

20 Settlement Zone

20.1 Purpose

The Settlement Zone applies to the settlements of Glenorchy, Kinloch, Kingston, Luggate, Makarora and Cardrona. The Zone provides for spatially well-defined areas of low density residential living. Due to the location of each settlement within rural areas, and as all settlements (except for Luggate) are located amidst Outstanding Natural Landscapes, the location and setting of each settlement are strong contributors to their individual identities.

Historically, settlements have served the function of rural service centres, however over time they have diversified to comprise a range of uses and activities that increasingly provide for the day-to-day needs of both residents and visitors. Settlements can provide opportunities for unique visitor experiences due to their location within distinctive landscape settings, and their relative isolation from the District's major urban centres.

Low density residential activity is provided for throughout the Zone. Visitor Accommodation Sub-Zones and Commercial Precincts on the Planning Maps show locations where visitor accommodation activities, and limited commercial, commercial recreation and community activities, are encouraged to establish. Limited commercial activities are also provided for outside of the Precincts, provided they are small-scale, primarily serve a local convenience purpose, and maintain residential amenity and character.

While development is anticipated within the Zone, some areas are subject to natural hazard risk. Low-lying areas at Glenorchy, Kinloch and Kingston that are susceptible to flooding are shown as 'Historical Flood Zone' on the Planning Maps, with corresponding rules relating to building levels. These rules implement the district-wide policies in Chapter 28 – Natural Hazards.

Within the Cardrona Settlement the Commercial Precinct applies to land located around the focal point of the Cardrona Hotel and Cardrona Valley Road. Throughout the balance of the Settlement Zone at Cardrona, the Visitor Accommodation Sub-zone enables the further establishment of visitor accommodation activities. The Cardrona Village Character Guideline 2012 provides broad design guidance to development within the Zone at Cardrona.

20.2 Objectives and Policies

20.2.1 Objective – Well designed, low density residential development is enabled within settlements located amidst the wider Rural Zone.

Policies

- 20.2.1.1 Enable low density residential development that retains character and amenity through the use of minimum lot sizes.
- 20.2.1.2 Ensure that development is designed in a manner that is consistent with the capacity of infrastructure servicing it.
- 20.2.1.3 Ensure appropriate on-site wastewater treatment and disposal, having particular regard to:
 - a. the method of sewage treatment and disposal;
 - b. the location, capacity and design of the proposed on-site wastewater treatment system;
 - c. the ability for the on-site wastewater system and run-off to be contained within the boundaries of the subject site regardless of seasonal variations and loading;

- d. the environmental effects of the proposed on-site wastewater treatment system including minimising adverse effects on ecosystem services and values to Manawhenua; and
- e. ensuring the location of vehicle accessways, manoeuvring and stormwater dispersal areas do not adversely affect the functioning of the on-site wastewater system.

20.2.2 Objective – High quality amenity values and residential character are maintained in the Settlement Zone.

Policies

- 20.2.2.1 Ensure that the height, bulk and location of residential development maintains the low density character, and residential amenity values of the Zone, by maintaining privacy, setbacks and access to sunlight.
- 20.2.2.2 Provide for net site areas that accommodate low density development with low site coverage by buildings, spacious outdoor areas and sufficient land area for on-site wastewater systems.
- 20.2.2.3 Ensure that development within the Zone is of low scale to complement the existing low scale of development.
- 20.2.2.4 Include development controls that reflect key characteristics of development in Settlements, including through building height limits, encouraging gable roof forms in Glenorchy and Cardrona, and ensuring consideration of the Cardrona Village Character Guideline 2012.
- 20.2.2.5 Limit the impact of glare on residential amenity and views of the night sky by way of standards that limit lighting glare and promote lighting design that mitigates adverse effects.
- 20.2.2.6 Avoid activities that are not consistent with established amenity values or cause inappropriate adverse environmental effects. In the case of Electricity sub-transmission infrastructure or Significant electricity distribution infrastructure, if avoidance is not practicable because of the functional needs of the infrastructure, then remedy or mitigate the relevant adverse effects.

20.2.3 Objective – Commercial, community and visitor accommodation activities are predominantly provided for within precincts and sub-zones, are limited in scale, provide for local and visitor convenience, and support the local economy.

