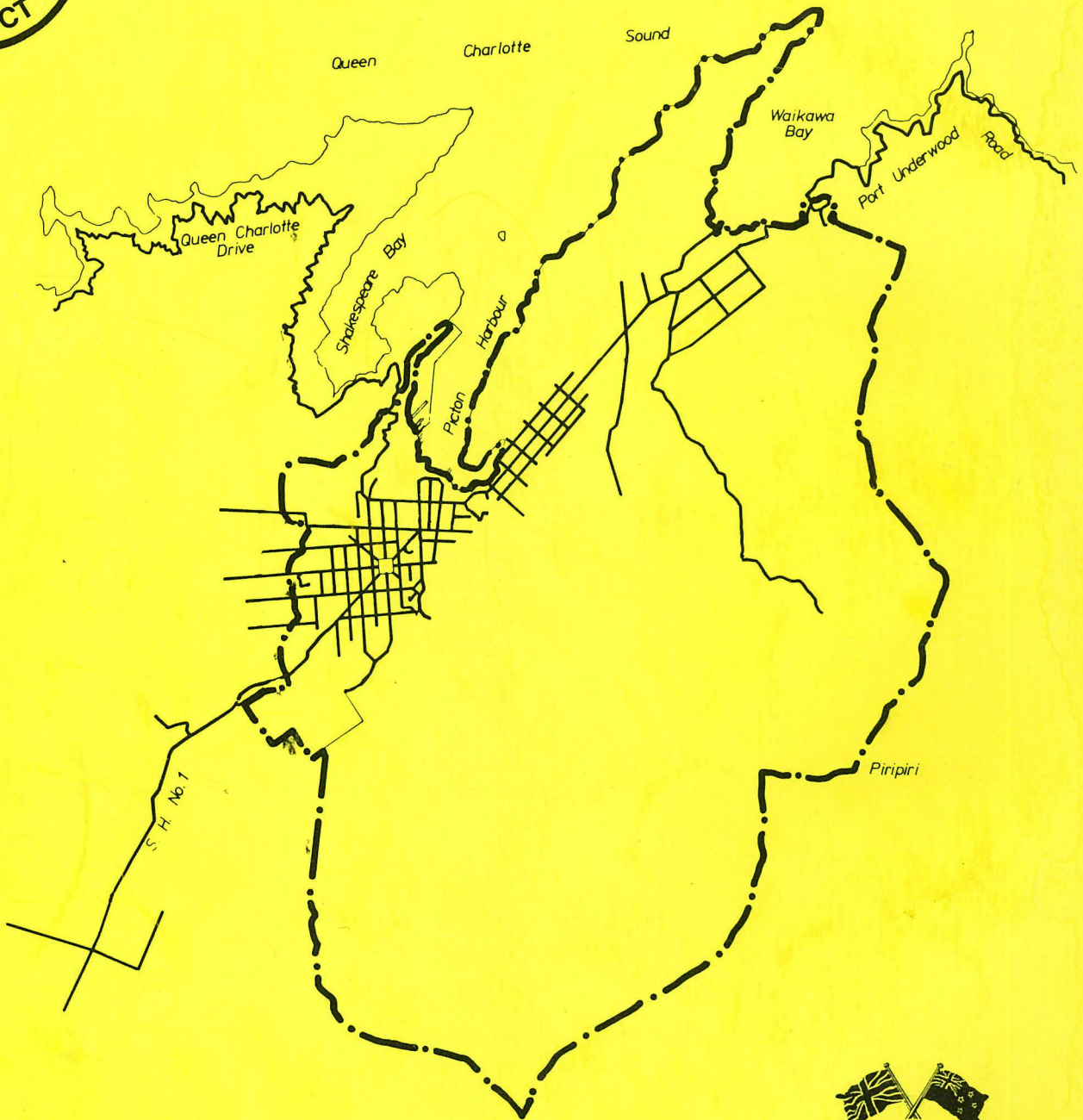
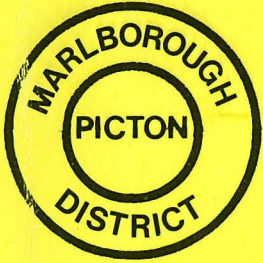
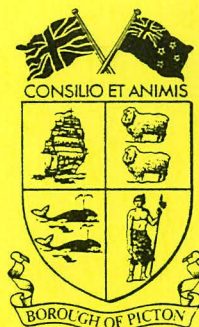




# Picton Borough District Scheme REVIEW No 1



*Davie Lovell-Smith*  
& Partners Ltd in Association with Lovell Smith & Cusiel Ltd  
PLANNERS ■ SURVEYORS ■ ENGINEERS



# Davie, Lovell-Smith

& Partners Ltd in Association with Lovell-Smith & Cusiel Ltd

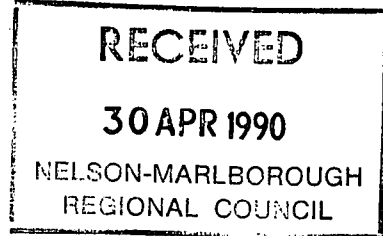
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P.O. Box 679 Fax (03) 795 664 Telephone (03) 790-793

27 April 1990

The Chief Executive  
Nelson-Marlborough Regional Council  
P O Box 145  
BLENHEIM



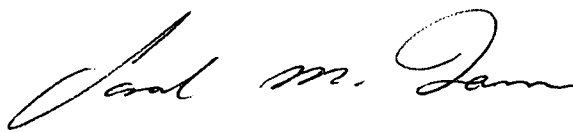
Dear Sir/Madam

**RE: PICTON BOROUGH DISTRICT SCHEME REVIEW NO. 1**

Pursuant to Regulation 32(4) of the Town and Country Planning Regulations 1978, we hereby forward you a copy of those parts of the Picton Borough District Scheme Review No. 1, which were excluded from the approved district scheme with the consent of the Planning Tribunal, and which will now become operative on 1 May 1990.

Yours faithfully

**DAVIE LOVELL-SMITH**



for **MARLBOROUGH DISTRICT COUNCIL**

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<i>aw</i>	<i>aw</i>
For Reply	
DATE	
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LAND SURVEYING & DEVELOPMENT ■ REGIONAL, ENVIRONMENTAL, TOURISM, RESOURCE, TOWN & COUNTRY PLANNING ■ CIVIL & STRUCTURAL ENGINEERING

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The Town and Country Planning Act 1977

Picton Borough District Scheme Review No. 1 Approved

It is hereby certified that this is a correct copy of the District Planning Scheme for Picton Borough, including the following parts as approved by resolution of the Marlborough District Council on the 19th day of April 1990.

- (1) Policy Statements relating to the proposed port expansion into Shakespeare Bay Policy 2.5 (iii) (c) (pg. 28) and Policy 2.7 (iv) (d) (pg. 32).
- (2) Vehicle parking requirements for the Marina Zone - Ordinance 3.10 (c) (v) (pg. 92).
- (3) Proposed Recreation Reserve designation over Lot 1 D.P. 4974 C.T. 3B/558 shown on Planning Map.

The Council has further resolved that these parts of the scheme shall become operative as from 1st day of May 1990.

The Common Seal of the Mayor, Councillors and Citizens of Marlborough District was hereunto affixed this 19th day of April 1990, in the presence of:



*[Signature]* ..... Mayor  
*[Signature]* ..... Chief Executive

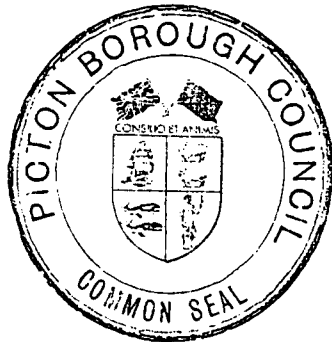
THE TOWN AND COUNTRY PLANNING ACT 1977

PICTON BOROUGH DISTRICT SCHEME REVIEW NO. 1 APPROVED

It is hereby certified that this is a correct copy of the District Planning Scheme of the Picton Borough Council as approved by a resolution of the Council on the 27th day of June 1989.

The Council has further resolved that the Scheme shall become operative as from the 17th day of July 1989.

The Common Seal of the Mayor, Councillors and Citizens of Picton Borough was hereunto affixed this 27th day of June 1989, in the presence of:



A J Booth Mayor

[Signature] Town Clerk

Pursuant to Section 52 (1) (b) of the Town and Country Planning Act 1977, the Planning Tribunal has consented to this Scheme being approved, excluding the following parts, which are the subject of appeals to the Planning Tribunal:

- (1) Policy Statements relating to the proposed port expansion into Shakespeare Bay - Policy 2.5 (iii) (c) (pg. 28) and Policy 2.7 (iv) (d) (pg. 32) (Appeal 104/89).
- (2) Vehicle parking requirements for the Marina Zone - Ordinance 3.10 (c) (v) (pg. 92) (Appeal 105/89).
- (3) Proposed Recreation Reserve designation over Lot 1 D.P. 4974 C.T. 3B/558 shown on Planning Map 4 (Appeal 106/89).

PICTON BOROUGH DISTRICT SCHEME

REVIEW NO. 1

Proposed Date: 7 December 1987

Operative Date: 17 July 1989

Prepared under the Provisions  
of the Town & Country Planning  
Act 1977.

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*Davie, Lovell-Smith*

& Partners Ltd in Association with Lovell-Smith & Cusiel Ltd

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## TABLE OF CONTENTS

	<u>Page</u>	<u>Colour</u>
PART 1 - INTRODUCTION		
1.1	1	White
1.2	1	"
1.3	2	"
PART 2 - SCHEME STATEMENT		
2.1	10	Green
2.2	18	"
2.3	21	"
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2.9	36	"
2.10	40	"
2.11	43	"
2.12	46	"
2.13	48	"
2.14	51	"
2.15	55	"
2.16	59	"
PART 3 - ORDINANCES		
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3.2	64	"
3.3	69	"
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3.5	75	"
3.6	77	"
3.7	80	"
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3.13	109	"
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3.15	128	"
3.16	131	"
3.17	134	Yellow
PART 4 - APPENDICES		
	141	Grey
PART 5 - PLANNING MAPS		
		White

## APPENDICES

		<u>Page</u>
Appendix 1	Application for Planning Consent	141
Appendix 2	Population Distribution and Dwelling Numbers	147
Appendix 3	Age/Sex Structure	149
Appendix 4	Full-time Labour Force by Sector	150
Appendix 5	Residential Analysis - Number of Vacant Sections	151
Appendix 6	Building Permit Statistics	152
Appendix 7	Visitor Accommodation	153
Appendix 8	Picton Shop Survey	155
Appendix 9	Recreation in Picton and the Marlborough Sounds	156
Appendix 10	Guidelines for Building Design	158
Appendix 11	Guidelines for Allotment Design	160
Appendix 12	Items of Special Interest	161
Appendix 13	Guidelines, Objectives and Policies for Town Centre	173
Appendix 14	Objectives, Policies and Measures for Foreshore Amenities Area	179
Appendix 15	Public Parking	181
Appendix 16	Picton Borough Roading Standards	182
Appendix 17	Livestock Conversion Table	183
Appendix 18	Building Height	184
Appendix 19	Industries Requiring Segregation Because of Noxious or Dangerous Aspects	185
Appendix 20	Industries Requiring Segregation Because of Noise, Smoke, Smell, Effluent, Vibration, Dust, Glare or Other Like Objectionable Aspects	187
Appendix 21	Manoeuvring and Parking Space Dimensions	190

Appendix 22	Standard Design Vehicle Swept Paths and Access Grades	191
Appendix 23	Diagrams of Entrance Strips	192
Appendix 24	Yard Requirement Diagram	193
Appendix 25	N.Z. Guidelines for the Anti-fouling User	194



**PART 1 INTRODUCTION****1.1 WHY PLAN**

Town and Country Planning provides the opportunities, processes and controls to enable people to determine the best environment (physical, social and economic) for themselves and future generations.

**1.2 A GUIDE TO USING THIS SCHEME**

To find out how any property or area of land may be affected by this District Scheme these steps should be followed:

- (i) Firstly read through the Introduction.
- (ii) If you are concerned with a particular property, locate that property on a Planning Map, and then you will see the zoning of the property and anything in the nature of designation, identification, historical building, road works etc, affecting the property.
- (iii) Turn to Part 3 (Code of Ordinances) and the pages which deal with the zone you are concerned with to find the controls applying to uses and development.
- (iv) Turn to Part 2 (Scheme Statement) to find the Objectives and Policies of Council which should explain the reason for controls contained in the Code of Ordinances.
- (v) Turn to the Interpretation Section (3.17) for the precise meanings of uses specified and terms used in various conditions and requirements.
- (vi) Information concerning particular procedures e.g. building permit applications, conditional use applications and specified departures can be found in Part 1.

If you require further information or clarification in respect of any matter in this Scheme, please inquire at the Council office, 67 High Street, Picton or write to:

The Town Clerk  
Picton Borough Council  
P O Box 13  
PICTON.

### 1.3 GENERAL INFORMATION

#### (i) Introduction

The Town and Country Planning Act 1977 (hereinafter referred to as 'the Act') requires every local authority to prepare a District Planning Scheme (hereinafter called a District Scheme or Scheme) for the land within its district. The general purpose of a District Scheme, as set out in Section 4 of the Act is "the wise use and management of the resources and the direction and control of the development of a district 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 every part of the district".

The Act also requires a local authority to recognise and provide for the various matters of national importance set out in Section 3 of the Act.

This District Scheme sets out to explain the Council's particular objectives and policies for the development of Picton Borough and the guidelines and controls for the use and development of land it considers necessary to implement these objectives and policies.

#### (ii) Statutory Authority

Section 38 of the Act requires the Council to provide and maintain an Operative District Scheme with respect to all land in the Borough.

#### (iii) Obligations to Conform

Subject to the provisions of the Act and all Regulations thereunder, and to any consent, modification, waiver or dispensation granted in terms of any provision in this District Scheme, no person shall depart or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person 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 this Scheme or does not comply in all respects with the terms of any consent.

#### (iv) Composition of this Scheme

The form and contents of a District Scheme are to some extent, controlled by the Act and the associated Regulations. The basic requirements are that a district scheme must include: a Scheme Statement setting out the particular purposes of the Scheme and the policies on which these are based; a Code of Ordinances for the administration and implementation of the Scheme; a set of District Planning Maps illustrating the proposals for the development of the district; and any additional plans or documents which may be necessary for the proper explanation of the Scheme.

This Scheme is presented in five parts. Parts 1 and 2, equate to the Scheme Statement and Parts 3 and 4 to the Code of Ordinances. Part 5 contains the planning maps.

"Part 1 - Introduction" contains general information about the Scheme and how to use it.

"Part 2" - This part of the statement explains the general objectives and planning policies for the future of the district, the detailed policies for the development of various parts of the district, and the policies relating to each zone.

"Part 3 - Ordinances" contains the objectives, policies and ordinances (requirements) for each zone in the Scheme.

"Part 4 Appendices" contains a list of appendices related to the ordinances in Part 3.

"Part 5 - Maps" shows the zoning of all land in the Borough.

(v) Matters Dealt With in this District Scheme

These are set out in the Second Schedule of the Act and can be generally summarised as :

- (a) Regulation of uses of land.
- (b) Control of subdivision of land.
- (c) Regulation of building size, location, design and access thereto.
- (d) Regulation of the transport system, roads, access, parking, loading etc.
- (e) Protection or conservation of the amenities of all parts of the Borough.
- (f) Preservation or conservation of objects and places of architectural, historic, scientific, or other interest or of visual appeal.
- (g) The designation of land or buildings for public purposes.
- (h) The provision of public utilities and other services such as sewerage, drainage, rubbish disposal, lighting and water supply.
- (i) Provision for marae and ancillary uses and other traditional and cultural Maori uses.
- (j) Provision for tourist facilities and services.

(vi) How the District Scheme Works

(a) Zoning

Zoning is the main tool of planning through which the use and development of land is regulated in accordance with the major Objectives and Policies of the District Scheme.

The whole Borough is divided up into zones and, within each zone, all land is subject to the controls and regulations as apply to that zone, as well as the controls and regulations as are applicable from the general ordinances.

(b) Non Conforming Uses and Buildings

The Scheme is not retrospective in its operation and does not prevent the continuation of any use or building that was in existence at the time the Scheme became operative, even though that use or building may not now conform to the provisions of the Scheme. However, the Act does restrict the extent to which non-conforming uses and buildings can be extended and modified. These matters are further dealt with in Sections 90 and 91 of the Act.

(c) Designations

In some places designated areas overlay zones on the District Planning Maps. In order to define and protect an area for a particular public use, the use of any land or buildings situated within a designated area is limited to the use which is designated or reserved for it by notation to that effect on the District Planning Maps. Such a designation does not affect existing use rights and owners and occupiers are entitled to continue the existing use of the land subject to the provisions of this District Scheme and any relevant Acts and Regulations.

(d) Protected Features

Any land, building or object which is specifically identified and used for purposes of value to the community and is not protected by way of a designation is shown on the Planning Maps and protected under this District Scheme.

(e) Control of Development

The use and development of all land and buildings in the Borough and all new work, is required to conform to the provisions of this District Scheme, except insofar as existing uses are protected under Section 90 of the Act or except in terms of any waiver or consent as provided for under this District Scheme, the Act or Regulations. Before any approval can be granted any application for the establishment of a new use or the

construction of any building or other work must first meet the requirements of the Scheme, as set out for the particular zone in which the site of the application is located.

The uses, developments and activities which are permitted to be undertaken and the buildings which may be constructed on any land are specified in the ordinance for each zone. There are three categories of permitted uses - predominant, controlled and conditional. New proposals not provided for in the scheme may be dealt with as a specified departure or by a change to the Scheme.

