

TIMARU



DISTRICT COUNCIL

Te Kaunihera ā-Rohe
o Te Tihi o Maru



YOUR PLAN OUR FUTURE
TIMARU DISTRICT PLAN REVIEW

Natural Character S.32

May 2022



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TIMARU DISTRICT PLAN REVIEW
LAND USE PLAN

Timaru District Council

Section 32 Report Natural Character

May 2022

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1 Natural Character

1.1 Introduction

This report sets out an assessment of the proposed provisions that will be included in the Natural Character Chapter of the proposed Timaru District Plan against section 32 of the RMA. The preservation of the natural character of the coast, rivers, lakes and wetlands and their margins, and the protection of them from inappropriate subdivision, use and development is identified as a matter of national importance within section 6 of the Resource Management Act.

This report sets out an overview of the provisions in the operative District Plan that relate to natural character; the way in which other District Plans address this topic; the policy framework that relates to natural character, and an evaluation of the proposed objectives and options against section 32 of the RMA.

It is noted that matters relating to the natural character of the coastal environment are addressed within the section 32 report that deals with the Coastal Environment Chapter and the provisions that relate to the natural character of the coastal environment are within the Coastal Environment Chapter. There are no natural lakes in the district that need to be managed by this chapter, with the coastal lagoons covered by the coastal chapter.

1.2 Community / Stakeholder / Iwi Engagement

The Council developed a number of discussion documents in 2017¹, which focused on the options to address the district's current and emerging resource management issues. The community raised the following matters:

- Support for identification and protection of areas of outstanding or high natural character in the coastal environment, lakes, rivers, and wetlands, particularly the high naturalness of the Ōrāri Gorge.
- protection to cover areas that were not necessarily outstanding or high natural character but have other natural character values, including the hinterland and hill country.

Feedback on the Draft District Plan

Feedback was also provided on Draft District Plan provisions that were consulted on in October to December 2020. Key areas of feedback are highlighted below:

- General support for the objectives and policies and identification and limited modification of areas of value for natural character;
- Clarification sought on how the chapter applies to infrastructure including nationally significant infrastructure. The way such infrastructure is built and located, is often necessary for it to be excluded from policies and rules. Vegetation clearance, earthworks associated with National Grid infrastructure should also be permitted;
- It is unclear how this section of the plan relates to District Council functions as defined by the RMA. The Canterbury Land and Water Regional Plan already has a comprehensive set of rules which apply to earthworks, and vegetation planting and removal within riparian margins;

¹ <https://www.timaru.govt.nz/services/planning/district-plan/district-plan-review/discussion-documents>

- DOC has serious concerns regarding the ongoing encroachment of development on the braided riverbeds of Timaru District. No specific details on which parts of the District Plan raise concerns;
- Provisions need to be amended to allow for the removal, light grazing and mowing of grasses and other pest plants;
- In NATC-R5-PER-2 is netting included in the definition of fencing;
- The character value of pastoral farming should be recognised as being of value;
- The values of wetlands and their margins are not adequately captured by NATC-P1 (and others) as they give no guidance for plan users.;
- In P10 and other parts of the plan, the word 'significant' should be deleted as any adverse effects should not be permitted;
- The provisions should allow for outdoor opportunities such as fishing and hunting so, NATC-P2(3) is supported as it will allow restoration and enhancement of waterways;
- Rather than limit provisions to 'flood risk', the term 'hazard mitigation' should be used;
- Retain NATC-P4 that provide for incentives and non-regulatory approaches to be used;
- The role of fluvial ravel extraction in managing flood hazards, braided river ecosystem enhancement has not been recognised by policies NATC-P6-NATC-P9;
- New fencing and tracks and new buildings, especially in river or wetland margins should not be permitted in they could be contrary to objectives;
- Vegetation clearance within riparian margins for hazard mitigation purposes should only be carried out by ECan, TDC or agent authorised on their behalf;
- There is support for a permitted pathway for earthworks, maintenance of tracks and fencing etc.
- There is duplication with Regional Council controls for riparian management;
- There is a need for the vegetation clearance provisions to recognise the need to maintain or upgrade existing roads.

1.3 Strategic directions

The following strategic directions are considered to be particularly relevant to the Natural Character topic:

SD-O2 The Natural and Historic Environment

The district's natural and historic environment is managed so that:

- i. the health and wellbeing of the community are recognised as being linked to the natural environment;
- ii. an integrated management approach is adopted that recognises that all parts of the environment are interdependent;
- iii. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development;
- iv. important landscapes and features are protected from inappropriate subdivision, use, and development;
- v. significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values recognised, protected and where appropriate, enhanced;
- vi. the life-supporting capacity of ecosystems and resources is safeguarded for future generations;
- vii. the important contribution of historic heritage to the district's character and identity is recognised, and significant heritage and its values are protected from inappropriate subdivision, use, and development.

SD-O5 Mana Whenua

The mana whenua status of Kāti Huirapa is recognised and their historic and contemporary relationship with the district’s land, water bodies and wetlands, coastal environment, and indigenous species is recognised and provided for by ensuring:

- i. mahika kai resources and habitats of indigenous species are sustained and opportunities for their enhancement or restoration are encouraged;
- ii. the health of water body and wetland environments is protected from adverse effects of land use and development;
- iii. the values of identified sites and areas of significance to Kāti Huirapa are recognised and protected;
- iv. Kāti Huirapa retains, and where appropriate is able to enhance access to their sites and areas of significance;
- v. Māori reserve lands are able to be used by Kāti Huirapa for their intended purposes;
- vi. Kāti Huirapa are able to carry out customary activities in accordance with tikanga;
- vii. Kāti Huirapa are actively involved in decision making that affects their values and interests in these matters and are able to exercise their kaitiakitaka responsibilities.

SD-O8 Infrastructure

Across the District:

- i. improved accessibility and multimodal connectivity are provided through a safe and efficient transportation network that is able to adapt to technological changes;
- ii. the provision of new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of new development;
- iii. drinking water supplies are protected from the adverse effects of subdivision, use and development;
- iv. the benefits of regionally significant infrastructure and lifeline utilities are recognised and their safe, efficient and effective establishment, operation, maintenance, renewal and upgrading and development is enabled while managing adverse effects appropriately.

The Strategic Directions that relate to the natural and cultural environment directly link to the preservation of natural character and its protection from inappropriate subdivision, use and development. This includes the interrelationship between natural character values and other natural values such as significant indigenous vegetation and outstanding natural features and landscapes.

Recognition and protection of natural character values also contributes towards recognising and providing for Ngāi Tahu’s historic and contemporary connections and cultural and spiritual values associated with the land, water and other taonga. The Strategic Direction relating to infrastructure is relevant as there may be instances where infrastructure needs to locate in or close to areas of natural character.

1.4 Problem definition

1.4.1 The efficiency and effectiveness of the Operative Plan

Part B – 2 of the Operative District Plan, Natural Environment covers the high-level direction for the management of the natural character and functioning of rivers, wetlands and coastal systems. Specifically, Objective 2 seeks to *“Protect and enhance the natural character and functioning and habitat values of the coastal environment and wetlands, streams, rivers and their margins.”*²

² Timaru District Plan Part B Issue 1 Objective 2

Related policies seek to:

- Protect and enhance the natural character of the landscape from inappropriate subdivision and the adverse effects of any use or development of land;³
- Recognise and protect and preserve the natural character of the coastal environment of the district;⁴
- To advocate and promote the maintenance and enhancement of the natural functioning of coastal waters, lagoons, rivers and wetlands;⁵
- Have regard to the extent to which the natural character and visual qualities of riparian or coastal margins will be affected when considering applications to vary the size or width of esplanade reserves;⁶ and
- To control tree planting, vegetation clearance, structures and earthworks within or adjacent to significant wetlands, rivers and the coast.⁷

The Operative District Plan states that the Rural 5 zone includes controls to ensure that land use change or development is compatible with the natural character of riparian areas.

