

## RESIDENTIAL ZONE 1, 2, 3 & 4

### 1 ZONE STATEMENT

The Residential 1 Zone covers the majority of the residential areas of Fairlie, Lake Tekapo, Twizel, Burkes Pass, Kimbell and Albury. The Residential 2 zone contains land, which because of its location on or near main roads, is particularly suitable for visitor accommodation. The Residential 3 & 4 Zones within Twizel provide for areas of low density residential development, which adjoin the higher density Residential 1 & 2 zones around the town's centre.

### 2 DISTRICT WIDE RULES

The following General Provisions containing District Wide Rules shall apply in the Residential Zone:

- |   |  |            |
|---|--|------------|
| • | Hazardous Substances                                       | Section 10 |
| • | Heritage Protection  | Section 11 |
| • | Signs and Outdoor Lighting                                 | Section 12 |
| • | Subdivision, Development and Financial Contributions       | Section 13 |
| • | Temporary Activities and Buildings and Environmental Noise | Section 14 |
| • | Transportation   | Section 15 |
| • | Utilities  | Section 16 |

#### **Design and Appearance of Buildings**

The finishing and painting of all new and existing buildings in a colour or colours set out in the colour palette is encouraged. Copies of the Mackenzie District Council colour palette (October 1994) are available from the Mackenzie District Council offices in Fairlie and Twizel.

## STATUS OF ACTIVITIES

The following Clauses 3 to 7 specify the status of activities under the District Plan i.e. Permitted, Controlled, Discretionary and Non-Complying for the following activities in the Residential 1, 2, 3, and 4 zones:

- |   |                        |
|---|------------------------|
| 3 | Residential Activities |
| 4 | Home Occupations       |
| 5 | Visitor Accommodation  |
| 6 | Scheduled Activities   |
| 7 | Other Activities       |

### 3 RESIDENTIAL ACTIVITIES

#### 3.1 Permitted Activities - Residential Activities

3.1.1 Any Residential Activity which is not specified as a Controlled Activity in 3.2 below and which complies with the following standards:

##### 3.1.1.a Residential Density

- i In the Residential 1, 3 & 4 Zones, there shall be a maximum of one residential unit per site.
- ii One minor unit (refer definition) shall be permitted on each site in addition to a residential unit permitted by (i) above, provided it can comply, in its own right, with building coverage, setback, height and recession plane and parking requirements for a residential unit.
- iii In the Residential 2 Zone, the minimum net area of a site for each residential unit shall be 250m<sup>2</sup> exclusive of access
- iv In the Residential 1 or 2 Zones, the minimum net area of a site for each residential unit associated with elderly persons housing shall be 100m<sup>2</sup>.

##### 3.1.1.b Building Coverage

- i The maximum building and hard surface coverage of the net area of any Residential 1 site shall be 50%.
- ii The maximum building and hard surface coverage of the net area of any Residential 2 site shall be 65%.
- iii The maximum building coverage of the net area of any Residential 3 site shall be 25%.
- iv The maximum building coverage of the net area of any Residential 4 site shall be 15%.

##### 3.1.1.c Height of Buildings

- i Buildings shall not project beyond a building envelope constructed by a recession line from points above internal and road boundaries as set out in Appendix H.
- ii In Lake Tekapo, the mid point of each section of wall or roof of buildings and the midpoint of building extensions shall not project above recession lines as shown in Appendix H.
- iii The maximum height of any building shall not exceed 8m, except:
  - (a) The maximum height of any building on the terrace top within the Residential 1 and 2 zones in Lake Tekapo legally described as RS40370 (SO13201) shall not exceed 5m.
  - (b) The maximum height of any building below the terrace top within the Residential 1 and 2 zones legally described as RS40370 (SO13201) in Lake Tekapo shall not exceed 12m or the height of the nearest

point of the terrace top, whichever is the lesser.

### 3.1.1.d

#### **Setback from Boundaries**

- i For the Residential 1 & 2 Zones, the minimum building setback from all internal net site area boundaries shall be 2m except that:
  - (a) accessory buildings for residential activities, other than buildings used for the housing of animals, may be located within the setback from internal boundaries where the total length of walls within the setback do not exceed 7.5m and do not contain any windows. (Note: refer to definition of boundary for distinction between internal and road boundaries).
  - (b) 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 set back from that internal boundary shall be reduced to 1m.
  - (c) where buildings on adjoining site have a common wall along an internal boundary, no setback is required along that part of the boundary covered by such a wall.
  - (d) where an internal boundary of a site adjoins a No-Build Area in a Residential Zone, a depth of 2m from the boundary shall be planted in low shrubs, tussock grasses or small tree species, and shall remain free of all buildings and structures.
  - (e) All buildings in the Residential 2 zone on the true right bank of the Tekapo River shall be set back from the adjoining Industrial Zone boundary no less than 5.0m.
  - (f) All buildings in the Residential 2 zone on the true right bank of the Tekapo River shall be set bank no less than 6.0m from the edge of the upper terrace of the Tekapo River.
- ii For the Residential 1 & 2 Zones, the minimum building setback from all site road boundaries shall be 2m except that:
  - a. where a Residential size has road frontage to Lakeside Drive, and that part of Pioneer Drive from Sealy Street to Beauchamp Place in Lake Tekapo, the setbacks along this boundary shall be 4.5m. In the Residential 2 zone within the Plan Change 16 area the road frontage shall be landscaped for a minimum depth of 1.5m, except across vehicle crossings.
  - b. (i) No buildings or structures on Lot 2 DP455053 associated with Plan Change 16 at Tekapo, or any subsequent titles created, shall be located within 10m of the unnamed road running along the south-west boundary of that lot.
    - (ii) Prior to the issuing of any subsequent titles the first 6m of the 10m setback required by (i) above shall be planted in Ponderosa pine trees, at a spacing of 7m, underplanted with *Griselinia littoralis*, *Coprosma propinqua* and *Pittosporum tenuifolium* except for any property access. A covenant shall be placed on each title restricting

the removal of, and requiring maintenance of, the trees while also avoiding any potential for icing of the adjoining public road (when formed) during the winter.

(iii) Rules (i) and (ii) shall no longer apply if the Council agree to allow planting within the unnamed legal road as an alternative method of providing screening to and from State Highway 8 and a setback of 2m from the unnamed legal road.

iii For the Residential 3 & 4 Zones the minimum building setback from all boundaries shall be 10m except that:

- (b) Where an allotment is adjacent to the Industrial Zone, any residential unit within that allotment shall be setback a minimum of 20m from the boundary adjacent to the Industrial Zone.
- (c) Where an allotment is adjacent to the Residential 1 Zone, any residential unit within that allotment shall be setback a minimum of 20m from the boundary adjacent to the Residential 1 Zone.

#### 3.1.1.e **Flood Mitigation - Floor Heights/Location**

- i No habitable residential buildings shall be located in areas of 'High Flood Risk'. (Refer Discretionary Activity Rule 3.3.2)
- ii The minimum floor height for habitable residential buildings in areas subject to 'Low Flood Risk' shall be 150mm above floodwaters with a 0.2% annual probability of occurring (i.e. 500 year return period flood).
- iii The minimum floor height of all commercial, visitor accommodation and industrial buildings, other than accessory buildings or those referred to in 3.1.1.e (i) and (ii) above shall be 150mm above floodwaters with a 0.5% annual probability of occurring (i.e. 200 year return period flood).

