

## RECOMMENDED AMENDMENTS TO PROPOSED PLAN CHANGE 19 – Activities on and within waterbodies

### NOTE:

- All amendments contained in PC19 as notified are shown as being accepted.
- All amendments recommended in the Planning Report are shown as underlined additions or struckthrough ~~deletions~~.

### Objective 8 and Policies 8A-8G

#### *Rural Objective 8 –Activities on or within Waterbodies.*

*Recreational Activities being undertaken on or within the District waterways and riverbeds in a manner which avoids, remedies or mitigates potential adverse effects on conservation values, wildlife and wildlife habitats, public health and safety, the Waitaki Power Scheme, recreational values, takata whenua values and general amenity values.*

#### Reasons

- There is potential for recreational activities and associated vehicle use to have a number of adverse effects on waterways and riverbeds including:
  - noise
  - reduction in navigational safety
  - conflict with other recreationalists
  - degradation of river, lake and adjoining wildlife habitats
  - increased bank erosion caused by wave action or activity on the banks
  - water contamination from turbidity, exhaust fumes and human effluent
  - litter and other wastes in the area
  - disturbance to wading birds and other wildlife, especially during the breeding season (August to January inclusive)

It is appropriate in providing for recreation throughout the District that these adverse effects are minimised to enable environmental and recreational quality to be maintained.

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#### *Rural Policy 8A – Values of Waterbodies*

*To acknowledge the range of values associated with waterbodies within the District and to maintain or enhance those values through management of activities on or within waterbodies.*

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#### Explanation and Reasons

- As for Objective 8
- The District contains nine major rivers, seven notable lakes and numerous other waterbodies many of which are valued for takata whenua values, recreation, habitat, conservation, general amenity and hydro power production. The sensitivity of these waterbodies to impacts from recreational use varies considerably and needs to be managed to avoid loss of important natural and cultural values.

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***Rural Policy 8B – Lake Pukaki***

*To protect the unique natural quiet, beauty and tranquillity values and experience of Lake Pukaki by avoiding commercial motorised activities on the Lake other than for essential activities and by restricting non-commercial motorised activities, other than essential activities, to the north and eastern areas of the Lake.*

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**Explanation and Reasons**

- As for Objective 8
- The unique natural and cultural values of Lake Pukaki and its prominent position at the foot of Aoraki are highly valued locally, nationally and internationally. It is very important that these values, which include natural quiet and tranquillity, remoteness, grandeur and wildness, and the experience of these values, are not compromised by motorised boating on the Lake.

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***Rural Policy 8C – Commercial Activities***

*To avoid, remedy or mitigate the adverse effects of commercial activities through assessment by way of resource consent except for commercial activities on Lake Pukaki which are prohibited.*

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**Explanation and Reasons**

- As for Objective 8
- The potential for greater frequency and intensity of use associated with commercial activities, as compared to non-commercial activities, justifies these activities requiring resource consent. This process enables the Council to assess the impacts (including cumulative impacts) of any proposal on the waterbodies and adjoining land and recognises that it is not possible to anticipate the form and effects of future commercial activities.
- It is considered unreasonable and impractical to subject non-commercial activities to control except where special values of a waterbody and its surrounds justify control or prohibition.

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***Rural Policy 8D – Church of the Good Shepherd***

*To manage commercial activities on Lake Tekapo in the vicinity of the Church of the Good Shepherd in order to maintain a level of quietness and tranquillity in keeping with the special character of the Church and its surroundings.*

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**Explanation and Reasons**

- As for Objective 8
- The Church of the Good Shepherd at Lake Tekapo Village is of particular cultural and spiritual significance and its special character as a place of stillness and meditation is an essential part of the local and visitor experience. It is important to manage activities in the vicinity of the Church that have the potential to compromise this character and the needs of the Church community.

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***Rural Policy 8E– Effects on Wildlife and Wildlife Habitats***

*To avoid, remedy or mitigate the adverse effects of the recreational and commercial use of riverbeds and waterbodies (in particular the use of off-road vehicles and power boats) on wildlife and wildlife habitats.*

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**Explanation and Reasons**

- As for Objective 8
- The braided riverbeds of the Tasman, Dobson, Hopkins, Ohau, Tekapo, Pukaki, Cass, Godley and Macauley rivers are important breeding habitats for many important and threatened species. It is important that care is undertaken during the breeding season as disturbance of parent birds leaves eggs and chicks unattended and therefore extremely vulnerable to predation and cold temperatures.

