access for the proposed rural use of the lot. Other requirements will be applied having regard to the purpose for which the land is to be used, the bulk and location of proposed buildings, the bulk and location of any adjoining buildings, the nature of adjoining land uses, the provision of satisfactory parking, loading, access and any other pertinent factors.

PROPOSED SCHEME CHANGE NO. 5

SERVICE 2 ZONING AT FRANZ JOSEF

(1) EXPLANATION

The purpose of this scheme change is to extend, and rationalise, the Service 2 zone at Franz Josef, to ensure that sufficient appropriately zoned land is available for commercial expansion within the township. The Service 2 zone is a commercially oriented zone within which commercial, servicing and community facilities can be provided for both the travelling public and the residential population. Special provision is made for the protection of visual amenity within the zone.

This scheme change has been initiated partly to accommodate the foreseeable land requirements of existing commercial interests in the town, particularly the Westland Motor Inn complex, and partly as a response to public wishes. The proposed zoning changes evolved after canvassing of existing residents which provided an indication of community attitudes and preferences. The overall objective is to ensure that the expansion of Franz Josef, as a tourist oriented town, is not stifled by the unavailability of suitably zoned land.

(2) PROPOSED ZONING CHANGE

The proposed zoning changes involve:-

- a. The deletion of that portion of the Service 2 zone to the east to Cron Street. The intention is to rationalise the zoning pattern. This portion of the Service 2 zone is anomalous in terms of both Residential 3 zone which it adjoins and of Council's expressed policy of providing for the contiguous expansion of the Service zone to the north (p30 - Scheme Statement).
- b. The extension of the Service 2 zoning northwards of the existing Westland Motor Inn complex and incorporating the proposed road dividing Sections 87 and 89 (refer Planning Map 14), up to a proposed new access road.
- c. The extension of the Service 2 zoning southwards to incorporate all of the properties currently zoned Residential 3 and within the block lying:-
 - west of Cron Street and
 - south of Cowan Street and
 - east of the State Highway and
 - north of the Westland National Park boundary

These zoning changes are detailed on the accompanying map.

(3) IMPLICATIONS OF PROPOSED ZONING CHANGE

a. Limited Access Highway

The existing proposed access road dividing Sections 87 and 89 (refer Planning Map 14) is moved northwards to border the extended Service 2 zone. The existing proposed road, in the position shown, would unduly restrict the future expansion plans of the Motor Inn and dissect its development. Further, it is Council's policy to retain the northernmost portion of the new Service 2 extension for other genuine, commercial development. It is important, in terms of market demand for this land, that it be adequately serviced by a roading connection running from the State Highway. The State Highway itself is a Limited Access Highway and the change in the position of the access road will have implications with respect to National Roads Board approvals. In this respect, it should be noted that the proposal does not involve the creation of an additional State Highway intersection but merely the change in position of an existing one.

b. Roadside Reserve

The proposed northwards extension of the Service 2 zoning also takes in a small portion of the bush reserve, designated by Council as Public Open Space in the operative district scheme. In view of the substantial strip of roadside forest remaining, Council does not consider that the objective of this reserve (to retain a forest avenue effect) is compromised by the uplifting of this portion of the designation.

c. Impact on Residential 3 Land, Re-zoned Service 2

The Services 2 Ordinances, incorporating the amendments proposed as part of this scheme change, (see below) provide for existing detached houses as predominant uses. The implications are that existing residences have full reconstruction, alteration and addition rights, unrestricted by the provisions of Section 91 of the Act. It does not, therefore, prejudice the existing use or reconstruction rights of the current residential occupiers. At the same time, it does provide for residential properties to be converted to commercial as of right, without recourse to planning procedures. The intention of the zoning is that, in the long term, the houses will be replaced by commercial uses.

d. Availability of Residential Land

The re-zoning of existing Residential 3 land would not have been contemplated without giving some thought to the availability of alternative, serviced residential land. In this respect, Council has initiated proposals for the subdivision of land acquired from

Landcorp east of Cron Street and north of Cowan Street. The current proposal is for the provision of ten, serviced residential lots.

(4) DETAILS

- a. Amend existing scheme statement 2.13.16 Franz Josef Glacier (P30 - blue pages) by deleting the paragraph beginning "The Service Zone includes the Park Headquarters....." and ending "In the very long term, the present town and Hotel will link up." and substituting the following:-

"The Service Zone includes the Park Headquarters, and existing commercial properties. It extends northwards of the existing Westland Motor Inn complex to allow for contiguous expansion in this direction. It also incorporates existing residential properties to the east of the State Highway and west of Cron Street. In defining the extent of Service 2 zone, Council's primary objective is to ensure that the commercial expansion of Franz Josef, as a tourist oriented town, is not stifled by the unavailability of suitably zoned land.

