

DDPR_feedback_0142s	
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Response Date	Aug 30 22
Notes	
Q1	Select the chapter you want to provide feedback on
Q2	In general, to what extent do you support the contents of this chapter?
Q3	Objective/Policy/Rule/Standard reference:
Q4	Feedback/Comments
Q5	Objective/Policy/Rule/Standard reference:
Q6	Feedback/Comments
Q7	Objective/Policy/Rule/Standard reference:
Q8	Feedback/Comments
Q9	Objective/Policy/Rule/Standard reference:
Q10	Feedback/Comments
Q11	supporting documents?
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Q12	If you need more space, or have any other general comments, please leave them here
	<p>Tēna koe, Please find attached a cover letter and the Environment canterbury feedback on the draft Waitaki District Plan. You will see that two of our staff have requested meetings with Waitaki District Council planning staff. I will be in touch to arrange those meetings. Please feel free to contact me if you have any questions about our feedback. Kā mihi, Rachel Rachel Tutty Planner Environment Canterbury Timaru Office Environment Canterbury</p>

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31 August 2022

David Campbell
Planning Manager
Waitaki District Council
20 Thames Street
Private Bag 50058
Oamaru 9444

Dear David

Draft Waitaki District Plan

Thank you for the opportunity to provide feedback on the draft Waitaki District Plan. We wish to acknowledge the extensive work that has been undertaken by the Council in preparing the draft district plan and appreciate the collaborative approach that has been taken. We support the overall content of the plan.

We have attached our comments on the draft provisions to this letter. Our comments relate to strengthening alignment with the Canterbury Regional Policy Statement and providing for Environment Canterbury's operational functions. The comments have been prepared by Environment Canterbury staff under delegated authority from the Canterbury Regional Council.

In addition to this written feedback, two staff members from Environment Canterbury would welcome the opportunity to discuss with you in person the provisions relating to their specialist areas:

- Nick Griffiths from the natural hazards team would welcome the opportunity to discuss the provisions covering flood hazards
- Jolene Irvine from the rivers engineering team would welcome the opportunity to discuss the provisions covering flood, erosion, or drainage works undertaken by Environment Canterbury. Overall, they request an overarching Permitted Activity status for flood, erosion or drainage works undertaken by the council.

We look forward to continuing to work with you on the proposed District Plan and welcome any questions you may have regarding our comments. Rachel Tutty at rachel.tutty@ecan.govt.nz or 03 365 3828 is the key contact for this feedback.

Yours sincerely,



Jeff Smith
Team Leader Strategy and Planning

Feedback on draft Waitaki District Plan chapters

SD – Strategic Direction

Provision	Change requested	Comments
Objectives		
Community facilities and open space		
SD-CFOS-O1 Open Space and Recreation Areas	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Historical and cultural identity and values		
SD-CHI-O1 Character and Identity	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS Note that “reflected” in this objective is open to interpretation as to its meaning, and the intention of the objective could be more clearly set with the use of a different word.
SD-CHI-O2 Recognition, protection, and future opportunities for Waitaki’s heritage	<p>The values of Waitaki’s heritage could also be recognised</p> <p>Recommended amendment as follows:</p> <p><i>Recognise the outstanding contribution that historic heritage makes to the Waitaki District’s economy by protecting buildings, items, areas, and features, and <u>their particular values</u> and providing opportunities for the ongoing use and adaptive re-use of our heritage buildings and areas.</i></p>	<ul style="list-style-type: none"> Amendment would be consistent with Objective 13.2.1 of the CRPS

SD-CHI-O3 Waitaki's cultural heritage	Support as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
Mana whenua		
SD-MW-O1 and SD-MW-O2	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS • Note that “recognise” followed by “protect” is a more common and logical use of this phrasing, however "support" would be preferable to the word “promote”.
Natural environment		
SD-NE-O1	Amend to make consistent with the CRPS Recommended amendment as follows: <i>Protection, restore or enhance, of the natural character, landscapes, features and ecosystems of the district which strongly contribute to Waitaki's unique character, identity, and indigenous biodiversity.</i>	<ul style="list-style-type: none"> • Where appropriate, natural character, landscapes and features and ecosystems should be restored or enhanced. • The use of the expression “...which strongly contribute to...” could imply only those natural features which strongly contribute to and are unique to Waitaki are protected. It is unlikely this is intended, so a revision of the words should be considered.
SD-NE-O2 and SD-NE-O3	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS

Risk, resilience, and energy efficiency		
SD-RREE-O1 Natural hazards	Support in part. Recommended amendment as follows: <i>Improve the District's resilience to natural hazards, including where these will be exacerbated by climate change and where possible, avoid or, where avoidance is not possible, mitigate the risks of natural hazards to people, communities, property, and infrastructure.</i>	<ul style="list-style-type: none"> This policy has the potential to create confusion for plan users. While SD-RREE-O1 addresses natural hazards, SD-RREE-O2 addresses resilience and adapting to climate change. To avoid confusion and duplication it appears to make more sense to focus the content of SD-RREE-O2 on climate change.
SD-RREE-O2 Resilience and adapting to climate change	Support in part. Recommend amendment as follows: Resilience and adapting to Adapting to climate change	<ul style="list-style-type: none"> As stated above, it appears to make more sense to focus this policy on adapting to climate change. This would reflect the intent of Aotearoa New Zealand's first national adaptation plan.
SD-RREE-O3 Energy	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
SD-RREE-O4 Renewable energy	Support in part. Minor amendment recommended, as follows: <i>There is reduced reliance on non-renewable sources of energy, and encouragement of increased use of renewable sources and greater energy conservation.</i>	<ul style="list-style-type: none"> Minor grammatical amendments suggested for clarity
Rural areas		
SD-RA-O1	Support in part.	<ul style="list-style-type: none"> The principal reasons and explanations supporting Policy 5.3.12 of the CRPS states that the 'rural productive base of Canterbury is

Productive rural environments	<p>Rural production also contributes to cultural wellbeing.</p> <p>Recommended amendment as follows:</p> <p><i>A range of primarily rural productive opportunities are enabled in the rural environment to recognise and sustain the significant contribution of primary production and rural industry activities to the social and economic, <u>social and cultural</u> well-being of the district.</i></p>	<p>essential to the economic, cultural and social well-being of its people and communities'. It would be appropriate to amend the district plan for consistency with the CRPS</p>
SD-RA-O2 and SD-RA-O3	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS • On release of the NPS-HPL it is appropriate to review this policy to ensure consistency and completeness with national direction
Urban form and development		
SD-UFD-O1 Integrated management	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
SD-UFD-O2 Housing choice and intensification	<p>Recommended amendment as follows:</p> <p><i>A variety of housing types, sizes, and tenures are available across the District including:</i></p> <ol style="list-style-type: none"> <i>1. housing that meets the community's diverse social, <u>cultural</u> and economic housing needs; and</i> <i>2. ...</i> 	<ul style="list-style-type: none"> • Cultural consideration is also required as discussed in issue 5.1.2 of the CRPS. Specifically, it recognises that development will be influenced by changes in 'household composition, as well as migration, lifestyles and economic factors'.
SD-UFD-O3 to SD-UFD-O6	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS

ENG – Energy

- Overall comment – the policies and rules of this chapter should make it clear which (if any) of the general ENG objectives, policies and rules apply to the Waitaki Power Scheme.