- Off-road vehicles can inadvertently run over eggs and chicks.
- Lake Alexandrina and Lake McGregor form part of a wildlife refuge that was initially established in 1899, and re-gazetted in 1957 under the Wildlife Act 1953. At this time restrictions were also gazetted limiting boats to those 'wholly propelled by oars or paddles' to prevent disturbance of wildlife habitats and bird breeding areas.
- The predominately single thread braided river channels of the Opihi and Opuha rivers and the single confines of the South Opuha and North Opuha are widely utilised by trout and salmon for spawning, incubation and juvenile rearing. The Opihi and Opuha rivers contain brown trout and salmon (spawning season 10 April-30 September) and the North and South Opuha contain brown and rainbow trout (spawning 1 May – 30 November). During the spawning season (April to September) eggs and fry buried in the riverbed gravels are particularly susceptible to disturbance from motorised boats

#### Implementation Methods

- To promote the Braided River Care Code.
- To promote continued awareness of the wildlife refuge status of Lakes Alexandrina and McGregor, and to restrict accommodation use of the lake.
- To prevent the use of motorised craft upstream of the confluence of the Opihi and Opuha rivers, between 1 April and 30 September, excluding the Opuha Dam Zone.
- ~~To encourage Central Government and the Canterbury Regional Council to control activities on the surface of water.~~
- Council will work with agencies such as the Department of Conservation, Fish and Game Council, the Royal Forest and Bird Society, to identify breeding areas of braided riverbed birds and to investigate mechanisms to control or avoid disturbance of birds, particularly during the breeding season.

#### Environmental Results Anticipated

- Increased awareness of the impact of recreation activities on the breeding habitats of wading birds and other indigenous fauna.
- The continued protection of Lakes Alexandrina and McGregor as a wildlife refuge and associated restrictions.

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#### ***Rural Policy 8FB - Structures***

*To ensure that the location, design and use of structures and facilities, within or near waterways are such that any adverse effects on visual qualities, safety, indigenous habitat and conflicts with recreational and other activities on the waterways are avoided or mitigated.*

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#### Explanation and Reasons

- As for Objective 8
- Structures which intrude over or through water which enable greater recreational use of the water can thereby create a potential for conflicts between different recreationalists and cause problems associated with exceeding the carrying capacity of the existing shore vegetation and facilities.
- Structures can create safety problems for on-water users.
- Structures can significantly alter the character and visual appearance of riparian areas and waterways.

#### Implementation Methods

- Recreational Activities - Controls on Jetties and Boat Ramps

#### Environmental Results Anticipated

- Structures in or adjacent to waterways which do not hinder water safety and which are visually appropriate.
- A level of recreational activity which does not significantly impact on the natural environment.

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***Rural Policy 8GC - Regulations***

*To seek the continued administration and control of navigational safety matters principally through support the Canterbury Regional Council in implementing navigational safety regulations and ~~or~~ bylaws.*

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**Explanation and Reasons**

- As for Objective 8
- All navigational safety considerations for Controls placed on water based recreational and commercial activities are enforced by the Canterbury Regional Council through navigational safety regulations and bylaws. ~~bylaws and similar mechanisms are considered to enforce suitable controls with respect to navigational safety.~~
- Current speed upliftings through Navigational Safety bylaws within the District are considered appropriate to allow for certain recreational activities on the District's waterbodies and should therefore be retained.

**Environmental Results Anticipated**

- Maintenance of the general standard of Navigation on the District's waterways.
- Continued use of gazetted areas for motorised water recreation.

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***Rural Policy 8H ~~D~~ - Cross Boundary Co-Ordination***

*To co-ordinate with adjoining territorial authorities where activities on the surface of rivers and lakes cross territorial boundaries, including the co-ordination of resource consent processes.*

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**Explanation and Reasons**

- Because the Opuha and Opihi Rivers and Lakes Ohau, Ruataniwha and Benmore form the part of the northern and southern boundaries of the District the Council considers a joint approach should be taken for the control of water based activities in conjunction with Timaru, Waitaki and Waimate District Councils.

## **Section 7 - Rural Zone Rules new Clause 7A – Activities on or Within Waterbodies**

### **7A ACTIVITIES ON OR WITHIN WATERBODIES**

#### **7A.1 Activities on or within Lakes Tekapo, Benmore and Ruataniwha and all rivers other than the Opihi and Opuha Rivers**

##### **7A.1.1 Permitted Activities on or within Lakes Tekapo, Benmore and Ruataniwha and all rivers other than the Opihi and Opuha Rivers**

7A.1.1.a Use of motorised and non-motorised craft for search and rescue, defence, civil emergency, scientific research and monitoring and pest control purposes where the activity is an enactment of a statutory responsibility.