Policies

- 20.2.3.1 Identify Commercial Precincts on the Planning Maps, within which commercial, visitor accommodation and community activities are provided for in order to meet the day-to-day needs of residents and visitors and support the local economy.
- 20.2.3.2 Restrict individual retail activities exceeding 200m² gross floor area, and individual office activities exceeding 100m² gross floor area, that may adversely affect the:
 - a. retention and establishment of a diverse range of activities within the Commercial Precinct;
 - b. role and function of commercial zones that provide for large scale retailing; and
 - c. safe and efficient operation of the transport network.
- 20.2.3.3 Encourage development within Commercial Precincts to facilitate active transport and recreational opportunities, through design that ensures connectivity with reserves and pedestrian and cycling links.

- 20.2.3.4 Control the height, scale, appearance and location of buildings within Commercial Precincts to achieve a built form that:
- complements the established pattern of development;
 - positively contributes to the streetscape; and
 - minimises adverse effects on neighbouring residential activities.
- 20.2.3.5 Within Commercial Precincts ensure that recycling and waste storage areas are appropriately located and screened to limit adverse visual effects and to assist with maintaining amenity values.
- 20.2.3.6 Limit the establishment and scale of non-residential activities outside of Commercial Precincts to minimise effects on the residential amenity values and traffic safety and to maintain residential character.
- 20.2.3.7 Identify Visitor Accommodation Sub-Zones on the Planning Maps to provide for visitor accommodation activities in identified locations, and restrict the establishment of visitor accommodation activities in locations outside the Visitor Accommodation Sub-Zones to ensure that the Zone maintains a residential character.
- 20.2.3.8 Ensure that the design of buildings for visitor accommodation, commercial and community activities contribute positively to the visual quality of the environment, including through building design, landscaping and response to site context.
- 20.2.3.9 Ensure that visitor accommodation activities and development are appropriately serviced and minimise impacts on roading networks.
- 20.2.3.10 Enable home occupation activities throughout the Zone to provide work-from-home opportunities and reduce travel-dependence for employment, while ensuring that residential amenity is maintained.
- 20.2.3.11 Enable residential visitor accommodation and homestays to establish throughout the Zone, ensuring that the scale and effects of these activities do not adversely affect residential amenity.

20.3 Other Provisions and Rules

20.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision and Development
28 Natural Hazards	29 Transport	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	38 Open Space and Recreation Zones	39 Wāhi Tūpuna
Planning Maps		

20.3.2 Interpreting and Applying the Rules

- 20.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant District-wide rules, otherwise resource consent will be required.
- 20.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column shall apply.
- 20.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the activity.
- 20.3.2.4 Activities located within the Commercial Precincts and/or Visitor Accommodation Sub-Zones depicted on the Planning Maps must comply with any rule that specifically applies to the Commercial Precinct or Visitor Accommodation Sub-Zone and must also comply with any other rule in this chapter, and the district wide rules, otherwise resource consent will be required.
- 20.3.2.5 Proposals resulting in more than one (1) residential unit per site shall demonstrate that each residential unit is fully contained within the prescribed net area for each unit.
- 20.3.2.6 General references to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Settlement Zone.
- 20.3.2.7 References to Cardrona mean both the Commercial Precinct and the Visitor Accommodation Sub-zone as identified on the District Plan maps. Individual references to the Cardrona Commercial Precinct or the Visitor Accommodation Sub-zone means that particular overlay only.
- 20.3.2.8 The following 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

20.3.3 Advice Notes - General

- 20.3.3.1 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.
- 20.3.3.2 Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

20.4 Rules – Activities

	Table 20.4 – Activities located in the Settlement Zone	Activity Status
20.4.1	Residential unit (including residential flat not otherwise identified in this table)	P
20.4.2	Home occupations	P
20.4.3	Residential visitor accommodation and homestays	P
20.4.4	Informal airports for emergency landings, rescues and fire fighting	P
20.4.5	<p>Within Commercial Precincts identified on the Planning Maps: Commercial activities, commercial recreation activities and community activities</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. hours of operation; b. location of parking, provision for mobility parking, traffic safety, manoeuvring, access and traffic generation; c. location and screening of recycling and waste; d. servicing; and e. noise. 	C
20.4.6	<p>Within Commercial Precincts identified on the Planning Maps: Buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. design, scale and appearance of buildings; b. signage platforms; c. lighting; d. landscaping; e. servicing; and f. natural hazards. 	RD