(i) Predominant Uses

These are uses or developments for which Council's consent is not required as long as any particular proposal complies with all the standards specified. If standards cannot be complied with, Dispensations and Waivers may be authorised, otherwise the proposal will be a Specified Departure.

(ii) Predominant (Controlled) Uses

These are uses or developments which are permitted within a particular zone but are subject to Council approval of building design and appearance, landscaping and location and design of access. A non-notified application for planning consent is required, although Council may require the application to be notified if it considers it appropriate. Compliance with other specified standards is necessary (see predominant uses above).

(iii) Conditional Uses

These are uses or developments which are appropriate to the area but which may not be suitable on every site. A notified application is required and Council may impose conditions if consent is granted. Compliance with specified standards is necessary (see predominant uses above).

The Council is required to consider the proposals, and objections by persons likely to be affected. Each application is not granted automatically but is considered on its merits in accordance with the procedure required by the Act and Regulations.

(iv) Specified Departures

These are uses or developments not permitted by the District Scheme, either because they are not

included as predominant, controlled or conditional uses or because they do not comply with specified standards and exceed dispensation or waiver allowances. Any such proposal requires a notified planning application and Council must be satisfied, that the limitations expressed under Section 74 (2) of the Act are satisfied and consider objections by any persons likely to be affected and then, assess whether the proposal should be approved.

(v) Dispensations and Waivers

These require an application for planning consent, which may be a non-notified application. The Act empowers the Council to include in its Scheme the ability to grant dispensations from, or waivers of, specified provisions of the Scheme, provided that the objectives of the Scheme are upheld. The intent is that Council should have some discretion in modifying some of the provisions of the Scheme. Ordinance 3.11(k) 'Dispensations and Waivers' sets out the circumstances under which, the manner in which and the conditions subject to which the Council may consider granting a dispensation or waiver.

(vii) Coverage of the Scheme

The area covered by this Scheme is the whole of the Picton Borough. The Borough is surrounded by Marlborough County and Marlborough Sounds Maritime Planning Area.

(viii) Reviews and Changes

Whenever unforeseen situations, trends or problems arise the appropriate Scheme objectives and policies will be reappraised and altered, if necessary, through publicly notified "Changes" to the District Scheme or "Variations" if the Scheme is Proposed and not Operative. The Council intends to monitor land use and development trends very closely with a view to initiating scheme changes when and where necessary. This should avoid the need for a complete, "indepth" review of the Scheme every five years.

After the Scheme has been in operation for 5 years it will be reviewed; either by readvertising the present District Scheme unchanged; advertising the Scheme as altered by a series of Changes throughout the 5 year period, or completely reviewing the Scheme. In any case the review will be preceded by the publication of a Pre-review Statement of the Council's objectives and policies for the proposed Review.

(ix) Relationship of the District Scheme to the Regional Scheme

Section 37 of the Town and Country Planning Act 1977

requires the Council to give effect to the provisions of any regional scheme in force in respect of its district.

(x) Relationship of the District Scheme to By-Laws

The provisions of this District Scheme shall have effect, notwithstanding any by-law for the time being in force in the Borough and where the provisions of this District Scheme are inconsistent with the provisions of any Borough by-law the provisions of this Scheme shall prevail.

(xi) Interpretation

Throughout this District Scheme, unless the context otherwise requires, words and phrases have meanings as stated in Ordinance 3.17.

(xii) Applications for Permits or Approvals

(a) Applications for Planning Consent

There are two types of applications: applications made with notice or "notified applications" and applications made without notice or "non-notified applications". Proposals which are Conditional Uses or Specified Departures or are contrary to any Proposed Change or Review, are automatically notified. Other proposals such as Controlled Uses and Dispensations are normally non-notified.

If the Council's decision in respect of either a notified or a non-notified application is not acceptable to any party, there is a right of appeal to the Planning Tribunal.

Details of procedures and Application Forms are set out in the Appendices.

(b) Applications for Approval of Subdivision Plans

The Local Government Act 1974 governs the subdivision of land. The Act confers authority on the Council to control subdivision and sets out the criteria under which subdivision can or must be refused. These criteria include non-compliance with the requirements of this District Scheme. Planning requirements relating to subdivisions are specified in each zone ordinance and in ordinance 3.13 General Ordinance on Subdivision.

Before any subdivision can proceed the owner must submit a scheme plan to the Council for approval in terms of Section 275 of the Local Government Act 1974. However, before consideration is given to any proposed scheme plan, the Council may require a concept plan under Section 276 where there are special or unusual features or the proposed subdivision comprises more

than 50 lots. The concept plan must be publicly notified. Subdivisions fronting the State Highway will be sent to the Secretary of the National Roads Board for comment.

Once the Council has approved a scheme plan, the owner may then submit a survey plan to the Council. Where the Council is satisfied that the survey plan is in accordance with the scheme plan and that all conditions have been complied with or compliance ensured, the Council can then approve and seal the plan for depositing with the District Land Registrar.

(c) Information to be Supplied with Applications

All applications under this District Scheme or affected by this Scheme must contain sufficient information to enable the Council to determine whether the requirements of the Scheme are met. This applies to notified or non-notified applications. If insufficient information is provided then the application will be returned.

The standard forms for making applications are contained in Appendix 1.

(xiii) Bonds

To ensure the fulfilment of any condition relating to a consent granted on any application, the Council may require the applicant to lodge a cash deposit with the Council or to enter into a bond with a sufficient penalty to ensure the fulfilment of that condition. In the case of a bond being required the applicant will be required to prove that he or she has or will have, sufficient finance to meet the bond. When the applicant fulfils the condition, he or she shall be released from the bond forthwith or shall receive a repayment of the cash deposit as the case may be.

There is a right of appeal on any Council decision to require a cash deposit or bond and in relation to the amount of bond required.

(xiv) Other Legislation

In addition to the Town and Country Planning Act 1977, there are several other statutes upon which the District Scheme is dependent for its effective operation or to which regard must be had in administering the Scheme. These include:

- (a) Clean Air Act 1972
- (b) Health Act 1956
- (c) Local Government Act 1974
- (d) Public Works Act 1981
- (e) Reserves Act 1977
- (f) Water and Soil Conservation Act 1967.
- (g) Dangerous Goods Act 1974
- (h) Historic Places Act 1980



- (i) Mining Act 1971 and Mining Amendment Act 1981
- (j) Disabled Persons Community Welfare Act 1975
- (k) Soil Conservation and Rivers Control Act 1941
- (l) Standards Act 1986
- (m) Sale of Liquor Act 1962 and Amendments.

## PART 2 SCHEME STATEMENT

### 2.1 STRATEGY

#### (i) GENERAL

The planning strategy of Council through the District Scheme can be described in five parts. The first part comprises general objectives which form the basis of all controls under the Scheme and will be observed at all times in guiding and controlling uses and developments. These have been set following an assessment of the resources of the district, their potential and their limitations. The general objectives are as follows:

#### (a) Resources

Council will aim to ensure the wise use and management of natural and manufactured resources.

Natural resources include air, soil, minerals, water, sunshine, landform, flora and fauna. In some cases particular resources may need to be protected from any use, in other cases careful use should ensure conservation and, further in other cases, unrestricted use may be acceptable. Special consideration will be given to: documentation of resources to assist public appreciation and decision making; water and soil conservation; preservation of the natural character of hillsides, the coastal environment, wetlands, and margins of rivers from unnecessary subdivision and development; protection of special resources of scenic, scientific, cultural, educational and historical value; and avoidance of danger and damage from natural hazards, including flooding, earthquake, erosion, landslip and subsidence.

Manufactured resources include buildings, structures, public and private works, services and facilities. Council will provide public services and facilities within its responsibilities, in a rational manner, ensuring they are or will be used efficiently. Council will ensure the wise use of other manufactured resources and protect sites and buildings of cultural, educational and historical value.

#### (b) People

Council will anticipate a growth in resident and visitor population arising mainly from development of facilities for recreation and tourism. Council will aim to ensure a well balanced community, a wide range of opportunities and promotion and safeguarding of the health, safety, convenience and the economic, cultural, social and general welfare of people within the Borough.

(c) Economy

Council will aim to ensure a strong local economy by: facilitating wise and efficient developments; identifying the special characteristics of Picton Borough in the context of New Zealand as a whole and the Marlborough region; providing utilities and services to facilitate development and increase opportunities promoting the Borough and its resources and providing an information service, streamlining planning procedures; and by encouraging diversification and intensification in developments. Council will favour those developments likely to yield significant benefits to the district. Council considers that a strong district economy will produce growth in population and will enable maintenance and improvement of amenities.

(d) Amenities

Council will aim to preserve or enhance the amenities presently enjoyed by residents and visitors. Such amenities include social, economic, cultural and recreational opportunities, facilities and services. Most of these amenities depend on the maintenance or increase in population, which in turn depend on a strong district economy. Such amenities also include the quantity and quality of open space, and views. Council will also aim to avoid or reduce danger, damage or nuisance caused by traffic, the emission of noise, fumes, dust, light, smell, and vibration.

(e) Co-ordination

Council will, at the district level, aim to co-operate with, assist, and co-ordinate any individuals or agencies involved in development or planning and reinforce the planning of public agencies.

(ii) COMMUNITIES

The second part of the strategy is to reinforce the various communities within the Borough and plan for each to have a suitable range of facilities, recreation and other opportunities for residents and visitors.

In 1984 the boundaries of the Borough were extended to include Waikawa Bay changing the Borough area from 426 ha to 3258 ha. Whilst this move recognised the close relationship between the two areas there is still a substantial area directly served by and related to Picton (Queen Charlotte Sound especially Shakespeare Bay) which lies outside the territory of Picton. Also, since Picton is the sea port for the Marlborough region, there is a close economic relationship with an even wider area. For practical purposes recognition is given to these wider catchments under the District Scheme.

Four communities can be identified within the Borough, based

partly on topographical boundaries and partly on land use mix. These are as follows:

- (a) Picton South: This comprises land south of Scotland Street and is primarily used for low density residential development.
- (b) Picton Central: North of Scotland Street, being primarily commercial, industrial and visitor accommodation.
- (c) Picton East: East of Newgate Street, being primarily residential.
- (d) Waikawa: Over the saddle from Picton comprising the head of Waikawa Bay, being primarily residential.

In addition, The Queen Charlotte Sound area can be regarded as a community outside the Borough, although the area is largely serviced by it.

### (iii) ZONES

The third part of the strategy is to identify within each community areas of different character and to reinforce the desirable differences by encouraging particular development and uses of land and buildings into different areas by means of Zoning and Ordinances. The zones provided, their purpose and the range of uses are set out below:

#### (a) Rural

This zone comprises steep hillside areas to the west, south and east of the Borough. Most of the land is unsuited for residential development and because of steepness and low fertility has only a limited potential for food production. If land in this zone is allowed to revert to natural cover, it would provide scope for enhanced value for scenic appreciation and assist in maintaining land stability and reducing water runoff rates. The main purposes of this zone are as follows:

- (i) To ensure that water and soil resources and the scenic quality of the landscape are not impaired.
- (ii) To provide for farming, forestry and recreation.

#### (b) Residential A

These zones provide mainly for permanently occupied low density housing for town residents and have the following purposes:

- (i) To protect residential uses against detriment arising out of the mixing of incompatible uses and developments.
- (ii) To provide residential amenities.

(iii) To provide for economic use of urban services.

(c) Residential B

These zones provide mainly for temporarily or permanently occupied medium density development for town residents or visitors. The Zone adjoins the commercial and industrial zones in Picton and is all situated north of Scotland Street. It encompasses land near the foreshore in Waikawa. The main purposes of this zone are:

- (i) To provide mixed residential and visitor accommodation amenities.
- (ii) To allow for medium density development in central locations but segregated from incompatible uses.

(d) Residential C

This zone has the same purposes as the Residential A zone except that special controls apply to buildings in respect to distances away from Waikawa Stream, to enable access for maintenance purposes and minimum floor levels above Waikawa Stream to avoid water damage in the event of the stream breaching its banks.

(e) Residential S

These are special zones created in recognition of the visual impact and land stability problems of the hillsides around the town. The steepness of much of this land makes it unsuitable for types of urban and rural development yet ideally suited to permanent vegetative cover for public enjoyment. Land in the zones is, however, well fragmented into freehold titles and is therefore vulnerable to independent individual actions. Council is willing to acquire and accept the maintenance responsibilities for this land vested in Council as scenic reserves. Other portions of this land are suitable for residential development and Council has included special ordinances in recognition of this fact. When the suitable pockets of land have been approved for subdivision Council will consider designating the remaining unsuitable portions as scenic reserves, if these have not already been vested in Council. The Council will not provide a road or sewer or water services in the area known as The Snout.

The main purposes of these zones are:

- (i) To allow for limited residential development on the hillslopes but not at the expense of slope instability or visual impairment.
- (ii) To provide for parks and scenic reserves.

(f) Travellers Accommodation

This zone provides mainly for motels, tourist flats and holiday flats as well as other casual accommodation and licensed premises.

This zone facilitates the consolidation of such uses in a central location for the benefit of visitors and minimising the impact of such uses on residential areas.

(g) Commercial

These zones include land in Picton township north of Broadway, enclosed by Auckland and Wellington Streets, and extending to the launch wharves, and land at Waikawa. They have the following purposes:

- (i) To centralise or consolidate commercial and community uses for convenience and efficiency.
- (ii) To create a focal point for community identity and activities.
- (iii) To facilitate the establishment of pedestrian oriented commercial uses and provide for consideration of most other uses.
- (iv) To provide for tourism related facilities and boat servicing.
- (v) In the Waikawa Commercial Zone, uses which are not related to the marina or will not provide mainly for the Waikawa community or would use a disproportionate portion of the zoned area will not be approved.

(h) Industrial A

This zone includes land adjacent to the commercial zone in Picton township and has the following purposes:

- (i) To provide for light industrial and servicing uses well segregated from residential areas with direct access to main transport routes.
- (ii) To provide for uses unsuitable in other zones.

(i) Industrial B

This zone includes land close to the main wharves and has the following purpose:

- (i) To provide for industries which because of their relationship with the Port, heavy nature or degree of noxiousness should be separated from other uses.

(j) Marina

These zones, which are situated at the head of Picton

Harbour and Waikawa Bay, include land above the mean high water mark which has been reclaimed by the Marlborough Harbour Board and developed as Marinas. These Marinas are very important areas of Picton generating a high level of activity especially in the warmer months of the year. It accommodates uses which are ancillary to the mooring of small pleasure boats. Because of the limited area, permitted uses are confined to those that need to be there by virtue of their relationship with the Marina activity or environment.

The activities within Marinas require many services and facilities which must be co-ordinated with other such services in the Borough. The location on the shoreline requires careful consideration of visual impact, environmental quality and public access. For these reasons Council requires a Concept Plan to be maintained for each Marina and all proposals will be considered in terms of these Plans which will be updated from time to time by Council resolution. The provisions for the Foreshore Amenities Area also apply to Marina Zones.

(iv) SPECIAL AREAS

In addition to the Zones, Special Areas will be observed and where practical indicated on the Planning Maps. In general these areas are such that special restrictions are seen to be necessary. They are as follows:

(a) Public Works and Reserves

These are given a "designation" under the Scheme to enable them to be established and operated without normal restrictions applying under the District Scheme.

(b) Scenic Vistas and Routes

Those vistas considered to be important will be indicated and any works or structures which may detract from them will be restricted (e.g. High St view north).

(c) Foreshore Amenities Area

This area, close to the foreshore, contains features which contribute to the historical, recreational and aesthetic character of Picton. Council will protect and enhance those features by requiring all development within the foreshore amenities area to be subject to a non-notified application to Council. The objectives and policies are set out in Appendix 14.

(d) Objects and Places of Special Interest

Objects, places and areas which have been identified as being of particular importance or significance to the natural or historical heritage of the Borough will be

protected.

(e) High Street

All uses and development fronting High Street north of Dublin/Waikawa Roads require Council consent to a non-notified planning application to ensure that the Town Centre objectives can be achieved (Appendix 13).

(v) POLICIES AND CONTROLS

The fifth part of the strategy is to set policies to resolve conflicts between land uses and developments and prescribe controls for day to day administration so that reasonable development can be encouraged and flexibility can be preserved. Council will ensure that adequate consideration is given to technical information and advice before large scale land use changes are approved.

(a) Uses

All anticipated uses will be grouped into categories having different planning significance as follows:

Accommodation (residential and visitor)  
Farming  
Forestry  
Commercial  
Industrial  
Community  
Recreation  
Tourism

Any of these categories will, by definition, include other categories where they are a minor, accessory or subordinate adjunct. Conditions, requirements and prohibitions relating to establishment of uses and developments will be specified, e.g control of development on sloping ground.

(b) Building

The size, shape, numbers, position, design and external appearance of buildings including verandahs will be controlled according to zones, to preserve the particular amenities provided by each zone and in particular access to daylight and sunlight.

(c) Subdivision

The size, shape, and location of new allotments will be controlled to ensure adequacy for permitted uses and zone amenities.

(d) Advertising

Signs and advertising displays will be controlled to preserve zone amenities especially visual appearance



and traffic safety.

(e) Transportation

The location, design and appearance of access, parking areas, roads and tracks will be controlled to ensure adequacy for permitted uses and to preserve zone amenities especially traffic safety.

(f) Utilities

The range and level of services and facilities will be different for some zones so that convenience, efficiency and economy can be maximised.

The storage and distribution of L.P.G. will be limited according to land use and zone to preserve the particular amenities provided by each zone especially safety.

(vi) ADDITIONAL POLICIES

These include stated policies in respect of responsibilities of Council other than town and country planning, as well as matters where Council has a concern or interest but no statutory responsibility to act. They have been included for information of the public.

