

23. Kaikoura Peninsula Tourism Zone

23.1 Introduction

The Kaikoura Peninsula is a distinctive geological and landform unit, which has had a long history of settlement. It is a highly valued area of Kaikoura District. Land uses on the upper terraces of the Peninsula have been predominantly rural with the built environment largely confined to residential areas along the northern side of the Peninsula. The Kaikoura Peninsula Tourism Zone covers approximately 180 ha of the Peninsula. The zone provides an integrated approach to development and the environment, by enabling controlled development to proceed in locations which have been considered as appropriate, after having regard to the landscape / landform, visual, cultural and servicing constraints

23.2 Issue 1 - Amenity Values

- a. The amenity presently enjoyed by people may be affected by inappropriately located activities.
- b. Development on the Peninsula may threaten the cohesion of Kaikoura township.

23.2.1 Objective 1

To provide for activities and buildings that, in terms of both location and scale, sustain the amenity values experienced by residents of the Peninsula and township and by visitors to the district.

23.2.2 Policies

1. To enable the establishment of a visitor attraction complex, hotel, lodges and Lifestyle Living Area and associated facilities and activities provided that:
 - a. they are located in areas of the Peninsula that can better absorb, and thus reduce the visual impacts of the development;
 - b. the design, colour and materials of the buildings will be undertaken in a manner that further reduces the visual impact on other people; and
 - c. The design and layout of the Lifestyle Living Area is undertaken to ensure there are no more than minor impacts on the open space character and amenity of the Peninsula area, especially when viewed from the Peninsula walkway.
2. To ensure the remainder of the Peninsula is in open space or used for farming purposes, and is free of buildings and other structures not associated with the golf course that would compromise the highly valued amenity experienced by people.
3. To promote linkages between the Kaikoura Peninsula Tourism Zone and the other urban zones by, for example, maintaining existing walkway linkages within the zone to the Kaikoura coastal walkway and the township (at, or in the vicinity of their existing location).

23.2.3 Implementation Methods

To achieve Policies 1 – 3 through:

1. Provision of performance standards to protect the amenity and environmental quality of land within the Kaikoura Peninsula Tourism Zone.
2. Provision of rules and the Outline Development Plan to control the location, scale and density of buildings within the Kaikoura Peninsula Tourism Zone.
3. Requirement for approval of an Overall Structure Plan for the Lifestyle Living Area.

Explanation and Reasons

The Kaikoura Peninsula Tourism Zone has been introduced to provide for an integrated tourism complex on Kaikoura Peninsula (refer to Issue 5), consisting of a visitor complex, hotel, lodges, golf course with associated access and carparking and landscape plantings. The policies enable this development to occur in particular locations, with controls on the height and design of buildings to ensure that they are in sympathy with the Peninsula's landform (refer to Issue 2) and are not visually intrusive, thus compromising amenity of Kaikoura residents. The remaining land in the zone is to become a golf course or be retained as open space, except for limited building development required to service the golf course or the open space areas. Retaining this open space is particularly important in the eastern part of the Peninsula where it has a strong connection to the coast (refer to Issue 3). Consistent with these policy outcomes an Outline Development Plan has been incorporated into the District Plan. This plan also shows the walkway connections to the Kaikoura walkway. Limits on the location and scale of permitted development within the zone and the maintenance of linkages between the township and the zone will promote cohesion.

23.3 Issue 2 – Landscape/Geology

The uniqueness of the Kaikoura Peninsula needs to be recognised and taken into account when identifying potential development opportunities so as to ensure that the integrity of the landform is protected.

23.3.1 Objective 2

To maintain the integrity of the landform within the Kaikoura Peninsula Tourism Zone, whilst providing for environmentally sensitive and appropriately located development.

23.3.2 Policies

1. To promote the understanding of the geological history of the Peninsula, and its relationship to the dominant landscape features that have been created.
2. To identify locations in which development can occur that does not adversely affect the integrity of the landform and avoid development outside of these areas.
3. To avoid buildings and structures appearing on the skyline on the upper marine terrace.
4. To ensure any building in the Lifestyle Living Area:
 - a. Is not visible above the skyline of the upper Peninsula terraces and retains a natural landform back drop between the buildings and the skyline, when viewed from the Peninsula Walkway or from a point at the intersection of Scarborough Street and Ward Street, and
 - b. Is clustered on the terrace area and is located either terraced down the slope at different levels or is wrapped around the slope at the same level, and

- c. Forms part of an overall structure plan for the Lifestyle Living area.

23.3.3 Implementation Methods

To implement Policies 1 – 4 through:

1. Recognition of the unique geological characteristics of the Peninsula in the Tourism Management Strategy.
2. Provision of rules and the Outline Development Plan to control the location of buildings within the Kaikoura Peninsula Tourism Zone.
3. Requirement for approval of an Overall Structure Plan for the Lifestyle Living Area

Explanation and Reasons

The Kaikoura Peninsula is characterised by a series of large folds orientated towards the north-east. These have resulted in a 'basin and dome' effect, and have created distinctive marine terraces, shore platforms and wave cut platforms. The multi level terraces were once wave cut platforms, created at sea level and uplifted out of the sea by tectonic processes, at which point the next step would be cut. In the landscape they appear as a flight of terraces with the oldest appearing at the top and the youngest being the Kaikoura township.

