

L002229

DIS



COUNTY OF MARLBOROUGH

AWATERE DIVISION DISTRICT SCHEME

REVIEW No. 1

A District Scheme Review prepared under the provisions of the Town and Country Planning Act 1977 containing -

SCHEME STATEMENT
CODE OF ORDINANCES
DISTRICT PLANNING MAP

Certified a true and correct copy of the Awatere Division of the Marlborough County Council District Scheme as approved by resolution of the Marlborough County Council on the 29th day of April 1983.

R.C. Penington
COUNTY MANAGER



The Common Seal of the Chairman, Councillors and Citizens of Marlborough was hereunto affixed this day of 1983 in the presence of:



W.E. Bown

W.E. Bown
CHAIRMAN

R.C. Penington

R.C. Penington
COUNTY MANAGER

DATE RECOMMENDED 29.04.83
DATE OPERATIVE 20.05.83

A District Scheme Review prepared under the provisions of the Town and Country Planning Act 1977 containing -

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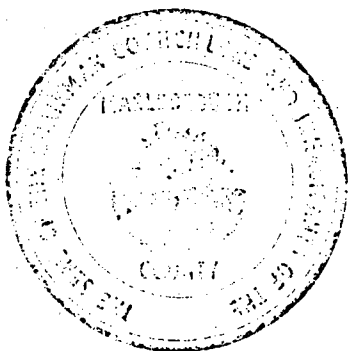
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I N D E X

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INTRODUCTION

Section 38 of the Town and Country Planning Act, 1977 requires that every Council prepare and make operative a district scheme for its district.

The purpose of a district scheme is set out in Section 4 of the Act, and 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 Awatere Division district scheme covers that part of the district which was formerly the Awatere County. The first district scheme became operative on 1 April 1972, and this district scheme has been prepared as the result of a scheme review carried out during 1979/80.

The format of the scheme review is quite different to the first district scheme. Council have adopted a more flexible and general approach to the development of the district by formulating planning objectives within which Council wishes development to take place.

How to use the District Scheme

- (a) Firstly read through this Statement. This sets out and explains Council's policy towards the Awatere Division of the County.
- (b) If you are concerned with a particular property, locate that property on the Planning Map, and then you will see which "zone" the property is in.
- (c) Turn to the pages in the "Code of Ordinances" which deal with that particular zone. In these pages you will find information concerning matters, which this district scheme must deal with, relevant to that zone.

Control of Uses Within Zone

The uses which are permitted in each zone are listed in the Code of Ordinances.

Two classes of permitted uses are defined :-

1. Uses permitted as of right, and
2. Conditional uses.

Regulation of these two classes of uses is achieved through two different administrative processes under the district scheme.

A use permitted as of right may proceed without reference to Council, provided that it complies with any stated conditions for that particular use and with all relevant ordinances.

A conditional use is not permissible as of right but requires the Council's consent. The application for consent must be publicly notified in each case and is open to objection by those that might be considered to be affected.

Consent is not automatically granted, but successful applications will be the subject of conditions of approval determined by reference to the suitability of the site, and the provisions of the district scheme.

Designations

In some places designations overlay zones on the district planning map. Designations are used in order to set aside land for a particular public use, such as a library or school, and 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 notations to that effect on the district planning map. Land that has been designated will have an underlying zone which will also be notated on the planning map.

SCHEME STATEMENT

Planning Proposals

1. General

In the preparation of this scheme Council have given careful consideration to the national planning objectives for district schemes. These objectives are set out in Section 3 of the Act, and for reference are set out as follows :-

- (a) The conservation, protection and enhancement of the physical, cultural and social environment.
- (b) The wise use and management of New Zealand's resources.
- (c) The preservation of the natural character of the coastal environment and the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.
- (d) The avoidance of encroachment of urban development on, and the protection of land having a high actual or potential value for the production of food.
- (e) The prevention of sporadic subdivision and urban development in rural areas.
- (f) The avoidance of unnecessary expansion of urban areas into rural areas in or adjoining cities.
- (g) The relationship of the Maori people and their culture and traditions with their ancestral land.

When considering any development proposal, Council will have regard to the above objectives, together with the specific planning objectives which are set out for each zone in the following sections. However, where any development proposal gives rise to a conflict between any objectives, Council will give greater weight to its own planning objectives and policy.