7A.1.1.b Non-commercial motorised and non-motorised activities

7A.1.1.c Craft on the surface of waterways used for accommodation where all effluent is contained on board the craft.

7A.1.1.d Use of motorised and non-motorised craft related to the operation, maintenance, upgrading and development of the Waitaki Power Scheme

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**7A .1.2 Discretionary Activities on or within Lakes Tekapo, Benmore and Ruataniwha and all rivers other than the Opihi and Opuha Rivers**

7A.1.2.a Commercial motorised and non-motorised activities

7A.1.2.b Jetties and boat ramps

**7A.1.3 Non-complying Activities on or within Lakes Tekapo, Benmore and Ruataniwha and all rivers other than the Opihi and Opuha Rivers**

7A.1.3.a Craft on the surface of waterways used for accommodation where effluent is not contained on board the craft.

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**7A.2 Activities on or within Lake Pukaki****7A.2.1 Permitted Activities on or within Lake Pukaki**

7A.2.1.a Use of motorised and non-motorised craft for search and rescue, defence, civil emergency, scientific research and monitoring and pest control purposes where the activity is an enactment of a statutory responsibility.

7A.2.1.b Non-commercial non-motorised activities

7A.2.1.c Non-commercial motorised activities within the area identified as “Non-commercial motorised activity area” on the Planning Maps

7A.2.1.d Motorised and non-motorised craft related to the operation, maintenance, upgrading and development of the Waitaki Power Scheme.

**7A.2.2 Non-complying Activities on or within Lake Pukaki**

7A.2.2.a Commercial non-motorised activities

7A.2.2.b Jetties and boat ramps

**7A.2.3 Prohibited Activities**

7A.2.3.a Commercial motorised activities

7A.2.3.b Non-commercial motorised activities other than in the area identified as “Non-commercial motorised activity area” on the Planning Maps

7A.2.3.c Craft on the surface of waterways used for accommodation.

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**7A.3 Activities on or within Lakes Alexandrina and McGregor****7A.3.1 Permitted Activities on or within Lakes Alexandrina and McGregor**

7A.3.1.a Use of motorised and non-motorised craft for search and rescue, defence, civil emergency, scientific research and monitoring and pest control purposes where the activity is an enactment of a statutory responsibility.

A.3.1.b Non-commercial non-motorised activities

**7A.3.2 Discretionary Activities on or within Lakes Alexandrina and McGregor**

7A.3.2.a Commercial non-motorised activities

**7A.3.3 Non-complying Activities on or within Lakes Alexandrina and McGregor**

7A.3.3.a Jetties and boat ramps

7A.3.3.b Craft on the surface of waterways used for accommodation

**7A.3.4 Prohibited Activities on or within Lakes Alexandrina and McGregor**

7A.3.4.a Commercial motorised activities

7A.3.4.b Non-commercial motorised activities

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**7A.4 Activities on or within the Opihi and Opuha Rivers****7A.4.1 Permitted Activities on or within the Opihi and Opuha Rivers**

7A.4.1.a Use of motorised and non-motorised craft for search and rescue, civil emergency, defence, scientific research and monitoring and pest control purposes where the activity is an enactment of a statutory responsibility.

7A.4.1.b Non-commercial non-motorised activities

**7A.4.2 Discretionary Activities on or within the Opihi and Opuha Rivers**

7A.4.2.a Jetties and boat ramps

7A.4.2.b Commercial non-motorised activities

**7A.4.3 Non-complying Activities on or within the Opihi and Opuha Rivers**

7A.4.3.a Commercial motorised activities excluding the period 1 April to 30 September

7A.4.3.b Non-commercial motorised activities excluding the period 1 April to 30 September

7A.4.3.c Craft on the surface of waterways used for accommodation

**7A.4.4 Prohibited Activities on or within the Opihi and Opuha Rivers**

7A.4.4.a Commercial motorised activities during the period 1 April to 30 September

7A.4.4.b Non-commercial motorised activities during the period 1 April to 30 September