Rules that relate to activities in riparian areas are set out as performance standards in the Rural 1, 2, and 5 zones. There are no such standards in the Rural 4A and 4B zones, nor in the residential, commercial, industrial or recreation zones.

The performance standards that relate to activities in riparian areas manage the following activities:

- Tree planting, with specific provisions depending on the type of tree planting (e.g., shelter belt, woodlot, forestry, or timber trees)
- Harvesting of trees
- Clearance of vegetation
- Clearance of indigenous vegetation
- Helicopter landing sites proximate to wetlands (but not to rivers and streams)
- Buildings and structures
- Earthworks
- Cultivation
- Grazing of stock

The riparian areas to which these provisions vary depending on the activity being managed and, in some cases, the slope of the land in the riparian area.

Consent for a discretionary activity is required if any of the performance standards are not met.

1.4.2 Issues identified

The Landscapes and Natural Character Discussion Document prepared by TDC in November 2016⁸ identified the following issue with the Operative District Plan:

³ Timaru District Plan Part B Issue 1 Policy 1

⁴ Timaru District Plan Part B Issue 1 Policy 11

⁵ Timaru District Plan Part B Issue 1 Policy 12(a)

⁶ Timaru District Plan Part B Issue 1 Policy 13(d)

⁷ Timaru District Plan Part B Issue 1 Policy 14

⁸ <https://www.timaru.govt.nz/services/planning/district-plan/district-plan-review/discussion-documents>

Issue 1: identification of any areas within the coastal environment, lakes, rivers and wetlands that have outstanding or high naturalness

There is a need to determine whether there are any areas within the; lakes; rivers; and wetlands that have outstanding or high naturalness (as referred to in the operative plan) and therefore warrant protection in the District Plan.

A determination of the most appropriate provisions to manage inappropriate subdivision, use and development in areas of outstanding or high naturalness is required to protect the natural character values, while also providing for appropriate activities to occur, and avoiding overlap and duplication with Regional Plans.

There is a need to investigate the opportunities that may exist to restore any areas of degraded naturalness if these are identified, and to determine what provisions could be included in the District Plan to promote such restoration.

1.4.3 Best practice/other District Plan approaches

The table below sets out an overview of the way that a range of other District Plans in the Canterbury Region address matters relating to Natural Character. They include the territorial authorities that adjoin the Timaru District (Ashburton, Mackenzie and Waimate Districts), as well as Selwyn District and Christchurch City as relevant plans operating under the Canterbury Regional Policy Statement provisions. Only the Selwyn Proposed District Plan was prepared developed under the National Planning Standards.

Plan	Description of Approach
<p><i>Ashburton District Plan</i> Second generation plan Operative 2014 Ashburton District Council</p>	<p>The Ashburton District adjoins Timaru District to the north. The District Plan is a second-generation plan and was made operative in 2014.</p> <p>The Ashburton District Plan does not have a specific chapter that deals with natural character issues – these matters are dealt with in the Rural Chapter of the District Plan.</p> <p>The chapter includes a specific objective to <i>“Preserve the natural character of the district’s coastal environment, rivers, lakes, wetlands and their margins, and protect such areas from inappropriate subdivision, land use and development.”</i></p> <p>This objective is supported by policies that seek to:</p> <ul style="list-style-type: none"> • Recognise the values that contribute to natural character; • Avoid modification or development within certain specified river valleys (including the Rangitata River Valley) which adversely affect natural character values; • Maintain and enhance natural character values; • Require comprehensive assessments of the effects of certain activities within areas of high natural character; • Address the relationship between other activities such as those on the surface of water and natural hazard mitigation works on natural character. <p>Related rules manage the following activities within riparian areas in the rural zone as site standards:</p> <ul style="list-style-type: none"> • Earthworks • Vegetation clearance

	<ul style="list-style-type: none"> • Buildings • Deposition of clean fill • Intensive farming <p>The Ashburton District Plan specifies the following riparian margins:</p> <ul style="list-style-type: none"> • Wetland – 20m • Lakes – 100m • Rivers and streams – 20m
<p><i>Waimate District Plan</i> Second generation plan Operative 2014 Waimate District Council</p>	<p>The Waimate District adjoins Timaru District to the south. The District Plan is a second-generation plan and was made operative in 2014.</p> <p>The Waimate District Plan does not have a specific chapter that deals with natural character issues – these matters are dealt with in the Rural Chapter of the District Plan.</p> <p>The chapter includes a specific objective <i>“Protection, restoration and enhancement of the coastal environment, waterways and wetlands and their margins to avoid degradation of the natural character, amenity, cultural and recreational values of these areas and their associated waterbodies.”</i>⁹</p> <p>This objective is supported by policies that seek to:</p> <ul style="list-style-type: none"> • Avoid, remedy or mitigate the adverse effects of a range of activities and structures on the natural functioning, character and values of freshwater bodies and their margins; • Address the adverse effects of livestock farming on riparian areas; • Protect and maintain wetlands; and • Encourage the maintenance and enhancement of riparian vegetation. <p>Related rules manage the following activities within riparian areas of lakes and rivers in the rural zone as site standards:</p> <ul style="list-style-type: none"> • Earthworks up to a certain scale. • Ensuring that cut vegetation does not enter rivers. • Limiting the duration of exposure of topsoil (24 months from time of disturbance). • Harvesting of trees to be carried out in a manner to prevent detritus and soil from entering the bed of any river or lake. • Buildings – none shall be erected within riparian areas. • No forestry planting or woodlot planting • Stock management and irrigation of effluent.

⁹ Ashburton District Plan Rural Chapter Objective 7

	<p>The following activities are managed in proximity to wetlands within the rural zone as site standards:</p> <ul style="list-style-type: none"> • Harvesting of trees within 50m of wetlands. • Stock management and irrigation of effluent. <p>The following zone standards relate to activities within wetlands, or within 50m of any wetland:</p> <ul style="list-style-type: none"> • Drainage, earthworks or reclamation of the wetland. • Clearance of vegetation other than pest plants. • Buildings. • Tree planting (except for enhancement purposes). <p>The Waimate District Plan specifies the following riparian margins:</p> <ul style="list-style-type: none"> • within 20m of the bed of a river. • within 100m of the bed of a lake. • Wetlands: 50m.
<p><i>Mackenzie District Plan</i> Mackenzie District Council Operative 2004</p>	<p>The Mackenzie District adjoins the Timaru District to the northwest. The District Plan was made operative in 2004.</p> <p>The Mackenzie District Plan does not have a specific chapter that deals with natural character issues – these matters are dealt with in the Rural Chapter of the District Plan by managing certain activities within riparian areas of lakes, rivers and wetlands.</p> <p>Schedule B to the Rural Chapter identifies particular lakes and rivers in the district which are subject to slightly ‘wider’ riparian margins in relation to managing earthworks and vegetation clearance.</p> <p>The Rural chapter includes a specific objective that seeks <i>“the preservation of the natural character and functioning of the district’s lakes, rivers, and wetlands and their margins, and the promotion of public access along these areas.”</i></p> <p>This objective is supported by policies that relate to:</p> <ul style="list-style-type: none"> • Controlling adverse effects of activities such as earthworks, vegetation clearance, tree plantings, and buildings; and • Encouraging the protection of the natural character values of riparian margins. <p>Related rules manage the following activities within riparian areas in the Rural zone:</p> <ul style="list-style-type: none"> • Earthworks. • Vegetation clearance. • Tree planting and forestry. • Buildings.