Council acknowledges that a substantial part of the currently unutilised portion of the Service 2 zone to the north may be required to accommodate the future expansion needs of the adjoining Motor Inn complex. However, it would not favour the allocation of the whole of this site to the Motor Inn. Its preference is for some of the prime retail frontage to be retained for retailing and tourist oriented commercial uses. One possibility would be for the establishment of a small shopping centre, incorporating a pedestrian precinct and adjacent parking.

The inclusion of existing residential properties within the Service 2 zone provides an alternative area for commercial expansion. At the same time, existing residential uses are not prejudiced. By virtue of their predominant use status, they have full reconstruction, alteration and addition rights unrestricted by the provisions of Section 91 of the Act.

In the very long term, it is anticipated that the town and the Tourist Hotel Corporation development will link up.

Future residential expansion of the township will be directed primarily towards that land lying to the east of Cron Street and north of Cowan Street. A Council initiated subdivision is currently being promoted to provide serviced sections in the block."

b. Ordinance 3.10 - Service 2 Zone (p30 yellow pages)

Amend the provisions of this ordinance as follows:

- (1) Amend Clause 3.10.3.5 (Predominant Uses) to read as follows:-

"5. Detached houses existing at the time this Scheme was publicly notified.

Except that, with respect to the Service 2 zoning at Franz Josef, detached houses existing as at 1 October, 1987, shall be a predominant use."

- (ii) Add Clause 3.10.3.8 as follows:-

"8. Parking areas"

(Note: parking is not provided for as either a predominant or commercial use in the Service 2 zone. This is an anomaly).

- (iii) Amend Clause 3.10.5.3 (Conditional Uses) p31 to read:-

"3 Service stations, commercial garages, motor vehicles, caravan and boat sales and hire."

c. Planning Maps

Delete existing Planning Map 14 and replace with amended Planning Map 14, as per attached.

Proposed Scheme Change No. 6

Dispensation and Waiver Provisions

A Code of Ordinances - Ordinance 1.8 Dispensating Power of Council

Proposed Amendment

Delete the existing clause 1.8 dispensating power of the Council (page 3 of yellow pages, code of ordinances) and substitute the following:-

1.8 CLAUSE 8 - DISPENSATING POWER OF THE COUNCIL

1. Scheme Provisions Subject to Dispensations and Waivers

The Council may resolve to grant an application for the dispensation wholly, or partly, from, or waiver of, any provision of the District Scheme relating to:-

- (i) The subdivision of land permitted to be used for any urban purpose.
- (ii) The height, bulk and location of buildings permitted on site.
- (iii) The provision of parking and loading spaces.
- (iv) The design and appearance of buildings and signs and the provision, design and appearance of verandahs.
- (v) Landscaping.
- (vi) Such other matters as may be specified in that behalf by any regulation in force under the 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:-

- (i) The dispensation or waiver would encourage better development of the site or that it is not reasonable or practicable to enforce the provision in respect of the particular site.

- (ii) The dispensation of 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 of waiver application, in addition to the above criteria, Council will also have regard to the relevant policies and ordinances of its District Scheme and to such of the following matters as are appropriate:-

- whether the particular provision can be met in other ways.
- whether the terrain is irregular or the site(s) is narrow, small, irregular or of unusual shape.
- whether adjoining uses require the degree of protection provided by the District Scheme.
- whether the scale, extent or range of the development or use is unusually small or insignificant.
- whether existing buildings or additions are involved.
- whether the use of the site, or of adjoining sites, is non-conforming or unusual.
- whether there are legal constraints e.g. easements, covenants etc.
- whether 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 the criteria listed in 2. and 3. above, the following specific matters may be considered where relevant:-

(i) Site Area and Frontage

Council may grant an application for a dispensation provided it is satisfied that a useful, servicable subdivision will be created. Relevant factors for consideration include:-

- the suitability of the proposed lot in terms of the intended future use
- the existing pattern of subdivision in the area
- the existing network or services
- in the case of access strips, whether or not it is practical to enforce minimum width standards, having regard to the nature of existing, and proposed, uses.

(ii) Height, Bulk and Location of Buildings

- where the usefulness of the site for productive or building purposes would otherwise be diminished
- whether the average distance from the building to the boundary is not less than the normal scheme requirement

(iii) Provision of Parking and Loading Spaces

- the number of persons likely to be resident, employed or accommodated on the site
- whether the number of calls is 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 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 the site makes provision for the required spaces difficult, or impossible (taking to account reasonable building requirements)
- whether it is possible to construct a public parking space for the joint use of two or more developers where the parking demand of one or more of the developers occurs at a different time of day from that of the remaining developers.