**Note:** "High Flood Risk", "Low Flood Risk", and "Floor Height" are defined in section 3 Definitions.

**Note:** To ascertain 200 or 500 year flood levels or whether a property falls within a high or low flood risk area it will be necessary to obtain a flood risk assessment from a suitably qualified expert.

#### 3.1.1.f **Access**

Each residential unit shall have legal access to a formed road. (Refer also to the Transportation rules in Section 15).

#### 3.1.1.g **Heavy Vehicle Storage**

No more than one heavy vehicle shall be stored on any site.

#### 3.1.1.h **Keeping of Animals**

There shall be no breeding, rearing and/or keeping of pigs or bees.

**3.1.1.i Aircraft**

No activity shall involve the take-off or landing of aircraft, other than for emergency landing or rescues, fire fighting, civil defence and activities carried out by the NZ Police or New Zealand Defence Force.

**3.1.1.j Temporary Use of Vacant Sites**

Temporary residential accommodation in tents, buses or mobile homes on vacant sites shall not exceed 14 consecutive days in any one year.

**3.1.1.k Flood Erosion Risk - Kimbell Area**

There shall be no residential buildings erected within the area identified as Kimbell Hazard Area on Planning Map 57 - Flood Risk Areas (Refer Rule 3.4.2 Non-Complying Activities)

This rule shall not apply to extensions which do not increase the total floor area of the buildings as at 1 June 1988 by more than 15%.

This rule shall not apply to accessory buildings designed or used for other than human habitation.

**Note:** The District Council has responsibility under Section 36 of the Building Act 1991 relating to buildings on land that is subject to, or is likely to be subject to, erosion, avulsion, alluvion, falling debris, subsidence, inundation or slippage.

**3.1.1.l Continuous Building Length - Residential 2 Zone**

Where the aggregate length along the external wall of one elevation of a building exceeds 16m, either:

- (a) the entire building shall be set back by an additional 0.5m for every 6m of additional length or part thereof; or
- (b) that part of the building that exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof, stepping back 0.5m for each additional 6m length or part thereof beyond the initial step.
- (c) This rule shall not apply to any part of an external wall that is greater than 6m from the site boundary closest to the subject external wall.

**3.1.1.m Outdoor Living Space - Residential 2 Zone**

- (a) All residential units shall have exclusive outdoor living space of at least:
  - 25m<sup>2</sup> at ground level, with a minimum dimension of 3m, directly accessed from a living area; or
  - a balcony of at least 12m<sup>2</sup> with a minimum dimension of 2m, directly accessed from a living area if the unit is above ground floor level.

**3.1.1.n External Design and Appearance of Buildings - Residential 2 Zone - Tekapo**

All new buildings, extensions or redevelopments in the Residential 2 zone in Tekapo shall comply with the standards of the Lake Tekapo Design Guidelines contained in Appendix P.

**3.1.1.o Twizel Water Supply Protection Area**

All residential units within the Twizel Water Supply Protection Area (shown on Planning Maps 51 and 52) shall connect to the Council reticulated sewage disposal system.

**3.1.1.p Exterior Colour**

In that part of the Residential 1 Zone contained within Lot 2 DP455053 between Lakeside Drive and State Highway 8, buildings shall comply with the exterior colours palette set out in clause 4.2.2 vii) of the Lake Tekapo Design Guide contained in Appendix P.

**3.1.1.q Access to State Highway 8**

Any activities within Lot 1 DP455053, Lot 2 DP 455053, Lot 3 DP455053 and Lot 4 DP455053 being land west of the intersection of Lakeside Drive with State Highway 8, shall only obtain vehicular access to State Highway 8 from Lakeside Drive; and no direct access shall be permitted from State Highway 8.

**3.2 Controlled Activities - Residential Activities**

3.2.1 Buildings for residential activities to be relocated to or within the Residential 1 and 2 Zone:

**Standards and Terms for Relocated Buildings**

- All the standards which apply to Permitted Residential Activities in 3.1.1 above shall be complied with.
- The Council may require a bond from the consent holder in respect of the performance of any one or more conditions of any consent granted, including any conditions relating to the alteration or removal of structures on the expiry of the consent.
- Any application will not require the written approval of other persons and shall be non-notified.

**Matters Subject to Council's Control**

- External appearance of the relocated building.

**3.3 Discretionary Activities - Residential Activities**

3.3.1 In the Residential 1 & 2 zones, any Residential Activity which does not comply with any one or more of the following standards for Permitted Residential Activities in the relevant Residential Zone and which is not specified as a Non-Complying Activity in 3.4 below:

- 3.1.1.a Residential Density
- 3.1.1.b Building Coverage
- 3.1.1.c Height of Buildings
- 3.1.1.d Setback from Boundaries
- 3.1.1.f Access
- 3.1.1.g Heavy Vehicle Storage
- 3.1.1.j Temporary Use of Vacant Sites
- 3.1.1.l Continuous Building Length
- 3.1.1.m Outdoor Living Space
- 3.1.1.n External Design and Appearance of Buildings

### 3.1.1.p Exterior Colours

In considering such a Discretionary Activity in the Residential 1 & 2 zones, the consent authority shall restrict the exercise of its discretion to those matters of non-compliance.

3.3.2 In the Residential 3 & 4 zones, any Residential Activity which does not comply with any one or more of the following standards for Permitted Residential Activities in the relevant Residential Zone and which is not specified as a Non-Complying Activity in 3.4 below:

- 3.1.1.a Residential Density
- 3.1.1.b Building Coverage
- 3.1.1.c Height of Buildings
- 3.1.1.d Setback from Boundaries
- 3.1.1.f Access
- 3.1.1.g Heavy Vehicle Storage
- 3.1.1.j Temporary Use of Vacant Sites

3.3.3 Any habitable residential building which is subject to 'High Flood Risk'.

**Note:** 'High Flood Risk' is defined in Section 3 – Definitions

**Note:** To ascertain whether a property falls within a high or low flood risk it will be necessary to obtain a flood risk assessment from a suitably qualified expert.

3.3.4 Buildings for residential activities to be relocated to or within the Residential 3 and 4 Zone.

3.3.5. For the purpose of Section 95A(3)(a) and 95B(2) of the Resource Management Act 1991, any application arising from non-compliance with Rule 3.1.1.(d)(i)(e) does not need to be publicly notified and need only be served on Meridian Energy Limited as the sole affected party, unless it has given its written approval to the activity.

## 3.4 Non-Complying Activities – Residential Activities

3.4.1 Any Residential Activity which does not comply with any one or more of the following standards for Permitted Residential Activities:

- 3.1.1.e Flood Mitigation – Floor heights
- 3.1.1.h Keeping of Animals
- 3.1.1.i Aircraft
- 3.1.1.q Access to State Highway 8

3.4.2 Residential buildings erected within the Kimbell Hazard Area on Planning Map 53 – Flood Risk Areas.

**Note:** the District Council has responsibility under Section 36 of the Building Act 1991 relating to buildings on land that is subject to, or is likely to be subject to, erosion, avulsion, alluvion, falling debris, subsidence, inundation or slippage.

