

SETZ - Settlement Zone

The majority of the District’s residential, commercial, industrial and other social facilities and activities are located in the Kaikōura urban area. However, the Settlement Zone incorporates those small settlements which contain a mixture of living, business, community and productive use. The Settlement Zone applies to the following settlements in the District: Kekerengu, Clarence (Matariki), Rakautara, Peketa, Goose Bay (Otemakura), Hapuku, Oaro and Omihi.

These settlements are included in the Settlement Zone in order to provide for the consolidation of residential and commercial activities in these areas, and to avoid unnecessary development in rural and coastal areas. These settlements will continue to serve a variety of functions including service centres, fishing settlements, retirement and holiday home settlements. In general, these small towns have a relatively stable population with residents generally enjoying a high standard of visual, and open space amenity. However, these settlements experience some isolation with regard to access to employment, and to various commercial, social, cultural and recreational facilities.

The fundamental characteristics of these townships is their small scale and less intense development. They make an important contribution to the housing needs and social and economic well-being of the local population. They provide the opportunity for persons to live close to their source of employment and are valued by residents and visitors alike for their amenity, services and facilities.

Historically the District's small settlements were founded on sites of earlier Māori occupation as rural service centres, fishing, and holiday settlements. All are located adjacent to the main transport routes or along the coastal margins of the District. The townships comprise a mixture of residential, commercial, recreational, rural, community and other uses, generally interspersed and without a clear pattern or definition of development. There has been little in the way of commercial and industrial growth in recent years, although all have continued to serve their purpose.

Key defined terms for this chapter	
Term	Definition
Amenity or Amenity Values	has the same meaning as defined in Section 2 of the Resource Management Act 1991, which at the notification date of this Plan, means: <i>"those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its</i>

	<i>pleasantness, aesthetic coherence, and cultural and recreational attributes."</i>
Building (NPS)	Means a temporary or permanent movable or immovable physical construction that is: <ul style="list-style-type: none"> a. partially of fully roofed; and a. fixed or located on or in land; but excludes any motorised vehicle or other mode of transport that could be moved under its own power.
Building Coverage (NPS)	Means the percentage of the net site area covered by the building footprint.
Farming Activity	means the use of land and buildings for the primary purpose of the production of vegetative matter including agriculture, viticulture and horticulture and/or commercial livestock, but excludes intensive farming, aquaculture and any residential activity.
<i>Height (NPS)</i>	Means the vertical distance between a specified reference point and the highest part of any feature, structure, or building above that point.
<i>Height in relation to boundary (NPS)</i>	Means the height of a structure, building or feature, relative to its distance from either the boundary of: <ul style="list-style-type: none"> a. a site; or b. another specified reference point.
<i>Home business (NPS)</i>	Means a commercial activity that is: <ul style="list-style-type: none"> a. undertaken or operated by at least one resident of the site; and b. incidental to the use of the site for a residential activity.
<i>Net site area (NPS)</i>	Means the total area of the site, but excludes: <ul style="list-style-type: none"> a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site;

	<p>c. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</p>
Outdoor Living Space (NPS)	Means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.
Outdoor Recreational Activity	means a recreation activity undertaken entirely outdoors with buildings limited to use for public shelter, toilet facilities, information and ticketing.
Public Area	means those parts of a building normally available for use by the general public exclusive of any service or access areas of the building.
<i>Recreational activity (ODP)</i>	<p>Means the use of land and/or buildings for the primary purpose of recreation and/or entertainment which is not commercial and includes the sale of food and beverage for consumption on the site, provided it is ancillary to the recreational activity.</p> <p>Recreational activities include sport clubs, art, craft and hobby clubs (i.e., painting, pottery, bridge, chess, photography clubs. and outdoor recreation pursuits) but excludes any recreational activity within the meaning of residential activity.</p>
<i>Residential activity (NPS)</i>	Means the use of land and building(s) for people's living accommodation.
<i>Residential unit (NPS)</i>	Means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.
<i>Site (NPS)</i>	<p>Means:</p> <ul style="list-style-type: none"> a. an area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or

	despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.
Visitor Accommodation (NPS)	Means the land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.