	<p>The Mackenzie District Plan specifies the following riparian margins:</p> <ul style="list-style-type: none"> • Rivers and streams: 10m/20m depending on the river and the activity. • Wetlands: 50m. • Lakes: 50m/75m/100m depending on the lake and the activity.
<p><i>Selwyn District Plan</i> Selwyn District Council Made fully operative in 2016</p>	<p>The Operative Selwyn District Plan does not have a specific chapter that deals with natural character issues – these matters are dealt with in the Rural Chapter of the District Plan¹⁰.</p> <p>The chapter recognises that the natural character of lakes, rivers and wetlands will vary across the district, and therefore the effects of activities on that natural character will also differ.</p> <p>Relevant objectives seek to:</p> <ul style="list-style-type: none"> • 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;¹¹ • Protect and enhance the amenity values along waterbodies;¹² • Protect remaining wetland areas within the district, and restore degraded areas;¹³ and • Manage land use activities within catchments and riparian areas to protect water quantity and quality, aquatic habitat and natural character.¹⁴ <p>These objectives are not solely specific to the topic of natural character, and recognise the interrelationship between ecological values, water quality values, amenity values and natural character.</p> <p>Related policies seek to:</p> <ul style="list-style-type: none"> • Protect wetlands and preserve their natural character;¹⁵ • Encourage large scale earthworks, structures or tree planting to be set back from lakes and rivers unless the activity must be located in the riparian margin;¹⁶

¹⁰ This analysis has looked at the operative Selwyn District Plan while noting that the plan is currently under review.

¹¹ Selwyn District Plan Rural Volume Objective B.1.3.2

¹² Selwyn District Plan Rural Volume Objective B.1.3.3

¹³ Selwyn District Plan Rural Volume Objective B.1.3.5

¹⁴ Selwyn District Plan Rural Volume Objective B.1.3.6

¹⁵ Selwyn District Plan Rural Volume Policy B1.3.10

¹⁶ Selwyn District Plan Rural Volume Policy B1.3.6

	<ul style="list-style-type: none"> • Encourage the management of grazing activities so that riparian margins and wetlands are protected against the effects of livestock;¹⁷ • Ensure that earthworks, flood protection works, structures or trees that must be located in riparian margins do not preclude public access; prevent the introduction of weeds into areas where they are not already present; mitigate any adverse effects on the natural character of the waterbody; and avoid adverse effects on trout and salmon habitats;¹⁸ and • Encourage initiatives by landowners and communities to enhance the natural character of riparian margins and wetlands.¹⁹ <p>Related rules manage the following activities within riparian areas in the Rural zone(s):</p> <ul style="list-style-type: none"> • Earthworks (within 20m of waterbodies). • Tree planting (within 20m of specific listed waterbodies, and within 10m of all other waterbodies). • Buildings, utility structures and utility buildings (within 100m of lakes and wetlands; within 20m of specific waterbodies listed, and 10m from remaining waterbodies). • Signs (within 20m of waterbodies specifically listed; and within 10m of remaining waterbodies). • Dairy cows within 10m of waterbodies. • Clearance of indigenous vegetation within 20m of waterbodies. <p>The Selwyn District Plan manages activities within the riparian margins of:</p> <ul style="list-style-type: none"> • Rivers and streams. • Lakes. • Wetlands.
<p><i>Selwyn Proposed District Plan notified in October 2020 Hearings currently underway</i></p>	<p>The PDP contains two objectives one which seeks to preserve the natural character of surface water bodies and their margins, while the other provides for the relationship between tangata whenua traditions, values and interests associated with water bodies.</p> <p>There is one all-encompassing policy that recognises the natural character qualities of surface water bodies.</p> <p>The rules are focused on the following activities: Earthworks; Buildings, horticultural planting, woodlots, shelterbelts and signs.</p>

¹⁷ Selwyn District Plan Rural Volume Policy B1.3.7

¹⁸ Selwyn District Plan Rural Volume Policy B1.3.8

¹⁹ Selwyn District Plan Rural Volume Policy B1.3.9

	<p>The rules primarily relate to the provision of setbacks for activities such as buildings, signs, earthworks and vegetation clearance and planting.</p>
<p><i>Christchurch District Plan</i> Christchurch City Council Operative December 2017</p>	<p>Christchurch District Plan is a recent second-generation plan. It addresses issues relating to natural character in Section 9.2 of the District Plan, irrespective of whether these values are within an urban or rural environment.</p> <p>The chapter includes a specific objective which states that <i>“the natural character of the Christchurch District’s coastal environment, wetlands, and lakes and rivers and their margins is preserved.”</i></p> <p>This objective is supported by policies that set out the values that contribute to natural character; stipulate the way in which natural character values will be protected from inappropriate subdivision, use and development; promote opportunities for the restoration of natural character; and ensure that assessments of effects on natural character include an assessment of cumulative effects.</p> <p>The Planning Maps identify the following ‘classes’ of natural character in the coastal environment:</p> <ul style="list-style-type: none"> • Natural character. • At least high natural character. • Outstanding natural character. <p>Related rules manage the following activities within areas of natural character in the coastal environment:</p> <ul style="list-style-type: none"> • Buildings. • Access tracks. • New roads. • Plantation forestry. • Quarrying activities.

1.5 Statutory and Planning Context

District plans are part of a hierarchy of RMA policy and planning instruments. The RMA prescribes how district plans are to align with other instruments, and this is summarised in the table below:

Statutory document	Alignment requirement for Proposed District Plan	Comment
NZCPS	Give effect to	Implement according to the applicable policy statement’s intentions.
NPS/NES		
CRPS		

Regional Coastal Environment Plan	Not be inconsistent with	Are the provisions of the Proposed DP compatible with the provisions of these higher order documents? Do the provisions alter the essential nature or character of what the higher order documents allow or provide for?
Canterbury Land and Water Plan		
Specific management plans and strategies prepared under other legislation	Have regard to	Give genuine attention and thought to the matter As above.
Adjoining district plans: <ul style="list-style-type: none"> • Ashburton District Plan • Waimate District Plan • Westland District Plan • Mackenzie District Plan 	Have regard to the extent to which there is a need for consistency	
Iwi Management Plan of Kāti Huirapa Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region	Take into account	Address the matter and record how this has been done in this report.

1.5.1 Part 2 Resource Management Act

Of particular relevance to the topic of Natural Character, Section 6 of the RMA requires the Council in managing the use, development and protection of natural and physical resources through its District Plan to recognise and provide for the preservation of the natural character of wetlands, and lakes and rivers and their margins; and the protection of them from inappropriate subdivision, use and development as a matter of national importance.²⁰

Section 7 includes other matters to which particular regard must be had and includes the maintenance and enhancement of amenity values;²¹ and the maintenance and enhancement of the quality of the environment.²²

Section 8 requires that the principles of Te Tiriti o Waitangi / the Treaty of Waitangi shall be taken into account when exercising functions and powers under the RMA. A high-level overview of the way in which these principles have been taken into account in the preparation of the proposed District Plan is set out in the section 32 introduction report.

1.5.2 National Policy Statements

A territorial authority must prepare and change its district plan in accordance with national policy statements.²³ The proposed District Plan must give effect to National Policy Statements.²⁴ The following National Policy Statements are of relevance to the Natural Character topic:

²⁰ RMA section 6(a)

²¹ RMA section 7(c)

²² RMA section 7(f)

²³ RMA section 74(1)(ea)

²⁴ RMA section 75(3)(a)

National Policy Statements	Relevance
National Policy Statement for Freshwater Management 2014	<p>The NPS-FW seeks that the significant values of outstanding freshwater bodies and wetlands are protected.²⁵ Outstanding freshwater bodies are defined as being:</p> <p><i>“Those water bodies identified in an RPS or Regional Plan as having outstanding values, including ecological, landscape, recreational and spiritual values.”</i></p> <p>Related policies in Part D of the NPS-FW seek to ensure that local authorities take reasonable steps to involve iwi and hapū in the management of freshwater; work with iwi and hapū to identify values and reflect tangata whenua values and interest in management and decision-making in relation to freshwater and freshwater ecosystems. Most of these issues are within the responsibility of the regional council but there is some limited overlap with district council abilities to manage activities in the margins of waterways that affect the waterbody itself.</p>
National Policy Statement for Renewable Electricity Generation 2011	<p>The NPS-REG requires District Plans to include provisions to provide for the development, operation, maintenance, and upgrading of new and existing renewable electricity generation. District Plans are required to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation and need to identify where potential sites and energy resources are located in the district (which may be in areas of natural character adjacent to waterbodies).</p>
National Policy Statement for Electricity Transmission 2008	<p>Policy 8 of the NPS-ET states that the planning and development of the transmission system in rural environments should avoid adverse effects on areas of high natural character, as well as other specific values. Territorial authorities are required to identify the electricity transmission network on the planning maps.</p>

