

CLAUSE 5 - INDUSTRIAL ZONING

5.1 INDUSTRIAL A ZONES

5.1.1 Predominant Uses - The predominant uses shall be:

- (i) Service industries.
- (ii) Industries such as bakeries, milk processing and distribution, which serve the day-to-day needs of the district, in cases where the gross floor area is less than 500m² (5380 sq.ft).
- (iii) Tradesmen's workshops.
- (iv) Warehousing for the storage and distribution of goods of a light nature but excluding skin or hide stores or storage for fuel and oil and bulk storage of cement.
- (v) Service stations and motor vehicle sales yards.
- (vi) Veterinary clinics or other premises for the treatment of animals.
- (vii) Buildings accessory to the use of buildings or land for any predominant use authorised by or under the district scheme for that site.

5.1.2 Conditional Uses - The conditional uses shall be:

- (i) Commercial garages not exceeding 500m² (5380 sq.ft) excluding machine shops, paint shops and panel-beating shops.
- (ii) Any predominant use which does not comply in respect of the bulk and location requirements, parking, loading and access requirements, laid down for such use shall be deemed to be a conditional use.
- (iii) Buildings accessory to the use of buildings or land for any conditional use authorised by or under the district scheme for that site.

5.1.3 Special Conditions relating to all Permitted Uses:

- (i) Council shall be satisfied that the design, materials and construction of buildings, and the design and layout of all yards and open spaces about the buildings, will enhance and promote the amenities of the neighbourhood and that the use will not be a nuisance to nearby properties, or the owners or occupiers thereof, or be an annoyance to such owners or occupiers, including any residential area, because of smoke, fumes, noise, dust, vibration, or by the discharge of trade wastes or effluent, or the movement of private or trade vehicles, or other objectionable elements.
- (ii) Rear sites shall have alternative ingress and egress.
- (iii) The total floor space of all floors shall not exceed 500m² (5380 sq.ft).
- (iv) Petrol pumps on service station sites shall be sited a minimum of 5m (16.4 ft) back from the front boundary.

5.1.4 Subdivision of Land - see Ordinance III.

5.1.5 Bulk and Location Requirements

The normal bulk and location requirements shall be:

(i) Front Yard - minimum depth 3m (9.8 ft), such yard to be landscaped and maintained to the satisfaction of the Council. Provided that front yards may be decreased to 1.5m (4.9 ft) for not more than one-third of the frontage where the building fronting such yard is office accommodation or showroom not exceeding 4m (13.1 ft) in height.

(For general landscaping requirements see Ordinance VII, clause 7)

(ii) Side Yard - minimum width 5m (16.4 ft) where adjoining a residential zone.

(iii) Rear Yard - minimum depth 3m (26.2 ft) where adjoining a residential zone.

(iv) Coverage - 75%. Provided that additional site coverage may be permitted at the discretion of the Council, for buildings complying with (viii) below.

(v) Maximum Height - 10m (32.8 ft).

(vi) Angle of Height Control Line - 50 degrees (see graph - Appendix C)

Accessory Buildings

(vii) Maximum Height - 4m (13.1 ft).

(viii) Additional site coverage may be permitted by the Council for a carport not exceeding 2.5m (8.2 ft) in height and used exclusively for the garaging of vehicles registered as private motor vehicles or goods service vehicles not being heavy vehicles.

5.1.6 Parking:

(i) Service industries and all other industrial uses and veterinary clinics:

1 space for every 25m² (270 sq.ft) of gross floor area, or
1 space per 2 employees whichever is the greater.

(ii) Warehousing:

1 space for every 100m² (1076 sq.ft) of gross floor area, or
1 space per 2 employees whichever is the greater.

(iii) Service stations and commercial garages:

1 space for every 25m² (270 sq.ft) of gross floor area.

Provided that where parking spaces are located within the building, such parking spaces shall be clearly defined and shall not be used for any other purpose, and no parking space shall be on any workshop floor.

See also Ordinance VI.

