

## 46 Rural Visitor Zone

### 46.1 Purpose

The Rural Visitor Zone provides for visitor industry activities in remote locations within the Outstanding Natural Landscapes at a limited scale and intensity where each particular Zone can accommodate the adverse effects of land use and development. By providing for visitor industry activities, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

The primary method of managing land use and development will be directing sensitive and sympathetic development to where the landscape can accommodate change, and the adverse effects on landscape values from land use and development will be cumulatively minor. The design and mitigation of buildings and development are secondary factors in the role of landscape management that will contribute toward ensuring buildings are not visually dominant and are integrated into the landscape.

The principal activities in the Zone are visitor accommodation and related ancillary commercial activities, commercial recreation and recreation activities. Residential activity is not anticipated in the Zone with the exception being for onsite staff accommodation ancillary to commercial recreation and visitor accommodation activities.

**Pursuant to Section 86B(3)(a) of the Act Rule 46.5.4 (Setback of buildings from waterbodies) has immediate legal effect.**

### 46.2 Objective and Policies

#### 46.2.1 Objective – Visitor accommodation, commercial recreation and ancillary commercial activities within appropriate locations that maintain or enhance the values of Outstanding Natural Landscapes.

#### Policies

- 46.2.1.1 Provide for innovative and appropriately located and designed visitor accommodation, including ancillary commercial activities and onsite staff accommodation, recreation and commercial recreation activities where the landscape values of the District's Outstanding Natural Landscapes will be maintained or enhanced.
- 46.2.1.2 Provide for tourism related activities within appropriate locations in the Zone where they enable people to access and appreciate the District's landscapes, provided that landscape quality, character, visual amenity values and nature conservation values are maintained or enhanced.
- 46.2.1.3 Encourage the enhancement of nature conservation values as part of the use and development of the Zone.
- 46.2.1.4 Recognise the remote location of Rural Visitor Zones and the need for visitor industry activities to be self-reliant by providing for services or facilities that are directly associated with, and ancillary to visitor accommodation activities, including onsite staff accommodation.
- 46.2.1.5 Ensure that the group size, nature and scale of commercial recreation activities do not degrade the level of amenity in the surrounding environment.
- 46.2.1.6 Ensure that any land use or development not otherwise anticipated in the Zone, protects or enhances landscape values and nature conservation values.

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46.2.1.7 Avoid residential activity within the Rural Visitor Zone with the exception of enabling onsite staff accommodation ancillary to commercial recreation and visitor accommodation activities.

**46.2.2 Objective – Buildings and development that have a visitor industry related use are enabled where landscape character and visual amenity values are maintained or enhanced.**

### Policies

46.2.2.1 Protect the landscape values of the Zone and the surrounding Rural Zone Outstanding Natural Landscapes by:

- a. providing for and consolidating buildings within the Rural Visitor Zone in areas that are not identified on the District Plan maps as a Building Restriction Area, nor within an area of Moderate – High Landscape Sensitivity;
- b. ensuring that buildings within areas identified on the District Plan maps as Moderate – High Landscape Sensitivity are located and designed, and adverse effects are mitigated to ensure landscape values are maintained or enhanced; and
- c. avoiding buildings within areas identified on the District Plan maps as Building Restriction Areas.

46.2.2.2 Land use and development, in particular buildings, shall maintain or enhance the landscape character and visual amenity values of the Rural Visitor Zone and surrounding Outstanding Natural Landscapes by:

- a. controlling the colour, scale, design, and height of buildings and associated infrastructure, vegetation and landscape elements; and
- b. in the immediate vicinity of the Homestead Area at Walter Peak, and the Homestead Area at Arcadia provide for a range of external building colours that are not as recessive as required generally for rural environments, but are sympathetic to existing development.

46.2.2.3 Within those areas identified on the District Plan maps as Moderate – High Landscape Sensitivity avoid buildings and development where the landscape cannot accommodate the change, and maintain open landscape character where it is open at present.

46.2.2.4 Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.

46.2.2.5 At Walter Peak outside the area of Moderate – High Landscape Sensitivity, utilise areas where the landscape is able to absorb development by enabling 8 metre building heights, and provide for building heights of up to 12 metres when:

- a. buildings would not be visually prominent or detract from landscape values and amenity values as viewed on Lake Wakatipu, or from Queenstown Bay, the northern edge of Lake Wakatipu and vantage points along Glenorchy-Queenstown Road;
- b. the natural character values of Beach Bay would be maintained;
- c. the location, scale and intensity of buildings does not have adverse effects on the cultural and heritage amenity of Walter Peak Homestead; and
- d. buildings are designed to achieve a high standard of quality and design.

