

Rural Zones Policies

SETZ - PREC2 - Settlement Centre Precinct Policy

SETZ - PREC2 - P2

Subdivision, use and development within the SETZ - PREC2 - Settlement Centre Precinct should:

- a. Maintain or enhance the character and built form of the settlement;
- b. Adaptively reuse existing heritage and character buildings where practicable; and
- c. Provide for commercial activities and community facilities which serve the settlement, rural community and visitors.

SETZ - PREC3 - Coastal Settlement Precinct Policy

SETZ - PREC3- P3

Subdivision, use and development within the SETZ - PREC3 - Coastal Settlement Precinct should:

- a. ~~Take into account~~ Recognise and provide for¹ the coastal natural character and protect the scenic landscape values of the area;
- b. Have appropriate controls on design and height to protect the landscape and coastal natural character values ~~and be undertaken in accordance with the coastal development guidelines²;~~
- c. Recognise and provide for access to mahinga kai and Sites and Areas of Significance to Māori for Poutini Ngāi Tahu; ~~and~~
- d. Allow for the further development of the port area at Jackson Bay where this is of a scale and extent that is appropriate to the location; and³
- e. Be located to avoid or designed to mitigate⁴ the significant risks of natural hazards.

SETZ - PREC4 - Rural Residential Precinct Policy

SETZ - PREC4 - P4

Subdivision, use and development within the SETZ - PREC4 - Rural Residential Precinct should maintain the predominant rural character and amenity values, which include:

- a. Low-density residential living and small-scale rural activities;
- b. Open space and privacy around buildings; ~~and~~
- c. On-site servicing and a general absence of urban infrastructure;
- d. Industrial or commercial activities which have a functional relationship with rural areas⁵; and
- e. Presence of rural activities and established infrastructure which should be protected from reverse sensitivity effects⁶;

SETZ

Settlement Zone- Te Takiwā Nōhanga Pōnaho

Overview

The SETZ - Settlement Zone covers all the wide range of settlements that are outside of the four main towns throughout the West Coast/Te Tai o Poutini. Settlements differ from the main towns because of their small scale and low intensity of development. They comprise a mixture of residential, commercial, recreational, rural, community and other uses, often interspersed. The character of settlements is influenced by the prevailing mixture of uses, large section sizes, low intensity of development and informal appearance.

¹ Department of Conservation (S602.232)

² Department of Conservation (S602.232)

³ WMS Group (S599.107)

⁴ Papanoa Track Services (S605.028)

⁵ Westland Farm Services (S550.014)

⁶ Radio New Zealand (S476.039)

Appendix One: Settlement Zones – Recommended Amendments to the Plan
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The extent of reticulated services is limited. While some settlements in Grey District have a reticulated water supply, most settlements have no reticulated servicing, and are reliant on the use of on-site wastewater systems and water supplies. The degree of road infrastructure developed is also variable. Older settlements may have a main street with footpaths, streetlights and kerb and channel, but many locations do not have this infrastructure and this more rural character should generally prevail in any new development.

The SETZ - Settlement Zone provides for residential activities as well as some commercial activities. Where industrial activities are proposed these need to be undertaken in an INZ - Industrial Zone.

There are three Precincts within the SETZ Settlement Zone - SETZ - PREC2 - Settlement Centre, SETZ - PREC3 - Coastal Settlement and SETZ - PREC4 - Rural Residential.

The RURZ - Rural Zones Objectives and Policies and SETZ - Settlement Zone Rules provide the framework for managing the effects of development in the SETZ - Settlement Zone. However, there are additional specific policies and rules for each of the three Precincts. Where there is a conflict between a SETZ - Settlement Zone provision and a Precinct provision, the Precinct provision applies.

SETZ - PREC2 - Settlement Centre Precinct is located in settlements where a focal community and commercial area is developing. It is anticipated that the Settlement Centre character will develop over time, with more commercial development in particular. This precinct anticipates the possibility that the settlement will grow and demand for retail and commercial services will increase, and that community facilities could be developed or expanded with this growth. Settlement Centre Precincts are identified in Karamea, Charleston, Blackball, Kumara, Ross, Harihai, Kaniere and Haast.

SETZ - PREC3 - Coastal Settlement Precinct is located over settlements which are located in coastal areas, generally within or near areas of high coastal natural character and coastal landscape values. The Coastal Settlement Precinct provides principally for residential activities, and a low-scale development and subdivision pattern which fits with the surrounding scenic landscape. Design of buildings, their size and location are all key matters which are controlled within the Coastal Settlement Precinct. Little Wanganui (subdivision area), Punakaiki (including within Grey District), Ōkarito, Okuru, Hannah's Clearing, Neil's Beach, Mahitahi/Bruce Bay and Okahu/Jackson Bay are included in the Coastal Settlement Precinct. These areas are also all subject to significant natural hazards and the provisions in the natural hazards chapter are very relevant for activities in this Precinct.