Provision	Change requested	Comments
Objectives		
ENG-O1 to ENG-O3	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
Policies		
ENG-P1 to ENG P3	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
ENG-P4 Small scale renewable electricity generation activities and investigation activities in zones	Retain as drafted	<ul style="list-style-type: none"> • Largely gives effect to the CRPS • May leave a gap with respect to community scale generation.
ENG-P5	Retain as drafted with the understanding that with the expected release of the NPSIB clause 3 may	<ul style="list-style-type: none"> • As drafted this policy largely gives effect to the CRPS

<p>Small scale renewable electricity generation activities and investigation activities in overlays</p>	<p>need to be amended to support alignment with national direction.</p> <p>Clause 3 could be redrafted as follows:</p> <p>...</p> <p><i>3. if located within an area identified in SCHED6 - Significant Natural Areas, any significant adverse effects are avoided, and any other adverse effects are avoided, remedied, or mitigated, while having regard to the matters assessed against the effects hierarchy set out in ECO-P2; and</i></p> <p>...</p>	<ul style="list-style-type: none"> • Clause 3 may need to be amended to give effect to the expected release of the NPSIB. The suggested wording aligns with the wording amendments suggested to ECO-P2 in this review (see ECO chapter of this review for further details on the NPSIB)
<p>ENG-P6 to ENG-P8</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to CRPS
<p>ENG-P9</p> <p>Offsetting and compensation</p>	<p>Retain as drafted, with the understanding that with the expected release of the NPSIB there may need to be additional detail with respect to biodiversity and a hierarchy.</p>	<ul style="list-style-type: none"> • Gives effect to CRPS
<p>ENG-P10</p> <p>Decommissioning of renewable electricity generation activities</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to CRPS
<p>Rules</p>		

<p>ENG-R1</p> <p>The maintenance of existing renewable electricity generation activities outside of Significant Natural Areas</p>	<p>Amendment required to align with CRC Policy 7.3.3</p>	<ul style="list-style-type: none"> Method 1(c) for CRPS Policy 7.3.3 requires the district plan to include standards 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. A note will need to be added to this effect or, alternatively this issue could be addressed in the 'General Approach' chapter at the beginning of the Plan.
<p>ENG-R2</p> <p>The maintenance of existing renewable electricity generation activities within Significant Natural Areas</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> Gives effect to CRPS with the understanding that when the NPSIB is released, amendments to ECO-P2 may be required to give effect to the effects hierarchy as noted in ECO-P2 of this review
<p>ENG-R3 to ENG-R6</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> Gives effect to CRPS
<p>ENG-R7</p> <p>Large scale renewable electricity generation activities</p>	<p>Support in part</p> <p>Amend to specifically mention benefits of capacity and climate change.</p> <p>Suggest wording amendment as follows:</p> <p>Where:</p>	<ul style="list-style-type: none"> Method 2 of CRPS Policy 16.3.3 requires the district plan to recognise the local, regional and national benefits of renewable energy supply assisting in meeting international climate obligations.

	<p>...</p> <p><u>DIS-3</u></p> <p><u>The activity assists in meeting international climate obligations.</u></p>	
<p>ENG-R8</p> <p>Other renewable electricity generation activities not otherwise provided for</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none">• Gives effect to CRPS

ENG (WPS) – Waitaki Power Scheme

Provision	Change requested	Comments
Objectives		
ENG(WDC)-O1 to ENG(WDC)-O3	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
Policies		
ENG(WPS)-P1 and ENG(WPS)-P2	Retain as drafted	<ul style="list-style-type: none"> Gives effect the CRPS
ENG(WPS)-P3 Maintenance and improvement of the Waitaki Power Scheme	Support in part	<ul style="list-style-type: none"> Appears to give effect to CRPS but provision may need to be made for significant ecosystems and biodiversity. For example: <p style="margin-left: 40px;"><i>Enable the maintenance and improvement, through refurbishment, of generation output from the Waitaki Power Scheme within the Waitaki Power Scheme Core Sites or Operating Easements, where:</i></p> <p style="margin-left: 80px;">....</p> <p style="margin-left: 40px;">2. <i>any adverse effects that degrade the identified values and characteristics of any overlay, and the natural character of the riparian margins of any waterbody <u>and significant ecosystems and biodiversity that it is located within are avoided</u>; and</i></p> <p style="margin-left: 80px;">...</p>
ENG(WPS)-P4	Support in part	<ul style="list-style-type: none"> CRPS Policy 5.3.9 sets out to: <p style="margin-left: 40px;">...</p> <p style="margin-left: 40px;">2. <i>provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future</i></p>

Enhancement of the Waitaki Power Scheme		<p><i>decision that may be required for the ongoing operation or expansion of that infrastructure; and</i></p> <p>...</p> <ul style="list-style-type: none"> • There is the potential for the word “enhancement” to be misinterpreted and risks activities which extend beyond the intent of this policy. This is particularly given ENG(WPS)-P3 anticipates that “refurbishment” may include “improvement”.
ENG(WPS)-P5 Any other development of the Waitaki Power Scheme	Support in part	<ul style="list-style-type: none"> • See comments above
ENG(WPS)-P6 Occupied buildings in Hydroelectricity Inundation Hazard Areas		<ul style="list-style-type: none"> • Subject to comment from hazards section.
Rules		
ENG(WPS)-R1 Operation, maintenance and refurbishment of the Waitaki Power Scheme	Retain as drafted **Note – PER-7 may need review once the NPSIB is released	<ul style="list-style-type: none"> • Gives effect to CRPS • Note comments above with respect to uncertain terminology.

ENG(WPS)-R2 Occupied buildings in Hydroelectricity Inundation Hazard Areas	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
ENG(WPS)-R3 Waitaki Power Scheme enhancement activity	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS • Note comments above with respect to uncertain terminology.
ENG(WPS)-R4 to ENG(WPS)-R6	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
Standards		
ENG(WPS)-S1 Construction Noise	Support in part	<ul style="list-style-type: none"> • Consistent with National Planning Standards direction regarding noise and vibration standard • Consider whether rule/standard is required to manage damage to structures from construction vibration consistent with the requirements of the planning standards.

INF – Infrastructure

- There appears to be a large number of policies contained within this chapter which could be cumbersome for all users of the Plan. To support plan users navigate plan provisions, refining would be beneficial to avoid potential confusion and incorrect interpretation.
- The introduction to the rules state that only the objectives and policies of this chapter apply, unless specifically stated in the rules. However, this does not appear to be indicated in any rules. This may not be appropriate for infrastructure that requires a resource consent in overlays, within SNAs etc.
- There are several rules that refer to standards INF-S13 & S14. The matters of discretion for these standards should be expanded to include natural hazard considerations.