1.5.3 National Environmental Standards

A territorial authority must prepare and change its district plan in accordance with any regulations.²⁶ The following National Environmental Standards are regulations and are of relevance to the Natural Character topic:

²⁵ NPS-FW Objective A2 and B4

²⁶ RMA section 74(1)(f)

National environment standard	Relevance
Resource Management (National Environmental Standard for Plantation forestry) Regulations 2018	<p>The NES-PF contains regulations that relate to various plantation forestry activities including afforestation, pruning, earthworks, river crossings, forestry quarrying, harvesting, mechanical land preparation, replanting, and ancillary activities.</p> <p>Of relevance to the natural character of rivers, streams and wetlands, the NPS-PF includes regulations that specify setbacks from perennial rivers, wetlands and lakes greater than 0.25ha; outstanding freshwater bodies; and water bodies subject to a water conservation order for activities such as earthworks.</p> <p>However, there are no limitations in respect of natural character or riparian values in the NES-PF beyond the specific regulations that apply generally in the NES-PF in respect of pruning and thinning to waste.</p>
Resource Management (National Environmental Standard for Telecommunication Facilities) Regulations 2016	<p>The NES-TE sets out a series of regulations for a range of activities that form part of the telecommunications network. These include cabinets, antennas, and telecommunication lines.</p> <p>Subpart 5 of the NES-TE essentially provides that where regulated telecommunications activities occur in specified areas, they must comply with the relevant District Plan rules.</p> <p>The list does not include places or areas identified for their natural character values.</p>
Resource Management (National Environmental Standard for Electricity Transmission) Regulations 2009	<p>The NES-ET sets out a management framework for a range of components of the electricity transmission network. The Regulations include some limitations on certain components that occur in 'natural areas.' Natural areas are defined in the NES-ET as any area that is protected by a rule because it has outstanding natural features or landscapes, significant indigenous vegetation, or significant habitats of indigenous fauna. Note that areas identified for their natural character values are not included in this definition.</p>

1.5.4 National Planning Standards

A territorial authority must prepare and change its district plan in accordance with any regulations.²⁷ The National Planning Standards require that all District Plans must include a Natural Character

²⁷ RMA section 74(1)(ea)

chapter if relevant to the district.²⁸ This chapter must be included under the Natural Environment Values of the District Plan, in Part 2: District Wide Matters.

The Natural Character chapter should contain provisions to protect the natural character of wetlands, lakes and rivers and their margins (if they are addressed in the District Plan).²⁹ It is noted that the natural character of the coast *is not* required to be addressed in this chapter.

The National Planning Standards sets out the spatial layers for district plans (Table 18). Of specific relevance to the Natural Character chapter, Table 18 states that an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions, and that overlays are likely to address matters covered in district-wide chapters.

However, given that the provisions that relate to the management of the natural character of rivers, streams, lakes and wetlands primarily apply to the riparian areas associated with freshwater bodies, it is not considered practicable to identify all areas of natural character in an overlay. Rather it is proposed that relevant rules are included as District Wide rules.

1.5.5 Canterbury Regional Policy Statement 2013

A district plan must give effect to any regional policy statement.³⁰ The provisions of Chapter 7 and 10 are of particular relevance to the Natural Character topic. The objectives and policies in Chapter 7 of the CRPS seek to:

- Ensure that the natural character values of wetlands, lakes and rivers and their margins are preserved, and these areas are protected from inappropriate subdivision, use and development.³¹
- Identify the natural character values of freshwater bodies and their margins in the region and to:
 - Preserve natural character values where there is a high state of natural character;
 - Maintain natural character values where they are modified but highly valued; and
 - Improve natural character values where they have been degraded to unacceptable levels.³²
- Promote, and where appropriate require the protection, restoration and improvement of lakes, rivers, wetlands and their riparian zones and associated Ngāi Tahu values.³³
- Avoid, remedy, or mitigate adverse effects of changes in land uses on the quality of fresh water.³⁴

Objectives and related policies in Chapter 10 of the CRPS seek to:

- Enable subdivision, use and development of the riparian zones of river and lake beds while protecting all significant values of those areas, and enhancing those values in appropriate locations;³⁵
- Preserve the natural character of river and lake beds and their margins and protect them from inappropriate subdivision, use and development, and where appropriate maintain and/or enhance areas of river and lake beds and their margins and riparian zones.³⁶

²⁸ National Planning Standards, District Plan Structure Standard, Mandatory direction 3.

²⁹ National Planning Standards, District-wide Matters Standard, Mandatory direction 21.

³⁰ RMA section 75(3)(c)

³¹ CRPS Objective 7.2.1(2)

³² CRPS Policy 7.3.1

³³ CRPS Policy 7.3.3

³⁴ CRPS Policy 7.3.7

³⁵ CRPS Objective 10.2.1

³⁶ CRPS Policy 10.3.2

The CRPS states that the Canterbury Regional Council will engage with Ngāi Tahu to identify features of natural character that are significant from a cultural perspective, and freshwater bodies that Ngāi Tahu considers possess significant natural character values.³⁷

The CRPS also states that Environment Canterbury will set objectives policies, and rules in regional plans to identify and protect wetlands, lakes, rivers or their margins which are valued because of their state of natural character (either unmodified, or modified but valued in their current state).³⁸ At this point in time the CRPS/CLWRP do not specify areas of high natural character (but the CLWRP does include a few areas of high naturalness) and no comprehensive review of natural character values of the region has been undertaken.

The CRPS provides directions for the Council that are relevant to the Natural Character topic, including:

CRPS Method	Manner addressed in proposed District Plan
Local authorities will work together to ensure consistency in the identification of areas with high natural character in regional and district plans.	At this stage it is not proposed to identify any areas of High Natural Character outside the coastal environment, and it is noted that Environment Canterbury has not prepared a region-wide study of this nature.
Seek and have regard to recommendations from the Regional Water Management Committee and the zone water management committees relating to areas for protection or enhancement of their natural character values within their zone, and action(s) to undertake that enhancement.	Section 14 Orari-Opihi-Parerora of the CLAWP was prepared based on the recommendations of the relevant zone management committees.
Include methods to identify and protect sites and areas with ... wetlands, lakes and lagoons/Hapūa.	The Natural Character chapter will include provisions that manage a range of land uses (including vegetation removal) within the riparian areas of wetlands, lakes, and rivers.
Include provisions to manage land uses and vegetation removal within riparian margins.	Lagoons/Hapūa will be addressed in the Coastal Chapter.
Include standards in a district plan that remove the requirement for resource consent from the territorial authority, if resource consent is granted by the Canterbury Regional Council for the same purpose.	<p>The proposed Natural Character provisions manage the following activities within riparian margins:</p> <ul style="list-style-type: none"> • Vegetation clearance • Planting of trees and/or vegetation • Earthworks • Buildings and structures <p>The LWRP includes rules that manage vegetation clearance in lake and riverbeds;³⁹ and vegetation clearance and earthworks within riparian areas.⁴⁰ These activities are provided for as permitted activities subject to</p>

³⁷ CRPS Policy 7.3.1 Method 1

³⁸ CRPS Policy 7.3.1 Method 2(a)