5.1.7 Loading: See Ordinance VI.

5.2 INDUSTRIAL B ZONES

5.2.1 Predominant Uses - The predominant uses shall be:

- (i) Service industries and any other industry, except those contained in Appendices A and B.
- (ii) Warehouses and bulk stores for the storage and distribution of goods of a light nature but excluding skin or hide stores or bulk stores or storage for fuel and oil and bulk storage of cement.
- (iii) Showrooms and offices associated with any of the above uses.
- (iv) Service stations, commercial garages and motor vehicle sales yards.
- (v) Residential accommodation for a caretaker or other person whose employment is such that he is required to live on the premises.
- (vi) Canteens, coffee bars, cake shops, dining rooms, eating houses, recreation and other facilities for the convenience of workers in the zone.
- (vii) Industries contained in Appendix B if, by the nature of the industrial process or buildings containing the process, the objectionable elements are removed. Eligibility to be determined by the Council.
- (viii) Veterinary clinics and other premises for the treatment of animals.
- (ix) Buildings accessory to the use of buildings and land for any predominant use authorised by or under the district scheme for that site.

5.2.2 Conditional Uses - The conditional uses shall be:

- (i) Licensed hotels and taverns.
- (ii) Works of public utility not deemed to be predominant uses by virtue of Section 21 (9) of the Act.
- (iii) Buildings accessory to the use of buildings and land for any predominant use authorised by or under the district scheme for that site.
- (iv) Any predominant use which does not comply in respect of the bulk and location requirements, parking, loading and access requirements, laid down for such use shall be deemed to be a conditional use.

5.2.3 Special Conditions relating to all Permitted Uses

- (i) Where the slope of the land exceeds 15 degrees, the construction and erection of any building, and the construction of any driveway or access, and the carrying out of any earthworks or excavations, on any land or access to any land shall require the specific consent of the Council and such consent shall only be obtained where the application is accompanied by a certificate from a registered engineer to the effect that the work proposed to be carried out will not be detrimental to the site itself or any adjoining site, and proper safeguards have been employed to overcome the possible effect of slip, slump, erosion or landslide including proper provision for stormwater disposal.

5.2.3

Where the vegetative cover is removed for any purpose this shall be replaced where applicable with other vegetative planting to ensure the stability of the ground. (Particular attention is drawn to the need to reduce to the minimum the excavation of any land and the need to use such foundation methods as pole and/or cantilever construction and the necessity of foundations being down to either bed-rock or stable sub-soils.)

- (ii) The Council shall be satisfied that the design, materials and construction of buildings, and the design and layout of all yards and open spaces about the buildings, will enhance and promote the amenities of the neighbourhood, and that the use will not be a nuisance to nearby properties or the owners or occupiers thereof, including any residential area, or be an annoyance to such owners or occupiers because of smoke, fumes, dust, vibration or by the discharge of trade wastes or effluent, or the movement of private or trade vehicles, or other objectionable elements.
- (iii) Service stations - pumps to be sited a minimum of 5m (16.4 ft) back from the front boundary.
- (iv) Rear sites shall have alternative ingress and egress.
- (v) Where residential accommodation is provided for a caretaker or other person this shall:
 - (a) comply with Chapter 4 N.Z.S.S. 1900 and amendments thereto;
 - (b) have 150m² (1614 sq.ft) of open space provided about this accommodation for the exclusive use of the occupants of such accommodation.

5.2.4 Subdivision of Land - see Ordinance III.

5.2.5 Bulk and Location Requirements

Predominant Uses - the normal bulk and location requirements shall be:

- (i) Front Yard - minimum depth 3m (9.8 ft), such yard to be landscaped and maintained to the satisfaction of the Council. Provided that front yards may be decreased to 1.5m (4.9 ft) for not more than one-third of the frontage where the building fronting such yard is office accommodation or showroom not exceeding 4m (13.1 ft) in height.

(For general landscaping requirements see Ordinance VII.)

- (ii) Side Yard - minimum width 5m (16.4 ft) where adjoining a residential zone.
- (iii) Rear Yard - minimum depth 8m (26.2 ft) where adjoining a residential zone.
- (iv) Coverage - 80%. Provided that additional site coverage may be permitted at the discretion of the Council for buildings complying with (ix) below.
- (v) Maximum Height - 10m (32.8 ft).
- (vi) Angle of Height Control Line - 50 degrees (see graph Appendix C).

Accessory Buildings

- (vii) Maximum Height - 4m (13.1 ft).
- (viii) Additional Site Coverage may be permitted by the Council for a carport not exceeding 2.5m (8.2 ft) in height and used exclusively for the garaging of vehicles registered as private motor vehicles or goods service vehicles not being heavy vehicles.

