

# 42 WATERFALL PARK

## 42.1

## Purpose

The purpose of the Waterfall Park Zone is to provide for the development of a visitor resort comprising a range of visitor, residential and recreational facilities, sympathetic to the natural setting. The site lies within a high quality scenic environment adjacent to the Millbrook Resort Zone.

In terms of natural features the focus of the site is the waterfall located towards the centre of the site. The existing recreational areas and amphitheatre are located adjacent to the waterfall and continue along part of Mill Creek. Development limits are imposed in the zone given its scenic and environmental qualities. Development shall conserve and enhance the natural and scenic values contained within the property and its setting.

## 42.2

## Objectives and Policies

### 42.2.1 **Objective – Visitor, residential and recreation facilities and activities developed in an integrated manner with particular regard for the natural and scenic values of the setting.**

- |          |                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policies | <p><b>42.2.1.1</b> Ensure that the external appearance of buildings and other structures are appropriate to the location with particular regard to the site's natural and scenic values.</p> <p><b>42.2.1.2</b> Require all development to be located in accordance with the Structure Plan.</p> <p><b>42.2.1.3</b> Protect and enhance the important natural features on the site.</p> |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### 42.2.2 **Objective – Development that avoids adverse effects on Mill Creek and ecological values.**

- |          |                                                                                                                                                                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policies | <p><b>42.2.2.1</b> Ensure sewage disposal, water supply and refuse disposal services are provided so as not to adversely impact on water or other environmental qualities on or off the site.</p> <p><b>42.2.2.2</b> Protect and enhance Mill Creek as an important brown trout spawning habitat.</p> |
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## 42.3

## Other Provisions and Rules

### 42.3.1 District Wide

Attention is drawn to the following District Wide chapters.

|    |                      |               |                                              |    |                                |
|----|----------------------|---------------|----------------------------------------------|----|--------------------------------|
| 1  | Introduction         | 2             | Definitions                                  | 3  | Strategic Direction            |
| 4  | Urban Development    | 5             | Tangata Whenua                               | 6  | Landscapes and Rural Character |
| 25 | <i>Earthworks</i>    | 26            | Historic Heritage                            | 27 | Subdivision                    |
| 28 | Natural Hazards      | 29            | <i>Transport</i>                             | 30 | Energy and Utilities           |
| 31 | <i>Signs</i>         | 32            | Protected Trees                              | 33 | Indigenous Vegetation          |
| 34 | Wilding Exotic Trees | 35            | Temporary Activities and Relocated Buildings | 36 | Noise                          |
| 37 | Designations         | Planning Maps |                                              |    |                                |

### 42.3.2 Interpreting and Applying the Rules

**42.3.2.1** A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

**42.3.2.2** Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

**42.3.2.3** The following abbreviations are used within this Chapter.

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

## 42.4

## Rules - Activities

|               | Activities located in the Waterfall Park Zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Activity status |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>42.4.1</b> | Activities which are not listed in this table                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | NC              |
| <b>42.4.2</b> | <b>In the Residences Area (R) of the Structure Plan</b><br><b>Dwelling, Residential Unit</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P               |
| <b>42.4.3</b> | <b>Dwelling, Residential Unit, Residential Flat</b> not otherwise identified                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | D               |
| <b>42.4.4</b> | <p><b>In all Structure Plan Activity Areas</b></p> <p><b>Recreation Facilities</b> (noting that in areas shown as O/P on the Structure Plan recreation facilities shall not include buildings or structures)</p> <p><b>Administration activities</b> for administering and servicing of other facilities within the zone, including storage, maintenance and depot facilities</p> <p><b>Structures for the retention of water (not located within a waterbody)</b></p> <p>Control is reserved to:</p> <p>a. general:</p> <ul style="list-style-type: none"> <li>i. location and external appearance of buildings;</li> <li>ii. setback from roads;</li> <li>iii. setback from internal boundaries;</li> <li>iv. vehicle access and street layout;</li> <li>v. outdoor living space;</li> <li>vi. street scene including landscaping;</li> <li>vii. enhancement of ecological and natural values;</li> <li>viii. provision for internal walkways, cycle ways and pedestrian linkages; and</li> <li>ix. noise.</li> </ul> <p>b. natural hazards where the proposal results in an increase in gross floor area:</p> <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> | C               |