Provision	Change requested	Comments
Definition Outline Development Plan	Retain as drafted	<ul style="list-style-type: none"> • Clear definition
Objectives		
INF-O1 Effective, resilient, efficient and safe infrastructure	Support in Part Consider redrafting as follows: <i>Effective, resilient, efficient and safe infrastructure that:</i> <ol style="list-style-type: none"> 1. <i>provides essential and secure services, including in emergencies; and</i> 2. <i>facilitates local, regional and national connectivity; and</i> 3. <i>contributes to the economy and support a high standard of living; and</i> 	<ul style="list-style-type: none"> • Policy 5.3.5 strongly encourages local authorities to manage adverse effects including the effects on human health. There is no specific reference of the effects on human health • This may be captured within the existing framework which manages potential environmental effects (coastal, landscape, biodiversity chapters)

	<p>4. <i>integrates with subdivision and development, infrastructure and other activities; and</i></p> <p>5. <i>enables people and communities to provide for their social, economic and cultural wellbeing and health-; <u>and</u></i></p> <p>6. <u><i>avoids or mitigates adverse effects on the environment and human health.</i></u></p>	
<p>INF-O2</p> <p>Availability of infrastructure to meet existing and planned needs</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-O5</p> <p>Transport network</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
Policies		
<p>INF-P1</p> <p>Recognising the benefits of regionally significant infrastructure</p>	Support in part	<ul style="list-style-type: none"> • The CRPS Policy 5.3.6 requires district plans to ensure that when any land is rezoned to enable substantial development it is informed by an outline development plan. This appears to be included in the Rural, Settlement and Special Purpose Zones. Should this be provided for in other zones where subdivision or development is planned?

<p>INF-P2</p> <p>The benefits of infrastructure other than regionally significant infrastructure</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P3</p> <p>Infrastructure is safe, efficient and meets the needs of planned future growth</p>	<p>Support in part</p> <p>Amendment may be required to signal appropriate reference to corresponding Outline Development Plans in line with any planned future growth</p> <p>Consider amendment as follows:</p> <p><i>Enable infrastructure to be provided in a manner that is safe, efficient, integrated, accessible and available at sufficient capacity for existing and planned subdivision, use and development particularly <u>through inclusion in outline development plans for any rezoning or substantial development.</u></i></p>	<ul style="list-style-type: none"> • Method 3(d) of CRPS Policy 5.3.6 requires any territorial authority to ensure that when any land rezoned for substantial development to include an outline development plan in the district plan. Reference to corresponding Outline Development Plans in line with any planned future growth would give effect to this and reduce potential confusion to plan users.
<p>INF-P4</p> <p>Appropriate infrastructure</p>	<p>Support in part</p> <p><i>Enable new infrastructure and the operation, maintenance, repair, upgrading and removal of existing infrastructure, where:</i></p> <p><i>1. it is of a form, location and scale that minimises adverse effects on the environment; and</i></p>	<ul style="list-style-type: none"> • Method 5(a) of CRPS Policy 5.3.5 strongly encourages local authorities to manage adverse effects, including the effects on human health.

	<p>2. <i>it is consistent with the anticipated amenity and character of the zone in which the infrastructure is located; and</i></p> <p>3. <u><i>which avoids or mitigates the adverse effects on the environment and human health; and</i></u></p> <p>34. <i>for any maintenance and repair, or removal of existing infrastructure in any overlay, does not adversely impact on the identified values and characteristics of any overlay that it is located within.</i></p>	
<p>INF-P5</p> <p>Adverse effects on regionally significant infrastructure</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P6</p> <p>Upgrading of the National Grid</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P7</p> <p>Development of the National Grid</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P8</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS

<p>Providing for other infrastructure not defined as regionally significant infrastructure outside of overlays</p>		
<p>INF-P9</p> <p>Recognise operational needs and functional needs of infrastructure</p>	<p>Support in part</p> <p>Amend as follows:</p> <p><i>Recognise the operational needs and functional needs of regionally significant infrastructure and other infrastructure by having regard to the following matters when making decisions on new infrastructure and the operation, maintenance and upgrading of existing infrastructure:</i></p> <p>...</p> <p><i>6. the extent to which the infrastructure is integrated with, and necessary to support, planned urban development <u>including by reference to the applicable outline development plan maps.</u></i></p> <p>The use of 'and' and 'or' at the end of each PER requires clarification.</p>	<ul style="list-style-type: none"> • Method 3(d) of CRPS Policy 5.3.6 requires any territorial authority to ensure that when any land rezoned for substantial development to include an outline development plan in the district plan. Reference to corresponding Outline Development Plans in line with any planned future growth would give effect to this and reduce potential confusion to plan users. • It is not clear how the 'and' and 'or' at the end of each PER works for correct implementation. The 'or' at the end of PER-4 could be interpreted that compliance is only necessary with PER-5 to achieve a permitted activity status.
<p>INF-P10</p> <p>New technology</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to general direction of CRPS

<p>INF-P11</p> <p>Electric and magnetic fields and radiofrequency fields</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P12</p> <p>Operation of the transport network</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P13</p> <p>Upgrading of the transport network</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P14</p> <p>Roads as infrastructure corridors</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P15</p> <p>Road classification</p>	Neutral	

<p>INF-P16</p> <p>Upgrades to existing and new infrastructure on Heritage Items or within their heritage settings, or Sites and Areas of Significance to Māori identified in SCHED2 – Historic Heritage Items and SCHED5 – Sites and Areas of Significance to Māori or the Ōamaru Historic Area</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS • Consistent matters listed in the criteria for identifying historic heritage items as listed in the RPS. • The definition of Sensitive Environments includes wāhi tūpuna, archaeological sites, and heritage items. • Note that the rules do not reference the wider policies and objectives of the relevant chapters.
<p>INF-P17</p> <p>Trimming, pruning and activities within the root protection area of trees in SCHED4 – Notable Trees</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>INF-P18</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS

Removal of trees in SCHED4 – Notable Trees		
INF-P20 Upgrades to existing, and new infrastructure on or within Outstanding Natural Features and Landscapes, and Significant Natural Areas, beyond the Coastal Environment	Amendments required to give full effect to the CRPS	<ul style="list-style-type: none"> • Method 3 of CRPS Policy 9.3.5 requires territorial authorities to set out provisions in the district plan to control the effects of subdivision, use, development, or protection of land to protect ecologically significant wetlands. While there is some provision for the protection of wetlands, there are no specific provisions. Further consideration is required to provide clarity to support plan users with policy interpretation and implementation and ensure consistency with the CRPS. • Further, rules do not reference the wider policies and objectives of the relevant chapters.
INF-P21 Upgrades to existing and new infrastructure within the Rural Scenic Landscape Overlay or a Significant Natural Feature	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
INF-P22	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS

Infrastructure in natural hazard overlay and coastal natural hazard overlay		<ul style="list-style-type: none"> Note that the rules do not reference the wider policies and objectives of the relevant chapters.
INF-P23 The National Grid Substation Buffer	Amendment required. Clause 1(b) appears incomplete: <i>b) the extent to which the proposed development will avoid potential;</i> ...	<ul style="list-style-type: none"> Amendment to provide certainty to plan users and avoid confusion and/or misinterpretation
INF-P24 The Electricity Distribution Yard	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
INF-P25 Signs	Neutral	

STORM – Stormwater

Provision	Change requested	Comments
Objectives		
STORM-O1 Stormwater quantity neutrality	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Policies		
STORM-P1 Hydraulic neutrality in urban zones	Support in part <i>Require all new subdivision and development in urban zones to achieve hydraulic neutrality for the critical duration, as far as reasonably practicable, and, where hydraulic neutrality cannot be achieved, only allow subdivision and development to proceed where it can be demonstrated:</i> ... <u>x. any adverse effects on the environment and human health can be avoided in the first instance, and where avoidance is not practicable, mitigated.</u>	<ul style="list-style-type: none"> Gives effect to CRPS Policy 5.3.2 Method 3 of CRPS Policy 5.3.5 requires methods to be included in district plans to manage servicing development of among other things stormwater so it does not negatively impact on either environmental or human health. Amendments would ensure the district plan aligns fully with CRPS requirements.
STOM-P2 Stormwater management	Support in part Amendments required for consistency with the CRPS which require provisions to ensue any adverse effects on the environment and human health from the collection, treatment and disposal of stormwater are avoided or mitigated.	<ul style="list-style-type: none"> Gives effect to CRPS Policy 5.3.2 Method 3 of CRPS Policy 5.3.5 requires methods to be included in district plans to manage servicing development of among other things stormwater so it does not negatively impact on either environmental or human health. Amendments would ensure the district plan aligns fully with CRPS requirements.