5.2.6 Parking:

- (i) Service industries and all other industrial uses and veterinary clinics:
1 space for every 25m² (270 sq.ft) of gross floor space, or 1 space per two employees, whichever is the greater.
- (ii) Warehousing:
1 space for every 100m² (1076 sq.ft) of gross floor space, or 1 space per two employees, whichever is the greater.
- (iii) Service stations and commercial garages:
1 space for every 25m² (270 sq.ft) of gross floor area.

Provided that where parking spaces are located within the building, such parking spaces shall be clearly defined and shall not be used for any other purpose, and no parking space shall be on any workshop floor.

See also Ordinance VI.

5.2.7 Loading: See Ordinance VI.

5.3 INDUSTRIAL B ZONE (Deferred)

5.3.1 Predominant Uses - The predominant uses shall be:

- (i) Before January 1, 1983 - There shall be no predominant uses.
- (ii) On and after January 1, 1983 - All those uses listed as predominant uses in Industrial B zones.

5.3.2 Conditional Uses - The conditional uses shall be:

- (i) Before January 1, 1983 - All those uses listed as predominant uses in Industrial B zones.
- (ii) On and after January 1, 1983 - All those uses listed as conditional uses in Industrial B zones.
- (iii) Any predominant use which does not comply in respect of the bulk and location requirements, parking, loading and access requirements, laid down for such use shall be deemed to be a conditional use.

5.3.3 Bulk and Location Requirements - the normal bulk and location requirements shall be:

- (i) Before January 1, 1983 - The bulk and location requirements for the Residential zone shall apply.
- (ii) On and after January 1, 1983 - The bulk and location requirements for the Industrial B zones shall apply.

5.3.4 Special Conditions relating to all Permitted Uses

- (i) Where the slope of the land exceeds 15 degrees, the construction and erection of any building, and the construction of any driveway or access, and the carrying out of any earthworks or excavations, on any land or access to any land shall require the specific consent of the Council and such consent shall only be obtained where the application is accompanied by a certificate from a registered engineer to the effect that the work proposed to be carried out will not be detrimental to the site itself or any adjoining site, and proper safeguards have been employed to overcome the possible effect of slip, slump, erosion or landslide including proper provision for stormwater disposal. Where the vegetative cover is removed for any purpose this shall be replaced where applicable with other vegetative planting to ensure the stability of the ground. (Particular attention is drawn to the need to reduce to the minimum the excavation of any land and the need to use such foundation methods as pole and/or cantilever construction and the necessity of foundations being down to either bed-rock or stable sub-soils.)
- (ii) The Council shall be satisfied that the design, materials and construction of buildings, and the design and layout of all yards and open spaces about the buildings, will enhance and promote the amenities of the neighbourhood, and that the use will not be a nuisance to nearby properties or the owners or occupiers thereof, including any residential area, or be an annoyance to such owners or occupiers because of smoke, fumes, dust, vibration or by the discharge of trade wastes or effluent, or the movement of private or trade vehicles, or other objectionable elements.
- (iii) Service stations - pumps to be sited a minimum of 5m (16.4 ft) back from the front boundary.
- (iv) Rear sites shall have alternative ingress and egress.
- (v) Where residential accommodation is provided for a caretaker or other person, this shall:
 - (a) comply with Chapter 4 N.Z.S.S. 1900 and amendments thereto;
 - (b) have 150m² (1614 sq.ft) of open space provided about this accommodation for the exclusive use of the occupants of such accommodation.

5.3.5. Subdivision of Land - see Ordinance III

- (i) Before January 1, 1983 - No further subdivision shall be permitted.
- (ii) On and after January 1, 1983 - The subdivisional requirements for Industrial B zones shall apply.

5.3.6 Parking and Loading of Vehicles - see Ordinance VI

- (i) The parking and loading provisions for the Industrial B zone shall apply.

5.4 INDUSTRIAL C ZONES

5.4.1 Predominant Uses - The predominant uses shall be:

- (i) Any industry except those falling within Appendix A.
- (ii) Any industry contained in Appendix A if, by the nature of the industrial process or building containing the process, the noxious elements are removed. Eligibility to be determined by the Council.
- (iii) Residential accommodation for a caretaker or person whose employment is such that he is required to live on the premises.
- (iv) Canteens, coffee bars, cake shops, dining rooms, eating houses, recreation or other facilities for the convenience of workers in the zone.
- (v) Buildings accessory to use of buildings or land for any predominant use authorised by or under the district scheme for that site.