	Table 20.4 – Activities located in the Settlement Zone	Activity Status
20.4.7	<p>Within Commercial Precincts and/or Visitor Accommodation Sub-Zones identified on the Planning Maps: Visitor accommodation activities (including ancillary activities and buildings).</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. the location, nature and scale of activities; b. location of parking, provision for mobility parking, traffic safety, manoeuvring, access and traffic generation; c. landscaping; d. signage platforms; e. noise; f. servicing; g. hours of operation, including in respect of ancillary activities; h. design, scale and appearance of buildings; i. location and screening of recycling and waste; and j. natural hazards. 	RD
20.4.8	<p>Residential flat, where the wastewater treatment and disposal is on-site</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. on-site wastewater treatment, with particular regard to the design and function of the on-site wastewater system and compatibility with on-site car parking, manoeuvring and stormwater disposal management. 	RD

	Table 20.4 – Activities located in the Settlement Zone	Activity Status
20.4.9	<p>Commercial activities, commercial recreation activities and community activities located outside a Commercial Precinct that do not exceed 100m² gross floor area</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the nature of the activity, including whether it functions to service the day-to-day needs of residents and visitors; b. hours of operation; c. signage platforms; d. landscaping; e. location and screening of recycling and waste; f. location of parking, provision for mobility parking, traffic safety, manoeuvring, access and traffic generation; g. noise; h. design, scale and appearance of buildings; i. natural hazards; and j. servicing. 	RD

	Table 20.4 – Activities located in the Settlement Zone	Activity Status
20.4.10	<p>Licensed premises located in either:</p> <ul style="list-style-type: none"> a. Commercial Precincts; or b. Visitor Accommodation Sub-Zones, where the licenced premises is ancillary to a visitor accommodation activity. <p>Exemption: It is a permitted activity to sell alcohol :</p> <ul style="list-style-type: none"> (i) to any person who is residing (permanently or temporarily) on the premises; and/or (ii) to any person who is present on the premises for the purpose of dining up until 12am. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the scale of the activity; b. location of parking, provision for mobility parking, traffic safety, manoeuvring, access and traffic generation; c. effects on amenity, including that of adjoining sites and public reserves; d. the configuration of activities within the building and site (e.g. outdoor seating, entrances); e. noise; f. hours of operation; g. lighting; and h. servicing. 	RD
20.4.11	Within a Commercial Precinct: service activities (not including any service activity listed in this table as a prohibited activity)	D
20.4.12	Retirement villages	D
20.4.13	Community activities not otherwise identified in this table	D
20.4.14	Licensed premises not otherwise identified in this table	NC
20.4.15	Visitor accommodation not otherwise identified in this table	NC
20.4.16	Commercial activities and service activities not otherwise identified in this table	NC
20.4.17	Activities which are not listed in this table	NC
20.4.18	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building, except where such activities are undertaken as ancillary to a residential activity or as a permitted home occupation.	PR

20.5 Rules - Standards

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
20.5.1	<p>Residential density (excluding Makarora)</p> <p>20.5.1.1 For sites with a net site area of 800m² or less, a maximum of one residential unit per site.</p> <p>20.5.1.2 For sites with a net site area greater than 800m², no more than one residential unit per 800m² net site area.</p>	D
20.5.2	<p>Residential density – Makarora only</p> <p>20.5.2.1 For sites with a net site area of 1000m² or less, a maximum of one residential unit per site.</p> <p>20.5.2.2 For sites with a net site area greater than 1000m², no more than one residential unit per 1000m² net site area.</p>	D
20.5.3	<p>Retail and office activities within a Commercial Precinct</p> <p>20.5.3.1 Individual retail activities within a Commercial Precinct shall not exceed 200m² gross floor area.</p> <p>20.5.3.2 Individual office activities within a Commercial Precinct shall not exceed 100m² gross floor area.</p> <p>Note: Any associated office, storage, staffroom and bathroom facilities used by the activity shall not be included in the calculation of gross floor area.</p>	NC
20.5.4	<p>Maximum building coverage on any site (excluding buildings located in Commercial Precincts and Visitor Accommodation Sub-Zones)</p> <p>Building coverage shall not exceed 40% on any site.</p>	D
20.5.5	<p>Maximum building coverage on any site – buildings located in Commercial Precincts and Visitor Accommodation Sub-Zones only</p> <p>20.5.5.1 Within the Commercial Precinct at Cardrona: 80%.</p> <p>20.5.5.2 Within the Visitor Accommodation Sub-zone at Cardrona: 50%.</p>	D