## 2.2 NATURAL RESOURCES

### (i) BACKGROUND

#### (a) Landform and Geology

Picton occupies two large valleys at the head of Queen Charlotte Sound. These valleys, which have gently sloping floors, are separated by a low saddle but otherwise flanked by steep sided hills. The dominant rock type is greywacke, which on the hillside is overlaid with weathered rock and scree material showing signs of instability. The alpine fault lies to the south of Picton following the Wairau Valley.

#### (b) Climate

Rainfall in the area is evenly spread throughout the year and averages around 1500mm, but ranges from 1250 to 2000mm.

There is a wide variation in the direction and force of winds, with generally, winds from a north-easterly quarter predominating. Mean annual temperature for Picton is approximately 12°C with maximum temperatures rising to around 30°C on the warmest days.

#### (c) Water

Despite reasonably high annual rainfall, the township is prone to summer water shortages, accentuated by the influx of summer visitors. In the past the run-off water supply storage from the valley catchment area has constrained both industrialisation and urban expansion, however, recent changes to the town's water supply, drawing water from Speeds Valley outside the town catchment, (see Utilities section) have overcome this.

#### (d) Soils

Yellow-brown earths are the major soil type. These are formed on greywacke and are characterised by grey-brown or brown topsoils merging into friable yellowish-brown subsoils. They are prone to erosion, particularly on steep land and suffer from nutrient deficiencies, limiting their use for primary production.

#### (e) Vegetation

One of Picton's main natural resources is the bush clad hills which surround the town. This vegetation effectively maintains land stability on the hillsides, provides a scenic and recreation resource and habitat for wildlife. Parts of the hillsides (mainly on the lower slopes) have been cleared and are now dominated by the noxious plant gorse. This vegetation situation continues despite (or as a result of) spraying and unplanned fires. Within the town, vegetation is

typical of urban areas, with a diversity of ornamental, aromatic and fruiting plants some of which attract native birds from the surrounding bush habitat.

(f) Wildlife

There is a wide variety of wildlife in the Borough, reflecting the range of habitat which exists. Most of the wetlands in the Borough have been substantially modified by reclamations, marina developments and stream control works. Wetland areas remain in the Waikawa Bay to the east of the stream.

(ii) ISSUES

- (a) The stability of land in the catchment is of vital concern to protect downhill urban development and downstream water quality for recreational use and the health of fisheries.
- (b) The visual, recreational and wildlife values of the hillside bush give the town a distinctive character and quality of life.
- (c) Parts of the town are almost devoid of vegetation and tend to detract from the overall character.
- (d) Preservation of wetlands for ecological values.

(iii) OBJECTIVES

- (a) To maintain the stability, visual and habitat quality of development.
- (b) To improve the visual and habitat quality of urban development.

(iv) POLICIES

- (a) To assist in the implementation of the Landscape Plan prepared by the Ministry of Works and Development (as part of the Beautiful New Zealand Scheme) for the Crown lands comprising the ferry terminal parking, industrial and marshalling areas and Kent Street and Queen Charlotte Drive outlets.
- (b) To acquire as much hillside land as possible and to manage it in permanent cover with deep-rooted indigenous vegetation.
- (c) To require non-notified applications for all development in industrial zones to ensure that the frontages of buildings are softened as viewed from streets and public areas, and to bond such landscaping to ensure proper establishment.
- (d) To provide guidelines on plant species to improve visual and wildlife qualities of the urban area.

- (e) To limit foreshore development to that which is necessary and appropriate in a foreshore environment.
- (f) To have regard to the following factors when Council is considering any development proposed in or adjacent to any wetland:
  - (i) The effect on natural waters.
  - (ii) The botanical or wildlife importance of the wetland
  - (iii) The effect on the hydrology of the area.
  - (iv) The amount of wetland area remaining within the planning district.
  - (v) The type of wetland and the number of other wetlands of that type remaining within the planning area.
- (g) To control and in some cases prohibit building in areas or on sites which are physically unstable or have an unacceptable flood risk.
- (h) To discourage the planting of exotic trees on the hillsides above Picton and Waikawa.

## 2.3 PEOPLE

### (i) BACKGROUND

#### (a) Numbers and Distribution

The total population of the Borough and its catchment in March 1986 was 4715 (see Appendix 2). Excluding Queen Charlotte Sound and visitors normally resident overseas the population of Picton Borough was 3769 of which 3211 (85.2%) lived in Picton township and 558 in Waikawa. Of the modified total, 3144 people were normally resident in Picton Borough and 627 people (or 16.6% of the total) were visitors from elsewhere in New Zealand.

The distribution of population within the Borough and its catchment area was as follows (figures based on mesh blocks and have been rounded off by the Statistics Department):-

Picton South	825
Picton Central	1623
Picton East	1082
Waikawa	566
Queen Charlotte Sound	607

While the statistics must be read with caution because of the rounding off practice, a small decline of 11 occurred in the population of Picton township in the period between 1981 and 1986. In contrast, a substantial increase in the population of Waikawa has occurred. The increase of 125 in the 1981-86 period represents an annual increase of 5.7% for the area. The growth at Waikawa can be attributed in part to a decline in the number of residential sections available in Picton township.

The population of the Borough increased substantially between 1981 and 1986. This was due, for the most part, to the addition of Waikawa to the Borough in 1984. With the inclusion of Waikawa and visitors to the overall figures, however, the population of the Borough has increased from 3633 in 1981 to 4108 in 1986. This represents an increase of 95 or 2.6% per year.

#### (b) Age/Sex Structure

Compared with New Zealand as a whole, there is a high proportion of the population over 60 years (see Appendix 3). The 1986 Census indicates that this group made up 24% of the Borough's total population compared with the national figure of 13.9%. The proportion of this group within the Borough had increased from 14% in

1966 and 21.6% in 1981. Women make up 54% of the over-65 age group.

The Borough has relatively few residents in the under-15 age group. 19.2% of the population was under 15 in 1986 compared to the national figure of 25.0%. The proportion in this age group in Picton has been decreasing at a greater rate than for New Zealand as a whole (the 1981 figures were 22.7% and 25.6% respectively).

(c) Employment

The employment structure of Picton Borough for 1971 and 1986 is shown in Appendix 4. It can be seen that employment is concentrated in four major categories:

1. Manufacturing (17.9%);
2. Wholesale, Retail, Restaurant (24.0%);
3. Transport, Storage, Communication (23.8%);
4. Community, Social, Personal (16.2%).

Of note is that there are unusually high numbers of people engaged in transport and communications and domestic and personal services. This is consistent with the Borough's role as an important port and road/rail terminal and tourist centre.

In 1986, the workforce totalled 1224 and represented 39% of the usually resident population. This compared to the national average of 42%. A drop from 43% was recorded between 1981 and 1986 which possibly reflects the increasing numbers of people who are retiring in Picton.

The proportion of women in the workforce (30.6%) compares reasonably well to the national average of 34.2% considering traditional male predominance in port employment.

(ii) ISSUES

- (a) Need to provide for local communities as well as the whole Borough district community.
- (b) High level of visitor population which could increase further (see Transport Section).
- (c) Potential conflict between visitor and resident needs and expectations.
- (d) High dependence for employment on presence of ferry terminal.
- (e) High growth and potential in Waikawa.
- (f) High proportion of population in the over 60 age group.

(iii) OBJECTIVES

- (a) To provide for an overall moderate growth in resident population (the main proportion occurring in the Waikawa area) and a high growth in visitor population.
- (b) To place more emphasis on facilities for the elderly than most other Councils do.
- (c) To ensure employment opportunities are increased and further diversified.

(iv) POLICIES AND PROPOSALS

- (a) To recognise communities within the Borough.
- (b) To support the retention and improvement of the rail ferry.
- (c) To encourage improvement of visitor facilities and encourage new visitor attractions compatible with the town's amenities.

## 2.4 ACCOMMODATION

### (i) BACKGROUND

A wide range of accommodation is present in the Borough, varying according to the facilities available, the level of occupancy and standard of design.

Residential accommodation includes detached, semi-detached, terrace or town houses, flats or apartments and these are typically larger with more open space requirements than visitor accommodation. The number of dwellings in the Borough and environs is shown in Appendix 2. This can be summarised as follows:-

Picton	1131 units of which 40 were baches
Waikawa	212 units of which 80 were baches
Queen Charlotte Sound	788 units of which 559 were baches

The average level of occupancy for the Picton units was 2.34 persons per unit which is well below the national average of 2.98.

A 1984 estimate of residential section potential indicates that 248 sections, comprising 48.16 hectares, were available in the Borough (see Appendix 5). Of these 138 (13.3 ha) were in Picton and a further 110 (34.86 ha) in Waikawa, with 220 zoned Residential A and the remainder zoned Residential B. 191 (77%) of these sections were under 1500m<sup>2</sup> in area. Not all of these sections would be suitable for building, however. In Waikawa there is potential for even more residential development on suitable land so that the total potential for development in Waikawa at modest densities is about 100 ha, 1,000 houses or 3,000 people.

Set out in Appendix 6 are Building Permit Statistics for 1979 - 1985 which indicate a noticeable increase in new dwellings (up to 50 per year) over the last few years (due mainly to the extension of the Borough boundaries).

Visitor accommodation varies more in appearance and the range of facilities available and includes tents, caravans, cabins, bunkhouses, boardinghouses, baches, houses, flats, condominiums, motels, tourist houses and hotels.

Set out in Appendix 7 are the numbers of different types of visitor accommodation present in the Borough. From this it can be seen that 1,349 beds are available, 974 in motels, 34 in guest houses, 24 in hotels and 87 in camping grounds; in addition there are a further 164 caravan sites and 150 tent sites.

In addition, within the Marlborough Sounds there are about 303 beds available, (125 in hotels, 122 in motels and 56 in guest houses) and 295 sites available in camping areas.



Elderly person housing comprising 9 units and 10 owner occupied units have been established to date in the Borough and these are maintained by the Council. None of these are in Waikawa.

The potential resident and visitor holiday population using Picton as a servicing, entertainment, cultural or recreational centre in 1984 would have been about:-

5,600	in residential accommodation	(1895 units x 2.98)
2,770	in visitor bed accommodation	
1,810	in camping grounds	( 609 sites x 2.98)
<hr/>		
10,180	Total	

(ii) ISSUES

- (a) Potential conflict between residential and visitor accommodation amenities.
- (b) There is a potential conflict between the scale of traditional development around the foreshore and in the historic core of the town and new development.
- (c) Hotel developments close to the foreshore can impair visual corridors and views of the harbour.
- (d) Need for visitor accommodation and elderly person housing in Waikawa.
- (e) There is sometimes a demand for temporary occupancy of buildings, especially garages, or partially constructed houses and conditions are necessary to ensure adequate standards and occupancy time is limited.

(iii) OBJECTIVE

- (a) To achieve a wide range of accommodation types and ensure appropriate location and wise use of resources in their establishment and operation.

(iv) POLICIES

- (a) To encourage cohesive residential developments relatively free from through-traffic.
- (b) To ensure that accommodation developments, particularly in the commercial and waterfront areas, are compatible with the maintenance of visual and historical values.
- (c) To encourage visitor accommodation developments alongside main traffic routes and close to visitor attractions and facilities.
- (d) To provide for a Residential B zone in Waikawa.
- (e) To allow residential development closer to Waikawa Stream now that it has been re-aligned but subject to conditions to prevent flood damage (see Buildings

Section).

- (f) To encourage the provision of various tourist accommodation types and in particular to encourage provision for servicing facilities for campervans.
- (g) To require visitor accommodation to be to dwelling unit standards in the Residential A zone to avoid problems arising with by-laws if visitor accommodation is converted to flats for residential use.
- (h) To permit temporary occupation as a controlled use subject to standards and time limits being met (refer also Ordinance 3.12(k) "Temporary Buildings") Council will normally set the following conditions:
  - a. The accommodation must be connected to sewer and water supply.
  - b. The unit must meet Building Inspector's and Health Inspectors requirements.
  - c. A building permit for the permanent dwelling unit must be uplifted before the temporary occupancy commences.
  - d. The approval is reviewable after six months. This time coincides with the normal building "lapse" period, if no work has commenced on the new construction.

In the case of proposed occupancy of a partially completed dwelling, Council may issue an occupancy certificate under the By-laws if basic facilities are in place (cooker, sink, hot water, water closet, bathroom and clothes washing facilities) and habitable rooms are weather-proof.

## 2.5 PRIMARY PRODUCTION

### (i) BACKGROUND

#### (a) Forestry

Picton serves as the export port for the Marlborough regions extensive forest resource. At present there is about 252,000ha of forest in the region. This comprises:-

- 213,000ha of indigenous forest of which 170,000ha (84%) is State Forest with the remainder under Department of Conservation control.
- 39,000ha of exotic forest, controlled by:- the State 16,000ha, small private growers 13,000ha, major companies 7,000ha and local authorities 3,000ha.

Currently about 3,000ha of new forest is planted each year in the region. It is anticipated that the area of exotic forest will reach between 60 to 70 thousand ha by the turn of the century. The main products of exotic forests are sawn timber and chipwood for export. Production forecasts for these suggests that future output will exceed the present capacity of Picton's port facilities. This has led the Marlborough Harbour Board to propose an alternative deep water export port in Shakespeare Bay.

#### (b) Farming

Farming is an important component of the Marlborough region's economy. An area of 1.1 million hectares is farmed comprising 1,300 holdings (approximate figures), and 57% of farmers derive their income from sheep meat and wool production. However, in recent years, there has been movement away from traditional pastoral farming. Horticulture, in particular, has expanded rapidly with increases in the area of grapes, stone fruit, pip fruit and vegetables.

Farming affects the Borough in a number of ways. Most significantly it provides employment, both directly on the land and indirectly in the food processing, farm servicing and transport sectors. For example, the Waitaki freezing works south of Blenheim, which replaced the Picton works, employs many Picton residents.

#### (c) Fishing

Fishing and fish processing has a long tradition in Picton. In 1981, 46 people or 4% of the towns full-time workforce were employed in the fishing industry (census of Fishing). A total of 53 commercial vessels are currently fishing in the Picton region, using a variety

of techniques including longlines, single trawl and set nets. The main fish species caught are school shark, rig, hapuku, red cod, ghost shark and butterfish. In 1984, the total catch taken by commercial fishing vessels based in the Picton region was 946,000 kilograms. The town's 2 fish processing plants handle mainly hand gathered shellfish and rocklobsters for the export market. The Marlborough Sounds is a very popular recreational fishing area and has traditionally supported large numbers of recreational fisherman particularly in the summer months. Picton acts as a service centre for this group, providing supplies and transport.

(ii) OBJECTIVE

- (a) To support the continued development of port facilities for the shipping of primary produce.
- (b) To ensure that primary production within the Borough is carried out with careful regard to land stability and visual prominence.

(iii) POLICIES

- (a) To provide adequate zoning for port industrial activities.
- (b) To encourage any primary production proposals in the Picton, Queen Charlotte Sound and Tory Channel areas which are not likely to detract from scenic and environmental values of these areas nor reduce values for tourism and recreation use. Any farming proposals should protect areas of existing indigenous vegetation, maintain a diversity of tree species and ages along prominent faces, riparian strips and urban boundaries, prevent siltation of streams and fire hazards and exclude aerial spraying.
- (c) To support full consideration of the proposed port expansion into Shakespeare Bay and carefully assess the need for such development, the likely demand for services and the impact of such development on environmental, recreational and scenic values.

## 2.6 COMMERCE

### (i) BACKGROUND

The main commercial centre is in Picton and comprises about 5.63 ha. It is bounded by London Quay, Auckland Street, Wellington Street and Broadway. In December 1984 there were a total of 65 shops and eating places in this area (See Appendix 8), 1.26 ha (20%) in residential use and 2 vacant sections.

In addition to the shops were Council, Harbour Board and Newspaper Offices, an Information Centre, various professional offices (including solicitors, accountants, an architect and a general practitioner), plunket rooms, fire station, telephone exchange, bus depot, contractors yard, boat sales and various motels/hotels.

Other shopping centres are located at Nelson Square, in Waikawa Road, Picton and at Waikawa. These are single shop or small groups of shops dominated by grocery sales and serving their local communities. On the basis of the census of distribution statistics, Picton people (including Waikawa and the Queen Charlotte Sound) have -

- less retail shopping (1.3m<sup>2</sup> per person c.f. 2.4 for N.Z)
- more restaurants and hotels (3.6 per person c.f. 1.0 for N.Z)
- less personal and household services (0.2 per person c.f. 0.3 for N.Z)
- more total commercial floor space (5.1 per person c.f. 3.6 for N.Z)

This indicates that Picton people use their local shops for about half their needs and use shops in Blenheim, Wellington, Christchurch etc. for the remainder. It also indicates that Picton restaurants and hotels are effectively servicing about three times the immediate population because of the flow of visitors.

### (ii) ISSUES

- (a) Reliance on visitor patronage requires that careful consideration be given to ways of attracting visitors to stay and stay longer in the town.
- (b) The town centre is at present dominated by motor vehicles, due to the wide carriageway and parking arrangements and could be made more attractive to visitors.
- (c) The general age and condition of some building facades reduces the attractiveness of the shopping environment. Some of the older buildings, however, have value because of their historic character.
- (d) Some parts of the Commercial Zone can be identified as

having special historical or aesthetic values which should be preserved and enhanced.

- (e) Operating hours for many premises do not coincide with visitor demand hours.
- (f) The potential for residential development in Waikawa would justify a new small shopping centre (eg. 5 shops or 1000m<sup>2</sup> floor area) as well as 3 or 4 corner stores scattered throughout the area.
- (g) Corner stores reinforce community identity and are conveniently accessible for residents, however their viability could be undermined by supermarkets, offering cheaper prices and greater range of goods even though these would be less accessible and would generate higher vehicle traffic levels.