5.4.2 Conditional Uses - The conditional uses shall be:

- (i) Works of public utility not deemed to be predominant uses by virtue of Section 21 (9) of the Act.
- (ii) Any predominant use which does not comply in respect of the bulk and location requirements, parking, loading and access requirements, laid down for such use shall be deemed to be a conditional use.
- (iii) Buildings accessory to the use of buildings or land for any predominant use authorised by or under the district scheme for that site.

5.4.3 Special Conditions relating to all Permitted Uses

- (i) Where the slope of the land exceeds 15 degrees, the construction and erection of any building, and the construction of any driveway or access, and the carrying out of any earthworks or excavations, on any land or access to any land shall require the specific consent of the Council and such consent shall only be obtained where the application is accompanied by a certificate from a registered engineer to the effect that the work proposed to be carried out will not be detrimental to the site itself or any adjoining site, and proper safeguards have been employed to overcome the possible effect of slip, slump, erosion or landslide including proper provision for stormwater disposal. Where the vegetative cover is removed for any purpose this shall be replaced where applicable with other vegetative planting to ensure the stability of the ground. (Particular attention is drawn to the need to reduce to the minimum the excavation of any land and the need to use such foundation methods as pile and/or cantilever construction and the necessity of foundations being down to either bed-rock or stable sub-soils.)
- (ii) The Council shall be satisfied that the design, materials and construction of buildings, and the design and layout of all yards and open spaces about the buildings, will enhance and promote the amenities of the neighbourhood, and that the use will not be a nuisance to nearby properties or the owners or occupiers thereof, including any residential area, or be an annoyance to such owners or occupiers because of smoke, fumes, dust, vibration or by the discharge of trade wastes or effluent, or the movement of private or trade vehicles, or other objectionable elements.

- (iii) Rear sites shall have alternative ingress and egress.
- (iv) Where residential accommodation is provided for a caretaker or other person this shall:
 - a) comply with Chapter 4 N.Z.S.S. 1900 and amendments thereto;
 - b) have 150m² (1614 sq.ft) of open space provided about this accommodation for the exclusive use of the occupants of such accommodation

5.4.4 Subdivision of Land - see Ordinance III.

5.4.5 Bulk and Location Requirements

Predominant Uses - the normal bulk and location requirements shall be:

- (i) Front Yard - minimum depth 3m (9.8 ft), such yard to be landscaped and maintained to the satisfaction of the Council. Provided that front yards may be decreased to 1.5m (4.9 ft) for not more than one-third of the frontage where the building fronting such yard is office accommodation or showroom not exceeding 4m (13.1 ft) in height. (For general landscaping requirements see Ordinance VII.)
- (ii) Side Yard - minimum width 5m (16.4 ft) where adjoining a residential zone.
- (iii) Rear Yard - minimum depth 8m (26.2 ft) where adjoining a residential zone.
- (iv) Coverage - 80%. Provided that additional site coverage may be permitted at the discretion of the Council for buildings complying with (viii) below.
- (v) Maximum Height - 10m (32.8 ft).
- (vi) Angle of Height Control Line - 50 degrees (see graph Appendix C)

Accessory Buildings

- (vii) Maximum Height - 4m (13.1 ft).
- (viii) Additional site coverage may be permitted by the Council for a carport not exceeding 2.5m (8.2 ft) in height and used exclusively for the garaging of vehicles registered as private motor vehicles or goods service vehicles not being heavy vehicles.

5.4.6 Parking:

- (i) Service industries and all other industrial uses and veterinary clinics:
 - 1 space for every 25m² (270 sq.ft) of gross floor space, or
 - 1 space per two employees, whichever is the greater.
- (ii) Warehousing:
 - 1 space for every 100m² (1076 sq. ft) of gross floor space, or
 - 1 space per two employees, whichever is the greater.
- (iii) Service stations and commercial garages:
 - 1 space for every 25m² (270 sq.ft) of gross floor area.
 - Provided that where parking spaces are located within the

building, such parking spaces shall be clearly defined and shall not be used for any other purpose, and no parking space shall be on any workshop floor.

See also Ordinance VI.

5.4.7 Loading: See Ordinance VI.

5.5 INDUSTRIAL C ZONE (Deferred)

5.5.1 Predominant Uses - the predominant uses shall be:

- (i) Before January 1, 1983 - There shall be no predominant uses.
- (ii) On and after January 1, 1983 - All those uses listed as predominant uses in the Industrial C zones.