Recognition and protection from inappropriate development is important to maintaining the integrity of this unique landform. In particular, the upper marine terrace is considered to have significant landscape and geological values. This landform is recognised in the Kaikoura District Plan as having Outstanding and Significant Landscape values. In order to protect these values for future generations, whilst providing for the social, economic, and cultural well being of people and communities, various landscape studies have been commissioned and thought has been given to how best to achieve Part II (Purpose and Principles), specifically Section 6(a) and 6(b), of the Resource Management Act 1991.

The Peninsula's landscape can accommodate a limited amount of residential development in a selected area identified as the Lifestyle Living Area. This area has a unique ability to accommodate development to the limited extent provided for by this District Plan. To ensure that the development within the Lifestyle Living Area does not adversely affect the landscape of the Peninsula, all development proposals will need to be in accordance with Appendix F (Landscape and Energy Efficiency Guidelines) and demonstrate how adverse effects of the peninsula landscape environment will be remedied, mitigated or avoided.

23.4 Issue 3 – Protection of Natural Character

Preservation of natural character of the coastal environment from inappropriate subdivision, use and development.

23.4.1 Objective 3

To manage development within the zone and to maintain or enhance the natural character of the coastal environment.

23.4.2 Policies

1. To avoid, built development in the eastern part of the zone, where coastal natural character is predominantly unmodified, except where buildings are anticipated and/or shown on the Outline Development Plan in Appendix O.

2. To require building location to be determined having regard to the potential effects on the natural character of the coastal environment.
3. To ensure that no buildings or landscaping in the Lifestyle Living Area have more than minor adverse effects on the natural open space character and amenity of the Kaikoura Peninsula, particularly as viewed from the Peninsula Walkway.

23.4.3 Implementation Methods

1. To achieve Policies 1, 2 and 3 through the provision of rules and the Outline Development Plan to control the location, scale and density of buildings in the Kaikoura Peninsula Tourism Zone.
2. Requirement for approval of an Overall Structure Plan for the Lifestyle Living Area.

Explanation and Reasons

The Kaikoura Peninsula Tourism Zone can be broadly described as being located within the 'coastal environment'. The area away from the coast itself is referred to as the 'coastal influence zone'. This zone overlooks the coast and contributes to the naturalness of the settlements at South Bay and Kaikoura.

Detailed analysis of the Peninsula was undertaken to identify parts of the coastal influence zone that are most vulnerable to adverse effects from change. The location of buildings in this area has the potential to adversely affect its natural character. Consequently, only a limited number of buildings are provided for as restricted discretionary or discretionary activities in this area.

23.5 Issue 4 – Sites of Significance to Te Runanga o Ngai Tahu

Sites of significance to Te Runanga o Ngai Tahu may be subject to degradation or loss as a result of development within the Kaikoura Peninsula Tourism Zone.

23.5.1 Objective 4

To recognise the importance of, and provide for, the relationship of Maori, their culture and traditions with ancestral lands, waters, sites, waahi tapu and other taonga within the Kaikoura Peninsula Tourism Zone.

23.5.2 Policies

1. To avoid, remedy or mitigate effects upon places of special significance to Tangata Whenua.
2. To create opportunities to educate people about the significance and values of archaeological sites and other sites of significance to Tangata Whenua within the Zone.
3. To encourage, where acceptable to Tangata Whenua, the incorporation of archaeological sites into the design of features within the zone.
4. To require any development that occurs within and in close proximity to recorded archaeological sites to be undertaken in a way that is sensitive to the values of those sites.

23.5.3 Implementation Methods

To achieve Policies 1 – 4 through:

1. Provision of rules to require resource consents to be obtained for development within and in close proximity to recorded archaeological sites.

2. Provision of rules and the Outline Development Plan to control the location of suitable buildings within the Kaikoura Peninsula Tourism Zone.
3. Consultation with Tangata Whenua regarding the design and location of development within and in close proximity to recorded archaeological sites.

Explanation and Reasons

The Kaikōura Peninsula contains a long and rich Maori history, and many sites of significance to Te Runanga o Kaikōura. Evidence of Te Runanga o Ngāi Tahu occupation is seen in the place names of the Peninsula, the large number of pa located on the Peninsula, the archaeological discoveries and the stories associated with the Peninsula.

Development within or in close proximity to archaeological sites will require resource consents (involving consultation with Te Runanga o Kaikōura). In addition to the resource consent process it is recognised that appropriate authorities will also need to be obtained from the New Zealand Historic Places Trust.

23.6 Issue 5 – Diversity of Educational, Research and Visitor Accommodation Opportunities

Provision for a diverse range of recreation, research, tourism and visitor accommodation opportunities to establish within the District.

23.6.1 Objective 5

To encourage and provide for a diverse range of sustainable recreation, visitor accommodation, research and tourism related activities, whilst ensuring that the quality of the environment is maintained or enhanced.

23.6.2 Policies

1. To provide for development of recreational, research, visitor accommodation and tourism related activities in a managed and sustainable manner.
2. To ensure that the provision of research, visitor accommodation and tourism related activities do not adversely affect the quality of the environment.
3. To avoid detracting from the primary focus of the existing town centre.

