

This section introduced through Plan Change 23 is subject to changes proposed through Stage 4 of the District Plan Review. Changes proposed are shown using ~~strikethrough~~ and underlining, and are shaded as follows to indicate which variation proposes the deletion or amendment.

Changes recommended in the Response to Minute 6 and recommended in Reply Reports are shown by way of ~~red strikeout~~ and red underlining. Changes previously recommended to be deleted but now recommended to be reinstated are shown in red without underlining. Changes previously recommended to be added but now recommended not to be included are shown in ~~red strikethrough with black underlining~~.

Changes are shaded as follows to indicate which variation proposes the deletion or amendment:

Variation 1 to PC23 – associated with Plan Change 29

Variation 2 to PC23 – associated with Plan Change 30

Natural Character

Introduction

The Council has a responsibility to recognise and provide for the preservation of the natural character of wetlands, lakes and rivers (collectively referred to as surface waterbodies) and their margins; and protect them from inappropriate subdivision, use and development.

A range of land use and subdivision activities can have adverse effects on the natural character of surface waterbodies. These include the construction of buildings and structures, earthworks, woodlots, plantation forestry, quarrying activities, and mining. The provisions of this chapter seek to manage those activities by requiring setbacks from the margins of surface waterbodies to ensure that the natural elements, patterns and processes that contribute to the natural character values are recognised and provided for.

The margins of surface waterbodies are important to mana whenua as mahika kai and some areas also contain wāhi tapu and other taoka. The beds and margins of lakes and rivers are part of the surface waterbody, and not separate from it. A range of activities occur in the beds and margins of wetlands, lakes and rivers, some of which have the potential to compromise waterbody health and other cultural values. The rules set out below apply to all surface waterbodies identified by mana whenua in Table 2 within the Sites and Areas of Significance to Māori SCHED1, as these waterbodies are also listed in NATC-SCHED1.

The Canterbury Regional Council also has jurisdiction to manage wetlands, lakes and rivers, including land uses in the beds of waterbodies. This section of the District Plan focuses on the natural character of the riparian margins of wetlands, lake and rivers, thereby avoiding duplication with the Regional Council's functions.

Most of the District's natural freshwater bodies with attributes that form part of the natural character are included in the accompanying schedules. All natural waterbodies are important and even if they are not presently scheduled, it does not mean that they do not have natural character values and therefore reduced setbacks apply to surface waterbodies not included in the schedule.

Objectives and Policies

Objectives

NATC-O1	Preservation of Natural Character
The natural character of wetlands, lakes and rivers (surface waterbodies) and their margins is recognised, preserved and protected from inappropriate subdivision, use and development.	
NATC-O2	Mana Whenua Values
The relationship of mana whenua with wetlands, lakes and rivers is recognised and their cultural traditions, values and interests in relation to these is provided for.	

Policies	
NATC-P1	Recognition of Natural Character Values
Recognise that natural character values of wetlands, lakes and rivers and their riparian margins are derived from:	
	<ol style="list-style-type: none"> 1. being in their natural state or close to their natural state; 2. the value of the water-body to mana whenua, including values associated with traditional and contemporary uses and continuing ability of the water body to support taonka species, mahika kai and other customary uses; 3. indigenous biodiversity, habitats and ecosystems; 4. their contribution to landforms and landscapes, through hydrological, geologic and geomorphic processes; and 5. people's experience of the above elements, patterns and processes.
NATC-P2	Preservation of Natural Character Values
Preserve and protect the natural character values of wetlands, lakes and rivers and their margins from inappropriate use and development by:	
	<ol style="list-style-type: none"> 1. ensuring that the location, intensity, scale and form of subdivision, use and development takes into account the natural character values of the surface waterbodies; 2. requiring setbacks for activities from wetlands, and lakes and rivers, including buildings, earthworks, woodlots and quarrying activities; 3. promoting and encouraging opportunities to restore and rehabilitate the natural character of surface water-bodies and their margins, including the removal of plant and animal pests, and supporting initiatives for the regeneration of indigenous biodiversity values and cultural values; and 4. avoiding inappropriate use and development that detracts from the natural character of surface waterbodies.