(iv) Provision of Verandahs

- the likely volume of pedestrians
- the proximity of accessways

5. Extent to which provisions can be dispensed of or waived

Any dispensation of waiver shall be limited as follows:-

Type of Provision	Maximum Extent
(i) Urban Subdivision	Not greater than 20% of the particular standard

Except that:-

- (a) For the creation of separate titles in residential zones, where buildings are already erected, the maximum dispensation permitted shall be not greater than 5% - refer ordinance 4.11.5 P. 44.
- (b) For "special case" subdivisions in residential zones a dispensation or waiver will only be permitted when the subdivision is marginal in which case the minimum areas may be reduced by an amount not exceeding 5%.
- (ii) , site coverage, not greater than 20% of the the area of particular standard. buildings.

- | | | |
|-------|------------------------------|---|
| (iii) | Yards | not greater than 50% of particular standard. Except that, in no case shall a yard in Commercial or Industrial zoned land adjoining residential land be less than 1.5 m. |
| (iv) | Parking and unloading spaces | a 100% reduction in minimum standard. |
| (v) | Signs | not greater than 30% of the permitted size. |
| (vi) | Verandahs | a 100% reduction in minimum standard. |

6. Type of Application

The Council shall not exercise its powers of dispensation and waiver by way of non-notified application unless written consent of every body or person whose interests might, in the Council's opinion, be prejudiced by the proposed dispensation or waiver, 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 Council's powers in respect of dispensation or waivers may be exercised only on a notified application.

B. CONSEQUENTIAL AMENDMENTS TO CODE OF ORDINANCES

1. Amend Clause 3.8.5.4. (p 25) to read:-

"Maximum Coverage - 40%"

(i.e. deleting the remainder of the clause).

2. Delete Clause 4.12.1 Tolerances (p 45)

3. Amend Clause 4.14 Special Case - Residential Zones (p 46) by deleting the first sentence of this clause and substituting the following:-

"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 only be subject to dispensation or waiver in marginal cases."

4. Amend Clause 4.15 Dispensations from Subdivisional Requirements (p 46) by deleting the existing provisions of this clause and substituting the following:-

"For dispensation and waiver provisions relating to subdivisional requirements refer Ordinance 1.8."

5. Amend Clause 5.3.5. Dispensation by Council (p 50) by deleting the existing provisions of this clause and substituting the following:-

"For dispensation and waiver provisions relating to yard requirements, refer ordinance 1.8."

6. Amend Clause 5.7 Dispensations from Height, Bulk and location Requirements (p 52) by deleting the existing provisions of this clause and substituting the following:-

"For dispensation and waiver provisions relating to height, bulk and location requirements, refer Ordinance 1.8."

7. ~~Delete~~ Clause 7.3 Exceptions to Requirements (pp 57-58) and substitute the following:-

"CLAUSE 3 - EXCEPTIONS TO REQUIREMENTS

- 7.3
1. Council may grant a dispensation or waiver of parking requirements, in accordance with the provisions of Ordinance 1.8 of this code.
 2. The provisions of S 295 of the Local Government Act 1974, will be involved where it is not reasonable/nor practicable to make provision for parking spaces.
 3. Council may require the developer to enter into a bond to ensure compliance with its parking requirements."

8. Delete Clause 7.6.2. (p 59) relating to loading.
9. Amend Clause 7.8 (p 60) Exceptions to Requirements by deleting the existing provisions and substituting the following:-

"Council may grant a dispensation or waiver of loading requirements in accordance with the provisions of ordinance 1.8."

PROPOSED CHANGE NO. 7

DELETE RURAL 2 ZONING AND INTRODUCE A RESIDENTIAL 6 ZONE

A. PART 2 - SCHEME STATEMENT

1. Delete existing clause 2.12.5. Residential 4 and 5 Zones (page 21 of Part 2 of scheme - blue pages) and Substitute the following:-

"2.12.5. RESIDENTIAL 4, 5 AND 6 ZONES

In the Hokitika environs, the scheme provides for the expansion of the Borough eastwards, towards Kaniere. The area immediately east of the Borough boundaries is zoned Residential 5, the planning controls within this zone being similar to those adopted for the Residential zone within the Borough itself. The Residential 6 zone, sandwiched between the Residential 5 and Kaniere Township, is intended to provide for the expansion of Hokitika in the longer term. Low density residential development is permitted as a conditional use.

To the north of Hokitika, east of the Highway, a limited area Residential 4 zone has been adopted. Its aim is to provide for an alternative form of residential development by allowing low density attached housing."

2. Amend final sentence of clause 2.13.2. Urban Zoning (page 24 of Part 2 of scheme - blue pages) to read:-

"Residential 4 and 5 zones provide for the immediate expansion of Hokitika while the Residential 6 zone provides for the expansion of the Borough in the longer term.

3. Delete existing clause 2.13.8. Hokitika East (page 26 of Part 2 of scheme - page 26) and Substitute:-

"2.13.8 HOKITIKA EAST

Zoning: Residential 5, Residential 6, Industrial 1

The Residential 5 zone is an area immediately available for the expansion of Hokitika. A water supply has been installed and trunk connections into the Hokitika Borough sewerage system are feasible from an engineering point of view.