Zone description
Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.

Cross-references
<p>In addition to the zone chapters, several district-wide and overlay chapters also contain provisions that may be relevant to the Settlement Zone, including:</p> <p>TRAN - Transport</p> <p>HH - Historic Heritage</p> <p>EW - Earthworks</p> <p>LIGHT - Light</p> <p>NOISE - Noise</p> <p>SUB - Subdivision</p>

Issues

SETZ-I1	Protection of <i>amenity values</i> in settlement areas
Provision for a wide range of activities in settlement areas while ensuring that the character and scale of <i>buildings</i> and the effects of activities do not adversely affect the <i>amenity</i> enjoyed by residents.	

Objectives

SETZ-O1	Settlement character and <i>amenity</i>
<p>To provide for a low density, low scale residential environment within the small settlements of the District, and to provide for a wide range of activities, while recognising a need to maintain the <i>amenity</i> of the residential environment.</p>	

Policies

SETZ-P1	Enable activities while managing effects on <i>amenity</i>
<p>To enable a wide range of activities to be undertaken within small settlements, provided effects such as noise, traffic generation and lighting spill associated with activities do not adversely affect the <i>amenity</i> enjoyed on neighbouring <i>sites</i>.</p>	
SETZ-P2	Provision of on-site parking and manoeuvring
<p>To maintain the <i>amenity</i> of settlement areas by ensuring sufficient on-site parking and manoeuvring areas for vehicles are established.</p>	
SETZ-P3	Preserve settlement <i>amenity values</i>
<p>To ensure that the design and siting of development (<i>building height, building coverage, recession lines setbacks</i> and provision of <i>outdoor living areas</i>) is controlled so that:</p> <ol style="list-style-type: none"> a. development will not unreasonably deny neighbouring properties sunlight, daylight or views and; b. ample on-site provision of <i>outdoor living space</i> oriented to the sun exists; and c. an open and attractive scene exists; and d. a character and scale of <i>buildings</i> and open space is maintained which is compatible with the anticipated residential environment. 	
SETZ-P4	Avoid development that adversely affects settlement <i>amenity</i> and character
<p>To avoid or mitigate development which would detract from the predominant character, scale and <i>amenity</i> of the particular residential environment.</p>	

SETZ-P5	Promote Zero Waste policy
<p>To promote Council's "Zero Waste" policy by promoting and encouraging the reduction, reuse and recycling of unwanted materials.</p>	

Rules

SETZ-R1	<i>Residential activities and keeping of domestic livestock</i>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is achieved with SETZ-S1 to SETZ-S14.</p>
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is not achieved with SETZ-S1 to SETZ-S14.</p> <p>Matters of discretion:</p> <p style="padding-left: 40px;">1. The matters of discretion of any standard that is not met.</p>

SETZ-R2	<i>Home businesses</i>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is achieved with SETZ-S1 to SETZ-S14.</p> <p style="padding-left: 40px;">b. The number of persons employed by the business but living off-site shall be limited to one person.</p>
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is not achieved with SETZ-S1 to SETZ-S14.</p> <p style="padding-left: 40px;">b. Compliance is not achieved with SETZ-R2(1)(b).</p> <p>Matters of discretion:</p> <p style="padding-left: 40px;">1. The matters of discretion of any standard that is not met.</p>

SETZ-R3	<i>Recreational activities (limited to outdoor recreational activities on public reserves)</i>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is achieved with SETZ-S1 to SETZ-S14.</p>
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is not achieved with SETZ-S1 to SETZ-S14.</p> <p>Matters of discretion:</p> <p style="padding-left: 40px;">1. The matters of discretion of any standard that is not met.</p>