5.5.2 Conditional Uses - The conditional uses shall be:

- (i) Before January 1, 1983 - All those uses listed as predominant uses in Industrial C zones.
- (ii) On and after January 1, 1983 - All those uses listed as conditional uses in Industrial C zones.

5.5.3 Bulk and Location Requirements - the normal bulk and location requirements shall be:

- (i) Before January 1, 1983 - The bulk and location requirement for the Residential zone shall apply.
- (ii) On and after January 1, 1983 - The bulk and location requirement for the Industrial C zones shall apply.

5.5.4 Special Conditions relating to all Permitted Uses

- (i) Where the slope of the land exceeds 15 degrees, the construction and erection of any building, and the construction of any driveway or access, and the carrying out of any earthworks or excavations, on any land or access to any land shall require the specific consent of the Council and such consent shall only be obtained where the application is accompanied by a certificate from a registered engineer to the effect that the work proposed to be carried out will not be detrimental to the site itself or any adjoining site, and proper safeguards have been employed to overcome the possible effect of slip, slump, erosion or landslide including proper provision for stormwater disposal. Where the vegetative cover is removed for any purpose this shall be replaced where applicable with other vegetative planting to ensure the stability of the ground. (Particular attention is drawn to the need to reduce to the minimum the excavation of any land and the need to use such foundation methods as pole and/or cantilever construction and the necessity of foundations being down to either bed-rock or stable sub-soils.)
- (ii) The Council shall be satisfied that the design, materials and construction of buildings, and the design and layout of all yards and open spaces about the buildings will enhance and promote the amenities of the neighbourhood, and that the use will not be a nuisance to nearby properties or the owners or occupiers thereof, including any residential area, or be an annoyance to such owners or occupiers because of smoke, fumes, dust, vibration or by the discharge of trade wastes or effluent, or the movement of private or trade vehicles, or other objectionable elements.

- (iii) Service stations - pumps to be sited a minimum of 5m (16.4 ft) back from the front boundary.
- (iv) Rear sites shall have alternative ingress and egress.
- (v) Where residential accommodation is provided for a caretaker or other person this shall:
 - (a) comply with Chapter 4 N.Z.S.S. 1900 and amendments thereto;
 - (b) have 150m² (1614 sq.ft) of open space provided about this accommodation for the exclusive use of the occupants of such accommodation.

5.5.5 Subdivision of Land - see Ordinance III.

- (i) Before January 1, 1983 - No further subdivision shall be permitted.
- (ii) On and after January 1, 1983 - The subdivisional requirements for Industrial C zones shall apply.

5.5.6 Parking and Loading of Vehicles - see Ordinance VI.

- (i) The parking and loading provisions for the Industrial C zone shall apply

5.6 MARINE SERVICES ZONE

5.6.1 Predominant Uses - the predominant uses shall be:

- (i) The storage, servicing, maintenance and repair of pleasure yachts and other light craft, including the launching and slipping of such craft.
- (ii) Premises and installations for the retail sale of fuels and lubricants for pleasure yachts and other light craft.

5.6.2 Conditional Uses - the conditional uses shall be:

- (i) Any other associated use of servicing or maintenance of seaborne craft not included in the predominant uses.
- (ii) Any predominant use which does not comply in respect of the bulk and location requirements, parking, loading and access requirements laid down for such use shall be deemed to be a conditional use.

5.6.3 Special Conditions relating to Permitted Uses

- (i) No operation shall be carried out which will, or is likely to, cause pollution of the waters of the Picton Harbour by the discharge of trade wastes, rubbish or other debris.
- (ii) No accumulation of timber, baulks, damage or other materials around the buildings on the foreshore which will, or is likely to, create a detraction from the amenities through unsightliness or eyesore.

5.6.4 Subdivision of Land

The subdivision requirements for the Marine Services Zone shall be determined by the Council on each application.

5.6.5 Bulk and Location Requirements - the normal bulk and location requirements shall be:

Maximum Height - 10m (32.8 ft) providing that buildings and installations for the retail sale of fuel and lubricants shall not exceed 4m (13.1 ft).

Coverage - 80%.

5.6.6 Parking and Loading

1 space for every 25m² (270 sq.ft) of gross floor space, or 1 space per two employees, whichever is the greater.

