

Report for Selwyn District Plan Review –

## **Review of District Plan Provisions Relating to Water**

Prepared for Selwyn District Council

By Stantec New Zealand Ltd

*July 2018*

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# Selwyn District Council

## Selwyn District Plan Review - Review of District Plan Provisions Relating to Water

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# 1. Introduction

The purpose of this report is to review the provisions relevant to water resources in Selwyn District in:

- the Operative Selwyn District Plan (the District Plan)
- the District Plans for two adjacent territorial authorities – Christchurch City Council and Hurunui District Council
- the Mahaanui Iwi Management Plan 2013

and, considering the Selwyn District Council's statutory obligations in relation to water management and the requirements and guidance of a series of other statutory documents relevant to water management, identify issues, gaps and opportunities in relation to the District Plan provisions. From this review, an approach to management of water within the context of the District Plan is then recommended.

## 2. Scope

The Water topic is closely interrelated with a number of other workstreams that are underway for the District Plan review. Table 2-1 outlines matters that are relevant to water but are being addressed in other workstreams, in order to define the scope of this report.

Table 2-1: Scope of Water baseline report

Matters relating to water	Covered in:
Rivers and streams in the coastal environment	Coastal topic
Effects of earthworks	Earthworks topic
Wetlands	Vegetation Clearance and Ecosystems topic
Mana whenua values	Water topic and Mana Whenua topic
Riparian margins	Water topic and Vegetation Clearance and Ecosystems topic
Flooding	Natural Hazards
Esplanade reserves and strips	Mechanism to require sits in Subdivision topic

## 3. Operative Selwyn District Plan water provisions

Water provisions are currently divided between the Township and Rural Volumes of the District Plan, with a slightly different focus in each volume.

### 3.1 Township Volume

Provisions relating to water are contained in two principal sections – B1.2 Water and B1.3 Ecosystems. Occasional references to managing effects of activities on water resources are also contained in provisions relating to such matters as utilities, transport (in relation to road and rail construction) and growth of townships.

Chapter B1.2 of the District Plan sets out the strategy for addressing issues relating to water. In townships the strategy is based on maintaining and improving water quality, as this is seen as the most significant water issue in Selwyn District. It was considered that the District Plan has a role in addressing this issue as it was not easily managed through just the issuing of resource consents (by Environment Canterbury) for discharges of contaminants. The description of the strategy states that the District Plan focus on maintaining and improving water quality is achieved by:

- requiring any proposed activity to demonstrate that it can be supplied with water supplies, and effluent and stormwater treatment and disposal, without adversely affecting the environment;
- requiring activities to have reticulated sewage treatment and disposal where the Regional Council will not issue discharge permits for on-site effluent disposal
- rules to manage effects of activities along the edge of waterbodies – earthworks; structures; hazardous substances

The strategy also notes that rules are included in the District Plan to manage effects of erecting structures across waterbodies and to require the taking of esplanade reserves for natural character and public access purposes (the latter linking to the two relevant policies in Chapter B1.3). Voluntary programmes to encourage riparian planting are also noted as a key tool to achieve the District Plan's strategy.

Objectives in Chapter B1.2 are wide ranging and aspirational, focused on maintaining or enhancing water quality, avoiding adverse effects on ground or surface water resources and wāhi tapu or wāhi taonga, maintaining or enhancing ecological and habitat values, and promoting public access.

Policies in Chapter B1.2 are divided into four groups:

- general: that relate to the provision of water supply, effluent and stormwater treatment and disposal systems so that adverse effects on water quality are avoided
- water supplies: that specify the expected quality of water supplies and the management of sewage collection and treatment to avoid adverse effects on groundwater quality (which is the principal source of drinking water in the district)
- other contaminants: addressing activities on the banks and margins of waterbodies and management of riparian margins (including the creation of esplanade reserves and strips), largely to address water quality issues, but also to maintain and enhance natural character and habitat values
- activities on the surface of waterbodies: that specify expectations for structures or moorings that pass across or over the surface of a waterbody to ensure they are constructed in ways that do not adversely affect the other values of waterbodies

Relevant policies are also contained in Chapter B1.3 Ecosystems in relation to protecting wetlands, rivers, streams and their margins from adverse effects on ecological values or natural character from rezoning, subdivision and subsequent activities, and to ensuring the maintenance and enhancement of public access.

In considering the District Plan in terms of provisions that may be appropriate as a result of the review process, it is useful to consider how the current provisions respond to the major themes in water management – water quantity, water quality, activities on the surface of waterbodies, natural character, public access, activities within riparian margins, and mana whenua values. Table 3-1 provides a summary of the existing policies in terms of those major themes. The complete text of the provisions is included in Appendix A.

Table 3-1: Township Volume water policies by theme

Theme	Policies
Water quantity	<ul style="list-style-type: none"> <li>• B1.2.2</li> </ul>
Water quality	<ul style="list-style-type: none"> <li>• B1.2.1, B1.2.2 (managing effects of township waters services on water)</li> <li>• B1.2.3, B1.2.4 (quality of drinking water)</li> <li>• B1.2.5, B1.2.6 (managing effects of sewage treatment and disposal on water quality, noting that B1.2.5 is an expansion of B1.2.1 and B1.2.2)</li> <li>• B1.2.7 (effects of activities in close proximity to waterbodies)</li> <li>• B1.2.8 (benefits of riparian planting for improving water quality)</li> <li>• B1.2.9 (creation of esplanade reserves or strips for water quality)</li> </ul>
Activities on the surface of waterbodies	<ul style="list-style-type: none"> <li>• B1.2.11 (managing effects of structures and moorings)</li> </ul>
Natural character	<ul style="list-style-type: none"> <li>• B1.3.3 (protecting water bodies from effects of development)</li> <li>• B1.2.9 (creation of esplanade reserves or strips for natural character)</li> </ul>
Ecological/habitat values	<ul style="list-style-type: none"> <li>• B1.2.8 (benefits of riparian vegetation for habitat values)</li> <li>• B1.2.9 (creation of esplanade reserves or strips for riparian vegetation)</li> <li>• B1.2.10 (effect of cleaning and maintaining waterbodies on riparian vegetation and aquatic life)</li> <li>• B1.3.3 (protecting water bodies from effects of development on ecological values)</li> </ul>
Public access	<ul style="list-style-type: none"> <li>• B1.3.4 (ensuring maintenance of public access)</li> </ul>

Theme	Policies
Activities within riparian margins	<ul style="list-style-type: none"> <li>• B1.2.9 (creation of esplanade reserves or strips for riparian vegetation)</li> <li>• B1.2.10 (effect of cleaning and maintaining waterbodies on riparian vegetation)</li> <li>• B1.3.3 (protecting water bodies from effects of development)</li> </ul>
Mana whenua values	No specific provisions in Water section, although more generic provisions elsewhere

Rules in the Township Volume relate primarily to water supply requirements, setbacks, management of surface water activities such as structures, and subdivision (in relation to requirements for esplanade reserves and esplanade strips)

## 3.2 Rural volume

Provisions relating to water are concentrated in Chapter B1.3 Water in the Rural Volume. Two policies are contained in Chapter B2.3 Community Facilities in relation to esplanade reserves and public access. Like the Townships Volume there are occasional mentions of water in other policies throughout the Rural Volume, such as in relation to waste disposal, and rural growth.

The strategy for water in the Rural Volume sets out a focus on three primary areas – ground and surface water, riparian margins and waterbodies, and activities on the surface of water, and is much more focused than the Township strategy. The strategy identifies that most of the management of groundwater and surface water is the responsibility of Environment Canterbury, but that the District Plan can contribute by managing activities near waterbodies to reduce the risk of accidental discharges, and by keeping the zones of influence from wells and septic tank discharges within property boundaries. A clear outline of the strategy for riparian margins and waterbodies and activities on the surface of water is provided as follows:

- Riparian margins and waterbodies:
  - Provisions to manage activities likely to affect the natural character of riparian margins (earthworks, structures, tree planting and hazardous substances)
  - Policies and rules to create esplanade strips to protect the natural character of waterbodies
- Activities on the surface of water:
  - Policies and rules to manage the use of motorised craft on small and medium lakes
  - Policies and rules to manage structures across the surface of water and permanent moorings
  - Monitoring activities on the Waimakariri and Rakaia Rivers

Objectives in the Rural Volume are also much more confined than in the Township Volume. They relate to managing the effects of land use on water quality, quantity, natural character and habitat values; protecting and enhancing ecological, landscape and amenity values of waterbodies; and mitigating adverse effects of structures or provisions for the storage or reticulation of rural water supplies.

Policies in Chapter B1.3 are divided into four groups:

- General: that express a desire to pursue integrated, catchment based approaches to water management in conjunction with Environment Canterbury, and that acknowledge the need to recognise and provide for the special interests of tangata whenua in relation to water resources
- Ground and surface water: that relate to ensuring sufficient allotment sizes in rural areas to contain water supply and wastewater disposal activities and their effects within each property, and to managing land to protect water resources (and provide the policy framework for the rules that follow)
- Riparian margins: five policies that relate to retention of vegetation, particularly indigenous vegetation; management of grazing in riparian margins; the management of large-scale earthworks, flood protection works, structures or tree planting to avoid riparian margins where possible, and that seek to ensure that where these activities do have to occur in riparian margins ensure legal public access is allowed, prevent introduction of weeds, mitigate effects on natural character, avoid effects on trout and salmon habitat; encourage landowner and community initiatives to enhance the natural character of riparian margins

- Wetlands: policies on creating esplanade reserves or strips on waterbodies (not just wetlands) for ecological, cultural, natural character and water quality reasons, managing recreational use of motorised craft on lakes in the District, monitoring activities in the Waimakariri Gorge, and an identical policy to the Township Volume about the management of structures across and on the surface of waterbodies

Policies in Chapter B2.3 provide the framework for creating esplanade reserves and strips for public access purposes.

As with the Township Volume policies it is useful to consider how the current policies fit within the framework of major themes for water management. This is illustrated in Table 3-2.

Table 3-2: Rural Volume water policies by theme

Theme	Policies
Water quantity	<ul style="list-style-type: none"> <li>• B1.3.3 (effects within property boundaries)</li> <li>• B1.3.4 (managing land to avoid, remedy or mitigate effects on water quantity)</li> </ul>
Water quality	<ul style="list-style-type: none"> <li>• B1.3.3 (effects within property boundaries)</li> <li>• B1.3.4 (managing land to avoid, remedy or mitigate effects on water quality)</li> </ul>
Activities on the surface of waterbodies	<ul style="list-style-type: none"> <li>• B1.3.12 (managing motorised craft on small lakes)</li> <li>• B1.3.13 (monitoring activities in the Waimakariri Gorge)</li> <li>• B1.3.14 (managing effects of structures and moorings)</li> </ul>
Natural character	<ul style="list-style-type: none"> <li>• B1.3.8 (managing activities in riparian margins)</li> <li>• B1.3.9 (encouraging landowner and community initiatives to enhance natural character of riparian margins)</li> </ul>
Ecological values	<ul style="list-style-type: none"> <li>• B1.3.4 (managing land to avoid, remedy or mitigate effects on aquatic habitat)</li> </ul>
Public access	<ul style="list-style-type: none"> <li>• B1.3.8 (managing activities in riparian margins)</li> <li>• B2.3.4 (negotiating public access)</li> <li>• B2.3.5 (creation of esplanade reserves, strips or other mechanisms for public access)</li> </ul>
Activities within riparian margins	<ul style="list-style-type: none"> <li>• B1.3.4 (managing land to avoid, remedy or mitigate effects on water quantity and aquatic habitat, including activities locating close to waterbodies)</li> <li>• B1.3.5 (retain vegetation)</li> <li>• B1.3.6 (utilise setbacks)</li> <li>• B1.3.7 (control grazing)</li> <li>• B1.3.8 (measure to take if activities in riparian margins cannot be avoided)</li> <li>• B1.3.9 (encouraging landowner and community initiatives to enhance natural character of riparian margins)</li> <li>• B1.3.11 (create esplanade strips to protect riparian margins)</li> </ul>
Mana whenua values	<ul style="list-style-type: none"> <li>• B1.3.2 (recognise special interests in water)</li> </ul>

Rules in the Rural Volume relate primarily to setbacks, stock exclusion, surface water activities and subdivision (in relation to requirements for esplanade reserves and esplanade strips) and to minimum land area for houses (relevant to managing the effects of on-site effluent disposal on water quality).

## 4. Statutory obligations for territorial authorities in relation to water management

### 4.1 Introduction

Territorial authorities' statutory obligations in relation to water management are contained in a number of pieces of legislation. In terms of the District Plan, the primary direction is provided by the Resource Management Act 1991 (the RMA). It is however, important to understand the other obligations on territorial



authorities in order to make informed choices about what are appropriate provisions for the District Plan and what should be dealt with in other statutory or non-statutory documents and strategies.

## 4.2 Resource Management Act 1991

Section 31 of the RMA outlines the functions of territorial authorities. Those relevant to water are:

- The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district (s31(1)(a))
- The control of any actual or potential effects of the use, development, or protection of land... (s31(1)(b))
- The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes
- The control of subdivision (s31(2)) – where provisions cover matters such as requirements for water supply and wastewater and stormwater disposal for the allotments created.

Table 4-1 contrasts these functions with those of regional councils under section 30 of the RMA.

Table 4-1: Territorial authority and regional council RMA functions in relation to water

Territorial authorities (s31)	Regional councils (s30)
The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district (s31(1)(a))	The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the natural and physical resources of the region (s30(1)(a))
The control of any actual or potential effects of the use, development, or protection of land... (s31(1)(b))	The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance (s30(1)(b))
	The control of the use of land for the purpose of: <ul style="list-style-type: none"> <li>• The maintenance and enhancement of the quality of water in water bodies and coastal water (s30(1)(c)(iii))</li> <li>• The maintenance of the quantity of water in water bodies and coastal water (s30(1)(c)(iii))</li> <li>• The maintenance and enhancement of ecosystems in water bodies and coastal water (s30(1)(c)(iii)(a))</li> </ul>
	The establishment, implementation, and review of objectives, policies and methods for maintaining indigenous biodiversity (s30(1)(ga))
	The strategic integration of infrastructure with land use through objectives, policies and methods (s30(1)(gb))
The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes	
	The control of the taking, use, damming and diversion of water, and the control of the quantity, level and flow of water in any water body, including: (s30(1)(e)) <ul style="list-style-type: none"> <li>• The setting of any maximum or minimum levels of flows of water</li> </ul>
	The control of discharges of contaminants into or onto land, air, or water and discharges of water into water (s30(1)(f))
	If appropriate, the establishment of rules in a regional plan to allocate: (s30(1)(fa)) <ul style="list-style-type: none"> <li>• The taking or use of water</li> </ul>

Territorial authorities (s31)	Regional councils (s30)
	<ul style="list-style-type: none"> <li>• The taking or use of heat or energy from water</li> <li>• The capacity of water to assimilate a discharge of a contaminant</li> </ul>

Under section 13 of the RMA various activities in the beds of rivers and lakes may not be carried out unless there is a rule that permits the activity in a regional plan, or a resource consent is held. While not explicit in section 30, regional councils therefore control the majority of the activities in river and lakes beds.

As can be seen from Table 4-1 there are at least two areas of overlap between the functions of territorial authorities and regional councils with respect to water. Under section 31(1)(a) and section 30(1)(a) both councils have responsibility for integrated management. The regional council's authority can be considered to be wider because it encompasses the integrated management of natural and physical resources, of which land (and the effects of the use, development or protection of that land by territorial authorities) is one part. There is therefore a clear need for communication and understanding between territorial authorities and regional councils when preparing plans, to ensure that they do not unnecessarily overlap or duplicate.

Under section 31(1)(b) and section 30(1)(b) both territorial authorities and regional councils also have the function of the preparation of objectives and policies in relation to actual or potential effects of the use, development or protection of land. Where a regional council identifies an issue of regional significance and includes it within the regional policy and planning framework, territorial authorities will need to both avoid overlap and duplication, and also include whatever provisions are necessary in the district plan to give effect to the regional policy statement and not be inconsistent with a relevant regional plan (see section 5 of this report for a further discussion of this matter).

Apart from these areas of overlap sections 30 and 31 of the RMA clearly differentiate the functions of territorial authorities and regional councils. The majority of the functions rest with regional councils, and provisions relating to water in district plans would therefore be expected to be a relatively minor component of the plan framework.

Other relevant sections of the RMA include the requirement under section 73 to prepare a district plan, which must give effect to the regional policy statement, and the requirement under section 75 of the RMA that the district plan must give effect to any national policy statement, any New Zealand Coastal Policy Statement; and must not be inconsistent with a water conservation order or a regional plan.

## 4.3 Local Government Act 2002

The Local Government Act 2002 (the LGA) is the principal legislation under which a territorial authority carries out many of its functions. Section 10 of the LGA defines the purpose of local government as being to, among other things, meet the current and future needs of communities for good quality local infrastructure.

In performing its role, under section 11A of the LGA a local authority must have particular regard to the contribution of network infrastructure (which includes water supply) to local communities. Territorial authorities must also assess the provision of water services under section 125 of the LGA, with the purpose of these assessments being (section 126 LGA) to assess, from a public health perspective, the adequacy of water services, in light of:

- The health risks to communities arising from the absence of, or deficiency in, water or other sanitary services; and
- The quality of services currently available to communities within the district; and
- The current and estimated future demands for such services; and
- The extent to which drinking water provided by water supply services meets applicable regulatory standards; and
- The actual or potential consequences of stormwater and sewage discharges within the district.

Local government must also continue to provide those water services that were in operation when s130 of the LGA came into effect.

## 4.4 Health Act 1956

Of relevance to water resources, section 23 of the Health Act 1956 outlines that it is the duty of every local authority to improve, promote and protect public health within its district. This duty is then delivered in part by territorial authorities under the LGA through the provision of public water, sewage collection and disposal and stormwater collection and disposal services.

## 4.5 Building Act 2004 and Building Code

The Building Act 2004 and the Building Code specify the requirements for provision of water supply, sewerage and stormwater services to buildings.

## 4.6 Summary

The principal obligation on territorial authorities in terms of District Plan provisions relating to water therefore arises as a result of the RMA. While other pieces of legislation impose statutory obligations on territorial authorities, they do not necessarily need to be included in District Plans if they can be delivered using some other mechanism.

In terms of the RMA requirements, as discussed above section 31 of the RMA is relatively opaque in terms of what it means for water resources within the District, and there is a considerable area of overlap between section 31(1)(a) and section 30(1)(a) in terms of the respective functions of territorial authorities and regional councils. In order to determine what should be included in a District Plan, the directions of the hierarchy of documents that sit under the RMA are helpful, noting that district plans must give effect to national policy statements, the NZCPS and the regional policy statement. This hierarchy of documents is discussed in section 5 below.

# 5. Statutory documents

## 5.1 Introduction

As noted in Section 4.6 above, understanding the hierarchy of statutory documents and the effect they each have on the provisions of a District Plan is vital to understanding what must versus what should versus what could be included in a District Plan.

In terms of the Selwyn District Plan a significant number of other documents will have an effect on the provisions relating to water that could be contained in the District Plan. The sections that follow provide a broad summary of those documents, grouped in terms of the statutory direction that they provide to the District Plan. Figure 5-1 provides an illustration of this section of the baseline report.