SETZ-R4	<i>Farming activities (excluding intensive farming)</i>
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is achieved with SETZ-S1 to SETZ-S14.</p>
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is not achieved with SETZ-S1 to SETZ-S14.</p> <p>Matters of discretion:</p> <p style="padding-left: 40px;">1. The matters of discretion of any standard that is not met.</p>

SETZ-R5	Take off or landing of aircraft for emergency landing, rescue, firefighting, civil defence, or activities carried out by the New Zealand Defence Force
	<p>1. Activity status: Permitted</p> <p>Where:</p> <p style="padding-left: 40px;">a. Compliance is achieved with SETZ-S1 to SETZ-S14.</p>
	<p>2. Activity status: Restricted discretionary</p>

	<p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with SETZ-S1 to SETZ-S14. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any standard that is not met.
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SETZ-R6	<i>Visitor accommodation</i>
	<p>1. Activity status: Restricted discretionary.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. effects on <i>amenity values</i> including noise and visual effects 2. any effects on traffic or pedestrian safety 3. provision for adequate servicing including sewerage disposal, water supply 4. effects on archaeological, cultural or historic <i>sites</i> or <i>buildings</i> 5. effects on landscape values 6. ecological effects.

SETZ-R7	Commercial activities
	<p>1. Activity status: Restricted discretionary.</p> <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. effects on <i>amenity values</i> including noise and visual effects 2. any effects on traffic or pedestrian safety 3. provision for adequate servicing including sewerage disposal, water supply 4. effects on archaeological, cultural or historic <i>sites</i> or <i>buildings</i> 5. effects on landscape values 6. ecological effects

SETZ-R8	Any other activity not otherwise listed as a Permitted, Controlled, or Restricted Discretionary activity
	<p>1. Activity status: Discretionary.</p>

Standards

SETZ-S1	Heavy vehicle storage	
No more than one heavy vehicle may be parked overnight on any one site, except for <i>farming activities</i> .	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	
SETZ-S2	Building coverage	
<p>1. commercial activities: 60% maximum</p> <p>2. all other activities: 35% maximum</p> <p>except that for <i>recreational activities, building coverage</i> is limited to 1% excluding children’s play equipment.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	
SETZ-S3	Height of buildings	
8m maximum	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	
SETZ-S4	Landscaping	
<p>Except for vehicle crossings and <i>residential activities</i>, landscaping shall be provided as follows:</p> <p>1. 2m minimum width along road boundaries and;</p> <p>2. minimum of 1 tree / 10m road frontage (min <i>height</i> 1.5m or min age 3 years) and;</p> <p>3. 1m minimum width along the boundary of an adjoining <i>site</i> which contains a reserve</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	

<p>or residential activity (such that building is screened at landscaping maturity).</p>	
<p>SETZ-S5</p>	<p>Height in relation to boundary</p>
<p>No part of any <i>building</i> shall intrude into a <i>height in relation to boundary</i> plane constructed from points measured 2.5m above internal boundaries as shown in Appendix 3, unless exempt under Appendix 3.</p> <p>Exceptions:</p> <ul style="list-style-type: none"> a. Chimneys, solar panels, ventilation shafts, roof water tanks, lift and stair shafts and spires, poles and masts, provided they do not exceed any relevant <i>height</i> limits specified in the District-Wide or Zone rules, and provided that their maximum dimension measured parallel to the boundary under consideration does not exceed 3m. b. A gable or hip end may penetrate the recession lines in Residential, Ocean Ridge Comprehensive Living Zone and Settlement Zones where a single gable or hip end with a base of 7.5m or less (excluding eaves) is parallel to a boundary and a recession line strikes no lower than halfway between the eaves and ridge line. 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
<p>SETZ-S6</p>	<p>Density</p>
<p><i>Residential units</i> shall not be located on a <i>site</i> having a <i>net site area</i> less than 500m², except that for multi-lot subdivisions of two lots or more, the average net allotment area of all lots shall not be less than 500m² in area.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