2. Objectives and Policies for Future Development

Rural Zone

There is one rural zone in the district and while Council accepts that there are many different uses within the zone, the extent and nature of development in the district does not justify a more sophisticated zoning pattern.

The particular objectives for the rural zone are :-

1. To endeavour to maintain the present population and encourage population growth.
2. To ensure the preservation and best use of the resources of the district.

3. To provide for the best use of the land having regard to the objective of encouraging population growth, but at the same time to ensure that there is no significant reduction in the productive potential of land suitable for primary production.
4. To ensure that any development works do not cause problems of erosion, land slip, instability to buildings or loss of soil stability.
5. To preserve as far as practicable areas of natural vegetation of value to the community or which enhance the landscape.
6. To provide for industrial development that may be required for the present and future needs of the district.
7. To encourage subdivision into allotments which will increase the productive potential of land or for uses which support, or are associated with primary production or population growth.
8. To provide for the preservation of significant natural features of value to the environment and to the district, and of any objects or places of historical or scientific interest or value.
9. To provide for public amenities that may be required, including rubbish tips, cemeteries, town and rural water supplies.
10. To provide for recreational facilities that may be required for the present and future needs of the district.

Council's Policy in Relation to these Objectives

Council is concerned at the continuing trend of population decline in the district as this will undoubtedly lead to a reduction in services and community facilities for the people of the district.

Council intends to permit a wide range of uses to be established in the rural zone, however, it is anticipated that these are likely to be on a modest scale serving the immediate needs of the district. In addition to the usual range of farming and forestry uses, Council may allow commercial and industrial uses where these would either maintain the existing population or would encourage population growth.

Council intends to permit the erection of a dwelling on a separate certificate of title where the dwelling is to house a person who wishes to live full time in the rural area.

It is not intended to have any industrial zones unless an industry requires special zoning provisions or needs special protection not available to it in the rural zone.

Council sees the future development of the district being in the area of increased primary production in agriculture and to a lesser extent in commercial forestry, and in the area of horticulture. In order to encourage increased production, Council will not initiate, but will encourage rural water supply scheme for stock watering, and will support the introduction of irrigation schemes. Council recognises the potential of the Class I- III lands in the Lower Awatere Valley in particular for horticultural production, however, this may require schemes to fully develop that potential.

Council also sees the development of the district being assisted by a more flexible approach to what are usually considered to be non-rural uses in the rural zone. It is of the opinion that residential, commercial and industrial uses can be established in the rural zone with appropriate (environmental) controls with little or no detriment to the primary function of the rural area.

Commercial and industrial activity will be shown as a conditional use in the rural zone, and the criteria that Council will have regard to when considering a development proposal are set out in the ordinance. However, should any developer consider that his proposal would not be adequately protected by the provisions in the rural zone, and that the usual notified planning application procedures are inappropriate, then Council would consider initiating a scheme change to create a special zone for that proposal.

Council intends to allow the Dominion Salt Company Limited to erect buildings and plant required for the full development of salt production at Lake Grassmere, however, should the company require increased quantities of freshwater supply, then Council will require the company to assist in upgrading the existing water supply system. The erection of dwellings will be limited to those required for caretaker staff only.

Council intends to adopt a flexible approach to the subdivision of land and will treat each subdivision proposal on its merits. Council will consider whether the subdivision would increase the productive potential of the land and whether the subdivision would allow the better utilisation of the land.

Council believes that the district is reasonably well provided with halls, recreation grounds, churches and general open space to fulfil the wide range of social, cultural, recreational and spiritual functions of the people of the district. Council's policy is, however, to further encourage such activity by permitting building and development of facilities such as halls, churches, museums and recreation grounds.

There are extensive areas of land use capability Class VIII and to a lesser extent Class VII which are either subject to severe erosion or have severe erosion potential.

Council acknowledges that land use practices need to be carried out in a way which reduces, or minimises soil erosion. It considers that the management ability of the owner of the land together with technical assistance by qualified persons or organisations would be the most appropriate way of controlling soil erosion.

Residential Zone

There is one residential zone, and is applicable to land in the Seddon and Ward townships, and to a small area of land at Wharenui.

The basic objectives for the residential zone are :-

- (a) To ensure that adequate provision is made of land suitable for further residential development.
- (b) To prevent encroachment of development onto land of value for primary production.
- (c) To promote closer settlement of development and at the same time maintaining the residential amenities.
- (d) To promote recreational, social, spiritual and cultural facilities appropriate to the zone.