23.6.3 Implementation Methods

1. Identification of the Kaikoura Peninsula Tourism Zone in the District Plan which provides for recreation, research, visitor accommodation and tourism related activities to be established in an integrated manner.
2. Rules and performances standards in the District Plan to control the use, development and subdivision of land in the zone.
3. Requirement of financial and development contributions for upgrades from new development and subdivision.
4. Guidelines to promote and encourage the reduction, reuse and recycling of unwanted materials – refer to the Waste Management Guidelines - All Zones in Appendix G.

Explanation and Reasons

The tourism industry is making an increasing contribution to the District's economy. However limited provision is made for tourism related activities to develop in an integrated manner with other activities. The Kaikoura Peninsula Tourism Zone has been developed on the premise of an integrated tourism, visitor accommodation, recreation and research facility – of such a scale that will provide for the future development of Whale Watch Kaikoura Limited or its successor (the developer) and aid the sustainable development of Kaikoura township.

The creation of a specific zone enables the effect of the proposed activities to be assessed together and controlled by way of an Outline Development Plan.

The Council and Whale Watch Kaikoura Limited have an agreement whereby Whale Watch Kaikoura Limited will pay a contribution toward upgrading of the town's infrastructure. The agreement is based on the development as proposed and provided for by the Outline Development Plan at the time of notification of the variation. Any further development, over and above that provided for by the Outline Development Plan, may result in additional contributions to be paid. Assessment of the impact of the Lifestyle Living Area on the town's infrastructure, including additional contributions to be made, shall be undertaken at the time of Overall Structure Plan approval.

23.7 Issue 6 – Stormwater Disposal

Inappropriate stormwater disposal has the potential to result in erosion, flooding, contamination, sediment loading in surface waterbodies, alterations to groundwater levels and adverse effects on water quality and ecological values.

23.7.1 Objective 6

- a. To avoid stormwater disposal that degrades the quality of the existing surface and ground water.
- b. To mitigate the adverse effects of stormwater runoff, generated from impervious surfacing within the zone.

23.7.2 Policies

1. To avoid an increase in the rate of stormwater runoff to a level which adversely affects water quality, soil stability, ecological values or increases flood hazard.
2. To ensure that the necessary stormwater control and disposal systems are undertaken by the developer in recognition of the amount and rate of anticipated runoff and the potential effects of such runoff.
3. To promote the use of natural surface infiltration as a means of stormwater disposal in parts of the zone where this is not limited by geotechnical constraints.
4. To promote the reuse of grey water as a source of irrigation water.
5. To require the provision of drainage swales along the primary and secondary vehicle accesses.

23.7.3 Implementation Methods

1. Rules in the District Plan controlling the design of the primary vehicle access and the type of materials used for footpaths, car parks and road surfaces.
2. Resource consents from the Regional Council for stormwater discharge.

Explanation and Reasons

Stormwater disposal from much of the land within the zone has historically discharged into Phair's Drain, and eventually into South Bay. The rate of stormwater runoff has the potential to increase as a result of development within the zone, however various techniques are available to minimise this.

These techniques involve incorporation of swales into roading design, the use of retention ponds, vegetation of parts of the zone to promote surface infiltration, and temporary detention of runoff in storage devices.

23.8 Issue 7 – Earthworks

Earthworks on land can lead to increased local flooding, slope instability, water contamination, accumulation of sediment off site and adverse effects on ecological, landscape, historical and cultural values.

23.8.1 Objective 7

To avoid, remedy or mitigate adverse effects from earthworks on water bodies, the Coastal Marine Area, landscapes values, land stability, flooding potential of the site and neighbouring properties, and cultural heritage sites.

23.8.2 Policies

- 1.** To minimise sediment runoff into waterbodies and the Coastal Marine Area from earthworks through the adoption of sediment control techniques.
- 2.** To avoid, remedy or mitigate adverse visual effects of earthworks on outstanding and significant landscape areas.
- 3.** To adopt techniques to minimise the potential for increased land instability.
- 4.** To adopt techniques to minimise noise and dust effects from earthworks.
- 5.** To notify Te Runanga o Kaikoura and the New Zealand Historic Places Trust where earthworks are proposed in archaeological sites or areas shown on the District Plan maps.

23.8.3 Implementation Methods

- 1.** Rules in the District Plan specifying performance standards to control earthworks in the zone, and requirements for resource consents.
- 2.** Resource consents from the Regional Council for earthworks.

Explanation and Reasons

The Council recognises that development within the zone will require some modification of the natural environment through earthworks, and that such operations have the potential to cause adverse environmental effects. Techniques are available to mitigate these effects.

A resource consent for any significant earthworks is required under the District Plan, and is also likely to be required under the Land and Vegetation Management Regional Plan, administered by the Canterbury Regional Council.

23.9 Anticipated Environmental Results

- 1.** Avoiding, remedying or mitigating the adverse effects of development of the Kaikoura Peninsula Tourism Zone on sites of significance to Te Runanga o Ngai Tahu.