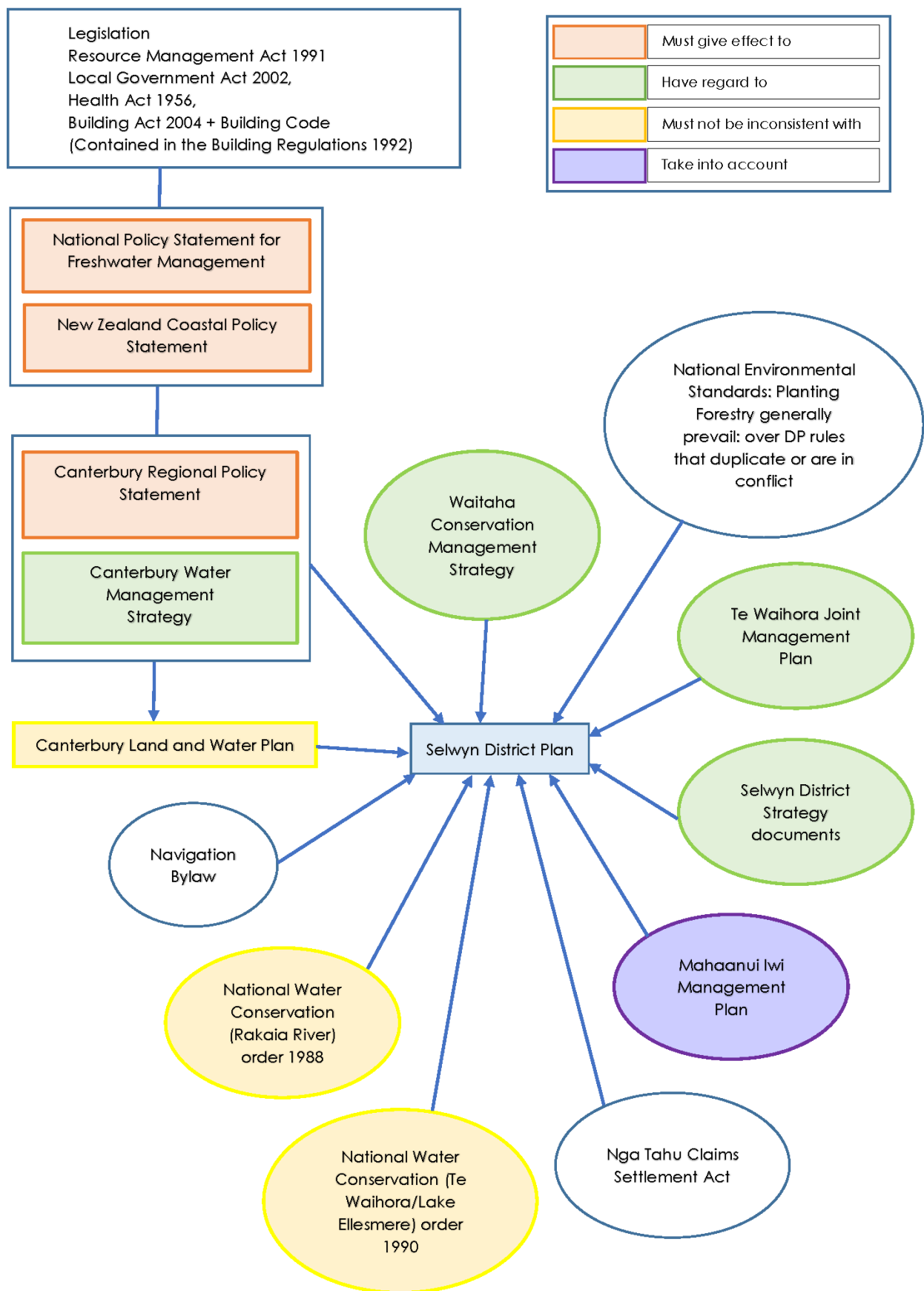


Figure 5-1: Relationship of statutory documents relating to water and the Selwyn District Plan

## 5.2 Statutory documents the Selwyn District Plan must give effect to

Section 75(3) of the RMA states that a district plan must give effect to:

- Any national policy statement;
- Any New Zealand coastal policy statement;
- A national planning standard; and
- Any regional policy statement

In relation to the Water topic of the Selwyn District Plan review, the District Plan will have to give effect to the National Policy Statement on Freshwater Management 2014 (amended 2017) (the NPS-FM) and the Canterbury Regional Policy Statement 2013. As at the date of writing this report, there are no national planning standards, although the first set of standards is due to be publicly notified in June 2018. This first set of standards is proposed to relate to a number of plan structure topics and so is unlikely to be of direct relevance to technical matters relating to management of water resources in the District.

There are a number of rivers and streams that run to the coast south of Taumutu that will be located within the coastal environment. While the New Zealand coastal policy statement will therefore be relevant to these rivers and streams, this is being dealt with through the Coastal topic for the District Plan review project, and so is not covered further in this report.

### 5.2.1 National Policy Statement for Freshwater Management 2014 (amended 2017)

The NPS-FM sets out objectives and policies that focus on:

- recognising Te Mana o te Wai (the integrated and holistic well-being of a freshwater body) in the management of fresh water;
- maintaining and improving water quality;
- avoiding overallocation, improving and maximising efficient allocation and use of water and safeguarding its life-supporting capacity;
- improving integrated management of fresh water and the use and development of land;
- establishing a national objectives framework, monitoring progress, and accounting for freshwater takes and contaminants; and
- providing for the involvement of iwi and hapū, and ensuring tangata whenua values and interests are identified and reflected in the management of fresh water.

While many of the objectives and policies relate to the functions of regional councils, those covering integrated management, and tangata whenua roles and interests will be of relevance to Selwyn District Council. The objective and policy in relation to Te Mana o te Wai is directed to regional councils and requires changes to regional policy statements and regional plans to consider and recognise Te Mana o te Wai, however as it is a holistic concept, the District Plan will also need to consider how to manage water resources with respect to Te Mana o te Wai.

Objectives relating to the management of the use and development of land to safeguard water will also be relevant to the Selwyn District Council, but will need to be implemented in the District Plan in close co-ordination with Environment Canterbury in order to avoid overlap and duplication.

### 5.2.2 Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement (the CRPS) became operative in January 2013. The CRPS recognises that water bodies have important natural character, ecological, cultural, recreational, amenity and aesthetic values, and support a variety of economic and social activities associated with these values. The CRPS outlines a number of anticipated environmental results:

- water quality and quantity for community water and stockwater supplies are safeguarded;
- water quality at locations used for customary uses or recreation and the health of freshwater ecosystems is maintained or improved;

- the natural character of Canterbury's braided river systems and natural lakes is protected from inappropriate subdivision, use and development;
- the cultural significance of fresh water to Ngāi Tahu as tāngata whenua is better recognised and incorporated in the management of fresh water, including recognising the exercise of kaitiakitanga and customary use;
- integrated management of fresh water is integrated within the community and across all management organisations;
- a shift to the harvest and storage of water for irrigation and improved reliability of supply;
- potential output of hydro-electricity generation from the region is maintained or enhanced, including providing opportunities for additional renewable energy generation output to be provided.

Chapters 7, 9 and 10 of the CRPS focus on water and waterbodies. The policies contained therein are implemented by a series of methods, including a number that provide direction to territorial authorities. A complete list of those methods is contained in **Appendix B**. In summary:

- Methods relating to water quantity direct territorial authorities to provide for certain uses of water as a priority during times of water shortage; to identify requirements for existing or additional community and municipal drinking water or stockwater supplies; and to consider access to water supplies when developing rural subdivision provisions. Local authorities (so the region's district councils and Environment Canterbury) are directed to have regard to the recommendations of zone water management committees, and to consider the effects of changes in land uses resulting from zoning land on land drainage and stormwater disposal
- Methods relating to water quality all provide direction for a combined approach between the region's district councils and Environment Canterbury, including supporting the zone water committees, supporting industry-led guidelines, codes of practice and environmental accords, and working together to consider the effects of land use on water quality
- A similarly joint approach is adopted under the RPS to natural character, focusing on identifying and then managing areas with high natural character (which will include some waterbodies)
- In relation to fresh water environments and biodiversity, methods in the RPS direct a joint approach from the region's local authorities to identify and protect specific sites and areas, and have regard to the recommendations of zone water management committees to protect, restore or enhance degraded lakes, rivers, wetlands and riparian areas
- The RPS includes methods relating to riparian zones that direct territorial authorities to set out provisions to control the effects of inappropriate subdivision, use, development or protection of land in riparian zones, and to work together with Environment Canterbury and Ngāi Tahu to identify values of riparian zones and how activities should be managed to acknowledge those values
- Provisions relating to public access are consistent with requirements under s6 of the RMA that public access be maintained and enhanced, and place obligations on both territorial authorities and Environment Canterbury, so that a joint approach is taken
- The RPS also contains methods that support integrated management of water and the effects of land use

Many of the methods make reference to the work of the Regional Water Management Committee and the Zone Water Management committees under the Canterbury Water Management Strategy (the CWMS). While the CWMS is not a statutory document that the District Plan must give effect to, the methods of the CRPS in many ways elevate it to this status.

### 5.2.3 Canterbury Water Management Strategy

The CWMS has been developed to foster a collaborative approach to managing water within the region, bearing in mind the many and often competing values and uses of water in Canterbury. As the CRPS notes:

*'The CWMS is based on a concept of total or holistic management of water; environmental protection and restoration or enhancement proceeds in parallel with abstraction and use of water, greater efficiency in water use, and, where appropriate, developing water storage and distribution infrastructure'.*

The CWMS recognises declining water quality, a loss of cultural and recreational use and less reliable water for farming as issues that need to be addressed. The CWMS also acknowledges that the old ways of managing water in the region are not working and that developing the economy needs to be balanced with the protection of the environment. The CWMS aims to:

- protect and enhance water quality;
- protect and restore ecosystems and habitats;
- ensure that Ngāi Tahu will be increasingly able to exercise kaitiakitanga and rangatiratanga, and that their right to do so will be well recognised;
- ensure that the water management system will be better able to adapt to climate change in the future;
- improve opportunities for recreation and return them to those areas where they are now missing; and
- improve opportunities for tourism activities.

The Selwyn-Waihora Zone Committee has a Zone Implementation Programme (ZIP) that covers five key areas of work: nutrient and water management; water supply; Te Waihora and lowland waterways; braided rivers/upper plains/high country; and biodiversity. The ZIP covers the majority of the land in Selwyn District. Figure 5-2 on the following page shows the current goals, pathways and anticipated outcomes of the Zone Implementation Programme.

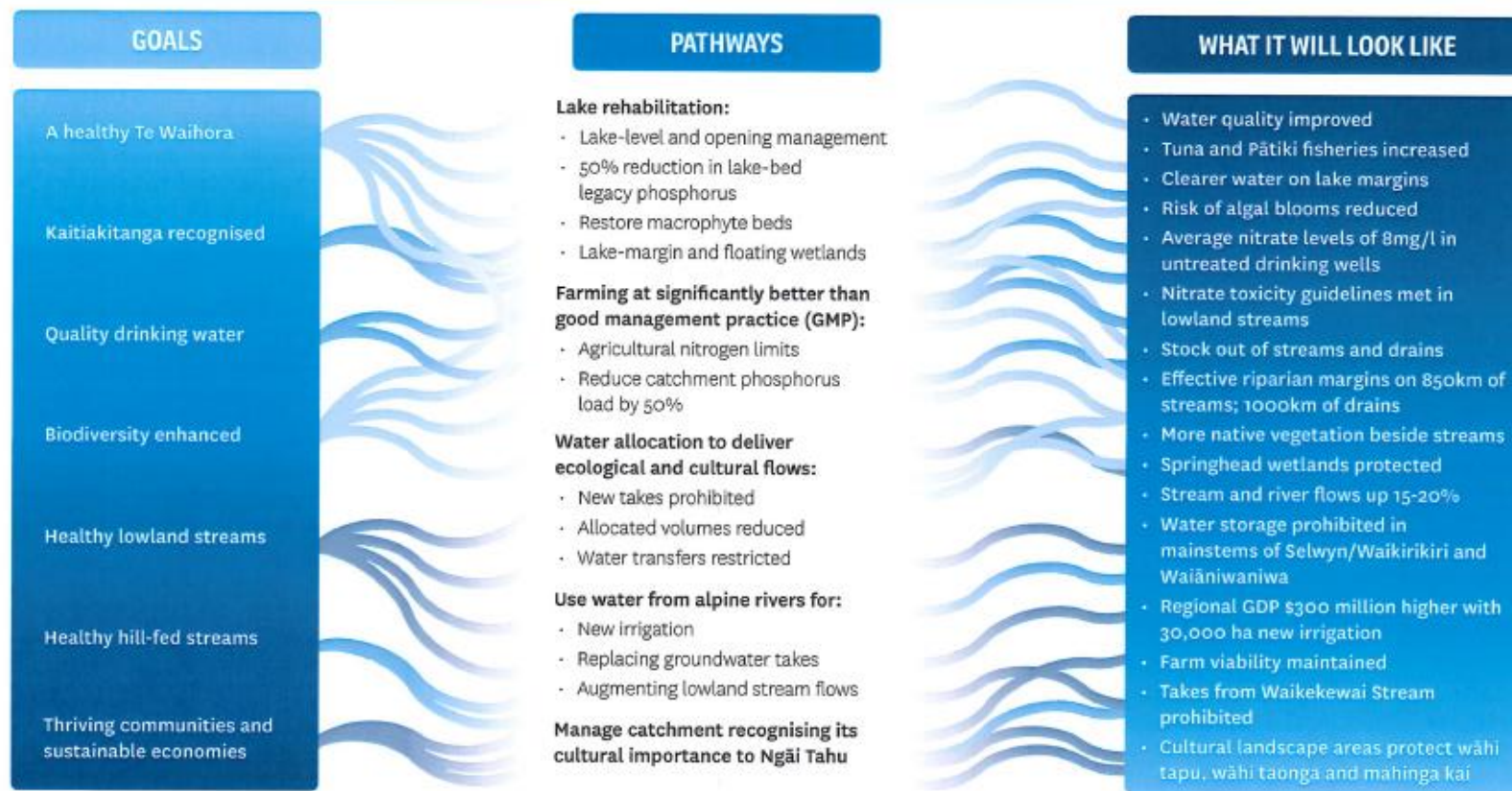
The Christchurch-West Melton ZIP is also relevant as it covers a small area of Selwyn District, in the north of the District against the Waimakariri River. The ZIP identifies five priority issues: safeguarding groundwater quality and flows for multiple uses; enhancing and managing waterways for recreation, relaxation and amenity; improving surface water quality and safeguarding water flows; enhancing degraded ecosystems, indigenous biodiversity, valued introduced species and landscapes; and making efficient use of water and managing demand.

While most of the actions to implement the ZIPs are the responsibility of Environment Canterbury, where assistance can be provided through the District Plan it should be.



# Selwyn Waihora ZIP Addendum

## GOALS, PATHWAYS AND OUTCOMES



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Figure 5-2: Selwyn Waihora Zone Implementation Programme Addendum



## 5.3 Statutory documents the Selwyn District Plan must not be inconsistent with

### 5.3.1 Canterbury Land and Water Regional Plan

The purpose of the Canterbury Land and Water Regional Plan (the CLWRP) is to identify the resource management outcomes or goals for managing land and water resources in Canterbury to achieve the purpose of the RMA. Sections 3 and 4 of the CLWRP contain objectives and policies. Section 5 contains region-wide rules. Sections 6 – 15 contain sub-regional rules that apply to specific geographic areas of the region, with Section 9 (Christchurch-West Melton) and Section 11 (Selwyn-Te Waihora) being relevant to Selwyn District.

The primary focus of the CLWRP is on the integrated management of land and water. As such, there is considerable potential for overlap between the CLWRP and the District Plan, and the CLWRP notes that *'Close co-operation is needed between the Regional Council and district councils in relation to the respective regional and district plans to ensure complementary approaches that avoid duplication'*.<sup>1</sup> Part of the purpose of this baseline report is to assess the potential for duplication and advise the Selwyn District Council on how to avoid it in relation to District Plan provisions relating to water.

Relevant objectives:

- Objective 3.1 – Land and water are managed as integrated natural resources to recognise and enable Ngāi Tahu culture, traditions, customary uses and relationships with land and water
- Objective 3.2 - Water management applies the ethic of ki uta ki tai – from the mountains to the sea – and land and water are managed as integrated natural resources recognising the connectivity between surface water and groundwater, and between fresh water, land and the coast
- Objective 3.5 - Land uses continue to develop and change in response to socio-economic and community demand
- Objective 3.14 – High naturalness waterbodies and hapuā **and their margins** are maintained in a healthy state or are improved where degraded (emphasis added)
- Objective 3.17 – The significant indigenous biodiversity values of rivers, wetlands and hapuā are protected.
- Objective 3.19 – Natural character values of freshwater bodies, including braided rivers **and their margins**, wetlands, hapuā and coastal lagoons, are protected (emphasis added)

Relevant policies and region-wide rules:

- Most policies relate to Environment Canterbury functions under section 30 of the RMA
- Those where there is potential for overlap with the District Plan include policies in relation to nutrient management, wetlands and riparian margins and livestock exclusion from waterbodies<sup>2</sup> and in relation to rules covering vegetation clearance and earthworks in close proximity to waterbodies

Christchurch-West Melton Sub-region:

- The Christchurch-West Melton sub-regional policies and rules cover the same area as the Zone Implementation Programme identified above, i.e. a small area in the north of the district bordering the Waimakariri River;
- Policy 9.4.1 relates to protecting the high quality groundwater sources available to Christchurch City, including by controlling land use activities that pose a risk to that groundwater. Activities are controlled by Rules 5.175 – 5.178, where excavation of more than 100m<sup>3</sup> of material that does not leave more than 1m of undisturbed material over the seasonal high water table, and deposition of material where

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<sup>1</sup> Environment Canterbury, *Canterbury Land and Water Plan*, 2015, p27.

<sup>2</sup> The CLWRP also includes a series of objectives and policies in relation to the management of activities in the beds of rivers and lakes. While there is a potential overlap of council functions here, with s9 of the RMA allowing Selwyn District Council to control the effects of the use of land (and river and lake beds being defined by the RMA as land) and s13 allowing Environment Canterbury to control the use of river and lake beds, this Water Baseline Report recommends a clear delineation of functions. Provisions relating to river and lake beds are therefore not classified as an overlap in this report.

the depth of excavation is less than 5m above the seasonal high water table, requires resource consent.

Selwyn-Te Waihora Sub-region:

- The Selwyn-Te Waihora sub-region covers the rest of Selwyn District. The CLWRP gives priority to the outstanding values of the lake and recognises the sensitivity of Te Waihora as a receiving environment, through the careful management of activities that have a direct influence on lake health, and the relationship of Ngāi Tahu with the lake;
- The CLWRP establishes a Cultural Landscape/Values Management Area that covers Te Waihora, its margins, wetlands, springs and tributaries and seeks to manage the area as one integrated system, supported by rules that *inter alia* require the exclusion of stock from lakes, rivers, wetlands and surface drains carrying water;
- A series of policies relate to the management of farming activities within the sub-region, to reduce discharges of nitrogen, phosphorus, sediment and microbial contaminants, with the policies supported by a suite of rules to control the use of land for a farming activity within the sub-region

### 5.3.2 National Water Conservation Orders

Te Waihora/Lake Ellesmere

The National Water Conservation (Te Waihora/Lake Ellesmere) Order 1990 recognises that Te Waihora/Lake Ellesmere has or contributes to the following outstanding amenity or intrinsic values which need protection:

- Habitat for wildlife, indigenous wetland vegetation and fish; and
- Significance in accordance with tikanga Maori in respect of Ngāi Tahu history, mahinga kai and customary fisheries.

Various provisions are included to preserve and protect these values. While those provisions primarily relate to regional council functions, clause 6 notes that a resource consent shall not be granted under section 9 of the Act (relating to land use) if the effect would be that the provisions of the water conservation order could not be observed. Implicitly therefore, consents that would not ensure that the values listed above were protected could not be issued by the District Council for land use activities close to the lake. Clause 5 relates to damming or draining land of the lake bed below 1.2msl and has resulted in rules being included within the Christchurch District Plan to control some activities. A similar approach may therefore be required within the Selwyn District Plan.

Rakaia River

The National Water Conservation (Rakaia River) Order 1988 recognises that the Rakaia River and its tributaries include and provide for:

- An outstanding natural characteristic in the form of a braided river;
- Outstanding wildlife habitat above and below the Rakaia Gorge, outstanding fisheries, and outstanding recreational, angling, and jet boating features.

Various provisions are included to preserve and protect these values. While those provisions primarily relate to regional councils functions (such as maintaining the flows and levels of the river and its tributaries, and preventing damming of the river), clause 9(1) of the order states that resource consents shall not be granted in respect of any part of the river or its tributaries for the purposes of facilitating agricultural encroachment into those waterbodies. Equivalent to the Te Waihora/Lake Ellesmere order, clause 9(3) states that resource consents shall not be granted if that means that the provisions of the water conservation order could not be observed. Implicitly therefore, consents that would not ensure that the values listed above were protected could not be issued by the District Council for land use activities close to the river or its tributaries. However, an exemption is provided from this restriction to allow the diversion, taking and discharging of water to enable Selwyn District Council to continue to provide for its rural water supply in accordance with the current resource consent.

### 5.3.3 Waimakariri River Regional Plan

The Waimakariri River Regional Plan 2004 (the WRRP) controls use of water in the Waimakariri River, its tributaries and hydraulically connected groundwater; point and non-point source discharges of contaminants to water bodies (except for the Styx River catchment) in the Waimakariri River catchment;

and land use activities in the beds of rivers and lakes in the Waimakariri River catchment. The WRRP sets out four key aims for the District Plan:

- That it consider the effects of any activity or use of the land on the water quality of surface water bodies;
- That when considering the creation and management of esplanade reserves, an evaluation should be undertaken of the advantages of these for maintaining or improving water quality in surface water bodies;
- Where appropriate, the District Plan should provide for development set-backs from rivers, lakes and wetlands; and
- Where appropriate, the District Plan should provide for the preservation or creation of riparian strips, and for their management, to reduce contaminants entering surface water bodies.

Provisions in section 5.3.4 of the WRRP require councils to consider the effects of any activity or use of land on water flow, water level and water allocation regimes, including for example proposals to establish land use activities requiring large quantities of water in water short areas, and activities which affect natural flows above Woodstock. Some provisions in section 7.3.4 address the creation of esplanade reserves.

## 5.4 Statutory documents the Selwyn District Plan must have regard to

### 5.4.1 Selwyn District Strategy Documents

Various strategies and plans prepared by Selwyn District Council under legislation other than the RMA may also have an impact on the District Plan. This section of the report provides a brief summary of each relevant document.

#### *Selwyn 2031: District Development Strategy*

The purpose of Selwyn 2031: District Development Strategy (Selwyn 2031) is to provide an overarching strategic framework for achieving sustainable growth across the District to 2031.

Selwyn 2031 recognises that continuing along the path for managing water as it was in 2014 when the strategy was adopted will lead to unacceptable environmental, social, cultural and economic outcomes. Selwyn 2031 is focused on managing urban growth in the District, while ensuring that the Selwyn community lives within its available resources of water, land and energy. It therefore considers where development should be focused and the patterns of land use that should be invested in for a better future, and whether there are areas where development should be discouraged or prevented in order to retain the quality of natural environments. One of the key strategic directions for Selwyn District is to sustainably manage the District's rural and natural resources, including exploring opportunities for enhancing natural resources while managing the effects of urban growth.