3.4.3

- (i) Building and hard surface coverage greater than 60% of the net site area in the Residential 1 Zone.
- (ii) Building and hard surface coverage greater than 85% of the net site area in the Residential 2 Zone.
- (iii) Building coverage greater than 40% of the net site area in the Residential 3 Zone.

(iv) Building coverage greater than 30% of the net site area in the Residential 4 Zone.

3.4.4 Residential buildings erected within the Twizel Water Supply Protection Area which do not connect to Council's reticulated sewage disposal system (Refer clause 3.1.1.o above).

### **3.4 Non-Complying Activities – Residential Activities**

3.4.5 Any building, within the No-Build Area in the Residential 2 zone indicated in Planning Map 44, other than retaining wall associated with a road.

### **3.5 Prohibited Activities – Residential Activities**

3.5.1 The construction of any building or formation of accesses to adjacent sites is prohibited within the No-Build Area indicated in Planning Map 44A west of the Lake Tekapo Village Centre between State Highway 8 and Lakeside Drive.

## **4 HOME OCCUPATIONS**

### **4.1 Permitted Activities – Home Occupations**

4.1.1 Home Occupations which comply with the following standards:

#### **4.1.1.a Nature and Scale of Home Occupations**

- i No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in undertaking an activity on the site.
- ii All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles associated with an activity shall be carried out within a building.

#### **4.1.1.b Retail Sales**

Retail sales shall be limited to the sale of produce grown on the site and handcrafts manufactured on the site.

#### **4.1.1.c Hours of Operation**

- i Maximum total number of hours in any one week the site shall be open to visitors, clients or deliveries shall be 50 hours.
- ii Hours of operation, shall be limited to between the hours:
  - 0700-2000 Monday to Friday, and
  - 0800-2000 Saturday, Sunday and public holidays,

**except:**

- where the entire activity is located within a building; and
- where each person engaged in the activity outside the above hours resides permanently on the site; and
- where there are no visitors, clients or deliveries to or from the site outside the above hours.



**4.1.1.d Heavy Vehicles**

No more than one heavy vehicle shall be stored on a site.

**4.1.1.e Noise**

All activities shall be designed and conducted so as to ensure that the following noise levels are not exceeded at any point within the boundary of any other site within the Residential Zone:

Daytime	50 dBA L10
Daytime (including any Sunday)	70 dBA Lmax

Nighttime	40 dBA L10
Nighttime (excluding 8am to 9pm Sunday)	70 dBA Lmax

**4.1.1.f Noxious or Unpleasant Activities**

No activity shall involve the following: panel beating, spray painting, motor vehicle repairs or dismantling, fibre glassing, sheet metal work, bottle or scrap storage rubbish collection or a recycling service, motor body building or fish or meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956 or its amendments.

**4.1.1.g Screening - Outdoor Storage Areas**

All outdoor storage, display and parking areas shall be situated behind buildings and/or screened from public view and adjoining residential sites by either planting, walls, fences or a combination to at least 1.8m in height.

**4.1.1.h Aircraft**

No activity shall involve the take-off or landing of aircraft, other than for emergency services landing and rescues, civil defence, and activities carried out by the New Zealand Defence Force

**4.2 Discretionary Activities - Home Occupations**

4.2.1 Home Occupation in the Residential 1 & 2 zones which does not comply with any one or more of the following standards for Permitted Home Occupations.

- 4.1.1.a Nature and Scale of Home Occupation
- 4.1.1.b Retail Sales
- 4.1.1.c Hours of Operation
- 4.1.1.d Heavy Vehicles
- 4.1.1.g Screening – Outdoor Activities
- 4.1.1.h Aircraft

In considering such a Discretionary Activity the consent authority shall restrict the exercise of its discretion to those matters of non-compliance.

4.2.2 Home Occupation in the Residential 3 & 4 zones which does not comply with any one or more of the following standards for Permitted Home Occupations.

- 4.1.1.a Nature and Scale of Home Occupation
- 4.1.1.b Retail Sales
- 4.1.1.c Hours of Operation

- 4.1.1.d Heavy Vehicles
- 4.1.1.g Screening – Outdoor Activities
- 4.1.1.h Aircraft

#### 4.3 Non-complying Activities - Home Occupations

4.3.1 Any Home Occupation that does not comply with any of the following standards on Permitted Home Occupations:

- 4.1.1.e Noise
- 4.1.1.f Noxious and Unpleasant Activities- any activity involving the following:  
Panel beating, spray painting, motor vehicle repairs or dismantling, fibre glassing, sheet metal work, bottle or scrap storage rubbish collection or a recycling service, motor body building or fish or meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956 or its amendments.

#### 4.4 Prohibited Activities – Home Occupations

4.4.1 The construction of buildings or formation of accesses to adjacent sites is prohibited within the No-Build Area indicated in Planning Map 44A between the Residential 1A and Residential 2A Zones and State Highway 8.

### 5 VISITOR ACCOMMODATION

#### 5.1 Permitted Activities - Visitor Accommodation

5.1.1 Residential 1, 3 & 4 - Homestays and visitor accommodation for a maximum of 6 people which comply with the following standards.

5.1.2 Residential 2 - Visitor Accommodation which complies with the following standards:

##### 5.1.2.a Building Height and Floor Heights

All visitor accommodation buildings shall comply with the following standards for residential buildings:

- 3.1.1.c Height of Buildings
- 3.1.1.e Flood Mitigation - Floor heights/location

##### 5.1.2.b Building Coverage

- i Maximum building coverage of the net area of any Residential 1 site shall be 40%.
- ii Maximum building coverage of the net area of any Residential 2 site shall be 65%.
- iii Maximum building coverage of the net area of any Residential 3 site shall be 20%.
- iv Maximum building coverage of the net area of any Residential 4 site shall be 10%.

##### 5.1.2.c Setback from Boundaries

- i In the Residential 1 & 2 Zones, the minimum building setback for all new visitor accommodation or related accessory buildings from all internal net site area boundaries shall be 3m except that:
  - (a) 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 set back from that internal boundary shall be reduced to 1m.
  - (b) All buildings in the Residential 2 zone on the true right bank of the Tekapo River shall be set back from the adjoining Industrial Zone boundary no less than 5.0m.
  - (c) All buildings in the Residential 2 zone on the true right bank of the Tekapo River shall be set bank no less than 6.0m from the edge of the upper terrace of the Tekapo River.
- ii In the Residential 1 & 2 Zones, the minimum building setback from all site road boundaries shall be 3.5m except that:
  - a) where a site has road frontage to Lakeside Drive, and that part of Pioneer Drive from Sealy Street to Beauchamp Place in Lake Tekapo, the setback along this boundary shall be 4.5m.
- iii In the Residential 3 & 4 Zones, the minimum building setback from all site boundaries shall be 20m.