Policy to Achieve these Objectives

The townships of Seddon and Ward together house nearly half the total population of the district. They are essentially service centres to the surrounding rural areas. About two new house permits are issued annually in Seddon and about one permit is issued every two years in Ward.

Council's policy is to encourage the development of the townships within the present zoning pattern. It is anticipated that the existing area of zoned land will be adequate for residential demand for at least five years and possibly longer.

The essentially rural nature of the townships will be retained. The small volumes of vehicular and pedestrian traffic may not require the provision of footpaths in the residential zone, excepting along State Highway No. 1 and in areas of high public usage. Services such as storm-water disposal, water supply and sewage disposal may be provided where necessary and as finance permits.

Commercial Zone

The uses in this zone are all relatively small businesses serving the day to day needs of the rural community. Most of the uses are located along State Highway No. 1, and Council sees no reason to relocate these uses in view of the low traffic flow on State Highway No. 1.

The basic objective for the commercial zone is to allow a wide range of commercial activity appropriate to the needs of the district.

The zone largely protects existing commercial activity though there is some additional zoning in Seddon. It is difficult to determine just how much commercial land is required, and though Council will consider scheme changes to zone further land should the need arise, it generally wishes to consolidate the commercial activity onto the land fronting State Highway No. 1 and Richmond Street at Seddon. It recognises, however, that some existing uses in other parts of Seddon and at Ward are of real value and benefit to the community, and therefore these properties have been zoned commercial, and no attempt will be made to relocate them.

Within the zone at Seddon there are two established stock and general transport companies, both of which are a vital part of the transport system. Both companies have largely developed the whole of the land they occupy thus future expansion on those sites is limited. Both sites are bounded by residential zones and Council's policy is to allow these companies to operate as of right in the commercial zone but only on the land currently occupied. There is no provision for expansion into the adjoining residential zone, nor for new depots to be set up in the commercial zone. Council expect that any further expansion of the existing transport companies' activities should take place in the rural zone, as should any new transport company wishing to establish in the district.

3. Appearance and Location of Buildings and Signs

The general appearance of existing buildings in the district is in harmony with the open rural landscape thus Council does not intend to introduce any controls on the design or appearance of buildings.

The location and height of buildings in each zone will be controlled by standards contained in the Code of Ordinances.

Council accepts the need for commercial and industrial activities to advertise the location of their premises to the travelling public. Council intends to control the size and number of signs but will consider the location of them on the merits of each application having regard to traffic safety and the general amenities of the area.

4. Preservation for Historical or Scientific Interest or Natural Beauty

The preservation of objects and places of historical or scientific interest or natural beauty is a matter required to be dealt with in the district scheme. After consideration, the Council has decided that a number of objects and places should be preserved and therefore these objects and places have been included in a Register which is required to be kept at the office of the Council.

The effect of the inclusion of such objects and places in the register, will be to prevent any person, including the owner of the land, from wilfully destroying, removing or damaging any registered object or place, without the written consent of the Council.

4.05.83

CODE OF ORDINANCES

ORDINANCE I

INTERPRETATION

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

"The Act" means the Town and Country Planning Act 1977 including all amendments, or any other Act replacing or modifying the same.

"Accessory Buildings" means a building the use of which is incidental to that of any building or buildings on the site; and in relation to a site on which no building has been erected, incidental to a use then permitted on that site.

"Apartment House" means any residential building which contains two or more household units: and includes a tenement house and a block of flats.

"Boardinghouse" means a residential building, not being a licensed hotel, in which board and lodging is provided or is intended to be provided for four or more boarders or lodgers, for reward or payment; and includes a private or unlicensed hotel and a private residential club.

"Building" means any structure whether temporary or permanent, movable or immovable, and includes a swimming pool and also a fence or boundary or retaining wall but does not include a fence or boundary or retaining wall which :-

- (a) Is less than 2.0 metres in height; and
- (b) Is not used for advertising or for some purpose other than or in addition to its use as a fence, boundary or retaining wall.

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

"Code" means this Code of Ordinances.

"Commercial Garage" means land or buildings used for the housing or care of self-propelled vehicles which are regularly used for any commercial or business purpose other than on the property.