Actions under Selwyn 2031 include reviewing the provision of drinking water supplies and wastewater treatment and disposal networks to ensure they recognise and appropriately provide for project population growth, integrating infrastructure with land development, and preparing area plans with respect to water supply and wastewater provisions where further strategic planning is needed (such as in Ellesmere and Malvern). Of particular relevance to water, Selwyn 2031 notes the following actions:

- Undertake a review of the role of water races and the impacts of the land drainage network, including impacts on tangata whenua values, as part of managing urban growth;
- Recognise relationships and practices of Mana whenua as kaitiaki over land, wāhi tapu and other taonga;
- Continue to develop Integrated Stormwater Management Plans in partnership/cooperation with Te Taumutu Rūnanga;
- Seek to improve water quality of the district's lakes and rivers, particularly Te Waihora/Lake Ellesmere, through education and awareness, encouraging appropriate planting along water races and drains and engaging Te Taumutu Rūnanga in the water race/drain network's development and maintenance;
- Give consideration to the Canterbury Water Management Strategy and the implementation of the Zone Implementation Programme (ZIP) and ZIP Addendum in Council policy development to help facilitate the maintenance of habitats and ecosystems to protect indigenous biodiversity.

### *Ellesmere and Malvern Area Plans*

The Ellesmere Area Plan (the EAP) and the Malvern Area Plan (the MAP) were adopted in September 2016. The purpose of both plans is to provide high-level planning direction to guide the growth and sustainable management of each township in the Ellesmere and Malvern Areas through to the year 2031.

The EAP covers an area of Selwyn District bounded by the Waikirikiri/Selwyn River, Te Waihora/Lake Ellesmere and the Rakaia River, and stretching inland to just west of Te Pirita. The EAP focuses on the main settlements in the area – Dunsandel, Doyleston, Leeston, Southbridge and the Rakaia Huts, identifying issues and opportunities for sustainable growth. Key methods to address identified issues that are relevant to water include:

- Recognising the mahinga kai and ecological habitat values of all water bodies (including drains and water races);
- Ensuring wastewater and stormwater treatment and disposal options are focused around the use of land rather than discharges to water;
- Recognising that Te Waihora/Selwyn catchment is over-allocated for water abstraction, and ensuring townships are efficient in their water use, and that demand for water supplies can be accommodated within catchment allocation limits for surface water and groundwater;
- Encouraging efficient use of water in urban areas and removing any bureaucracy that discourages water efficient development, e.g. re-using greywater and on-site rainwater storage;
- Requiring buildings to be set back a sufficient distance from waterways to allow for riparian management and access, and to reduce the demand for in-stream flood protection and erosion works

The MAP covers an area that abuts the Ellesmere Area Plan but also stretches northwards to the Waimakariri River. From this south-eastern boundary the area covered by the MAP extends to the west across the Selwyn District to the district boundary in the Southern Alps. Like the EAP, the MAP focuses on the main settlements in the area – Arthurs Pass, Castle Hill, Lake Coleridge, Springfield, Sheffield, Waddington, Whitecliffs, Coalgate, Glentunnel, Hororata, Darfield and Kirwee, and identifies issues and opportunities for sustainable growth in each of the settlements. Similar methods to those adopted in the EAP and as summarised above are included in the MAP.

### *5 Waters Strategy and Activity Management Plan*

The 5 Waters service provides clean safe to drink water for households and removal of wastewater and rain water in a way that protects the health of the population and natural environment. The 5 Waters Strategy also provides river water for livestock and drains certain land so that it is usable. The aim of the 5 Waters Strategy and Activity Management Plan is to ensure that the service provided:

- Protects health and property;
- Is cost-effective;
- Meets reasonable needs;
- Is fairly priced.

In order to achieve this, 5 Waters activities need to be managed in a way that avoids, remedies or mitigates their potential adverse effects on the environment. Relevant to the Water topic for the District Plan, the 5 Waters Strategy for example encourages open stormwater systems with accompanying riparian vegetation and tree planting (as opposed to a piped network) to reduce the carbon footprint of the service and to treat stormwater before it enters streams and waterways.

### *Open Spaces Strategy 2015*

The purpose of the Open Spaces Strategy is to set the direction for provision of an open space network that will meet the District's needs for the next 30 years. The key themes of the Strategy which relate to water are:

- Supporting public access to rivers and water bodies where it is safe and practical;
- Protecting water bodies;

- Providing riparian margins;
- Supporting recreation and ecological linkages provided by water margins;
- Improving access to Te Waihora/Lake Ellesmere (and tributaries) for water based recreational activities; and
- Working in partnership with Ngāi Tahu and involving local rūnanga in initiatives particularly associated with waterways and Te Waihora.

In order to achieve this, the Strategy notes that Council will seek, through the subdivision process, to provide riparian margins, through obtaining either esplanade reserves or strips where the waterway is of strategic importance.

#### *Community Facilities Activity Management Plan*

The Community Facilities Activity Management Plan recognises reserves and open spaces as an important opportunity to conserve and enhance the natural environment, rural landscape character and heritage features, including access to waterways. The plan sets out a number of community outcomes which include:

- Water being kept in a healthy condition by recognising open space and conservation areas providing environmental protection of riverbanks and lake margins;
- Taking opportunities to preserve important ecosystems via land acquisition in subdivision and along waterways;
- Monitoring adjacent water bodies and water supplies for contamination from building effluent disposal systems;
- Preventing contamination of groundwater and water bodies from quarry activities through resource consent and monitoring of conditions;
- The need to consult iwi on activities that affect water;
- Providing for activities on the surface of rivers or lakes such as water skiing, fishing, boating and kayaking within Lakeside Domain; and
- Taking land for reserves to protect ecosystems and waterways from degradation.

### **5.4.2 Canterbury (Waitaha) Conservation Management Strategy**

The Canterbury (Waitaha) Conservation Management Strategy 2016 identifies the following key issues for conservation in Canterbury that are relevant to water resources:

- Enabling Ngāi Tahu rangatiratanga and kaitiakitanga to be exercised in relation to ngā taonga tuku iho (treasured resources) in the takiwā;
- Halting the degradation of freshwater ecosystems and threats to their indigenous species and sports fish;
- Valuing the history and historic sites on public conservation waters.

The objectives and policies which relate to water aim to provide for access and recreational opportunities, ensure waterways have healthy ecosystems and good water quality, recognise Ngāi Tahu values in relation to water and involve them in decision making, allow Ngāi Tahu to undertake kaitiakitanga responsibilities and customary practices as well as protecting Ngāi Tahu values, protect freshwater fisheries including fish habitat and fish passage, and ensure that historic and cultural heritage is valued by people. The objectives and policies guide the conservation work undertaken by the Department of Conservation in Canterbury and it input into regional and district plans and policies.

### **5.4.3 Te Waihora Joint Management Plan**

The Te Waihora Joint Management Plan (the Plan) is a statutory joint land management plan between the Crown and Iwi, prepared by Te Rūnanga o Ngāi Tahu with advice from the Te Waihora Management Board (local Papatipu Rūnanga representatives) and the Canterbury Conservancy of the Department of Conservation, under the Ngāi Tahu Claims Settlement Act 1998. The Plan applies to the area specified within it and as shown in Figure 3 of the Plan (see Figure 5-3 below).



Figure 3: Te Waihora Joint Management Plan Area and Localities



Figure 5-3: Te Waihora Joint Management Plan area boundary

The Plan recognises that human-induced change in the catchment has led to the decline of water quality. The Plan sets out information on the values of Te Waihora to provide an understanding of the associations Ngāi Tahu and other New Zealanders have with Te Waihora and the Te Waihora environment. The Plan also sets out policies and methods for the future management of the area covered by the Plan. The Plan contains 114 policies and 195 methods, many of which will be relevant to the District Plan. Those relating to water (Ngā Wai) are particularly relevant, but the Plan needs to be considered as a whole in terms of its interaction with the District Plan.

## 5.5 Statutory documents the Selwyn District Plan must take into account

### 5.5.1 Mahaanui Iwi Management Plan

The Iwi Management Plan (IMP) provides a statement of Ngāi Tahu objectives, issues and policies for natural resource and environmental management. Ngāi Tahu want effective recognition of kaitiakitanga in natural resource management and governance processes. There are a number of relevant objectives in the IMP which relate to water. These include that: water quality and quantity enables customary use; water and land are managed as interrelated resources; mauri and mahinga kai are recognised as key cultural and environmental indicators of the cultural health of water; and all waterways have a healthy functioning riparian zone and are protected from inappropriate activities. The IMP also seeks to ensure that water management effectively provides for the taonga status of water, the Treaty partner status of Ngāi Tahu, the importance of water to cultural well-being, and the specific rights and interests of tangata whenua in water.

### 5.5.2 Ngāi Tahu Freshwater Policy

There are a number of issues, objectives and policies within this document which relate to the management of freshwater. Some of the relevant objectives and policies are:

- To afford total protection to waters that are of particular spiritual significance to Ngāi Tahu by:
  - Identifying sites for immediate protection because of their significance as wāhi tapu
  - Agreeing objectives, policies and methods to protect sites identified by rūnanga.
- Restore, maintain and protect the mauri of freshwater resources by:
  - Identifying those freshwater resources where mauri is unaffected so that total protection can be afforded to them, and those where mauri is adversely affected and the activities causing those effects
  - Adopting catchment management planning as one of the means of achieving integrated management
- To maintain vital, healthy mahinga kai populations and habitats capable of sustaining harvesting activity by:
  - Protecting critical habitats
  - Restoring and enhancing mahinga kai values of lakes, rivers, streams, wetlands, estuaries and riparian margins
  - Restoring access to freshwater resources for cultural activities
- To promote collaborative management initiatives that enable the active participation of Ngāi Tahu in freshwater management.

The strategies to implement the objectives and policies are:

- Papatipu Rūnanga will advise councils of waterbodies or parts of waterbodies that are of particularly spiritual significance and therefore in need of protection.
- Papatipu Rūnanga and resource management agencies should discuss the means by which the Council can ensure that a spiritual Rahui is observed.
- Papatipu Rūnanga and councils should identify, develop and implement strategies that will restore and maintain the mauri of degraded freshwater bodies.
- Resource management agencies should develop detailed policies in their statutory planning documents that show explicitly how issues of concern to Ngāi Tahu will be addressed.
- Papatipu Rūnanga could identify the water quality standards they want to apply to a waterbody or part of a waterbody to protect its cultural values and uses.
- Councils should develop and promote programmes that provide opportunities to set aside and restore wetlands and riparian areas.
- Resource management agencies should encourage increased awareness among farmers, urban dwellers, and government agencies of the role of wetlands and riparian areas in protecting water

quality. In addition to preventing or mitigating adverse effects on wetlands or riparian areas, courses in simple restoration techniques could be provided for Rūnanga members and other stakeholders.

- Councils should protect the full range of functions for wetlands and riparian areas.
- District councils need to ensure that district plans establish clear guidelines that address non-point source pollution issue.

## 5.6 Other relevant documents or legislation

### 5.6.1 Ngāi Tahu Claims Settlement Act 1998

On 21 November 1997, the Crown and Te Rūnanga o Ngāi Tahu entered into a deed of settlement in which the Crown acknowledged that Ngāi Tahu suffered grave injustices which significantly impaired Ngāi Tahu's economic, social and cultural development. The deed of settlement recorded the matters required to give effect to a settlement of all of Ngāi Tahu's historical claims.

The Ngāi Tahu Claims Settlement Act 1998 records the apology given by the Crown to Ngāi Tahu in the deed of settlement, and gives effect to certain provisions of that deed of settlement, in order to settle the Ngāi Tahu claim under the Treaty of Waitangi. Provisions of the Ngāi Tahu Claims Settlement Act transfer and vest properties in Ngāi Tahu, provide a right of first refusal to Crown land that is to be disposed of, amend other legislation such as the Resource Management Act 1991 and the Historic Places Act 1993, and cover matters such as taonga species, mahinga kai and customary fisheries.

Of particular relevance to the management of water resources in the Selwyn District, the Ngāi Tahu Claims Settlement Act vests the beds of Te Waihora and Muriwai (Coopers Lagoon) in Te Rūnanga o Ngāi Tahu, and outlines statutory acknowledgements of the relationship of Ngāi Tahu to Moana Rua (Lake Pearson), Whakamatau (Lake Coleridge), and the Kōwai River.

### 5.6.2 Navigation Safety Bylaw 2016

The Navigation Safety Bylaw sets out restrictions and controls around activities on the surface of waterbodies. The Bylaw has a number of controls on general navigation safety requirements, activities, operating requirements, swing moorings and large vessels. Under the activities section there is a requirement that no person shall fish, jump or dive from or within 50m from a vessel landing place. Under operating requirements there is a control stating that no person shall erect, maintain or display any sign, beacon, light, mark, buoy or other device that has the characteristics of a navigational aid and/or which may be used or mistaken as a navigational aid or warning, without the prior written permission of the Harbourmaster.

## 6. Adjacent district plans

Two adjacent district plans provide recent examples of approaches adopted by territorial authorities to managing water resources – the Christchurch District Plan and the Proposed Hurunui District Plan. While Waimakariri and Ashburton Districts also adjoin Selwyn District, examples of water management have been investigated from the two most recent plans, to provide as up to date an approach as possible for consideration for the proposed Selwyn District Plan.

### 6.1 Christchurch District Plan

The Christchurch District Plan (CDP) is an activity based plan. The CDP sets out rules which relate to specific zones (for example the Open Space Water and Margins Zone) and precincts (such as the Avon River Precinct). These zones and precincts have permitted rules relating to a wide range of the typical activities that might occur in the zone, including buildings, parking areas and a range of commercial and open space type activities.

Under General Rules and Procedures there are rules relating to water body setbacks which aim to improve water quality, allowing riparian planting and improving ecological corridors, minimising flood risk and contributing to the open space character and amenity values of the area. Policies aim for the naturalisation of water bodies and their margins; the appropriate management of setbacks from water bodies; and management of activities in water body setbacks. This chapter separates the water body setbacks for three different areas of the City being city and settlement, rural and natural area water body setbacks. Within these different areas, each water body is individually classified into different water body types (e.g. upstream and downstream water bodies, hill, environmental asset, network asset, lakes and



ponds). The CDP specifies different setback widths for each classification within each of the three areas of the City. The water body setbacks apply to earthworks, buildings, structures, fences and impervious surfaces, river maintenance and enhancement works, and plantation forestry. The CDP references that these controls are in addition to Canterbury Regional Plan provisions for earthworks in riparian margins and provisions relating to dust control.

A schedule of rivers and lakes that are of Ngāi Tahu cultural significance is set out in Appendix 9.5.6. These connect to rules which manage activities in these areas.

The CDP contains a set of provisions relating specifically to the management of activities around Te Waihora/Lake Ellesmere, including the control of any damming, stopbanking or drainage of any part of the lake outside the bed, controls on the volume of earthworks within the margins of the lake, and rules relating to setbacks for amenity tree planting and permitted commercial fishing.

## 6.2 Proposed Hurunui District Plan

The Proposed Hurunui District Plan (PHDP) sets out zone rules, site specific rules, and activity rules. In the rural zone, residential zone, and industrial zone there are permitted setback rules for earthworks occurring near rivers and lakes with the setback from lakes being much larger. For example in all these zones there are rules requiring a 20m setback from any river and 100m from any lake for earthworks.

The PHDP has a specific chapter which relates to access to rivers, lakes and riparian margins. A number of objectives and policies aim to provide, maintain and enhance public access to freshwater while protecting social, cultural, natural character and environmental values. The objectives and policies also aim to protect wāhi tapu, mahinga kai and other taonga. It is interesting to note this chapter has no rules. However, it refers to a number of methods of obtaining access along the district's important rivers and lakes:

- unformed legal roads are often a viable way of providing access by using public land to create walkways, tracks and other access;
- marginal strips are strips of land which extend along and abut the landward margins of parts of the beds of water bodies and are created when the Crown disposes of land; and
- esplanade reserves, esplanade strips and access strips can also be used to provide access along or to waterways or the edges of lakes.

There are rules in the subdivision chapter which require esplanade reserves or strips of 20m in width to be created in regard to subdivision of any land. This plan goes one step further requiring where the esplanade reserve or strip is to be vested in the Council, any adjoining bed of river or lake owned by the applicant will also be vested in the Council. Where any esplanade strip is to be created, any adjoining bed of river or lake owned by the applicant will not be vested in the Council.

The PHDP also has a chapter on fresh water which recognises:

- the relationship of Ngāi Tahu with the district's water resources;
- land use activities which have effects on water quality and natural ecosystems;
- the ecological, conservation, recreational and cultural values of fresh water; and
- that the development of land has the potential to affect fresh water resources through demands for drinking or stock water and the discharge of wastewater and stormwater.

There is a rule in this section which states that commercial recreational activities on the surface of water bodies or within 20m of the bed of any river or lake is a discretionary activity.

## 7. Stakeholder consultation

Meetings have been held with Environment Canterbury, Mahaanui Kurataio Limited, the Department of Conservation and Fish and Game (North Canterbury) to discuss issues and concerns in relation to the management of water resources in Selwyn District, and to discuss the waterbodies identified for the provision of public access in Appendices 12 and 17 of the District Plan.

Environment Canterbury noted the following:

- The Canterbury Land and Water Plan (CLWP) largely covers the issues of the effects of land use on water quality in terms of nutrient management, faecal coliforms, sediment and phosphorus, although it does not cover earthworks effects, which is a gap that the District Plan could cover provided that it interacts appropriately with sediment control provisions contained in the CLWP
- 900 consents for farming are required in the District and each has a requirement for a Farm Environment Plan
- Vegetation clearance rules apply within river and lake beds and to the area 5-10m from the river or lake bank, the width depending on whether the site is within Hill or High Country land or within an identified High Erosion Risk area
- Outside these buffer zones the Farm Environment Plans required cover a lot of the issues that would affect water quality
- In terms of issues relevant to the Selwyn-Waihora Zone Committee:
  - Lack of indigenous biodiversity is an issue, and particular attention is paid to the protection of springs and the area surrounding them
  - There is even less left in terms of dryland biodiversity (although this is a concern more relevant to the Vegetation Clearance and Ecosystems topic)
  - The extent of braided river beds is unclear because of active channels changing regularly – the issue is likely to be critical for the 'omnibus' plan change to the CLWP due in 2019, with options likely to be clearer by October this year
  - The Cultural Values Landscape Management layer around Te Waihora is likely to be relevant to any consideration of District Plan provisions, and is likely to increase expectations on Selwyn District Council in terms of the approach adopted. Controls on new sewage disposal schemes and new septic tanks apply in this area, and rules for wetlands are quite restrictive (encouraging restoration)
  - One of the Zone Committee's objectives is to return Coes Ford (on the Waikirikiri/Selwyn River) to a swimmable state again, which is likely to require water in the river (augmentation being investigated), microbial counts to be addressed (with the Silverstream likely to be the main contributor), addressing cyanobacteria blooms, and improving amenities and facilities so that people have a good experience of the river (and here the District Plan could assist by not hindering this)
  - Role of stock water races in delivering biodiversity values (both regionally and nationally significant values)
  - Drains in the district are largely remnants of previous waterways and have regional plan provisions that apply to them as they largely get treated as rivers
  - Work needs to be done on Te Waihora and/or its edges to address legacy phosphorus (there are a series of initiatives that are all Environment Canterbury responsibilities and Environment Canterbury led)
  - Anything that can help deliver the approach outlined in the ZIP addendum will be welcomed by Environment Canterbury
- Issues for the Christchurch-West Melton Zone Committee include:
  - Heavy metal contamination (e.g. from roofing materials and brake pads)
  - Effects from new subdivision and stormwater management
  - Hillside development generating sediment

A discussion on waterbodies to which esplanade reserve or esplanade strip provisions should apply and that should be listed as applying in appendices to the District Plan was held with Mahaanui Kurataio Ltd, the Department of Conservation and Fish and Game. This discussion confirmed that all the waterbodies currently listed should continue to be listed, but there was also general agreement that there could be value in specifically identifying waterbodies where esplanade reserves or strips should be taken for purposes other than public access (such as protecting natural character, water quality and riparian margins).

Protection of the Hororata River and springs around Hororata township was identified as an important matter that was not covered by the current appendices. In the Rural Zone, preference was expressed for widening the esplanade strip defined for the Hororata River and amending the esplanade strip to an esplanade reserve for the Selwyn River from Chamberlains Ford to Whitecliffs and widening it to 20m. An issue was also identified with the definition of the bed of Te Waihora and the likely impact of climate change in raising lake levels, and the consequential effect of that on the buffer needed around the lake.

It was noted that the Rakaia River and Rakaia Island are not currently listed in the District Plan appendices, and probably should be.

Fish and Game identified the Tentburn as another waterbody that may be worth specifically identifying in the proposed District Plan, and there was general agreement that 20m esplanade reserves or strips should be provided around all the of the lakes listed in the policies/rules about activities on the surface of waterbodies.

Mahaanui Kurataio Ltd undertook to raise with local rūnanga the question about whether there were any particular issues they wished to identify with respect to water resources. To date, no further information has been provided.