2. Cohesion between the Kaikoura Peninsula Tourism Zone and the rest of the township through the development of a safe and efficient roading network, and the maintenance of walkway linkages to the established walkway network around the outer edge of the Kaikoura Peninsula and the township.
3. The creation of an international style hotel and other visitor accommodation in recognition of the diversity of needs of Kaikoura residents and visitors.
4. Maintain the integrity of the Kaikoura Peninsula landform.
5. Development and enhancement of recreational opportunities of the area.
6. Provision of a range of tourist, visitor accommodation, research and recreational activities which can be used by the local community, as well as overseas and New Zealand tourists, without any significant adverse effects on the environment.
7. Stormwater runoff from development in the zone not degrading existing surface and groundwater quality, ecological values or causing soil instability or increasing a potential flood hazard.
8. A co-ordinated and consistent design theme that acknowledges the landscape, natural character, geological and cultural environment within which the site is located.
9. Development of opportunities for ecological restoration in conjunction with the provision of planting to mitigate against the potential effects of stormwater runoff and to enhance natural character.
10. The location of buildings near a change in landform in response to the landscape and geological values of the site.
11. Enhanced public awareness of the geological, cultural, landscape and social context in which the Kaikoura Peninsula is located.
12. Maintenance and enhancement of public access to the coast.
13. Avoidance of adverse effects on outstanding and significant landscape areas, and on the natural character of the coastal environment.
14. Maintenance of the open space character of the zone.

Kaikoura Peninsula Tourism Zone Rules

23.10 Zone Description

The Kaikoura Peninsula Tourism Zone applies to approximately 180 ha of land located on the eastern part of the Kaikoura Peninsula. The Peninsula is widely acknowledged as an outstanding and significant landscape, and which contains a number of sites of particular significance to Ngai Tahu.

The Kaikoura Peninsula Tourism Zone has been introduced to provide for an integrated tourism complex on Kaikoura Peninsula, consisting of a visitor complex, hotel, lodges, golf course with associated access, parking and landscape plantings. This development is to occur in specified locations in accordance with an Outline Development Plan with the necessary controls to ensure that the final complex is in sympathy with the Peninsula's landscape. A Lifestyle Living Area is also identified. Development of this area is to occur in accordance with an Overall Structure Plan with controls to ensure that residential development is appropriate within the immediate and wider landscape. The remaining land in the zone is to become a golf course or be retained as open space and/or for farming purposes, except for limited building development required to service the golf course or the open space areas as provided for in this plan. Retaining this open space is particularly important in the eastern part of the Peninsula where it has a strong connection to the coast. The Kaikoura walkway is also to be maintained and/or enhanced for public use.

23.11 Definitions

The following definitions apply to the Kaikoura Peninsula Tourism Zone:

Outdoor Entertainment Event means an event undertaken outdoors (including events in tents or marquees) for the purpose of meetings, performances, amusement, gatherings or sporting events (including any special golf event that attracts public galleries), whether a charge is made for admission or not.

23.12 Activities

Activities specified in the following table shall be assessed as permitted, controlled, restricted discretionary, discretionary, or non-complying as shown.

In addition to the rules below, approvals may also be required from the New Zealand Historic Places Trust to destroy, damage or modify archaeological sites, and under Section 15 (District Wide Rules – Heritage).

Resource consents in relation to the following matters shall be non – notified, notice of such applications need not be served on affected persons, and the written approval of affected persons need not be obtained:

- Table 23.12: Controlled activities relating to earthworks and outdoor entertainment events.
- Table 23.12: Restricted discretionary activities relating to (b) - certain buildings associated with permitted activities.
- Table 23.13: Restricted discretionary activities relating to performance standards (9) and (10).

Table 23.12

Status	Activity	Conditions
Permitted	<p>a. Visitor accommodation</p> <p>b. Commercial activities, limited to displays, offices and retail</p> <p>c. Community activities, limited to research and education facilities</p> <p>d. Residential activities, limited to caretakers' units required for activities carried out within the Building Platform Location Areas shown on the Outline Development Plan in Appendix O</p> <p>e. Recreational activities</p> <p>f. Golf courses</p> <p>g. Outdoor entertainment events attended by less than 1000 people</p> <p>h. Farming activities excluding intensive farming</p> <p>i. Take off or landing of helicopters for any of the following purposes:</p> <ul style="list-style-type: none"> — emergencies; — rescue; — fire fighting or civil defence purposes <p>j. Earthworks associated with:</p> <ul style="list-style-type: none"> i. the construction of walking tracks on slopes of less than 10 degrees, provided that they do not exceed 1.5m in width; ii. permitted activities provided that the earthworks do not exceed a total volume of 10m³/ha and 0.5m maximum depth or 0.5m height 	<p>All activities, other than farming activities outside the Building Platform Location Area shown on the Outline Development Plan in Appendix O, are subject to compliance with performance standards in Table 23.13.</p>
Controlled	<p>a. Outdoor Entertainment Events not listed as a permitted activity.</p> <p>b. Earthworks associated with:</p> <ul style="list-style-type: none"> i. any permitted activity but not listed as a permitted activity except for: earthworks associated with the construction of buildings (Refer to Activities below). ii. the construction of walking tracks on slopes of 10 degrees or more, provided that they do not exceed 1.5m in width. 	<p>All controlled activities are subject to compliance with performance standards in Table 23.13. In addition, the following activities shall be controlled with the Council's control restricted to the matters listed below:</p> <p>For (a) only:</p> <ul style="list-style-type: none"> — Methods to control the management of traffic and parking; — Methods to manage the demand for water supply and the disposal of sewage; — Methods to control litter; — Methods to notify any affected adjacent landowners of an impending event. <p>For (b) only:</p> <ul style="list-style-type: none"> — Methods to avoid the potential for subsidence or erosion; — Methods to rehabilitate disturbed ground including