SETZ-S7	Internal boundary separation
<p>1. No residential and <i>visitor accommodation</i> activities shall be located closer than 2m to any internal boundary.</p> <p>2. All other activities shall be located a minimum of 5m from internal boundaries.</p> <p>Exceptions:</p> <p>3. Accessory <i>buildings</i>, which are not used for human habitation, may be located closer to an internal boundary subject to the following conditions:</p> <ul style="list-style-type: none"> a. <i>buildings</i> shall not be located closer than 0.5m from an internal boundary and; b. all stormwater shall be contained within the <i>site</i> and; c. the total length of walls of accessory <i>buildings</i> facing, and located within 2.5m of, each internal boundary shall: <ul style="list-style-type: none"> i. not exceed 6.0m in length, and i. not contain any windows <p>4. Where <i>buildings</i> on adjoining <i>sites</i> share a common wall along a <i>site</i> boundary, no boundary setback is required along that part of the boundary covered by such a wall.</p> <p>5. Eaves, porches, chimneys, bay windows, stairways, steps, landings, and balconies may intrude into the internal boundary setback subject to the following limits:</p> <ul style="list-style-type: none"> a. eaves may intrude into the setback by no more than 0.6m; b. porches and windbreaks opposite a doorway may intrude into the setback by no more than 0.9m provided that such porches and windbreaks are no 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>longer than 1.8m parallel to the boundary;</p> <p>c. bay windows may intrude into the setback by no more than 0.6m parallel to the boundary;</p> <p>d. chimneys may intrude into the setback by no more than 0.6m parallel to the boundary provided that the chimney is of no greater width parallel to the boundary than 1.8m;</p> <p>e. external stairways, landings and un-enclosed balconies may intrude into the setback by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length; and</p> <p>6. Where an internal boundary of a <i>site</i> immediately adjoins an access or part of an access, which is owned or partly owned with that <i>site</i>, or has a registered right-of-way over it in favour of that <i>site</i>, the minimum <i>building setback</i> from that internal boundary shall be 1m.</p> <p>7. <i>Buildings</i>, other than principal residential <i>buildings</i>, designed and/or used for the housing of domestic livestock or other animals shall be separated from internal boundaries as follows:</p> <p>a. Poultry and other birds: 5.0m</p> <p>b. Dogs: 5.0m</p> <p>c. Pigs: 50m</p> <p>d. Other animals associated with farming: 25m.</p>	
<p>SETZ-S8</p>	<p>Road boundary separation</p>
<p>1. No <i>building</i> shall be located closer than 4.5m to any road boundary.</p> <p>Exceptions:</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p>

<ol style="list-style-type: none"> 2. Eaves may intrude into the setback by no more than 0.6m; 3. Porches and windbreaks opposite a doorway may intrude into the setback by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary; 4. Bay windows may intrude into the setback by no more than 0.6m parallel to the boundary; 5. Chimneys may intrude into the setback by no more than 0.6m parallel to the boundary provided that the chimney is of no greater width parallel to the boundary than 1.8m; 6. External stairways, landings and un-enclosed balconies may intrude into the setback by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length. 	<p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
<p>SETZ-S9</p>	<p>Sewage disposal systems separation</p>
<ol style="list-style-type: none"> 1. Sewage disposal systems shall comply with the following minimum setbacks: <ol style="list-style-type: none"> a. 50m separation upgradient, or 30m separation in any other direction, between any sewerage disposal system with treatment to a standard of 1000 or less faecal coliforms per 100ml and any domestic water supply intake; b. where the treatment standard specified in (a) above is not met 500m separation upgradient, or 300m separation in any other direction, between any sewerage disposal system not specified in 10(a) and any domestic water supply intake; 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>c. 20m between any sewage disposal system and any stream, river, lake, wetland or coastal water</p> <p>2. Sewage disposal systems shall be separated from any dwelling or habitable <i>building</i> not on the same <i>site</i> as the disposal system, by a minimum of 100m upgradient of the dwelling or habitable <i>building</i> or 50m on any other direction.</p>	
<p>SETZ-S10</p>	<p><i>Outdoor living space</i></p>
<p><i>Outdoor living space</i> shall be provided as follows:</p> <ol style="list-style-type: none"> 1. 70m² minimum area with minimum dimension of 5m for each <i>residential unit</i> 2. 10m² minimum area with minimum dimension of 2m for <i>each visitor accommodation</i> unit 3. 10m² minimum area with minimum dimension of 2m for each elderly person's housing unit 	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
<p>SETZ-S11</p>	<p><i>Waterbody separation</i></p>
<p>No <i>building</i> or <i>utility building</i> which exceeds 9m² <i>Gross Floor Area</i> or 2m in <i>height</i> shall be located closer than 10 metres to the edge of a bed of any river, or the edge of any wetland, whichever is the further.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
<p>SETZ-S12</p>	<p><i>Setback from high voltage electricity transmission line</i></p>
<p>No <i>building</i> shall be located within 20m of the centre line of any electricity transmission line with a voltage of 66kV or higher.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