A draft of this Baseline Report was circulated to all of the stakeholders who had been contacted initially for input. Responses were received from the Department of Conservation and Environment Canterbury (see **Appendix C**):

- The Department of Conservation noted the potential overlaps between the Water topic and the Coastal Environment and Natural Hazard topics with respect to management of Te Waihora, and in particular the issue of allowing lake ecosystems to migrate inland as sea level rises.
- The Department of Conservation was also concerned about agricultural encroachment close to braided river beds, and the effects that this can have on both the rivers and the land through flood events affecting encroached land uses
- The Department of Conservation further noted the relationship between stormwater and sewage design and subdivisions, and the potential effects on water quality, which the District Plan should seek to manage
- Environment Canterbury supported the integration, rather than duplication, of the District Plan and regional planning documents, and offered further assistance with this. Environment Canterbury also supported elevating the status of Te Waihora as a major issue for water management in Selwyn District
- In relation to activities on the surface of waterbodies, Environment Canterbury noted that salmon and inanga spawning sites may be sensitive to surface water activities not covered by regional plans, and that this could be assessed further for the District Plan. Environment Canterbury also noted that, as the Canterbury Regional Council Navigation Safety Bylaw 2016 no longer has provisions that relate to the protection of the environment, speed uplifting zones in the bylaw may coincide with sensitive habitats or spawning areas and the District Plan may usefully be able to address this. Environment Canterbury further suggested that a rule to permit the use of motorised craft for scientific research and monitoring on the district's lakes would be helpful and recognise the importance of these activities and their minor effects

## 8. Issues, gaps and opportunities

### 8.1 Council's responsibilities and effectiveness of current provisions

In reviewing the current provisions of the District Plan with respect to water some issues and gaps have been identified internally within the plan, notwithstanding the other statutory documents to which the District Plan needs to relate. Some of these issues and gaps arise as a result of a mismatch between the statutory obligations on Council and the functions of a District Plan, and some result from the passage of time since the District Plan became operative.

#### *Current Township Volume approach*

The water provisions in the Township Volume currently attempt to cover a wide range of matters, without necessarily considering whether it is necessary for the District Plan to address those matters and/or whether they are truly relevant to management of water resources (as opposed to being relevant to continued township development in the District and the Council's responsibilities under the LGA). There is also a lack of identification of clear differences in urban and rural issues with respect to water, and while some issues will be relevant to both towns and rural areas, the Township Volume fails to identify specific issues for water resources in township areas. As an example, the current provisions in relation to natural character of waterbodies in townships, and public access, appear to just repeat the relevant sections of Part 2 of the RMA rather than setting out an approach to address issues.

The current policy framework with respect to provision of water supply and effluent disposal services to residences is more related to the Council's functions to ensure that servicing is considered at the time of zoning and subdivision, rather than solely to effects on water resources, and does not appear to be a good fit with the water chapter of the District Plan. It should therefore be dealt with elsewhere in the proposed District Plan.

Mana whenua interests in water in townships, while identified as an issue in Chapter A4.2, is not carried through to identifiable policies in the Township Volume (apart from generic policies about cultural values, wāhi tapu and wāhi taonga), and this should be addressed in conjunction with the Mana Whenua topic for the District Plan review.

The proposed District Plan should identify which townships have waterbodies running through them (as not all townships in the District do) and then develop a relevant policy approach focused on particular values and identified urban or township issues. In taking this approach, the proposed District Plan should remain cognisant at all times of where matters are already addressed by Environment Canterbury, so as to try to avoid overlaps.

Key issues in townships are likely to be related to natural character, ongoing provision for the management of activities in riparian margins, public access and the effects on ongoing urban growth on urban waterbodies (e.g. the filling in of drains and streams, and the additional water quality pressure on waterbodies as a result of urban land uses in close proximity).

Essentially therefore, the strategy for management of effects on water resources outlined in the Township Volume of the District Plan now needs to be completely revisited, as it does not adequately recognise the impact of a large number of initiatives by other organisations, runs the risk of confusion and overlap, fundamentally doesn't match the strategy in the Rural Volume (for no apparent reason) and does not recognise the specific issues facing waterbodies in townships in the District.

#### *Current Rural Volume approach*

The strategy for managing the effects of activities on water resources in the Rural area is much more clearly focused than the equivalent strategy for townships. The provisions in relation to riparian margins are appropriate, reflect the Council's responsibilities and generally mesh with Environment Canterbury's approach. The policies and rules could however be refined further to recognise Environment Canterbury's requirement for Farm Environment Plans under the CLWP, the matters that these plans cover and the existing buffer zone rules in the CLWP so that proposed District Plan rules fill gaps rather than accidentally duplicating the approach.

The two main focuses of the Rural Volume as currently written in relation to water resources are on riparian margins and managing the effects of land use on water quality. While the approach to riparian margins remains largely appropriate, the approach of the District Plan is unfocused in terms of its references to managing land and pursuing integrated management in order to address effects on water resources. The policy approach also does not appear to have support through the District Plan rule framework or through

meaningful non-regulatory methods. Problematically, the current approach also runs the risk of substantial and confusing overlap with the work that Environment Canterbury is doing through the CLWP. Using the CLWP, the two ZIPs and in consultation with Environment Canterbury, the District Plan should be adjusted so that it addresses any issues that Environment Canterbury is not addressing in terms of effects of land use and so that it fills any gaps in the approach that are clearly within the functions of the Council under the RMA.

The approach to esplanade reserves and strips could be modified, as discussed in section 8.6 below. Further focus should also be given to Te Waihora/Lake Ellesmere, as discussed in section 8.3 below.

## 8.2 Overlaps

Both the Township Volume and the Rural Volume of the District Plan contain policies and rules in relation to structures that cross over or through the surface of a waterbody. While the Council does have the jurisdiction to control activities on land, and the beds of waterbodies are considered to be land under the RMA, these policies and rules represent a clear overlap with Environment Canterbury functions and appear not to cover any additional matters to those addressed under the CLWP.

As noted in section 8.1 above, references to the management of land use activities to address effects on water are also a direct overlap with Environment Canterbury functions. The RPS, CWMS and CLWP have all focused on the issue of the effects of land use on water quality (and to an extent quantity) and it has clearly therefore been identified as an issue of regional significance under section 30(1)(b) of the RMA. In this context, the District Plan should integrate with, rather than duplicate, the regional planning instruments. Earthworks management has been identified in consultation with Environment Canterbury as a specific matter that the District Plan should address, but this is covered in the Earthworks topic for the District Plan review.

For those waterbodies close to the coast, there will be an overlap between issues raised through this baseline report and issues identified in the Coastal topic, in relation to those parts of waterbodies that fall within the coastal environment. The District Plan will need to be internally consistent with respect to management of these areas.

As noted earlier in this report, regional planning documents address activities in river and lake beds, and, consistent with section 13 of the RMA, the primary function for this rests with regional councils. While the river and lake bed objectives, policies and rules contained in regional planning documents will address the issues, a detailed side-by-side review of those documents and the District Plan should be undertaken, to identify and address any gaps relating to issues identified as important for the District.

## 8.3 Consistency with statutory documents and gaps

The generality of much of the current approach to the management of water resources through the District Plan means that it is consistent with the various statutory documents that interrelate with the District Plan. There is an obvious gap in terms of elevating the status of Te Waihora/Lake Ellesmere as a major issue for water management in Selwyn District, with the Te Waihora Joint Management Plan and the Zone Implementation Plan focused on improving the lake and its catchment, but the current District Plan provisions not explicitly recognising the issue. This will reflect the fact that programmes to manage the lake catchment and improve water quality were not fully developed (or in some cases, even contemplated) at the time the District Plan was first prepared, but the issue can be addressed now to ensure that the District Plan contributes where it can to the restoration of the lake and catchment.

Methods in the RPS that direct territorial authorities to address particular issues clearly anticipate that management of activities in riparian margins will be covered by District Plans. As discussed in section 8.1 above, while the current District Plan does this, any reviewed provisions should achieve the desired outcomes in a way that does not duplicate Environment Canterbury controls.

Public access is another key matter identified by the RPS that can be implemented by the District Plan. While the current approach is consistent with RPS requirements, as noted in section 8.6 below it can be further refined.

There is clearly a need, based on the Mahaanui Iwi Management Plan, the Ngāi Tahu Freshwater Policy and the Te Waihora Joint Management Plan, to appropriately reflect tangata whenua issues and concerns. This will need to be achieved in conjunction with the Mana Whenua topic for the District Plan review, to ensure that the proposed District Plan remains internally consistent.

The relationship between the District Plan and the CLWP has been discussed in section 8.2.

## 8.4 Consistency with neighbouring district plans

Currently, the same general approach is taken to managing effects on water resources across Selwyn, Christchurch and Hurunui Districts. The clearest need for consistency is with Christchurch City Council where the Halswell River is located in both districts and both districts border Te Waihora. As part of drafting the proposed District Plan particular care should be taken to ensure consistency between the two councils' approaches to the extent possible.

## 8.5 Relationship of Ngāi Tahu with water resources

If provisions are drafted to recognise each of the matters discussed in sections 8.1 – 8.4 above a significant number of matters likely to be of concern to Ngāi Tahu will also be addressed. However, if further information becomes available through ongoing consultation, provisions should be drafted to address these matters.

In addition, once provisions are drafted they should be reviewed again against the Mahaanui Iwi Management Plan and the Te Waihora Joint Management Plan, and in conjunction with the separate Mana Whenua workstream, be adjusted to recognise Ngāi Tahu's relationship with water resources

## 8.6 Esplanade reserves and strips

As noted in section 7 of this report, discussions to date have confirmed that the waterbodies listed in the District Plan continue to be appropriate for the identification of esplanade reserves or strips for public access purposes.

For the Hororata River and the Waikirikiri/Selwyn River the width of esplanade reserves or strips outlined in Appendices 12 and 17, and the particular instrument specified for each reach of the rivers should be reviewed to ensure either that they remain appropriate, or that they should be widened as identified by the Department of Conservation and Fish and Game. The implications of widening the reserve or strip that can be taken on subdivision in terms of the costs to affected landowners will need to be considered as part of this analysis.

Consideration should also be given to being more explicit about waterbodies where esplanade reserves or strips or some other mechanism of protecting riparian margins for purposes such as water quality, natural character, ecological values and cultural values should be considered. The current policy approach in the District Plan supports the need to provide for riparian buffer zones for these purposes, but it is not provided for as explicitly in the rule framework as the reserves and strips for public access purposes are. Further analysis should be undertaken in conjunction with the topic leads for Vegetation Clearance and Ecosystems, and Mana Whenua to investigate whether waterbodies should be listed, for example as they are in the Christchurch District Plan.

# 9. Recommendations

The following approach is recommended for provisions relating to managing the effects of activities on water resources in Selwyn District:

- Provisions that relate to waterbodies that flow through townships in the District should first identify those waterbodies, and their particular characteristics and values in township areas, to provide some context for the provisions that will apply to them. While the District Plan currently identifies some generic issues they are not township specific and identification of specific Mana Whenua values is absent. Provisions should then be developed to address specific issues, which may differ from township to township but are likely to include:
  - The effects of urban land uses and land development on water quality – through stormwater discharges and development in close proximity to waterbodies, both of which can be managed through land use and development design controls;
  - Maintenance of public access to, and the natural character of, urban waterbodies;
  - Loss of waterbodies and minor tributaries through infilling and land development;
  - Maintenance and improvement of the Mana Whenua values of urban waterbodies.



- The current policy framework with respect to the provision of water services should be removed from provisions relating to water and addressed in the Residential sections of the District Plan.
- The focus in the Rural Volume of the District Plan on managing the effects of land use on water should be revisited and integrated appropriately with Environment Canterbury functions to avoid overlap, duplication and confusion. This will require a detailed analysis of the Environment Canterbury approaches through the CLWP, the CWMS, the two Zone Implementation Programmes (and their associated addenda) and measures implemented under Environment Canterbury resource consents (such as the Farm Environment Plans), as well as the Te Waihora Joint Management Plan, to develop a matrix of issues versus documents they are addressed by. Discussions with the relevant zone water management committees, and the Department of Conservation and Te Rūnanga o Ngāi Tahu in relation to the Te Waihora Joint Management Plan, would assist with this. Once the matrix is developed any gaps in the approach, or areas where the proposed District Plan can provide support for existing initiatives can more easily be identified.
- The Water topic should be carefully integrated with a number of other District Plan topics that relate in part to water, such as Vegetation Clearance and Ecosystems, Coastal Environment, and Natural Hazards.
- Management of activities to address the restoration of Te Waihora/Lake Ellesmere should be developed for the proposed District Plan. Any approach adopted should be consistent as required with the approach taken by Christchurch City Council to the management of activities within its district, which also borders the lake.
- Management of activities in close proximity to the Halswell River should be considered, with a particular focus on ensuring a consistency of approach with Christchurch City Council provisions.
- A detailed side-by-side analysis of regional planning document and District circumstances with respect to the management of activities in river and lake beds should be undertaken, to identify whether there are any potential gaps that the District Plan should address. Significant provisions relating to river and lake beds are not anticipated to be necessary for the District Plan, and the current provisions that manage structures in waterbodies should be removed as they are a direct overlap with rules in Environment Canterbury plans.
- Provisions for the lower end of waterbodies, where they are located in the coastal environment, should be developed in conjunction with the Coastal topic lead for the proposed District Plan, to ensure a consistent approach.
- Policies and rules to manage activities in riparian margins should be reviewed in conjunction with Environment Canterbury. There is currently an overlap of rules within 5-10m of the banks of waterbodies, where rules in both the District Plan and the CLWP apply. If possible, this duplication should be removed.
- Consideration should be given to widening the esplanade reserve/strip requirements for the Hororata River and the Waikirikiri/Selwyn River as requested by the Department of Conservation and Fish and Game, although the costs of this to the adjacent landowners will need to be evaluated.
- In conjunction with the work being undertaken on the Vegetation Clearance and Ecosystems topic and the Mana Whenua topic, consideration should be given as to whether to list waterbodies in the District Plan to which esplanade reserve or esplanade strip provisions should apply for purposes such as maintaining cultural access, protecting riparian margins and natural character, and maintaining or improving water quality.

# Appendices





**Appendix A    Current District Plan provisions**

Table 1: Relevant definitions relating to water from the Selwyn District Plan (Chapter D)

Word	Definition
<b>Township</b>	
Waterbody	Means fresh water or geothermal water in a river, lake, stream, pond (but excluding any artificial pond), wetland, or aquifer, or any part thereof that is not located within the coastal marine area
River	Has the same meaning as defined in section 2 of the Act.
Lake	Has the same meaning as defined in section 2 of the Act.
<b>Rural</b>	
Waterbody	Means fresh water or geothermal water in a river, lake, stream, pond (but excluding any artificial pond), wetland or aquifer or any part thereof that is not located within the coastal marine area. The terms "river", "lake" and "wetland" are also defined in this Plan.
River	Has the same meaning as defined in section 2 of the Act. "Means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)."
Lake	Has the same meaning as defined in section 2 of the Act. "Means a body of fresh water which is entirely or nearly surrounded by land".

Table 2: Detailed objectives and policies from the Selwyn District Plan about water

Township	Rural
<b>Water quantity</b>	
Objective B1.2.2 Activities on land and the surface of water in Selwyn District: <ul style="list-style-type: none"> <li>Do not adversely affect ground or surface water resources;</li> </ul>	Objective B1.3.4 Land use activities involving structures or provisions for the storage of or reticulation of rural water supplies are to maintain and mitigate adverse effects on the amenity and environmental qualities of the rural area.
	Objective B1.3.6 Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within

Township	Rural
	catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.
	<p>Policy B1.3.1</p> <p>To pursue integrated, catchment based approaches to the management of the District's water resources in conjunction with the Regional Council.</p>
	<p>Policy B1.3.3</p> <p>Ensure allotment sizes are adequate to provide for on-site water abstraction and effluent disposal, and ensure the zones of influence from these activities do not adversely affect other people and that any adverse effects are contained within the boundary of the property they are situated on.</p>
	<p>Policy B1.3.4</p> <p>Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>• Activities locating close to waterbodies; or</li> <li>• Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>
<p>Policy B3.4.4 (a)</p> <p>To provide for rural residential living environments through the Living 3 Zone. Where new Living 3 Zone areas are proposed, these are to be in locations identified in the adopted Selwyn District Council Rural Residential Strategy 2014 and developed in a manner that:</p> <ul style="list-style-type: none"> <li>• Ensure that rural residential development is able to effectively connect to reticulated wastewater and water services (including the provision of a fire fighting water supply to the standards set out in SNZ PAS 4509:2008; either as provided within the reticulated system, or as supplementary on-site storage);</li> </ul>	<p>Policy B2.2.2</p> <p>Ensure provision is made for the ongoing maintenance and repair of utilities which are not vested in the Council, and that the users of these utilities are informed of any responsibility they have for ongoing maintenance or repair.</p>
<p>Policy B4.1.3</p> <p>Within the Greater Christchurch area of the District covered by Chapter 6 to the Canterbury Regional Policy Statement, to provide for rural residential development through the Living 3 zone and only where located in accordance with the areas shown in the adopted Selwyn District Council Rural Residential Strategy 2014. Elsewhere in the District to allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they achieve the following:</p> <ul style="list-style-type: none"> <li>• Maintain the sustainability of the land, soil and water resource;</li> </ul>	<p>Policy B4.1.8</p> <p>To provide for the subdivision and development of residential, commercial and visitor accommodation buildings in the Porters Ski and Recreation Area, where effects on the ecological and landscape values of the environment are managed in accordance with the following:</p> <p>(c) Limiting the range, scale and location of development in the Porters Ski Area Village Base Sub-Zone to ensure the Village remains at a scale and density that is related to the capacity of the Porters and Crystal Basin Ski</p>

Township	Rural
	Areas and can be serviced for water supply and wastewater disposal in a manner that does not adversely affect ecological or landscape values.
<p>Policy B4.3.28 To provide for mixed densities in the Living X Zone, and rural residential development around the township in the Living 2A (Deferred) Zone to a minimum average area of 1ha, and in the Living 2A1 Zone to a minimum average area of 2ha, subject to the following:</p> <ul style="list-style-type: none"> <li>That all new allotments are able to be serviced with a reticulated potable water supply:</li> </ul>	
<p>Policy B1.3.4 Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>Activities locating close to waterbodies; or</li> <li>Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>	
<b>Water quality</b>	
<p>Objective B1.2.1 Expansion of townships in Selwyn District maintains or enhances the quality of ground or surface water resources.</p>	<p>Objective B1.3.1 Contamination of ground water or surface water is avoided and/or mitigated and water quality improved in degraded waterbodies through changes in land management practices and controls on land uses likely to cause waterbody contamination.</p>
<p>Objective B1.2.2 Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>Maintain or enhance the water quality and ecological values of sites of mahinga kai (food gathering); and</li> </ul>	<p>Objective B1.3.2 To protect and enhance the vegetation, habitat values, ecosystem processes and amenity values of waterbodies and their riparian margins, their role in maintaining water quality and their significant landscape values.</p>
<p>Policy B1.2.3 Require the water supply to any allotment or building in any township, and the Living 3 Zone, to comply with the current New Zealand Drinking Water Standards and to be reticulated in all townships, except for sites in the existing Living 1 Zone at Doyleston.</p>	
<p>Policy B1.2.4 Recognise and promote the need for protection zones around water supply bores, to reduce the risk of contamination from land uses.</p>	
<p>Policy B1.2.7</p>	<p>Objective B1.3.6 Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within</p>

Township	Rural
<p>Minimise any potential risk of adverse effects on water quality or bank stability from earthworks; structures; hazardous substances; waste disposal; or tree planting or harvesting in close proximity to waterbodies.</p>	<p>catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.</p>
<p>Policy B1.2.1 Ensure all activities in townships have appropriate systems for water supply, and effluent and stormwater treatment and disposal to avoid adverse effects on the quality of ground water or surface waterbodies.</p>	<p>Policy B1.3.4 Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>• Activities locating close to waterbodies; or</li> <li>• Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>
<p>Objective B1.2.2 Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>• Do not adversely affect ground or surface water resources;</li> </ul>	
<p>Policy B1.2.9 Create esplanade strips or esplanade reserves to maintain and enhance water quality, riparian vegetation, and the natural character of waterbodies, where appropriate.</p>	<p>Policy B1.3.11 Utilise opportunities to create esplanade strips or other means to protect riparian margins, particularly on waterbodies which are:</p> <ul style="list-style-type: none"> <li>• Important ecological sites;</li> <li>• Sites of Wāhi tapu or mahinga kai;</li> <li>• High in natural character, or</li> <li>• Areas of poor water quality.</li> </ul>
<p>Policy B1.2.8 Recognise potential benefits of some species of riparian vegetation in some areas for improving: water quality; bank stability and habitat values for aquatic species and riparian species.</p>	<p>Policy B2.4.5 Ensure any site or facility used to collect, temporarily store or redistribute waste, is designed, sited and managed to:</p> <p>(a) Avoid the risk of leaching of contaminants into ground or surface water;</p> <p>(b) Avoid adverse effects of litter, vermin or odour on surrounding properties;</p> <p>(c) Mitigate any adverse effects from transporting waste on the road network and the safety of other road users;</p> <p>(d) Protect the values of any outstanding natural features and landscapes; any sites with special ecological, heritage, or cultural values; or the natural character of waterbodies; and</p> <p>(e) Avoid the risk of creating a natural hazard through locating such facilities on land prone to inundation, instability or erosion.</p> <p>(f) Provide for appropriate temporary, short-term storage for hazardous substances in the waste stream.</p>