	<p>Recommended amendment as follows:</p> <p><i>Require efficient and sustainable stormwater control and disposal systems to be designed and installed at the time of subdivision or development that:</i></p> <p><i>1. <u>avoid or mitigate adverse effects on the environment and human health; and</u></i></p> <p><i>2. minimise the effects of development on-site using stormwater management areas to avoid inundation within the subdivision or development, or on adjoining land, especially if sufficient infrastructure capacity is not available; and</i></p> <p><i>3. where feasible, utilise stormwater management areas for multiple uses while ensuring they have a high-quality interface with residential activities or commercial activities.</i></p>	
<p>STORM-P3</p> <p>Water sensitive design</p>	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS, specifically chapter 7 requirements regarding the management of water quality
Rules		
<p>STORM-1</p> <p>Subdivision</p>	Support in part	<ul style="list-style-type: none"> • Method 3 of CRPS Policy 5.3.5 requires district plans to include provisions which manage land to ensure the collection, treatment and disposal of stormwater does not adversely affect the health of the environment or people. It is unclear if this achieved through this rule.
STORM-2	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS

<p>Increase in impervious area</p>		
<p>Standards</p>		
<p>STORM-S1 and STORM-S2</p>	<p>Conditionally support</p>	<ul style="list-style-type: none"> Method 3 of CRPS Policy 5.3.5 requires district plans to include provisions which manage land to ensure the collection, treatment and disposal of stormwater does not adversely affect the health of the environment or people. It is unclear if these Standards give effect to this.

TRAN – Transport

Provision	Change requested	Comments
Objectives		
TRAN-O1 and TRAN-O2	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Policies		
TRAN-P1 to TRAN-P5	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Rules		
TRAN-R1 to TRAN-R5	Support in part	<ul style="list-style-type: none"> It is unclear if these rules consider the effects of reverse sensitivity as required by the CRPS, or if this is dealt with elsewhere in the Plan.
TRAN-R6 Vehicle trip generating activities	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
Standards		
TRAN-S1 to TRAN-S16	Conditionally support	<ul style="list-style-type: none"> It is unclear if these Standards consider the effects of reverse sensitivity.

CL – Contaminated Land

- The introduction provides useful clarification regarding the functions of District and Regional Councils and the management of contaminated land
- Cross boundary matters - Learning some lessons from recent events, cross boundary issues may also occur in the event of failures of landfills that may send landfill materials (typically wastes and contaminated material) across rivers and land straddled by Waitaki and neighbouring TA boundaries. Provisions to recognise this would be beneficial.

Provision	Change requested	Comments
Definitions		
Clean fill	Consider definition	<ul style="list-style-type: none"> • Consider definition to be aligned with the 2018 WasteMINZ “Technical Guidelines for Disposal to Land”. Clean fill is considered Class 5 under these. CRC consider these Guidelines to be best practice.
Objectives		
CL-O1 Managing contaminated land	Policy should recognise ‘subdivision or use of land or new development’. Amendment required as follows: <i>The risks to human health from the unacceptable exposure to contaminated land as a result of subdivision, <u>use</u> and development are minimised.</i>	<ul style="list-style-type: none"> • This amendment would give effect to policy 17.3.2 of the CRPS
CL-OX Managing contaminated land	Insert new objective.	<ul style="list-style-type: none"> • Consider including a separate objective which gives regard to natural and cultural values.
Policies		

<p>CL-P1</p> <p>Identification of contaminated sites</p>	<p>Support in part</p>	<ul style="list-style-type: none"> • Gives effect to CRPS • However, please note that CRC are currently undertaking a review of the Listed Land Use Register (LLUR) and will be in contact with Waitaki District Council accordingly. • It should also be noted that it is not only historical HAIL that may contaminate the land: current industries and activities could also be resulting in contaminating the land.
<p>CL-P2</p> <p>Minimising risks from contaminated lands</p>	<p>Amendments to clause 2 and clause 3 required.</p> <p>Recommended amendment as follows:</p> <p><i>Minimise the risk to people and the environment from subdivision, use and development of land that may contain, or does contain, elevated levels of contaminants by:</i></p> <p>...</p> <p><i>2. <u>having particular regard to management measures proposed, which may include remediation, containment, or disposal of contaminated soil; and avoiding, remedying or mitigating adverse effects in a manner that does not lead to further significant adverse effects on the environment; and</u></i></p> <p>...</p>	<ul style="list-style-type: none"> • Amendments to clauses 2 and 3 are necessary to provide for the wider environment and reflect requirements of method 3 of policy 17.3.2 of the CRPS. • Consider sustainability when assessing strategies of remediation and on-site management of contaminated soil.
<p>CL-PX</p> <p>New HAIL sites</p>	<p>Insert new policy</p>	<ul style="list-style-type: none"> • Consider including a separate policy on the prevention of creating new HAIL sites. This may be by ensuring a best practice approach is implemented when allowing industries to operate.
<p>CL-PX</p>	<p>Insert new policy</p>	<ul style="list-style-type: none"> • There appears to be no policy which provides for earthworks on contaminated land.

Earthworks		
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HAZS – Hazardous Substances

Provision	Change requested	Comments
Overlay Name table (p.19)	Amendment required. Amend as follows: <u>Surface Fault Rupture Hazard Overlay – Subdivision</u>	<ul style="list-style-type: none"> • While the overlay's themselves appear correct, amendment of their title provides consistency across the Plan. • On p.14, 'Surface Fault Rupture Hazard Overlay – Subdivision' is referenced. On p.19 (within the Overlay Name table), 'Surface Fault Rupture Hazard Overlay' is referenced. These relate to the same overlay. • Use of the title 'Surface Fault Rupture Hazard Overlay– Subdivision' is preferred.
	Amendment required. Amend as follows: <u>Surface Fault Awareness Rupture Hazard Overlay – Activities and Buildings</u>	<ul style="list-style-type: none"> • While the overlay's themselves appear correct, amendment of their title provides consistency across the Plan. • On p14, 'Surface Fault Rupture Hazard Overlay – Activities and Buildings' is referenced. On p.19 (within the Overlay Name table), 'Fault Awareness Overlay' is referenced. These relate to the same overlay. • Use of the title 'Surface Fault Rupture Hazard Overlay – Activities and Buildings' is preferred.
Natural Hazards Introduction	Amendment required. Amend as follows: <i>Surface Fault Rupture: ... A Surface Fault Rupture Hazard Overlays <u>is</u> <u>are</u> included for awareness purposes. There are also objectives, policies and rules for subdivision and critical facilities within the overlay areas...</i>	<ul style="list-style-type: none"> • The suggested redrafting provides consistency across the Plan and aligns with recommended amendments to the Overlay Name table above.
Objectives		