See also Ordinance VI.

CLAUSE 6 - AQUATIC RECREATION ZONE

6.1 Predominant Uses - the predominant uses shall be:

Any use of the water and foreshore for aquatic recreational purposes such as swimming, boating, sailing or any other activities associated with the natural elements of sea and adjoining foreshore.

6.2. Conditional Uses - the conditional uses shall be:

The erection of moorings, boat marinas or any similar structures associated with the predominant uses as set out in 6.1 above.

6.3 Bulk and Location Requirements -

There shall be no bulk and location requirements in this zone as no buildings, other than structures as covered by 6.2 above, are permitted in the zone. In the case of such structures the bulk and location requirements shall be determined by the Council in respect of each application.

ORDINANCE III - SUBDIVISION OF LAND

1 GENERAL

1.1 Definitions:

- (i) "Site" means an area of land permitted by the scheme and by the general law to be used as a separate site for one or more specified of ascertainable uses and for which subdivisional approval could be given in accordance with Ordinance III, and includes all related buildings and curtilages.
- (ii) "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 (39.5 ft) 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.
- (iii) "Front Site" means a site having one frontage of not less than the minimum prescribed by this scheme for the particular zone in which the site is situated to a street or private street.
- (iv) "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 the zone but has a frontage and entrance strip specified in Ordinance III in the same Certificate of Title.
- (v) "Entrance Strip" in relation to a rear site means all that part of the site extending from the street frontage with parallel sides at less than 9m (29.5 ft) in width. Where the sides diverge, all that part of the site at less than 9m (29.5 ft) unless the divergence is 45 degrees or more as shown.
(See Appendix D)
- (vi) "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.
- (vii) "Street" includes road.

1.2 Subdivision to Conform with Planning Principles

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

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

1.3 Shape Factor

Provided also that, in residential zones, each site must contain a rectangular shape that would conform with the provisions hereunder for the particular site; a shape to conform would be:

- (i) Front Site - A site containing within its confines a rectangular piece of land, 18m x 12m (59 ft x 39.4 ft), suitable for the erection of a building.
- (ii) Corner Site - A site containing within its confines a rectangular piece of land, 18m x 14m (59 ft x 45.9 ft), suitable for the erection of a building.
- (iii) Rear Site - A site containing within its confines a rectangular piece of land, 18m x 16m (59 ft x 52.49 ft), suitable for the erection of a building.

2 STANDARD AREA AND FRONTAGE REQUIREMENTS

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

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

Zone	Use	Minimum Standard Area	Minimum Standard Frontage to a Street
<u>RURAL:</u>	Any permitted use	4 Hectares (9.88 acres)	80m (262.5')
<u>RESIDENTIAL:</u>	<u>Front Sites</u>		
	(a) Any terraced house inner units	200m ² (7.9p)	5.5m (18.05')
	end units	300m ² (11.86p)	8m (26.25')
	(b) Any semi-detached house	300m ² (11.86p)	8m (26.25')
	(c) Any other permitted building	500m ² (19.77p)	15m (49.22')
	<u>Rear Sites</u>		
	(a) Any permitted building	700m ² (27.68p)	3m (9.8')
		(Exclusive of the area of the entrance strip)	
	(b) Any semi-detached house	350m ² (13.84p)	1.5m (4.92')
		(Exclusive of the area of the entrance strip)	
	<u>Corner Sites</u>		
	Minimum width 17m (55.77')		
<u>COMMERCIAL:</u>			
	<u>Commercial A</u>		
	Residential shop	300m ² (11.86p)	7m (23')
	Any other permitted use	175m ² (6.9p)	6m (19.7')
	<u>Other Commercial</u>		
	Any permitted use	200m ² (7.91p)	7m (23')
<u>INDUSTRIAL:</u>			
	<u>Front Sites</u>		
	Any permitted use	200m ² (7.91p)	7m (23')

3 EXCEPTIONS TO STANDARD REQUIREMENTS

3.1 Rural Zones

Economic units and areas appropriate to use:
In a rural zone the Council may permit the subdivision of land so as to produce an allotment of less than the minimum standard of area and frontage herein prescribed, if the applicant satisfies the Council either that the substandard allotment can be an independent economic farming unit, or that the substandard frontage or area, as the case may be, is appropriate to the proposed use and approval thereof is necessary to avoid undue hardship.