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- 46.2.2.6 Within the Walter Peak Water Transport Infrastructure overlay provide for a jetty or wharf, weather protection features and ancillary infrastructure at Beach Bay while:
- maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure to locate on the margin of and on Lake Wakatipu;
  - minimising the loss of public access to the lake margin; and
  - encouraging enhancement of nature conservation and natural character values.
- 46.2.2.7 Ensure development can be appropriately serviced through:
- the method, capacity and design of wastewater treatment and disposal;
  - adequate and potable provision of water;
  - adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and
  - provision of safe vehicle access or alternative water based transport and associated infrastructure.

### 46.3 Other Provisions and Rules

#### 46.3.1 District Wide

Attention is drawn to the following District Wide chapters.

|   |   |                         |
|---|---|-------------------------|
| 1 Introduction                                  | 2 Definitions                             | 3 Strategic Direction   |
| 4 Urban Development                             | 5 Tangata Whenua                          | 6 Landscapes            |
| 25 Earthworks                                   | 26 Historic Heritage                      | 27 Subdivision          |
| 28 Natural Hazards                              | 30 Energy and Utilities                   | 31 Signs                |
| 32 Protected Trees                              | 33 Indigenous Vegetation and Biodiversity | 34 Wilding Exotic Trees |
| 35 Temporary Activities and Relocated Buildings | 36 Noise                                  | 37 Designations         |
| 39 Wāhi Tūpuna                                  | Planning Maps                             |                         |

#### 46.3.2 Interpreting and Applying the Rules

- 46.3.2.1 A permitted activity must comply with all the rules (in this case Chapter 46 and any relevant district wide rules).
- 46.3.2.2 Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 46.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.

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- 46.3.2.4 The surface of lakes and rivers are zoned Rural, except for the area identified on the District Plan maps as Walter Peak Water Transport Infrastructure overlay for the purposes of Rule 46.4.9.
- 46.3.2.5 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

|                   |                      |                               |
|-------------------|----------------------|-------------------------------|
| P – Permitted     | C – Controlled       | RD – Restricted Discretionary |
| D – Discretionary | NC – Non – Complying | PR - Prohibited               |

### 46.3.3 Advice Notes - General

- 46.3.3.1 On-site wastewater treatment is also subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water.
- 46.3.3.2 Particular attention is drawn to the definition of Visitor Accommodation which includes related ancillary services and facilities and onsite staff accommodation.

### 46.4 Rules – Activities

[Continued on next page]

|               | <b>Table 46.4 – Activities</b>   | <b>Activity Status</b> |
|---------------|--|------------------------|
| <b>46.4.1</b> | Farming  | P                      |
| <b>46.4.2</b> | Visitor accommodation  | P                      |
| <b>46.4.3</b> | Commercial recreational activities and onsite staff accommodation  | P                      |
| <b>46.4.4</b> | Recreation and recreational activity   | P                      |
| <b>46.4.5</b> | Informal airports  | P                      |
| <b>46.4.6</b> | <p>The construction, relocation and exterior alteration of buildings (other than identified in Rules 46.4.7 and 46.4.9)</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. The compatibility of the building design with landscape, cultural and heritage, and visual amenity values;</li> <li>b. Landform modification, landscaping and planting;</li> <li>c. Lighting;</li> <li>d. Servicing including water supply, fire-fighting, stormwater and wastewater;</li> <li>e. Natural Hazards; and</li> <li>f. Design and location of related carparking.</li> </ul>                                      | C                      |
| <b>46.4.7</b> | <p>At Walter Peak, the construction, relocation and exterior alteration of buildings within an area identified on the District Plan maps of Moderate – High Landscape Sensitivity</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Landscape, cultural and heritage, and visual amenity values;</li> <li>b. Landform modification, landscaping and planting;</li> <li>c. Lighting;</li> <li>d. Servicing including water supply, fire-fighting, stormwater and wastewater;</li> <li>e. Natural Hazards; and</li> <li>f. Design and location of related access and carparking (if any).</li> </ul> | RD                     |