SETZ - PREC 4 - Rural Residential Precinct is located over areas on the edge of settlements and towns where larger lots - 4000m² are provided for a more rural residential lifestyle. These areas sit on an interface with the GRUZ - General Rural Zone or RLZ - Rural Lifestyle Zone and avoiding reverse sensitivity for rural uses is often as important as managing the amenity for residents within the Precinct. Alongside residential uses, some sorts of rural activities such as small-scale horticulture or market gardening, or grazing of animals may occur in this Precinct, reflecting its more rural character. The Precinct is also characterised by more rural infrastructure with an absence of footpaths, streetlights and kerb and channel in these areas.

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for activities in the SETZ - Settlement Zone, including:

- **Overlay Chapters** – the Overlay Chapters have provisions in relation to Historic Heritage; Notable Trees; Sites and Areas of Significance to Māori; Ecosystems and Indigenous Biodiversity; Natural Features and Landscapes; Natural Character and the Margins of Waterbodies; Natural Hazards; and the Coastal Environment. Where an activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply.⁷
- **Sites and Areas of Significance to Māori, Historic Heritage and Notable Tree Chapters** - there may be sites and areas of significance to Māori, historic heritage or notable trees identified on individual sites within the General Residential Zone. Specific information on the provisions that apply to these can be found in the Sites and Areas of Significance to Māori, Historic Heritage, and Notable Trees Chapters.

⁷ Forest and Bird (S560.370 and S560.0543)

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- **Natural Hazards** - natural hazards are widespread on the coast and in some locations natural hazard overlays may affect areas in the General Residential Zone. Information on natural hazard overlays and provisions can be found in the Natural Hazards chapter.
- **Natural Character and Margins of Waterbodies** - in some locations areas of General Residential Zone may extend into the riparian margins of waterbodies. The Natural Character and Margins of Waterbodies Chapter contains provisions on how these areas must be managed.
- **Ecosystems and Biodiversity** – Where indigenous vegetation clearance is proposed within a Residential Zone, the provisions of the Ecosystems and Biodiversity chapter apply
- **General District Wide Matters** - provisions in relation to earthworks in particular may be relevant to many activities.
- **Subdivision** - The Subdivision chapter sets out the requirements for subdivision activities the SETZ - Settlement Rural Zone.
- **Financial Contributions** - The Financial Contributions chapter sets out the requirements for contributions of costs for activities which impact on the local network utility operators.

Relationship with Other Plans

Many activities that occur in rural areas are also regulated by the West Coast Regional Council through Regional Plans, including the Regional Land and Water Plan, Regional Air Plan and Regional Coastal Plan. When planning to undertake an activity, the status under the relevant Regional Plans should also be confirmed and any necessary resource consents applied for under both Plans.

Note with Regard to Plantation Forestry

There are no specific provisions as relate to plantation forestry within the RURZ - Rural Zone Chapters. This is because plantation forestry is principally regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017. Exceptions to this occur in the Overlay Chapters and where forestry activities are proposed these chapters must be considered.

Settlement Zone Rules

Permitted Activities

SETZ - R1

Residential Activities and Residential Buildings - Density

Activity Status Permitted

Where:

1. Residential unit density is no more than:
 - i. 1 unit per site where these were lawfully established under the previous Buller, Grey or Westland District Plans; otherwise⁸
 - ii. 1 unit per 500m² net site area in areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems, ~~except that:~~
 - a. ~~where smaller sites were lawfully established under the previous Buller, Grey or Westland District Plan then the residential unit density is one residential unit per site; or~~
 - iii. 1 unit per 1000m² net site area in areas where there is on site servicing of wastewater, water supply and stormwater systems; except
 - iv. In the SETZ - PREC4 - Rural Residential Precinct residential unit density is 1 unit per 4000m² net site area;
2. Where the settlement is serviced by a network utility operator for wastewater, water supply or stormwater and provided there is capacity⁹ all residential units and buildings used for a residential activity must be connected to the community wastewater, water supply and stormwater infrastructure;
3. Where the settlement is not serviced by a network utility operator for wastewater, water supply or stormwater on site collection, treatment and disposal must be undertaken in accordance with NZS4404:2010 Land Development and Subdivision Infrastructure or the relevant Council Engineering Technical Standards

⁸ Marie Elder (S352.002), Davis Ogilvie & Partners Ltd (S465.028), Cashmere Bay Dairy Ltd (S461.002) and Davis Ogilvie & Partners Ltd (S465.026)

⁹ Buller District Council (S538.553), Chris & Jan Coll (S558.592), Chris J Coll Surveying Limited (S566.592), Laura Coll McLaughlin (S574.592) and William McLaughlin (S567.629)

Activity status where compliance not achieved: Discretionary

SETZ - R2 Buildings and Sites - Design

Activity Status Permitted

Where:

1. The maximum height above ground level for buildings is:
 - i. 10m for residential buildings and Emergency Service Facilities and 7m for accessory buildings; except
 - ii. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine;
 - iii. 7m for buildings in the SETZ - PREC3 - Coastal Settlement Precinct; and
 - iv. 12m for buildings in the SETZ - PREC2 - Settlement Centre Precinct in the Grey and Westland Districts and 10m in the Buller District¹⁰;
2. The maximum site coverage is:
 - i. 40%; except
 - ii. Maximum site coverage is 60% in the SETZ - PREC2 - Settlement Centre Precinct
3. The maximum gross ground floor area of any one building
 - i. Is 350m²; except
 - ii. In the SETZ - PREC3 - Coastal Settlement Precinct the gross ground floor area is a maximum of 200m² total for all buildings on the site.
4. Buildings are setback from boundaries as follows:
 - i. 5m from the road and any GRUZ - General Rural or INZ Industrial Zone boundary and 1m from internal boundaries; except
 - ii. In the SETZ - PREC4 - Rural Residential Precinct all buildings are setback 10m from road boundaries, residential buildings are setback 10m from the internal boundaries and non-residential buildings and accessory buildings¹¹ are setback 5m from internal boundaries;
 - iii. In the SETZ - PREC2 - Settlement Centre Precinct no setback from the road boundary is required where there is a verandah provided over an adjacent footpath; and
 - a. No building housing sensitive activities shall be located within 150m of a Designated community wastewater treatment facility site boundary¹² or a designated landfill site boundary.¹³
5. In the Kumara Junction Developments area:
 - a. A minimum 5m wide buffer strip of indigenous vegetation is to be retained on all boundaries. Native species will be retained or planted to ensure that, at maturity, buildings will be screened from the road and neighbouring allotments;
 - b. A maximum of 2000m² indigenous vegetation in total is allowed to be cleared from each site; and
 - c. Development will be in accordance with the Outline Plan set out in the Development Areas section of the Plan;
6. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary ~~except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing~~¹⁴. This standard does not apply to:
 - i. Road boundaries;
 - ii. Buildings on adjoining sites that have a common wall along the boundary;
 - iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;
 - iv. Boundaries adjoining any site in a CMUZ - Commercial and Mixed Use, INZ - Industrial or GRUZ General Rural Zone;
 - v. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or

¹⁰ Buller District Council (S538.554)

¹¹ Grey District Council (S608.119)

¹² Buller District Council (S538.554)

¹³ Cashmere Bay Dairy Ltd (S461.021)

¹⁴ Buller District Council (S538.554)

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- vi. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically;
7. Vehicle crossing standards in Rule TRN – R1 are met¹⁵; and
8. Provision shall be made for sufficient water supply and access to water supplies for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS:4509:2008)

Advice Notes:

1. In relation to indigenous vegetation clearance in Kumara Junction developments and Standard 5. it should be noted that indigenous vegetation clearance provisions in the Ecosystems and Biodiversity Chapter also apply;
2. Where a residential building or noise sensitive activity is located within:
 - i. 80m of a State Highway with a speed limit of 70kph or greater; or
 - ii. 40m of a State Highway with a speed limit of less than 70kph; or
 - iii. 40m of a Railway Line; or
 - iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or
 - v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome.Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.
3. Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to the relevant district council.
4. The New Zealand Fire Service Firefighting Water Supplies Code of Practice PAS:4509:2008 should be consulted when determining the most appropriate design for firefighting water supply. Fire and Emergency New Zealand is available to assist with this.

Activity status where compliance not achieved: Discretionary where standards 1-4 are not complied with.
Restricted Discretionary where standards 5-6~~7~~ are not complied with.

SETZ - R3 Building Design in the Coastal Settlement Precinct

Activity Status Permitted

Where:

1. All standards for Rule SETZ - R1 and R2 are complied with;
2. New buildings are no more than ~~100~~150¹⁶m² in ground floor area and additions to existing buildings add up to no more than 50m² ground floor area.

Activity status where compliance not achieved: Restricted Discretionary

SETZ - R4 Papakāinga Developments

Activity Status Permitted

Where:

1. All standards for Rule SETZ - R2 are complied with however units are able to be clustered¹⁷;
2. Where developments are in the SETZ - PREC3 - Coastal Settlement Precinct all standards for Rule SETZ - R3 are complied with;
3. In areas not serviced by reticulated wastewater, stormwater and water supply:
 - i. The average residential building density is no more than one unit per 1000m² net site area, ~~although units can be clustered;~~ and
 - ii. On-site wastewater, water supply and stormwater systems are developed to serve the entire papakāinga;
4. In areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems the average residential building density is no more than one unit per 500m² net site area¹⁸; and

¹⁵ Waka Kotahi (S450.283)

¹⁶ Buller District Council (S538.555), Chris & Jan Coll (S558.598), Chris J Coll Surveying Limited (S566.598), William McLaughlin (S567.634) and Laura Coll McLaughlin (S574.598)

¹⁷ Ngāi Tahu (S620.403)

¹⁸ Ngāi Tahu (S620.248)

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5. Provision shall be made for sufficient water supply and access to water supplies for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS:4509:2008)

Advice Notes:

1. Where a residential building or noise sensitive activity is located within:
- 80m of a State Highway with a speed limit of 70kph or greater; or
 - 40m of a State Highway with a speed limit of less than 70kph; or
 - 40m of a Railway Line; or
 - The 50 dBA Noise Contour boundary of Franz Josef Heliport; or
 - The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome.

Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.

2. The New Zealand Fire Service Firefighting Water Supplies Code of Practice PAS:4509:2008 should be consulted when determining the most appropriate design for firefighting water supply. Fire and Emergency New Zealand is available to assist with this.

Activity status where compliance not achieved: Discretionary

SETZ - R5 Agricultural, Horticultural and Pastoral Activities, Recreational Activities and Conservation Activities

Activity Status Permitted

Where:

- All standards for Rule SETZ - R2 and in the SETZ - PREC3 - Coastal Settlement Precinct Rule SETZ - R3 are complied with;
- The activity does not include:
 - Intensive indoor primary production;
 - The storage and disposal of solid or liquid animal waste not generated on the site;
 - Woodlots;
 - Stock sale yards; or
 - Farm quarries
- Shelters and buildings used to house or feed more than 10 poultry or 4 pigs must be setback at least 30m from any internal boundary¹⁹ ~~Performance standards for poultry farming and pig keeping apply as follows:~~
 - ~~For poultry setbacks of 10m from any residential building and 2m from the site boundary;~~
 - ~~For pig keeping setbacks of 50m from any residential building and 100m for any shelter holding 4 or more pigs; and~~
- Performance standards for beekeeping in the Westland District apply as follows:
 - No bees may be kept on a property less than 600m² net site area;
 - Beehives must be placed with an obstruction in front of them or be elevated to ensure all bees are able to be 2.5m above ground level prior to crossing the site boundary; and
 - A water source for bees must be provided and maintained on the property.

Advice Note:

If land is used for disposal of effluent or solid waste then there may be rules in the Regional Air Plan and Regional Land and Water Plan administered by West Coast Regional Council that apply.

Activity status where compliance not achieved: Discretionary

SETZ - R6 Minor Structures

Activity Status Permitted

Where:

- ~~All standards for Rule SETZ - R2 are complied with~~²⁰ Structures are set back;
 - 5m from the road and any GRUZ - General Rural or INZ Industrial Zone boundary and 1m from internal boundaries; except

¹⁹ Buller District Council (S538.556)

²⁰ Buller District Council (S538.557)

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- ii. In the SETZ - PREC4 - Rural Residential Precinct all buildings are setback 10m from road boundaries, residential buildings are setback 10m from the internal boundaries and non-residential buildings and accessory buildings are setback 5m from internal boundaries;
 - iii. In the SETZ - PREC2 - Settlement Centre Precinct no setback from the road boundary is required where there is a verandah provided over an adjacent footpath
2. Masts, poles, aerials and pou whenua must not exceed 7m in height;
 3. Any antenna dish must be less than 1m in diameter;
 4. Any ornamental or garden structure must not exceed 2.4 m in height;
 5. Any other structure must not exceed 10m² and 2m in height.

Activity status where compliance not achieved: Controlled

SETZ - R7 Fences, Walls and Retaining Walls

Activity Status Permitted

Where:

1. Fences, walls and retaining walls are a maximum 2m height above ground level; and
2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.

Activity status where compliance not achieved: Discretionary

SETZ - R8 Relocated Buildings

Activity Status Permitted

Where:

1. All standards for Rule SETZ - R1 and R2 and in the SETZ - PREC3 - Coastal Settlement Precinct Rule SETZ - R3 are complied with;
2. Any relocated building intended for use as a dwelling must have been designed and built to be and²¹ used as a dwelling;
3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a 12 month period;
4. The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and
5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

Activity status where compliance not achieved: Controlled

SETZ - R9 Home Business

Activity Status Permitted

Where:

1. All standards for Rule SETZ - R1 and R2 and in the SETZ - PREC3 - Coastal Settlement Precinct Rule SETZ - R3 are complied with;
2. There is no limit to hours of operation in the SETZ - PREC2 - Settlement Centre Precinct;
3. Outside of the SETZ - PREC2 - Settlement Centre Precinct, hours of operation are limited to:
 - i. 7am-10pm weekdays and 8am - 8pm weekends and public holidays;
 - ii. Except where:
 - a. The entire activity is located within a building;
 - b. Each person engaged in the activity outside the above hours resides permanently on site; and
 - c. There are no visitors, customers or deliveries to the activity outside of the above hours.
4. Outside of the SETZ - PREC2 - Settlement Centre Precinct, there is no more than one full time equivalent person engaged in the home business that resides off site;²²

²¹ New Zealand Heavy Haulage Association Inc (S616.009)

²² Buller District Council (S538.559)

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5. No external storage of products except those associated with residential use shall be visible from any SETZ - Settlement Zoned property or adjoining public place;
6. No external generation of dust, odour or smoke occurs as part of the activity; and
7. A maximum of 10 heavy vehicle movements per day and ~~whichever is the greater of~~ ²³30 light vehicle movements per day ~~or~~ and 210 light vehicle movements per week.