Provided that no substandard allotment shall be permitted:

- (a) If it is likely to cause demand to be made for an extension which is not in the economic interests of the region or locality of any public service, or to cause existing or proposed public services to be uneconomically used, or
- (b) If it is likely to lead to any obstruction to or other interference with the free movement of traffic on State Highways or important traffic routes.

3.2 Residential Zones

Reduction of Area and Frontage:
Notwithstanding any other provisions of these Ordinances, if the Council is of the opinion that the subdivision would result in an economic use of land that would be in the best interests of the district, any site permitted in the zone for separate occupation as a site for a dwellinghouse or a pair of semi-detached houses may be reduced in frontage and area as follows:

3.2.1 Front Sites

3.2.1.1 Area (for Dwelling Houses Only)

Where the subdivision is a result of a parcel of land being subdivided into two lots and where it is impracticable for each lot to satisfy the requirements of Clause 2 of this Ordinance, a front site may be reduced to 430m² (17p) providing the rear site contains not less than 500m² (19.8p) exclusive of the entrance strip or any land giving access from the street.

3.2.1.2 Frontage

Front Sites. Regular front sites may be reduced in frontage to 12m (39.4 ft) for dwellinghouses only, where the subdivision is the result of a parcel of land being subdivided into two lots and where it is impracticable for each lot to satisfy the requirements of clause 2.2 of this Ordinance.

For semi-detached houses one frontage may be reduced to 4.5m (14.76 ft) provided the total frontage available to the pair of semi-detached houses is not thereby reduced, i.e. 16m (52.49 ft).

For an irregular front site, being a site with boundaries diverging from the street, the frontage may be reduced to 6m (19.68 ft) if the width of the site at a distance of 9m (29.52 ft) from the street boundary is not less than 14m (45.6 ft) and not less than 16m (52.49 ft) where the divergence ceases.

Furthermore, the Council may permit the subdivision of any such site for a pair of semi-detached houses where each house has at least 3m (9.8 ft) frontage.

3.2.2 Rear Sites

3.2.2.1 Area (For Dwelling Houses Only)

Where the subdivision is a result of a parcel of land being subdivided into two lots and where it is impracticable for each lot to satisfy the requirements of clause 2 of this Ordinance, a rear site may be reduced to 500m² (10.8p), exclusive of the entrance strip or any land giving access from the street, providing the front site contains not less than 425m² (16.8p).

3.2.2.2 Frontage

- (a) The 3m (9.8 ft) frontage requirement in clause 2 may be reduced to 1m (3.28 ft) provided that a right-of-way of at least 2m (6.56 ft) wide is available over adjoining land for the full length of the entrance strip without detriment to the adjoining site which is subject to the right-of-way and the width of that site exclusive of right-of-way is not less than 13m (39.6 ft).
- (b) If the Council consents, the following frontages shall apply in lieu of the standard frontages required for rear lots by clause 2.2 above, but subject to:
 - Reciprocal right of way allowing full vehicular access to each site.
 - Reciprocal power and telephone easements.
 - Reciprocal easements for sewer, gas and waterpipes.
- (i) Where two frontages adjoin the width of each strip shall be not less than 1m (3.28 ft) wide measured at right angles to its course provided there is a total access width of 4m (13.12 ft).

Approval to right-of-way will be subject to such conditions as the Council thinks fit to impose under S.180 of the Municipal Corporations Act 1954, and the following shall be the minimum requirements:

- Form and metal 3m (9.84 ft) wide carriageway for full length of double entrance strip and provide 6 inch sewer, one inch watermain, and stormwater disposal to the satisfaction of the Council.

- (ii) Where three frontages adjoin the width of each strip shall be not less than 1m (3.28 ft) provided there is a total access width of 5m (16.4 ft).

Approval to right-of-way will be subject to such conditions as the Council thinks fit to impose under S.180 of the Municipal Corporations Act 1954, and the following shall be the minimum requirements:

- Form, metal and seal 4m (13.12 ft) wide carriageway for full length of multiple right-of-way and retain edge of seal with suitable concrete strips and provide 6 inch sewer, one inch watermain, and stormwater disposal to the satisfaction of the Council.

- (b) (iii) Where more than three but not more than six adjoin the width of each strip shall not be less than 1m (3.28 ft) but in every case the total access width shall be 6m (19.7 ft).