It is envisaged that future development and associated access and roading will be directed towards the Hokitika-Kaniere highway. It is not intended that the Kaniere Tram will become a through road. The elevated frontage along the tram is of amenity value and would be best used for recreational purposes.

Development will initially be directed towards the riverside of the Highway. Any subdivision will be considered in terms of its overall impact, with a view to grouping reserves to provide for both passive and active recreation. At a later stage an appropriate area may be set aside to provide for day to day shopping.

Frossers Bush, which is vested in the Borough, has an attractive stand of thick regenerating Kahikatea. A privately owned stand of Kahikatea near the rubbish dump, is also worthy of preservation as is the stand south of the State Highway and opposite Frossers Bush.

Two areas have been zoned as Industrial 1. One adjoins Hokitika Borough's Industrial B land is an complimentary to that zone. The other lies between Hou Hou Road and the terrace, in the vicinity of the West Coast Electric Power Board's premises. Once the zoned land has been occupied, any further development will be directed towards the area between Russell Road and Hou Hou Road on the flat.

The aim of the Residential 6 zone is to provide for the longer term expansion of Hokitika in the form of traditional, high density, urban development. Low density residential development on existing lots is permitted as a predominant use, while residential development on new subdivisions is subject to conditional controls. The objectives of these conditions use provisions are threefold:-

- Council wishes to ensure that proposed subdivisions will not inhibit future closer development. Applications for subdivision would need to demonstrate that shapes, access and servicing options are to be preserved.

- Council seeks to ensure that the proposed residential subdivision will be serviced by an adequate standard of roading and that the Council will not be involved in the uneconomic provision of roading services (having regard to S 321A of the Local Government Act). Council's main concern is that the subdivision of the rear blocks may force Council into premature and costly formation of Russell Road which, at that stage, may not be in the County's economic interests. Should such a situation arise, Council may decline the application on planning grounds, unless the developer accepts the entire financial responsibility for roading work.

- Council does not intend, at this stage, to become involved in the permanent servicing of properties in the Residential 6 zone. Accordingly, applicants will need to demonstrate that the proposed residential use can be adequately serviced in terms of water and power supply and sewerage disposal. Minimum areas shall be determined by the capacity of the ground to absorb effluents. In no case, shall any allotment be less than 2500m².

B. PART 3 - CODE OF ORDINANCES

1. Delete Clause 3.3 Rural 2 Zone (pages 12-13, Part 3, yellow pages).
2. Add to Code of Ordinances, additional Clause 3.8.A. After Clause 3.8. Residential 5 Zone as follows:-

"3.8.A. CLAUSE 8A - RESIDENTIAL 6 ZONE

3.8.A. 1. Purpose of Zone

The purpose of this zone is to provide, in the long-term, for the expansion of Hokitika in the form of traditional, high density, urban development, low density, residential development is permitted, in the short-term, provided it does not prejudice the future orderly development of urban activities.

3.8.A. 2. Location

The zone, to the south-east of Hokitika is bounded by the Residential 5 zone and Clogstoun Road to the West, Kaniera Township to the east, the terrace bottom to the north and the Hokitika River to the south.

3.8.A. 3. Predominant Uses

1. Farming of any kind, with the exception of factory farming.
2. Recreation, scenic and scientific grounds and reserves.
3. Detached houses on sites held in separate certificates of title prior to December 1988.
4. Home occupations, the practice of teaching of arts and handcrafts and the sale of handcrafts manufactured on that site from that site.

Note: See Appendix C of scheme for definitions.

Performance Standards

Any such use of land will be so conducted as to ensure the following noise levels, measured as 'corrected noise levels' in accordance with the standards described in N.Z.S. 6801 and

Day Time

0700 - 1800
50 dBA

Night Time

1800 - 0700
40 dBA or the background noise plus 5 dBA, whichever is the greater.

5. Buildings accessory to buildings or to the use of land for any of the foregoing purposes. Except that, no buildings shall be erected in any position that would, or might, in the opinion of the Council prejudice the health or safety of the occupier of any dwelling house or detract from the amenities of the neighbourhood or scenic reserves or impede future roading or other development proposals.

Reference should also be made to the provisions of Ordinance 5.1.2.

3.8.A 4. Conditional Uses

1. Detached houses, other than those provided for as predominant uses.
2. Camping grounds, hotels, motels and uses associated with the provision of tourist accommodation, provided it is residential in character.
3. Home occupations, accessory to dwellings, which involve the employment of persons beyond those who reside permanently on the site.

3.8.A. 5. Siting of Buildings

1. Predominant Uses - The following shall be the minimum standards.

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

Provided that

- a. No milking shed shall be closer than 40m to a public road.

