

# 19. Settlement Zones

## 19.1 Introduction

The majority of the District's residential, commercial, industrial and other social facilities and activities are located in the Kaikoura urban area. However, the following small rural settlements in the District provide important residential environments and services:

- Kekerengu
- Rakautara
- Goose Bay (Otemakura)
- Hapuku
- Clarence (Matariki)
- Peketa
- Oaro
- Omihi

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 Maori 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.

## 19.2 Issue 1 - Protection of Amenity Values in Settlement Areas

Provision for a wide range of activities in settlement areas while ensuring that the character and scale of buildings and the effects of activities do not adversely affect the amenity enjoyed by residents.

### 19.2.1 Objective 1

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 amenity of the residential environment.

### 19.2.2 Policies

1. 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 amenity enjoyed on neighbouring sites.

2. To maintain the amenity of settlement areas by ensuring sufficient on-site parking and manoeuvring areas for vehicles are established.
3. To ensure that the design and siting of development (building height, building coverage, recession lines setbacks and provision of outdoor living areas) is controlled so that:
  - a. development will not unreasonably deny neighbouring properties sunlight, daylight or views and;
  - b. ample on-site provision of outdoor living space oriented to the sun exists; and
  - c. an open and attractive scene exists; and
  - b a character and scale of buildings and open space is maintained which is compatible with the anticipated residential environment.
4. To avoid or mitigate development which would detract from the predominant character, scale and amenity of the particular residential environment.
5. To promote Council's "Zero Waste" policy by promoting and encouraging the reduction, reuse and recycling of unwanted materials.

### 19.2.3 Implementation Methods

1. 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:
  - a. The design and siting of development - e.g. building height, building coverage and recession lines and setbacks.
  - 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.
2. 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**

A fundamental feature of the amenity 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 amenity 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 amenity which residents and visitors generally expect and enjoy.

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:

- visual intrusion of large buildings;

- air and water borne effluent;
- increased traffic on local roads;
- generation of noise and dust.

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.

## 19.3 Anticipated Environmental Results

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:
  - dominance of open space and plantings over buildings;
  - compatibility between activities.

# Settlement Zone Rules

## 19.4 Zone Description

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.

## 19.5 Activities

Activities specified in the following table shall be assessed as permitted, restricted discretionary or unrestricted discretionary as shown, in respect of this section of the Plan.

**Table 19.5**

Status	Activity	Conditions
Permitted	<ul style="list-style-type: none"> <li>a. Residential Activities</li> <li>b. Home Occupations</li> <li>c. Community Activities</li> <li>d. Recreational Activities limited to outdoor recreational activities on public reserves</li> <li>e. Farming activities excluding intensive farming</li> <li>f. Take off or landing of aircraft for emergency landing, rescue, fire fighting, civil defence, or activities carried out by the New Zealand Defence Force</li> </ul>	All activities permitted subject to compliance with performance standards in rule 19.6.
Restricted Discretionary 1	<ul style="list-style-type: none"> <li>a. Visitor Accommodation</li> <li>b. Commercial Activities</li> </ul>	Subject to compliance with performance standards in rule 19.6. Council's discretion restricted to: <ul style="list-style-type: none"> <li>— effects on amenity values including noise and visual effects</li> <li>— any effects on traffic or pedestrian safety</li> <li>— provision for adequate servicing including sewerage disposal, water supply</li> <li>— effects on archaeological, cultural or historic sites or buildings</li> <li>— effects on landscape values</li> <li>— ecological effects</li> </ul>

Status	Activity	Conditions
Restricted Discretionary 2	Any listed permitted or restricted discretionary activity which does not comply with one or more of the performance standards in 19.6.	Council's discretion restricted to those standards not complied with as indicated in table 19.6.
Unrestricted Discretionary	Any other activity not listed as Permitted or Restricted Discretionary	Discretion is not restricted. The performance standards in 19.6 will be used as a guide when assessing applications for unrestricted discretionary activities.

## 19.6 Performance Standards

**Table 19.6**

	Standard
<b>1.</b> Heavy Vehicle Storage	No more than one heavy vehicle may be parked overnight on any one site, except for farming activities.
<b>2.</b> Lighting	Exterior lights shall be directed away from adjacent properties and roads and shall not result in lux spill exceeding 3 lux maximum (horizontal and vertical) onto adjoining properties, measured at any point more than 2m inside the boundary of the adjoining property.
<b>3.</b> Noise	All activities shall be conducted so that the following noise limits, measured at any point within any other residential site in the Settlement Zone, are not exceeded during any time period for assessment within the following time-frames: <b>a.</b> Monday to Saturday 7am to 11pm 55dBA Leq <b>b.</b> At all other times not specified in (a) above 40dBA Leq <b>c.</b> On any day between 11pm and 7am the following day 70 dBA Lmax For the purposes of this rule, the measurement and assessment position shall be at any point within any site in the Settlement Zone, other than the site from which the noise is generated, or at any point within the notional boundary of any dwelling in the Rural Zone. <b>Note:</b> refer to Appendix Q for a list of noise provisions relating to construction, blasting and watercraft, and for a list of exemptions to the noise provisions.
<b>4.</b> Building Coverage	<b>a.</b> commercial activities - 60% maximum <b>b.</b> all other activities - 35% maximum except that for recreational activities, building coverage is limited to 1% excluding children's play equipment.
<b>5.</b> Height of buildings	8m maximum
<b>6.</b> Landscaping	Except for vehicle crossings and residential activities, landscaping shall be provided as follows: <b>a.</b> 2m minimum width along road boundaries and; <b>b.</b> minimum of 1 tree / 10m road frontage (min height 1.5m or min age 3 years) and; <b>c.</b> 1m minimum width along the boundary of an adjoining site which contains a reserve or residential activity (such that building are screened at landscaping maturity).
<b>7.</b> Recession lines	No part of any building shall intrude into a recession plane constructed from points measured 2.5m above internal boundaries as shown in Appendix H, unless exempt under Appendix H.
<b>8.</b> Density	No Residential Unit shall be located on a site having a net site area less than 500m <sup>2</sup> minimum except as a result of lots created by subdivision after the May 2005 where except that for multi-unit developments of two or more units, the average net site area of all units shall not be less than 500m <sup>2</sup> and no one site has a net area of less than 350m <sup>2</sup> .