(iii) OBJECTIVES

- (a) To ensure the Town Centre develops as an attractive and effective business, entertainment, cultural and social focus for the Picton catchment.
- (b) To ensure adequate opportunities for appropriate commercial facilities for the needs of residents and visitors.
- (c) To create and preserve a character for Picton, especially the tourist commercial waterfront area, which emphasises the town's nautical associations.
- (d) To improve the visual and recreational environment in the commercial centre for residents, shoppers and tourists.
- (e) To encourage the preservation and enhancement of those features of the Commercial zone which have been identified in Appendix 13 as contributing to historical, recreational or nautical values of Picton.

(iv) POLICIES

- (a) To encourage the establishment of a new shopping centre in Waikawa, and to permit those uses which are related to the marina or provide mainly for the Waikawa Community and which do not use a disproportionate portion of the zoned area.
- (b) To undertake improvements to the form and function of the Town Centre and to encourage property owners affected to co-operate, as illustrated in Appendix 13.
- (c) To delineate a foreshore amenity area within the Commercial zone in which new developments will be subject to controls relating to scale siting, design and height and will be consistent with a concept plan for the area.

- (d) To extend the Commercial zoning out to the foreshore around the launch wharves to provide for tourism related facilities and boat servicing and to encourage the relocation of the existing fish processing plant.
- (e) To require non-notified applications for some development in the Commercial Zone, to implement design features associated with the town centre upgrading (see Appendix 13).
- (f) To provide Marina zones covering land areas associated with marinas and to provide for all appropriate uses and facilities.
- (g) To permit local dairies/grocery shops in Residential zones, where they will serve a local residential area and not tend to conflict with Commercial zones provided under the Scheme.

## 2.7 INDUSTRY

### (i) BACKGROUND

These include a spraypainter, boat building, coalyard, timber yard, pottery, joinery, light engineering, tradesmen depots, marine services, rental car depots, boat storage, fish processing, milk depot and Power and Park Board depots. Vehicle service stations (with workshop facilities) are located in Auckland Street, High Street, Wellington Street and Wairau Road.

At present the Industrial zones occupy an area of approximately 7.78 hectares, of which half is used for industrial purposes, whilst the remainder is either vacant (31%) or used for residential purposes (21%). The Industrial B zone can accommodate further industrial development.

### (ii) ISSUES

- (a) Most industrial activities can have objectionable elements such as noise, fumes and traffic, but the scale and/or location are such as to cause few problems.
- (b) Appearance of many industrial properties.

### (iii) OBJECTIVE

To ensure adequate opportunities for appropriate industrial activities for the needs of residents and visitors.

### (iv) POLICIES

- (a) To require appropriate landscaping of industrial properties.
- (b) To impose noise limits
- (c) To provide adequate land for local industries in a location removed from the waterfront and residential uses but with good access.
- (d) To support full consideration of the proposed port expansion into Shakespeare Bay and to carefully assess the need for such development, the likely demand for services and the impact of such development on environmental, recreational and scenic values.



## 2.8 COMMUNITY

### (i) BACKGROUND

#### (a) Schools

There are 4 playcentres within the Borough (Picton, Waikawa Bay, Te Whetu Marama Marae and Picton Community Creche), run by supervisors and trained parents. Attendances at these playcentres averages between 10 to 15 children.

There are three primary schools (Picton, Waikawa Bay and St. Josephs Parish, an integrated Catholic school) with a combined roll of approximately 300 pupils.

There is one High school (Queen Charlotte College) with a roll of 350 comprising form one to seven pupils.

All schools are used for a variety of after hours activities by various clubs and organisations.

#### (b) Halls

There are 11 community halls (Valentine, Waitohi Rugby Club, Red Cross, Anglican, Navy League, Scouts, Guides, Waterfront Industries Commission, Plunket Rooms, Little Theatre, Community Centre and Waikawa Marae). These vary in size and cater for approximately seventy clubs and organisations. There is evidence that some of these halls are under-utilised.

#### (c) Libraries

The Borough has one public library adjacent to the Council Chambers in High Street. This is administered by the Council.

#### (d) Museum

The Smith Memorial Museum is located on the foreshore beneath London Quay. It is run and administered by the Picton Historical Society.

#### (e) Marae

The Te Whetu Marama Marae is located at Waikawa.

#### (f) Recreation

See separate section.

#### (g) Health

There are a variety of health care services provided in the Borough. These include four general practitioners, a public health nurse, a dentist, plunket rooms, an

ambulance station and a public hospital.

The Picton Hospital is administered by the Marlborough Hospital Board. The Hospital treats long term patients, geriatrics, casualties and outpatients. Emergency cases are dealt with by the Wairau Hospital in Blenheim. The Board proposes to close the hospital as it currently functions and instead operate an extra-mural hospital service from the same location. Investigations are being undertaken to assess the feasibility of utilizing the hospital as a Rest Home Facility, which would be operated by a trust. Other considerations include the centralisation of all medical services, including general practitioner services.

Council carries out inspections of premises under the Health Act to ensure high standards of hygiene.

(h) Spiritual

There are eight churches in the Borough representing the denominations: Anglican, Assembly of God Fellowship, Baptist, Elim, Jehovah's Witness, Roman Catholic and Union (Presbyterian - Methodist).

(i) Security and Safety

(a) Police

The Borough is served by a sergeant and several constables. The police station is located on Broadway and is backed up from Blenheim in the case of emergency.

(b) Fire Services

The Picton Fire Station is manned by trained volunteer staff and is located between High Street and Auckland Street.

(c) Civil Defence

This is administered by the Borough Council with sector headquarters at Queen Charlotte College. In addition, facilities are able to be offered by the Marlborough Harbour Board to support civil defence operations.

(j) Cemeteries

The main cemetery in Picton now lacks sufficient ground of reasonable slope. There are two small Maori cemeteries in Waikawa to the south of the residential area.

(ii) ISSUES

- (a) possible decreases in the levels and standards of services and facilities;
- (b) need for more cemetery land.

(iii) OBJECTIVES

To ensure that appropriate community services and facilities are available for the district.

(iv) PROPOSALS AND POLICIES

- (a) To encourage the retention of the present levels and standards of services and facilities in the town.
- (b) To provide further land for cemetery in Waikawa.

## 2.9 RECREATION

### (i) BACKGROUND

The concept of recreation can embrace all leisure pursuits from active sports to reading. Some recreational pursuits require areas of land and space, others require facilities, others require programmes and supervisors, and most require public or private funding. The District Scheme provides a basis for the overall provision of land and facilities for recreation, the co-ordination of the use of land and facilities of numerous agencies and persons, and the setting of priorities for recreational developments.

Recreation areas can be held in public or private ownership. Public areas are normally referred to as "reserve", and include land owned or occupied by the Crown or local authorities and available for general public use. Some public areas may be leased to private organisations. Private areas owned by private organisations or individuals may not be freely available for public use. Recreation areas include scenic reserves, recreational reserves, "domains", walkways and small random areas of lawn and trees throughout urban areas.

Facilities for recreation can range from walking tracks and picnic tables to swimming pools and squash courts. Like land, facilities can be held in public or private ownership, sometimes regardless of the ownership of surrounding land (e.g private sports clubrooms on public reserve land).

Programmes include the organised meeting of people for recreation, training and participation (including spectating). These also can be provided privately or publicly.

The various recreation areas, facilities and opportunities available in the Borough are set out in Appendix 9 and these opportunities include: canoeing, fishing, beach and bush walking, water skiing, power boating, swimming, rowing, yachting, pleasure boating, picnicing, camping plus various sporting activities.

There are several statutes relating to the provision of control of recreation resources. The main Acts are the Town and Country Planning Act 1977 and the Reserves Act 1977. The Planning Act applies to all private and public land and the provisions of the District Scheme co-ordinate recreation and facilities throughout the district to avoid duplication and detrimental effects. The Reserves Act 1977 applies to all public reserves (including recreation, historic, scenic, nature, scientific, government purpose and local purpose) and requires management plans to be prepared for most of these reserves in order to indicate how the reserve's purpose will be achieved. Both the preparation of the District Scheme and the preparation of site specific management plans give opportunities for the public to make

submissions.

The 1979 Amendments to the Local Government Act 1974 allow the Council to require contributions towards reserves whenever land is subdivided for urban purposes and when urban building developments are approved. Payment may be made in the form of land to be set aside as a reserve or equivalent cash for acquiring and developing reserves.

(ii) ISSUES

- a. Need for a range of opportunities for areas of new urban development.
- b. Need for small natural areas in established urban areas for informal childrens play etc.
- c. Need for childrens playground in Picton east, Picton south-east, Waikawa west and Waikawa central.
- d. Need for walking routes, for visitors and residents, along foreshores and inter-connecting significant land uses, lookouts and tracks in more difficult terrain.
- e. Need for a separate specially developed recreation/entertainment area near to the Town Centre for activities less relevant to the foreshore.
- f. Need for promotion of the walking routes, facilities and lookouts as tourist attractions.
- g. Sportsfields
- h. Reserves contributions
- i. Needs of visitors and residents using the foreshore and two marinas in the area.

(iii) OBJECTIVES

- a. To ensure an effective allocation and function of recreation resources.
- b. To provide the following range of recreation and open space areas in the proportions indicated:-
  - (i) Natural Areas - relatively unmodified by people's activities, providing habitat for wildlife and visual enhancement, scientific and educational experiences for people (hillslope scenic and recreational reserves);
  - (ii) Walking Routes and Esplanades - to enable residents and visitors to walk along foreshores and between important land uses and points of interest relatively free from vehicular traffic;
  - (iii) Amenity Areas - small areas of grass and trees

within urban development providing visual relief from buildings and roads and places for sitting and informal childrens play; on average one area of about 200m<sup>2</sup> for every neighbourhood of about 30 houses;

- (iv) Picnic Areas - small areas alone or within larger reserves at locations popular for visitors to stop and rest or enjoy scenery; normally provided with tables, water tap and rubbish bins;
  - (v) Playgrounds - areas comprising all or some of the foregoing facilities as well as play equipment for children; on average one such area of about 2,000m<sup>2</sup> for communities of about 400 houses or about 700m apart in urban areas, preferably alongside a corner store or group of shops;
  - (vi) Sportsgrounds - large areas comprising all or some of the foregoing facilities as well as fields, courts and pavillions for formal sports, preferably alongside large schools;
  - (vii) Specialised Recreation - areas or buildings requiring specialised maintenance or administration or where special skills or equipment are required for recreation pursuits, e.g. golf, bowling, squash, motorcross cycling, bumpaboats.
- c. To maintain at least 4ha of Council land per 1,000 people for recreation and amenity purposes, which is in addition to Crown and private land.
  - d. To ensure that any areas or facilities can serve more than one purpose.
  - e. To minimise likely conflicts between recreation activities and neighbouring activities and between different types of recreation in any area.
- (iv) POLICIES:
- a. To "designate" existing and proposed public areas for recreation where their continuance is to be encouraged. (See Planning Maps).
  - b. To "note" any existing public areas where continuance is not considered important.
  - c. To encourage private owners to enter into covenants to protect land of value for recreation under the Reserves Act 1977 and the Queen Elizabeth II Trusts Act 1977.
  - d. To permit private recreation activities and facilities in most areas of the Borough.
  - e. To prepare and maintain Management Plans for Council reserves under the Reserves Act 1977.

- f. To levy reserve contributions on subdivisions and developments to achieve objectives outlined above. (e.g. foreshore reserves).
- g. To support those private organisations which provide and maintain recreational areas and facilities which in Council's opinion supplement public recreation.
- h. To encourage the relevant authorities to make land and facilities at schools available to the general public.
- i. To co-operate with the Marlborough Harbour Board in the provision of services and facilities for people using the marinas in Picton and Waikawa.
- j. To discourage or oppose any development likely to reduce public access and enjoyment of the views and recreation values of and from the main Picton and Waikawa foreshore areas and Shelly beach.
- k. To provide for a new childrens playground alongside a new shopping area in Waikawa (see Commercial Section).
- l. To provide for a visual buffer on the saddle between Picton and Waikawa urban development.
- m. To require Esplanade reserves where land is developed alongside streams and the foreshore, except that:
  - (i) no esplanade reserves will be required along Waikawa Stream from Waikawa Road to the sea;
  - (ii) any esplanade reserve along the Picton or Waikawa shoreline may be reduced to 3m wide with the consent of the Minister of Conservation.
  - (iii) no esplanade reserve will be required along the shoreline of Waikawa Marina.
- n. Council will encourage the vesting of hillside land unsuitable for urban development, as scenic reserve as part of reserves contributions on subdivision or development or under separate negotiations, subject to suitable access being provided.

## 2.10 TOURISM

### (i) BACKGROUND

Picton, a pivotal point in the transportation network of New Zealand, has many hundreds of thousands of travellers and tourists passing through it each year. The town serves as a place where travellers can spend some time while en route to the North Island or other parts of the South Island, as a base for recreation in the Marlborough Sounds, and as a tourist destination in its own right.

Visitors can participate in a variety of activities including fishing, snorkelling, scuba diving, water-skiing, yachting, walking, tramping, launch trips and scenic driving. In addition to its scenic beauty and attractiveness as a base for water-related activities, the Borough has a number of attractions. These include the New Zealand Experience Centre, which features a multi-image film show; Karaka Point scenic and historic reserve; Victoria Domain Drive; Queen Charlotte Drive linking Picton and Havelock; the Smith Memorial Museum; bumper boats; and restored sailing ships, The Edwin Fox and The Echo. Fishermen and sailors can hire dinghies, runabouts, yachts, small diesel launches and trailer sailers.

A large proportion of the visitors to Picton are passengers on the Cook Strait ferry. Of the people who stay in the town for more than a brief stop-over, however, most come by motor vehicle (including motorhome, campervan and rental car). Some travel companies schedule overnight stops for bus passengers in Picton. The town is also visited by boats from other parts of New Zealand and overseas, including cruise ships.

Visitors to Picton and the surrounding region come mainly from Christchurch, Nelson and the Wellington metropolitan area. A survey of ferry passengers carried out in December 1984 found that 50% of the passengers did not stop in Picton, 32% stopped for 3 hours or less, whilst the remaining 18% had stayed in the town for at least one night. Only the latter group made significant use of the Borough's recreational opportunities.

An information centre for tourists operates close to the ferry terminal.

### (ii) ISSUES

- (a) Picton's function as a holiday centre is likely to expand with growth in the number of overseas visitors to the country. Similarly, an increase in campervan and rental car travel gives visitors the opportunity to stay longer in the region. Land use planning procedures provide the means by which local authorities and the tourist industry can act together to meet tourists' requirements and to overcome any difficulties that may arise.



- (b) There is a need to encourage more of the ferry passengers to stay longer in the Borough.
- (c) The provision of a wide range of accommodation types could be a factor in encouraging visitors to stay overnight.
- (d) Promotion of the Borough's tourist attractions and facilities will probably increase the number of overnight visitors.
- (e) Adequate provision must be made for access to and parking at tourist facilities.
- (f) There is a need to provide for (and in some cases upgrade) signposting and information kiosks in the Borough.
- (g) Tourism in Picton has considerable potential given the town's strategic position in the New Zealand transport network. It can also provide community benefits if developed appropriately. To gain these benefits, basic services must be provided which will attract tourist developments.

(iii) OBJECTIVES

- (a) To encourage more visitors to Picton.
- (b) To encourage visitors to stay longer in Picton.
- (c) To support those tourist facilities which contribute to local economic development, where these facilities will not be detrimental to the amenities of a locality.

(iv) POLICIES

- (a) To provide for a wide range of accommodation types.
- (b) To require a high standard of signposting where it is essential to direct the travelling public to available services or facilities.
- (c) To encourage the development of layby and picnic areas in close proximity to main tourist routes.
- (d) To provide for good access to tourist facilities and adequate parking.
- (e) To encourage the development of tourist attractions and facilities.
- (f) To require a high standard of maintenance at public conveniences and to support the development of further conveniences where necessary.
- (g) To provide for helicopter landing sites within the Borough.

- (h) To encourage camping ground and caravan park proprietors to provide sewage facilities which meet the needs of campervans and motor-home travellers.

## 2.11 BUILDING

### (i) BACKGROUND

The Council has By-laws relating to building but these are designed to protect the welfare of the occupants, whereas the welfare of neighbours and the public is protected through the planning ordinances. Where appropriate the Council can control the design and arrangement of buildings including their size, shape, number, position, verandahs and external appearance, to ensure access to daylight, sunlight, open space and views, safe operation of permitted uses, insulation from internally or externally generated noise, access for disabled persons, compatibility with local visual amenities and the avoidance or reduction of danger, damage or nuisance caused by vehicle movement, fire, earthquake, geothermal and volcanic activity, flooding, landslip, subsidence, silting, wind and the emission of light.

Demolition orders can be issued for buildings endangering property or those of poor conditions that are not being adequately maintained. Buildings not conforming to the Scheme can be reconstructed or altered subject to the limitations set out in the Act.

Earthquake risk in the Borough is relatively high in the national context and buildings should be designed to appropriate standards.

There are several alternative ways in which buildings may be owned and/or occupied. A new single building on a vacant existing title may only require a building permit. Further buildings on an existing title to be offered with unit or leasehold titles will require certification by Council in addition to a building permit. Further subdivision of land will require separate approval of Council (see Subdivision Section).