- b. Where the site adjoins another residential or urban zone, all yards shall be increased to 10m, plus 1m for each 1m or part thereof of height or building over 10m.
2. Conditional Uses - The standards for conditional uses shall be set by Council on each application but generally these shall collectively provide the same standards as for predominant uses.
3. Delete reference to RURAL 2 ZONE in heading to Clause 4.5 (page 41, yellow pages).
4. Add to Code of Ordinances, additional Clause 4.11.A. AREA AND FRONTAGE REQUIREMENTS - RESIDENTIAL & after existing Clause 4.11 (p 43) as follows:-

"4.11.A. Clause 11A - AREA AND FRONTAGE REQUIREMENTS
RESIDENTIAL &

4.11.A. 1. Predominant Uses

The criteria to be used in assessing a subdivision for a predominant use shall be as specified for the Rural 1 zone in this Code - see page 41, Clause 4.5.

4.11.A. 2. Conditional Uses

The minimum area and frontage requirements for conditional uses shall be determined by Council having regard to:-

- the purpose for which the land is to be used.
- the bulk and location of proposed buildings and of adjoining buildings.
- the nature of adjoining land uses.
- provisions for parking, loading and access, where appropriate.

- the capacity of the ground to absorb effluents.

In no case, shall any allotment be less than 2500m²."

C. PART 3 - PLANNING MAPS

Amend Planning Maps 7 and 8, be deleting the Rural 2 zoning, reducing the extent of the Residential 2 zone at Kaniera, and introducing a new Residential 6 zone, as per attached plan.

PROPOSED SCHEME CHANGE NO. 8

RESIDENTIAL 5 ORDINANCES

A. PART 3 - CODE OF ORDINANCES

1. Amend Ordinance 3.8 Residential 5 (page 23, yellow pages) by deleting clauses 3.8.3 - 3.8.10 and substituting the following:-

"3.8. 3. Predominant Uses

1. Dwellinghouses.
2. Two or three residential units. Note: Where three new or two or more additional units are proposed for a site, Council will require that a development plan, in terms of Section 293 of the Local Government Act, be submitted.
3. Pre-school facilities, schools and educational establishments (including residential buildings in association therewith).
4. Places of assembly.
5. 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.
6. Professional offices incorporated in a dwelling unit provided that the principal use of the site is residential and that the professional activity is carried out wholly within a complying unit.
7. Parks, playgrounds and recreation grounds, provided that no use of land or buildings shall give rise to any objectionable element or involve any operation detrimental to the neighbourhood.
8. Home occupations accessory to dwellinghouses. Provided that the home occupation shall not give rise to any nuisance, danger or noxiousness (including offensive noise, vibration, smoke, dust, odours, heat or glare). For this purpose, home occupations shall be conducted as to ensure that noise levels measured at the boundary of adjoining properties zoned Residential shall not at any time exceed 10 dBA above measured background levels.

Measuring of noise levels shall be carried out in accordance with the procedures outlined in NZS 6801:1977 and NZS 6802:1977.

The home occupation shall not cause an increase in traffic generation such that the amenities of nearby residents would be detrimentally affected.

9. Market gardens and nursery gardens.
Note: Market gardens, nursery gardens and accessory buildings shall comply with all relevant statutes and bylaws.
10. Garages or parking spaces to accommodate the private cars of nearby residents.

Provided that the form, materials and design of buildings shall be such as will harmonise with the landscape and other buildings in the neighbourhood.
11. Buildings accessory to any of the foregoing purposes.

3.8 4. Bulk and Location Requirements

1. Height Restrictions

For Buildings other than Accessory Buildings - No part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary.

The Maximum permitted height is 9m.

For Accessory buildings - The height of any accessory building shall not exceed 3m when sited within 1m of the boundary or 3.5m when sited at a distance of 1m or greater from the boundary.

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

- over 2m in height above the average ground level within 3m of any window of a habitable room of a dwelling.
- over 1m in height above the average ground level within 6m of a street corner small and 135°.

2. Residential Density

Minimum site area for dwelling houses is 400m². Minimum site area for residential units shall be 300m² provided that the minimum site area for three units shall contain a square minimum dimension of 20m. Maximum density: 80m² per person.

3. Coverage

The maximum coverage of the site, including accessory buildings, is 40%. For rear sites the access strip shall not be taken into account in calculating coverage.

4. On-site amenity for Residential units

Where units are separated from one another, the minimum separation distance between facing walls of different units shall be:

- where a window of a main living area of one unit faces a window of a main living area of another unit. 9m
- where a window of a main living area of one unit faces another unit. 6m
- where units face each other without windows of main living area. 4m

5. Outdoor Space for Residential Units

Each unit shall have an outdoor living space with a minimum area of 30m² and minimum dimension, in any direction, of 3m. Where practicable, the space shall be accessible to the main living areas of the unit and be designed so as to receive midwinter sunshine.

