CONTROLLED INTERFACE AREAS

Preamble.

The purpose of this clause is to:-

(a) identify portions of residential areas which are under pressure of encroachment by non-residential uses and have suffered a loss of residential amenity by virtue of their proximity to industrial and/or commercial uses or zones and/or major transportation routes;

(b) control the introduction of non-residential uses into the portions of the residential areas described in (a) so as to minimise the interference such uses may have on the amenities of those portions and the adjoining residential areas as they are when authority for those uses is sought or as contemplated by the Scheme;

(c) protect and promote the amenities of adjoining residential areas by confining the introduction of non-residential uses to the portions of the residential areas described in (a);

(d) enable land which is no longer suitable for residential use to be used more efficiently.

This purpose can be achieved by demarcating areas (hereafter referred to as "Controlled Interface Areas") wherein non-residential uses may be authorised by special consent.

1. (a) Controlled Interface Areas shall be identified on the map by the delineation of a black broken-line border superimposed over a zone.

(b) Notwithstanding any other provisions of this Scheme relating to the zone concerned including the use of land or buildings, the Council may in addition authorise in any Controlled Interface Area, by special consent, the use of a site or the erection, alteration or conversion of buildings on such site for any purposes other than that of a commercial bank or building society, shop or an industry except service industry.

2. (a) Any authority granted in terms of sub-clause 1(b) shall be subject to the following conditions:-

(i) compliance with the coverage, floor space, building line, side and rear space requirements applicable in the zone wherein the site is situated; provided that the Council may relax the side and rear space requirements to such extent as it may decide if it is satisfied that no interference with the amenities of the neighbourhood existing or as contemplated by this Scheme will result;

(ii) no building shall exceed two storeys in height; provided that in determining the height basements
shall be excluded;

(iii) in addition to the parking required for any residential use, there shall be within the curtilage of the site sufficient parking facilities to provide one parking space for every 25 square metres of the total floor area of all buildings on the site to be used for purposes other than residential;

(iv) there shall be within the curtilage of the site an uninterrupted space of a size which, in the opinion of the City Engineer, is sufficient for the loading and off-loading of all vehicles transporting goods to or from the site. There shall be vehicular access to such space, which access and space shall have a minimum vehicle height clearance of 3 metres. In addition, such space shall not be less than 23 square metres or less than 6 metres long and 3 metres wide;

(v) all buildings or structures it is proposed to erect or alter shall be designed so as to harmonise with and in their external appearance, conform to development existing or as contemplated in the zone in which they are situated;

(vi) the ingress and egress to the site shall be confined to the street considered by the City Engineer to be the major street;

(vii) any authority granted shall be personal to the applicant, provided that any other person wishing to conduct the use so authorised shall be entitled to do so and shall not be required to apply for the Council's authority; provided further, that such person shall have first informed the City Engineer in writing of his wish and shall have been advised by the City Engineer in writing that, upon the basis of information supplied to him, he is satisfied that the nature of the use will not be altered by such person;

(viii) the property shall be laid out and maintained to the satisfaction of the City Engineer;

(ix) goods shall not be displayed in the public view whether in a window or otherwise;

(x) no storage shall take place on the site which in the opinion of the City Engineer interferes with the amenities of the neighbourhood;

(xi) no external advertising shall be displayed on the site other than the name of the business or activity for which authority has been granted; provided that no advertisement shall be displayed which in the
opinion of the City Engineer will interfere with the amenities of the neighbourhood;

(xii) any activity conducted on the site shall not cause or give rise to noise, dust, smell or other pollution which in the opinion of the City Engineer interferes with the amenities of the neighbourhood;

provided that the City Engineer may relax the requirements of sub-paragraphs (ii), (iii), (iv) and (vi) if he is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by this Scheme will result.

3. (a) If in its opinion the carrying on of any business or activity within a Controlled Interface Area is causing an interference with the amenities of the neighbourhood, the Council may, by not less than 30 days notice in writing to the person carrying on such business or activity, call upon him to remove the cause of such interference or to discontinue such business or activity.

(b) If such person does not comply with the notice contemplated in paragraph (a), such business or activity shall be deemed to constitute development which is taking place without the necessary authority of the Council.