Township	Rural
<p>Policy B2.1.25 Mitigate adverse effects from the construction or maintenance of roads or railway lines on:</p> <ul style="list-style-type: none"> <li>• adjoining residents;</li> <li>• any waterbodies or ecosystems; or</li> <li>• any special landscape, cultural, heritage or amenity values of the site or area.</li> </ul>	
<p>Policy B2.2.7 Ensure any adverse effects of utilities on or near waterbodies, or on any ecological, heritage, cultural, recreational, aesthetic or amenity values of the waterbody, are avoided, remedied or mitigated.</p>	
<p>Policy B4.3.58 Ensure stormwater disposal from any land rezoned for new residential or business development will not adversely affect water quality in the LI or LII waterbodies; or exacerbate potential flooding from the LI or LII waterbodies "downstream".</p>	
<p>Policy B1.3.4 Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>• Activities locating close to waterbodies; or</li> <li>• Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>	
<b>Natural Character</b>	
<p>Objective B1.3.2 The natural character of wetlands and rivers and their margins, are recognised, protected and enhanced, where appropriate, in townships.</p>	<p>Objective B1.3.3 Protect and enhance the amenity values along waterbodies.</p>
<p>Objective B1.2.2 Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>• Do not adversely affect ground or surface water resources;</li> <li>• Do not adversely affect waahi tapu or waahi taonga;</li> <li>• Maintain or enhance the ecological and habitat values of waterbodies and their margins;</li> <li>• Maintain or enhance the water quality and ecological values of sites of mahinga kai (food gathering); and</li> <li>• Promote public access along rivers and streams, where appropriate.</li> </ul>	<p>Objective B1.3.4 Land use activities involving structures or provisions for the storage of or reticulation of rural water supplies are to maintain and mitigate adverse effects on the amenity and environmental qualities of the rural area.</p>

Township	Rural
<p>Policy B1.3.3</p> <p>Ensure any wetland, river or stream, or its margins are preserved and protected from any adverse effects on natural character or ecological values from any rezoning of land; subdivision of land; or any subsequent activities.</p>	<p>Objective B1.3.6</p> <p>Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.</p>
<p>Policy B1.3.4</p> <p>Ensure the maintenance and enhancement of public access to and along the margins of lakes or rivers except where it adversely affect their natural character, cultural values or sites of "significant ecological value".</p>	
<p>Policy B1.2.9</p> <p>Create esplanade strips or esplanade reserves to maintain and enhance water quality, riparian vegetation, and the natural character of waterbodies, where appropriate.</p>	<p>Policy B1.3.8</p> <p>Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins:</p> <ul style="list-style-type: none"> <li>• Mitigate any adverse effects on the natural character of the waterbody; and</li> </ul>
<p>Policy B1.4.14</p> <p>Ensure any rezoning of land for new business or residential activities at: Coalgate, Glentunnel or Whitecliffs maintains the natural character and aesthetic, recreational, amenity and cultural values of the Waikirikiri/Selwyn River.</p>	<p>Policy B1.3.9</p> <p>Encourage initiatives by landholders and communities and work co-operatively with them to enhance the natural character of riparian margins and wetlands.</p>
<p>Policy B1.3.9</p> <p>Encourage initiatives by landholders and communities and work co-operatively with them to enhance the natural character of riparian margins and wetlands.</p>	<p>Policy B1.3.11</p> <p>Utilise opportunities to create esplanade strips or other means to protect riparian margins, particularly on waterbodies which are:</p> <ul style="list-style-type: none"> <li>• Important ecological sites;</li> <li>• Sites of Wāhi tapu or mahinga kai;</li> <li>• High in natural character, or</li> <li>• Areas of poor water quality.</li> </ul>
<p>Policy B1.4.2</p> <p>Avoid multi-storeyed buildings, large structures protruding above roof lines, flashing or reflective structures, or other structures that dominate people's view of the surrounding mountains or Bealey River.</p>	
<p>Policy B1.4.6</p> <p>Ensure any new residential or business development outside the Living and Business zones of Castle Hill Village or within any expansion of the Living or Business zones, maintains the existing views from within the township or from the State</p>	

Township	Rural
Highway towards the Thomas River and the Castle Hill Scenic Reserve, the Torlesse Range, Craigieburn Range, Flock Hill and the Waimakariri River.	
<p>Policy B1.4.10</p> <p>Require any expansion of Lake Coleridge Village to occur on land adjoining the existing village; and avoiding the slopes of the hills backing on to Lake Coleridge or the slopes of the Rakaia River terraces, unless any visual effects will be minor.</p>	
<p>Policy B1.4.14</p> <p>Ensure any rezoning of land for new business or residential activities at: Coalgate, Glentunnel or Whitecliffs maintains the natural character and aesthetic, recreational, amenity and cultural values of the Waikirikiri/Selwyn River.</p>	
<p>Policy B2.3.9</p> <p>Facilitate public access along rivers and streams in and adjoining townships, where:</p> <ul style="list-style-type: none"> <li>• Such access is likely to provide a beneficial community facility; and</li> <li>• It will not adversely affect the natural character, or ecological or cultural values of the waterbody; and</li> <li>• There is no risk to public health or safety.</li> </ul>	
<b>Ecological Values</b>	
<p>Objective B1.2.2</p> <p>Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>• Maintain or enhance the ecological and habitat values of waterbodies and their margins;</li> </ul>	<p>Objective B1.3.2</p> <p>To protect and enhance the vegetation, habitat values, ecosystem processes and amenity values of waterbodies and their riparian margins, their role in maintaining water quality and their significant landscape values.</p>
<p>Policy B1.3.3</p> <p>Ensure any wetland, river or stream, or its margins are preserved and protected from any adverse effects on natural character or ecological values from any rezoning of land; subdivision of land; or any subsequent activities.</p>	<p>Objective B1.3.6</p> <p>Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.</p>
<p>Policy B1.2.8</p> <p>Recognise potential benefits of some species of riparian vegetation in some areas for improving: water quality; bank stability and habitat values for aquatic species and riparian species.</p>	<p>Policy B1.3.4</p> <p>Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>• Activities locating close to waterbodies; or</li> </ul>



Township	Rural
	<ul style="list-style-type: none"> <li>Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>
<p>Policy B1.2.10 Investigate options for reducing the impact that cleaning and maintaining waterbodies has on riparian vegetation and instream aquatic life.</p>	<p>Policy B1.3.8 Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins:</p> <ul style="list-style-type: none"> <li>Allow legal public access along the waterbody where appropriate if such access exists, or is desirable for recreation or Mahinga Kai; and</li> <li>Avoid adverse effects on trout and salmon habitats.</li> </ul>
<p>Policy B2.1.25 Mitigate adverse effects from the construction or maintenance of roads or railway lines on:</p> <ul style="list-style-type: none"> <li>adjoining residents;</li> <li>any waterbodies or ecosystems; or</li> <li>any special landscape, cultural, heritage or amenity values of the site or area.</li> </ul>	
<p>Policy B2.2.7 Ensure any adverse effects of utilities on or near waterbodies, or on any ecological, heritage, cultural, recreational, aesthetic or amenity values of the waterbody, are avoided, remedied or mitigated.</p>	<p>Policy B1.2.1 Identify and protect significant ecological sites in partnership with landholders and other stakeholders using the process set out in <a href="#">Appendix 12</a>.</p>
<p>Policy B1.3.4 Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:</p> <ul style="list-style-type: none"> <li>Activities locating close to waterbodies; or</li> <li>Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>	

Township	Rural
<b>Activities on the surface of waterbodies</b>	
<p>Objective B1.2.2 Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>• Do not adversely affect ground or surface water resources;</li> <li>• Do not adversely affect waahi tapu or waahi taonga;</li> <li>• Maintain or enhance the ecological and habitat values of waterbodies and their margins;</li> <li>• Maintain or enhance the water quality and ecological values of sites of mahinga kai (food gathering); and</li> <li>• Promote public access along rivers and streams, where appropriate.</li> </ul>	<p>Policy B1.3.12 Manage recreational use of motorised craft on lakes in the District to avoid adverse effects on threatened indigenous species, and avoid remedy or mitigate adverse effects on other wildlife and recreational activities, and amenity values.</p>
<p>Policy B1.2.11 Ensure any structure or mooring which is located on or passes over or across the surface of a waterbody is:</p> <ul style="list-style-type: none"> <li>• Readily moveable; or</li> <li>• Necessary for flood protection or access across the waterbody; and</li> <li>• Any adverse effects on wildlife, waahi tapu or mahinga kai sites; aesthetic, heritage or recreational values; or public access to the waterbody; are avoided, remedied or mitigated; or</li> <li>• Any adverse effects on existing uses are avoided, remedied or mitigated.</li> </ul>	<p>Policy B1.3.13 Monitor within the Waimakariri Gorge, the effects arising from activities in relation to the surface of the water.</p>
	<p>Policy B1.3.14 Ensure any structure or mooring which is located on or passes over or across the surface of a waterbody is:</p> <ul style="list-style-type: none"> <li>• Readily moveable; or</li> <li>• Necessary for flood protection or access across the waterbody; and</li> <li>• Any adverse effects on wildlife, Wāhi tapu or mahinga kai sites; aesthetic heritage or recreational values; or public access to the waterbody; are avoided, remedied or mitigated; or</li> <li>• Any adverse effects on existing uses are avoided, remedied or mitigated.</li> </ul>
	<p>Policy B3.2.3 Avoid transport of hazardous substances on the surface of waterbodies in watercraft, if there is an alternative vehicular access to the site by land.</p>
<b>Public access to rivers, lakes and margins<sup>1</sup></b>	
<p>Objective B1.2.2 Activities on land and the surface of water in Selwyn District:</p>	<p>Policy B1.3.8</p>

<sup>1</sup> The Subdivision Scope is addressing the subdivision provision relevant to esplanade reserves and strips with respect to rivers and lakes.

Township	Rural
<ul style="list-style-type: none"> <li>Promote public access along rivers and streams, where appropriate.</li> </ul>	<p>Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins:</p> <ul style="list-style-type: none"> <li>Allow legal public access along the waterbody where appropriate if such access exists, or is desirable for recreation or Mahinga Kai; and</li> </ul>
<p>Policy B1.3.4 Ensure the maintenance and enhancement of public access to and along the margins of lakes or rivers except where it adversely affect their natural character, cultural values or sites of "significant ecological value".</p>	<p>Policy B1.3.11 Utilise opportunities to create esplanade strips or other means to protect riparian margins, particularly on waterbodies which are:</p> <ul style="list-style-type: none"> <li>Important ecological sites;</li> <li>Sites of Wāhi tapu or mahinga kai;</li> <li>High in natural character, or</li> <li>Areas of poor water quality.</li> </ul>
<p>Policy B1.2.11 Ensure any structure or mooring which is located on or passes over or across the surface of a waterbody is:</p> <ul style="list-style-type: none"> <li>Readily moveable; or</li> <li>Necessary for flood protection or access across the waterbody; and</li> <li>Any adverse effects on wildlife, waahi tapu or mahinga kai sites; aesthetic, heritage or recreational values; or public access to the waterbody; are avoided, remedied or mitigated; or</li> <li>Any adverse effects on existing uses are avoided, remedied or mitigated.</li> </ul>	<p>Policy B2.3.4 To use opportunities to negotiate forms of public access over land to lakes, rivers or other recreation areas with landowners where such access is appropriate.</p>
	<p>Policy B2.3.5 To create esplanade reserves, esplanade strips, or other mechanisms to provide public access along margins of lakes and rivers listed in Appendix 17}, except where restrictions are necessary to:</p> <p>(a) safeguard the conservation values identified in the Reserve.</p> <p>(b) protect the stability or performance of flood control and other essential structures.</p> <p>(c) avoid conflicts with activities of land owners or occupiers.</p> <p>(d) protect public safety.</p>
<p>Policy B2.3.9 Facilitate public access along rivers and streams in and adjoining townships, where:</p> <ul style="list-style-type: none"> <li>Such access is likely to provide a beneficial community facility; and</li> <li>It will not adversely affect the natural character, or ecological or cultural values of the waterbody; and</li> <li>There is no risk to public health or safety.</li> </ul>	

Township	Rural
<b>Activities within riparian margins</b>	
	<p>Objective B1.2.3</p> <p>Protect, and where practicable enhance indigenous vegetation along riparian margins and wetlands generally.</p>
<p>Objective B1.2.2</p> <p>Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>• Do not adversely affect ground or surface water resources;</li> <li>• Do not adversely affect waahi tapu or waahi taonga;</li> <li>• Maintain or enhance the ecological and habitat values of waterbodies and their margins;</li> <li>• Maintain or enhance the water quality and ecological values of sites of mahinga kai (food gathering); and</li> <li>• Promote public access along rivers and streams, where appropriate.</li> </ul>	<p>Policy B1.2.5</p> <p>Encourage the retention of existing indigenous vegetation on the margins of lakes, rivers, wetlands and streams and the enhancement of these areas through management practices which allow for the re-establishment of vegetation of the margins of lakes, rivers, wetlands and streams in areas where it has been depleted.</p>
<p>Policy B1.2.8</p> <p>Recognise potential benefits of some species of riparian vegetation in some areas for improving: water quality; bank stability and habitat values for aquatic species and riparian species.</p>	<p>Policy B1.2.6</p> <p>Adverse effects on indigenous ecosystems, vegetation and habitat should be avoided, remedied or mitigated where these areas are important for maintaining the indigenous biodiversity and ecosystem functions and natural character of the District.</p>
<p>Policy B1.2.9</p> <p>Create esplanade strips or esplanade reserves to maintain and enhance water quality, riparian vegetation, and the natural character of waterbodies, where appropriate.</p>	<p>Objective B1.3.2</p> <p>To protect and enhance the vegetation, habitat values, ecosystem processes and amenity values of waterbodies and their riparian margins, their role in maintaining water quality and their significant landscape values.</p>
<p>Policy B1.2.10</p> <p>Investigate options for reducing the impact that cleaning and maintaining waterbodies has on riparian vegetation and instream aquatic life.</p>	<p>Objective B1.3.6</p> <p>Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.</p>
<p>Policy B1.2.7</p> <p>Minimise any potential risk of adverse effects on water quality or bank stability from earthworks; structures; hazardous substances; waste disposal; or tree planting or harvesting in close proximity to waterbodies.</p>	<p>Policy B1.3.5</p> <p>Retain vegetation, in particular indigenous vegetation, along the riparian margins of the coast, rivers, lakes and wetlands. Where large quantities of indigenous vegetation are removed, ensure they are replaced with the same or similar species.</p>
<p>Policy B1.3.5</p> <p>Retain vegetation, in particular indigenous vegetation, along the riparian margins of the coast, rivers, lakes and wetlands. Where large quantities of indigenous</p>	<p>Policy B1.3.6</p> <p>Encourage large scale earthworks, structures or tree planting to be setback from lakes or rivers, unless the activity must be located in the riparian margin.</p>

Township	Rural
vegetation are removed, ensure they are replaced with the same or similar species.	
Policy B1.3.6 Encourage large scale earthworks, structures or tree planting to be setback from lakes or rivers, unless the activity must be located in the riparian margin.	Policy B1.3.7 Encourage the management of grazing activities on and so that riparian margins and wetlands are protected against the effects of livestock.
	Policy B1.3.8 Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins: <ul style="list-style-type: none"> <li>• Allow legal public access along the waterbody where appropriate if such access exists, or is desirable for recreation or Mahinga Kai; and</li> <li>• Take precautions to prevent the introduction of weeds into areas where they are not already present; and</li> <li>• Mitigate any adverse effects on the natural character of the waterbody; and</li> <li>• Avoid adverse effects on trout and salmon habitats.</li> </ul>
•	Policy B1.3.9 Encourage initiatives by landholders and communities and work co-operatively with them to enhance the natural character of riparian margins and wetlands.
	Policy B1.3.11 Utilise opportunities to create esplanade strips or other means to protect riparian margins, particularly on waterbodies which are: <ul style="list-style-type: none"> <li>• Important ecological sites;</li> <li>• Sites of Wāhi tapu or mahinga kai;</li> <li>• High in natural character, or</li> <li>• Areas of poor water quality.</li> </ul>
	Policy B2.3.6 Encourage camping ground facilities to be concentrated in specific defined areas around any lake, river, reserve or other recreational area.
	Policy B1.3.7 Encourage the management of grazing activities on and so that riparian margins and wetlands are protected against the effects of livestock.
	Policy B1.3.8

Township	Rural
	<p>Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins:</p> <ul style="list-style-type: none"> <li>• Allow legal public access along the waterbody where appropriate if such access exists, or is desirable for recreation or Mahinga Kai; and</li> <li>• Take precautions to prevent the introduction of weeds into areas where they are not already present; and</li> <li>• Mitigate any adverse effects on the natural character of the waterbody; and</li> <li>• Avoid adverse effects on trout and salmon habitats.</li> </ul>
	<p>Policy B1.3.9 Encourage initiatives by landholders and communities and work co-operatively with them to enhance the natural character of riparian margins and wetlands.</p>
<b>Mana whenua values associated with water including water quality, use of water and access to water</b>	
<p>Objective B1.2.2 Activities on land and the surface of water in Selwyn District:</p> <ul style="list-style-type: none"> <li>• Do not adversely affect waahi tapu or waahi taonga;</li> <li>• Maintain or enhance the water quality and ecological values of sites of mahinga kai (food gathering); and</li> </ul>	<p>Policy B1.3.2 Recognise and provide for the special interest of Tāngata whenua in resource management issues relating to water.</p>
<p>Policy B1.2.11 Ensure any structure or mooring which is located on or passes over or across the surface of a waterbody is:</p> <ul style="list-style-type: none"> <li>• Any adverse effects on wildlife, waahi tapu or mahinga kai sites; aesthetic, heritage or recreational values; or public access to the waterbody; are avoided, remedied or mitigated; or</li> <li>• Any adverse effects on existing uses are avoided, remedied or mitigated.</li> </ul>	<p>Policy B1.3.8 Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins:</p> <ul style="list-style-type: none"> <li>• Allow legal public access along the waterbody where appropriate if such access exists, or is desirable for recreation or Mahinga Kai; and</li> </ul>
<p>Policy B1.4.14 Ensure any rezoning of land for new business or residential activities at: Coalgate, Glentunnel or Whitecliffs maintains the natural character and aesthetic, recreational, amenity and cultural values of the Waikirikiri/Selwyn River.</p>	<p>Policy B1.3.11 Utilise opportunities to create esplanade strips or other means to protect riparian margins, particularly on waterbodies which are:</p> <ul style="list-style-type: none"> <li>• Important ecological sites;</li> <li>• Sites of Wāhi tapu or mahinga kai;</li> <li>• High in natural character, or</li> <li>• Areas of poor water quality.</li> </ul>



Township	Rural
<p>Policy B2.2.7 Ensure any adverse effects of utilities on or near waterbodies, or on any ecological, heritage, cultural, recreational, aesthetic or amenity values of the waterbody, are avoided, remedied or mitigated.</p>	
<p>Objective B3.3.2 Sites of Wāhi tapu and other importance to Tāngata whenua are protected.</p>	<p>Policy B2.4.7 Recognise that Tāngata whenua have a particular interest in the treatment and disposal of waste; and ensure appropriate consultation is undertaken with them on this matter.</p>
<p>Policy B3.3.4 Protect areas identified in the Plan as Wāhi Taonga Sites, Wāhi Taonga Management Areas and Mahinga Kai Sites, from inappropriate damage or destruction.</p>	<p>Objective B3.3.1 Sites of Wāhi Tapu, Wāhi Taonga, Mahinga kai and other importance to Tāngata Whenua are protected in partnership with local Rūnanga and landholders.</p>
<p>Policy B4.2.13 To manage rural residential development in the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement through the Living 3 Zone and the adopted Selwyn District Council Rural Residential Strategy, whilst ensuring:</p> <ul style="list-style-type: none"> <li>• That there will be no adverse effects on ancestral land, water and the Wāhi tapu and Wāhi taonga of Te Taumutu Rūnanga. This includes the need to protect and enhance rivers, streams, groundwater, wetlands and springs within the catchment of Te Waihora/Lake Ellesmere and any associated mahinga kai sites;</li> </ul>	
<p>Policy B1.3.2 Recognise and provide for the special interest of Tāngata whenua in resource management issues relating to water.</p>	
<p>Policy B4.2.13 To manage rural residential development in the Greater Christchurch area covered by Chapter 6 to the Canterbury Regional Policy Statement through the Living 3 Zone and the adopted Selwyn District Council Rural Residential Strategy, whilst ensuring:</p> <ul style="list-style-type: none"> <li>• Development is in accordance with an Outline Development Plan included in the District Plan;</li> <li>• Areas can be efficiently serviced with network infrastructure;</li> <li>• Efficient and effective linkages are provided to the adjoining township;</li> <li>• Where areas are sufficiently large such that lots do not directly adjoin a rural area, the subdivision plan is to have an appropriate mix of section sizes, orientation, and internal road layout to maintain a sense of openness and visual connection to rural areas;</li> </ul>	

Township	Rural
<ul style="list-style-type: none"> <li>The lot layout is consistent with the residential density required by Chapter 6 to the Canterbury Regional Policy Statement;</li> <li>Any risks of natural hazards or soil contamination are effectively managed;</li> <li>That there will be no adverse effects on ancestral land, water and the Wāhi tapu and Wāhi taonga of Te Taumutu Rūnunga. This includes the need to protect and enhance rivers, streams, groundwater, wetlands and springs within the catchment of Te Waihora/Lake Ellesmere and any associated mahinga kai sites;</li> <li>That there will no significant adverse effects on the quality of ecosystems and indigenous biodiversity;</li> <li>That where located in an urban growth path identified in an adopted township structure plan, the lot and road layout and infrastructure servicing is to be designed to readily facilitate intensification of the area to urban densities.</li> </ul>	