Status	Activity	Conditions
		<p>any re-contouring;</p> <ul style="list-style-type: none"> — Methods of dust control; — Methods to control stormwater and silt runoff; — The location, size and duration of stockpiles. <p>NOTE: Rules 15.8.1 and 15.8.4 also require all earthworks to adhere to the archaeological discovery protocol and impose additional matters over which Council's control may be exercised.</p> <p>For (b)(ii) only:</p> <ul style="list-style-type: none"> — Location of the walking track; — Type of pavement materials used; — Gradient of batter slopes; — Methods to rehabilitate disturbed ground
Restricted Discretionary	<p>a. Any permitted or controlled activity that does not comply with one or more of the performance standards in Table 23.13 (3) – (15).</p> <p>b. All buildings associated with any permitted activity except for:</p> <ul style="list-style-type: none"> — any buildings associated with a farming activity; — buildings provided for in c. and d. below. <p>c. Lodges located within the Building Platform Location Area labelled 'Lodges' shown on the Outline Development Plan in Appendix O.</p> <p>d. Refreshment kiosk associated with the golf course located outside the Building Platform Location Area shown on the Outline Development Plan in Appendix O.</p>	<p>For a. only: Council's discretion is restricted to the relevant standard(s) not complied with in Table 23.13.3–15.</p> <p>For b only: Council's discretion is restricted to specific matters listed below:</p> <ul style="list-style-type: none"> — Visual impacts, excluding building design, and including but not limited to colour and materials of buildings, quality of materials, and reflectivity of materials used on the exterior of buildings; — Earthworks associated with the construction of buildings; — Landscape treatment around buildings; — Stormwater disposal; and — Any relevant standard(s) in Table 23.13.3 – 15 not complied with. <p>For c only: Council's discretion is restricted to specific matters listed below:</p> <ul style="list-style-type: none"> — Visual impacts, including but not limited to external building design, colour and materials of buildings, quality of materials, and reflectivity of materials used on the exterior of buildings; — Earthworks associated with the construction of buildings; — Landscape treatment around buildings; — Stormwater disposal; and — Any relevant standard(s) in Table 23.13(3) – (15) not complied with. <p>For d only: Council's discretion is restricted to specific matters listed below:</p> <ul style="list-style-type: none"> — Location of the building;

Status	Activity	Conditions
		<ul style="list-style-type: none"> — Visual impacts, including but not limited to external building design, colour and materials of buildings, quality of materials, and reflectivity of materials used on the exterior of buildings; — Earthworks associated with the construction of buildings; — Stormwater disposal; and — Any relevant standard(s) in table 23.13(3) – (15) not complied with. <p>Note: Rules 15.8.1 and 15.8.4 also require all earthworks to adhere to the archaeological discovery protocol and impose additional matters over which Council's discretion may be exercised.</p>
Discretionary	<p>a. Any activity specified as a permitted, controlled or restricted discretionary activity that does not comply with performance standard: 23.13 (2) Scale and/or Nature of Development.</p> <p>b. For the Lifestyle Living Area shown on Appendix O, any activity, including earthworks, structures, residential units and accessory buildings, that is in accordance with an Overall Structure Plan.</p>	<p>Council's discretion is not restricted.</p> <p>For (b) only:</p> <ul style="list-style-type: none"> — The subdivision and land use consent for all buildings shall be applied for concurrently. — An Overall Structure Plan for the whole of the Lifestyle Living Area shall be lodged at the time of consent application. — The Overall Structure Plan shall show how the development is designed in order to minimise any visual impact on the landscape value of the Upper Peninsula Terraces and the unbuilt Eastern Peninsula Area. — In addition to the Performance Standards 23.13.1-15, Council shall have regard, but not be limited to the specific matters listed below: — The location and layout of each building, including residential unit and associated residential curtilage area. — The location and scale of all buildings, including residential units - — The height, site coverage and location of all buildings in relation to the landform. — Colour schemes. — All associated accessory buildings. — All proposed landscaping and layout of residential curtilage and outdoor living space areas. — Proposed vehicle access, manoeuvring areas and access layout. — The design of any building,

Status	Activity	Conditions
		<p>including any residential unit, associated residential curtilage, any structures and any landscaping in accordance with Appendix F.</p> <ul style="list-style-type: none"> — Location of services, access and roading layout for the whole Lifestyle Living Area shown on the Outline Development Plan in Appendix O. — Earthworks associated with the construction of buildings or associated services, including roads and access points. — In relation to subdivision matters the compliance with Performance Standards 13.12.1-11.
Non-complying	<p>a. Any activity not specifically provided for in the zone.</p> <p>b. Any activity specified as a permitted, controlled, restricted discretionary, or discretionary activity that does not comply with performance standard 23.13.1 Building Location.</p> <p>c. Any building or structure not located within a Building Platform Area, or developed in accordance with the Overall Structure Plan for the Lifestyle Living Area, shown in Appendix O.</p> <p>d. Residential buildings and other buildings associated with farming activities.</p>	