<p>HAZS-O1</p> <p>Hazardous facilities</p>	<p>Amendment required.</p> <p>Amend as follows:</p> <p><i>The benefits associated with activities involving the use, storage, disposal, and transportation of hazardous substances are recognised while ensuring that risks to, <u>and adverse effects on</u>, the environment and human health are minimised.</i></p>	<ul style="list-style-type: none"> The use of the word minimise in this objective is only appropriate if it is intended to mean 'reduce to the smallest amount practicable' or similar common dictionary definition. Method 2 of policy 18.3.2 requires avoidance, remediation or mitigation of adverse effects on the environment
<p>Policies</p>		
<p>HAZS-P1 to HAZS-P3</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> Gives effect to the CRPS
<p>HAZS-P4 and HAZS-P5</p>	<p>Amendment required.</p> <p>Method 2 of policy 18.3.1 of the CRPS requires sensitive activities in the following locations to be managed:</p> <ol style="list-style-type: none"> High hazard areas Within a community drinking water protection zone, or within such a distance from a community drinking water supply that there is a risk of contamination of that drinking water source In areas of unconfined or semi-confined aquifer, where the depth to groundwater is such that there is a risk of contamination of that groundwater Within the coastal marine area and in the beds of lakes and rivers 	<ul style="list-style-type: none"> Redrafting would not only be useful to users of the plan to provide more detail regarding the locations where sensitive activities must be managed, but it would clearly signal protection of sensitive areas and activities, as required by Policy 18.3.1 of the CRPS. As drafted Provisions do not appear to cover high hazard areas, community drinking water zones, unconfined and semi-confined aquifers, beds of lakes and rivers.

	5. Within any area identified by a district or regional plan as being sensitive to the potential effects of hazardous substances, which may include, but are not limited to, areas such as wāhi tapu, urupā, institutions and residential areas.	
Rules		
HAZS-R1 and HAZS-R2	Support in part	<ul style="list-style-type: none"> Amendments will need to be made to reflect the requirements set out above, to ensure hazardous substances in high hazard areas, community drinking water zones, and unconfined and semi-confined aquifers, beds of lakes and rivers are managed appropriately.
HAZS-R13	<p>Amendment required.</p> <p>Amend as follows:</p> <p><i>NH-13 Surface Fault Rupture Hazard Overlay – critical facilities <u>activities and buildings</u></i></p>	<ul style="list-style-type: none"> The suggested redrafting provides consistency across the Plan and aligns with recommended amendments to the Overlay Name table above.

NH – Natural Hazards

- It is useful to plan users that the introduction clearly sets out the matters addressed in this chapter and clearly signposts the Coastal Environment chapter which addresses matters specific to coastal hazards.
- The terminology used in the Plan does not align with the names used for the layers in the web map. For example, the Plan refers to 'Canterbury Flood Assessment Overlay', but the layer in the map is simply labelled 'Flood Hazard'. To help Plan users navigate the Plan, it is important these are consistent to avoid any confusion or misinterpretation.
- The Regional Council's functions include the requirement to manage the impact of flood erosion on drainage works. The Draft Waitaki Plan appears to impede this. Insertion of a specific rule to provide for such activities is requested. It should also be noted that this would give effect to the NPSFM subpart 3.22 and NES-Fw clause 51. CRC can provide further advice regarding this approach.

Provision	Change requested	Comments
Definitions		
Annual Exceedance Probability (AEP)	Consider using average recurrence interval (ARI) throughout the plan, or provide example as part of AEP definition	<ul style="list-style-type: none"> • ARI is the preferred term used by ECan (noting the RPS uses AEP). We can assist with wording for ARI or improved wording for AEP.
Flood tolerant activities and land use	Remove definition	<ul style="list-style-type: none"> • Refer to comments below for relevant rules
Flood vulnerable activity	Remove definition	<ul style="list-style-type: none"> • Refer to comments below for relevant rules
Overlay		
Canterbury Flood Assessment Overlay	Insert a broader overlay coupled with a permitted activity rule	<ul style="list-style-type: none"> • The plan acknowledges that the overlay does not cover all areas that could be subject to flooding, and there are no provisions to manage flood hazards beyond these areas. A more robust (and overall less onerous approach) would be to use a broader overlay

		(or no overlay) coupled with a permitted activity rule. Similar examples are found in the Kaikoura and Selwyn District Plans.
Waitaki River Floodplain Assessment Overlay		<ul style="list-style-type: none"> Check the description of this overlay in the introduction is accurate
Objectives		
NH-O1 Natural hazard risks	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
Policies		
NH-P1 Identification of natural hazard areas	Support in part	<ul style="list-style-type: none"> It is unclear how this policy is implemented within the Plan.
NH-P2 Climate change	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
NH-P3 Risk based approach	Support in part Clarification required to recognise the 'risk-based approach' addresses <i>all</i> hazards within the Waitaki District – non-coastal and coastal.	<ul style="list-style-type: none"> While it is understood from reading the introduction that the risk-based approach covers all hazards within the district, it would be useful to plan users if this was reinforced within the policy to avoid potential confusion. Some further guidance to the plan user on what 'acceptable' means, and who decides what is or isn't acceptable.

	<p>Clarification required regarding what 'acceptable' means.</p> <p>Recommended amendment as follows with further clarification of 'acceptable':</p> <p><i>Avoid subdivision, use and development in areas where <u>any</u> natural hazards may occur, <u>non-coastal or coastal</u>, unless it can be demonstrated that the risk from natural hazards to people, property, and the environment can be mitigated to an acceptable level, taking into consideration the:</i></p> <p>...</p>	
<p>NH-P4</p> <p>Critical facilities</p>	<p>Support in part</p> <p>Recommended amendment as follows:</p> <p><i>Avoid locating critical facilities in known natural hazard areas, unless it can be demonstrated that:</i></p> <ol style="list-style-type: none"> 1. it is not practicable <i>there are no other alternatives to locate locating inside the area; and</i> 2. ... 	<ul style="list-style-type: none"> • Method 5 of policy 11.3.4 requires the district plan to set provisions which ensure that new critical infrastructure is located outside known hazard areas, 'unless there is no reasonable alternative'. The suggested wording would clearly give effect to the CRPS.
<p>NH-P5</p> <p>Natural protection features</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>NH-P6</p> <p>Site specific assessment/ investigation</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS

<p>NH-P7</p> <p>Canterbury Flood Assessment Overlay</p>	<p>Support in part</p> <p>Request that this overlay applies to the entire district.</p>	<ul style="list-style-type: none"> • It would be appropriate for this policy to apply across the district, as there are situations where activities that could be impacted by flooding are proposed outside of the overlay. • While this policy sets the provisions of managing inappropriate development in flood-prone areas of the district, as required by method 7 of policy 11.3.1, it fails to address subdivision, use and development regarding coastal hazards overlays. • Policy INF-22 addresses infrastructure in the coastal hazard overlay, but the Coastal Environment chapter does not appear to provide for this. Some clear signposts would be useful to any plan user.
<p>NH-P10 to NH-P14</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>Rules</p>		
<p>NH-R1</p> <p>Flood tolerant activities in all Flood Assessment Overlays</p>	<p>Delete rule</p>	<ul style="list-style-type: none"> • This is an unnecessary rule, as it permits things with no conditions. All of these things would be permitted by default if the rule was removed.
<p>NH-R3</p> <p>Buildings, structures and fences in the Canterbury Flood Assessment Overlay</p>	<p>Support in part</p> <p>Amend title as follows:</p> <p><i>Maintenance of buildings, structures and fences in the Canterbury Flood Assessment Overlay</i></p> <p>Insert specific rule for Local Authorities to undertake river management activities to carry out their functions.</p>	<ul style="list-style-type: none"> • These rules effectively provide a permitted activity pathway for CRC works within flood zones. It would be much more ‘usable’ to have a single overarching rule (as noted in further detail below). • If you want to maintain an existing building in the overlay, you would need to get a flood assessment to determine if you are in a high hazard area, and if you are, you would be non-complying. This appears to be too restrictive in light of existing use rights and not increasing the risk. • CRC are happy to provide further advice and clarification.

	<p>PER-1 points 4 and 5 require clarification whether they refer to all flood events or any particular events and whether this was intended to manage any impediment or displacement.</p> <p>Define maintenance, repair and alteration.</p>	
<p>NH-R5</p> <p>Earthworks in all Flood Assessment Overlays</p>	<p>Insert specific rule for Local Authorities to undertake river management activities to carry out their functions.</p>	<ul style="list-style-type: none"> • The magnitude of earthworks do not necessarily correlate to the magnitude of impact. • This rule would allow for some earthworks that could cause offsite effects and require resource consent for others that will not cause offsite effects. • If the rule is kept how it is, expand matters of discretion to explicitly reference offsite diversion and displacement effects.
<p>NH-R6</p> <p>Flood vulnerable activities in all Flood Assessment Overlays</p>	<p>Delete rule</p>	<ul style="list-style-type: none"> • These activities would all be restricted discretionary based on our interpretation of NH-R2, 3, & 4
<p>NH-R7</p> <p>Activities in all Flood Assessment Overlays except flood tolerant activities and flood</p>	<p>Delete rule or clarification required</p>	<ul style="list-style-type: none"> • The purpose/intent of this rule is not clear • This rule appears to capture all activities that do not fall under the definition of 'flood tolerant' or 'flood vulnerable' and makes them non-complying. You would therefore need to get a flood hazard assessment in each case to determine if the site is high hazard or not. This appears to overlap with NH-R2, 3, & 4 which permits some of these activities.

vulnerable activities		
NH-RX	Insert new permitted activity rule to enable Local Authorities to undertake their functions.	<ul style="list-style-type: none"> A new rule is required to enable earthworks for “the maintenance, repair or replacement of flood and erosion protection undertaken by the Regional or District Council”. This rule needs to state it overrides all earthworks rules in the plan.
Standards		
NH-S1	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS

HH – Historical Heritage

Provision	Change requested	Comments
Objectives		
HH-O1 to NH-O3	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Policies		
HH-P1 Recognise historic heritage	Retain as drafted	<ul style="list-style-type: none"> The identification criteria listed is generally consistent with CRPS
HH-P2 to HH-P15	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Rules		
HH-R1 to HH-R15	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS

TREE – Notable Trees

Provision	Change requested	Comments
Objectives		
TREE-O1 Recognise and protect Notable Trees	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
Policies		
TREE-P1 to TREE-P6	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
Rules		
TREE-R1 to TREE-R4	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
Standards		
Tree-S1 to TREE-S3	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS

SASM – Sites and Areas of Significance to Māori

Provision	Change requested	Comments
Objectives		
SASM-O1 to SASM-O5	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Policies		
SASM-P1 to SASM-P9	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
SASM-P10 Wilding conifer species	Support in part	<ul style="list-style-type: none"> Support prohibiting the planting of wilding conifer species. However, while wilding conifer spread from plantings are obviously a threat, so too are other exotic plant species such as rowan, hawthorn, sycamore, lupins, willows, and wattles – consider adding these to the policy and subsequent rule.
Rules		
SASM-R1 and SASM-R2	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
SASM-R3 and SASM-R4	Support in part. Amend to provide for Local Authorities to undertake their functions.	<ul style="list-style-type: none"> Provision is required to enable earthworks for “the maintenance, repair or replacement of flood and erosion protection undertaken by the Regional or District Council”. This would give effect to the NPSFM subpart 3.22 and NES-FW clause 51. As discussed above in our submission related to the Natural Hazards chapter, preference is for an overarching rule in NH chapter.

<p>SASM-R6</p> <p>Natural hazard mitigation structures within a wāhi tupuna, identified in SCHED5 - Sites and Areas of Significance to Māori</p>	<p>Clarification required to support interpretation and implementation</p>	<ul style="list-style-type: none"> • It is unclear if this applies to new structures after the plan is operative. • It is also assumed that existing use would apply to CRC existing flood protection assets and SASM-R6 would only require a restricted-discretionary consent for new natural hazard structures
<p>SASM-R7 and SASM-R13</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>SASM-R14</p>	<p>Clarification required to support interpretation and implementation</p>	<ul style="list-style-type: none"> • It is unclear if this rule applies within the bed of Waitaki River. Gravel extraction (which meets the definition of quarrying) is a potential tool to manage flood and erosion risk. There is overlap with SASM and the lower Waitaki River.
<p>SASM-R15</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS

ECO - Ecosystems and Indigenous Biodiversity

- There is a need to align rules, especially for permitted activities, with the NES-Freshwater, in relation to vegetation clearance and other activities in or near wetlands. These rules currently suggest some activities will be permitted, which may not be under that NES.
- Provisions are likely to need to be updated if the NPSIB is Gazetted.
- There appears to be a gap regarding the provisions related to carbon forestry. What happens when plantings provide a dual purpose? For example, farmers may plant areas of land for the stabilisation of soils or for grazing, but these plantings may also contribute to carbon. Under He Waka Eke Noa, such plantings need to be considered.

Provision	Change requested	Comments
Definitions		
Biodiversity offset	CRC reserves the right to request to align with definitions contained in the NPSIB.	<ul style="list-style-type: none"> • May also require <i>new</i> definition for 'biodiversity compensation'
Indigenous vegetation	CRC reserves the right to request to align with definitions contained in the NPSIB.	<ul style="list-style-type: none"> • For consistency and completeness, aligning this definition is appropriate.
Significant natural area	<p>Amend to clarify that <u>one or more of</u> the criteria in APP3 may apply.</p> <p>Suggest wording amendment as follows:</p> <p><i>means an area of significant indigenous vegetation or significant habitat for indigenous fauna that is assessed as being significant in accordance with <u>one or more of</u> the criteria in APP3 – Criteria for evaluating the significance of indigenous vegetation and habitats of indigenous fauna or is included in the District Plan as a Significant Natural Area in SCHED6 – Significant Natural Areas.</i></p>	<ul style="list-style-type: none"> • Provides clarification and avoids confusion.