³⁹ LWRP Rules 5.163 – 5.166

⁴⁰ LWRP Rules 5.167 – 5.169

CRPS Method	Manner addressed in proposed District Plan
	<p>conditions within 10m or 5m of waterbodies, depending on whether the land is in the Hill and High Country and Erosion Prone Land or not.</p> <p>The conditions relate to:</p> <ul style="list-style-type: none"> • The maximum area of bare ground exposed. • Concentration of total suspended solids associated with any discharges. • Methods for felling trees. • Location proximate to salmon and inanga spawning sites. • Limitation on the reduction of overall area or diversity of existing riparian vegetation on specific rivers unless granted consent by the Territorial Authority. <p>Activities that do not meet the above conditions are a restricted discretionary activity. Matters of discretion include reference to natural character values, but also relate to soil quality; water quality; the stability of the banks of the waterbody and its flood carrying capacity; and effects on transport networks, neighboring properties and structures.</p> <p>The purpose of these rules appears to relate principally to soil and water quality, natural hazard matters, and effects on the surrounding environment, including natural character values. There is limited overlap between the CLWRP provisions and the proposed provisions in terms of the activities being managed, and the area within which the activities are managed, although the CLWRP does not manage this to the same level of specificity that the proposed provisions do.</p> <p>The CLWRP does not manage the planting of trees and/or vegetation, so there is no duplication of these provisions.</p> <p>The CLWRP includes rules that manage structures on, in, or under the bed of lakes and rivers, but not within the riparian margins of rivers and wetlands.⁴¹ There is no duplication of these provisions.</p>

⁴¹ LWRP Rules 5.135 – 5.141B

CRPS Method	Manner addressed in proposed District Plan
Engage with Ngāi Tahu as tangata whenua to identify the freshwater sites of significance to Ngāi Tahu and the ways to enhance Ngāi Tahu values.	XX to discuss with TDC consultation approach with Ngāi Tahu
Seek and have regard to recommendations from the Regional Water Management Committee and Zone Water Management committees relating to establishing and undertaking programs to protect, restore or enhance degraded lakes, rivers, wetlands and riparian areas, in accordance with the targets and 'first steps' biodiversity program in the CWMS	This work will be led by ECan and the Zone committees and will generally be achieved outside of the statutory planning processes. However, policies in both the CLWRP and the proposed District Plan support the enhancement of degraded waterbodies and discharge and water take rules in the CLAWP are intended to improve water quality.

1.5.2 Canterbury Regional Land Transport Plan 2015 – 2025

The Canterbury Regional Land Transport Plan outlines the current state of the transportation network in the Canterbury region and the challenges it faces now and into the future. The Plan sets out a series of priorities, programmes and actions, including actions for Canterbury's regional and district councils and the New Zealand Transport Agency. The projects identified in the Plan that are located within Timaru include:

- Local road improvements.
- Road safety promotion.
- Some specific projects relating to the Timaru Port Area and the Washdyke Industrial area.

It is not anticipated that these will have significant implications on the management of natural character values within the Timaru District.

1.5.3 Other Canterbury Regional Plans

The Canterbury Land and Water Regional Plan (CLWRP), Ōpihi River Regional Plan, Pareora Catchment Environmental Flow and the Water Allocation Regional Plan provide direction and help deliver community aspirations for the management of water quantity and quality, and the beds of lakes and rivers in both urban and rural areas. Relevantly, Objective 3.14 of the LWRP seeks that outstanding freshwater bodies and hāpua are maintained in a healthy state or improved where degraded.

The Ōrāri River and tributaries upstream of the gorge are identified as a high-naturalness water body in the LWRP due to its high degree of naturalness and high visual amenity value. It is identified as having very high scenic and recreational values, and very high, water quality. Plan Change 7 to the LWRP was notified on 20 July 2019, and the decisions version as published in November 2021, now includes operative provisions, relevant to Timaru District Council's district plan review. Section 14.8 of the plan, identifies the Milford Lagoon and Ōrakipoa Creek as a high-naturalness water body due to its high cultural significance to papatipu rūnanga and high ecological and biodiversity values.

1.5.4 Rangitata Water Conservation Order

The Water Conservation (Rangitata River) Order came into effect on the 19 June 2006. The Order identifies the upper Rangitata River, including the Clyde and Havelock Rivers and the Rangitata Gorge, as possessing outstanding characteristics and features. The Rangitata main stem from the confluence with the Clyde and Havelock Rivers to the water level recorder at Klondyke has wild, scenic and other natural characteristics. The Clyde and Havelock Rivers have

wild, scenic and other natural characteristics. The waters of these rivers are to be retained in a natural state by managing the quality, quantity, level and rate of flow of water.

1.5.5 Timaru District 2045 Growth Management Strategy

The Growth Management Strategy outlines a vision for what is sought to be achieved in relation to managing land use growth within the Timaru District. The strategy is intended to inform Council's long-term planning, including the development of the proposed District Plan. The Strategy sets out the anticipated future development patterns within Timaru (Figure 1).

A series of actions are set out in order to achieve the directives and strategic direction of the Growth Management Strategy. These include providing protection for areas of recognised natural character including wetlands, rivers and lakes of the District through the District Plan, Long Term Plan (LTP) and conservation covenants.

The Growth Management Strategy 'sets the scene' for the proposed District Plan to preserve natural character and protect it from inappropriate subdivision, use and development.

1.5.6 Iwi Management Plan of Kāti Huirapa

The Iwi Management Plan of Kāti Huirapa sets out a series of outcomes in relation to Mahika Kai, water quality and quantity, the protection and restoration of ecological biodiversity, indigenous vegetation removal, discharges to air, and place names. There are overlaps between matters relating to indigenous vegetation clearance and biodiversity with natural character values, as these will be addressed in the various provisions of the proposed District Plan.

1.5.7 Te Whakatau Kaupapa Ngāi Tahu Resource Management Strategy for the Canterbury Region 1990

Te Whakatau Kaupapa Ngāi Tahu Resource Management Strategy is a statement of Ngāi Tahu beliefs and values and was prepared while the then Ngāi Tahu claim was before the Waitangi Tribunal,⁴² and prior to the RMA being enacted. It includes an overview of values and attitudes relating to natural resources, and policy statements concerning their future management. This includes a policy statement in relation to water, which addresses a range of matters including:

- discharges of contaminants to water;
- water level changes;
- water quality and quantity improvements to support fish and plant populations fit for human consumption;
- promoting the disposal of effluent to land, rather than water;
- promoting the preparation of management plans for each river;
- encouraging more efficient uses of abstracted water;
- promoting the expansion and creation of wetland areas; and
- avoiding any further reclamation of wetland areas

There is also a specific section on Arowhenua, including a case study of the Opihi River and catchment addressing abstraction, pollution, results of mismanagement, and future aspirations.

2 Approach to Evaluation

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing

⁴² Ngāi Tahu Resource Management Strategy for the Canterbury Region, page vii

the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

The proposed provisions relevant to the Natural Character chapter have been assessed in accordance with the following issues:

Issue 1: identification of any areas within rivers and wetlands that have outstanding or high naturalness. There is a need to determine whether there are any areas within the coastal environment; rivers; and wetlands that have outstanding or high naturalness (as referred to in the operative plan) and therefore warrant protection in the District Plan.

Issue 2 - A need to determine the most appropriate provisions to manage inappropriate subdivision, use and development in areas of outstanding or high naturalness is required in order to protect those the natural character values, while also providing for appropriate activities to occur, and avoiding overlap and duplication with Regional Plans.

Issue 3 - There is a need to investigate the opportunities that may exist to restore any areas of degraded naturalness if these are identified, and to determine what provisions could be included in the District Plan to promote such restoration.

2.1 Scale and significance

The table below sets out the scale and significance of managing natural character in the district in terms of Council’s statutory obligations, who may be affected by any proposed changes to the management regime, the type of effects that may occur and where in the district is mostly likely to be affected by the proposed changes to the District Plan. This will inform the nature and extent of the analysis of the proposed changes to the natural character provisions. For example, proposed provisions that will result in an overall high level of scale and significance will require a more in-depth analysis of proposed objectives, policies and rules including, potentially, an economic analysis, compared to changes that will have a low-level significance.