	<b>Standard</b>
<b>9.</b> Internal boundary separation	<p><b>a.</b> No residential and visitor accommodation activities shall be located closer than 2m to any internal boundary unless the exceptions under rule 19.7 apply.</p> <p><b>b.</b> All other activities shall be located a minimum of 5m from internal boundaries unless the exceptions under rule 19.7 apply.</p>
<b>10.</b> Road boundary separation	No building shall be located closer than 4.5m to any road boundary unless the exceptions under rule 19.7 apply.
<b>11.</b> Sewage disposal systems separation	<p><b>a.</b> Sewage disposal systems shall comply with the following minimum separation distances:</p> <ul style="list-style-type: none"> <li>— 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;</li> <li>— 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;</li> <li>— 20m between any sewage disposal system and any stream, river, lake, wetland or coastal water</li> </ul> <p><b>b.</b> Sewage disposal systems shall be separated from any dwelling or habitable building not on the same site as the disposal system, by a minimum of 100m upgradient of the dwelling or habitable building or 50m on any other direction.</p>
<b>12.</b> Outdoor Living Space	<p>Outdoor living space shall be provided as follows:</p> <p><b>a.</b> 70m<sup>2</sup> minimum area with minimum dimension of 5m for each residential unit</p> <p><b>b.</b> 10m<sup>2</sup> minimum area with minimum dimension of 2m for each visitor accommodation unit</p> <p><b>c.</b> 10m<sup>2</sup> minimum area with minimum dimension of 2m for each elderly persons housing unit</p>
<b>13.</b> Waterbody separation	No building or utility building which exceeds 9m <sup>2</sup> Gross Floor Area or 2m in height 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.
<b>14.</b> Separation Distance High Voltage Electricity Transmission Line	No building shall be located within 20m of the centre line of any electricity transmission line with a voltage of 66kV or higher.
<b>13.</b> Drinking water	All residential units and visitor accommodation 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.
<b>14.</b> Waste Management	All activities, other than residential activities, shall comply with the Waste Management Protocol in Appendix G.

## 19.7 Exceptions to Performance Standards

### 19.7.1 Internal Boundary Separation Distances

Rule 19.6.9 (internal boundary separation) shall not apply in the following circumstances:

- a.** Accessory buildings, which are not used for human habitation, may be located closer to an internal boundary subject to the following conditions:
- i.** buildings shall not be located closer than 0.5m from an internal boundary and;
  - ii.** all stormwater shall be contained within the site and;
  - iii.** the total length of walls of accessory buildings facing, and located within 2.5m of, each internal boundary shall:

- not exceed 6.0m in length, and
  - not contain any windows
- b.** Where buildings on adjoining sites share a common wall along a site boundary, no boundary separation distance is required along that part of the boundary covered by such a wall.
- c.** Eaves, porches, chimneys, bay windows, stairways, steps, landings, and balconies may intrude into the internal boundary separation distance subject to the following limits:
- eaves may intrude into the separation distance by no more than 0.6m;
  - porches and windbreaks opposite a doorway may intrude into the separation distance by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary;
  - bay windows may intrude into the separation distance by no more than 0.6m parallel to the boundary;
  - chimneys may intrude into the separation distance 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;
  - external stairways, landings and un-enclosed balconies may intrude into the separation distance by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length; and
- d.** Where an internal boundary of a site immediately adjoins an access or part of an access, which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the minimum building separation distance from that internal boundary shall be 1m.
- e.** Buildings, other than principal residential buildings, designed and/or used for the housing of domestic livestock or other animals shall be separated from internal boundaries as follows:
- |                                       |      |
|---------------------------------------|------|
| Poultry and other birds               | 5.0m |
| Dogs                                  | 5.0m |
| Pigs                                  | 50m  |
| Other animals associated with farming | 25m  |

### 19.7.2 Road Boundary Separation Distances

Rule 19.6.10 (road boundary separation distances) shall not apply to the following:

- eaves may intrude into the separation distance by no more than 0.6m;
- porches and windbreaks opposite a doorway may intrude into the separation distance by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary;
- bay windows may intrude into the separation distance by no more than 0.6m parallel to the boundary;
- chimneys may intrude into the separation distance 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;
- external stairways, landings and un-enclosed balconies may intrude into the separation distance by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length.

## 19.8 District-Wide Rules

In addition to zone rules, the following district-wide Rules may also apply to activities undertaken in the Settlement Zones:

Natural Hazards	refer to Section 8
Hazardous Substances	refer to Section 9
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
Noise Provisions & Exemptions	refer to Appendix Q