Rules

Note for Plan Users: For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the District Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

The rules in this chapter do not apply to flood mitigation works located within the surface water body setback, which are managed through the Natural Hazards Chapter.

NATC-R1	Buildings and Structures (excluding fences, water troughs and water pump sheds with a building footprint of 10m² or less)
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All zones	Activity Status: PER Where the activity complies with the following standards: NATC-S1 Activity Setbacks from Surface Waterbodies	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
NATC-R2	Earthworks and Stockpiles	
All Zones	Activity Status: PER Where the activity complies with the following standards: NATC-S1 Activity Setbacks from Surface Waterbodies With the exception of earthworks associated with conservation activity, where no setback shall apply. Advice Note: <i>this rule does not apply to earthworks regulated under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023.</i>	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
NATC-R3	Woodlots	
GRUZ	Activity Status: PER Where the activity complies with the following standards: NATC-S1 Activity Setbacks from Surface Waterbodies	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
NATC-R4	Quarrying Activities and Mining	
GRUZ	Activity Status: PER Where the activity complies with the following standards: NATC-S1 Activity Setbacks from Surface Waterbodies Advice Note: <i>this rule does not apply to Forestry Quarrying as regulated under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023.</i>	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).

Standards

NATC-S1	Activity Setbacks from Surface Waterbodies	Activity Status where compliance not achieved:
All zones	1. Activities shall be located outside the setback distance specified in Table NATC-1.	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none">a. The extent to which the proposed activity will affect the natural character of the surface water body and its riparian margins.b. The effects of the proposed activity on any indigenous vegetation, habitat or ecosystem.c. Those matters in SASM-MD1 Activities in a SASM.d. The nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the surface waterbody.e. The extent to which any restoration or rehabilitation of the natural character of the area is proposed.f. The extent to which alternative practicable options have been considered and their feasibility, including the functional need and operational need for the activity to locate in a riparian margin.g. Whether the activity maintains and enhances public access along the surface waterbody.h. The type and extent of planting proposed and the impact of this on natural character values.i. The effectiveness of any erosion and sediment control measures proposed.

Table NATC-1: Surface Waterbody Setbacks

Surface Waterbody Classification	Setbacks for Rural Zones, Rural Lifestyle Zones, Natural Open Space and Recreation Zones , excluding the Takamana / Lake Alexandrina Hut Settlements Precinct (PREC3) and Ōhau River Precinct (PREC4)	Setbacks for Residential Zones, Commercial and Mixed Use, and Industrial Zones, Open Space Zones, Sport and Active Recreation Zone, Glentanner Special Purpose Zone, Airport Special Purpose Zone and Accommodation Special Purpose Zone
Wetland	50m	25m
Lakes included in NATC-SCHED1	100m	25m
Rivers included in NATC-SCHED1	20m	10m
Lakes and Rivers not included in NATC-SCHED1	15m	5m

Advisory Notes:

- *All surface waterbody setbacks specified in this plan shall be measured from the top of the bank edge of the surface waterbody, as illustrated in Figure NATC-1 below.*

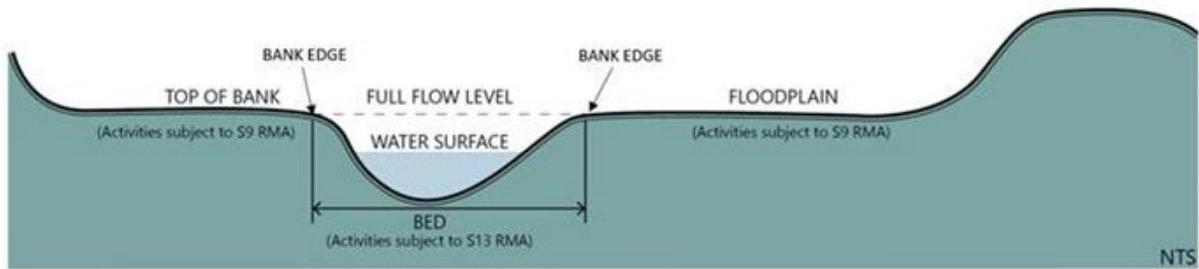


FIGURE NATC-1

- *Where the waterline position follows a meandering alignment, the setback distance shall be measured along a line that is nearly as practicable radial to the curvature of the waterline, and at 5m intervals along the waterline as illustrated in Figure NATC-2 below.*