Issue: Preservation of Natural Character		
Reasons for change in policy	District Plan Review. Giving effect to a matter of national importance in the RMA. Giving effect to a higher-level RMA document (RPS, NZCPS, NPS)	High
Relevant Statutory Considerations / Drivers	RMA sections 6, 7 and 31.RPS Chapter 7. National Policy Statement for Freshwater Management 2017	High

	<p>National Policy Statement for Renewable Electricity Generation 2011.</p> <p>National Policy Statement for Electricity Transmission 2008. Land and Water Regional Plan. Rangitata Water Conservation Order 2006.</p> <p>National Environmental Standards for Plantation Forestry 2018.</p> <p>National Environmental Standards for Telecommunication Facilities 2016.</p> <p>National Environmental Standards for Electricity Transmission Facilities 2009.</p> <p>National Planning Standards 2019.</p> <p>Iwi Management Plan of Kāti Huirapa</p> <p>Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region.</p> <p>Water Conservation (Rangitata River) Order 2006</p>	
Degree of shift from status quo required	<p>A moderate shift is required as the current approach needs to be updated to reflect increased knowledge of natural character values in the district, changes in best practice, and changes in relevant higher order documents (RPS criteria).</p> <p>All elements of provisions in the current Plan will be updated or replaced.</p>	Medium/high
Who and how many will be affected?	<p>There is a moderate/high degree of interest in this issue from stakeholders and the community, particularly:</p> <ul style="list-style-type: none"> • Fish and Game • Forest and Bird • Federated Farmers • Network utility operators • Department of Conservation • Environment Canterbury • Landowners with properties including or adjoining freshwater bodies 	Medium/high

	<ul style="list-style-type: none"> General public 	
Degree of impact on, or interest from iwi / Maori	Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu have a particular interest in this topic.	Medium/High
When will affects occur?	Effects will occur on an ongoing basis into the future as development and land uses impact on natural character values.	Medium/High
Geographic scale of impacts / issue	Natural character values associated with freshwater bodies are scattered throughout the district depending on where these waterbodies are located.	Medium
Type of effect(s)	<p>Compromising natural character values has the potential for acute and cumulative adverse effects. The effects are identified as a potential negative impact on a matter of national importance (Part 2).</p> <p>There is also the potential for effects on social, economic and cultural wellbeing, as well as on environmental wellbeing.</p>	Medium/high
Degree of policy risk, implementation risk, or uncertainty	There is a high level of understanding of the potential risks to natural character values. The policy approach has been tailored to this understanding. There is a good level of understanding of benefits and costs, and the approach is similar to that employed elsewhere.	Low
Overall Assessment of Scale and Significance		Medium/High

2.2 Approach to managing Natural Character issues

The objective and policy framework are intended to provide clear direction on the necessity for preservation of natural character as a matter of national importance and to clearly set out the approach to preserving natural character and protecting it from inappropriate subdivision, use and development. The intent to encourage maintenance, restoration and enhancement is to be expressed through the policy framework and matters of discretion to be considered when activities in the riparian margins are proposed.

It is proposed to define riparian margins according to the nature of the waterbody (differentiating by width of the river or by specifying a defined width from the large, braided rivers) and then to apply rules that focus on key activities that will or could damage natural character values and primarily include removal of vegetation, planting, earthworks, fences and buildings.

The proposed approach is to identify the High Naturalness Water Bodies, in accordance with those included within the CLWRP and the Water Conservation (Rangitata River) Order 2006. These parts of the rivers are considered to have high levels of naturalness and amenity value. These areas are

mapped and a definition of High Naturalness Water Bodies lists those areas covered by the provisions.

2.2.1 Changes proposed

Operative Plan	Proposed Plan
Objective and policy framework.	Objective and policy framework emphasising SNAs and protection.
-	Definition of riparian area.
-	Definition and identification of high naturalness water bodies.
<p>Rules that relate to activities in riparian areas are set out as performance standards in the Rural 1, 2, and 5 zones. There are no such standards in the Rural 4A and 4B zones, nor in the residential, commercial, industrial or recreation zones.</p> <p>The performance standards that relate to activities in riparian areas manage the following activities:</p> <ul style="list-style-type: none"> • Tree planting, with specific provisions depending on the type of tree planting (e.g., shelter belt, woodlot, forestry, or timber trees) • Harvesting of trees • Clearance of vegetation • Clearance of indigenous vegetation • Helicopter landing sites proximate to wetlands (but not to rivers and streams) • Buildings and structures • Earthworks • Cultivation • Grazing of stock 	Rules relating to riparian areas, regardless of zone, focussing on removal of vegetation, planting, earthworks, fences and buildings and structures.

2.3 Quantification of Costs and Benefits

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. It is considered that the provision of, and adverse effects on natural character are difficult to quantify in monetary terms and it is seen as inappropriate to try to do so, therefore a detailed economic analysis has not been undertaken to assist in the quantification of benefits and costs.

2.4 Choice of Evaluation Method(s)

Given the scale and significance of the issues related to preserving natural character, it is proposed to assess the preferred option against the status quo. The options will be assessed using a cost-benefit analysis, given the discussion above on costs and benefits.

2.5 Evaluation of Proposed Objective

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Option 1: Include the following proposed objective:

NATC-O1 Protection of Natural Character

The natural character of the Timaru District's wetlands and rivers and their margins is preserved and protected from inappropriate subdivision, use and development, and where possible enhanced.

Option 2: Status quo

Protect and enhance the natural character and functioning and habitat values of the coastal environment and wetlands, streams, rivers and their margins.

2.6 Evaluation of Objective

Category	Criteria	Comments
Relevance	Directed to addressing a resource management issue	<p>Option 1: Achieves. The objective seeks to preserve the natural character of the Timaru District's wetlands and rivers and their margins, which is a matter of national importance</p>
		<p>Option 2: Partially achieves The object seeks to protect and enhance the natural character and functioning and habitat values of the coastal environment and wetlands, streams, rivers and their margins. This does not address the requirement to preserve natural character, which is perceived to be a stronger direction than protect.</p>
	Focused on achieving the purpose of the Act	<p>Option 1: Achieves. The objective is directly linked to preserving the natural character of the Timaru District, which will assist in safeguarding the life-supporting capacity of water, soil, and ecosystems, as well as enabling people and communities to provide for their social, economic and cultural well-being.</p> <p>The objective achieves s7: the efficient use and development of natural and physical resources by maintaining and enhancing amenity values and the quality of the environment.</p>
		<p>Option 2: Achieves The objective seeks to protect natural character, which will assist in safeguarding the life-supporting capacity of water, soil, and ecosystems.</p> <p>The objective achieves s7: the efficient use and development of natural and physical resources by maintaining and enhancing amenity</p>

		values and the quality of the environment.
	Assists a council to carry out its statutory functions	<p>Option 1: Achieves The objective sets out the outcome that is sought in relation to the natural character of wetlands and rivers and their margins within Timaru District. This sets the framework for the policies and rules.</p> <p>As such, the provisions in the Plan will manage the potential adverse effects of activities and built form to minimise impacts on natural character values. It is also intended that these be targeted to avoid unnecessary overlap with regional council functions.</p>
		<p>Option 2: Partly achieves The objective sets out the outcome that is sought in relation to the natural character of the Timaru District's wetlands and rivers and their margins. This sets the framework for the policies and rules.</p> <p>As such, the provisions in the Plan will manage the potential adverse effects of activities and built form to minimise impacts on natural character values. However, the objective only seeks to protect not preserve natural character.</p>
	Within scope of higher-level documents	<p>Option 1: Achieves The objective gives effect to the CRPS by ensuring that the District Plan includes provisions to preserve the natural character of the Timaru District and to protect it from inappropriate subdivision, use and development. Opportunities to enable enhancement will also be sought.</p>
		<p>Option 2: Partly achieves The objective partly gives effect to the CRPS by ensuring that the District Plan includes provisions to protect the natural character of wetlands,</p>