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

"Council" means the Marlborough County Council.

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

"Dairy" means a shop which has the greater part of its retail from the sale of dairy produce, bread, etc.

"Dwellinghouse" and "Dwellinghouses" means a detached residential building or group of residential buildings designed for or occupied exclusively as one household unit and includes accessory buildings attached to or forming part of the structure.

"Erection" in relation to any building, includes the re-erection or structural alteration of or the making of any addition to the building or placing of the building, or the placing of the building from one position on a site to another position on the same site; and "erect" and "erected" have corresponding meanings.

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

"Farming" means any type of land based activity, having as its primary purpose the commercial production of any livestock or vegetative matter, but does not include Commercial Forestry.

"Forestry-Commercial" means the preparation planting, re-establishment, cultivation and management of exotic trees in forests or plantations, the predominant purpose of which is commercial gain and it includes the extraction of timber therefrom.

"Forestry-Protection and Amenity" means the preparation, planting, re-establishment, cultivation and management of indigenous and exotic trees for the prime purpose of river protection, erosion control, soil stabilisation shelter or any purpose ancillary to normal farming operations.

"Land Use Capability" is an international land use classification system and is a systematic arrangement of different kinds of land according to those properties that determine its capacity for permanent sustained production. The word "capability" is used in the sense of "suitability for productive use" after taking into account the physical limitations the land may have.

"Licensed Hotel" means a building for which a hotel premises licence has been issued or has been authorised in terms of the Sale of Liquor Act, 1962 and its amendments or any other Act replacing or modifying the same.

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

"Loading Space" means a space on a site available for a vehicle while being loaded or unloaded.

"Medical Rooms" means professional or consulting rooms of registered medical practitioners.

"Motel" means land and one or more buildings principally for the day-to-day accommodation of travellers by road and their vehicles; and includes as accessory to the principal use any services or amenities provided on the site such as canteens, restaurants, bathhouse, and swimming pool, playgrounds, and the like, provided any such services or amenities shall be primarily for the use of Motel patrons only.

"Motor Repair Garage" means land or buildings used for motor vehicle engine and body repairs, overhauling of motor vehicles, the panel beating and spray painting of motor vehicles, but does not include the sale of petroleum products.

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

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

"Parking Space" means a space on a site available for a vehicle while awaiting use.

"Petrol Service Station" means any site used for the retail sale of motor spirits and lubricating oils for motor vehicles lubrication and minor servicing and repair of motor vehicles, but not heavy engineering such as engine reboring and crankshaft grinding, or panel beating, trimming or spray painting.

"Residential Building" means any building or part of a building used or intended to be used for residential purposes.

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

"Road" includes street or highway.

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

By-Laws for a party wall between dwellinghouses.

"Service Lane" means land dedicated as service land of minimum width 3.7 metres and maximum width 10.7 metres used from time to time for the vehicular access to adjacent properties.

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

"Site" means an area of land permitted by the scheme and by the general law to be used as a separate unit for one or more specified or ascertainable uses; and includes all related buildings and curtilages.

"Corner Site" means a site having a frontage of not less than the minimum prescribed by this scheme for front sites in the particular zone in which the site is situated to each of two or more streets or private streets not less than 12 metres in width if the frontages are continuous and the included angle measured within the site between two such minimum frontages is not greater than 135 degrees.

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

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

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

"Stall - Permanent Stall" means any building or part of a building from which farm, garden, apiary or horticultural produce is sold or displayed for sale.

"Stall - Temporary Stall" means seasonal or short term sale of farm, garden, apiary or horticultural produce with no building structure whatsoever.

"Subdivision" has the same meaning as the definition contained in the Local Government Act 1974 and its amendments or any other Act replacing or modifying the same.

"Tavern" means a building for which a tavern premises licence has been issued or authorised in terms of the Sale of Liquor Act, 1962 and its amendments, or any other Act replacing or modifying the same.

"Tourist House" means a building for which a Tourist House Premises Licence has been issued or authorised in terms of the Sale of Liquor Act, 1962 and its amendments, or any other Act replacing or modifying the same.

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

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

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

Provided that in the event of there being no rear boundary, as a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and a radius of 10 metres.