Activity status where compliance not achieved: Discretionary

SETZ - R10 Residential Visitor Accommodation

Activity Status Permitted

Where:

1. This is ancillary to a residential or conservation activity;
2. All standards for Rule SETZ - R1 and R2 and in the SETZ - PREC3 - Coastal Settlement Precinct Rule SETZ - R3 are complied with;
3. There is a maximum of 6 paying guests at any one time;
4. Written notification to the District Council is required 10 working days prior to the activity commencing;
5. Records of letting activity must be kept and provided to the Council ~~on request~~ annually²⁴;
6. No heavy vehicle movements are generated; and
7. In the Buller and Westland²⁵ Districts the accommodation is homestay accommodation with a permanent resident living on site.

Advice Notes:

1. Compliance with the Building Code is required for any use of residential property for visitor accommodation. Written notice to the relevant Council Building Compliance Team must be provided and a Building Consent may also be required.
2. In the Buller District, where residential visitor accommodation has been lawfully established under the Buller District Plan provisions, then existing use rights apply.
3. This rule does not apply to Residential Visitor Accommodation in the Settlement Centre Precinct - refer to Rule SETZ - R11.

Activity status where compliance not achieved: Restricted Discretionary

SETZ - R11 Visitor Accommodation in the Settlement Centre Precinct

Activity Status Permitted

Where:

1. All performance standards for Rule SETZ -R2 are complied with.

Advice Note:

1. All types of visitor accommodation are Permitted in the SETZ - PREC2- Settlement Centre Precinct including homestay, hosted short-term residential accommodation, hotels, motels, boarding houses and backpackers.
2. Where visitor accommodation is located within:
 - i. 80m of a State Highway with a speed limit of 70kph or greater; or
 - ii. 40m of a State Highway with a speed limit of less than 70kph; or
 - iii. 40m of a Railway Line; or
 - iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or
 - v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome.

Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.

Activity status where compliance not achieved: Discretionary

SETZ - R12 Community Facilities, Educational Facilities, Emergency Service Facilities and Retirement Homes

Activity Status Permitted

Where:

1. All performance standards for Rule SETZ -R2 are complied with except that hose drying towers are exempt from height standards in all areas other than the Coastal Settlement Precinct;

²³ Waka Kotahi (S450.286)

²⁴ Grey District Council (S608.120)

²⁵ Westland District Council (S181.045)

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2. A maximum of 10 heavy vehicle movements and the greater of 30 light vehicle movements per day or 210 light vehicle movements per week are generated; except:
 - a. No vehicle movement limit applies to:
 - a. Emergency Service Facilities;
 - b. Community halls or Educational Facilities lawfully established at the time of notification of the Plan; or
 - c. Activities within the SETZ - PREC2 Settlement Centre Precinct; and
 - b. No external storage of products except those associated with residential use shall be visible from any Settlement zoned property or adjoining public place.
3. Where the facility will be located within 1000m of the Cape Foulwind Radio New Zealand radiocommunications site, the Westport Radio Mast EM Overlay any hose drying or siren tower of a height greater than of 108m or greater must be certified by Radio New Zealand that the risk of Electromagnetic coupling with this structure has been mitigated²⁶

Advice Note:

Where a noise sensitive activity is located within:

- i. 80m of a State Highway with a speed limit of 70kph or greater; or
- ii. 40m of a State Highway with a speed limit of less than 70kph; or
- iii. 40m of a Railway Line; or
- iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or
- v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome.

Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.

Activity status where compliance not achieved: Restricted Discretionary

SETZ - R13 Retail Activities

Activity Status Permitted

Where:

1. Performance standards for Rule SETZ - R2 are complied with;
2. The activity is located within a SETZ - PREC2 - Settlement Centre Precinct;
3. Where the activity is located outside of a SETZ - PREC2 - Settlement Centre Precinct, there is no SETZ - PREC2 - Settlement Centre Precinct or CMUZ Commercial or MUZ - Mixed Use Zone within 10km of the site;
4. The maximum combined floor and yard area for any retail activity is 250m²; and
5. The activity does not include:
 - i. Service stations;
 - ii. Car sales;
 - iii. Yard-based retail; and
 - iv. Drive through restaurants.
6. Outside of the SETZ - PREC2 - Settlement Centre Precinct, hours of operation are limited to 7am-10pm weekdays and 8am - 8pm weekends and public holidays;
7. Outside of the SETZ - PREC2 - Settlement Centre Precinct there are a maximum of 10 heavy vehicle movements per day and whichever is the greater of 30 light vehicle movements per day or 210 light vehicle movements per week generated by the activity;
8. No external storage of products except those associated with residential use shall be visible from any Settlement zoned property or adjoining public place; and
9. ~~No external generation of dust, odour or smoke occurs as part of the activity; and~~²⁷
10. Vehicle crossings and access meet the design standards as set out in Appendix One Transport Performance Standards;