		lakes and rivers in the Timaru District and to protect it from inappropriate subdivision, use and development. Opportunities to enable enhancement will also be sought.
Feasibility	Acceptable level of uncertainty and risk	Option 1: Achieves There is a low level of uncertainty and risk given that the objective necessarily reflects language in section 6(a) of the RMA relating to Natural Character and is largely similar to the existing objective in the operative District Plan.
		Option 2: Partly achieves There is medium level of risk given that the objective does not reflect the requirements of section 6(a).
	Realistically able to be achieved within council's powers, skills and resources	Option 1: Achieves The provisions will be able to be achieved within council's powers, skills and resources.
		Option 2: Achieves The provisions will be able to be achieved within council's powers, skills and resources.
Acceptability	Consistent with identified iwi/Māori and community outcomes	Option 1: Partially achieves The provisions support the identification and protection of some areas of outstanding or high natural character of the lakes, rivers, and wetlands, particularly the high naturalness of the Orari Gorge. It does not include other areas with natural character values, including the hinterland and hill country.
		Option 2: Partially achieves The provisions support the identification and protection of some areas of outstanding or high natural character of the lakes, rivers, and wetlands, particularly the high naturalness of the Orari Gorge. It does not include other areas with

		natural character values, including the hinterland and hill country.
	Will not result in unjustifiably high costs on the community or parts of the community	Option 1: Achieves The proposed provisions are based on similar provisions in the Operative Plan, with a more tailored approach and are not expected to result in unjustifiably high costs on the community or parts of the community.
		Option 2: Achieves The objectives will not result in unjustifiably high costs on the community or parts of the community as they seek to protect and enhance the natural character of the District's wetlands, lakes and rivers, whilst recognising the need to ensure public safety.

3 Identification of Options

The following sets out the reasonably practicable options for achieving the natural character objective:

Option 1: Status Quo

This option involves a continuation of the operative Plan provisions including the current objectives, policies, rules, and riparian zone setbacks, which is based on a general approach of managing certain activities within specified distances from waterbodies. This option applies only to the Rural 1, 2, 3 and 5 zones.

Option 2: Updated Riparian Margin approach

This option continues to apply a management approach of managing certain activities within the riparian margins of rivers, streams and wetlands; but consolidates and rationalizes the way in which the riparian margins are defined, and the activities that are managed to ensure they are specifically targeted for their potential effects on natural character values.

It also applies throughout the district, rather than just within certain rural zones.

This approach enables limited permitted activities that support or contribute positively to natural character values (e.g., removal of pest plants) but requires resource consents for other activities in order to assess their effects on the natural character values of the riparian margins adjacent to the relevant river/stream or wetland.

Option 3: Natural Character Study-based approach

This option would involve the Timaru District Council undertaking a district-wide natural character study to identify and describe areas of outstanding, high, 'general' and degraded natural character within the District. A study of this nature may result in areas of the district having no identified natural character values, which would then not be subject to rules managing effects on natural character. It would also enable targeted provisions that respond specifically to the specific activities that have the

potential to adversely affect the specific natural character values of the various areas identified in the study.

4 Evaluation of Options

4.1 Evaluation tables

OPTION 1 <i>Status-quo</i>			
Benefits Environmental	Economic	Social	Cultural
<p>The existing provisions include a range of rules that manage most activities that have the potential to result in adverse effects on natural character, including vegetation clearance, buildings and structures, earthworks, and the planting of vegetation. Implementation of these rules should contribute towards the preservation of natural character values in the district.</p> <p>Activities that do not comply with the rules require consent as a discretionary activity, which means that an assessment of effects will be required, and the consent could be declined if environmental effects are significant.</p>	<p>There may be savings in terms of time and cost as the Council and community are familiar with the provisions</p>	<p>There may be savings in terms of time and cost as the Council and community are familiar with the provisions</p>	<p>The outcomes achieved by the existing provisions may contribute to the management of cultural values associated with the natural character of waterbodies in an indirect sense</p>
Costs Environmental	Economic	Social	Cultural
<p>The existing provisions only apply in the Rural 1, 2, 3 and 5 zones, which may mean that natural character values in other parts of the district are not being appropriately managed</p>	<p>There are costs associated with the implementation of the existing provisions as resource consents for a discretionary activity are triggered for activities that do not comply with the rules.</p>	<p>The community may be dissatisfied with the outcomes achieved by the existing provisions</p>	<p>The existing provisions do not specifically recognise or provide for cultural values associated with natural character.</p>

<p>in order to meet the proposed objective. Using riparian margins as a trigger for considering natural character values rather than a district wide natural character study may mean that the full extent of natural character values is not appropriately preserved (as they may extend beyond the riparian margins stated in the provisions).</p> <p>The existing provisions manage land use activities within a variety of riparian margin widths, which may not effectively manage potential effects on natural character given that the range of riparian margins in the existing provisions ranges from 2m for cultivation adjoining rivers and streams to 10m for buildings and structures.</p> <p>The existing provisions include a rule that prevents helicopters from landing within 30m of wetlands (but doesn't control this activity proximate to rivers and streams), but it is unclear how this relates to natural character values.</p> <p>Up to 100m² per hectare of indigenous vegetation may be cleared as a permitted activity within 5m of rivers and streams, and within 30m of wetlands. This could lead to significant adverse effects on natural character values, both</p>	<p>This results in costs to landowners/applicants in preparing the application and paying for the consent processing fees. As the approach is not based on a natural character study that has assessed the extent of natural character values in the district, these costs may be triggered in areas that do not have natural character values. Some costs fall to the council to enforce the rules and associated consent conditions.</p> <p>The provisions result in economic costs on landowners who have land adjoining rivers, streams and wetlands due to the restrictions placed on the use of their land by the rules</p>		
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<p>due to the extent of clearance enabled, and the narrow width of the 5m margin. Cultivation is enabled within 2-3m of rivers and streams as a permitted activity, whereas earthworks is restricted within 10m of rivers and streams. Both activities can have similar adverse effects on natural character values yet are managed differently. These environmental costs fall to the community.</p>			
<p>Efficiency</p>	<p>This option is not an efficient method of meeting the objectives given the costs identified above (particularly the environmental costs), and the issues identified with the existing provisions.</p>		
<p>Effectiveness</p>	<p>It would be difficult to achieve the proposed objective with the existing provisions given the issues identified above and the resultant variation in environmental outcomes. The preservation of natural character may generally be achieved, but in a less consistent manner.</p>		
<p>Strategic Direction(s)</p>	<p>This option would achieve strategic objective SD-03 as natural character values would be managed by the existing provisions. The existing provisions would not achieve SD-05 Mana Whenua as the provisions do not expressly provide for or recognise cultural values associated with natural character areas. The provisions would not achieve SD-06 Infrastructure as there is no specific recognition of the specific strategic needs of infrastructure in the context of natural character values.</p>		
<p>Overall Appropriateness of Option 1</p>	<p>This option is not an appropriate way to achieve the objective.</p>		

OPTION 2

Amended riparian margin approach

<p>Benefits Environmental</p>	<p>Economic</p>	<p>Social</p>	<p>Cultural</p>
<p>This option will continue to include a range of rules that manage the key activities that can result in adverse effects on natural character values.</p>	<p>This option will continue to include a range of rules that manage the key activities that can result in adverse effects on natural character values.</p> <p>The proposed activities that are managed are targeted</p>	<p>As this option is based on the existing approach, there may be an ongoing level of familiarity along with a level of certainty to the community.</p>	<p>The proposed provisions in this option seek to specifically recognise and provide for cultural values, including specific enablement of</p>