|                |   |    |
|----------------|---|----|
| <b>46.4.8</b>  | At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan maps, a jetty or wharf, weather protection features and ancillary infrastructure<br><br>Discretion is restricted to: <ul style="list-style-type: none"> <li>a. Effects on natural character;</li> <li>b. Effects on landscape values and amenity values;</li> <li>c. Lighting;</li> <li>d. Effects on public access to and along the lake margin; and</li> <li>e. External appearance, colour and materials.</li> </ul> | RD |
| <b>46.4.9</b>  | The construction, relocation and exterior alteration of buildings within an area identified on the District Plan maps of Moderate – High Landscape Sensitivity, except as provided for in Rule 46.4.7   | D  |
| <b>46.4.10</b> | The construction, relocation and exterior alteration of buildings within a Building Restriction Area identified on the Plan maps  | NC |
| <b>46.4.11</b> | Farm building<br>Discretion is restricted to: <ul style="list-style-type: none"> <li>a. The relationship of the proposed farm building to farming activity;</li> <li>b. Landform modification, landscaping and planting;</li> <li>c. Lighting;</li> <li>d. Servicing including water supply, fire-fighting, stormwater and wastewater; and</li> <li>e. Natural Hazards.</li> </ul>  | RD |
| <b>46.4.12</b> | Industrial activity   | NC |
| <b>46.4.13</b> | Residential activity except as provided for in Rules 46.4.2 and 46.4.3  | NC |
| <b>46.4.14</b> | Commercial, retail or service activities except as provided for in Rules 46.4.2 and 46.4.3  | NC |
| <b>46.4.15</b> | Mining  | NC |
| <b>46.4.16</b> | Any other activity not listed in Table 46.4   | NC |

## 46.5 Rules - Standards

|        | Table 46.5 - Standards   | Non-compliance status   |
|--------|--|---|
| 46.5.1 | Building Height<br>46.5.1.1: The maximum height of buildings shall be 6m.  | NC  |
|        | Building Height at Walter Peak<br>46.5.1.2: Outside the area identified on the District Plan maps as moderate-high sensitivity, the maximum height of buildings shall be 8m.                       | RD<br>Discretion is restricted to:<br>a. The compatibility of the building design with landscape, cultural and heritage, and visual amenity values;<br>b. Visual prominence from beyond the site. |
|        | 46.5.1.3: Outside the area identified on the District Plan maps as moderate-high sensitivity, the maximum height of buildings shall be 12m.  | NC  |
|        | 46.5.1.4: Within the Water Transport Infrastructure overlay identified on the District Plan maps the maximum height of buildings shall be 4m.  | NC  |
| 46.5.2 | Building Size<br>The maximum ground floor area of any building shall be 500m <sup>2</sup> .  | RD<br>Discretion is restricted to:<br>landscape;<br>Visual amenity values; and<br>Nature, scale and external appearance.  |
| 46.5.3 | Glare<br>46.5.3.1: All exterior lighting shall be directed downward and away from adjacent sites and public places including roads or waterbodies.   | NC  |
|        | 46.5.3.2: No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site. |   |

|               | Table 46.5 - Standards  | Non-compliance status   |
|---------------|---|---|
|               | 46.5.3.3: Rule 46.5.3.2 shall not apply to exterior lighting within the Walter Peak Water Transport Infrastructure overlay.   |   |
| <b>46.5.4</b> | <p>Setback of buildings from waterbodies</p> <p>46.5.4.1: The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p> <p>46.5.4.2: Rule 46.5.4.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.</p> | <p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Indigenous biodiversity values;</li> <li>b. Visual amenity values;</li> <li>c. landscape;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. natural hazards; and</li> <li>g. Effects on cultural values of manawhenua.</li> </ul> |
| <b>46.5.5</b> | <p>Setback of Buildings</p> <p>46.5.5.1: Buildings shall be set back a minimum of 10 metres from the Zone boundary.</p> <p>46.5.5.2: Rule 46.5.5.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.</p>                                  | <p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Nature and scale;</li> <li>a. Reverse Sensitivity effects; and</li> <li>b. Functional need for buildings to be located within the setback.</li> </ul>   |
| <b>46.5.6</b> | <p>Commercial Recreational Activity</p> <p>46.5.6.1: Commercial recreational activity that is undertaken outdoors must not involve more than 30 persons in any one group.</p> <p>46.5.6.2: Rule 46.5.5.1 shall not apply at Walter Peak.</p>  | <p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Nature and scale including cumulative adverse effects;</li> <li>b. Hours of operation;</li> <li>c. The extent and location of signage;</li> </ul>   |

|               | Table 46.5 - Standards   | Non-compliance status                        |
|---------------|--|--|
|               |  | d. Transport and access;<br>and<br>e. Noise. |
| <b>46.5.7</b> | <p>Informal Airports</p> <p>Other than in the case of informal airports for emergency landings, rescues, firefighting and activities ancillary to farming Activities, Informal Airports shall not exceed 15 flights per week.</p> <p>Note: For the purposes of this Rule a flight includes two aircraft movements (i.e. an arrival and departure).</p> | D  |