Shelterbelt	Amend to clarify that a shelterbelt is less than 30m wide to be in line with the rest of the document and national direction set out in the NES-PF.	<ul style="list-style-type: none"> Provides clarification and is consistent with provisions set out throughout the Plan.
Objectives		
ECO-O1 to ECO-P3	Retain as drafted.	<ul style="list-style-type: none"> Gives effect to CRPS. Gives effect to RMA sections 6(c) and 6(e)
Policies		
ECO-P1 Evaluation of Significant Natural Areas	<p>Amend clause 1 to clarify that one or more of the criteria may apply to a SNA.</p> <p>Suggest rewording as follows: ...</p> <p><i>1. where they are known and meet <u>one or more of the criteria to be Significant Natural Areas, list them in SCHED6 – Significant Natural Areas and on the Planning Maps; and</u></i></p> <p>...</p>	<ul style="list-style-type: none"> While the policy is broadly consistent with the CRPS, it is noted that it could create a false impression that identified SNAs are those that meet <i>all</i> the criteria listed in APP3. While APP3 provides further clarification, amendment provides further clarification and avoids confusion.
ECO-P2 Protection of Significant Natural Areas	CRC reserves the right to request to align with the NPSIB.	<ul style="list-style-type: none"> As drafted, it is inconsistent with the approach to managing the adverse effects of an activity stated in the exposure draft of the NPSIB. On release of the NPSIB it is appropriate to review this policy to ensure consistency and completeness with national direction.
ECO-P3 Appropriate activities	Retain as drafted.	<ul style="list-style-type: none"> Gives effect to CRPS.

<p>within Significant Natural Areas</p>		
<p>ECO-P4</p> <p>Inappropriate activities within or near to Significant Natural Areas</p>	<p>Amend clause 2 to replace reference to <i>wilding conifers</i> to <i>pest plants</i>.</p> <p>Suggest wording amendment as follows: ...</p> <p><i>2. species that may result in the spread of <u>wilding conifers pest plants, including wilding conifers</u>, within or near to Significant Natural Areas listed in SCHED6 – Significant Natural Areas; and</i></p> <p><i>3. <u>unwanted organisms listed on the Unwanted organisms – Official New Zealand Pest Register</u>.</i></p>	<ul style="list-style-type: none"> • Support the prohibition of planting within or near to an SNA. • While wilding conifer spread from plantings are obviously as threat, so too are other exotic plant species such as rowan, hawthorn, sycamore, lupins, willows, wattles. • Consider adding 'unwanted organisms' to the list, as there's more on that list than in the Regional Pest Management Plan.
<p>ECO-P5</p> <p>Managing indigenous vegetation outside Significant Natural Area</p>	<p>CRC reserves the right to request to align with the effects management hierarchy identified in the NPSIB.</p>	<ul style="list-style-type: none"> • As drafted, it is inconsistent with the approach to managing the adverse effects of an activity stated in the exposure draft of the NPSIB. • On release of the NPSIB it is appropriate to review this policy to ensure consistency and completeness with national direction – specifically the effects management hierarchy. • It would also be advisable that the policy provide for non-indigenous vegetation outside for SNAs that provide a habitat for indigenous fauna.
<p>ECO-P6</p> <p>Supporting the maintenance, restoration and enhancement of indigenous biodiversity</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to CRPS

ECO-P7 National priorities for protection	Support in part	<ul style="list-style-type: none"> • While this policy appears to give effect to CRPS Policy 9.2.2 (Priorities for protection), it is unclear if this policy gives effect to CRPS Policy 9.3.5 (Wetland protection and enhancement). There appear to be no specific provisions for ecologically significant wetlands in this chapter. • Additionally, it is unclear how this policy is implemented.
ECO-P8 Impacts of climate change on resilience of ecosystems	CRC reserves the right to request to align with the NPSIB	<ul style="list-style-type: none"> • Gives effect to CRPS • The exposure draft of the NPSIB does not reference mitigation, rather biodiversity offset and biodiversity compensation. • Local authorities are also required to promote the resilience of indigenous biodiversity to climate change (subpart 1, clause 3.6)
ECO-P9 Hutia te Rito	<p>As detailed in policy 2 of the exposure draft of the NPSIB, tangata whenua must be recognised as kaitiaki and enabled to exercise kaitiakitanga for indigenous biodiversity in their rohe.</p> <p>Amend to align with the exposure draft NPSIB subpart 1 clause 3.2 which <i>requires</i> for engagement with tangata whenua</p>	<ul style="list-style-type: none"> • Gives effect to CRPS • Support in part the inclusion of this policy, but greater weight needs to be given to the role of tangata whenua to give full effect to national direction.
Rules		
ECO-R2 to ECO-R8	<p>Support in part</p> <p>Request that rules also capture SNAs that have not yet been identified.</p>	<ul style="list-style-type: none"> • These rules only apply to SNAs <i>already</i> identified and listed in SCHED6. • Consideration of how to manage SNAs currently unknown and subsequently unlisted is required.
ECO-R1	<p>Support in part</p> <p>Request amendments to give effect to the CRPS.</p>	<ul style="list-style-type: none"> • PER-2 relies on compliance of performance standards ECO-S1, ECO-S2 and ECO-S3. These standards are inconsistent with CRPS Policy 9.3.1 which seek to protect and maintain indigenous biodiversity

<p>Indigenous vegetation clearance outside of a Significant Natural Area listed in SCHED6 – Significant Natural Areas</p>		<ul style="list-style-type: none"> • PER-4 states clearing indigenous vegetation outside of an SNA is permitted if it is less than 15 years old. Indigenous vegetation which has reached 15 years of age could contribute to a valuable ecosystem and clearance would appear to be inconsistent with protecting indigenous biodiversity. This may need review on release of the NPSIB. The exposure draft would suggest local authorities must take steps to maintain indigenous biodiversity in areas outside of SNAs and that the effects management hierarchy would apply. This is an approach supported by CRC. • It does not appear to give full effect to CRPS, specifically Method 1(c) of Policy 7.3.3 which requires the district plan to include standards which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose. Alternatively, could this issue be addressed in the 'General Approach' chapter at the beginning of the Plan? • Indigenous vegetation clearance is often only incidental to other work carried out by CRC in fulfilling Regional Authority functions. CRC have an internal environmental process in place, and experts available, to best manage such risks. We note that if risk is identified this would escalate to non-complying activity. As currently drafted an additional rule is required to enable Local Authorities to undertake earthworks and indigenous vegetation clearance in and outside of SNA. This is outlined above in our submission on the Natural Hazards chapter. It is noted this would need reviewing on release of the NPSIB.
<p>ECO-R2</p> <p>Indigenous vegetation clearance within a Significant Natural Area listed in SCHED6 –</p>	<p>Support in part</p> <p>Request amendments to give effect to the CRPS.</p>	<ul style="list-style-type: none"> • PER-2 relies on compliance of performance standards ECO-S1. These standards are inconsistent with CRPS Policy 9.3.1 which seek to protect and maintain indigenous biodiversity