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
	20.5.5.3 At all other locations within Commercial Precincts or Visitor Accommodation Sub-Zones building coverage shall not exceed 80% on any site.	
20.5.6	<p>Home Occupation</p> <p>20.5.6.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>20.5.6.2 The maximum number of two-way vehicle trips shall be:</p> <p style="margin-left: 40px;">a. Heavy vehicles: 1 per day; and</p> <p style="margin-left: 40px;">b. All other vehicles: 10 per day.</p> <p>20.5.6.3 Maximum net floor area for the home occupation activity of 60m².</p> <p>20.5.6.4 All home occupation activities and storage of materials shall be indoors.</p>	D
20.5.7	<p>Minimum boundary setbacks</p> <p>20.5.7.1 Road boundary: 4.5m; except:</p> <p style="margin-left: 40px;">a. At Makarora, where the minimum setback of any building from the State Highway shall be 8m.</p> <p style="margin-left: 40px;">b. At Cardrona, where the minimum setback of any building from roads shall be 3m.</p> <p>20.5.7.2 All other boundaries: Buildings shall be setback a minimum of 2m.</p> <p>Exceptions to boundary setbacks:</p> <p style="margin-left: 20px;">a. Accessory buildings for residential activities may be located within the boundary setback distances (other than from road boundaries), where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane;</p>	D

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
	<p>b. Any building may locate within a boundary setback distance by up to 1m for an area no greater than 6m² provided the building within the boundary setback area has no windows or openings;</p> <p>c. Eaves may be located up to 600mm into any boundary setback distance along eastern, western and southern boundaries; and</p> <p>d. Eaves may be located up to 1m into any boundary setback distance along northern boundaries.</p>	
20.5.8	<p>Continuous building length</p> <p>The length of any building façade above the ground floor level shall not exceed 16m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. The external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties; and</p> <p>b. At Cardrona, consistency with the Cardrona Village Character Guideline 2012, to the extent allowed by matter of discretion 20.5.8(a).</p>
20.5.9	<p>Gable roof form and pitch – Glenorchy and Cardrona only</p> <p>All buildings shall be designed with a gable roof form with a minimum pitch from the horizontal of 25 degrees.</p> <p>Exemptions: verandas, lean-to's and other minor roof projections from the primary roof form.</p>	D
20.5.10	<p>Heavy vehicle storage</p> <p>No more than one heavy vehicle shall be stored or parked overnight on any site except within Commercial Precincts and Visitor Accommodation Sub-zones.</p>	NC

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
20.5.11	<p>Glare</p> <p>20.5.11.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>20.5.11.2 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.</p>	NC
20.5.12	<p>Maximum building height</p> <p>20.5.12.1 Kingston and Kinloch: 7m or 5.5m above 312.8 masl, whichever is highest.</p> <p>20.5.12.2 Glenorchy: 5.5m or 5.5m above 312.8 masl, whichever is highest.</p> <p>20.5.12.3 Makarora: 5.5m.</p> <p>20.5.12.4 Luggate: 7m.</p> <p>20.5.12.5 Cardrona: 12m and not more than 3 storeys.</p>	NC
20.5.13	<p>Maximum building height – buildings located within Commercial Precincts (excluding Cardrona)</p> <p>20.5.13.1 Within Commercial Precincts identified on the Planning Maps (excluding Cardrona), buildings may extend up to 1.5m above the height specified for each settlement specified in Rule 20.5.12.</p>	NC
20.5.14	<p>Recession plane:</p> <p>20.5.14.1 Northern boundary: 2.5m and 55 degrees.</p> <p>20.5.14.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>20.5.14.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <p>a. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height; and</p>	D