### (ii) ISSUES

- (a) Many of the buildings fronting streets in the commercial core of Picton are low rise and have features such as verandahs which give the town a distinctive character.
- (b) The preservation and enhancement of visual and historical values is particularly important if tourism is to be encouraged in Picton.
- (c) Preservation of views.
- (d) The installation of unsatisfactory solid fuel heaters in dwellings can aggravate the smoke pollution problem experienced at times in the Borough which coincides with temperature inversions in winter.
- (e) Stability of hillside land for building purposes.
- (f) There is sometimes a demand for temporary buildings and

these need to be of adequate standard and be subject to time limits to protect the amenities of the surrounding area.

- (g) There is sometimes a demand to relocate houses into the Borough from elsewhere and these buildings need to be of adequate standard and made compatible with the amenities of the surrounding area.

(iii) OBJECTIVES

- (a) To ensure a reasonable degree of: safety; appearance; energy conservation; sunlight admission; outlook; privacy; access; outdoor living and service space; and nuisance protection from neighbouring uses, whilst ensuring compatibility with public services.
- (b) To enhance and preserve Picton's visual and historic character.

(iv) POLICIES

- (a) To specify for buildings:  
 minimum site area  
 maximum occupation density  
 maximum site coverage  
 minimum yard requirements  
 minimum dimensions for living and service courts  
 maximum height  
 minimum floor level heights and other conditions to avoid flood damage  
 design parameters  
 access and parking requirements including disabled access  
 limits of dispensations and waivers from the above.
- (b) To include special definitions for site; boundaries; yards; living court; service court; site area; coverage; density.
- (c) To provide guidelines for building design with particular regard for energy efficiency and conservation. (Appendix 10).
- (d) To issue demolition orders for buildings endangering property or of very poor condition not being adequately maintained.
- (e) To require every building or dwelling for separate occupation to comply with all the bulk and location, access, parking and landscape standards for the buildings and uses in the relevant zones, regardless of the legal basis for occupation or ownership.
- (f) To require that every new building or development within the Foreshore Amenity Area identified on the Planning Maps be subject to a non-notified application to Council as to design and appearance (see Scheme Statement 2.1 Strategy (iv) Special Areas and Appendix

14).

- (g) To establish a programme and procedures for upgrading buildings to appropriate earthquake standards.
- (h) To ensure that the installation of solid fuel heaters is in accordance with standards set out in the Building By-laws, and that only approved heaters are installed.
- (i) To undertake appropriate steps to ensure that the public is made aware of its responsibilities with respect to pollution control.
- (j) To require Engineering reports on the suitability of land for building purposes on hillsides and supply copies of such reports to the Marlborough Catchment Board.
- (k) To provide for dispensation from normal standards for temporary buildings (refer also Policy 2.4(iv)(h) temporary accommodation).
- (l) To permit relocated houses as controlled uses to ensure that they are finished and landscaped so as not to detract from the amenities of the surrounding area. By-laws also apply to ensure adequate building standards.
- (m) To encourage the retention of sound existing housing stock.

## 2.12 SUBDIVISION

### (i) BACKGROUND

Subdivision is a form of development whereby new parcels of land are created, for which separate certificates of title can be obtained and freely sold. Ideally, subdivision approval should follow use approval so that allotments can be appropriately designed for the specific uses proposed. However, since titles can be used as security for finance, the reverse is the normal sequence of events. Allotments, therefore, need to be designed so as to be large enough or of suitable shape to allow the efficient operation of a variety of probable uses. Subdivision potential depends on use potential and the use potential for land will sooner or later be realised through the process of market forces. However, it is the Council's responsibility to enforce restrictions which are regarded as being in the public interest, but are not taken into account in the working of the market (e.g. economic provision and use of services and facilities).

### (ii) OBJECTIVES

- (a) To ensure that subdivisions will produce new allotments which are suitable in all respects for proposed or likely permitted uses and buildings.
- (b) To ensure the subdivision will enable the quality of the environment in which it takes place to be enhanced.
- (c) To ensure that subdivision on hillsides does not cause land instability.

### (iii) ISSUES

- (a) In Waikawa there are several long and narrow existing sections which have generally been created by partition of Maori land over the years. Further subdivision of those sections would probably not comply with normal standards of section shape, access strips and numbers of rear lots off one access.

### (iv) POLICIES

- (a) To specify minimum (and sometimes average) standards for subdivision, to enable the creation of lots which are large enough to accommodate a wide variety of uses permitted as of right. For approved conditional and other uses, subdivision will be allowed to whatever sized area is appropriate in the circumstances.
- (b) To indicate possible future subdivisional roads (see Transport Section) to enable close subdivision of long and narrow existing sections.
- (c) To notify the National Roads Board when subdivisional roads are to be established.

- (d) To allow subdivision to any areas and dimensions appropriate for any uses or places which have been approved for historic, scientific, scenic, architectural, wildlife and archaeological places, for better utilisation of land, and for conditional uses or specified departure uses.
- (e) To consider dispensations up to 25% in respect of any of the above standards to enable better development of land.
- (f) To require underground reticulation of power and telephone in all new subdivisions.
- (g) To require allotment design to have particular regard for energy efficiency and conservation and protection of views. (Appendix 11).
- (h) To require reserve contributions on subdivisions in terms of the recreation policies outlined in the Recreation Section.
- (i) To require special consideration and design for hillside subdivision to protect land stability and avoid sediment run-off.
- (j) To liase with Marlborough Catchment Board and Regional Water Board on water and soil matters where appropriate.

## 2.13 ADVERTISING AND PROMOTION

### (i) BACKGROUND

The purposes of most outdoor signs are to inform the general public of the availability of goods and services, give notice of a forthcoming event, or to provide directions to traffic and pedestrians. There is a need for a variety of advertising signs but in order to protect the visual amenity and avoid conflicts with traffic safety, some controls are necessary. The provisions of the District Scheme are complementary to the Council's By-laws and both must be considered before a permit or licence for a sign is issued. Information for visitors is very sparse and uncoordinated at present, and there is a need for better guidance if visitors are to be encouraged.

### (ii) OBJECTIVE

(a) To encourage a distinctive high standard of advertising and information signs throughout the Borough and provide for advertising only where it is necessary.

(b) To encourage more visitors to stay longer in the town.

### (iii) POLICIES

(a) To support the operation of an Information Centre and the establishment of lay-by information kiosks at the southern entrance to Picton and on Queen Charlotte Drive.

(b) To support the establishment of signs at the Wairau Rd and Ferry Off-Ramp entrances to the town, providing information as to the range of services available in the town.

(c) To support the production of a Walkers Guide to Picton.

(d) To promote directional signs to special land uses.

(e) To recognise and promote Picton as the "Gateway to the South Island" and the main servicing centre for the Marlborough Sounds.

(f) To support promotion of visitor attractions in the town the documentation of them and making information available to the public.

(g) To pursue the removal of hoardings and redundant signs.

(h) To require applications to be made to Council for all signs.

(i) To assess non-notified applications for signs in terms of the following criteria:



(i) Design and Location

All signs designed to attract the attention of passing motorists shall be sited so that a motorist has time to read and comprehend the message displayed and then undertake any subsequent turning or stopping manoeuvres in safety. The size and location of any sign should not intrude into scenic vistas indicated on the Planning Maps.

(ii) Content

The wording on signs should be kept to a minimum for ease of perception by motorists.

(iii) Lettering

The lettering or symbols on all signs should be bold, concise and easy to read from a moving vehicle. The preferred alphabet style is Helvetica Medium ("X" Height Transport Medium). All signs should meet the following criteria with respect to lettering:

- a. Minimum letter size 150mm.
- b. Minimum vertical gap between lines 50mm.

(iv) Colours

All signs should be generally restricted to two colours only: one colour for the lettering and one for the background. The following colour combinations are recommended:

- black on yellow
- green on white
- red on white
- blue on white
- white on blue
- black on white
- white on green (if reflective).

The Council prefers that signs utilise blue and white combinations for the reason that existing signs in the Borough using these colours have been reasonable effective and the use of these colours does not detract from or conflict with standard road signs. The use of fluorescent or "dayglo" paints and/or colours will not be permitted.

(j) To assess applications for dispensation and notified applications for signs in terms of the following criteria:

- (i) All those criteria set out above for signs under non-notified applications.

- (ii) The likely effect on traffic safety and traffic control and, specifically:
  - a. That it will not create a visual obstruction or tend to distract or cause confusion to the driver of any vehicle.
  - b. That it will not create a situation hazardous to the safe movement or direction of traffic.
  
- (iii) The likely effects on the amenities of the area and whether the sign will be visually inappropriate to the neighbourhood, including:
  - a. The relationship with other signs and structures - the proposed sign should not contribute to a collective effect of clutter in its vicinity. In areas where there is either an overall absence of signs or a common design or theme, a new sign should not detract from the existing character.
  - b. The effect on residential, rural or recreational land; signs should not be obtrusively visible from these areas.
  - c. The scale, form or harmony of signs in relation to the building or place where the sign is to be erected and the immediate area and the wider area within the influence of the sign.
  - d. The size of the sign in relation to the size of the building(s) or site(s) that the sign relates to.
  
- (iv) The need for the sign in providing information for the public and,
  - a. The location of the sign with regard to the use or feature to which it relates. Signs will normally only be permitted on the same property as the use or feature to which they relate.
  - b. The information portrayed on the sign.
  
- (v) The need to comply with a national franchise requirement.

## 2.14 TRANSPORT

### (i) BACKGROUND

#### (a) State Highways

State Highway One passes through the Borough and comprises parts of Wairau Road and Auckland Street. The State Highway is the responsibility of the National Roads Board.

#### (b) Other Roads

These are the responsibility of the Council, except for private roads. Traffic flows are heaviest in Waikawa Road, High Street, Kent Street and Dublin Street.

#### (c) Parking

A parking survey in December 1984, undertaken in conjunction with the Ferry Passenger Survey, indicated that the main parking areas were in lower High Street (93), wharves and marina off Wellington Street (143), Ferry terminal and public launching ramp (208) and the remainder in the central commercial area (226). These spaces serve a variety of needs including shoppers, employees and visitors. The pattern of use indicated that many locals used key spaces for long periods, with the result that visitors often had to park an inconvenient distance from shops and recreation facilities. In the busy shopping hours of the week there was a shortage in parking spaces in the town centre (see Appendix 15).

#### (d) Railway

Picton is the northern terminal for the South Island main trunk railway. Rolling stock is transferred to or from the rail ferry for continued transport either north or south. Approximately 45 freight trains arrive in Picton each week. There is one passenger train per day arriving from and departing to Christchurch.

#### (e) Rail Ferry

Each year the Rail Ferries carry approximately 750,000 passengers and 160,000 vehicles between Picton and Wellington. Half of this traffic is carried between mid December and March, the peak holiday season. A survey in 1984 indicated that only 50% of rail ferry passengers went into the Picton town centre.

#### (f) Air

For air transport Picton is served by Blenheim Airport and the Koromiko aerodrome both licensed by the Civil Aviation Division of the Ministry of Transport, as well as by Float Plane into the Picton Harbour.

There are regular flights to Wellington each day.

(g) Bus

Daily bus services link Picton with Havelock and with Blenheim and Christchurch, Dunedin, Invercargill, Nelson and also Greymouth. In addition, there are several charter bus trips originating from Picton.

(h) Water

The port of Picton handles approximately 2.5 million tonnes of freight each year, the bulk of this being carried by the rail ferries. Regular visits are made by coastal cement vessels supplying the local market and these are expected to continue.

Overseas trade through the port includes tallow, meat, timber and some general cargo. Because of the relatively small volumes of these commodities, there is difficulty attracting vessels to Picton to load small consignments. Presently, much of this export tonnage passes through Picton via the rail ferries, and is aggregated with larger shipments at Wellington, Auckland and other Ports. This pattern of trade is likely to continue. Recent changes to meat exporting practice may see an increase in meat loadouts through Picton. Log trade is expected to be quiet until the mid 1990's when timber exports may increase .

Several launch services for Sounds passengers are based at Picton, and Picton and Waikawa marinas accommodate many private craft.

Marinas - Picton and Waikawa

<u>Waikawa</u>	-	private berths	-	453
	-	moorings	-	233
<u>Picton</u>	-	private berths	-	169
	-	commercial (PO)	-	27
	-	casual (FT)	-	22
	-	moorings	-	33
		TOTAL		<u>937</u>

(ii) ISSUES

- (a) There are several unformed paper roads in Waikawa, and large or narrow blocks of land in fragmented ownership. Separate subdivision of these areas could lead to road and access duplication and reduced convenience and safety levels.

- (b) The volume of activity in rail transport makes an important contribution to the economy of the town by creation of employment.
- (c) Many rail ferry passengers tend to by-pass the town centre.
- (d) Changes to international air services may result in an increase in tourist numbers en-route to Christchurch instead of by-passing Picton and returning to Auckland.
- (e) The amount and location of parking for cars, trailers, boats and trucks (particularly during the peak visitor periods) the incidence of employees using prime spaces for long periods, and the visual and economic impact of areas for vehicle parks.
- (f) The shortage of parking spaces in busy shopping periods of each week reduce the attractiveness and trading levels within the shopping centre.
- (g) If the development of Shakespeare Bay as a port is approved new roading will need to be provided to service it.
- (h) Demand for marina berths continues to exceed supply.

(iii) OBJECTIVES

- (a) To establish and maintain a hierarchy of roading in the town appropriate to road function and the function of areas which they serve.
- (b) To minimise access points onto the main arterial routes.
- (c) To achieve an increase in the proportion of rail ferry passengers visiting the Town Centre.
- (d) To rationalise land and water uses to avoid potential traffic congestion and parking problems.
- (e) To ensure that adequate parking is available for the convenience of businesses and visitors.

(iv) POLICIES

- (a) To indicate the general position of possible future subdivisional roads on the District Scheme Maps. The actual position of these roads will be decided by the subdivider as long as the intention of the possible future roads is recognised.
- (b) To acquire land and construct roads where multiple ownership and proposed roads are preventing any owner from subdividing or developing property and recover costs from subdividing owners who benefit.

- (c) To require provision for vehicle turning in all rear site development and on all sites fronting the State Highway.
- (d) To undertake and encourage improvements to the Town Centre (see Commercial Section).
- (e) To impose and enforce time limits on parking in high demand areas, require appropriate levels of off-street parking for all land uses and to provide off-street public parking areas with pedestrian linkages where warranted by demand.
- (f) To designate land for car parking at the corner of Dublin Street and Auckland Street and to investigate the feasibility of two level parking in the Wellington Street car park area.
- (g) To require a high standard of landscaping for all major car parks.
- (h) To require new road works and driveways to conform to an hierarchy of standards (see Appendix 16).
- (i) To introduce a Change to the District Scheme to enable full consideration of roading proposals associated with any port development in Shakespeare Bay.
- (j) To support further marina development in Waikawa Bay to the northwest of Waikawa Stream, (with adequate safeguards) and in Shakespeare Bay well removed from existing wetlands.

## 2.15 UTILITIES

### ENERGY

#### (i) BACKGROUND

##### (a) Electricity

Supply of electricity is the responsibility of the Marlborough Electric Power Board. Supply is available throughout the Borough and can be provided to land not currently serviced. Many supply lines have been placed underground.

##### (b) Petrol, Diesel and Oil

Supply is provided by private oil companies at four service stations within the Borough.

##### (c) L.P.G.

Installations and supply are provided by private gas companies. At present only one of the four service stations in Picton dispenses L.P.G., although there are several private supply tanks of various sizes.

#### (ii) ISSUES

Reliable supplies, safety, range of alternatives.

#### (iii) OBJECTIVE

To provide for all energy alternatives ensuring visual and safety compatibility.

#### (iv) POLICIES

- (a) To give careful consideration to the storage of L.P.G. over 1 tonne in capacity.
- (b) To require underground reticulation of electricity in new subdivisions.
- (c) To encourage the underground reticulation of electricity in areas of special historical and landscape importance.

### WATER SUPPLY

#### (i) BACKGROUND

The Esson Valley catchment supply (formerly used by the Freezing Works) now supplements the Town supply from Speeds Valley (as of Spring 1985). This is used when flow levels are appropriate and results in reduced pumping time and significant savings in electricity charges.

(ii) ISSUES

Pumping and treatment costs, reliability and quantity of supply.

(iii) OBJECTIVE

To ensure adequate and efficient supply for existing and likely future development.

(iv) PROPOSAL

It is Council's intention to upgrade the treatment of the Esson Valley catchment supply to enable its extended use over variable conditions and hence further reduce the pumping costs attendant with the Speeds Valley supply.

**SEWAGE DISPOSAL**(i) BACKGROUND

Sewage from the old Borough is discharged into the waters of Picton Harbour off Kaipupu Point between Shakespeare Bay and Picton. There are no quality classifications under the Schedules of the Water and Soil Conservation Act 1967 for the receiving waters. The discharge is authorised by a water right but this expires in December 1989.

The Waikawa sewerage reticulation scheme has been recently completed.

(ii) ISSUES

Septic tank problems, pressure for more urban development, and eventual treatment plant for town sewage.

(iii) OBJECTIVE

To provide reticulation to all parts of the Borough suitable for urban development and to ensure that sewage is treated and disposed to acceptable standards.

(iv) PROPOSAL

A sewage treatment works is proposed to be sited near Gravesend Place designed to serve the summer peak population.

**STORMWATER**(i) BACKGROUND(ii) ISSUES

Rainfall in Picton is relatively substantial and stormwater sometimes results in scouring of land and damage to property. Stormwater run-off can also contaminate the



natural water by various pollutants.

(iii) OBJECTIVE

To ensure adequate control of stormwater.