SETZ-S13	Drinking water	
	<p>All <i>residential units</i> and <i>visitor accommodation</i> units shall be connected to a potable water supply in accordance with “NZ Drinking Water Standards 2000”, or any subsequent amendment or replacement to those standards.</p>	<p>Matters of discretion: The effects of not meeting the standard. Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
SETZ-S14	Waste management	
	<p>All activities, other than <i>residential activities</i>, shall comply with the Waste Management Protocol in Appendix 2.</p>	<p>Matters of discretion: The effects of not meeting the standard. Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

Methods Other Than Rules

SETZ-M1	Identify Settlement Zones	
	<p>Provision of Settlement Zones and rules to control the use, development and subdivision of land in those zones. These rules will include rules relating to the following:</p> <ul style="list-style-type: none"> a. The design and siting of development - e.g., <i>building height</i>, <i>building coverage</i> and recession lines and <i>setbacks</i>. b. Noise and lighting spill. c. The establishment of non-residential activities in residential areas. d. Subdivision e.g., rules regarding servicing, provision of land for open space and recreation. 	
SETZ-M2	Promote waste management guidelines	
	<p>Guidelines to promote and encourage the reduction, reuse and recycling of unwanted materials – refer to the Waste Management Guidelines - All Zones in Appendix 2.</p>	

Principal Reasons

SETZ-PR1	Protect settlement character and <i>amenity</i>
<p>A fundamental feature of the <i>amenity</i> of settlements is the mixture of both "rural" and "urban" elements, the informal appearance, large section size and low intensity of development. In some instances, these features are the result of underlying factors, such as the need to provide for adequate on-site sewage disposal systems. The <i>amenity</i> of a town may also be influenced by local resources or activities, which contribute to the differentiation between settlements and other urban areas. These features create a "village" type <i>amenity</i> which residents and visitors generally expect and enjoy.</p> <p>Sources of employment for residents of the settlements and the surrounding rural area are important for their economic well-being. Some settlements reflect more of a holiday atmosphere, with the emphasis on lifestyle and retirement rather than employment. In some settlements, adverse environmental effects arising from commercial activities may be incompatible with this lifestyle approach. In others, such as Kekerengu, there may be more tolerance to effects of commercial activities as a by-product of employment generation. Commercial activities in settlements may impinge upon environmental qualities through:</p> <ul style="list-style-type: none"> a. visual intrusion of large <i>buildings</i>; b. air and water borne effluent; c. increased traffic on local roads; d. generation of noise and dust. <p>To maintain a pleasant environment in settlements and to ensure nuisances or health risks do not arise, there is a need for some limitation on non-residential activity.</p>	

Anticipated Environmental Results

SETZ-A1	
<ol style="list-style-type: none"> 1. Small rural villages comprising a mixture of land uses and with a low intensity of development. 2. Pleasant living and working environments within these villages. 3. Retention of the character and of the residential environment within settlements of the District, including: <ul style="list-style-type: none"> a. dominance of open space and plantings over <i>buildings</i>; b. compatibility between activities. 	