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**Definitions**

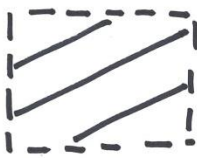
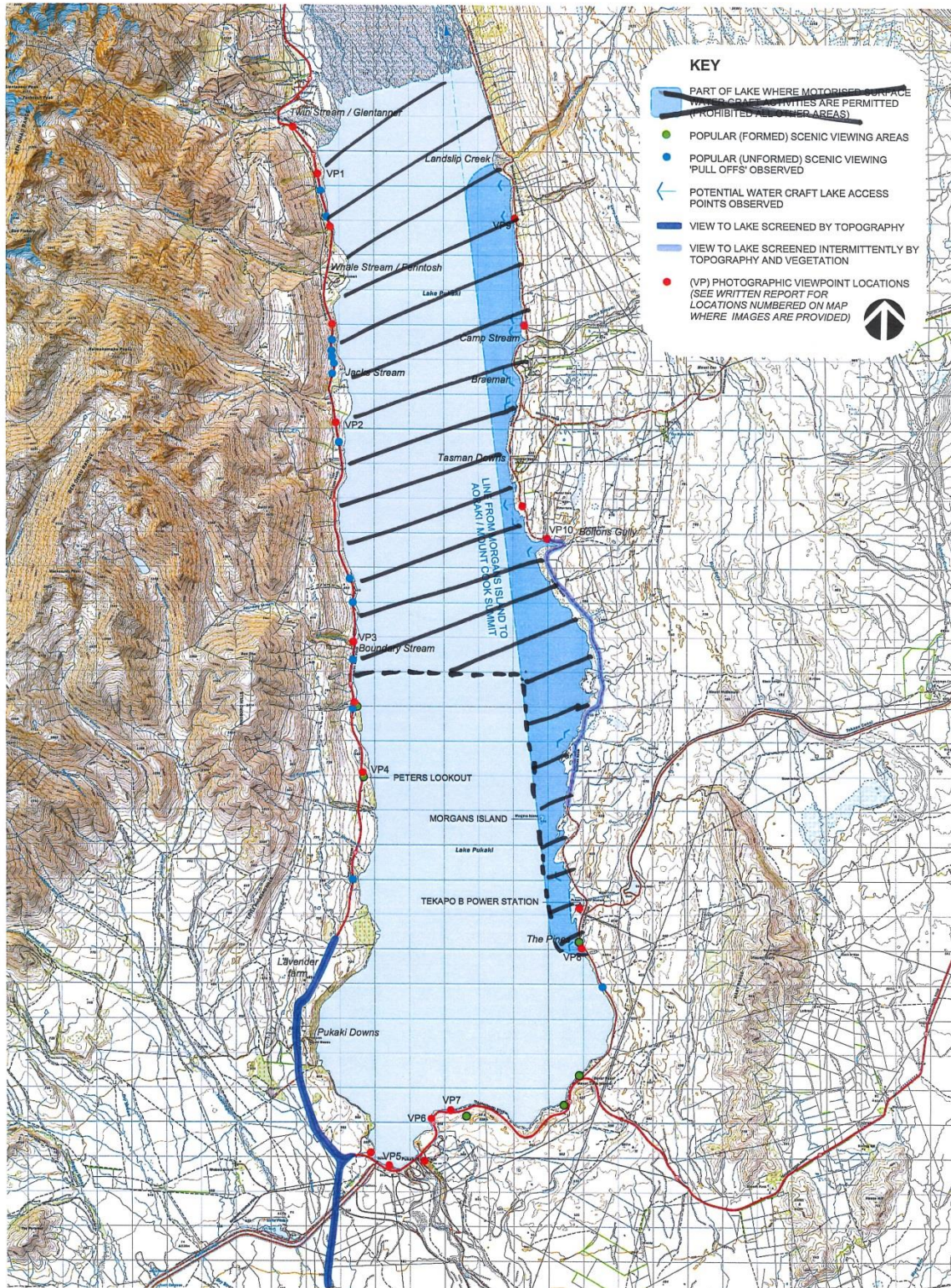
Amend the definition of commercial activities as follows:

**Commercial Activity:** means the use of land, water and buildings for the display, offering, provision, sale or hire of goods, equipment, or services, and includes shops, showrooms, travel and real estate agencies, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, recreational activities where are charge for profit is involved, the sale of liquor and associated parking areas; but excludes ~~recreational activities~~, community and service activities, home occupations not-for profit recreational activities and visitor accommodation. Notwithstanding that service activities are excluded, commercial activity includes the ancillary manufacturing or repair of goods which have the same or similar effect on the environment as the retailing of those goods.

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**CHANGES TO THE PLANNING MAPS**

**Insert the layer “Non-commercial motorised activity area” on Lake Pukaki as shown**



"Non-commercial motorised activity area"

APPENDIX 1  
PLAN CHANGE 19 ACTIVITIES ON OR WITHIN WATERBODIES (LAKE PUKAKI)

SCALE 1:250,000 @ A3, OCTOBER 26, 2018

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