6. Floor Area of Accessory buildings

The maximum floor area of buildings accessory to dwellings (excluding swimming pools) shall be 80m² with no more than 50m² located in any one building.

For two and three unit apartments, the maximum floor area of accessory buildings (excluding garages, carport and outdoor swimming pools) shall not exceed 10m².
Maximum floor area of family flat: 35m

7. Protection of Views

No dwellinghouse shall be so sited, or be of such shape that, in the opinion of Council, it needlessly obstructs the view from any other residential building if, by moving the building or modifying its shape, a satisfactory development is still possible. Any applicant who disagrees with a ruling made by Council under provisions of this Ordinance has the right to appear before Council in support of a request for reconsideration.

This Ordinance does not provide adjacent residents with a right of objection.

8. Siting of Buildings

The siting of all buildings shall comply with the requirement of Ordinance 5.1.2.

3.8. 5. Minimum Yard Requirements

1. All Predominant Uses except Accessory Buildings

<u>Type of Use</u>	<u>Front Yard</u>	<u>Rear Yard</u>	<u>Side Yard</u>
Dwellinghouse	4.5m	6m	1.5m
Residential units not exceeding 1 storey or 2 units	4.5m	6m	1.5m
Residential units exceeding 1 storey or 2 units	4.5m	6m	3.0m
Pensioner Flats or accommodation	4.5m	6m	1.5m
Other buildings (schools, churches, hospitals etc)	4.5m	6m	3.0m
Rear Sites or	4.5m 3.0m	6m 3m	1.5m 3.0m

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

2. Corner Sites

On corner sites, one setback from a road may be reduced to 3m. On corner sites, the minimum setback from one side boundary shall be 6m.

3. Accessory Buildings

For siting of accessory buildings in relation to yard spaces, see Clause 5.2 (page 48 of this Code).

3.8. 6. Exceptions to Yard Requirements

1. For dwellinghouses: On any street greater than 15m wide, the minimum set back of one corner only of a dwellinghouse may be reduced to 3m, provided that no more than 30% of the front of the dwellinghouse lies within the normal 4.5m minimum set back lines.
2. 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 a new lot. For a back yard - side yard combination the aggregate shall not be less than 9m. For a double side yard combination the aggregate shall not be less than 3.0m. 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.

3.8. 7. Controlled Uses

1. For or more residential units.

Multi-unit housing schemes of four or more units are permitted as controlled uses. The purpose is to ensure that design standards, site layout, landscaping and access provisions are such as to preserve both on-site and neighbouring amenities.

Full site and design details to explain the proposal shall accompany the application. The site plan shall show the position of proposed buildings, access drives, parking spaces and landscaping, including boundary walls and fences. The uses of private or common ground and the position of buildings on any adjoining sites, within 1.5m of the boundaries, shall also be shown.

The bulk, location, siting and yard requirements shall generally be the same as for two or three residential units (see above).

Bulk and Location Requirements

The bulk and location requirements for controlled uses shall generally be the same as for two or three residential units (see Clause 3.8.4. above).

Some flexibility of standards may be permitted having regard to Council's objectives and to the following factors:

- the proposed form, materials and general design of buildings and other structures and their relationship to one another and to their surroundings.
- the provision of private open spaces with good aspect.
- daylight and sunlight penetration to buildings.
- visual and aural privacy both between units and in relation to adjacent properties. Where practicable, the main glazing of habitable rooms should not face the windows of habitable rooms of adjoining buildings or narrow side yards.
- for units of more than one storey, the provision of all units with sufficient functional access to ground space for utility, service and open space purposes.

Note: Where a multi-unit housing programme, as outlined above, is proposed for a site, Council will require that a development plan, in terms of Section 293 of the Local Government Act, is submitted.

3.8. 8. Conditional Uses

1. Buildings for residential purposes, not provided for as predominant uses.
2. Boarding houses, lodging houses, private hotels and private clubs.
3. Motels and camping grounds.

In considering such applications, Council shall have particular regard to:

- the proposed standard of roading within the site.
- the proposed layout of buildings.
- the disposal of effluent.
- the provision of off-street parking.
- the presentation of site and neighbourhood amenities.

4. Museums, Art Galleries, Public Libraries.

5. Shops for the sale of groceries, dairy products, meat and pharmaceutical goods. The shop may be sited close to, or in conjunction with, residential accommodation provided there is not more than one residential unit per shop.
Maximum area: 100 sq m.
6. Public utility works not deemed to be predominant uses by Section 64(1) of the Act. Special regard must be paid to the siting and external appearance of any building and to its affect on the amenities of the neighbourhood.
7. Buildings accessory to any of the foregoing purposes."