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

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

Rural Zone

Uses Permitted as of Right

1. Farming of any kind.

2. Protection and amenity forestry, including farm shelter belts.

3. Commercial Forestry: provided that commercial forestry shall not be a permitted use :-
 - (a) On land within 20 metres of any formed public road, except with the consent of Council.
 - (b) On land within 20 metres of an adjoining property boundary except with the consent in writing of the adjoining owner or occupier, such consent to be deposited with Council before any planting occurs.
 - (c) On land of land use capability Class I, II, III, IV or VIII.

4. Solar production of salt at Lake Grassmere, subject to :-
The operation of the solar ponds, and the construction of new ponds, being carried out in such a way as to not cause flooding to any neighbouring property.

5. Dwellinghouses, including additional dwellinghouses provided that:-
 - (a) The site has proper and adequate physical and legal access.
 - (b) Effluent can be satisfactorily disposed of within the property.
 - (c) An adequate domestic water supply is available.

6. Buildings accessory to the use of buildings or land for any of the foregoing uses.

7. Gravel extraction using mobile plant.

8. Lime quarrying including associated buildings and plant subject to the access to any quarry being approved by Council.

9. Stalls for the sale of farm, garden, apiary, vineyard or horticultural products.

10. Reserves, including those provided for under the Reserves Act 1977.

11. Public utilities permitted as of right under Section 64 of the Act.

Conditional Uses

1. Industries not provided for as a predominant use.
2. Educational establishments, residential institutions, medical rooms, hospitals and veterinary hospitals, nursing homes, convalescent homes, charitable and philanthropic institutions, and boardhouses and hostels used in connection with those uses.
3. Hotels, motels, cabins, boardinghouses, tourist and fishing lodges, guesthouses, camping grounds, restaurants, halls, museums and generally buildings and land for, or connected with, indoor and outdoor recreation.
4. Racecourses and showgrounds.
5. Cemeteries and crematoria.
6. Country stores, petrol service stations and commercial garages.
7. Depots for activities engaged in the construction and maintenance of structures, quarrying, excavation, or cartage. Such depots may also include offices and workers' accommodation, and the storage and maintenance of vehicles.
8. Churches and places of public and private worship.
9. Public car parks.
10. Public utilities not permitted as of right.

Bulk, Height and Location Requirements

Predominant Uses

A maximum site coverage of 25% is permitted.

The maximum height of any building shall be 8 metres, excepting that, farm accessory buildings may be up to 10 metres in height.

Residential buildings shall be set back at least 8 metres from a road boundary, and at least 5 metres from other boundaries.

Farm accessory buildings including carports and car garages, shall be set back at least 5 metres from a road boundary and at least 1 metre from other boundaries. In all cases eaves may encroach on to the set back by not more than 0.6 metres.

Conditional Uses

For conditional uses Council will consider the merits of each proposal and set bulk, height and location requirements appropriate to the particular use.

Subdivision

Each proposal for subdivision will be considered on its merits and Council may, where it thinks appropriate to do so, permit land to be subdivided for the residential purposes of persons wishing to live permanently on the new lot or in cases where the permanent residential use of any new lot is to be combined with other uses including agriculture, forestry, handcraft, business or professional uses.

Council will permit the subdivision of land for industrial purposes, where an industry has received Council's consent to establish in the rural zone.

There are no standards for subdivision, as each proposal will be considered on its merits having regard to Council's planning policy for the rural zone.

Notwithstanding the above, no subdivision shall be permitted in any part of the rural zone where one or more of the following matters applies:

- (i) If the site is unsuitable for the proposed use.
- (ii) If domestic water is not available and sewerage disposal is not adequate for the site.
- (iii) Where the subdivision would result in or contribute to ribbon development along a major highway.

4.05.83

Residential Zone -

Uses Permitted as of Right

1. Dwellinghouses.
2. Semi-detached houses.
3. Apartment houses containing not more than two household units.
4. Medical Rooms.
5. Parks and scenic reserves.
6. Home Occupation :
 - (a) The activity is to be carried out only within the area a residential and accessory building(s) can be erected in accordance with the relevant bulk and location requirements relating to those buildings.
 - (b) The persons engaging in the activity must reside on the property and the principal use of the property shall be for rural or residential purposes.
 - (c) No employment of labour is to be carried out on the property.
 - (d) The hours of operation of the activity shall be restricted to between 8.00a.m. - 6.00p.m.
 - (e) The activity shall not cause any disturbance to others in the vicinity on account of noise, vibration, air pollution, radio or television interference or traffic movements.
7. Flat for Dependent :

The flat shall if practicable connect into the existing water supply and sewage disposal services of the main residential building on the property.
8. Buildings accessory to use of buildings or land for any of the foregoing uses.
9. Churches and places of public or private worship.
10. Public utilities permitted as of right under Section 64 of the Act.