Activity status where compliance not achieved: Discretionary

SETZ - R14 Commercial Activities other than Retail, Home Business or Visitor Accommodation

Activity Status Permitted

Where:

²⁶ Radio New Zealand (S476.042)

²⁷ Westland Farm Services (S550.018)

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1. The activity does not occur in the SETZ - PREC3 - Coastal Settlement Precinct or the SETZ - PREC4 - Rural Residential Precinct;
2. Performance standards for Rule SETZ - R2 are complied with;
3. Outside of the SETZ - PREC2 - Settlement Centre Precinct, hours of operation are limited to: 7am-10pm weekdays and 8am - 8pm weekends and public holidays;
4. Outside of the SETZ - PREC2 Settlement Centre Precinct, a maximum of 10 heavy vehicle movements per day and whichever is the greater of 30 light vehicle movements per day or 210 light vehicle movements per week;
5. No external storage of products except those associated with residential use shall be visible from any Settlement zoned property or public place; and
6. ~~No external generation of dust, odour or smoke occurs as part of the activity; and²⁸~~
7. Vehicle crossings and access meet the design standards as set out in Appendix One Transport Performance Standards.

Advice Note:

Where a noise sensitive activity is located within:

- i. 80m of a State Highway with a speed limit of 70kph or greater; or
- ii. 40m of a State Highway with a speed limit of less than 70kph; or
- iii. 40m of a Railway Line; or
- iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or
- v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome.

Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.

Activity status where compliance not achieved: Restricted Discretionary

SETZ - R15 Mineral Prospecting and Mineral Exploration

Activity Status Permitted

Where:

1. This is authorised under a prospecting or exploration permit from NZPAM;
2. Written notice is provided to the relevant District Council 10 working days prior to the work commencing;
3. Where areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible and no later than 3 months after the disturbance has occurred;
4. The site shall be rehabilitated generally to its original condition; and
5. All stripped material (including vegetation, soil and debris) is not deposited within any riparian margin of a waterbody and is contained in such a manner that it does not enter any waterbody or cause the destruction of habitat; and
6. Where the activity is located within Westport Radio Mast EM Overlay and includes any temporary or permanent building or structure of 18m or greater in height, , including drilling rigs, the activity must be certified by Radio New Zealand that the risk of Electromagnetic coupling with this structure has been mitigated.

Advice Notes:

1. Where an activity subject to this rule is located within an Overlay Chapter area then compliance with the relevant Overlay Chapter rules is required.
2. Mineral Prospecting and Mineral Exploration within the Pounamu and Aotea Overlays is subject to Rule SASM - R7.
3. The activity may require a resource consent from the West Coast Regional Council. In particular there are restrictions in relation to earthworks within 100m of a wetland and work which may affect waterbodies.

Activity status where compliance not achieved: Restricted Discretionary

SETZ - R16 Port Activities at Jackson Bay Port

Activity Status Permitted

Where:

1. These are undertaken on lots fronting The Esplanade as follows:
 - a. On legal road reserve between Mean High Water Springs and the edge of the road carriageway;

²⁸ Westland Farm Services (S550.019)

Appendix One: Settlement Zones – Recommended Amendments to the Plan
Note Amendments from the Addendum Report are Highlighted in Green
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- b. On the following lots:
 - i. Sections 208 and 209 TN OF Arawata; and
 - ii. Sections 8, 9 and 10 TN of Arawata;
2. Permitted Port Activities are limited to the following:
 - i. Cargo handling, including the loading, unloading, storage, processing and transit of cargo (including fish);
 - ii. Passenger handling, including the loading, unloading and transit of passengers including passenger or cruise ship terminals;
 - iii. Port administration;
 - iv. Facilities for recreational boating;
 - v. Activities associated with maritime navigation; and
 - vi. Ancillary buildings, structures, utilities, signs, parking, landscaping, offices and other facilities.
3. Maximum building size is 200m²;
4. Maximum building height is 5m;
5. Buildings must be setback 1m from the road and internal boundaries; and
6. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:
 - i. Road boundaries;
 - ii. Buildings on adjoining sites that have a common wall along the boundary;
 - iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;
 - iv. Boundaries adjoining any site in a CMUZ - Commercial and Mixed Use, INZ - Industrial or GRUZ - General Rural Zone;
 - v. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or
 - vi. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically.

Activity status where compliance not achieved: Discretionary

Controlled Activities

SETZ - R17 Minor Structures not meeting Permitted Activity Standards

Activity Status Controlled

Where:

1. This is not located in the SETZ - PREC3 - Coastal Settlement Precinct;
2. The minor structure does not exceed 10m in height; and
3. All performance standards other than height for Rule STEZ - R2 are complied with.