#### 5.1.2.d **Landscaping**

- i The minimum percentage of the site to be landscaped shall be 10%.
- ii On sites other than rear sites all required landscaped areas shall be located along the road frontage of the site. Such landscaping shall include a landscaping strip with a minimum average width of 1.5m and a minimum width of 0.6m along the road frontage except across vehicle crossings;
 

**except that**

on sites with the Plan Change 16 area or on sites or parts of sites on the opposite side of a road to a residential zone, the landscaping strip shall have a minimum average width of 4.5m and a minimum width of 1.5m along the road frontage, except across vehicle crossings.
- iii Any landscaping or trees required by these rules shall be maintained, and if dead, diseased or damaged shall be replaced.

#### 5.1.2.e **Design and Appearance**

All visitor accommodation buildings, extensions or redevelopments in the Residential 2 Zone in Lake Tekapo with a floor area greater than 10m<sup>2</sup> shall be Restricted Discretionary Activities - refer Rule 5.2.

#### 5.1.2.f **Aircraft**

No activity shall involve the takeoff or landing of aircraft, other than for emergency

services landing and rescue, civil defence and activities carried out by the New Zealand Defence Force.

Note: Requirements outside the District Plan relating to Liquor, Health and Buildings apply to visitor accommodation.

#### 5.1.2.g **Continuous Building Length**

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary exceeds 16m, either:

- (a) the entire building shall be set back by an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback at the same distances from the boundary; or
- (b) that part of the building that exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback, stepping back 0.5m for each additional 6m length or part thereof beyond the initial step.

#### 5.1.2.h **Outdoor Storage, Display and Parking**

Outdoor storage, display and parking areas located within any road or internal setback shall be screened by landscape planting of a minimum width of 2.0m, and shall be maintained and irrigated.

#### 5.1.2.i **Twizel Water Supply Protection Area**

All buildings associated with visitor accommodation activity within the Twizel Water Supply Protection Area (shown on Planning Maps 51 and 52) shall connect to the Council reticulated sewage disposal system.

#### 5.1.2.k **Access to State Highway 8**

Any activities within Lot 1 DP455053, Lot 2 DP455053, Lot 3 DP455053 and Lot 4 DP455053 being land west of the intersection of Lakeside Drive and State Highway 8, shall only obtain vehicular access to State Highway 8 from Lakeside Drive; and no direct access shall be permitted from State Highway 8.

### 5.2 **Restricted Discretionary Activities - Visitor Accommodation**

#### 5.2.1 **Design and Appearance**

All visitor accommodation buildings, extensions or redevelopments in the Residential 2 Zone in Lake Tekapo with a floor area greater than 10m<sup>2</sup> shall be Restricted Discretionary Activities in relation to design and appearance. Council shall restrict the exercise of its discretion to the following matters:

- The location, external appearance and design of visitor accommodation buildings (refer 5.2.1.h);
- The location of car parking, bus parking and access;
- The generation of noise, lighting, signage, and vehicle and pedestrian activity.

#### **Standards for Restricted Discretionary Activities**

- 5.2.1.a **Height of Buildings**  
Refer rule 3.1.1.c

- 5.2.1.b **Building Coverage**  
Refer 5.1.2.b
- 5.2.1.c **Setback from Neighbours and Roads**  
Refer rule 5.1.2.c
- 5.2.1.d **Landscaping**  
Refer rule 5.1.2.d
- 5.2.1.e **Aircraft**  
Refer rule 5.1.2.f
- 5.2.1.f **Floor Heights**  
Refer rule 3.1.1.e
- 5.2.1.g **Outdoor Storage, Display and Parking**  
Refer rule 5.1.2.h
- 5.2.1.h **Location, External Appearance and Design**  
All new buildings or structures shall comply with the standards of the Lake Tekapo Design Guidelines contained in Appendix P.

### 5.3 Discretionary Activities - Visitor Accommodation

- 5.3.1 Residential 1, 3 & 4 - Visitor accommodation and homestays providing for between 7 and 12 visitors at any one time.
- 5.3.2 Residential 2 - Any Visitor Accommodation not provided for as a Permitted or Restricted Discretionary, or Non-Complying Activity in the Residential 2 zone.
- 5.3.3 Visitor accommodation buildings which are subject to 'High Flood Risk'.  
Note: 'High Flood Risk' is defined in Section 3 – Definitions  
Note: To ascertain whether a property falls within a high or low flood risk it will be necessary to obtain a flood risk assessment from a suitably qualified expert.
- 5.3.4 Noise Standards

All visitor accommodation activities shall be conducted to comply with the following standards as measured at any point within the boundary of any other site:

Daytime	0700 – 2000 hours	50 dBA L <sub>10</sub>
Night-time	2000 – 0700 hours	40 dBA L <sub>10</sub> and L <sub>max</sub> 70dBA

Noise levels shall be measured and assessed in accordance with NZS6801:1991 and NZS 6802:1991 or their successors.

- 5.3.5 The sale of liquor from visitor accommodation in the Residential 2 Zone.

### 5.4 Non-Complying Activities - Visitor Accommodation

- 5.4.1 Any visitor accommodation activity or homestay that does not comply with one or more of the following standards for permitted visitor accommodation activities:
- 3.1.1.e Flood Mitigation – Floor heights/location
- 5.3.4 Noise Standards
- 5.1.2.k Access to State Highway 8

- 5.4.2 Residential 1, 3 & 4 - Visitor accommodation providing for 13 or more visitors at any one time.
- 5.4.3 (i) Building and hard surface coverage greater than 40% of the net area of any site in the Residential 1 zone.
- (ii) Building and hard surface coverage greater than 85% of the net area of any site in the Residential 2 zone.
- (iii) Building coverage greater than 25% of the net area of any site in the Residential 3 zone
- (iv) Building coverage greater than 15% of the net area of any site in the Residential 4 zone.
- 5.4.4 The sale of liquor from visitor accommodation in the Residential 1, 3 & 4 Zones.
- 5.4.5 Buildings for visitor accommodation erected within the Twizel Water Supply Protection Area which do not connect to Council's reticulated sewage disposal system (Refer clause 5.1.2.i above).
- 5.5 **Prohibited Activities – Visitor Accommodation**
- 5.5.1 The construction of buildings or formation of accesses to adjacent sites is prohibited within the No-Build Area indicated in Planning Map 44A west of the Lake Tekapo Village Centre, between State Highway 8 and Lakeside Drive.

## 6 SCHEDULED ACTIVITIES

### 6.1 Permitted Activities -

#### 6.1.1 Te Whare Mahana Marae - Twizel

Any Activity listed in Schedule A to the Residential Zone listed as a Permitted Activity and which complies with the standards specified for that activity.

#### 6.1.2 Emergency Service Facilities - Twizel, Lake Tekapo and Fairlie

Any activity listed in Schedule B to the Residential Zone listed as a Permitted Activity and which complies with the standards specified for that activity.