B. PART 3 - CODE OF ORDINANCES

2. Amend Ordinance 4.11 - Area and Frontage Requirements - Residential 5 (page 43 yellow pages) by deleting Clause 4.11.1 - 4.11.5 and substituting the following:-

"4.11 Clause 11 - Area and Frontage Requirements Residential 5

- 4.11.1 No Buildings Erected:- The minimum area and frontage shall vary according to the proposed uses of the allotments as follows:-

Use	Minimum Area	Minimum Frontage	Minimum Depth
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Front Site:

Single dwellinghouse	500m ²	17m	20m
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Provided that the dimensions of each site are such that it is possible to locate therein a square 15m x 15m.

Residential units	300m ²	10m	
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Rear site:

Single dwellinghouse	700m ² exclusive of access strip	See Clause 5 of this ordinance	Minimum width 18m
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Provided that the dimensions of each site are such that it is possible to locate therein a square 18m x 18m.

Residential	350m ² per unit exclusive of access strip	See Clause 5 of this Ordinance
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- 4.11. 2. Other Uses:- Each allotment created shall be of sufficient area and of suitable shape to provide for all relevant performance elements and standards required for the use within the zone.

Where no details of the proposed buildings are available, the minimum area and frontage of the new allotment shall be as for a dwelling within the zone.

- 4.11. 3. Minimum Standards - Buildings Erected

1. Separate Title:- The creation of separate fee simple titles for individual household units, after the erection of buildings, shall be permitted subject to the following conditions:-

- The existing residential buildings shall not exceed one residential storey and two units.
- Where the household units are attached, the subdivision shall be subject to compliance with standard building bylaws in respect of dividing walls and to the registration of party wall easements.

- The minimum area per unit shall be 300m² and the minimum frontage 10m. A dispensation of waiver from this minimum area standard will only be permitted where the subdivision is marginal in which case the minimum area may be reduced by an amount not exceeding 5%.
 - Each allotment shall be of sufficient area and of suitable shape to allow the buildings contained within the allotment to satisfy the relevant performance elements and standards.
2. Unit Titles/Owner-Occupier Flat Leases: Where it is proposed to create unit titles or owner-occupier flat leases for the individual titles, after the erection of units, each allotment create shall be of sufficient area and of suitable shape to allow the buildings contained within the allotment to satisfy the relevant performance elements and standards.

4.11. 4.

Special Provisions relating to Subdivisional Requirements

1. Front Site: In the case of a front site for a dwellinghouse, being an allotment with side boundaries diverging from the street, the frontage may be reduced to not less than 7m if the width of the site, 10m back from the road boundary, is not less than 16m.

The dimension of each site shall be such that it is possible to locate therein a square 15m x 15m.

2. Rear Sites: In the case of a rear site, access to the allotment shall be provided for by way of an access strip, right of way or access lot, in accordance with Section 5 below.

3. Footpath Widening: On street corners, where the change of direction exceed 45° on all streets up to 20m in width, a 6m cut-off shall be dedicated as street. On streets exceeding 20m 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 these requirements.

4.11. 5. Access Strips, Rights of Way and Access Lots

1. Minimum Standards: The following widths shall apply to access strips, rights of way and access lots to rear lots, dependent upon the number of household units capable of being accompanied on sites using the access.

	Minimum legal width(m)
1 or 2 household units	3.5
3 units	4.0
4 or more units	4.5

2. Conditions of Formation: 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 subdivider shall, if services do not exist, lay a common high pressure water main and/or a common sewer drain and/or a common water drain as directed by the Council. The mutual access shall be formed, metalled, sealed and drained to the satisfaction of Council.

A. PART 3 - CODE OF ORDINANCES

3. Add the following definition to Clause 2.2 Regulation and Procedure in Respect of Uses (page 5 yellow pages).

"Controlled Uses: A controlled use in terms of this scheme is a use falling within the provisions of Section 36(4)(b) of the Act. Such a use is permitted as of right, but, because of controls and powers reserving discretions specified in the scheme, requires Council approval. Controlled uses may be approved on applications made without notice.

In considering any application for a controlled use, Council may, at its discretion, grant or refuse its consent having regard to the extent to which the application would serve to achieve the objectives and policies relating to the design and appearance of buildings and site layout."

B. APPENDIX C

1. Add the following definitions to Appendix C in the appropriate alphabetical slot.

DWELLINGHOUSE means a detached residential building, being the sole residential building on the site, except where there is a family flat on the site, designed for or occupied exclusively as one household. Where a site containing residential units is subsequently subdivided into fee simple titles, the residential buildings shall, for the purpose of the Scheme, remain residential units.

PROFESSIONAL OFFICE means the office of a person whose calling involves a branch of learning or science, involving a recognised course of training at tertiary level and in which professional service is available and carried out. The term includes the offices of accountants, solicitors, architects, surveyors, engineers and medical practitioners.