Conditional Uses

1. Boardinghouses, lodginghouses, private hotels, and private residential clubs.
2. Museums, art galleries, libraries, nurseries, play c and educational establishments, including boardingho and hostels used in connection with those uses.
3. Public and private hospitals, health clinics, nursing homes, and convalescent homes, but not premises used for the treatment of animals.
4. Places of assembly including gymnasiums and training sheds.
5. Public utilities not permitted as of right.
6. Shops for the sale of groceries and dairy products, either alone or in conjunction with residential accommod- ation.
7. Groups of garages or parking spaces for hiring.
8. Provision for public parking.
9. Motel and camping grounds.

Bulk, Height and Location Requirements

Predominant Uses

A maximum site coverage of 35% is permitted.

The maximum height of residential buildings shall be 8 metres, and for accessory buildings shall be 4 metres.

On front sites residential buildings shall be set back at least 6 metres from the street boundary and at least 3 metres from one side boundary and 1.5 metres from other boundaries. On rear sites residential buildings shall be set back at least 4.5 metres from each boundary.

Accessory buildings may be sited in any yard other than a front yard, provided they comply with the Council By-laws; but a private garage or car port may not be sited less than 4.5 metres from the front boundary of the site; unless entry to the building is via a side not facing the street, when the set back may be reduced to a minimum of 3 metres.

Conditional Uses

For conditional uses Council will consider the merits of each proposal and set bulk, height and location requirements appropriate to the particular use.

Vehicle Parking and Access

One off-street parking space shall be provided for each new dwelling.

Subdivision

For properties not connected to a reticulated sewerage system, each allotment shall have a minimum area of 1,000 m², however, larger areas may be required to ensure that adequate provision can be made for the disposal of sewage effluent on the site.

For properties connected to a reticulated sewerage system front lots shall have an area of not less than 450 m², and rear lots shall have an area of not less than 550 m², exclusive of access leg.

For all conditional uses each allotment shall have a minimum area of 1,000 m², unless Council consider that a greater area is required having regard to the circumstances of a particular application.

Access strips to rear lots shall not exceed 60 metres in length. Two entrance strips may be reduced in width to 2 metres each and combined to provide one 4 metre wide entrance strip, each entrance strip to be subject to a right of way in favour of the owner of the other entrance strip.

Commercial Zone -

Uses Permitted as of Right :

1. Retail shops used for dairy, green grocer, grocery, butcher, fishmonger, chemist, delicatessen, cake shop, stationery, specialty goods, hairdresser, shoe shop or shops or depots for similar purposes.
2. Storage of materials and articles for sale.
3. Administrative buildings of the central and local government, professional and commercial offices, banks, post offices and medical rooms.
4. Libraries, exhibitions, museums and art galleries.
5. Theatres and halls and places of public and private worship or entertainment, or public or private assembly.
6. Licensed hotels, private hotels, residential and non-residential clubs.
7. Public car parking.
8. Public utility structures and public utilities permitted as of right by Section 64 of the Act.
9. Warehouses for the storage and distribution of goods.
10. Petrol service stations, commercial garages and garages for running repairs, provided that the access points to and from the site are designed and constructed to Council's satisfaction.
11. Stock transport and general transport depots currently occupied by Gill Transport Limited and Starborough Transport Limited.
12. Accessory buildings for any of the foregoing uses.

Bulk, Height and Location Requirements

A maximum site coverage of 75% is permitted and the maximum height of any building shall be 10 metres.

Where the zone adjoins a residential zone, buildings shall be set back 5 metres from the boundary.

Vehicle Parking and Access

For all commercial uses sufficient off-road parking shall be provided for employees' and customer vehicles.

Subdivision

The minimum site area shall be 200 m² with 6 metre frontages, where the property is connected to a sewage reticulation system. The minimum site area for properties not connected to a sewage reticulation system is 1,000 m², with a 6 metre frontage.

General Ordinance

Signs for Advertising

No signs shall be permitted for uses which are not established within the district.