### 6.2 Discretionary Activities

6.2.1 Any Activity listed in Schedule A to the Residential Zone as a Discretionary Activity.

6.2.2 Any Activity listed in Schedule B to the Residential Zone as a Discretionary Activity.

### 6.3 Non-Complying Activities

6.3.1 Any Activity listed in Schedule A to the Residential Zone as a Non-complying Activity.

6.3.2 Any Activity listed in Schedule B to the Residential Zone as a Non-complying Activity.

## 7 OTHER ACTIVITIES

(Activities other than Residential Activities, Home Occupations, Visitor Accommodation and Scheduled Activities).

### 7.1 Permitted Activities - Other Activities

The following are Permitted Activities in the Residential Zone.

7.1.1 Any Other Activity i.e. other than residential activity, home occupations, visitor accommodation and scheduled activities, that is not specified as a Controlled Activity in 7.2 or a discretionary activity in 7.3 and which complies with the following standards.

#### 7.1.1.a Site Size

- i The maximum area of any site used for any other activity in Kimbell, Burkes Pass or Albury shall be 2000m<sup>2</sup>.
- ii The maximum area of any site used for any other activity in Fairlie, Lake Tekapo and Twizel shall be 1000m<sup>2</sup>.

#### 7.1.1.b Screening - Parking and Outdoor Storage Areas

All parking and outdoor storage areas shall be situated behind buildings and/or screened from public view and adjoining residential sites by either planting, wall(s), fence(s) or a combination to at least 1.8m height, except for vehicle crossings. Where screening is provided by way of planting it shall be for a minimum depth of 1.5m along internal boundaries and 3m along road frontages.

#### 7.1.1.c Height of Buildings

- i Buildings shall not project beyond a building envelope constructed by a recession line from points above internal boundaries as defined in Appendix H.
- ii In Lake Tekapo, the mid-point of each section of wall or roof of buildings and the mid-point of building extensions shall not project above recession lines as shown in Appendix H.
- iii The maximum height of any building shall not exceed 8m, except:
  - (a) The maximum height of any building on the terrace top within the Residential 1 and 2 zones in Lake Tekapo legally described as RS40370 (SO13201) shall not exceed 5m.
  - (b) The maximum height of any building below the terrace top within the Residential 1 and 2 zones legally described as RS40370 (SO13201) in Lake Tekapo shall not exceed 12m or the height of the nearest point of the terrace top, whichever is the lesser.

#### 7.1.1.d Building Coverage

- i Maximum building coverage of the net area of any in the Residential 1 Zone site shall be 40%.
- ii Maximum building coverage of the net area of any in the Residential 2 Zone

site shall be 85%.

- iii Maximum building coverage of the net area of any in the Residential 3 Zone site shall be 20%.
- iv Maximum building coverage of the net area of any in the Residential 4 Zone site shall be 10%.

#### 7.1.1.e **Setback from Roads**

- i Minimum building setback from road boundaries in the Residential 1 & 2 Zones shall be 4.5m.
- ii Minimum building setback from road boundaries in the Residential 3 & 4 Zones shall be 10m.

#### 7.1.1.f **Setback from Neighbours**

- i Minimum building setback from internal boundaries in the Residential 1 & 2 Zones shall be 4.5m.
- ii All buildings in the Residential 2 zone on the true right bank of the Tekapo River shall be set back from the adjoining Industrial Zone boundary no less than 5.0m.
- iii All buildings in the Residential 2 zone on the true right bank of the Tekapo River shall be set bank no less than 6.0m from the edge of the upper terrace of the Tekapo River.
- iv For the Residential 3 & 4 Zones the minimum building setback from all boundaries shall be 15m except that:
  - (a) Where an allotment is adjacent to the Industrial Zone, any building within that allotment shall be setback a minimum of 20m from the boundary adjacent to the Industrial Zone.
  - (b) Where an allotment is adjacent to the Residential 1 Zone, any building within that allotment shall be setback a minimum of 20m from the boundary adjacent to the Residential 1 Zone.

#### 7.1.1.g **Flood Mitigation - Floor Heights**

All floor heights shall comply with rule 3.1.1.e

#### 7.1.1.h **Heavy Vehicles**

There shall be no more than one heavy vehicle stored on a site.

#### 7.1.1.i **Hours of Operation**

- i Maximum total number of hours in any one week the site shall be open to visitors, clients or deliveries shall be 50 hours.
- ii Hours of operation, other than for farming shall be limited to between the hours:



- 0700-2000 Monday to Friday, and
- 0800-2000 Saturday, Sunday and public holidays,

**except:**

- where the entire activity is located within a building; and
- where each person engaged in the activity outside the above hours resides permanently on the site; and
- where there are no visitors, clients or deliveries to or from the site outside the above hours; and
- where the activity is an emergency service facility.

**7.1.1.j Boarding and Keeping of Animals**

- i In Lake Tekapo, Fairlie and Twizel, there shall be no breeding, rearing or keeping of pigs, commercial livestock, bees or factory farming and no other animals shall stay overnight on a site, except for a maximum of four animals in the care of a registered veterinarian for medical or surgical purposes.
- ii In Burkes Pass, Albury and Kimbell, there shall be no breeding, rearing or keeping of pigs, bees or factory farming.

**7.1.1.k Retail Sales**

- i Retail sales in Fairlie, Twizel and Lake Tekapo shall be limited to the sale of:
  - garden produce grown, reared or produced on site.
  - handcrafts produced on site.
- ii Retail sales in Kimbell, Burkes Pass and Albury shall be limited to the sale of:
  - garden produce, handcrafts.
  - handcrafts and goods.
  - refreshments.

**7.1.1.l Noise**

- i All Activities shall be designed and conducted so as to ensure that the following noise levels are not exceeded at any point within the boundary or any other site within the Residential Zone:

Daytime	50 dBA L10
Daytime (including any Sunday)	70 dBA Lmax
Nighttime	40 dBA L10
Nighttime	70 dBA Lmax

- ii Emergency service warning devices and sirens are exempt from the noise standards in (i) above.

**7.1.1.m Noxious or Unpleasant Activities**

No activity shall involve the following: panel beating, spray painting, motor vehicle

repairs or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection or a recycling service, motor body building or fish or meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956 or its amendments.

**7.1.1.n Forestry and Mining**

There shall be no forestry or mining activities other than the removal of topsoil.

**7.1.1.o Aircraft**

No activity shall involve the take-off or landing of aircraft, other than for emergency rescues or fire fighting, civil defence and activities carried out by the NZ Police and the NZ Defence Force.

**7.1.1.p Discharge of Contaminants**

All activities that cause discharges to air, land or water must obtain and keep in a current state any necessary discharge consents and must comply with the relevant conditions of consent.

**7.1.1.q Dust**

Activities must not create a dust nuisance. A dust nuisance will occur if:

- there is visible evidence of suspended solids in the air beyond the site boundary; and/or
- there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site, or water.

**7.1.1.r Flood Erosion Risk - Kimbell Area**

There shall be no residential buildings erected within the area identified as Kimbell Hazard Area on Planning Map 53 - Flood Risk Areas (Refer Rule 3.4.2 Non-Complying Activities)

This rule shall not apply to extensions which do not increase the total floor area of the buildings as at 1 June 1988 by more than 15%.