(iv) POLICY

It is Council's intention to upgrade the stormwater system wherever this becomes necessary. Approvals for the discharge of stormwater runoff from subdivisions, and for any developments which may aggravate soil erosion by stormwater will require authorisation under the Marlborough Catchment Board and Regional Water Board Water Rights, Bylaw Dispensations and Section 34 Notice permits. Council may also obtain the advice of the water and soil Divisions, D.S.I.R. regarding approval for any subdivision where there is likely to be increased soil erosion or uncontrolled stormwater run-off. Council may then place any conditions it sees fit on the control of stormwater and erosion in the subdivision. Council will encourage the provision of traps for toxic wastes.

REFUSE DISPOSAL

(i) BACKGROUND

This is the responsibility of Council. Rubbish is collected weekly, each Monday, by a contractor and deposited in the landfill site near Gravesend Place. This tip also serves the whole of Queen Charlotte Sound.

(ii) ISSUE

Landfill site has limited capacity.

(iii) OBJECTIVE

To provide regular collection and appropriate disposal facilities for refuse generated in the Borough.

(iv) POLICY

- (a) The Gravesend Place landfill site is very limited and alternatives sites are being investigated.
- (b) To encourage the Marlborough United Council to deal with the collection and disposal of toxic wastes.
- (c) Council will collect data to determine annual rates of refuse generation to assist in projecting future disposal requirements.

HAZARDOUS SUBSTANCES(i) BACKGROUND

Some hazardous substances are used in the Borough and can enter the sewerage system or stormwater system from residential areas as well as industrial and commercial areas, or deposit directly into the sea.

In particular antifouling paints that contain organotins are being used on boats in the area. There is growing international concern about the biological consequences of these substances.

(ii) OBJECTIVE

To avoid environmental pollution.

(iii) POLICIES

- (a) To encourage the Marlborough United Council to deal with the use, collection and disposal of hazardous materials.
- (b) To discourage the use of hazardous substances.
- (c) To encourage or require those having to use such materials to contain, handle, treat and dispose of such substances in accordance with accepted methods (See Appendix 25).

## 2.16 ITEMS OF INTEREST

### (i) BACKGROUND

The Borough has many buildings, objects and areas of architectural, historic, scientific, visual or other interest and trees, bush, plants, landscape and areas of scientific, wildlife, visual or other interest, that are worthy of preservation or conservation. It is essential that those features are retained because they contribute to the identity, heritage, richness, and variety of Picton.

There are several examples in Picton of how buildings with significant links to the past have found new uses or have been conserved to the benefit of owners, occupiers and the general public. These include the Post Office, the Railway Station, the Fifth Bank building and the former Police Station/jail as well as numerous private residences.

These successes must be set against the cases where historic buildings of equal importance have been lost to redevelopment. A notable example is the loss of the Perano homestead in Waikawa Road.

The Department of Conservation, under the provisions of the Conservation Act 1987, Section 6, is responsible for the management of "all land and all other natural and historic resources held under the Act and all other land and natural and historic resources whose owner agrees with the Minister that they should be managed by the Department."

The Historic Places Act, 1980 gives the New Zealand Historic Places Trust the authority to protect historic buildings, but their activities are limited to protecting those which have national significance. Some items in Picton are of national significance and are protected under the Historic Places Act 1980. In addition, the Trust maintains a register of archaeological sites, defined under the Historic Places Act, as places associated with human activity more than 100 years ago. The Trust may request the council to record any historic or archaeological site in the District Scheme. The Trust ranks the importance of nationally significant items into four categories - A, B, C and D. It also has a list of criteria to take into account in assessing any item for protection.

Other items are of local rather than national significance and these may be given protection under the District Planning Scheme administered by the Council. The Council is also able to rank the importance of items and afford them different levels of protection. The criteria which Council has used to assess items for protection are included in Appendix 12 for information purposes.

Items of interest need to be reassessed from time to time so that as time passes new items can be protected and older or scarcer items can be given more protection.

(ii) OBJECTIVE

To identify and protect items which are of particular importance or significance to the natural and historical heritage of Picton.

(iii) POLICIES

- a) To list in Appendix 12, and to indicate on the Planning Maps, all those items which the New Zealand Historic Places Trust has requested be listed as having national significance.
- b) To assess items of local significance in terms of set criteria.
- c) To define three levels of protection for items of local significance, related to the importance of those items and the rights of owners to use and develop their property.

i) Category LA - Preservation Essential

The item warrants permanent preservation because of its exceptional significance to Picton. Council would be unlikely to approve any significant alteration but would take steps to arrange compensation or acquisition if the owners rights are unreasonably restricted.

ii) Category LB - Preservation Desirable

Preservation of the item is encouraged. Council will be more flexible regarding significant alterations.

iii) Category LC - Records Required

Preservation is not essential as long as details are recorded. These items would not have protection under the Scheme but are listed so that records can be required.

- d) To list in Appendix 12, and to indicate on the planning maps, all items in Categories LA, LB and LC for protection under the District Scheme.
- e) To require applications for any significant alteration to any item listed.
- f) To specify procedures for the demolition, modification or removal of any item listed.
- g) To consider favourably proposed uses of protected items which may not be permitted as of right in the zone concerned but which will encourage preservation and maintenance of the item.

**PART 3 ORDINANCES****3.1 RURAL ZONE**

See Part 2 of this District Scheme for relevant policies.

**3.1.1 USES**

Subject to compliance with the General Ordinance for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

**(a) Predominant Uses**

Subject to compliance with clause (c) below the predominant uses shall be:

- (i) Conservation, coppice firewood or amenity forestry provided that no tree or group of trees shall be planted or allowed to grow in any position where it would be likely to:
  - (a) shade a public road in a manner likely to cause icing; or
  - (b) restrict the visibility of drivers within 20m of an intersection; or
  - (c) damage power or telephone lines if blown over or felled by any other means; or
  - (d) obstruct or cause to obstruct water flowing or likely to flow in natural channels.
- (ii) Reserves for passive recreation.

**(b) Conditional Uses**

- (i) Farming and commercial forestry.
- (ii) The quarrying, winning and processing of materials occurring naturally in the vicinity.
- (iii) Cemeteries and crematoria.
- (iv) Accessory buildings used solely for the purposes of agriculture, or used for a purpose which is accessory to the use of the land in the locality for agricultural purposes, such accessory uses being farm houses, farm workers' houses or farm buildings essentially required to be sited on the farm in the interest of the efficient working of the farm; or temporary buildings to be used solely for the purposes of afforestation or quarrying of the land within which the building is sited.
- (v) Reserves and other land used for active recreation.

(c) Special Conditions Relating To All Permitted Uses

- (i) No development involving earthworks or building shall be permitted above the 90m natural contour level (above mean sea level) provided that development up to the 120m natural contour level may be permitted in any large natural and well defined valley.
- (ii) Where any use includes any of the following, the consent of Council to a non-notified application shall be required prior to the use being established or the activity being commenced. Council may at its discretion require modification of the particular use, development or building or may impose conditions to protect the visual amenities of the area or to preserve trees, areas of bush or other vegetation or natural landscape:
- (a) The disturbance of natural drainage patterns;
  - (b) The making of any excavation, mine or quarry;
  - (c) The clearing or burning of native vegetation;
  - (d) The making of any road or track.
- (iii) The sites of excavations, heaps, dumps, spoil or other materials at any workings or plant which cause or are likely to cause nuisance to neighbours, damage to property or disfigurement to the countryside shall be maintained so as to prevent noise, dust, smell, vibration or other nuisance, and shall be progressively restored to a reasonably natural state by levelling or back filling where possible, and by the planting of grass or trees, and on completion of work by the removal of plant and buildings, and such rehabilitation of the land as the Council thinks fit.

3.1.2 BUILDINGS(a) General

The General Ordinance for Buildings (3.12) shall apply.

(b) Requirements For All Permitted Uses

	<u>Residential Buildings</u>	<u>Other Buildings</u>
Front Yards - Minimum Depth	8m	15m
Rear Yards - Minimum Depth	8m	15m
Side Yards - Minimum Width on each side	5m	12m
Maximum permitted height	6m	6m

3.1.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

3.1.4 PARKING, LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access (3.14) shall apply.

3.1.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.2 RESIDENTIAL A ZONE (LOW DENSITY)

See Part 2 of this District Scheme for relevant policies.

#### 3.2.1 USES

Subject to compliance with the General Ordinance for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

##### (a) Predominant Uses

- (i) Residential uses in dwelling units, and visitor accommodation in dwelling units where such visitors are employees of the company owning the accommodation.
- (ii) Reserves for passive recreation.
- (iii) Home based occupations or pursuits provided that:
  - (a) the principal use of the site shall be for residential purposes;
  - (b) the use or storage of plant and materials having noxious properties of noise, smoke, smell, effluent, vibration, dust, glare, or other dangerous properties shall not be permitted;
  - (c) the selling of goods or services shall not be permitted on the site;
  - (d) the persons engaging in any activity must reside on the site and no employment of labour is to be carried out on the site;
  - (e) uses attracting significantly more traffic than a household unit shall not be permitted;
  - (f) any activity and storage shall be screened from roads and neighbouring properties.
- (iv) Buildings accessory to any predominant use on the site.
- (v) Farming of any kind except the housing of or keeping in any building or enclosure, pigs, opossums, fitch or goats or more than 2 dogs or more than 12 poultry or rabbits, or more than a density of 8 livestock units per hectare of any other animals within 20m of any residential building on the site or any boundary of the site (see Appendix 17).
- (v) Licensed premises on lots 1 and 2 D.P. 1836 and 2059 m2 on D.P. 716 (Nelson Square) subject to bulk and location and site layout requirements specified for predominant uses in Travellers Accommodation zones in addition to other relevant requirements in this District Scheme.
- (vi) Commercial garage and service station on lots 1 and 2 D.P. 2884 Wairau Road subject to coverage, yard and height requirements specified for predominant uses in



the Industrial A zone in addition to other relevant requirements of this District Scheme, provided that the commercial garage shall not exceed 500 m<sup>2</sup> and no machinery, panelbeating or painting shall be carried out.

(b) Controlled Uses (Waikawa Marae)

The following shall require non-notified applications to Council to be accompanied by a Development Plan for the whole Marae area showing: existing, proposed and possible development and where applicable staging of development; provision of services; access and parking; amenity planting and landscaping; and the location, design theme and layout of buildings.

- (i) Wharehui (meeting houses).
- (ii) Wharekai (dining halls).
- (iii) Churches and Church services.
- (iv) Community halls, rooms and buildings for cultural and recreational purposes.
- (v) Child care premises.
- (vi) Kaumatua (housing for the elderly).
- (vii) Kokiri (training and tuition centre).
- (viii) Residential uses in dwelling units and visitor accommodation in dwelling units.
- (ix) Recreation, both active and passive.
- (x) Tangihanga (funerals).
- (xi) Wanaonga (seminars).
- (xii) Hui (socials).
- (xiii) Te Kohanga Reo (preschool language).
- (xiv) Marae accommodation.
- (xv) Hostel and Training centre with medical unit.
- (xvi) Marae based occupations or pursuits subject to conditions applying to home based occupations as a predominant use except that goods made on the Marae may be sold from the Marae.
- (xvii) Urupa (burial grounds).
- (xviii) Farming of any kind including market gardens.
- (xix) Temporary buildings and uses.

- (xx) Accessory buildings for any of the foregoing including ablution blocks.

(c) Conditional Uses

- (i) Accommodation buildings not permitted as predominant uses.
- (ii) Visitor accommodation in dwelling units not permitted as predominant uses, provided that such uses are under the control of a resident caretaker.
- (iii) Churches and places of public or private worship.
- (iv) Museums, art galleries, libraries, nurseries, play centres, and educational establishments, including boarding houses, and hostels used in connection with those uses.
- (v) Residential institutions, including hostels, public and private hospitals, health clinics, nursing homes, convalescent homes, boarding schools and charitable institutions but not premises used for the accommodation or treatment of animals.
- (vi) Reserves and other land used for active recreation.
- (vii) Groups of garages or parking spaces for hire.
- (viii) Public parking areas.
- (ix) Camping grounds.
- (x) Shops for sale of groceries and dairy products either alone or in conjunction with residential accommodation.
- (xi) Home based occupations or pursuits not complying with criteria specified for such uses as predominant uses.
- (xii) Housing for the elderly or indigent.
- (xiii) Works of public utilities not deemed to be predominant by Section 64 of the Act.
- (xiv) Farming not complying with criteria specified for such uses as predominant uses.
- (xv) Buildings accessory to any conditional use on the site.

3.2.2 BUILDINGS

(a) General

The General Ordinance for Buildings (3.12) shall apply.

(b) Requirements For Predominant Uses -

- (i) Maximum density 150 persons per hectare.
- (ii) Maximum coverage 35%.
- (iii) Front Yard Minimum Depth 5m.
- (iv) All Other Yards shall be at least 2m provided that:
  - a. Where units are joined by an approved party wall complying with the Borough By-laws no yard shall be required; and
  - b. There shall be a driveway at least 3m wide and 4.5m long within the site boundaries providing access to a garage or parking space, unless Council has approved a joint garaging or parking area for the unit.
- (v) Site Layout  
At least 25% of the nett area of any site shall be grassed, planted in trees or shrubs or given some other form of vegetative cover.
- (vi) Maximum Height (see Interpretation Ordinance 3.17) shall be 7m provided that no part of any building shall penetrate a 40° recession surface (see Appendix 18) originating 2.5 metres above the ground level along each boundary except any part of a boundary covered by an approved party wall.
- (vii) Service Court minimum dimension in any direction 3.5m.
- (viii) Living Court minimum dimension in any horizontal direction 4.0m.
- (ix) Court Access - Every service court and living court must be provided with an unobstructed path or driveway of not less than 1.2m wide and 2.4m high from a street or service lane.
- (x) Site Dimension minimum dimension in any direction 15m.
- (xi) Site Area minimum area (exclusive of access) 300m<sup>2</sup>.
- (xii) Accessory Buildings - No accessory building shall have a side of more than 8m.

(c) For Conditional Uses

Standards for conditional uses shall not seek a relaxation of the standards for predominant uses by more than 20% of the standard concerned.

Nothing in this Section shall prevent the Council in the

case of conditional uses requiring the amount of planting to be increased:

- (a) where additional landscaping would act to preserve more adequately the amenity of adjoining and adjacent owners;
- (b) where additional landscaping would significantly enhance the amenity of the neighbourhood;
- (c) where for reasons of site size, slope or orientation, or building design or location, or the extra density of use on the site pursuant to a conditional use application, the extra landscaping is needed to ameliorate the effect of the proposed use on the neighbourhood.

### 3.2.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

### 3.2.4 PARKING, ACCESS AND LOADING

The General Ordinance on Parking, Access and Loading (3.14) shall apply.

### 3.2.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.3 RESIDENTIAL B ZONE (MEDIUM DENSITY)

See Part 2 of this District Scheme for relevant policies.

#### 3.3.1 USES

Subject to compliance with the General Ordinance for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

##### (a) Predominant and Controlled Uses

The predominant uses shall be as follows, provided that where any such use is on land indicated on the Planning Maps as Foreshore Amenities Area, that use shall be a controlled use requiring a non-notified application to Council for consideration of appropriate conditions in terms of the objectives and policies in the Scheme for that area (see Scheme Statement Strategy 2.1 (IV)):

- (i) Residential uses in dwelling units, and visitor accommodation in dwelling units under the control of a resident caretaker.
- (ii) Reserves for passive recreation.
- (iii) Home based occupations or pursuits provided that:
  - (a) the principal use of the site shall be for residential purposes;
  - (b) the use or storage of plant and materials having noxious properties of noise, smoke, smell, effluent, vibration, dust, glare, or other dangerous properties shall not be permitted;
  - (c) the selling of goods or services shall not be permitted on the site;
  - (d) the persons engaging in any activity must reside on the site and no employment of labour is to be carried out on the site;
  - (e) uses attracting significantly more traffic than a household unit shall not be permitted;
  - (f) any activity and storage shall be screened from roads and neighbouring properties;
- (iv) Buildings accessory to any predominant use on the site.
- (v) Boat building and boat maintenance on lot 2 D.P.2932 comprising 1907m<sup>2</sup> and Section 9E Blk VIII Linkwater S.D. (Jorgensens Boatyard Waikawa).

##### (b) Conditional Uses -

The conditional uses shall be:

- (i) Visitor accommodation in travellers units under the control of a resident caretaker.
- (ii) Accommodation buildings not permitted as predominant

uses.

- (iii) Churches and places of public or private worship.
- (iv) Museums, art galleries, libraries, nurseries, play centres and educational establishments, including boarding houses and hostels used in connection with those uses.
- (v) Residential institutions, including hostels, public and private hospitals, health clinics, nursing homes, convalescent homes, boarding schools and charitable institutions, but not premises used for the accommodation or treatment of animals.
- (vi) Reserves and other land used for active recreation.
- (vii) Groups of garages or parking spaces for hire.
- (viii) Public parking areas.
- (ix) Shops for sale of groceries and dairy products either alone or in conjunction with residential accommodation.
- (x) Home based occupations or pursuits not complying with criteria specified for such uses as predominant uses.
- (xi) Works of public utilities not deemed to be predominant by Section 64 of the Act.
- (xii) Market gardens and nursery gardens and farming of any kind.
- (xiii) Buildings accessory to any conditional use on the site.

### 3.3.2 BUILDINGS

#### (a) General

The General Ordinance for Buildings (3.12) shall apply.

#### (b) Requirements For Predominant And Controlled Uses

- (i) Maximum Density 250 persons per hectare.
- (ii) Maximum Coverage 45%.
- (iii) Front Yard Minimum Depth 5m.
- (iv) All Other Yards shall be at least 2m provided that:
  - (a) Where units are joined by an approved party wall complying with the Borough By-laws no yard shall be required; and
  - (b) There shall be a driveway at least 3m wide and

4.5m long within the site boundaries provided access to a garage or parking space, unless Council has approved a joint garaging or parking area for the unit.