Table 3: Detailed rules from the Selwyn District Plan about water (Township Volume)

Rule Number	Description	Rule	Activity Status
<b>Water quantity</b>			
C4 LZ Buildings  4.4  And under rule C16 BZ Buildings	Buildings and water supply	<p><b>Permitted Activities — Buildings and Water Supply</b></p> <p>4.4.1 In all Living zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards.</p> <p>4.4.2 In the Living 1 Zone at Lincoln, as shown in Appendix 35, rainwater storage tanks with a minimum capacity of 3000 litres shall be installed for each dwelling for non-potable uses, such as garden irrigation.</p> <p><b>Permitted Activities — Buildings and Water Supply</b></p> <p>16.3.1 In all Business zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards, except where it can be demonstrated that the use of the principal building in the Business 3 Zone does not require such a supply.</p>	<p><b>Discretionary Activities — Buildings and Water Supply</b></p> <p>4.4.3 Any activity which does not comply with Rule 4.4.2 or Rule 16.3.1 shall be a discretionary activity.</p> <p><b>Non-Complying Activities — Buildings and Water Supply</b></p> <p>4.4.4 Any activity which does not comply with Rule 4.4.1 shall be a non-complying activity.</p>

Rule Number	Description	Rule	Activity Status
C6 LZ Utilities 6.1.1	Any utility which meets the following provisions and complies with all other relevant rules shall be a permitted activity:	<p>6.1.1.7 The digging of channels or ditches to convey water is limited to maintenance or minor realignment of existing drains and stock water races.</p> <p>6.1.1.9 The utility may involve the maintenance, operation, and improvement of existing coastal protection works, flood protection and river maintenance works, including the planting and harvesting of trees.</p> <p>6.1.1.12 Any pipe to convey water, sewerage or gas, is laid underground.</p>	<p><b>Discretionary Activities — Utilities – Activities</b></p> <p>6.1.4 Any activity which does not comply with Rules 6.1.1.4, Rule 6.1.1.7, Rule 6.1.1.8, Rule 6.1.1.9 and 6.1.1.12 shall be a discretionary activity.</p>
C12 LZ 12.1 Subdivision - General	12.1.3 Standards and Terms	<p><b>Water</b></p> <p>12.1.3.3 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu, West Melton or is within a Living 3 Zone is supplied with reticulated water; and</p> <p><b>Darfield</b></p> <p>12.1.3.9 No subdivision of land in any of the areas labelled “Areas 1, 2, 4 and 5” as shown in <a href="#">Appendix 25</a>, shall take place until:</p> <p>(a) A potable water supply is available which is capable of serving the lots within the subdivision; and</p> <p>(b) An Outline Development Plan addressing those matters identified in the explanation and reasons to <a href="#">Policy B4.3.23</a>, Darfield Specific Policies has been incorporated into the District Plan for the area as identified in <a href="#">Appendix 25</a> within which the subdivision is proposed.</p> <p>12.1.3.10 Where a potable water supply is available which is capable of serving the lots within the subdivision, and there is an Outline Development Plan which has been incorporated into the District Plan for the area identified in <a href="#">Appendix 25</a> within which the subdivision is proposed, the subdivision complies with the layout and contents of the Outline Development Plan for that area.</p> <p><b>Dunsandel</b></p> <p>12.1.3.17 In the deferred Living Zone (Area A) at Dunsandel, no subdivision of land shall take place until</p>	<p><b>Restricted Discretionary Activities — Subdivision – General</b></p>

Rule Number	Description	Rule	Activity Status
		<p>(c) A potable water supply is available which is capable of serving the potential lots within the subdivision; and</p> <p>12.1.3.18 In the deferred Living Zone (Area B) at Dunsandel, no subdivision of land shall take place until:</p> <p>(d) A potable water supply is available which is capable of serving the potential lots within the subdivision; and</p> <p><b>Rolleston</b></p> <p>12.1.3.51 Any subdivision application within the Living 3 Zone west of Dunns Crossing Road that includes any part of the Countryside Areas as identified on the Outline Development Plan included at Appendix <a href="#">39</a> and <a href="#">40</a> shall be accompanied by a Countryside Area Management Plan which addresses the following matters:</p> <p>(i) Whether there is sufficient irrigation water available to provide surety of crop within the Countryside Area(s).</p> <p><b>West Melton</b></p> <p>12.1.3.57 No subdivision of land in the Living WM Zone shall take place until:</p> <p>(a) A reticulated community potable water supply is available which is capable of serving the entire lots within the subdivision; and</p> <p>These are restricted discretionary activities.</p>	
C12 LZ  12.1 Subdivision - General	12.1.4 Matters over which the Council has restricted the exercise of its discretion:	<p><b>Water</b></p> <p>12.1.4.3 The provision of water for firefighting; and</p> <p>12.1.4.1 In relation to any new bore to provide a potable water supply:</p> <p>(a) Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and</p> <p>(b) The need for the protection zone to be confined to within the boundaries of an allotment; and</p> <p>(c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.</p> <p><b>Prebbleton</b></p>	<b>Restricted Discretionary Activities — Subdivision – General</b>

Rule Number	Description	Rule	Activity Status
		<p>12.1.4.61 In the Living 1A6 Zone in Prebbleton, any measures introduced to ensure subdivisions are able to factor in water demand managements and other household sustainability ideas.</p> <p><b>Rural Residential Areas (Living 3 Zoning)</b></p> <p>12.1.4.91 Ensure connections to reticulated water and wastewater services are available at all property boundaries and appropriate measures are available to effectively treat and dispose of stormwater.</p> <p>12.1.4.96 Ensure that connections to reticulated water and wastewater services are available at all property boundaries and appropriate measures are available to effectively treat and dispose of stormwater. Where a reticulated water supply cannot provide adequate quantities and pressure for firefighting as set out in SNZ PAS 4509:2008, an on-site firefighting water supply shall be provided in accordance with SNZ PAS 4509:2008.</p>	
<p>C12 LZ</p> <p>12.2 Subdivision – Boundary adjustments</p>	<p>Restricted Discretionary Activities — Subdivision – Boundary Adjustments</p>	<p>12.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:</p> <p>12.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and</p>	<p><b>12.2.2 Matters over which the Council has restricted the exercise of its discretion:</b></p> <p><b>Water</b></p> <p>12.2.2.3 In relation to any new bore to provide a potable water supply:</p> <p>(a) Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and</p> <p>(b) The need for the protection zone to be confined to within the boundaries of an allotment; and</p> <p>(c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.</p>
<p>C18 BZ</p> <p>18.1 Utilities - Activities</p>		<p>18.1.1.8 Any pipe to convey water, sewage or gas, is laid underground.</p>	<p><b>Discretionary Activities — Utilities Activities</b></p> <p>18.1.4 Any activity which does not comply with Rules 18.1.1.4, 18.1.1.7 and 18.1.1.8 shall be a discretionary activity.</p>

Rule Number	Description	Rule	Activity Status
C24 BZ  24.1 Subdivision - general	24.1.3 Standards and Terms	<b>Water</b> 24.1.3.3 Any allotment created is supplied with a reticulated water supply which complies with the current New Zealand Drinking Water Standard; and	<b>Restricted Discretionary Activities — Subdivision – General</b>
<b>Water Quality</b>			
C3 LZ Earthworks  2.1.1	Any earthworks shall be a permitted activity if the following conditions are met:	2.1.1.4 Earthworks do not occur and material from earthworks is not deposited within: (a) 20m of any waterbody listed in <a href="#">Appendix 12</a> . (b) 10m of any other waterbody (excluding aquifers).	If the activity does not comply with this permitted activity criteria it will be a discretionary activity.
C3 Buildings  4.15 Setbacks from Waterbodies		<b>Permitted Activities — Setbacks from Waterbodies</b> 4.15.1 The siting of any dwelling or principal building or any other structure shall be a permitted activity if it is setback not less than either: 4.15.1.1 20m from the edge of any waterbody listed in Appendix 12; or 4.15.1.2 10m from the edge of any other waterbody (excluding aquifers).	<b>Discretionary Activities — Setbacks from Waterbodies</b> 4.15.2 Any activity which does not comply with Rule 4.15.1 shall be a discretionary activity <b>Notes</b> 1 Rule 4.15 does not apply to walkway facilities; utility structures attached to existing buildings or structures; or signs which are permitted activities under Rule 7. 2 The edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks”. 3 Rule 4.15 shall not apply on any allotment adjoining an esplanade reserve or strip along a waterbody where the reserve or strip has previously been vested in the Council.
C5 LZ Roading  5.1 Roading and Engineering Standards	5.1.1 The forming of any road shall be a permitted activity if the following conditions are met:	5.1.1.3 The road is not located closer than: (a) 20m to any waterbody listed in Appendix 12; or (b) 20m to a site listed in Appendices 3 or 4; and	<b>Discretionary Activities — Roading and Engineering Standards</b> 5.1.2 Any activity which does not comply with Rule 5.1.1 shall be a discretionary activity
C5 LZ Roading	5.2 VEHICLE ACCESSWAYS	5.2.1.5 The vehicle accessway is not located closer than: (a) 20m to any waterbody listed in <a href="#">Appendix 12</a> ; or (b) 20m to a site listed in Appendices <a href="#">3</a> or <a href="#">4</a> ; and	<b>Discretionary Activities — Vehicle Accessways</b> 5.2.3



Rule Number	Description	Rule	Activity Status
	<b>Permitted Activities — Vehicle Accessways</b>		Any activity which does not comply with any of Rules <a href="#">5.2.1.2</a> to <a href="#">5.2.1.6</a> inclusive shall be a discretionary activity.
C2 Tree Planting  2.1 Shelterbelts and amenity planting	2.1.1 The planting of any trees for amenity planting, shelterbelts shall be a permitted activity if all of the following conditions are met:	<p>2.1.1.4 The tree(s) are planted at least:</p> <p>(a) 20m from the edge of any waterbody listed in Appendix 17; and</p> <p>(b) 10m from the edge of any other waterbody (excluding aquifers).</p> <p>Note: For the purposes of Rule 2.1.1.4, the edge of any lake or wetland is measured from:</p> <p>The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or</p> <p>If the lake level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.</p> <p>The edge of any other waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as-</p> <p><i>"the space of land which the waters of the river cover at its fullest flow, without overtopping its banks."</i></p>	<p>2.1.4 Planting any tree in a position which does not comply with Rule 2.1.1.4 shall be a restricted discretionary activity.</p> <p>2.1.5 Under Rule 2.1.4 the Council shall restrict its discretion to consideration of the effects of the proposed planting as to shading.</p>
C14 BZ Earthworks  14.1 Earthworks	<p><b>Permitted Activities — Earthworks</b></p> <p>14.1.1 Any earthworks shall be a permitted activity if the following conditions are met:</p>	<p>14.1.1.4 Earthworks are not to occur and material from earthworks is not to be deposited within:</p> <p>(a) 20m of any waterbody listed in Appendix 12.</p> <p>(b) 10m of any other waterbody (excluding aquifers).</p>	<p><b>Discretionary Activities — Earthworks</b></p> <p>14.1.2 The following shall be discretionary activities:</p> <p>14.1.2.1 Mineral exploration.</p> <p>14.1.2.2 Any activity which does not comply with any of <a href="#">Rules 14.1.1.1</a> – <a href="#">Rule 14.1.1.8</a>.</p>
C12 LZ  12.1 Subdivision - General	<b>Rural Residential Areas (Living 3 Zoning)</b>	<p>12.1.4.99 The extent to which site analysis using a comprehensive design process and rationale has been undertaken to recognise, and where appropriate, protect, maintain or enhance the following</p> <ul style="list-style-type: none"> <li>Existing water courses, water bodies, wetlands, groundwater and springs;</li> <li>Existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora;</li> </ul>	<p><b>Discretionary Activities — Vehicle Accessways</b></p> <p>5.2.3 Any activity which does not comply with any of Rules 5.2.1.2 to 5.2.1.6 inclusive shall be a discretionary activity.</p>

Rule Number	Description	Rule	Activity Status
		<ul style="list-style-type: none"> <li>Heritage values and any sites of archaeological significance;</li> <li>Ancestral land, rivers, wetlands, groundwater, springs, Te Waihora/Lake Ellesmere and mahinga kai sites and the Wāhi Tapu and Wāhi Taonga of Te Rununga o Ngāi Tahu and Te Taumutu Rununga;</li> </ul>	
<b>Natural Character</b>			
<b>Ecological Values</b>			
<b>Activities on the surface of waterbodies</b>			
C10 LZ  10.2 Activities on the surface of waterbodies	Any structure or mooring which passes over or through the surface of any waterbody or which is attached to the bank of any waterbody shall be a permitted activity if the following conditions are met:	10.2.1.1 The structure is a fence made of post and wire netting construction and is not more than 1m in height above ground level at the edge of the waterbody; or 10.2.1.2 The structure is a floodgate installed where an existing fence crosses a waterbody; or 10.2.1.3 The structure or mooring is a temporary device and is removed when it is not being used; or 10.2.1.4 The structure is a bridge or culvert for crossing a water race, drain or stream with a bed not more than 3 metres in width. 10.2.1.5 The structure is a sign or navigation aid erected by or on behalf of Environment Canterbury or the Maritime Safety Authority. 10.2.1.6 The structure is a line, conductor or cable owned by a network utility operator and complies with the relevant height standards for electrical lines crossing waterbodies.	<b>Discretionary Activities: Activities on the Surface of Waterbodies</b> 10.2.3 Any activity which does not comply with Rule 10.2.1 shall be a discretionary activity.
C10 LZ  10.2 Activities on the surface of waterbodies		10.2.2 Any overnight accommodation on a craft on the surface of a waterbody shall be a permitted activity provided that it is associated with recreational use of the craft; and limited to not more than one night on any one mooring in any one month period	<b>Non-Complying Activities: Activities on the Surface of Waterbodies</b> 10.2.4 Any activity which does not comply with Rule 10.2.2 shall be a non-complying activity.  <b>Notes</b> 1. Any diversion of water or discharge into water as a result of constructing any structure over a waterbody may require a resource consent from

Rule Number	Description	Rule	Activity Status
			<p>Environment Canterbury, even if it is a permitted activity in the District Plan.</p> <p>2. Rule 10.2.2 does not exempt activities on the surface of water from complying with any by-laws made under the Local Government Amendment No. 2 Act 1999, including the transitional Water Recreation Regulations 1979.</p> <p>3. Rule 10.2.2 does not apply to overnight accommodation in the event of inclement weather, the breakdown of a watercraft, or other emergency.</p> <p>4. The erection of a structure on the surface of a river or lake and attached to the bed may require resource consent from Environment Canterbury even if it is a permitted activity in the District Plan.</p>
<b>Public access to rivers, lakes and riparian margins</b>			
<p>C24 BZ Subdivision</p> <p>24.3 Subdivision – Access, reserve and utility allotments</p>	<p><b>Controlled Activities — Subdivision – Access, Reserve and Utility Allotment</b></p>	<p>24.3.1 Subdivision of land to create allotments used solely for:</p> <ul style="list-style-type: none"> <li>Access (including roads and esplanade reserves); or</li> <li>Esplanade strips; or</li> </ul> <p>shall be a controlled activity which need not be notified or served on the persons prescribed in regulations (except where any part on an allotment intended to be used for utility structures lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines. In that case, and subject to s94(2) of the Act, notice of the application shall be served on the appropriate network utility operator). The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 24.3.2</a>.</p> <p>Subdivision of land to create allotments used solely for utility buildings and utility structures shall be a controlled activity, which shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 24.3.2</a>.</p>	<p>24.3.2 Matters over which the Council has restricted the exercise of its discretion:</p> <p><b>Esplanade Reserves and Strips</b></p> <p>24.3.2.10 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;</p> <p>24.3.2.11 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in Appendix 12.</p>

Rule Number	Description	Rule	Activity Status
C6 LZ Utilities 6.6	Setback from waterways - utilities	<p><b>Permitted Activities — Setback from Waterways – Utilities</b></p> <p>6.6.1 Any utility building or other structure shall be a permitted activity if it is sited in accordance with the following setbacks:</p> <p>6.6.1.1 Not less than 20 metres from the edge of any waterbody listed in Appendix 12; or</p> <p>6.6.1.2 Not less than 10 metres from the edge of any other waterbody (excluding aquifers).</p>	<p><b>Discretionary Activities — Setback from Waterways – Utilities</b></p> <p>6.6.2 Any activity which does not comply with Rule 6.6.1 shall be a discretionary activity.</p> <p><b>Notes on Rule 6.6</b></p> <p>1 Rule 6.6.1 does not apply to walkway facilities; utility structures attached to existing buildings or structures; or signs which are permitted activities under Rule 19.</p> <p>2 The edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as "the space of land which the waters of the river cover at its fullest flow, without overtopping its banks".</p> <p>3 Rule 6.6 shall not apply on any allotment adjoining an esplanade reserve or strip along a waterbody where the reserve or strip has previously been vested in the Council.</p>
C12 LZ Subdivision	12.1 Subdivision - General	<p><b>Restricted Discretionary Activities — Subdivision – General</b></p> <p>12.1.1 A subdivision of land, which is not a subdivision under Rules <a href="#">12.2</a> or <a href="#">12.3</a>, shall be a restricted discretionary activity if it complies with the standards and terms set out in <a href="#">Rule 12.1.3</a>.</p> <p>12.1.2 Any subdivision subject to <a href="#">Rule 12.1.1</a>, and which complies with <a href="#">Rule 12.1.3</a>, shall not be notified and shall not require the written approval of affected parties. The Council shall restrict the exercise of its discretion to consideration of the matters listed in <a href="#">Rule 12.1.4</a> following <a href="#">Table C12.1</a>.</p>	<p><b>12.1.4 Matters over which the Council has restricted the exercise of its discretion:</b></p> <p>Esplanade Reserves</p> <p>12.1.4.50 Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in <a href="#">Appendix 12</a>;</p> <p>12.1.4.51 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in <a href="#">Appendix 12</a>.</p>
C12 LZ Subdivision	12.2 Subdivision – Boundary Adjustments	<p><b>Restricted Discretionary Activities — Subdivision – Boundary Adjustments</b></p> <p>12.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:</p> <p>12.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and</p> <p>12.2.1.2 No additional allotments are created as a result of the boundary adjustment; and</p>	<p><b>12.2.2 Matters over which the Council has restricted the exercise of its discretion:</b></p> <p><b>Esplanade Reserves and Strips</b></p> <p>12.2.2.17 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in <a href="#">Appendix 12</a>.</p>

Rule Number	Description	Rule	Activity Status
		<p>12.2.1.3 The area of any allotment after the boundary adjustment has not decreased the smallest allotment existing after the boundary adjustment by an area greater than 15% of that of the smallest allotment prior to the boundary adjustment (except where any such allotment is for the purpose of corner rounding or access to a road); and</p> <p>12.2.1.4 Each allotment has legal access to a formed, legal road.</p> <p>12.2.1.5 The corner of any allotment at any road intersection shall be splayed with a rounded minimum radius of 3 metres</p> <p>If the subdivision complies with <a href="#">Rules 12.2.1.1 to 12.2.1.5</a>, it shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 12.2.2</a>.</p>	
C12 LZ Subdivision	12.3 Subdivision – Access, reserve and utility allotments	<p><b>Controlled Activities — Subdivision – Access, Reserve and Utility Allotments</b></p> <p>12.3.1 Subdivision of land to create allotments used solely for:</p> <ul style="list-style-type: none"> <li>• Access (including roads and esplanade reserves); or</li> <li>• Esplanade strips; or</li> <li>• Protection of sites with special ecological, cultural or heritage values, archaeological sites, or outstanding landscapes; or</li> <li>• Utility structures and utility buildings;</li> <li>• Stopbanks.</li> </ul> <p>Shall be a controlled activity which need not be notified or served on the persons prescribed in regulations (except where any part on an allotment intended to be used for utility structures lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines. In that case, and subject to S94(2) of the Act, notice of the application shall be served on the appropriate network utility operator). The exercise of discretion shall be</p>	<p><b>12.3.2 Matters over which the Council has reserved control</b></p> <p>Esplanade Reserves and Strips</p> <p>12.3.2.10 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in <a href="#">Appendix 12</a></p> <p>12.3.2.11 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in <a href="#">Appendix 12</a>.</p>

Rule Number	Description	Rule	Activity Status
		<p>restricted to consideration of the matters listed in <a href="#">Rule 12.3.2</a></p> <p>Subdivision of land to create allotments used solely for utility buildings and utility structures shall be a controlled activity, which shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 12.3.2</a>.</p>	
C24 BZ Subdivision	24.1 Subdivision - General	<p><b>Restricted Discretionary Activities — Subdivision – General</b></p> <p>24.1.1 A subdivision of land, which is not a subdivision under Rules <a href="#">24.2</a> or <a href="#">24.3</a>, shall be a restricted discretionary activity if it complies with the standards and terms set out in <a href="#">Rule 24.1.3</a>.</p> <p>24.1.2 Any subdivision subject to <a href="#">Rule 24.1.1</a>, and which complies with <a href="#">Rule 24.1.3</a>, shall not be notified and shall not require the written approval of affected parties. The Council shall restrict the exercise of its discretion to consideration of the matters listed in <a href="#">Rule 24.1.4</a> following <a href="#">Table C24.1</a>.</p>	<p><b>24.1.4 Matters over which the Council has restricted the exercise of its discretion:</b></p> <p>Esplanade Reserves</p> <p>24.1.4.28 Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in <a href="#">Appendix 12</a>;</p> <p>24.1.4.29 Whether any esplanade reserve will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in <a href="#">Appendix 12</a>.</p>
C24 BZ Subdivision	24.2 Subdivision – Boundary adjustments	<p><b>Restricted Discretionary Activities — Subdivision – Boundary Adjustments</b></p> <p>24.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:</p> <p>24.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and</p> <p>24.2.1.2 No additional allotments are created as a result of the boundary adjustment; and</p> <p>24.2.1.3 The area of any allotment after the boundary adjustment has not decreased the smallest allotment existing after the boundary adjustment by an area greater than 15% of that of the smallest allotment prior to the boundary adjustment (except where any such allotment is for the purpose of corner rounding or access to a road); and</p>	<p><b>24.2.2 Matters over which the Council has restricted the exercise of its discretion:</b></p> <p>Esplanade Reserves and Strips</p> <p>24.2.2.16 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in <a href="#">Appendix 12</a>.</p>