## 46.6 Non-Notification of Applications

Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. Rule 46.4.7 buildings at Walter Peak within an area identified on the District Plan maps of Moderate – High Landscape Sensitivity.
- b. Rule 46.4.8 Water Transport Infrastructure at Walter Peak.
- c. Rule 46.5.4 setback of buildings from waterbodies.
- d. Rule 46.5.5 setback of buildings from the Zone boundary.
- e. Rule 46.5.6 commercial recreational activities.

**Variation to Earthworks Chapter 25:**

Underlined text for additions and strike-through text for deletions.

Amend Chapter 25 by inserting the following into Rule 25.5.5 (Table 25.2 – Maximum Volume)

|                      |   |                         |
|----------------------|---|-------------------------|
| <p><b>25.5.5</b></p> | <p>Queenstown Town Centre Zone</p> <p>Wanaka Town Centre Zone</p> <p>Local Shopping Centre Zone</p> <p>Business Mixed Use Zone</p> <p>Airport Zone (Queenstown)</p> <p>Millbrook Resort Zone</p> <p><u>Rural Visitor Zone</u></p> | <p>500m<sup>3</sup></p> |
|----------------------|---|-------------------------|

**Variation to Subdivision and Development Chapter 27:**

Underlined text for additions and ~~strike through~~ text for deletions.

**Amend Chapter 27 by amending Rule 27.5.9 as follows:**

|                |  |   |
|----------------|--|---|
| <b>27.5.11</b> | All subdivision activities in the <u>Rural Visitor Zone</u> , Rural and Gibbston Character Zones and Airport Zone - Wanaka, unless otherwise provided for. | D |
|----------------|--|---|

**27.6.1** No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

| Zone                      |  | Minimum Lot Area  |
|---------------------------|--|-------------------|
| <u>Rural Visitor Zone</u> |  | <u>No Minimum</u> |

## Variation to Signs Chapter 31:

Underlined text for additions and ~~strike through~~ text for deletions.

## 31.14 Rules – Activity Status of Signs in Special Zones

The rules relating to signs in this table are additional to those in Table 31.4 and are subject to the standards in Table 31.15. If there is a conflict between the rules in Table 31.4 and the rules in this table, the rules in this table apply.

| <b>Table 31.14 – Activity Status of signs in Special Zones</b> |  | <b>Jacks Point Zone outside of Village Activity Areas and residential Activity Areas</b> | <b>Waterfall Park Zone</b> | <b>Millbrook Resort Zone</b> | <b><u>Rural Visitor Zone</u></b> |
|--|--|--|----------------------------|------------------------------|----------------------------------|
| <b>31.14.1</b>   | <b>Signs for commercial activities and community activities</b><br><br>Control is reserved to the matters set out in Rule 31.17.                             | C  | C                          | C                            |                                  |
| <b>31.14.2</b>   | <b>Identification of a signage platform for a commercial activity or community activity</b><br><br>Control is reserved to the matters set out in Rule 31.17. | C  | C                          | C                            |                                  |
| <b>31.14.3</b>   | <b>Signs for visitor accommodation</b><br><br>Control is reserved to the matters set out in Rule 31.17.  | D  | D                          | C                            |                                  |
| <b>31.14.4</b>   | <b>Signs not associated with commercial activities, community activities or visitor accommodation</b>  | P  | P                          | P                            |                                  |
| <b>31.14.5</b>   | <b>Any sign activity which is not listed in Table 31.4 or Rules 31.14.1 to 31.14.4 inclusive</b>   | D  | D                          | D                            |                                  |

Variation to Chapter 36 Noise:

Underlined text for additions and ~~strike through~~ text for deletions.

36.5 Rules – Standards

Table 2: General Standards

|        | Standard                   |                           |                |                                | Non-Compliance Status |
|--------|----------------------------|---------------------------|----------------|--------------------------------|-----------------------|
|        | Zones sound is received in | Assessment location       | Time           | Noise limits                   |                       |
| 36.5.2 | <u>Rural Visitor Zone</u>  | Any point within any site | 0800h to 2000h | 50 dB L <sub>Aeq(15 min)</sub> | NC                    |
|        |                            |                           | 2000h to 0800h | 40 dB L <sub>Aeq(15 min)</sub> | NC                    |