This rule shall not apply to accessory buildings designed or used for other than human habitation.

Note: the District Council has responsibility under Section 36 of the Building Act 1991 relating to buildings on land that is subject to, or is likely to be subject to, erosion, avulsion, alluvion, falling debris, subsidence, inundation or slippage.

**7.1.1.s Continuous Building Length – Residential 2 Zone**

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary exceeds 16m, either:

- (a) the entire building shall be set back by an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback at the same distances from the boundary; or
- (b) that part of the building that exceeds the maximum building length shall be

progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback, stepping back 0.5m for each additional 6m length or part thereof beyond the initial step.

#### 7.1.1.t **External Design and Appearance of Buildings – Residential 2 Zone**

All new buildings, extensions or redevelopments shall comply with provisions of the Lake Tekapo Design Guidelines contained in Appendix P.

### 7.2 **Controlled Activities - Other Activities**

7.2.1 Buildings for other activities to be relocated to or within Residential Zones 1 and 2.

#### **Standards and Terms for Relocated Buildings**

The following standards for Permitted Other Activities shall apply:

7.1.1.a	Site Size
7.1.1.c	Height of Buildings
7.1.1.d	Building Coverage
7.1.1.e	Setback from Roads
7.1.1.f	Setback from Neighbours

#### **Matters Subject to Council's Control**

- External appearance of the relocated building.

#### **Non-notified Application**

Any application will not require the written approval of other persons and shall be non-notified.

### 7.3 **Discretionary Activities - Other Activities**

7.3.1 Any Other Activity, (i.e. activities other than Residential, Home Occupations, Visitor Accommodation and scheduled activities) which does not comply with any one or more of the following standards for Permitted Other Activities:

7.1.1.a	Site Size
7.1.1.b	Screening
7.1.1.c	Height of Buildings
7.1.1.d	Building Coverage
7.1.1.e	Setback from Roads
7.1.1.f	Setback from Neighbours
7.1.1.h	Heavy Vehicles
7.1.1.i	Hours of Operation
7.1.1.s	Continuous Building Length
7.1.1.t	External Design and Appearance of Buildings

7.3.2. Buildings, other than accessory buildings, used for Other Activities which are subject to 'High Flood Risk'

**Note:** 'High Flood Risk' is defined in Section 3 – Definitions.

**Note:** To ascertain whether a property falls within a high or low flood risk area it will be necessary to obtain a flood risk assessment from a suitably qualified expert.

7.3.3 Buildings for other activities to be relocated to or within Residential Zones 3 and 4.

## 7.4 Non-Complying Activities

7.4.1 Any Other Activity which does not comply with any one or more of the following standards for Permitted Other Activities:

- 7.1.1.g Flood Mitigation - Floor Height
- 7.1.1.j Boarding and Keeping of Animals
- 7.1.1.k Retail Sales
- 7.1.1.l Noise
- 7.1.1.m Noxious and Unpleasant Activities
- 7.1.1.n Forestry and Mining
- 7.1.1.o Aircraft
- 7.1.1.p Discharge of Contaminants
- 7.1.1.q Dust

7.4.2 Residential buildings erected within the Kimbell Hazard Area on Planning Map 53 - Flood Risk Areas.

Note: The District Council has responsibility under Section 36 of the Building Act 1991 relating to buildings on land that is subject to, or is likely to be subject to, erosion, avulsion, alluvion, falling debris, subsidence, inundation or slippage.

### 7.4.3 Access to State Highway 8

Any activities within Lot 1 DP 455053, Lot 2 DP 455053, Lot 3 DP 455053 and Lot 4 DP 455053 being land west of the intersection of Lakeside Drive with State Highway 8, shall only obtain vehicular access to State Highway 8 from Lakeside Drive, and no direct access shall be permitted from State Highway 8.

## 7.5 Prohibited Activities – Other Activities

7.5.1 The construction of buildings or formation of accesses to adjacent sites is prohibited within the No-Build Area indicated in Planning Map 44A west of the Lake Tekapo Village Centre between State Highway 8 and Lakeside Drive.

## 8 NON-NOTIFIED RESOURCE CONSENTS

Resource Consents in relation to the following matters shall be non-notified: Relocated Buildings 3.2 and 7.2.

## ASSESSMENT MATTERS - RESOURCE CONSENTS

### 9.1 General

- 9.1.a In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant Assessment Matters set out below.
- 9.1.b The extent to which the design and appearance of new buildings complies with the matters set out in the Lake Tekapo Design Guide in Appendix P.
- 9.1.c In the case of *Controlled Activities*, and activities which are *Discretionary Activities in respect of which discretion is limited* the assessment matters taken into account shall only be those relevant to matters to which discretion is limited.
- 9.1.d In the case of *Controlled Activities*, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- 9.1.e In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited to, the following Assessment Matters.

### 9.2 Residential Activity

#### 9.2.a Building Density and Coverage

- i The extent to which the character of the site will remain dominated by open space and garden plantings, rather than buildings.
- ii The ability to provide adequate opportunity for garden and tree planting around buildings.
- iii The extent to which there is a need for increased building coverage in order to undertake the proposed activities on the site.
- iv The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.
- v The ability to provide adequate vehicle parking and manoeuvring space on site.
- vi The extent to which increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and day light and loss of opportunities for views.
- vii The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- viii Whether the residential units are to be used for elderly persons housing and the extent to which increased building coverage will adequately provide for the outdoor needs of the activities on the site, and retain a dominance of open space over buildings.
- ix The ability to mitigate any adverse effects of increased coverage.

- x In the case of recreational activities the extent to which the additional building coverage will affect the degree to which the land is able to be enjoyed by the general public; will result in a loss of open space which is valuable within the built environment; or will enable the establishment of activities which could adversely affect the surrounding environment by way of noise, glare, traffic generation, loss of privacy or security.

#### 9.2.b **Building Height and Recession Lines**

- i The extent to which there is a need for the increased height or intrusion through the recession lines, in order to undertake the proposed activities on the site.
- ii The extent to which the character of the site and the surrounding area remains dominated by open space, rather than by buildings, with buildings at low heights and low densities of building coverage.
- iii The extent to which the proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
- iv The effect of the increased height in terms of visual dominance by buildings of the outlook from other sites, roads and public open space in the surrounding area, which is out of character with the local environment.
- v The extent to which the proposed building will overshadow adjoining sites and result in reduced sunlight and daylight admission, beyond that anticipated by the recession plane requirements for the area.
- vi The extent to which the increased height would have any adverse effect on other sites in the surrounding area in terms of loss of privacy through being over-looked from neighbouring buildings.
- vii The extent to which the increased building height will result in decreased opportunities for views from properties in the vicinity, or from roads or public open space in the surrounding area.
- viii The ability to mitigate any adverse effects of increased height or exceedance of the recession planes, such as through increased separation distances between the building and adjoining sites or the provision of screening.

#### 9.2.c **Setback from Streets or Neighbours**

- i The extent to which the intrusion towards the road or boundary is necessary in order to allow more efficient, practical and/or pleasant use of the remainder of the site.
- ii The extent to which alternative practical locations are available for the building.
- iii The extent to which the proposed building will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites.
- iv The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries, which will mitigate the effects of the building intrusion towards the road or boundary.
- v The adverse effects of the building intrusion on the outlook, access to daylight and privacy of people on adjoining sites.