23.13 Performance Standards

23.13	Standard
1. Building and Activity Location	<p>a. All buildings shall be located in accordance with the applicable Building Platform Location Area shown on the Outline Development Plan in Appendix O.</p> <p>b. All parking areas (other than overflow parking areas) shall be located generally in accordance with the applicable Parking Area Location shown on the Outline Development Plan in Appendix O.</p> <p>c. The primary vehicle access shall be aligned generally in accordance with the alignment shown on the Outline Development Plan in Appendix O.</p> <p>Except for</p> <ul style="list-style-type: none"> — those buildings provided for in (d) below, and; — any golf course service/maintenance buildings located within 150m of the outer edge of the applicable Building Platform Location Area as shown on the Outline Development Plan in Appendix O. <p>d. Areas outside of the Building Platform Location, Lifestyle Living Area, and Parking Areas shown on the Outline Development Plan in Appendix O shall only be used for the following:</p> <ul style="list-style-type: none"> — golf course, and associated shelter, toilets and refreshment kiosk; — other outdoor recreation activities not requiring buildings; — outdoor entertainment events; — farming, excluding intensive farming; — vehicle access and parking areas (including overflow parking areas); — temporary buildings permitted under Section 17 of the Plan;

23.13	Standard
	<ul style="list-style-type: none"> — retaining walls less than 1.5m in height located on slopes not exceeding 18 degrees (1V:3H); — pedestrian or golf cart bridges. <p>e. All development in the Lifestyle Living Area, shown on the Outline Development Plan in Appendix O, shall be in accordance with an Overall Structure Plan for the Lifestyle Living Area approved by the Council as part of the subdivision and land use consent for the Lifestyle Living Area. The Overall Structure Plan shall show the following:</p> <ul style="list-style-type: none"> — The location and layout of each building, including residential units and associated residential curtilage area. — The location of all buildings, including residential units. — The height, site coverage, and location of all buildings in relation to the surrounding landform. — All associated accessory buildings. — All proposed landscaping and residential curtilage areas. — Proposed vehicle access and proposed access layout in accordance with the hierarchy outlined in performance standard 12.8.3.c.
2. Scale and/or Nature of Development	<p>The scale and/or nature of building development within the zone shall be limited to the following:</p> <p>Visitor Accommodation – limited to:</p> <ul style="list-style-type: none"> a. hotel (maximum of 250 bedrooms) and conference facilities (for a maximum of 250 persons); b. lodges – maximum of 12 lodges, each with a maximum of 4 bedrooms. <p>Golf Course – limited to:</p> <ul style="list-style-type: none"> c. one clubhouse; d. a refreshment kiosk not exceeding 200m² GFA ; e. golf course service/maintenance buildings not exceeding 300m² in area (provided that the total floor area of all golf course service buildings shall not exceed 300m² in area); f. shelters and toilets. <p>Visitor Attraction Complex – limited to:</p> <ul style="list-style-type: none"> g. exhibits/information/displays; h. offices; i. retail; j. research/education facilities; <p>Retail and Offices – limited to:</p> <ul style="list-style-type: none"> k. any retail activities and offices shall be associated with, and secondary and ancillary to tourism, research, education and recreation activities within the zone. <p>Temporary Buildings – limited to:</p> <ul style="list-style-type: none"> l. temporary buildings permitted under Section 17 of the Plan. <p>Lifestyle Living Area - limited to:</p> <ul style="list-style-type: none"> m. A maximum of 30 residential units with a maximum of 25% site coverage for all buildings averaged over the whole Area.
3. Height of buildings	<ul style="list-style-type: none"> a. Hotel: no part of any building shall protrude through a plane that connects the points on the grid included in Section 23.15, except that in the area shown on the Outline Development Plan in Appendix O as ‘hotel or lodges’ Building Platform Location Area, clause (d) shall apply. b. Visitor Attraction Complex: <ul style="list-style-type: none"> i. Main Buildings – no part of the visitor attraction complex shall be greater than 65 mamsl , except that if the roof of the complex is to be grassed it may protrude above 65 mamsl but shall not extend above 70 mamsl; ii. Secondary Buildings - 5m maximum height, and no part of any building shall extend above 65m mamsl. c. Lodges: 7.5m maximum height, and no part of any building shall extend above 105 mamsl, except that in the area shown on the Outline Development Plan in