<p>The proposed activities that are managed are targeted to those activities that can adversely affect natural character values and are proposed to be managed in a more consistent manner (for example a consistent approach to the riparian margins is proposed to be adopted). This should result in more consistent and cohesive environmental outcomes in terms of natural character values.</p> <p>Larger setbacks are proposed for some areas where there is a higher likelihood of natural character values occurring and thus greater protection of natural character is anticipated.</p> <p>The use of the High Naturalness Water Bodies as defined in the Canterbury Land and Water Plan and those parts of the Rangitata River and its tributaries as identified in the Water Conservation (Rangitata River) Order 2006, provides the basis for the provisions which require a greater level of scrutiny.</p> <p>As it is proposed to apply the provisions throughout the</p>	<p>to those activities that can adversely affect natural character values and are proposed to be managed in a more consistent manner (for example a consistent approach to the riparian margins is proposed to be adopted). This should result in more consistent and cohesive environmental outcomes in terms of natural character values.</p> <p>Larger setbacks are proposed for some areas where there is a higher likelihood of natural character values occurring and thus greater protection of natural character is anticipated.</p> <p>As it is proposed to apply the provisions throughout the district (as opposed to just within the rural parts of the district), more consistent district-wide environmental outcomes should be achieved.</p> <p>Activities that do not comply with the rules require consent as a restricted discretionary activity, with specific targeted matters of discretion that relate to natural character issues. Activities in high naturalness water bodies are generally discretionary to provide a higher level of protection. A proposed policy explicitly states that an assessment of effects on natural character is required, and consents could be declined.</p>	<p>The outcomes achieved by the existing provisions may contribute to overall social wellbeing by retaining areas of natural character along waterbodies which can also contribute positively to recreation and amenity values which may be valued by the community.</p>	<p>vegetation removal for mahinga kai purposes.</p>
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<p>district (as opposed to just within the rural parts of the district), more consistent district-wide environmental outcomes should be achieved.</p> <p>Activities that do not comply with the rules require consent as a restricted discretionary activity, with specific targeted matters of discretion that relate to natural character issues. Activities in high naturalness water bodies are generally discretionary to provide a higher level of protection. A proposed policy explicitly states that an assessment of effects on natural character is required, and consents could be declined.</p>			
<p>Costs Environmental</p>	<p>Economic</p>	<p>Social</p>	<p>Cultural</p>
<p>Using riparian margins, and the high value water bodies as triggers for considering natural character values rather than a district wide natural character study may mean that the full extent of natural character values is not appropriately preserved (as they may extend beyond the riparian margins</p>	<p>This option proposes to introduce provisions to manage the natural character of waterbodies throughout the district, rather than just within the rural parts of the district. This may result in additional consenting and compliance costs falling to landowners in the non-rural parts of the district. Further, this option will result in 'wider' riparian margins being stipulated in the provisions, which may trigger additional resource</p>	<p>The community may be dissatisfied with the outcomes achieved by the proposed provisions</p>	<p>None identified.</p>

<p>stated in the provisions). Also, in the absence of a district wide study there is limited knowledge of degraded areas that would merit enhancement.</p> <p>These environmental costs fall to the community.</p>	<p>consents or place additional limitations on land use and development options.</p> <p>There are costs associated with the implementation of this option as resource consents for a restricted discretionary activity are triggered for activities that do not comply with the rules and for many activities as a discretionary activity in high naturalness water bodies. This results in costs to landowners/applicants in preparing the application and paying for the consent processing fees.</p> <p>As the approach is not based on a natural character study that has assessed the extent of natural character values in the district, these costs may be triggered in areas that do not have natural character values. Some costs fall to the council to enforce the rules and associated consent conditions.</p> <p>The provisions result in economic costs on landowners who have land adjoining rivers, streams and wetlands due to the restrictions placed on the use of their land by the rules</p>		
<p>Efficiency</p>	<p>This option is an efficient method of meeting the objective given the costs identified above, and the issues identified with the existing provisions, but it is not the most efficient, given there may be unnecessary costs for people based on blanket rules.</p>		
<p>Effectiveness</p>	<p>This option will be effective at implementing the objective as:</p> <ul style="list-style-type: none"> • The approach will be applied throughout the district rather than arbitrarily applying only within the rural area. • A consistent application of riparian margins throughout the district will assist in achieving consistent outcomes. 		

	<ul style="list-style-type: none"> • The types of activities managed are those that have the potential to adversely affect natural character values. • The provisions provide for customary harvest • The provisions encourage and enable restoration and enhancement.
Strategic Direction(s)	This option would achieve strategic objective SD-03 as natural character values would be managed by the provisions. The provisions would achieve SD-05 Mana Whenua as the rules seek to enable customary harvest. The provisions would contribute to achieving SD-06 Infrastructure as the assessment matters enable consideration of functional need for proposals.
Overall Appropriateness of Option 2	This option is the most appropriate option given that the benefits outweigh the costs and there are efficiencies to be gained from adopting this approach relative to the status quo.

OPTION 3

Natural Character Study based approach

Benefits Environmental	Economic	Social	Cultural
Adopting this option would likely result in a high level of environmental benefits given that the management regime developed could be directly linked to the known and assessed natural character values throughout the district.	There could be economic benefits arising from this option as compared to the alternatives if the management regime was specifically targeted to areas of known natural character, therefore potentially reducing triggering unnecessary resource consent requirements. It would also potentially avoid unnecessary restrictions on the use of land	This option could result in social benefits as a District wide natural character study could be used to inform the community about the natural character values in the district, the types of activities that threaten those values, and how best to manage them. The environmental outcomes achieved by this option could also lead to community satisfaction.	Adopting this option could inform the appropriate management of cultural values associated with natural character areas in a more targeted and informed manner.
Costs Environmental	Economic	Social	Cultural
There are likely to be less, or limited environmental costs associated with these options if the management framework was informed by a targeted study	This option would result in significant costs to the council (and thus the community) associated with the preparation and commissioning of a natural character	There are likely to be limited social costs associated with this option	There are likely to be limited cultural costs associated with this option

	study. It has been estimated that this would require some 6+ months to undertake in a robust manner		
Efficiency	This option would be the most efficient method of meeting the objective given the costs identified above, and the issues identified with the existing provisions. However, there are significant time and cost constraints involved in delivering this approach within required timeframes for the district plan review.		
Effectiveness	This option would be the most effective at implementing the objective as it would likely result in a targeted management approach that responds to known and identified natural character values.		
Strategic Direction(s)	This option would meet strategic objectives SD-03, SD-05 and SD06.		
Overall Appropriateness of Option 3	This option is a more appropriate option than the status quo, however, is not the preferred option given that the costs outweigh the benefits.		

5 Risk of Acting or Not Acting

Where there is uncertain or insufficient information, an evaluation of the risk of acting or not acting is important. In this case it is considered that there is little uncertainty in the issue or the potential significance of the issue. It is considered that given that the proposed provisions have a similar approach to the operative provisions, there is sufficient information to act.

While greater knowledge of the extent and values of natural character across the district would be obtained through a study and mapping exercise, it is not considered that the absence of that study would be a significant risk. The use of the general rule approach is considered to adequately cover potential values in an efficient manner sufficiently to address this issue. Utilising the information provided in the Canterbury Land and Water Regional Plan and the Water Conservation (Rangitata River) Order 2006

It is therefore concluded that there is a low risk of acting in the proposed manner to introduce updated and replacement provisions to appropriately manage Natural Character.

6 Preferred Option

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that Option 2 is the most appropriate option as:

- The approach will be applied throughout the district rather than arbitrarily applying only within the rural area.
- A consistent application of riparian margins throughout the district will assist in achieving consistent outcomes.
- The use of High Naturalness Water Bodies as included in the Canterbury Land and Water Regional Plan (including PC7) and the Water Conservation (Rangitata River) Order 2006, targets additional scrutiny on areas of high naturalness.
- The types of activities managed are those that have the potential to adversely affect natural character values.
- The provisions provide for customary harvest.
- The provisions encourage and enable restoration and enhancement.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.