Approval to right-of-way will be subject to such conditions as the Council thinks fit to impose under S.180 of the Municipal Corporations Act 1954, and the following shall be the minimum requirements:

- Form, metal and seal 5m (16.36 ft) wide carriageway terminating in a turning circle at a point to be approved by the Council, and provide concrete footpath 1m (3.28 ft) wide and kerb and channel set in offside of carriageway with sunken concrete kerb. Provide 4 inch watermain and fire hydrant, 6 inch sewer, and stormwater disposal to the satisfaction of the Council.

3.2.2.3

Frontage for Semi-Detached Houses on Rear Sites

Where semi-detached houses are erected on rear sites then the frontage for each shall be half the frontage and entrance strip for the dwellinghouse site on which they are erected, subject to right-of-way and easements over the full width of entrance strip.

3.2.2.4

Access - Rear Sites

In a residential zone, every rear site for a dwellinghouse shall have as its access from a street a straight or nearly straight strip or piece of land in the same Certificate of Title at least the width specified in the Ordinance (measured at right angles to its course) and not more than 60m (183 ft) long, that is not computed or included in the said minimum area. Where adherence to these requirements makes economic use of the land difficult or impossible, the Council may waive the above requirements in accordance with Ordinance I clause 4.

3.3

Boundary Adjustments

In any zone the requirements of this Ordinance shall not apply to a subdivision if the Council is satisfied that the subdivision is intended solely for the adjustment of boundaries which will leave each of the adjusted allotments of substantially the same area as before.

3.4

Public Utility Sites

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

3.5 Pre-Existing Front Sites

In a residential zone, notwithstanding the requirements of these Ordinances as to area and frontage, a site for a dwelling-house or two unit apartment house may comprise the whole of a parcel of land which being a front site contains an area of not less than 300m² (11.86p) with street frontage of not less than 10m (32.80 ft) if it is held in a separate Certificate of Title or conveyance issued or executed pursuant to a subdivision approved by the Council before this scheme was recommended by the Council, and it is not in the same ownership as any adjoining land.

3.6 Commercial or Industrial Zones

In a commercial or industrial zone where, in the opinion of the Council, a subdivision to provide rear sites would not:

- (i) Result in an uneconomic use of land;
- (ii) Be detrimental to the continuity of commercial or industrial frontage of the street;

the subdivision may be granted provided that every rear site exclusively or in common with not more than one other rear lot shall have:

- (a) At least two separate entrances to a public street or streets each having a minimum width of 4.5m (14.76 ft) and an area exclusive of the area of the entrance strips of not less than 505m² (19.96p), OR
- (b) One entrance to a public street of not less in width than 6.5m (21.32 ft) and an area exclusive of the area of the entrance strip of 505m² (19.96 p).

4 COPY OF PLAN OF SUBDIVISION

Subject to the further requirements of any bylaw on the subject, a copy of every deposited plan shall be supplied to the Council and the Marlborough Regional Planning Authority for their records.

ORDINANCE IV - RESERVATION OF LAND

1 PROPOSALS

Proposals for use of land for public purposes are shown on the district planning map and described or referred to in the scheme statement. These proposed works are not necessarily all included in the responsibilities of the Council. They may be undertakings for which the Government or a Catchment Board, Drainage Board, Electric Power Supply Authority, Harbour Board, Hospital Board or other local authority is responsible both for acquiring the land when needed and for initiating and carrying out the work. Except in the case of objections to or appeals against the inclusion of the proposal in the district scheme, any person affected shall conduct all negotiations and correspondence with the responsible Government Department or local authority.

2 CONTINUATION OF USE

Although a proposal involving the future use of his land for some public purpose is included in the district scheme, ownership and occupation of the land are not thereby affected, and the owner and occupier are entitled to continue with their use of the land subject to the provisions of the district scheme, the Act and the Town and Country Planning Regulations 1960. Owners and occupiers will be notified when the proposal is about to proceed, and arrangements for the land will be made at that time.

3 BUILDINGS NOT TO INTERFERE

3.1 Prohibition

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

3.2 Definition of "Interim Use"

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

4 CHANGING LOCATIONS OF PROPOSED STREETS AND RESERVES

In accordance with subsection (5) of Section 33 of the Act, the Council may, by agreement with the owners of the lands directly affected, vary the position of any proposed road, street, access way or service lane, or the location or shape of any proposed reserve, so long as the intention of the district scheme in that respect is secured.