

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

42.2.1.1 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.

42.2.1.2 Require all development to be located in accordance with the Structure Plan.

42.2.1.3 Protect and enhance the important natural feature on the site.

42.2.2 Objective – Development will avoid adverse effects on Mill Creek and ecological values.

Policies

42.2.2.1 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.

42.2.2.2 Protect and enhance Mill creek as an important brown trout spawning habitat.

42.3 Other Provisions and Rules

42.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

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42.3.2 Clarification

- 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 Objectives and policies from these sections are applicable as relevant to the Waterfall Park Zone. If District Wide Rules are not met then resource consent will be required in respect of that matter.
- 42.3.2.4 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
42.4.1	Activities which are not listed in this table	NC
42.4.2	In the Residences Area (R) of the Structure Plan Dwelling, Residential Unit	P
42.4.3	Dwelling, Residential Unit, Residential Flat not otherwise identified	D
42.4.4	In all Structure Plan Activity Areas Recreation Facilities (noting that in areas shown as O/P on the Structure Plan recreation facilities shall not include buildings or structures) Administration activities for administering and servicing of other facilities within the zone, including storage, maintenance and depot facilities Structures for the retention of water (not located within a waterbody) Control is reserved to all of the following: <ul style="list-style-type: none"> • Location and external appearance of buildings • Setback from roads • Setback from internal boundaries • Vehicle access and street layout • Outdoor living space • Street scene including landscaping • Enhancement of ecological and natural values 	C

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	Activities located in the Waterfall Park Zone	Activity status
	<ul style="list-style-type: none"> Provision for internal walkways, cycle ways and pedestrian linkages Noise Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated¹. 	
42.4.5	<p>In all Structure Plan Activity Areas (except for the Open Space, Landscaping and Passive Recreation Activity Area O/P)</p> <p>Buildings</p> <p>Control is reserved to the following:</p> <ul style="list-style-type: none"> the external appearance of the building and coherence with surrounding buildings Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated. 	C
42.4.6	<p>In the Village Area (V) of the Structure Plan:</p> <p>Visitor Accommodation</p> <p>Licenced Premises integrated with Visitor Accommodation</p> <p>Theatres, conference, cultural and resort facilities and office and administration activities that are ancillary to Visitor Accommodation</p> <p>Community Activities (limited to creches and other child care facilities integrated with Visitor Accommodation)</p> <p>Educational Facilities</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> Location and external appearance of buildings Setback from roads Setback from internal boundaries Vehicle access and street layout Outdoor living space Street scene including landscaping Enhancement of ecological and natural values Provision for internal walkways, cycle ways and pedestrian linkages 	C

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42.4.7	Licenced Premises not otherwise identified	PR
42.4.8	Manufacturing and/or product assembling activities	PR
42.4.9	Fish or meat processing	PR
42.4.10	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.	PR
42.4.11	Factory Farming	PR
42.4.12	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

42.5 Rules - Standards

	Standards for activities located in the Waterfall Park Zone	Non-compliance status
42.5.1	Setbacks No building or structure shall be located closer than 6m to the Zone boundary, and <u>in addition</u> : No building shall be located closer than 7m to Mill Creek.	D
42.5.2	Residential Capacity In the Waterfall Park Zone the maximum number of residential units shall be limited to 100.	NC

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	Standards for activities located in the Waterfall Park Zone	Non-compliance status
42.5.3	Building Height <p>The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> • Visitor Accommodation, (including facilities integrated with and ancillary to Visitor Accommodation) – 8 m • Residential buildings - 8m • All other buildings and structures - 4m 	NC
42.5.4	Glare shall comply with all of the following: <ul style="list-style-type: none"> • All fixed lighting shall be directed away from adjacent roads and properties, and so as to limit effects on the night sky. • 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. • 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. 	NC
42.5.5	Maximum Total Site Coverage <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
42.5.6	Fire Fighting <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
42.5.7	Atmospheric Emissions <p>There shall be no indoor solid fuel fires, <u>except for</u>:</p> <ul style="list-style-type: none"> • feature open fireplaces in the clubhouse and other communal buildings including bars and restaurants. <p>Note – Council bylaws and Regional Plan rules may also apply to indoor and outdoor fires.</p>	NC
42.5.8	Retail sales <p>No goods shall be displayed, sold or offered for sale from a site except:</p> <ul style="list-style-type: none"> • goods grown, reared or produced on the site; • within those areas of the Structure Plan identified as the Village Centre. 	NC

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42.6 Rules - Non-Notification of Applications

- 42.6.1** Except as provided for by the Act, all applications for Controlled activities and Restricted Discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on any persons.

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42.7 Structure Plan