In the rural and commercial zones, signs comprising a total area of not more than 5 m² are permitted on the property on which the commercial or industrial activity is situated. In addition, two signs each comprising not more than 5 m² may be erected on another property to advertise the commercial or industrial activity.

All signs shall be sited having regard to traffic safety, such siting to be approved by Council.

In no case shall a sign be erected on road reserve, or overhanging a road reserve.

Dispensation and Waivers

The Council may approve minor variations from these controlling ordinances, provided they are within the objectives and policies for development in the zone and the controls are not manifestly altered, and consent is first obtained from any person or party who in the opinion of the Council is likely to be affected by the dispensation or waiver.

Preservation for Historical or Scientific Interest or Natural Beauty

a) Register to be Kept

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

b) Registered Objects or Places to be Preserved

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

c) Power to Add to or Cancel Entries in Register

The Council may at any time add further objects or places of historic or scientific interest or natural beauty to the register and from thence such object or place shall be subject to the provisions of this code. The Council may at any time cancel the registration, of any object or place, and shall thereupon make an appropriate alteration in the register and notify accordingly the owner or

occupier of the land upon which the object or place is situated.

d) Procedure for Altering Register

The Council shall not reach a decision or act under either Clauses b) or c) of this Ordinance without first having advertised its intention to do so and then having inquired into the merits of so doing at a meeting, at which the owner or occupier of the land upon which the object or place is situated, together with such persons or bodies who have a greater interest than the public in general, have been invited to attend and advance their views.

7/95/01

The Town and Country Planning Act 1977

STATUTORY DECLARATION AS TO PROCEDURE

MARLBOROUGH COUNTY COUNCIL

AWATERE DIVISION SCHEME REVIEW

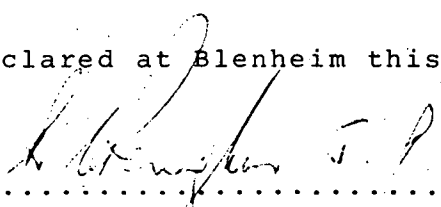
I, Wilfred Edward Bown, do solemnly and sincerely declare:-

1. That I am Chairman of the Marlborough County Council.
2. That to the best of my knowledge and belief all the requirements of the Town and Country Planning Act 1977 and regulations thereunder have been complied with in the preparation of the aforesaid Scheme Review and I am not aware of any reason why these changes should not be approved by Council.

AND I make this solemn declaration conscientiously leaving the same to be true and by virtue of the Oaths and Declarations Act 1957.

W.E. Bown
COUNTY CHAIRMAN

Declared at Blenheim this 29th day of April 1983 before me.


.....
Justice of the Peace, Solicitor, etc.

APPENDIX 15

1. Harborough District Council, P.O. Box 14, Blenheim
2. Harborough Electric Lower Board, P.O. Box 144, Blenheim
3. Harborough Catchment Board, P.O. Box 104, Blenheim
4. Harborough Sound Maritime Park Board, P.O. Box 97, Blenheim
5. Harborough Sounds Maritime Planning Auth., P.O. Box 84,
6. Harborough Harbour Board, P.O. Box 84, Picton
7. Harborough Hospital Board, Hospital Road, Blenheim
8. Harborough Forestry Corporation, P.O. Box 204, Blenheim
9. Commissioner of Works, M.O.W., P.O. Box 12041, Wellington
10. District Commissioner of Works, M.O.W. Private Bag, Wellington
11. Regional Engineer, M.O.W., Private Bag, Nelson
12. District Officer, Ministry of Works, P.O. Box 132, Blenheim
13. Blenheim Borough Council, Private Bag, Blenheim
14. Picton Borough Council, P.O. Box 13, Picton
15. Kaikoura County Council, P.O. Box 6, Kaikoura
16. Valmea County Council, P.O. Box 3070, Richmond, Nelson
17. Amuri County Council, P.O. Box 14, Culverden
18. Branch Officer, Valuation Department, P.O. Box 292, Blenheim
19. The Registrar, Maori Land Court, Private Bag, Christchurch
20. The District Officer, Maori Council, Private Bag, Christchurch
21. Wellington Education Board, Abel Smith Street, Wellington.
22. Nelson Education Board, 27 Shelbourne Street, Nelson
23. *Harborough County Council Seddon Office*

**Image Quality
Due to
Quality of Original**