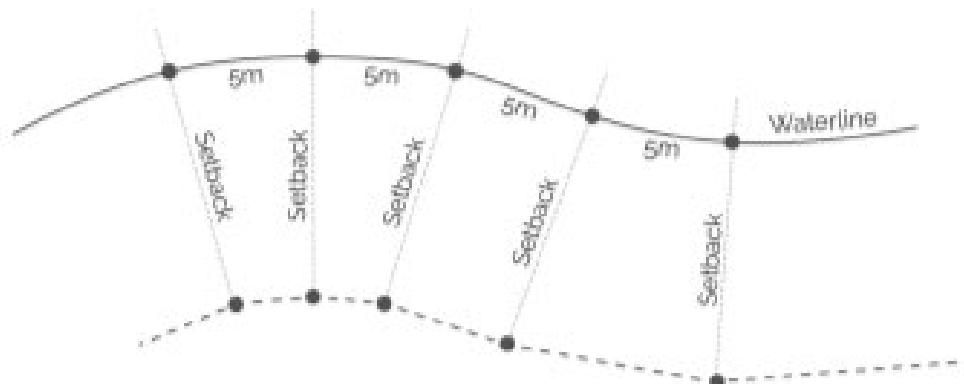


FIGURE NATC-2

- *Where a site is divided by a zone boundary, each part of the site shall be treated as a separate site.*

NATC-SCHED1 – Scheduled Surface Waterbodies

Te Manahuna / Mackenzie Basin Rivers:

- Black Forest Stream
- Coal River (SASM)
- Dalgety River
- Dry Stream
- Te Awa-a-Marewa Edwards River
- Hakatere / Forks Stream (SASM)
- Fraser Stream
- Grays River
- Te Wai-a-Kohe / Irishman Creek (SASM)
- Te Manahuna / Mackenzie River
- Te Kōhai / Maryburn Creek (SASM)
- Moffat River
- Pleasant Valley
- Ribbonwood Creek (SASM)
- Sawdon Stream
- Snow River
- Stony/Ross River
- Whakatipu / Twizel River (SASM)
- Boundary Steam (SASM)
- Te Awa-a-Takatamira / Cass River (SASM)
- Ōtaao / Dobson River (SASM)
- Whimiahoa / Godley River (SASM)
- Te Awa Āruhe / Hopkins River (SASM)
- Te Awaure / Jollie River (SASM)
- Maukakūkuta / Macauley River (SASM)
- Ōhau River (SASM)
- Pūkaki River (SASM)
- Te Awa Whakamau / Tasman River (SASM)
- Takapō / Tekapo River (SASM)
- Te Wai a Te Kāmana River (SASM)
- Whaka-no-hāpua / Washdyke Stream (SASM)

Te Manahuna / Mackenzie Basin Lakes:

- Takamana / Lake Alexandrina (SASM)
- Te Ao Mārama / Lake Benmore (SASM)
- Whakarukumoana / Lake McGregor (SASM)
- Lake Pūkaki (SASM)

- Lake Ōhau (SASM)
- Lake Ruataniwha
- Lake Takapō / Lake Tekapo (SASM)
- Motuariki / Motuariki Island (SASM)

Other Rivers:

- Deep Creek (SASM)
- Hakataramea River (SASM)
- Ōpihi River (SASM)
- Ōpūaha / Opuha River (including North and South Branches) (SASM)
- Ōrāri River (SASM)
- Pureora River (correct spelling of Pareora River) (SASM)
- Te Ana a Wai / Tengawai River (SASM)