- vi The ability to provide adequate parking and manoeuvring space for vehicles clear of the road.
- vii The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.
- viii The extent to which the proposed building will have a size, form, proportions, roof line, style, external materials and colour, which are similar to or in keeping with those of existing buildings on the site.
- ix The ability to mitigate any adverse effects of the proposal on the street scene; and the effectiveness of other factors in the surrounding environment in reducing the adverse effects, such as existing wide road widths, street plantings and the orientation of existing buildings on adjoining sites.
- x Any adverse effects of the proximity of the building in terms of difficulty of access to the building or to adjoining rear sites.
- xi The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of such matters as noise, smell, dust, glare or vibration.
- xii Any adverse effects of the proximity of buildings housing animals in terms of noise, smell, flies or vermin on adjoining sites.
- xiii The ability to mitigate any adverse effects of the proposal on adjoining sites, including through the provision of landscape plantings.

#### 9.2.d **Access**

- i The extent to which alternative formed access can be assured to the residential unit in the long-term.
- ii The extent to which the level and nature of the use of the residential unit will make it unlikely that access by way of a formed road will ever be necessary.
- iii The level of financial contribution required to be made to the Council towards the formation of the road to a standard suitable for residential access, taking into account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road.

#### 9.2.e **Continuous Building Length**

- i The proximity of the building to boundaries.
- ii The activities undertaken on adjoining sites.
- iii The ability to landscape the site to mitigate the adverse visual impact of long continuous walls.
- iv The extent to which building design will mitigate the adverse visual impact of long continuous walls.
- v The extent to which the efficient or practical use of the site will be adversely affected.

**9.2.f Family Flats**

- i Where the family flat is not to be removed, any likely long-term needs of the residents of the site to house dependant relatives.
- ii Any adverse effects of the family flat on the surrounding neighbourhood, in terms of reduced open space, increased dominance of the site by buildings, lack of opportunity for garden and tree plantings and lack of adequate space for vehicle parking on-site.

**9.2.g Heavy Vehicle Storage**

- i The extent to which additional heavy vehicles stored on site will be compatible with the scale of buildings and open space in the surrounding area.
- ii The likely noise nuisance associated with each additional heavy vehicle.

**9.2.h Keeping of Animals (Pigs and Bees)**

- i The nature of and reason for the keeping of pigs, the number, sex and age of pigs, the species and/or breed of animal to be kept, whether nose rings will be used and the methods of effluent disposal and the extent to which this activity will detract from the quality and amenity of the residential environment in relation to smell, noise, outlook or nuisance.
- ii The reason for and nature of the keeping of bees, the number of bees to be kept, the number of hives to be established, the species, management methods and the extent to which this activity will detract from the quality and amenity of the residential environment in relation to nuisance and people's health and safety.
- iii The extent to which the animals will be housed within buildings and the proximity of those buildings to adjoining properties. Where animals are free ranging the means of separating them from boundary fences and other property in separate ownership.
- iv The volume and type of traffic which may be generated to the site in relation to the keeping of bees or pigs and the ability of the site to accommodate parking, loading, manoeuvring and access requirements.
- v The frequency with which vehicles may visit the site in relation to the keeping of bees or pigs, the hours within which they will arrive and depart and the degree of impact this will have on the amenity and privacy of surrounding residential sites.
- vi The degree to which any lighting within the site used in relation to the keeping of bees or pigs may adversely affect the amenity and quality of the environment.
- vii The nature of activities on adjacent sites and the extent to and manner in which the keeping of bees or pigs may impact upon those activities.

**9.3 Home Occupations****9.3.a All Standards**

- i The extent to which the scale of the activity and the proposed use of the buildings will be compatible with the scale of other buildings and activities in the surrounding area and will not result in visual dominance as a result of the area of buildings used, which is out of character with the low density residential or rural environment.



- ii The extent to which the activities on the site remain dominated by residential rather than by activities which are not associated with or incidental to residential activities on the site.
- iii Any adverse effects of the home occupation in terms of noise, vibration, glare, loss of privacy or security, traffic and/or parking congestion.
- iv The extent to which the activity provides a local function by meeting the needs of residents principally within the surrounding environment.
- v The extent to which the activity can be accommodated in other zones.
- vi The ability to mitigate any adverse effects of the increased scale of activity.
- vii The extent to which materials or equipment associated with a home occupation need to be stored outside the building,
- viii The extent to which all manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with a home occupation need to be carried outside a building.
- ix The extent to which the proposed outdoor activities will detract from the pleasantness, coherence and attractiveness of the site as viewed from adjoining roads and sites.
- x The extent to which the outdoor activity will be compatible with the appearance, layout and functioning of other sites in the adjoining area.
- xi The ability to mitigate any adverse effects of the outdoor activity on adjoining roads and sites.
- xii The extent to which additional employment will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding area.
- xiii The extent to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
- xiv Retail Sales - Refer Section 7 Clause 16.8

#### 9.3.b **Aircraft**

- i The proximity of other landing sites and the likelihood of reduced air safety in the area resulting from the proposed operation(s).
- ii The frequency of flights proposed, and the extent to which the frequency and flight paths of flights will affect traffic safety and the quality, amenity and character of the surrounding environment.
- iii The on-ground safety of aircraft operations and of passengers embarking or leaving aircraft.

## 9.4 Visitor Accommodation & Homestays

### 9.4.a Residential 1 2, 3 and 4 Zones

- i The extent to which the scale of the activity and buildings will be compatible with the scale and character of other buildings and activities in the surrounding area.
- ii The extent to which visitor accommodation on the site is an integral and necessary part of other activities being undertaken on the site; will assist in providing alternative home-based employment and income-generating opportunities for residents or occupiers on the site; or makes a practical and economical use of an existing building and facilities on the site.
- iii Any adverse effects of the likely traffic and pedestrian generation from the proposed visitor accommodation in terms of:
  - a. Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential or rural environment.
  - b. Levels of traffic congestion, reduction in levels of traffic safety, or reduction in availability of on-street parking, which are inconsistent with the classification of the adjoining road.
  - c. Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- iv The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
- v The degree of loss of privacy from the positioning of visitor accommodation activities adjacent to residential activities.
- vi The avoidance of excessive noise emissions beyond the boundaries of the site, considering:
  - a. the adequacy of mitigation measures, including noise attenuation measures, physical separation from site boundaries, and screening of outdoor areas (such as pools, barbecue or garden areas) by vegetation, fencing or buildings.
  - b. Measures that can be incorporated into the built premises that provide for acoustic insulation and/or noise attenuation.

### 9.4.b Aircraft

- i. The proximity of other landing sites and the likelihood of reduced air safety in the area resulting from the proposed operation(s).
- ii. The frequency of flights proposed, and the extent to which the frequency and flight paths of flights will affect traffic safety and the quality, amenity and character of the surrounding environment.