Matters of control are:

- a. Design and location of structures; and
- b. Landscape measures.

Activity status where compliance not achieved: Discretionary

SETZ - R18 Relocated Buildings not meeting Permitted Activity Standards

Activity Status Controlled

Where:

1. This is not located in the SETZ - PREC3 - Coastal Settlement Precinct; and
2. All performance standards Rule STEZ - R2 are complied with.

Matters of control are:

- a. Design and location of structures;
- b. Any requirement for financial contributions;
- c. Landscape measures; and
- d. Appearance of buildings.

Activity status where compliance not achieved: Discretionary

Restricted Discretionary Activities

SETZ - R19 Residential Buildings not meeting Building and Sites - Design Standards in Rule SETZ - R2

Activity Status Restricted Discretionary

Where:

1. The building projects into the 45 degree recession plane; or
2. The building is set back less than 1m from internal boundaries or 10m from internal boundaries in the Rural Residential Precinct; and
3. All other performance standards for Rule SETZ - R2 are complied with.

Discretion is restricted to:

- a. Design and location of buildings;
- b. Size and height of buildings;
- c. Any requirement for financial contributions;
- d. Design and location of parking and access; and
- e. Landscape measures;
- f. Shading and loss of sunlight to adjoining sites;²⁹
- g. Loss of privacy to adjoining sites; and
- h. Character and amenity of the surrounding area

Activity status where compliance not achieved: Discretionary

SETZ - R20 Buildings in the SETZ - PREC2 - Coastal Settlement Precinct not meeting Building Design Requirements in SETZ - R3

Activity Status Restricted Discretionary

Where:

1. All performance standards for Rule SETZ - R1 - and R2 are complied with.

Discretion is restricted to:

- a. Design, size, height and location of buildings;
- b. Design, size and location of parking and access;
- c. Any requirement for financial contributions;
- d. Retention of existing vegetation;
- e. Volume and location of earthworks; and
- f. Landscape measures.

Activity status where compliance not achieved: Discretionary

SETZ - R21 Residential Visitor Accommodation not meeting Rule SETZ - R10

Activity Status Restricted Discretionary

Where:

1. All performance standards for Rule SETZ - R1 - and R2 are complied with.

Discretion is restricted to:

- a. Number of visitors staying on site;
- b. Number of days of use for the visitor accommodation;
- c. Management of traffic and parking;
- d. Landscape measures;
- e. Any impacts on the production values of the surrounding land;
- f. Any requirement for financial contributions;
- g. Effects on visual amenity and rural character; and
- h. Methods of wastewater treatment and disposal; and
- i. Loss of privacy to adjoining sites.³⁰

Activity status where compliance not achieved: Discretionary

²⁹ Buller District Council (S538.568)

³⁰ Buller District Council (S538.570)

SETZ - R212 Community Facilities, Educational Facilities, Emergency Service Facilities and Retirement Homes not meeting Permitted Activity Standards
Activity Status Restricted Discretionary

Discretion is restricted to:

- a. Design and location of buildings;
- b. Size and height of buildings;
- c. Vehicle movements and access;
- d. Design and location of parking and access;
- e. Landscape measures;
- f. Any requirement for financial contributions;
- g. Methods of water supply, wastewater and stormwater treatment and disposal;
- h. Hours of operation; and
- i. Acoustic and noise management requirements;
- j. Loss of privacy to adjoining sites;³¹ and
- k. Character and amenity of the surrounding area; and
- l. Within the Westport Radio Mast EM Overlay, any requirements to mitigate the risk of electromagnetic coupling, including during the construction phase

Notification:

Applications for community facilities will always be limited notified to adjacent neighbours and may be publicly notified.

Activity status where compliance not achieved: N/A

SETZ - R223 Rural Industry

Activity Status Restricted Discretionary

Where:

1. This is not in the SETZ - PREC3- Coastal Settlement Precinct;
2. There is no INZ - Industrial Zoned site of sufficient size to accommodate the activity within 10km of the proposed site; and
3. All performance standards for Rule SETZ - R2 are complied with.

Discretion is restricted to:

- a. Design and location of buildings;
- b. Design and location of parking and access;
- c. Landscape measures;
- d. Hours of operation;
- e. Vehicle movements;
- f. Any requirement for financial contributions;
- g. Methods of water supply, wastewater and stormwater treatment and disposal;
- h. Management of odour, noise, light and dust; and
- i. Acoustic and noise management requirements.

Activity status where compliance not achieved: Discretionary

SETZ - R234 Mineral Prospecting and Exploration not meeting Permitted Activity Standards and Mineral Extraction Activities

Activity Status Restricted Discretionary

Where:

1. The activity does not occur within an Outstanding Natural Landscape, Outstanding Natural Feature, a Historic Heritage site, or a Site or Area of Significance to Māori, or an area of High or Outstanding Coastal Natural Character [refer to the relevant Overlay Chapter rules in relation to activities in these areas].