23.13	Standard
	<p>Appendix O as 'hotel or lodges' Building Platform Location Area clause (d) shall apply.</p> <p>d. Hotel or Lodges (within the area shown as 'hotel or lodges' Building Platform Location Area shown on the Outline Development Plan): 5m maximum height, and no part of any building shall extend above 85 mamsl.</p> <p>e. Clubhouse: the maximum height of the building shall be 18m; and no part of the building shall extend above 98 mamsl.</p> <p>f. Golf course Service/Maintenance Buildings: 10m maximum height</p> <p>g. Refreshment Kiosk: 5m maximum height</p> <p>h. Other Buildings: 5m maximum height</p> <p>i. Buildings within the Lifestyle Living Area: All buildings shall be constructed to ensure that buildings do not break the skyline, ridgeline or any part of the upper Peninsula terraces, and retains a natural landform backdrop between the buildings and skyline, when viewed from any point on the Peninsula Walkway. For the purpose of this rule, height shall exclude</p> <ul style="list-style-type: none"> — chimneys, provided that the maximum height permitted by this rule is not exceeded by more than 3m. — skylights in the visitor attraction complex (main building), provided that the maximum height permitted by this rule is not exceeded by more than 1.5m.
4. Zone boundary separation	No building shall be located closer than 25m from the zone boundary, except that this does not apply to any building in the Visitor Attraction Complex or the Lifestyle Living Area shown on the Outline Development Plan in Appendix O and the refreshment kiosk located within or immediately adjacent to the golf course.
5. Landscaping	<p>a. i Planting Area 'A' shown on the Outline Development Plan in Appendix O shall be planted with trees or shrubs capable of reaching a height of 5 - 10m at maturity; and/or bunded or fenced to a maximum height of 1m except that this does not apply:</p> <ul style="list-style-type: none"> — across the site entrance, or; — within any area deemed necessary for sight distance requirements at the site entrance in accordance with AUSTRROADS Guide to Traffic Engineering Practice Part 6 – Roundabouts. <p>ii. A minimum of 60% of the planting required under (a)(i) shall be species indigenous to the local area.</p> <p>iii. Planting required under (a)(i) and (ii) shall be established prior to the operation of the hotel, clubhouse, golf course or visitor attraction complex commencing.</p> <p>b. i. At least 20% of the Planting Area 'B' shown on the Outline Development Plan in Appendix O shall be planted with species indigenous to the local area capable of reaching a height of 2 -10m at maturity.</p> <p>ii. Planting required under (b)(i) shall be established prior to the operation of the hotel commencing.</p> <p>c. All landscaping within the Lifestyle Living Area shown in Appendix O, shall be shown on the Overall Structure Plan for the Lifestyle Living Area and shall be established to preserve the landscape value and openspace character of the Peninsula Landform.</p>
6. Noise	<p>a. Operational noise</p> <p>All activities shall be conducted so that the following noise limits are not exceeded at any point within any Residential Zone, or at any point within the notional boundary of any dwelling in the Rural Zone, during any measurement sample within the time-frames stated:</p> <ul style="list-style-type: none"> — 0700 – 2200 Monday to Saturday 45 dBA Leq (15 minutes) — At all other times 35 dBA Leq (15 minutes)

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	<p>— On any day 2200 – 0700 the following day 70 dBA Lmax</p> <p>Except where provided elsewhere in these conditions, noise limits shall be measured in accordance with NZS 6801:1999 Acoustics - Measurement of Environmental sound, and shall be assessed in accordance with NZS 6802:1999 Acoustics-Assessment of environmental noise.</p> <p>Except that this rule does not apply to:</p> <ul style="list-style-type: none"> — take off or landing of helicopters for emergency landings, fire fighting or civil defence; — any activity on a formed road, or the primary or secondary vehicle access as shown on the Outline Development Plan in Appendix O; — any overflying aircraft; — activities listed in clauses b and c below. <p>b. Construction Noise</p> <p>Any construction activities within the zone shall comply with the requirements of New Zealand Standard 6803:1999 'Acoustics – Construction Noise'.</p> <p>c. Concerts limited to:</p> <ul style="list-style-type: none"> i. up to 10 music days in any calendar year, and; ii. up to 3 consecutive music days in any 30 day period <p>are exempt from performance standard 6.a provided that the following standards are complied with:</p> <ul style="list-style-type: none"> i. All concerts shall operate so that the noise limit produced by such events shall not exceed 65 dBA Leq (15 minute) and 75 dBA Lmax, at any point within any Residential Zone, or at any point within the notional boundary of any dwelling in the Rural Zone, and; ii. The maximum duration of any amplified music, including any sound checks, shall not exceed 4.5 hours in any one day, and; iii. Amplified music shall only occur between the hours of 0900 and 2300 Monday to Saturday.
7. Lighting	<p>a. All exterior lighting shall be directed away from adjacent sites and roads and shall not result in lux spill which exceeds 3 lux maximum (horizontal and vertical) onto sites outside the zone, measured at any point more than 2m at or within the boundary of any site zoned residential, or within the notional boundary of any site zoned rural;</p> <p>b. all exterior lighting shall be shielded from above in such a manner that the edge of the shield shall be below the whole of the light source;</p> <p>c. no exterior illumination of any building for aesthetic purposes shall occur between 2300 and sunrise the following day, except that the rear of the hotel may be lit between these hours if such lighting is screened from adjoining sites;</p> <p>d. the height of any external light pole, other than at the rear of the hotel if such lighting is screened from adjoining sites, shall not exceed 1.5m above modified ground level.</p>
8. Outdoor Storage	<p>Other than for construction purposes, no goods, materials or equipment shall be stored outside a building except for vehicles associated with the activity parked on the site overnight.</p>
9. Servicing - Water	<p>a. Before occupation of any buildings associated with any permitted activity specified in Table 23.12, a connection to the Council reticulated water supply shall be established.</p> <p>b. Any building used for overnight accommodation of people in the Lifestyle Living Area shown in Appendix O shall be provided with a connection to Council reticulated water supply.</p>
10. Servicing - Sewage	<p>a. Before occupation of any buildings associated with any permitted activity specified in Table 13.12, a connection to the Council reticulated sewage system shall be established.</p> <p>b. Any building used for overnight accommodation of people in the Lifestyle Living Area shown in Appendix O shall be provided with a connection to Council reticulated sewage system.</p>
11. Vehicle Access	<p>a. The main vehicular access into the zone shall be via the primary vehicle access shown on the Outline Development Plan in Appendix O, except that a second vehicle entry point into the zone (shown as the secondary vehicle access on the Outline Development Plan in Appendix O) shall be used for vehicles</p>