|               | Activities located in the Waterfall Park Zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Activity status |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>42.4.5</b> | <p><b>In all Structure Plan Activity Areas (except for the Open Space, Landscaping and Passive Recreation Activity Area O/P)</b></p> <p><b>Buildings</b></p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>the external appearance of the building and coherence with surrounding buildings;</li> <li>natural hazards where the proposal results in an increase in gross floor area: <ol style="list-style-type: none"> <li>the nature and degree of risk the hazard(s) pose to people and property;</li> <li>whether the proposal will alter the risk to any site; and</li> <li>the extent to which such risk can be avoided or sufficiently mitigated.</li> </ol> </li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | C               |
| <b>42.4.6</b> | <p><b>In the Village Area (V) of the Structure Plan:</b></p> <p><b>Visitor Accommodation</b></p> <p><b>Licensed Premises integrated with Visitor Accommodation</b></p> <p><b>Theatres, conference, cultural and resort facilities and office and administration activities that are ancillary to Visitor Accommodation</b></p> <p><b>Community Activities</b> (limited to creches and other child care facilities integrated with Visitor Accommodation)</p> <p><b>Educational Facilities</b></p> <p>Control is reserved to all:</p> <ol style="list-style-type: none"> <li>general <ol style="list-style-type: none"> <li>location and external appearance of buildings;</li> <li>setback from roads;</li> <li>setback from internal boundaries;</li> <li>vehicle access and street layout;</li> <li>outdoor living space;</li> <li>street scene including landscaping;</li> <li>enhancement of ecological and natural values;</li> <li>provision for internal walkways, cycle ways and pedestrian linkages; and</li> <li>noise.</li> </ol> </li> <li>natural hazards where the proposal results in an increase in gross floor area: <ol style="list-style-type: none"> <li>the nature and degree of risk the hazard(s) pose to people and property;</li> <li>whether the proposal will alter the risk to any site; and</li> <li>the extent to which such risk can be avoided or sufficiently mitigated.</li> </ol> </li> </ol> | C               |

|                | Activities located in the Waterfall Park Zone                                                                                                                                                                                                                                                                   | Activity status |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>42.4.7</b>  | <b>Licensed Premises not otherwise identified</b>                                                                                                                                                                                                                                                               | PR              |
| <b>42.4.8</b>  | <b>Manufacturing and/or product assembling activities</b>                                                                                                                                                                                                                                                       | PR              |
| <b>42.4.9</b>  | <b>Fish or meat processing</b>                                                                                                                                                                                                                                                                                  | PR              |
| <b>42.4.10</b> | <b>Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.</b> | PR              |
| <b>42.4.11</b> | <b>Factory Farming</b>                                                                                                                                                                                                                                                                                          | PR              |
| <b>42.4.12</b> | <b>Any activity requiring an Offensive Trade Licence under the Health Act 1956</b>                                                                                                                                                                                                                              | PR              |

## 42.5 Rules - Standards

|               | Standards for activities located in the Waterfall Park Zone                                                                                                                                                                                                                                                                       | Non-compliance Status |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>42.5.1</b> | <b>Setbacks</b><br>No building or structure shall be located closer than 6m to the Zone boundary, and in addition:<br>No building shall be located closer than 7m to Mill Creek.                                                                                                                                                  | D                     |
| <b>42.5.2</b> | <b>Residential Capacity</b><br>In the Waterfall Park Zone the maximum number of residential units shall be limited to 100.                                                                                                                                                                                                        | NC                    |
| <b>42.5.3</b> | <b>Building Height</b><br>The maximum height of buildings shall be: <ul style="list-style-type: none"> <li>a. visitor accommodation, (including facilities integrated with and ancillary to Visitor Accommodation) - 8 m;</li> <li>b. residential buildings - 8m;</li> <li>c. all other buildings and structures - 4m.</li> </ul> | NC                    |

|               | Standards for activities located in the Waterfall Park Zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Non-compliance Status |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>42.5.4</b> | <p><b>Glare</b></p> <p><b>42.5.4.1</b> All fixed lighting shall be directed away from adjacent roads and properties, and downward so as to limit effects on view of the night sky.</p> <p><b>42.5.4.2</b> Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish.</p> <p><b>42.5.4.3</b> No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.</p> | NC                    |
| <b>42.5.5</b> | <p><b>Maximum Total Site Coverage</b></p> <p>The maximum site coverage shall not exceed 5% of the total area of the Zone. For the purposes of this Rule, site coverage excludes bridges and roads and parking areas.</p>                                                                                                                                                                                                                                                                                                                                                                                         | NC                    |
| <b>42.5.6</b> | <p><b>Fire Fighting</b></p> <p>A fire fighting reserve of water shall be maintained of a capacity sufficient to service the Zone. The storage shall meet the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008.</p>                                                                                                                                                                                                                                                                                                                                                                     | NC                    |
| <b>42.5.7</b> | <p><b>Atmospheric Emissions</b></p> <p>There shall be no indoor solid fuel fires, except for:</p> <p>a. feature open fireplaces in the clubhouse and other communal buildings including bars and restaurants.</p> <p>Note: Council bylaws and Regional Plan rules may also apply to indoor and outdoor fires.</p>                                                                                                                                                                                                                                                                                                | NC                    |
| <b>42.5.8</b> | <p><b>Retail sales</b></p> <p>No goods shall be displayed, sold or offered for sale from a site except:</p> <p>a. goods grown, reared or produced on the site;</p> <p>b. within those areas of the Structure Plan identified as the Village Centre.</p>                                                                                                                                                                                                                                                                                                                                                          | NC                    |

## 42.6

## Rules - Non-Notification of Applications

**42.6.1 All applications for Controlled activities and Restricted Discretionary shall not require the written approval of other persons and shall not be notified or limited-notified.**

## 42.7

## Structure Plan