Discretion is restricted to:

- a. Management of access, parking, traffic generation and transport of minerals from the site;
- b. Noise, glare, light, dust, blasting and vibration management;
- c. Hours of operation;
- d. Hazardous substances and waste management;
- e. Historic and cultural heritage requirements;

³¹ Buller District Council (S538.571)

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- f. Extent and design of earthworks and indigenous vegetation clearance;
- g. Effects on any threatened fauna and flora or their habitats;
- h. Design and location of ancillary buildings, structures and infrastructure;
- i. Landscape measures;
- j. Maintaining public access;
- k. Effects on riparian margins and water quality;
- l. Monitoring, reporting and community liaison requirements;
- m. Financial contributions and any requirement for bonds; **and**
- n. Site rehabilitation and mine closure requirements.; **and**
- o. **Within the Westport Radio Mast EM Overlay, any requirements to mitigate the risk of electromagnetic coupling**

Advice Note: Mineral Extraction within the Pounamu and Aotea Overlays is subject to Rule SASM - R7.

Activity status where compliance not achieved: Refer to relevant Overlay Chapter rules where the activity will occur in these areas.

SETZ – RXXXX Fences Walls and Retaining Walls not meeting Permitted Activity standards
Activity Status Restricted Discretionary

Discretion is restricted to:

- a. Design and location of structures
- b. Height of structures
- c. Shading and dominance effects on adjoining sites

Discretionary Activities

SETZ - R245 Residential Activities and Residential Buildings, Buildings and Sites - Design, Conservation, Recreational, Agricultural, Horticultural and Pastoral Activities, Papakāinga Developments , Minor Structures, Fences, Walls and Retaining Walls³², Relocated Buildings and Buildings not meeting Permitted or Restricted Discretionary Activity Rules in relation to Performance Standards in Rules SETZ - R1 or SETZ - R2 or SETZ - R4

Activity Status Discretionary

Activity status where compliance not achieved: N/A

SETZ -R256 All Activities and Buildings, Papakāinga, Minor Structures, Fences, Walls and Retaining Walls and Port Activities at Jackson Bay Port in the Coastal Settlement Precinct not meeting Permitted, Controlled or Restricted Discretionary Activity Rules

Activity Status Discretionary

Where:

- 1. This is not Industrial Activity subject to Rule SETZ - R27.

Activity status where compliance not achieved: Non-complying

SETZ -R267 Home Business, Retail Activities, Commercial Activities and Residential Visitor Accommodation not meeting Permitted, Controlled or Restricted Discretionary Activity Rules

Activity Status Discretionary

Activity status where compliance not achieved: N/A

SETZ -R278 Industrial Activities not meeting Rule SETZ - R22

Activity Status Discretionary

Where:

- 1. This is not located in the SETZ - PREC3 - Coastal Settlement Precinct;
- 2. There is no INZ - Industrial Zoned site of suitable size to accommodate the activity within 10km of the proposed site.

Activity status where compliance not achieved: Non-complying

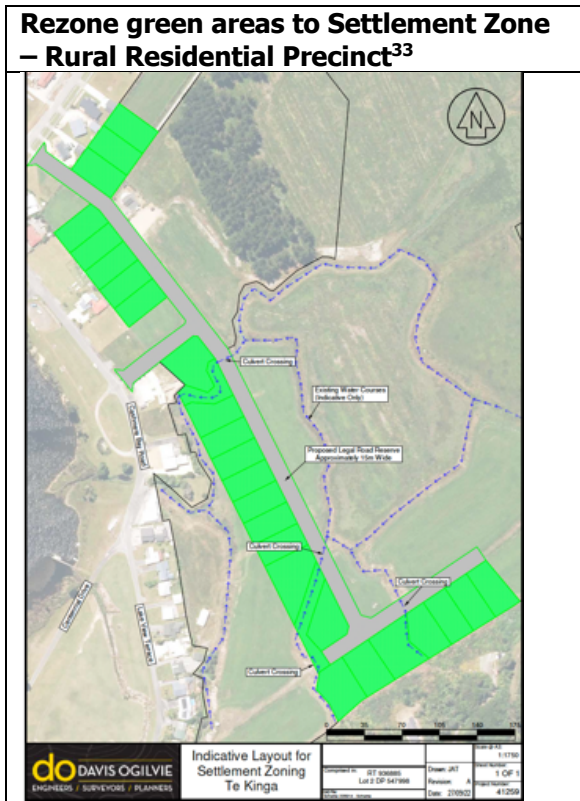
Non-complying Activities

³² Frank and Jo Dooley (S478.036, S478.042) and Frank O'Toole (S595.024)

SETZ - R289 Any activity not provided for by another Rule in the zone
Activity Status Non-complying
Activity status where compliance not achieved: N/A

Amendments to the Planning Maps

- Rezone part of Lot 2 DP 547998 at Te Kinga to Settlement Zone as per the map below:



³³ Te Kinga Investments Ltd (S598.001)