Rule Number	Description	Rule	Activity Status
		<p>24.2.1.4 Each allotment has legal access to a formed, legal road.</p> <p>24.2.1.5 The corner of any allotment at any road intersection within a Business zone shall be splayed with a rounded minimum radius of 6m.</p> <p><b>Note:</b> If the subdivision complies with Rules <a href="#">24.2.1.1</a> to <a href="#">24.2.1.5</a>, it shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 24.2.2</a>.</p>	
C24 BZ Subdivision	24.3 Subdivision – Access, reserve and utility allotments	<p><b>Controlled Activities — Subdivision – Access, Reserve and Utility Allotments</b></p> <p>24.3.1 Subdivision of land to create allotments used solely for:</p> <ul style="list-style-type: none"> <li>• Access (including roads and esplanade reserves); or</li> <li>• Esplanade strips; or</li> <li>• Protection of sites with special ecological, cultural or heritage values, archaeological sites, or outstanding landscapes; or</li> <li>• Utility structures and utility buildings;</li> <li>• Stopbanks</li> </ul> <p>shall be a controlled activity which need not be notified or served on the persons prescribed in regulations (except where any part on an allotment intended to be used for utility structures lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines. In that case, and subject to s94(2) of the Act, notice of the application shall be served on the appropriate network utility operator). The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 24.3.2</a>.</p> <p>Subdivision of land to create allotments used solely for utility buildings and utility structures shall be a controlled activity, which shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in <a href="#">Rule 24.3.2</a>.</p>	<p><b>24.3.2 Matters over which the Council has restricted the exercise of its discretion:</b></p> <p>Esplanade Reserves and Strips</p> <p>24.3.2.10 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in <a href="#">Appendix 12</a>;</p> <p>24.3.2.11 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in <a href="#">Appendix 12</a>.</p>

Rule Number	Description	Rule	Activity Status
<b>Activities within riparian margins</b>			
C4 LZ  4.15 Setbacks from waterbodies		<b>Permitted Activities — Setbacks from Waterbodies</b> 4.15.1 The siting of any dwelling or principal building or any other structure shall be a permitted activity if it is setback not less than either: 4.15.1.1 20m from the edge of any waterbody listed in Appendix 12; or 4.15.1.2 10m from the edge of any other waterbody (excluding aquifers).	<b>Discretionary Activities — Setbacks from Waterbodies</b> <b>4.15.2</b> Any activity which does not comply with Rule 4.15.1 shall be a discretionary activity <b>Notes</b> 1 Rule 4.15 does not apply to walkway facilities; utility structures attached to existing buildings or structures; or signs which are permitted activities under Rule 7. 2 The edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks”. 3 Rule 4.15 shall not apply on any allotment adjoining an esplanade reserve or strip along a waterbody where the reserve or strip has previously been vested in the Council.
C12 LZ  12.2 Subdivision – Boundary adjustments	Restricted Discretionary Activities — Subdivision – Boundary Adjustments	12.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms: 12.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and	24.2.2 Matters over which the Council has restricted the exercise of its discretion: <b>Esplanade Reserves and Strips</b> 24.2.2.16 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12.
<b>Mana whenua values associated with water including water quality, use of water and access to water</b>			
C12 LZ  12.1 Subdivision - General	<b>Rural Residential Areas (Living 3 Zoning)</b>	12.1.4.99 The extent to which site analysis using a comprehensive design process and rationale has been undertaken to recognise, and where appropriate, protect, maintain or enhance the following <ul style="list-style-type: none"> <li>Existing water courses, water bodies, wetlands, groundwater and springs;</li> </ul>	<b>Restricted Discretionary Activities — Subdivision – General</b>

Rule Number	Description	Rule	Activity Status
		<ul style="list-style-type: none"> <li>Existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora;</li> <li>Heritage values and any sites of archaeological significance;</li> <li>Ancestral land, rivers, wetlands, groundwater, springs, Te Waihora/Lake Ellesmere and mahinga kai sites and the Wāhi Tapu and Wāhi Taonga of Te Rununga o Ngāi Tahu and Te Taumutu Rununga;</li> </ul>	

Table 4: Detailed rules from the Selwyn District Plan about water (Rural Volume)

Rule number	Description	Rule	Activity status
<b>Water quality</b>			
C5 Utilities  5.1 Utilities - activities	5.1.2 Any utility which meets the following provisions shall be a permitted activity:	5.1.2.5 Open channels or waterbodies used to convey water, are limited to: (a) Maintenance of existing drains and stock water races. (b) Construction of new channels for drainage or irrigation purposes on any individual property which serve only that property.	<b>Discretionary Activities — Utilities – Activities 5.1.3</b> Any activity which does not comply with Rules <a href="#">5.1.2.2–5.1.2.6</a> shall be a discretionary activity.
C1 earthworks  1.7 Earthworks and setbacks, volume and site rehabilitation	Permitted Activities — Earthworks and Setbacks, Volume and Site Rehabilitation	1.7.1 Any earthworks which meet the following conditions shall be a permitted activity: 1.7.1.1 The earthworks are set back at least 20m from the edge of any waterbody (excluding aquifers): (a) unless the earthworks are those undertaken within a road reserve and are for the purpose of installing underground network utility infrastructure; or (b) except that for rivers the following earthworks are subject to a reduced setback of 5m: (i) 100m <sup>2</sup> (area) per 1000 metres in any continuous 5 year period; and (ii) 40m <sup>3</sup> (volume) per 1000 metres in any continuous 5 year period; or (iii) any earthworks which has been granted resource consent for a discretionary or non-complying activity from the Canterbury Regional Council; or	<b>Discretionary Activities — Earthworks and Setbacks, Volume and Site Rehabilitation</b> Any earthworks which do not comply with Rules 1.7.1.1, 1.7.1.2 or 1.7.1.3 shall be a discretionary activity.

Rule number	Description	Rule	Activity status
		<p>(iv) maintenance of existing fencelines, existing vehicle tracks and existing crossings.</p> <p><b>Notes</b>  For the purposes of <a href="#">Rule 1.7.1.1</a>, the edge of any lake or wetland is measured from:</p> <ul style="list-style-type: none"> <li>• The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or</li> <li>• If the lake or wetland level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.</li> </ul> <p>For the purpose of <a href="#">Rule 1.7.1.1(b)(i) and (ii)</a>, river means:</p> <ul style="list-style-type: none"> <li>• Any continually flowing body of freshwater; or</li> <li>• Any intermittently flowing body of freshwater within a defined bed, excluding ephemeral rivers.</li> </ul> <p>The edge of any other waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as — “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks.”</p> <p>The exceptions provided for in Rule 1.7.1.1 are designed to allow a degree of day to day farming activities such as some tracking, construction of fence lines and like activities.</p>	
C2 Tree Planting  2.1 Shelterbelts and amenity planting	Permitted Activities – Shelterbelts and Amenity Planting	2.1.1 The planting of any trees for amenity planting, shelterbelts shall be a permitted activity if all of the following conditions are met: 2.1.1.4 The tree(s) are planted at least: (a) 20m from the edge of any waterbody listed in Appendix 17; and (b) 10m from the edge of any other waterbody (excluding aquifers). <b>Note:</b> For the purposes of <a href="#">Rule 2.1.1.4</a> , the edge of any lake or wetland is measured from: The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or	<b>Restricted Discretionary Activities — Shelterbelts &amp; Amenity Planting</b> 2.1.4 Planting any tree in a position which does not comply with <a href="#">Rule 2.1.1.4</a> shall be a restricted discretionary activity. 2.1.5 Under <a href="#">Rule 2.1.4</a> the Council shall restrict its discretion to consideration of the effects of the proposed planting as to shading.

Rule number	Description	Rule	Activity status
		<p><i>If the lake level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.</i></p> <p><i>The edge of any other waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as-</i></p> <p><i>"the space of land which the waters of the river cover at its fullest flow, without overtopping its banks."</i></p>	
C2 Tree Planting  2.2 Plantations	Permitted activities - plantations	<p>2.2.1 The planting or harvesting of any plantation shall be a permitted activity if all of the following conditions are met:</p> <p>2.2.1.5 Any tree is planted at least:</p> <p>(a) 20m from the edge of any waterbody listed in <a href="#">Appendix 17</a>; and</p> <p>(b) 10m from the edge of any other waterbody (excluding aquifers)</p> <p>Provided that Rules 2.2.1.5 (a) and 2.2.1.5 (b) do not apply to any trees planted for the purpose of bank stabilisation or prevention of soil erosion</p>	<p><b>Discretionary Activities — Plantations</b></p> <p>2.2.11 Any plantation which does not comply with <a href="#">Rule 2.2.1.5</a> shall be a discretionary activity.</p>
C3 Buildings	3.10 Buildings and Residential Density	<p>3.10.1 Erecting any building or any additions or alterations to, or modification or demolition of any building shall be a permitted activity if the following conditions are met:</p> <p>3.10.1.1 The minimum land area required to erect any dwelling:</p> <p>(a) Complies with the minimum land area per dwelling shown in Table C3.1; and</p> <p>(b) Is held in one, separately saleable allotment which is the same allotment on which the dwelling(s) are to be erected.</p>	<p><b>Restricted Discretionary Activities — Buildings and Residential Density</b></p> <p>3.10.3 Erecting any dwelling on an allotment which does not comply with <a href="#">Rule 3.10.1</a> shall be a restricted discretionary activity if all of the following standards and terms are met:</p> <p>3.10.3.5 The balance area of land needed to comply with the minimum area in Rule 3.10.1, Table C3.1 does not include:</p> <p>(a) the bed of any lake or river;</p> <p>(b) any legal road;</p> <p>(c) land which is vested in any form of reserve; or</p> <p>(d) any other land which, due to its legal tenure, could not be used to erect a dwelling;</p>
C3 Buildings  3.13 Buildings and Building Position	3.13.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted	<p>3.13.1.4 Any building is setback a minimum distance of:</p> <p>(a) 100m from the edge of any lake or any wetland which adjoins a lake; and</p>	<p><b>Discretionary Activities — Buildings and Building Position</b></p> <p>3.13.8 Except as provided in <a href="#">Rule 3.13.7</a>, any building other than a dwelling or other principal</p>

Rule number	Description	Rule	Activity status
	activity if all of the following conditions are met:	<p>(b) 20m from the edge of any waterbody listed in Appendix 17 other than a lake; and</p> <p>(c) 10m from the edge of any other waterbody (excluding aquifers).</p> <p><b>Notes</b></p> <p><i>For the purposes of Rules 3.13.1.4(a) and 3.13.1.4(c), the edge of any lake or wetland is measured from:</i></p> <p><i>The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or</i></p> <p><i>If the lake or wetland level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.</i></p> <p><i>For the purposes of Rules 3.13.1.4(b) and 3.13.1.4(c) the edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as- "the space of land which the waters of the river cover at its fullest flow, without overtopping its banks."</i></p>	building which does not comply with <a href="#">Rule 3.13.1.4</a> shall be a discretionary activity.
C5 Utilities		<p><b>Permitted Activities — Waterbody Setbacks – Utility Buildings</b></p> <p>5.13.1</p> <p>Any utility building which is setback at least the following minimum distances shall be a permitted activity:</p> <p>5.13.1.1</p> <p>100m from the edge of any lake or any wetland which adjoins a lake; and</p> <p>5.13.1.2</p> <p>20m from the edge of any waterbody listed in <a href="#">Appendix 17</a> other than a lake; and</p> <p>5.13.1.3</p> <p>10m from the edge of any other waterbody (excluding aquifers).</p> <p><b>Note:</b> <i>For the purposes of Rule 5.13.1.1 the edge of any lake is measured from:</i></p> <ul style="list-style-type: none"> <li><i>The edge of the space of water which the lake covers at its annual highest level without exceeding its margin; or</i></li> </ul>	<p><b>Discretionary Activities — Waterbody Setbacks – Utility Structures and Utility Buildings</b></p> <p><b>5.13.3</b></p> <p>Any activity which does not comply with <a href="#">Rule 5.13.1</a> or <a href="#">5.13.2</a> shall be a discretionary activity.</p>



Rule number	Description	Rule	Activity status
		<ul style="list-style-type: none"> <li>If the lake level is controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.</li> </ul> <p>For the purposes of Rules 5.13.1.2 to 5.13.1.3 the edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as- "the space of land which the waters of the river cover at its fullest flow, without overtopping its banks."</p>	
C9 Activities  9.11 Activities and new or expanded dairy farms	9.11.1 The establishment of, or any extension to, any dairy farm is on land shall be a permitted activity where the following conditions are met:	<p>9.11.1.1 All dairy cows are excluded from all land within 10m from any waterbody (excluding aquifers).</p> <p>9.11.1.2 It is on land which is adjoining to that of the milking shed</p> <p><b>Notes:</b> <i>Dairy farm means all the land used to support a dairy milking platform but excludes separate off-farm land areas used to graze dry dairy cows.</i> <i>Rule 9.11.1.1 applies to the conversion of new land to dairying and for both grazing and droving of dairy cows; it does not include land which is used for grazing beef herds.</i></p> <p><i>For Rule 9.11.1.2 expanding dairy farms include dairy farms which are expanding through an increase in herd numbers or an increase in land area.</i></p> <p><i>Rule 9.11.1.2 does not apply to land which is used for grazing dry herds.</i></p> <p><i>Adjoining is defined in Part D of the Plan and includes any land which is separated by a road, easement, water race or drain.</i> <i>Where stock access is across a State Highway, Transit must be consulted.</i></p>	<p><b>Restricted Discretionary Activities — Activities and New or Expanded Dairy Farms</b></p> <p>9.11.3 Any new or expanded dairy farm or off-farm dairy grazing activity that does not comply with Rule 9.11.1.1 or Rule 9.11.1.2 shall be a restricted discretionary activity.</p> <p>9.11.4 Under Rule 9.11.3 the Council shall restrict its discretion to consideration of:</p> <p>9.11.4.1 The effect on natural character and indigenous biodiversity;</p> <p>9.11.4.2 Any mitigation measures to prevent or reduce animal access to the waterbody or its riparian margin.</p> <p>9.11.5 The establishment of any new dairy farm or any extension to an existing dairy farm which does not comply with Rule 9.11.1.2 shall be a restricted discretionary activity.</p> <p>9.11.6 Under Rule 9.11.5 the Council shall restrict its discretion to consideration of:</p> <p>9.11.6.1 The proposed method to move dairy cows between grazing areas and milking sheds;</p> <p>9.11.6.2</p>

Rule number	Description	Rule	Activity status
			Traffic safety; 9.11.6.3 Any positive effects which may offset any adverse effects; and 9.11.6.4 Any monitoring or review conditions.
C9 Activities  9.11 Activities and new or expanded dairy farms		9.11.2 All dry dairy cows on separate off-farm land areas shall be excluded from any waterbody.	
<b>Natural character</b>			
<b>Ecological values</b>			
<b>Activities on the surface of waterbodies</b>			
C9 Activities  9.16 Activities and noise	9.16.5 The following limits shall apply to powered watercraft:	9.16.5.1 Powered watercraft shall be fitted with effective mufflers during all movement under power on water and shall not exceed the following noise limits assessed at any point within the notional boundary of any dwelling on any day: 7.00 am to 9.00 pm Sound Exposure Level (SEL) 85 dBA 9.00 pm to 7.00 am the following day Sound Exposure Level (SEL) 78 dBA 9.16.5.2 No moving craft shall emit noise in excess of a Sound Exposure Level of 90 dBA in any single drive-by measured at any stationary point more than 25m from the line of travel of the craft. 9.16.5.3 On four occasions in any 12 month period, the noise limit may be unrestricted for any portion of waterbody for the purposes of an approved special event.	
C9 Activities	9.7.1 Any activity on the surface of any waterbody shall be a	9.7.1.1 The use of motorised craft on the surface of any of the following lakes: Blackwater; Catherine; Evelyn; Georgina;	<b>Non-Complying Activities — Activities on the Surface of Waterbodies</b> 9.7.2

Rule number	Description	Rule	Activity status
9.7 Activities on the surface of waterbodies	permitted activity if all of the following conditions are met:	<p>Grasmere; Hawdon; Henrietta; Ida; Letitia; Lillian; Marymere; Moana Rua/Pearson; Red Lakes; Rubicon; Sarah; Selfe; or Vagabonds Inn, is limited to one of the following uses:</p> <p>(a) Emergency search and rescue work; or</p> <p>(b) Law enforcement;</p> <p>9.7.1.2</p> <p>Any use of motorised craft on the surface of any waterbody for overnight accommodation is limited to one night on any waterbody, in any one month period;</p> <p><b>Notes:</b></p> <p><i>Rule 9.7.1.2 does not apply to overnight accommodation on craft on any waterbody in emergency weather conditions or where the craft has mechanical problems.</i></p> <p><i>For erecting structures across the surface of waterbodies, see Rule 5 – Utilities.</i></p>	Any activity on the surface of a waterbody which does not comply with <a href="#">Rule 9.7.1</a> shall be a non-complying activity.
<b>Public access to rivers, lakes and riparian margins</b>			
<b>Activities within riparian margins</b>			
C9 Activities  9.21 Activities and clearance of indigenous vegetation and indigenous plant species	9.21.1 The clearance of indigenous vegetation and indigenous plant species shall be a permitted activity provided that all of the following conditions are met:	9.21.1.5 The indigenous vegetation clearance does not exceed 100m <sup>2</sup> per hectare in any continuous 3 year period within a distance of 20m of any lake, any naturally occurring wetland or any river or stream; and	<b>Discretionary Activities — Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species</b> 9.21.3 Any activity which does not comply with Rule 9.21.1.4, Rule 9.21.1.5 or Rule 9.21.1.6 shall be a discretionary activity.
D10 Subdivision  10.10 Subdivision and esplanade reserves or strips	<b>Restricted Discretionary Activities — Subdivision and Esplanade Reserves or Strips</b>	10.10.1 Any subdivision of land creating allotments of less than 4 hectares which does not comply with <a href="#">Rule 10.1.1.10</a> in relation to land adjoining rivers and lakes listed in <a href="#">Appendix 17</a> , or any other subdivision of land adjoining a lake with an area of 8 hectares or more, or a river with a bed of average width of 3 metres or more where the lake or river involved is not listed in <a href="#">Appendix 17</a> shall be a restricted discretionary activity.	10.10.2 The Council shall restrict its discretion to the following matters: 10.10.2.1 Whether a reserve or strip of lesser width than that set out in <a href="#">Appendix 17</a> is sufficient to protect the silent file areas or to protect conservation values, to enable public access, or to enable public recreational use.