- (v) Site Layout  
At least 15% of the nett area of any site shall be grassed, planted in trees or shrubs or given some other form of vegetative cover.
- (vi) Maximum Height (see Interpretation Ordinance 3.17) shall be 7m provided that no part of any building shall penetrate a 40° recession surface (see Appendix 18) originating 2.5m above the ground level along each boundary except any part of a boundary covered by an approved party wall; provided further that for predominant use (v) above the maximum height limit shall be 9m instead of 7m and the recession surface origin shall be 3m instead of 2.5m.
- (vii) Service Court - minimum dimension in any direction 3.5m.
- (viii) Living Court - minimum dimension in any horizontal direction 4.0m.
- (ix) Court Access - Every service court and living court must be provided with an unobstructed path or driveway of not less than 1.2m wide and 2.4m high from a street or service lane.
- (x) Accessory Buildings - no accessory building shall have a side of more than 8m along any boundary of any site.

(ii) For Conditional Uses

Standards for conditional uses shall not seek a relaxation of the standards for predominant uses by more than 20% of the standard concerned.

Nothing in this section shall prevent the Council in the case of conditional uses requiring the amount of vegetative cover to be increased:

- (a) where additional landscaping would act to preserve more adequately the amenity of adjoining and adjacent owners;
- (b) where additional landscaping would significantly enhance the amenity of the neighbourhood;
- (c) where for reasons of site size, slope or orientation, or building design or location or the extra density of use on the site pursuant to a conditional use application, the extra landscaping is needed to ameliorate the effect of the proposed use on the

neighbourhood.

3.3.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

3.3.4 PARKING, LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access (3.14) shall apply.

3.3.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.



### 3.4 RESIDENTIAL C ZONE (Restricted Building)

See Part 2 of this District Scheme for relevant policies.

#### 3.4.1 USES

Subject to compliance with the General Ordinances for Uses and Developments (3.11) and other relevant provisions of the Scheme, in particular Building Controls set out below, the permitted uses shall be:

##### (a) Predominant And Controlled Uses

These shall be the same as the predominant and controlled uses of the zone nearest to the subject site and on the same side of Waikawa Stream.

##### (b) Conditional Uses

These shall be the same as the conditional uses of the zone nearest to the subject site and on the same side of Waikawa Stream.

#### 3.4.2 BUILDINGS

##### (a) General

The General Ordinance for Buildings (3.12) shall apply.

##### (b) Requirements for Permitted Uses

These shall be the same as for the zone nearest to the subject site and on the same side of Waikawa Stream, provided that the following further requirements shall apply notwithstanding anything to the contrary specified for that zone:

##### (i) Stream Set Back

No person shall erect any building within 7.3m of the top of the Waikawa Stream bank.

##### (ii) Floor Levels

All buildings proposed within the zone shall be sited and designed to comply with the minimum floor level specifications indicated on plans held by the Council.

#### Notes

1. The design and construction of buildings within this zone will be subject to the Council's requirements under Section 641 of the Local Government Act.
2. All applications for building permits will be referred to the Marlborough Catchment Board for recommendations.

3.4.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

3.4.4 PARKING, LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access (3.14) shall apply

3.4.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.5 RESIDENTIAL S ZONE (Hillsides)

See Part 2 of this District Scheme for relevant policies.

#### 3.5.1 USES

Subject to compliance with the General Ordinances for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

##### (a) Predominant Uses

Subject to compliance with Clause (c) below, the predominant uses shall be:

- (i) Reserves for passive recreation.
- (ii) Maintenance of trees and shrubs for soil protection and visual amenity purposes only.
- (iii) Dwelling units provided that:
  - (a) each dwelling unit is the only unit on an allotment approved for subdivision by Council in terms of the subdivision ordinances for Residential S Zones;
  - (b) where appropriate access to be sealed and of a grade not exceeding 1 in 4 (14°).
- (iv) Buildings accessory to the use of buildings or land for any predominant use authorised by or under the District Scheme for that site.

##### (b) Conditional Uses

These shall be those predominant and conditional uses contained in the Residential A Zone which are not included as predominant uses stated for the Residential S Zone above.

##### (c) Special Conditions Relating To All Permitted Uses

- (i) No development involving earthworks or building shall be permitted above the 90m natural contour level (above mean sea level) provided that development up to the 120m natural contour level may be permitted in any large natural and well defined valley.

#### 3.5.2 BUILDING

Building requirements shall be the same as for Residential A zones except that the minimum nett site areas in Residential S zones shall be 800 square metres.

3.5.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

3.5.4 PARKING, LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access (3.14) shall apply

3.5.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.6 TRAVELLERS ACCOMMODATION ZONE

See Part 2 of this District Scheme for relevant policies.

#### 3.6.1 USES

Subject to compliance with the General Ordinances for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

##### (a) Predominant and Controlled Uses

The predominant uses shall be as follows, provided that where any such use is on land indicated on the Planning Maps as Foreshore Amenities Area, that use shall be a controlled use requiring a non-notified application to Council for consideration of appropriate conditions in terms of the objectives and policies in the Scheme for that area (see Scheme Statement Strategy 2.1 (IV)):

- (i) Visitor accommodation in Travellers Units.
- (ii) Accommodation Buildings.
- (iii) Buildings accessory to the use of buildings or land for any predominant use authorised by or under the District Scheme for that site.
- (iv) Reserves for passive recreation.

##### (b) Conditional Uses

- (i) Licensed Premises.
- (ii) Resident and visitor accommodation in dwelling units subject to the service court, living court, access, and yard requirements specified in Residential B zones.
- (iii) Comprehensive developments on sites not less than 3000m<sup>2</sup> in area.
- (iv) Buildings accessory to the use of buildings or land for any conditional use authorised by or under the District Scheme for that site.

#### 3.6.2 BUILDINGS

##### (a) General

The General Ordinance for Buildings (3.12) shall apply.

- ##### (b) Requirements For Predominant and Controlled Uses
- the normal bulk and location requirements shall be:

- (i) Maximum Density 350 persons per hectare.
- (ii) Maximum Coverage 55%.

- (iii) Front Yard minimum depth 5m.
- (iv) All Other Yards shall be at least 3m and shall relate to the complex as a whole rather than each unit or defined portion provided that yards to boundaries adjoining Residential zones shall contain a 2m planted strip.
- (v) Maximum Height (see Interpretation Ordinance 3.17) shall be 12m provided that no part of any building shall penetrate a 40° recession surface (see Appendix 18) originating 3 metres above the ground level along each boundary except any part of a boundary covered by an approved party wall.

(c) For Conditional uses

Standards for conditional uses shall not seek a relaxation of the standards for predominant uses by more than 20% of the standard concerned.

3.6.3 SUBDIVISION

In addition to relevant provisions of Ordinance 3.13 subdivision for predominant uses shall be for allotments at least 1012m<sup>2</sup> in area having frontage of at least 15m. Standards for any conditional use shall be set by Council when approval to that use is given.

3.6.4 PARKING, ACCESS AND LOADING

The General Ordinance on Parking, Access and Loading (3.14) shall apply.

3.6.5 ADVERTISING

In addition to relevant provisions of Ordinance 3.15 no sign or hoarding shall be erected or displayed in any Travellers Accommodation zone so as to be obtrusively visible from a Residential zone.

3.6.6 SITE LAYOUT

(i) Planting

At least 10% of the nett area of land occupied by a permitted use shall be grassed, planted in trees or shrubs or given some other form of vegetative cover. Nothing in this section shall prevent the Council in the case of conditional uses requiring the amount of planting to be increased:

- (a) where additional landscaping would act to preserve more adequately the amenity of adjoining and adjacent owners;
- (b) where additional landscaping would significantly enhance the amenity of the neighbourhood;

- (c) where for reasons of site size, slope or orientation, or building design or location, or the extra density of use on the site pursuant to a conditional use application, the extra landscaping is needed to ameliorate the effect of the proposed use on the neighbourhood.

### 3.7 COMMERCIAL ZONE

See Part 2 of this District Scheme for relevant policies.

#### 3.7.1 USES

Subject to compliance with the General Ordinances for Uses and Developments (3.11) and other relevant provision of the Scheme, the permitted uses shall be:

##### (a) Predominant And Controlled Uses

The predominant uses shall be as follows, provided that where any such use is on land fronting that part of High Street north of Waikawa Road/Dublin Street, or on land included within the Foreshore Amenity Area, that use shall be a controlled use requiring a non-notified application to Council for consideration of appropriate conditions in terms of the objectives and policies in the Scheme for the Town Centre Area (see Appendix 13) or the Foreshore Amenities Area (see Strategy 2.1 (IV)), provided further that in the Waikawa Commercial Zone only the uses in items (x) and (xiii) shall be Predominant and Controlled Uses, the remainder shall be Conditional uses.

- (i) Shops.
- (ii) Cafes, coffee bars and restaurants.
- (iii) Professional, commercial and administrative offices, post offices and banks.
- (iv) Libraries, museums and art galleries.
- (v) Licensed premises.
- (vi) Theatres, halls and other places of assembly or entertainment.
- (vii) Churches, church halls and other places of public or private worship.
- (viii) Travellers units and accommodation buildings subject to bulk and location and site layout requirements for predominant uses in Travellers Accommodation zones.
- (ix) Dentists' and doctors' surgeries, medical centres.
- (x) Reserves and other areas for active or passive recreation.
- (xi) The storage, servicing, maintenance and repair of boats.
- (xii) Buildings accessory to the use of buildings or land for any predominant use.
- (xiii) Boat brokerage, charter boat hire, chandlery and sail



- making.
- (xiv) Residential accommodation associated with any predominant use.

(b) Conditional Uses

The conditional uses shall be:

- (i) In the Waikawa Commercial Zone, all uses listed above as Predominant and Controlled Uses except for items (x) and (xiii), shall be conditional uses.
- (ii) Service stations, motor vehicle showrooms, motor vehicle sales yards and motor vehicle hire premises.
- (iii) Commercial garages for running repairs to vehicles, where the floor space does not exceed 300m<sup>2</sup> and where there is combined on the same site one or more of the following:
- (a) a service station;
  - (b) a motor vehicle showroom;
  - (c) a motor vehicle sales yard with a permanent office building having a floor area of at least 30m<sup>2</sup>.
- (iv) Fire stations, electrical substations, transformers, drainage and pumping stations, bus terminals and shelters, structures of public utility.
- (v) Parking lots and parking buildings.
- (vi) Residential accommodation associated with any conditional use.
- (vii) Buildings accessory to use of buildings or land for any conditional use authorised by or under the District Scheme for that site at that time.
- (viii) Boat building.
- (ix) Premises for the retail sale of fuels and lubricants for pleasure yachts and other light craft.
- (x) Hire showrooms.
- (xi) Warehouses for the storage of goods used in connection with any permitted use in the zone.
- (xii) Any predominant use or development which fails to meet any or all of the requirements set out in clause (c) below or any Outline Development Plan for the zone.

(c) Requirements For All Permitted Uses

- (i) Where residential accommodation is associated with any use such accommodation shall provide a minimum

living court for the exclusive use of the occupier of the accommodation of not less than 25m<sup>2</sup>.

- (ii) No operation shall be carried out which will cause pollution of natural waters by the discharge of trade wastes, rubbish or other debris.
- (iii) No accumulation of timber, baulks, dunnage or other materials will be permitted around the buildings on the foreshore which will detract from the amenities through unsightliness.

### 3.7.2 BUILDINGS

#### (a) General

The General Ordinance for Buildings (3.12) shall apply.

#### (b) Requirements For Predominant And Controlled Uses

##### (i) Height, Bulk and Location

- (a) Maximum height (see Interpretation Ordinance 3.17) shall be 12m provided that no part of any building shall penetrate a 40° recession surface (see Appendix 18), originating 9.5m in the Picton zone or 6m in the Waikawa zone, above the ground level along each boundary except any part of a boundary covered by an approved party wall.
- (b) Rear yards - minimum depth 7m if adjoining a residential zone.
- (c) Side yards - minimum width of each side 5m on each side which adjoins a residential zone.
- (d) Coverage - 80% for buildings including those where only one residential unit is contained provided that coverage may be increased up to 100% where Council considers that adequate open space for residential units is provided and that rear access servicing requirements are met. 60% for buildings containing other residential accommodation unless otherwise specified.

Provided that additional site coverage may be permitted by Council for a carport not exceeding 2.5m in height to be used exclusively for the garaging of vehicles registered as private motor vehicles or goods service vehicles not being heavy vehicles.

##### (ii) Special Requirements in Waikawa

The following additional requirements apply in the Commercial zone at Waikawa:

##### (i) Stream Set Back

No person shall erect any building within 7.3m of the top of the Waikawa Stream bank.

(ii) Floor Levels

All buildings proposed within the zone shall be sited and designed to comply with the minimum floor level specifications indicated on plans held by the Council.

Notes:

1. The design and construction of buildings within this zone will be subject to the Council's requirements under Section 641 of the Local Government Act.
2. All applications for building permits will be referred to the Marlborough Catchment Board for recommendations.

(iii) Landscaping

Where a commercial site adjoins a Residential zone, an area of landscaping not less than 2.0 metres deep shall be provided and maintained to the satisfaction of Council along that boundary.

(iv) Verandahs

- (a) Every building in the Commercial Zone fronting a legal road shall, on its erection, reconstruction, or alteration, be provided with a verandah, provided that Council may grant a dispensation or waiver of this requirement:
  - (i) if it is satisfied that the amount of pedestrian traffic is insufficient to necessitate a verandah, or
  - (ii) for service stations which provide a canopy providing a similar level of shelter.
- (b) Every verandah required to be provided shall, as far as is practicable, conform with adjoining verandahs in regard to height, width, and depth of fascia, unless otherwise directed or permitted by the Council.
- (c) Every such verandah, or part of a verandah shall be erected to a height of not less than 2.9 metres or more than 3.5 metres above the level of the kerb of the footway. It shall extend from the supporting building to a distance of 0.45 metres inside a vertical line drawn from the face of the kerb unless otherwise directed or permitted by the Council. Where street widening is proposed this vertical line shall be drawn from the face of the future kerb line.
- (d) The depth of fascia of the verandah shall be not less than 0.3 metres nor more than 0.45 metres in depth unless otherwise approved by the Council.

(e) No verandah shall be structurally supported by posts (ornamental posts are encouraged).

(f) The construction of every verandah shall be in accordance with the relevant Council Bylaws.

(c) Requirements For Conditional Uses

The standards for conditional uses shall be set by Council, having regard to the circumstances of any application but shall generally be not less than those set for predominant uses and shall be appropriate to the proposed use and the requirements of the relevant policies.

3.7.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

3.7.4 PARKING, LOADING AND ACCESS

(a) General

The General Ordinance on Parking, Loading and Access (3.14) shall apply.

(b) Off-street car parking and provision for the loading and unloading of servicing vehicles shall be provided generally as shown on any Outline Development Plan which may be relevant.

3.7.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.8 INDUSTRIAL A ZONE (Service and Light Industrial)

See Part 2 of this District Scheme for relevant policies.

#### 3.8.1 USES

Subject to compliance with the General Ordinance for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

##### (a) Predominant Uses

- (i) Service industries and any other industry, except those contained in Appendices 19 and 20.
- (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, shops and offices associated with any of the above uses, provided that any shop shall not exceed 20m<sup>2</sup> floorspace.
- (iv) Service stations, commercial garages and motor vehicle sales yards, provided that dispensing pumps are located at least 4.5m from the front boundary.
- (v) Residential accommodation not exceeding 50m<sup>2</sup> floorspace, for a caretaker or other person whose employment is such that he is required to live on the premises. Note: Residential amenities in the neighbourhood cannot be expected by occupants.
- (vi) Canteens, coffee bars, cake shops, dining rooms, eating houses, recreation and other facilities for the convenience of workers in the zone.
- (vii) Veterinary clinics and other premises for the treatment of animals.
- (viii) Reserves.
- (ix) Buildings accessory to predominant uses in this zone.

##### (b) Conditional Uses

- (i) Industries contained in Appendix 20.
- (ii) Licensed hotels and taverns.
- (iii) Works of public utility not deemed to be predominant uses by virtue of Section 64 of the Act.
- (iv) Buildings accessory to conditional uses in this zone.

(c) Special Conditions Relating To All Permitted Uses

(i) Landscaping - Not less than 10% of each site shall be landscaped to the satisfaction of Council in order to improve the appearance of the site and to screen areas which may appear unsightly. A landscaping plan shall be submitted for approval as a non-notified application to accompany each building permit application. Council may require an applicant to enter into a bond to ensure that landscaping proposals are implemented and maintained.

(ii) Noise - Any use of the land or buildings shall be so conducted, and buildings shall be so designed and laid out as to ensure that as a result of any activity, the following noise levels, measured and assessed in accordance with the standards prescribed in N.Z.S. 6801 and 6802:1977, or their successors, are not exceeded on the boundaries of the site:

- DAYLIGHT 6 a.m. - 9 p.m. Mondays to Fridays (excluding public holidays) and 6 a.m. - 12 noon Saturdays: 55 dBA corrected noise level;
- DARKNESS - all other times, Sundays and public holidays: 40 dBA corrected noise level;
- No single event noise shall exceed 75 dBA or exceed the background noise level by 30 dBA whichever is the lower, during "darkness" times.

NB. The noise levels set do not prevent the determination of a noise nuisance under Section 29 (k)(a) of the Health Act.

3.8.2 BUILDINGS(a) General

The General Ordinance for Buildings (3.12) shall apply.