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
	<p>b. Recession planes do not apply to site boundaries adjoining a road or reserve.</p> <p>Notes: where earthworks are undertaken to raise a building above the flood risk identified on the Planning Maps pursuant to Rule 20.5.19, the recession planes may be applied from the identified flood risk level.</p>	
20.5.15	<p>Setback of buildings from waterbodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Indigenous biodiversity values; b. Visual amenity values; c. Landscape character; d. Open space and the interaction of the development with the water body; e. Environmental protection measures (including landscaping and stormwater management); f. Natural hazards; and g. Effects on cultural values of Manawhenua.
20.5.16	<p>Residential visitor accommodation</p> <p>20.5.16.1 Must not exceed a cumulative total of 90 nights' occupation by paying guests on a site per 12 month period.</p> <p>20.5.16.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>20.5.16.3 Must comply with the minimum parking requirements for mobility parking for a residential unit and/or residential</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of the activities; b. The location and screening of parking and access,

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
	<p>flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>20.5.16.4 The Council must be notified in writing prior to the commencement of a residential visitor accommodation activity.</p> <p>20.5.16.5 Up to date records of the residential visitor accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>20.5.16.6 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with Rules 20.5.16.1 to 20.5.16.6.</p>	<p>and provision for mobility parking;</p> <p>c. The management of noise, rubbish and outdoor activities;</p> <p>d. The compliance of the residential unit with the Building Code as at the date of the building consent;</p> <p>e. Health and safety provisions in relation to guests;</p> <p>f. Guest management and complaints procedures;</p> <p>g. The keeping of records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p>
20.5.17	Homestays	RD
	<p>20.5.17.1 Must not exceed 5 paying guests on a site per night.</p> <p>20.5.17.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>20.5.17.3 The Council must be notified in writing prior to the commencement of the Homestay activity.</p> <p>20.5.17.4 Up to date records of the homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p>	<p>Discretion is restricted to:</p> <p>a. The location, nature and scale of activities;</p> <p>b. The location and screening of parking, provision for mobility parking and access;</p> <p>c. The management of noise, rubbish</p>

	Table 20.5 - Standards for activities in the Settlement Zone	Non-compliance status
	Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with Rules 20.5.17.1 to 20.5.17.4.	and outdoor activities; d. The keeping of records of homestay use, and availability of records for Council inspection; and e. Monitoring requirements, including imposition of an annual monitoring charge.
20.5.18	Building Restriction Area No building shall be located within a building restriction area as identified on the Planning Maps.	NC
20.5.19	Flood Risk Buildings with a gross floor area greater than 20m ² shall have a ground floor level not less than RL 312.8 masl (412.8 Otago Datum) at Kinloch, Glenorchy and Kingston.	NC
20.5.20	Cardrona Village Character Guideline – buildings and visitor accommodation at Cardrona 20.5.20.1 Applications for resource consent for the following activities shall include a statement confirming that the Cardrona Village Character Guidelines 2012 has been taken into account in the location and design of any activities or buildings and identifying any particular aspects of the proposal that have resulted from that consideration a. All buildings within the Commercial Precincts identified on the Planning Maps at Cardrona; and b. All visitor accommodation (including ancillary activities and buildings within the Commercial Precincts and/or Visitor Accommodation Sub-Zones identified on the Planning Maps at Cardrona.	NC

20.6 Non-Notification of Applications

- 20.6.1 Applications for Controlled activities shall not require the written approval of other persons and shall not be notified.**
- 20.6.2 The following Restricted Discretionary activities shall not require the written approval of other persons and shall not be notified:**
- a. Buildings located within a Commercial Precinct (Rule 20.4.6)
 - b. Visitor accommodation located within a Visitor Accommodation Sub-Zone or Commercial Precinct (Rule 20.4.7)
 - c. Residential visitor accommodation (Rule 20.5.16)
 - d. Homestays (Rule 20.5.17)