Rule number	Description	Rule	Activity status
		<p>The Council shall restrict its discretion to the following matters:</p> <p>10.10.2.1 Whether a reserve or strip of lesser width than that set out in <a href="#">Appendix 17</a> is sufficient to protect the silent file areas or to protect conservation values, to enable public access, or to enable public recreational use.</p> <p>10.10.2.2 Whether the non-provision of public access to or along an esplanade reserve or strip adjoining a waterbody listed in <a href="#">Appendix 17</a> is necessary in order to ensure compatibility with conservation values, or whether the non provision of an access strip to an esplanade reserve or strip can be justified because of the availability of alternative access to the esplanade reserve or strip.</p> <p>10.10.2.3 Whether an esplanade strip is necessary to protect the natural character or silent file areas of land adjoining any river or lake other than those listed in <a href="#">Appendix 17</a>. In such cases, there shall be no public access.</p> <p>10.10.2.4 The extent to which the "Criteria for Taking Land instead of Cash" clause of the "Reserves – Specific Issues regarding Development Contributions Assessment" in the Development Contribution Policy of the 2006-2016 LTP will meet the needs of present and future generations.</p>	<p>10.10.2.2 Whether the non-provision of public access to or along an esplanade reserve or strip adjoining a waterbody listed in <a href="#">Appendix 17</a> is necessary in order to ensure compatibility with conservation values, or whether the non provision of an access strip to an esplanade reserve or strip can be justified because of the availability of alternative access to the esplanade reserve or strip.</p> <p>10.10.2.3 Whether an esplanade strip is necessary to protect the natural character or silent file areas of land adjoining any river or lake other than those listed in <a href="#">Appendix 17</a>. In such cases, there shall be no public access.</p> <p>10.10.2.4 The extent to which the "Criteria for Taking Land instead of Cash" clause of the "Reserves – Specific Issues regarding Development Contributions Assessment" in the Development Contribution Policy of the 2006-2016 LTP will meet the needs of present and future generations.</p>
<b>Mana whenua values associated with water including water quality, use of water and access to water</b>			

## Appendix B Regional Policy Statement Methods for Territorial Authorities

The majority of policies in the Canterbury Regional Policy Statement set out methods that define what local authorities or territorial authorities 'will' or 'should' do. These methods provide a set of requirements that the District Plan will need to meet with respect to management of water resources, as follows:

- Water quantity (Chapter 7 RPS):
  - Territorial authorities are to provide for life supporting flows, drinking water supplies and stock water supplies as a priority take during periods of water shortage
  - Territorial authorities are to identify any requirements for existing or additional water for community or municipal drinking or stockwater supplies, for the Canterbury Regional Council to provide for as part of setting or reviewing environmental flow and water allocation regimes
  - Territorial authorities are to consider access to and availability of fresh water in catchments for individual domestic or stockwater supply, when setting provisions for subdivision in rural areas in district plans
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to flow regimes and allocation limits, developing plans to address overallocation, and options to help users adapt to new regimes
  - Local authorities will consider, jointly, the effects of changes in land uses on land drainage patterns and stormwater disposal requirements, as part of the zoning of land for residential, commercial or industrial uses
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to identifying actions to help water users increase efficiency
- Water quality (Chapter 9 of RPS):
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to identifying and implementing actions to improve water quality in degraded catchments, identifying water bodies where water quality standards need to be reviewed and establishing current or reasonably foreseeable values and uses
  - Local authorities should support industry-led guidelines, codes of practice and environmental accords where these would lead to the achievement of RPS objectives
  - Local authorities will work together to manage adverse effects of land uses on water quality, including appropriate controls on land uses in district plans. May include a holistic approach such as low-impact urban design and development principles, and riparian management
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to land use practices that are adversely affecting water quality, including initiatives that could be undertaken to reduce these effects
- Natural character (Chapter 7 of RPS):
  - Local authorities will work together to ensure consistency in the identification of areas with high natural character in regional and district plans
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to areas for non-regulatory protection, or enhancement of natural character values, and actions needed
- Fresh water environments and biodiversity (Chapter 9 of RPS):
  - Local authorities will include in district plans (as appropriate) methods to identify and protect sites and areas, having regard to the CWMS and the Canterbury Biodiversity Strategy, provisions to manage land uses and vegetation removal within riparian margins but don't require consent if it is required from Environment Canterbury
  - Local authorities will engage with Ngāi Tahu to identify fresh water sites of significance
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to establishing and undertaking programmes to protect, restore or enhance degraded lakes, rivers, wetlands and riparian areas
- Riparian zones (Chapter 10 of RPS):
  - Territorial authorities will set out objectives and policies, and may include methods in district plans to control the effects of the inappropriate subdivision, use, development, or protection of land to avoid, remedy or mitigate adverse effects on the values of the riparian zones of rivers or lakes

- Territorial authorities will set out objectives and policies, and may include methods in district plans to control the effects of the inappropriate subdivision, use, development, or protection of land in riparian zones for protecting biodiversity and preserving natural character
- Territorial authorities may control the use of land within lakes and river beds for maintenance of indigenous biological diversity where sites have been identified that include the bed
- Local authorities will engage with Ngāi Tahu to identify values relevant to the carrying out of activities in riparian zones and to the protection and enhancement of riparian zones
- Local authorities should undertake investigations to identify areas within riparian zones where there are significant values that need to be protected from inappropriate subdivision, use and development
- Local authorities should recognise and provide for the integrated nature of whole catchments in managing and enabling activities, and developing and applying measures to avoid, remedy or mitigate adverse effects
- Local authorities should consider removing the requirement for resource consent if it is required from another local authority
- Public access (Chapter 10 of RPS):
  - Territorial authorities should consider appropriate measures that will maintain and enhance and, where appropriate, control public access to and along the beds of rivers and lakes
  - Local authorities will identify areas where existing access should be retained, and identify locations where access is desirable, and the conditions under which it should occur
  - Local authorities will engage with Ngāi Tahu to identify values relevant to maintaining Ngāi Tahu access and protecting sites from inappropriate public access
  - Local authorities should advocate and promote the establishment of various access instruments to maintain and enhance (or control) public access
- Integrated solutions:
  - Local authorities are to seek and have regard to recommendations from the zone water management committee relating to goals or visions for comprehensive management, and actions that are required or desired
  - Local authorities will support integrated approaches to the management of water and the effects of land uses between regional and district plans

## **Appendix C    Feedback on Draft Baseline Report from the Department of Conservation and Environment Canterbury**



## Memo

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Date	08/06/2018
To	Rachael Carruthers (Selwyn District Council)
CC	
From	Sam Leonard

### Feedback on District Plan Provisions Relating to Water Report

The following feedback relates to the District Plan Provisions Relating to the Water Report (the Report) prepared for the Selwyn District Council.

#### Section 5.2 – Statutory documents the Selwyn District Plan must give effect to

Environment Canterbury agrees with the assessments of Chapter 7 of the Canterbury Regional Policy Statement (CRPS) within Section 5.2.2 of the Report and of the Canterbury Water Management Strategy within Section 5.2.3 of the Report.

#### Section 5.3.1 – Canterbury Land and Water Regional Plan

In relation to the Canterbury Land and Water Regional Plan (LWRP), Environment Canterbury agrees that there are a range of Objectives, Policies and Rules within the LWRP which are relevant and have the potential to overlap with the Selwyn District Plan provisions.

#### Section 8 - Issues gaps and opportunities

Environment Canterbury is very supportive of the Selwyn District Plan review seeking integration, rather than duplication, with the regional planning instruments. Environment Canterbury are happy to assist wherever possible with this integration process.

Environment Canterbury also supports the direction for elevating the status of Te Waihora/Lake Ellesmere as a major issue for water management in the Selwyn District. Environment Canterbury note that Section 11 of the LWRP - Selwyn – Te Waihora includes the 'Te Waihora Cultural Landscape/Values Management Area' which encompasses Te Waihora, its margins, wetlands, springs and tributaries. The provisions within Section 11 of the LWRP recognises sites and values of significance to Ngāi Tahu and the important relationship that the rūnanga has with this area. As such, complementary mapping and management of cultural values within this area would be supported by ECAN.

#### Activities on the surface of water bodies

In relation to the management of activities of the surface waterbodies, the LWRP controls vegetation clearance and earthworks in the beds of lakes and rivers, wetlands, and in riparian areas. One of the conditions for undertaking these activities is that vegetation clearance does not occur in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat

during the period of 1 January to 1 June inclusive (1 March to 1 June for disturbance of the bed only).

It is possible that these spawning sites could also be sensitive to surface water activities that are not controlled by the LWRP (such as bow wash, boats pulling up to riverbank, etc.). The LWRP includes the same conditions in rules relating to structures in the beds of lakes and rivers. There may be an opportunity to explore whether controlling some surface water activities would complement the LWRP provisions.

Inanga spawning habitats have been identified within Lake Ellesmere/Te Waihora, and also within the mouth of the Rakaia River. Schedule 17 also lists a number of salmon spawning sites along the Rakaia River and within its tributaries.

#### *Navigation Safety Bylaw*

The Canterbury Regional Council Navigation Safety Bylaw 2016 no longer has provisions that relate to the protection of the environment. This is due to a change in legislation which has narrowed the ambit of navigation safety bylaws. This excerpt from the Panel recommendation report for the Navigation Safety Bylaw explains the change:

*We note that navigation safety bylaws can now only be made for matters of maritime safety (refer [Statement of Proposal](#) for the Bylaw section 2, and section 33M of the Maritime Transport Act). Changes in legislation mean that matters relating to environmental concerns can no longer be accommodated within a navigation safety bylaw. We note that there are mechanisms for protection of the environment, through regional and district plans under the Resource Management Act 1991...*

*... Officers advised in the Hearing Report that where there is duplication in controls on lakes between the 2010 Bylaw and district plans, and that the new Draft Bylaw has removed the duplication. This will also avoid the possibility of inconsistencies between the Bylaw and a district plan. We understand that a new regional boating guide will be published summarising the regulations relating to boating on Canterbury's waterways. With this mechanism, boaters will know for example that they require a resource consent to use powered boats on certain Canterbury lakes and other areas due to restrictions for purposes other than navigation safety. Officers consider that submissions requesting the Draft Bylaw be amended to incorporate environmental matters are not within the scope of this Bylaw and therefore recommend no amendments to the Draft Bylaw on this basis.*

The New Navigation Safety Bylaw also provides for speed uplifting in some sections of Canterbury Rivers. The Rakaia River, including the Rakaia River Lagoon and all the tributaries of the Rakaia River, are listed within the bylaw. If this speed uplifting zone coincides with any sensitive habitats or spawning areas then there could be a gap for the District Plan to fill, given that the Navigation Safety Bylaw no longer includes environmental protection mechanisms.

#### *Water Science Team*

The Water Science Team at Environment Canterbury have provided the following feedback on the current provisions within the Selwyn District Plan:

*“Under the current plan the use of motorised craft is not permitted on a number of the smaller lakes in the district. Unlike in other district plans (e.g. Ashburton) scientific research and monitoring by government agencies are not excepted from this rule, the exception is only to Search and Rescue and to law enforcement. Thus, scientific work, and our monitoring work, technically requires a consent. We have just obtained a resource consent for the Surface Water Science Group to use motorised craft on these lakes, which also covers other government and research organisations (if facilitated and approved by us). Even though we now have the consent, it would be much neater and easier if the new plan would include these exemptions.”*

## **Section 9 – Recommendations**

Environment Canterbury supports the integration of the Rural Volume of the District Plan with Environment Canterbury functions to avoid overlap, duplication and confusion. Environment Canterbury supports the proposal for a detailed analysis of the regional planning provisions to identify any gaps, or areas where the proposed District Plan can provide support for existing initiatives. Environment Canterbury is happy and willing to support this analysis as required.

## **Conclusion**

Environment Canterbury would welcome the opportunity for further engagement on this topic and to assist with the alignment of draft provisions with the direction in the CRPS.

**From:** Rachael Carruthers  
**To:** [Lujine, Frances](#)  
**Subject:** FW: Selwyn DPR draft baseline report for DOC review by 11 June - Water  
**Date:** Tuesday, 12 June 2018 9:15:55 a.m.  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.png](#)  
[11062018153429-0001.pdf](#)

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**From:** Ken Murray [mailto:kmurray@doc.govt.nz]  
**Sent:** Monday, 11 June 2018 5:14 p.m.  
**To:** Rachael Carruthers <Rachael.Carruthers@selwyn.govt.nz>  
**Cc:** Jude Borchers <jborchers@doc.govt.nz>  
**Subject:** RE: Selwyn DPR draft baseline report for DOC review by 11 June - Water

Hi Rachael,

Thank you for a copy of the discussion document for comment. The document generally discusses the issues and is agreed.

#### Te Waihora

I presume there is no comment on Te Waihora and NZCPS in the water Chapter as it will be covered in the coastal section and natural hazard section. Attached at the end of the email are my comments on Te Waihora to one of your colleagues Shaun..

The crucial issue is to allow the Lake ecosystems or possibly in the future estuary ecosystems to migrate inland as sea level rises. The situation ECAN faces is that with any sea level rise, the opening of the Te Waihora mouth will become more difficult. There are huts in the area where high lake levels do inundate them now - primarily the Lower Selwyn Huts. These huts have the right of renewal of their leases till 2024 when it will be examined whether sea level rise and presumably flood risk makes the Lower Selwyn Huts area uninhabitable (See page 149 Canterbury (Waitaha) Conservation Management Strategy). Private accommodation on land managed by the Department is generally being phased out. Compounding matters is that the polders could stop lake ecosystems in particular wetlands from migrating inland. The future of;

Lower Selwyn Huts;

The location of Polders (WCO provision);

Subdivision which could occur to protect land on the lake bed;

Are all matters which potentially need to be discussed with the Department and Ngai Tahu. DOC and TRONT have agreed to review the joint management plan.

#### Encroachment of development onto river beds and their margins (The Zip fails to deal with this issue)

Water Conservation (Rakaia River) Order 1988 as outlined in the discussion document states

##### 9 Resource consents

- (1) Resource consents under the Act shall not be granted in respect of any part of the Rakaia River or its tributary streams for the purposes of constructing or maintaining stock barriers or facilitating agricultural encroachment into those bodies of water.

ECAN has carried out a study on agricultural encroachment (Land use change on the margins of lowland Canterbury braided rivers, 1990-2012). This report identified that 2,305 hectares of Rakaia River margins have been developed. Given the national significance of this river, such encroachment and channelization will have significant adverse effects on this rivers values. Given the definition of bed of the river under the RMA – the

*bed means,—*

*(a) in relation to any river—*

*(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks:*

*(ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and*

Given the attached maps... there seems to be an area where regional council or district council do not control land use...but the activities have resulted in agricultural encroachment onto the Rakaia river plain which has confined the braided river bed. These agricultural areas can be quickly eroded by a Rakaia River in a major flood. This is also an issue for the Waikirikiriri / Selwyn River too. Secondly, encroachment onto the river bank can include development of Council managed unformed road. This council land should, where is adjacent to river beds/floodplains, be managed the same as esplanade reserves/strips/ marginal strips. Access across unformed road to crown river bed to facilitate agriculture encroachment should also be managed by Council under the District Plan. (See 8.6 of the discussion document).

Arguments that land will be lost from potential production if there is provision for esplanade reserves/strips must recognise that tributaries such as the Wainiwanui and Hawkins have Crown river bed and in places have marginal strip and esplanade reserves. Occasionally there is unformed road too. The provision of esplanade reserves/strips where there is no reserve or strip or unformed road allows the river further room to migrate and will protect its natural character (natural river form) and in places very significant biodiversity values such as habitat for Canterbury mudfish.

#### Esplanade Reserves and Natural Hazards

With regard to esplanade reserves/strips, they also have a significant function of reducing risk from natural hazards on structures, for example lateral spreading of river banks during major earthquakes such as at Tai Tapu along the Halswell River, the department understands have damaged houses.

#### Stormwater and subdivisions

One of the strong points of subdivision design in both industrial and residential areas in Selwyn District has been the effective subdivision design which results in stormwater being discharged to ground. Such provisions must be included in the new plan as is recommended.

#### Sewage and subdivisions

The existing provisions of Canterbury Land and Water Regional Plan states:

4.14A The disposal of domestic effluent and wastewater shall be managed so as to avoid any adverse effect that is more than minimal on surface and ground waters. Where residential density exceeds 1.5 dwellings per hectare and the total population is greater than 1000 persons, community reticulated systems should be promoted. Alternatively, other measures should be promoted to reduce adverse effects on water bodies from effluent disposal systems, including secondary treatment systems and septic tank warrants of fitness.

This provision has consequences for peri-urban development and may encourage low density urban sprawl which in the longer term may be difficult for Council to provide cost effective sewerage systems which reduce the discharge of both phosphorous and nitrogen to groundwater and reduce the discharge of viruses and bacteria to water. Council should seriously look at how it manages land use in a way that as the population increases, sewerage infrastructure can be created in a cost effective manner.

If you have any queries, please contact me.

#### Ken Murray

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Hi Shaun,

I have been thinking further about the Selwyn Natural hazard issues and the effects of sea level rise following the advice in 2016 which is attached above.

We now have further guidance from DOC and MfE. The two pieces of guidance were developed in close coordination and are intended to be read together. Broadly speaking the DOC guidance explains the NZCPS policies while the MFE guidance focuses implementation of responses to coastal hazards and climate change.

This is the link on the DOC website at this link:

<http://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/policy-statement-and-guidance/>

NZCPS 2010 guidance note: Coastal Hazards - Objective 5 and Policies 24, 25, 26 & 27 was released at the end of last year after the launch of the Ministry for the Environment's (MFE's) Coastal Hazard guidance *Preparing for Change: a summary of coastal hazards and climate change guidance for local government*.

This is the link to MFE advice.

<http://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/coastal-hazards-guide-final.pdf>

These are the four scenarios in the MFE advice.

Figure 27: Four scenarios of New Zealand-wide regional sea-level rise projections for use with this guidance, with extensions to 2150 based on Kopp et al (2014)



# Encroachment Rakaia River Bed

Date Printed: 11 June 2018



- Legend**
- Local Authority
  - QEI Covenants
  - All Protected Areas
  - Vested
  - Covenant Area
  - Ramsar and World Heritage Sites
  - Titles
  - Large Titles
  - Very Large Titles
  - Hydrology
  - Parcels
  - Large Parcels
  - Road / Rail
  - Road
  - Rail

SCALE 1:5,000

0.3 0 0.3 Kilometers

Projection: NZGD\_2000\_New\_Zealand\_Transverse\_Mercator

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable

THIS MAP IS NOT TO BE USED FOR NAVIGATION



# Encroachment Rakaia River Bed -Dobbins Ford

Date Printed: 11 June 2018



## Legend

- Local Authority
- QEN Covenants
- All Protected Areas
- Vested
- Covenant Area
- Ramsar and World Heritage Sites
- Titles
- Large Titles
- Very Large Titles
- Hydrology
- Parcels
- Large Parcels
- Road / Rail
- Road
- Rail

SCALE 1:5,000

0.3 0 0.3 Kilometers

Projection: NZGD\_2000\_New\_Zealand\_Transverse\_Mercator

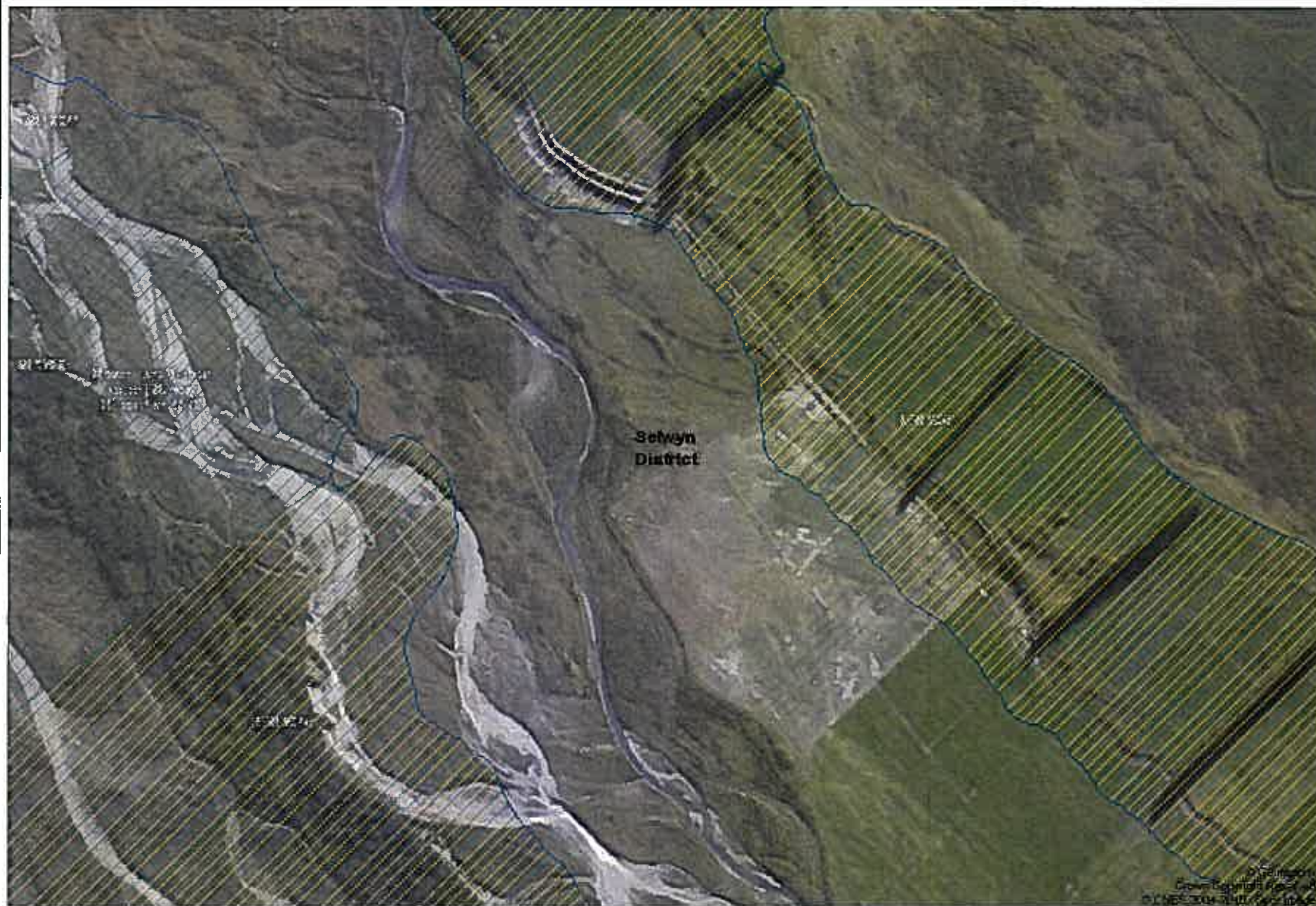
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# Agricultural Encroachment Rakaia River Crown River Bed

Date Printed: 11 June 2018



## Legend

- Local Authority
- QEII Covenants
- All Protected Areas
- Overlays
- Vested
- Large Titles
- Very Large Titles
- Hydrology
- Large Parcels



0.5      0      0.5 Kilometers

SCALE 1: 10,000

Projection: NZGD\_2000\_New\_Zealand\_Transverse\_Mercator

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