(b) Requirements For Permitted Uses

- (i) Front Yard - minimum depth 3m, such yard to be landscaped and maintained to the satisfaction of Council. Provided that front yards may be decreased to 1.5m for not more than one-third of the frontage where the building fronting such yard is office accommodation or showroom not exceeding 4m in height.
- (ii) Side Yard - minimum width 5m where adjoining a residential zone.
- (iii) Rear Yard - minimum depth 8m where adjoining a residential zone.
- (iv) Coverage - 75%, provided that where residential accommodation is provided for a caretaker or other

person at least 50m<sup>2</sup> of open space shall be provided adjoining such accommodation for the exclusive use of the occupant. Provided further that additional site coverage may be permitted at the discretion of Council, for buildings complying with (vi) below.

- (v) Maximum Height (see Interpretation Ordinance 3.17) shall be 10m provided that no part of any building shall penetrate a 50° recession surface (see Appendix 18) originating at ground level in the case of a rear boundary not covered by an approved party wall, and originating at the middle line of the road in the case of a front boundary.
- (vi) Additional site coverage may be permitted by Council for a carport not exceeding 2.5m in height and used exclusively for the garaging of vehicles registered as private motor vehicles or goods service vehicles not being heavy vehicles.

### 3.8.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

### 3.8.4 PARKING, LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access (3.14) shall apply

### 3.8.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.9 INDUSTRIAL B ZONE (Heavy)

See Part 2 of this District Scheme for relevant policies.

#### 3.9.1 USES

Subject to compliance with the General Ordinances for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

##### (a) Predominant Uses

- (i) Any industry except those contained in Appendix 19.
- (ii) Residential accommodation not exceeding 50m<sup>2</sup> floorspace, for a caretaker or other person whose employment is such that he is required to live on the premises. Note: Residential amenities in the neighbourhood cannot be expected by occupants.
- (iii) Canteens, coffee bars, cake shops, dining rooms, eating houses, recreation or other facilities for the convenience of workers in the zone.
- (iv) Reserves.
- (v) Buildings accessory to predominant uses in this zone.

##### (b) Conditional Uses

- (i) Any industry contained in Appendix 19.
- (ii) Works of public utility not deemed to be predominant uses by virtue of Section 64 of the Act.
- (iii) Buildings accessory to conditional uses in this zone.

##### (c) Special Conditions Relating To All Permitted Uses

- (i) Landscaping - Not less than 10% of each site shall be landscaped to the satisfaction of Council in order to improve the appearance of the site and to screen areas which may appear unsightly. A landscaping plan shall be submitted for approval as a non-notified application to accompany each building permit application. Council may require an applicant to enter into a bond to ensure that landscaping proposals are implemented and maintained.
- (ii) Noise - Any use of the land or buildings shall be so conducted, and buildings shall be so designed and laid out as to ensure that as a result of any activity, the following noise levels, measured and assessed in accordance with the standards prescribed in N.Z.S. 6801 and 6802:1977, or their successors, are not exceeded on the boundaries of the site:

- DAYLIGHT 6 a.m. - 9 p.m. Mondays to Fridays



(excluding public holidays) and 6 a.m. - 12 noon  
Saturdays: 55 dBA corrected noise level;

- DARKNESS - all other times, Sundays and public holidays: 40 dBA corrected noise level;
- No single event noise shall exceed 75 dBA or exceed the background noise level by 30 dBA whichever is the lower, during "darkness" times.

### 3.9.2 BUILDINGS

#### (a) General

The General Ordinance for Buildings (3.12) shall apply.

#### (b) Requirements For Permitted Uses

- (i) Front Yard - minimum depth 3m, such yard to be landscaped and maintained to the satisfaction of Council. Provided that front yards may be decreased to 1.5m for not more than one-third of the frontage where the building fronting such yard is office accommodation or showroom not exceeding 4m in height.
- (ii) Side Yard - minimum width 5m where adjoining a residential zone.
- (iii) Rear Yard - minimum depth 8m where adjoining a residential zone.
- (iv) Coverage - 75%, provided that where residential accommodation is provided for a caretaker or other person at least 50m<sup>2</sup> of open space shall be provided adjoining such accommodation for the exclusive use of the occupant. Provided further that additional site coverage may be permitted at the discretion of Council, for buildings complying with (vi) below.
- (v) Maximum Height (see Interpretation Ordinance 3.17) shall be 10m provided that no part of any building shall penetrate a 50° recession surface (see Appendix 18) originating at ground level in the case of a rear boundary not covered by an approved party wall, and originating 6m above all other boundaries.
- (vi) Additional site coverage may be permitted by Council for a carport not exceeding 2.5m in height and used exclusively for the garaging of vehicles registered as private motor vehicles or goods service vehicles not being heavy vehicles.

### 3.9.3 SUBDIVISION

The General Ordinance on Subdivision (3.13) shall apply.

3.9.4 PARKING, LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access (3.14) shall apply.

3.9.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.10 MARINA ZONE

See Part 2 of this District Scheme for relevant policies.

#### 3.10.1 USES

Subject to compliance with the General Ordinance for Uses and Developments (3.11) and other relevant provisions of the Scheme, the permitted uses shall be:

(a) Controlled Uses

The following uses and developments shall be approved only after a non-notified application to Council for consideration of appropriate conditions in terms of the objectives and policies set out in the Scheme Statement for the Foreshore Amenities Area ( Scheme Statement Strategy 2.1 (IV) and Appendix 14) and in terms of the conditions set out in Clause (c) below:

- (i) Storage and launching of boats;
- (ii) Boat brokering, charter boat hiring, chandlery, and sail making;
- (iii) Areas for passive recreation;
- (iv) An office and residence for the use of the caretaker or manager of each marina;
- (v) Minor maintenance and repair of boats but excluding boat building;
- (vi) Harbour Works as defined by the Harbours Act 1950;
- (vii) Buildings and facilities accessory to the above uses including fuel installations.

(b) Conditional Uses

- (i) Any controlled use which does not comply in respect of the bulk and location requirements, parking, loading and access requirements laid down for such use and is outside the limits of allowable dispensations will be deemed to be a conditional use.
- (ii) Clubrooms for marine recreational groups.
- (iii) Other shops, providoring, residential accommodation, offices, licensed premises, restaurants and industries with a particular need for location in the Marina zone.

(c) Special Conditions Relating To All Permitted Uses

- (i) All uses shall comply with the general terms of the Development Plan held by Council covering the whole Marina area and showing: existing, proposed and possible development and where applicable staging of development; provisions for services of sewer, water, power, refuse disposal; roading and pedestrian routes; parking spaces (for cars, trailers and boats); amenity planting and landscaping; fuel storage and distribution; flood and inundation protection measures; range of uses and site allocations; building design theme (e.g. colours, shapes, materials) and overall coverage and open space; public access to water.
- (ii) All new developments shall as far as is reasonably practicable be planned and designed to protect the visual amenity of the area by the use of landscape, design, materials, colours, placement of buildings and other means.
- (iii) All buildings including buildings for temporary and casual uses shall be constructed of materials capable of being maintained to an acceptable standard of appearance as appropriate to the environment of a coastal situation.
- (iv) Except as necessary for the safety of the public and for the security and safety of any approved use, freedom of public pedestrian access to and along the foreshore shall not be unreasonably impeded by any development.
- (v) Vehicle parking at the rate of 0.6 spaces per wet berth, 0.2 spaces per dry berth and 50 vehicle-trailer spaces for the public launching ramps will be required.
- (vi) Any necessary water rights shall be obtained and no operation shall be carried out which will cause pollution of natural water by the discharge of effluent, rubbish or other wastes.

3.10.2 BUILDINGS

(a) General

The General Ordinance for Buildings (3.12) shall apply.

(b) Requirements For Controlled Uses

- (i) Maximum Height - (see Interpretation Ordinance 3.17) shall be 9m provided that no part of any building

shall penetrate a 50° recession surface (see Appendix 18) originating 7.5m above the ground level along each boundary except any part of a boundary covered by an approved party wall, provided further that a dispensation or waiver may be granted up to a maximum height of 12m if the building will not detract from views of the sea from Beach Road.

- (ii) Yards - All buildings shall be sited at least 8 metres from the mean high water mark provided that a dispensation or waiver may be granted where the building is constructed in a manner which permits free access along the foreshore and there is an operational need for the building to be sited close to or over the water.  
All other yards shall be at least 3m.

### 3.10.3 SUBDIVISION

- (a) The General Ordinance on Subdivision (3.13) shall apply.
- (b) All subdivision will be in accordance with the development Plan held by the Council and covering the whole Marina area.

### 3.10.4 PARKING LOADING AND ACCESS

The General Ordinance on Parking, Loading and Access, 3.14 shall apply.

### 3.10.5 ADVERTISING

The General Ordinance on Signs and Advertising (3.15) shall apply.

### 3.11 GENERAL ORDINANCES FOR USES AND DEVELOPMENTS

The following ordinances apply to all uses and developments in all zones unless otherwise stated.

(a) Control of Uses Within Zones

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

(b) Land To Be Suitable For Proposed Use

- (i) Notwithstanding conformity with the standards and requirements of these ordinances no use shall be established or development commenced, and no building shall be altered, erected or placed, on any land which is not suitable for the use, development or building as the case may be.
- (ii) For the purpose of determining whether any land is suitable for any particular use, development or building, regard shall be had to relevant objectives and policies of this District Scheme and more particularly to the best use of the land, its economic servicing and development, to earthquake fault lines, degree of hazard from flooding, erosion or landslip, stability of foundations, and safety, health and amenity.
- (iii) Any use or development proposed to be established and any building proposed to be erected or placed on any land indicated on the Planning Maps as being prone to inundation or flooding or potentially unstable, or on a fault line, or in part of a water supply catchment, or in these or any other ways not suitable for the use, development or building proposed, shall require approval of Council as a non-notified planning application.
- (iv) Developers' attention is drawn to the provisions and requirements of the Water and Soil Conservation Act, 1967 and the Soil Conservation and Rivers Control Act, 1941. Marlborough Catchment Board S34 consents may be necessary for land clearance and tracking on sloping or unstable development sites and Marlborough Catchment Board dispensations may be required for structures or works adjacent to water courses. The discharge of wastes or stormwater into water courses or the sea and the taking of water for commercial use may require Water Rights. Developers are advised to

liaise with Marlborough Catchment Board staff on these matters prior to formal planning applications being lodged. Developers need to make an application to the Marlborough Sounds Maritime Planning Authority for permission to lay any structures on the seaward side of mean high water mark.

(c) Control of Development

- (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, the clearing of any vegetation and the carrying out of any earthworks or excavations, on land or access to any land, shall require a non-notified application to Council and any consent shall only be obtained where the application is accompanied by a certificate from a registered engineer (having a detailed knowledge of soil mechanics and slope stability) 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 a 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) On Other Land  
The carrying out of any earthworks involving total excavating or filling on any site of a volume of loose material in excess of 20m<sup>3</sup> shall require a non-notified application to Council, and consent may be granted subject to compliance with the Code of Engineering Practice of Council, and subject to modification of proposed ground contour to reduce any impact on other properties and preserve any natural stormwater patterns.
- (iii) Building and Subdivision on Filled Land  
Where it is known or where Council has reason to believe that land has been filled, Council will not approve a building permit or a scheme plan of subdivision over the land until satisfactory steps have been or will be taken to mitigate the danger of subsidence. Council may require the builder or subdivider to provide satisfactory evidence from a registered engineer that the land is suitable for the erection of permitted buildings, and may require

unsuitable land to be incorporated with other allotments on a scheme plan of subdivision and excluded from building development.

(d) Changes in Use of Land or Buildings

Every requirement in this Scheme as to the use of any building or land or part thereof, being a requirement which does not attach to the building or land while it continues to be used for the same or a similar purpose as when this Scheme 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.

(e) Public Utilities in Relation to Zoning

The Act provides that, where any local authority or other public authority is authorised by any Act to determine the location, within the district, of the public utilities under its control without the approval of Council then every such public utility shall be a predominant use in every zone in the District. Every public utility not provided for under the Act shall be deemed to be a conditional use in every zone in the District.

(f) Existing Use Rights

This Scheme is subject to the rights given in terms of the Act and the Scheme to protect existing uses.

(g) Predominant Uses

Subject to the provisions of the Scheme, consent of Council shall not be required for the use of any land or building for any use specified and at that time permitted as a predominant use in the zone in which it is situated, provided that use is in accordance with every requirement set forth in the Code of Ordinances in respect of it as a predominant use. Any predominant use which does not meet every requirement shall require consent of Council.

(h) Controlled Uses

Subject to the provisions of the Act and Regulations, and subject to the provisions of this District Scheme, the use or development of any land or building for any purpose specified and permitted at that time as a controlled use in the zone in which it is situated is permitted subject to a non-notified application to Council and subject in each case to the consent by resolution of Council and to such conditions relating to the design and external appearance of buildings, landscape design and site layout, and the location and design of vehicular access to and from the site as may be appropriate to further the objectives and policies



stated in the Scheme.

(i) Conditional Uses

Subject to the provisions of the Act and Regulations, and subject to the provisions of this District Scheme, the use or development of any land or buildings for any purpose specified and permitted at that time as a conditional use in the zone in which it is situated may be permitted subject to a notified application to Council and subject in each case to the consideration by Council in terms of the criteria specified under Section 72 of the Act, and the consent by resolution of Council and to such conditions, restrictions and prohibitions as to location, height, yards, position of buildings on sites, coverage, drainage, disposal of effluent, 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 Council may think fit to impose.

(j) Specified Departures

Any use or development of any land or building not specified as permitted under the Scheme may be permitted, subject to a notified application to Council and subject to consideration by Council as to whether the limitations of Section 74 of the Act can be met, and the consent by resolution of Council and to any conditions and restrictions Council thinks fit.

(k) Dispensations and Waivers

Any development which does not comply with the standards specified but falls within the limits specified for dispensations and waivers, as specified may be permitted, subject to a non-notified application to Council and subject to consideration by Council of the criteria specified under Section 76 of the Act, and the consent by resolution of Council and to any conditions and restrictions Council thinks fit. General powers for granting dispensations and waivers are specified under the General Ordinances 3.12 - 3.15.

(l) Designated Land

(i) Any land designated for a public work in this District Scheme is shown by distinctive notation on the Planning Maps.

(ii) The use of any land or buildings within a designated area is controlled by Part VI of the Town and Country Planning Act 1977 which in general limits such uses to those designated, those lawfully in existence at the time the land was designated, and any use or building permitted in the underlying zoning and to

which the person or body having financial responsibility for the work has given consent.

- (iii) For the purposes of this Scheme every designated open space and (subject to the provisions of the Act and the prerogatives of the Crown) every reserve is reserved for the particular purpose for which it is designated or reserved under the Scheme.

(m) Notified Applications

The Act provides that every person who, or body which, claims to be affected by a notified application shall have the right to object to Council against the application being granted, and to be heard by Council when it considers the application. The procedure for applications, objections and other matters relating thereto is set out in the Regulations. The applicant, or any objector to the application, has a right of appeal to the Planning Tribunal.

Prior to formal application for consent, the applicant may present a report to Council describing the general concept of any proposal and stating the objectives and principles involved. Council may comment on the suitability of such a proposal in view of the objectives of this Scheme for the areas which may be affected by the proposal. When a formal application is made the above mentioned report and Council's comments will be open to public inspection.

Formal application shall be made in the form specified and according to the procedures set down in the Regulations. Forms are available at the Council office.

In addition to the information required by any By-law an applicant for an approval, when making application, shall:

- (i) Where the application is for buildings or other developments, supply a site plan and 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 District Scheme, and in particular that the prescribed provision has been made for off-street parking, loading and access for motor vehicles.
- (ii) Supply a legal description of the land concerned and the name of the owner or owners. 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.

(n) Temporary Uses and Developments

Notwithstanding anything to the contrary in this District

Scheme, temporary uses and developments including residential use of garages etc. while constructing a house, carnivals, bazaars and the like, shall be permitted in any zone subject to the consent of the Council to a non-notified application and subject to a binding agreement and bond being entered into with the Council that the use or development will cease on a date considered appropriate by the Council, provided that Council may require a notified application having regard to the likely effect on local amenities and the need for fixed structures and facilities.

(o) L.P. Gas Storage and Distribution

(i) Controls

To protect residential amenities and notwithstanding conformity with the requirements of this Scheme, no L.P.G. storage or distribution facility shall be located on any site unless the following conditions relating to capacity and location are complied with:

- (a) In Residential A, B, C and S and Travellers Accommodation zones the maximum total storage capacity shall be 1 Tonne as of right, and capacities greater than 1 Tonne and up to 4 Tonnes shall be conditional uses.
- (b) In other Rural, Commercial, Marina and Industrial zones the maximum total storage capacity per site shall be 4 tonnes as of right for service stations, 2 tonnes as of right for other uses, and greater capacities but not exceeding 8 tonnes as conditional uses.

(ii) Criteria

In considering any conditional use application for LP Gas storage and distribution, the Council shall, inter alia, have regard to the following matters relevant to the safety, welfare, health and convenience of other people and uses. The Council may include any of them within the scope of any conditions, restrictions or prohibitions it applies to any consent:

- (a) The size of the proposed installation and the frequency of refilling the storage facility.
- (b) Compliance with the Dangerous Goods Regulations.
- (c) Any comments received from the New Zealand Fire Service and the availability of water for fire fighting.
- (d) The topography and micro-climate of the site and surrounding areas.

- (e) The objectives and policies of the District Scheme.
  - (f) The nature and proximity of adjoining land uses and likely future uses.
  - (g) The practicality of the site layout including provision for vehicle movements and parking.
  - (h) Safety aspects including any special design features.
  - (i) Any other matter that is relevant in the circumstances.
- (p) Toxic/Hazardous Materials
- Council may require developments involving the handling of toxic/hazardous materials to seal handling areas and install appropriate traps at drainage points.