- iii. The on-ground safety of aircraft operations and of passengers embarking or leaving aircraft.

#### 9.4.c **Sale of Liquor from Visitor Accommodation**

- i Compatibility with the amenity values of the surrounding environment considering:
  - (a) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential activities;
  - (b) The effects of the availability of liquor for sale to persons other than those residing on the site, and the maximum number of persons that may be present in a licensed area;
  - (c) Loss of privacy;
  - (d) Hours of operation;
  - (e) Proximity to outdoor facilities on adjacent properties.
- ii The avoidance of excessive noise emissions beyond the boundary of the site, considering:
  - (a) The adequacy of mitigation measures, including noise attenuation measures, physical separation from site boundaries, and screening of licensed areas by vegetation, fencing or buildings.
  - (b) Measures that can be incorporated into the built premises that provide for acoustic insulation and/or noise attenuation.

### 9.5 Relocated Buildings - Controlled & Discretionary Activity

#### 9.5.a **All Matters**

- i The physical conditions and appearance of the relocated building and the extent to which it can be rehabilitated to a standard similar to that of buildings in the vicinity.

### 9.6 Other Activities

9.6.a **Site Size** - Refer 9.2.a.

#### 9.6.b **Screening - Parking and Outdoor Storage Areas**

- i The extent to which parking and outdoor storage is compatible with the appearance, layout and functioning of other sites in the adjoining area.
- ii The extent to which the proposed outdoor activities will detract from the pleasantness, coherence and attractiveness of the site as viewed from adjoining roads and sites.

9.6.c **Height of Building** - Refer 9.2.b.

9.6.d **Building Coverage** - Refer 9.2.a.

9.6.e **Setback from Road and Neighbours** - Refer 9.2.c.

9.6.f **Continuous Building Length** - Refer 9.2.e.

9.6.g **Heavy Vehicles** - Refer 9.2.g.

9.6.h **Hours of Operation** – Refer 9.3.a.

9.6.i **Noise**

- i. The degree to which excessive noise generation will affect the enjoyment of any public place or residential area in the vicinity.
- ii. The degree to which the noise contrasts with the characteristics of the existing noise environment in terms of level, duration and timing, and the impact of any cumulative increase.
- iii. The nature of measures to mitigate excessive noise levels and the degree to which they are successful.

The extent to which the activity and its pedestrian and vehicular generation will interfere with the pleasantness and quietness of adjoining sites and the general surrounding area.

9.6.j **Nature and Scale of Other Activities**

- i. The extent to which the nature and scale of the activity is compatible with the surrounding environment in terms of the effects of the activity on visual and environmental amenity.
- ii. The extent to which the activity will enable the character of the site to be maintained as predominantly residential.
- iii. Any adverse effects in terms of glare, odour, vibration, loss of privacy or traffic generation.

# SCHEDULE A

## Te Whare Mahana Marae

An area of 3720m<sup>2</sup> off Ohau Road is administered as a Marae for the common use and benefit of the Maori community. The marae provides a place of common ground where cultural and social activities can be given their fullest expression.

### 1 PERMITTED ACTIVITIES

The following activities shall be Permitted Activities on Lot 1 Deposited Plan 58525 provided they comply with the standards in 2 below.

- a Wharehui (meeting house).
- b Wharekai (dining hall).
- c Church and church services.
- d Community hall, rooms and buildings for cultural and recreational purposes.
- e Child care premises.
- f Kaumatua (housing for the elderly).
- g Kokiri (training and tuition centre).
- h Residential activities, residential units and visitor accommodation within residential units.
- i Recreation, both active and passive.
- j Tangihanga (funerals).
- k Wanaonga (seminars).
- l Hui (socials).
- m Te Kohanga Reo (pre-school language).
- n Marae accommodation.
- o Hostel and training centre.
- p Marae based occupations or pursuits subject to conditions applying to home occupations as a Permitted Activity except that goods made on the Marae may be sold from the Marae.
- q Farming of any kind including market gardens.
- r Temporary buildings and uses.
- s Accessory buildings and uses to any of the above activities.

## 2 STANDARDS ON PERMITTED ACTIVITIES

### a Buildings

All buildings shall comply with the following standards:

#### i Building Coverage

Maximum building coverage of the net area of the site shall be 60%.

#### ii Height of Buildings

Maximum height shall be 9 metres.

Buildings shall also comply with the recession plane requirements for Residential uses in the Residential Zone - Refer 3.1.1.c.

#### iii Setback from Boundaries

The minimum building setback from all boundaries shall be 2m.

### b Landscaping

The site shall be landscaped for a minimum depth of 2m along the road frontage.

### c Visitor Accommodation

Visitor Accommodation shall be limited to 20 nights in any one calendar year for a maximum of persons that can be lawfully accommodated in the buildings on site.

## 3 DISCRETIONARY ACTIVITIES

3.1 Any Permitted Activity which does not comply with any of the following standards on Permitted Activities:

- 2a Buildings
- 2b Landscaping
- 2c Visitor Accommodation

In considering any such Discretionary Activity the consent authority shall restrict the exercise of its discretion to the matters of non-compliance.

3.2 Any activity other than those specified as a Permitted Activity or a Non-Complying Activity.

## 4 NON-COMPLYING ACTIVITIES

4.1 Retail sales of goods not produced on the Marae.

## SCHEDULE B

### Emergency Service Facilities

Property	Address	Legal Description
Lake Tekapo Fire Station	SH8, Lake Tekapo	Section 53, Block VII, Tekapo Township, Block XIII Tekapo SD
Fairlie Fire Station	Denmark Street	Lot 6 and 7 DP 734
Twizel Fire Station	17 Mackenzie Drive, Twizel	Lot 2, DP 51349

#### 1 PERMITTED ACTIVITIES

The following activities shall be Permitted Activities provided they comply with the standards in 2 below:

- a fire station activities
- b ambulance facilities
- c police facilities
- d civil defence activities
- e residential activity in association with the above activities.
- f temporary buildings and uses
- g accessory buildings and uses to any of the above activities.

#### 2 STANDARDS ON PERMITTED ACTIVITIES

##### a Screening

All outdoor storage areas shall be situated behind buildings and/or screened from public view and adjoining residential sites by either planting, wall(s), fence(s) or a combination to at least 1.8m in height, except for vehicle crossings. Where screening is provided by way of planting it shall be for a minimum depth of 1.5m along internal boundaries and 3m along road frontages.

##### b Height of Buildings

The maximum height of all buildings shall be:

- i Masts, training and hose drying towers 15m
- ii All other buildings 9m

##### c Building Coverage

Maximum building coverage of the net area of any site shall be 60%.

##### d Setback from Roads

Minimum building setback from road boundaries shall be 3m.

##### e Setback from Neighbours

Minimum building setback from internal boundaries shall be 3m.

### 3 **DISCRETIONARY ACTIVITIES**

3.1 Any Permitted Activity which does not comply with any one of the following standards on Permitted Activities:

- 2a Screening
- 2b Height of buildings
- 2c Building Coverage
- 2d Setback from Roads
- 2e Setback from Neighbours.

3.2 Any activity other than those specified as a Permitted Activity.