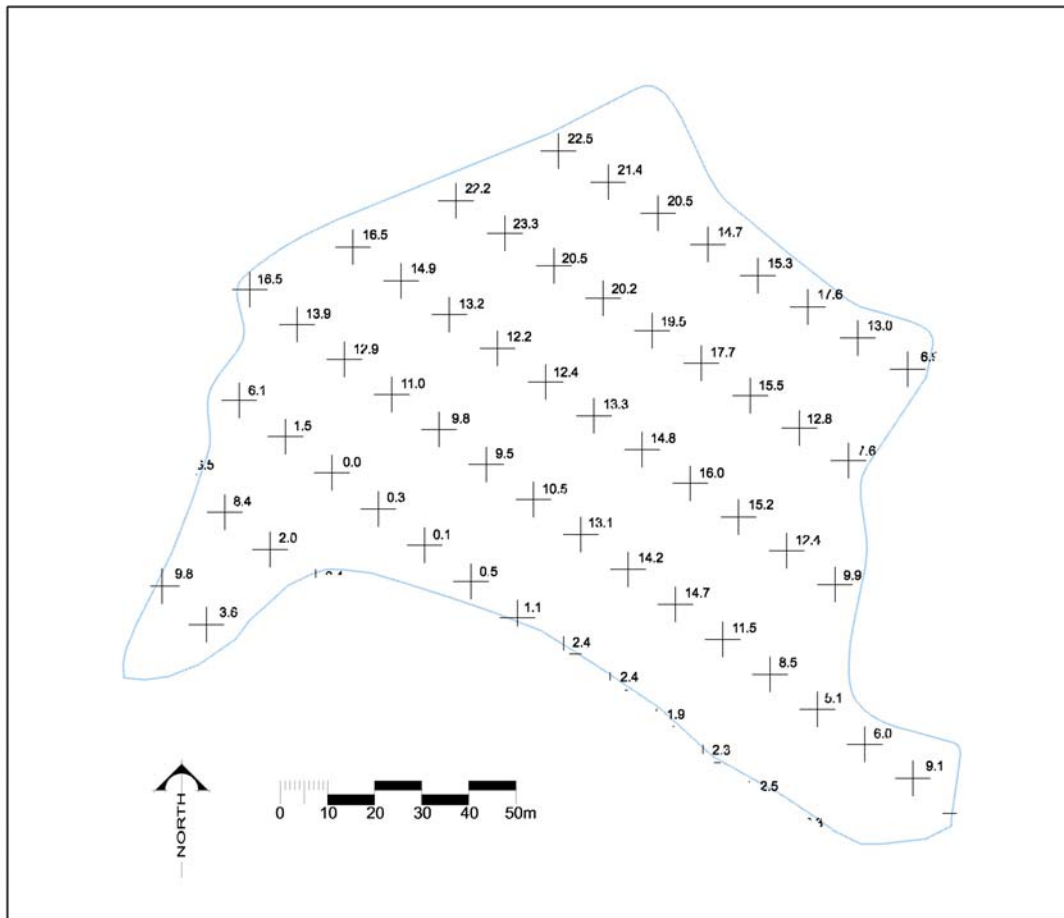
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	<p>involved in golf course construction, maintenance activities for the golf course or by staff involved in golf course operation and maintenance.</p> <p>b. Any Overall Structure Plan submitted in accordance with 23.12.1 shall outline the vehicular access for the Lifestyle Living Area including access widths to the standard outlined in table 12.8.3 and Performance Standard 13.12.8.</p>
12. Cycle Access	The main point of cycle entry into the site shall be via the primary vehicle access as shown on the Outline Development Plan in Appendix O.
13. Walkways	Walkways shall be constructed between the points shown on the Outline Development Plan in Appendix O.
14. Earthworks	<p>The completed height of the platform for the golf course clubhouse car park shall not exceed 100 mamsl.</p> <p>NOTE: Rules 15.8.1 and 15.8.4 also require all earthworks to adhere to the archaeological discovery protocol.</p>
15. Waste management	Any commercial activity that generates waste shall comply with the Waste Management Protocol set out in Appendix G.

23.14 District Wide Rules

In addition to the zone rules the following district – wide rules may also apply to activities undertaken in the Kaikoura Peninsula Tourism Zone.

Natural Hazards	(refer to Section 8)
Utilities	(refer to Section 10)
Landscape and Amenity	(refer to Section 11)
Transport	(refer to Section 12)
Subdivision	(refer to Section 13)
Financial Contributions	(refer to Section 14)
Heritage	(refer to Section 15)
Relocated Buildings, Temporary Buildings and Temporary Activities	(refer to Section 17)

23.15 – Floating Grid Diagram



Note: This grid applies to the 'hotel' Building Platform Location Area shown on the Outline Development Plan for the Kaikoura Peninsula Tourism Zone (contained as Annexure O).

The numbers referred to at the grid points in the above diagram are heights in metres above existing ground level.

The maximum height of any building is determined by the heights above existing ground levels of a plane connecting the grid points shown on the above diagram.

If the existing ground level is altered, the maximum height permitted shall be adjusted accordingly to ensure that the maximum height above existing ground level shown on the diagram is not exceeded.