PLACE OF ASSEMBLY means any building used for the public, and except otherwise provided by this Code, private, assembly of people primarily for worship, recreation, education or deliberation and includes any church, church hall, sports clubrooms, clubrooms, gymnasium, pavilion, indoor sports facility, community centre or other building used for public meetings whether any such building has a general ancillary licence or not. The term place of assembly shall not include any place of entertainment, or licensed premise (other than chartered club or premises having a general ancillary licence).

RESIDENTIAL UNIT where two or more household units are located on one site, each residential building or part of a residential building designed for, or occupied by a household unit shall be known as a residential unit. Provided however, that the term residential unit shall not include any elderly persons housing, old people's homes, boarding house, hostels, hotels, travellers accommodation or camping grounds. Where a site containing residential units is subsequently subdivided into fee simple titles, the residential buildings shall for the purposes of the scheme, remain residential units.

2. Amend the definition of HOME OCCUPATION by deleting the existing definition (page 72, Appendix C) and substituting the following:

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

PROPOSED CHANGE NO. 9

RESIDENTIAL ZONING, ARAHURA

A. PART 2 - SCHEME STATEMENT

1. Amend 2.4.6 under 2.4. Matters of National Importance (page 4 of Part 2 of the scheme - blue pages) to read:-

"The relationship of the Maori people and their culture and traditions, with their ancestral land.

POLICY

The residential zone at Arahura, the residential area of the Arahura Maori Community, incorporate both Part Maori Reserve 30 and an area of adjoining freehold land. The latter has been included in the zone to provide an area free of multiple ownership and therefore, development, constraints.

Council's policy is to zone this area Residential 1 which will provide for a wide range of predominant uses. This is considered to be the most flexible way of providing for Rural housing needs."

2. Amend 2.13.6. Arahura (page 25 of Part 2 of the Scheme - blue pages) to read:-

"Arahura

Zoning" Residential 1

This is the residential area of the Arahura Maori Community. This zone incorporates both Maori land, comprising part of Maori reserve 30, and an area of freehold land immediately adjoining the Maori Reserve to the north. While there is ample room to satisfy foreseeable development needs within the Maori Reserve itself, multiple ownership has tended to hinder development. Consequently, an enlarged area, free of ownership constraints, has been provided.

A special relationship by the Maori people with its Arahura land has been recognised for generations and there is currently a demand to return to the area. The favourable housing incentives available to the Maori people have helped promote this trend and there could well be a local impetus to consolidate the settlement and encourage other Maoris to settle here. There is little in the way of public amenities but the Council would not discourage the Community in its plan to consolidate.

The Residential 1 Zone, with its wide range of predominant uses, is considered to be the most flexible way of allowing for Maori housing needs."

B. PART 4 - PLANNING MAPS

1. Amend Planning Map No. 5, Arahura Enlargement by extending the Residential 1 Zone, as per attached plan.

PROPOSED CHANGE NO. 10

INDUSTRIAL USES IN RURAL, SERVICE AND RESIDENTIAL ZONES

A. PART 2- SCHEME STATEMENT

Add as a final paragraph to 2.12.6 Industry (pages 21-22, blue pages), the following:-

"Industries of both a non-noxious and non-dangerous character are also permitted as conditional uses in the Rural, Service and some Residential Zones. This enables a greater flexibility and scale of the process involved or the building containing the process, do not detract from the amenities of the area. The rural zone conditional use provisions also make specific allowance for those industries based on, or supporting, farming and forestry activities."

B. PART 3 - CODE OF ORDINANCES

1. Add as item 3.2.3.4. (Rural Zone - Conditional Uses, page 9, yellow pages), the following clause:-

"Any industry, warehouse, or storage facility, other than those provided for above, but excluding any such use which is listed in Appendix A. Provided that it can be shown, to the satisfaction of Council, that any objectionable elements relating to the use, including noise, smoke, vapour, steam, smell, fumes, vibration, dust and glare can be reduced to the extent that it would not detract from the welfare and convenience of the inhabitants, or the amenities of the neighbourhood."

The remaining provisions of Clause 3.2.3. would need to be renumbered as a consequence.

2. Delete Clause 3.5.5.4 (Residential 2 - Conditional Uses, page 18, yellow pages) and substitute the following:-

"Any light or service industry including warehousing and storage, but excluding any such use which is listed in Appendix A. Providing it can be shown, to the satisfaction of Council, that the use will not cause injury to, or prejudicially affect the amenity of, the locality by reason of the appearance of any building, works or material or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, waste products or other objectionable element."

3. Delete existing Clause 3.9.5.1. (Service 1 - Conditional Uses, page 29, yellow pages) and substitute the following:-

"Any industry, warehouse or storage facility, but excluding any such use which is listed in Appendix A. Providing that it can be shown, to the satisfaction of Council, that any objectionable elements relating to the use including noise, smoke, vapour, steam, fumes, vibration, dust and glare can be reduced to the extent that it would not detract from the welfare and convenience of the inhabitants or the amenities of the neighbourhood."