Significant Natural Areas		
ECO-R3 Earthworks within a Significant Natural Area listed in SCHED6 – Significant Natural Areas	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
ECO-R4 Exotic plantation forestry, agricultural intensification, quarrying or mining activities adjacent to a Significant Natural Area listed in SCHED6 – Significant Natural Areas	Support in part Request amendments to give effect to the CRPS.	<ul style="list-style-type: none"> • While this rule appears to give effect to CRPS Policy 9.3.1 (Protecting significant natural areas), it is unclear if this policy gives effect to CRPS Policy 9.3.5 (Wetland protection and enhancement). There appears to be no specific provisions for ecologically significant wetlands in this chapter. • On release of the NPSIB it is appropriate to review this policy to ensure consistency and completeness with national direction – specifically in relation to plantation forests with SNAs.
ECO-R6 and ECO-R7	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS

Standards		
ECO-S1 to ECO-S3	Amendment required to align with CRPS	<ul style="list-style-type: none"> Indigenous vegetation must be assessed against all significance criteria in Appendix 3 of the RPS to determine whether an area of indigenous vegetation warrants protection
ECO-S4	Amendment required to align with CRPS	<ul style="list-style-type: none"> While some significance criteria is provided in this standard, it does not align with CRPS Policy 9.3.1 which requires a case-by-case assessment to determine whether an area of indigenous vegetation warrants protection There is a mix of vegetation species, as well as locations, which does not follow the heading, which is a list of 'locations'. Wetlands should be included in this list.
Appendices		
APP3 – Criteria for evaluating the significance of indigenous vegetation and habitats of indigenous fauna		<ul style="list-style-type: none"> APP3 breaks down the assessment criteria further than required by the CRPS and the exposure draft of the NPSIB, however it appears to be generally consistent with both.
SCHED6 - Significant Natural Areas		<ul style="list-style-type: none"> Webmaps appear to work well. Appears to be consistent with the exposure draft of the NPSIB.

NATC – Natural Character

- **Riparian margins:** Activities within riparian margins are subject to the relevant objectives, policies and rules of the Natural Character (NATC) Chapter in addition to any zone-based provisions, and any other relevant district-wide provisions under Parts 2 or 3 of the Plan. Earthworks within a riparian margin are addressed in the Earthworks (EW) Chapter.
- **Wetlands:** The RPS states that both regional and territorial authorities share responsibility protecting and maintaining wetlands. There are a few provisions which provide for wetlands, for example in chapters addressing NH in relation to maintaining natural protection features, ECO in relation to those wetlands identified as a national priority, and CE (although the CRPS does not apply in these instances). Generally, a gap appears to exist in the draft Plan provisions to adequately provide for these waterbodies.
- Chapter should expressly consider and align with the NES-Freshwater wetland provisions, as many riparian areas are also wetlands, which are subject to that NES.
- Provisions are likely to need to be updated if the NPSIB is Gazetted.

Provision	Change requested	Comments
Definitions		
Rural Scenic Landscape	Insert definition	<ul style="list-style-type: none"> • For all Plan users a definition included in the Definitions List would be useful.
Objectives		
NATC-O1 and NATC-O2	Retain as drafted.	<ul style="list-style-type: none"> • Gives effect to CRPS
Policies		
NATC-P1 Enabling certain buildings, structures, earthworks, vegetation	Retain as drafted.	<ul style="list-style-type: none"> • Gives effect to CRPS • Support enabling of flood and erosion management.

clearance and planting within riparian margins		
NATC-P2 Significant adverse effects on riparian margins	Amendments required to support clarification and interpretation.	<ul style="list-style-type: none"> • The policy as drafted has the potential to be confusing or misinterpreted. • It appears to conflate the management of '<i>significant adverse effects</i>' and all '<i>other adverse effects</i>'. • If the focus of this policy is on '<i>significant adverse effects</i>', these should only be allowed if all other options to remedy or mitigate have been exhausted or are identified as exceptions, as defined by clause 3.10(2) of the exposure draft NPSIB. • A separate policy focussed on '<i>other adverse effects</i>' could then focus on managing adverse effects which gives effect to national direction, including the effects management hierarchy detailed in the expose draft of the NPSIB (subclause 1.5(4)).
NATC-P3 Certain activities prohibited in riparian margins	Retain as drafted	<ul style="list-style-type: none"> • Support the prohibition in line with the Regional Pest Management Plan • Gives effect to CRPS
NATC-P4 Recognise the natural character of riparian margins	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to CRPS
NATC-P5 Restoration or enhancement of natural	Retain as drafted	<ul style="list-style-type: none"> • Amendments may be required on release of NPSIB

character of riparian margins		
Rules		
NATC-R1 Structures within a riparian margin	Include relevant standard for NATC which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose.	<ul style="list-style-type: none"> • Does not appear to give full effect to CRPS, specifically Method 1(c) of Policy 7.3.3 which states: <i>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.</i> • If not included in a standard which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose. • Alternatively, could this issue be addressed in the ‘General Approach’ chapter at the beginning of the Plan?
NATC-R2 Vegetation clearance within a riparian margin	Include relevant standard for NATC which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose.	<ul style="list-style-type: none"> • Does not appear to give full effect to CRPS, specifically Method 1(c) of Policy 7.3.3. • If not included in a standard which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose • Alternatively, could this issue be addressed in the ‘General Approach’ chapter at the beginning of the Plan?
NATC-R3 Planting indigenous vegetation within riparian margins	Include relevant standard for NATC which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose.	<ul style="list-style-type: none"> • Does not appear to give full effect to CRPS, specifically Method 1(c) of Policy 7.3.3. • If not included in a standard which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose. • Alternatively, could this issue be addressed in the ‘General Approach’ chapter at the beginning of the Plan?

<p>NATC-R4</p> <p>Planting exotic vegetation within riparian margins</p>	<p>Support in part</p> <p>Include relevant standard for NATC which removes the requirement for resource consent from the territorial authority if resource consent is granted by the Canterbury Regional Council for the same purpose.</p> <p>Delete PER-1</p>	<ul style="list-style-type: none"> • Does not appear to give full effect to CRPS, specifically Method 1(c) of Policy 7.3.3. • If not included in a standard which removes the requirement for resource consent from the territorial authority, if resource consent is granted by the Canterbury Regional Council for the same purpose. • Alternatively, could this issue be addressed in the 'General Approach' chapter at the beginning of the Plan? • It is a breach of the Biosecurity Act to propagate crack willow. This could be added to NATC-5.
<p>NATC-R5</p> <p>Planting of any pest, pest agent, or organism of interest identified in a Regional Pest Management Plan within a riparian margin</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Support the prohibition of planting of any pest, pest agent, or organism of interest identified in a Regional Pest Management Plan within a riparian margin • Amend to reflect changes to NATC-R4 (above)

Natural Features and Landscapes

- The clarification in the introduction regarding what an 'Outstanding Natural Feature and Landscape' is, and what a 'Significant Natural Feature and Rural Landscape' (amenity landscape) is helpful and supported.

Provision	Change requested	Comments
Objectives		
NFL-O1 Protect Outstanding Natural Features and Landscapes, Significant Natural Features, and Rural Scenic Landscapes from inappropriate activities	Support in part. Separate objectives required. Suggested amendment as follows: <u>NFL-O1 Protect Outstanding Natural Features and landscapes, Significant Natural Features from inappropriate activities</u> <u>NFL-O2 Maintain the values of Significant Natural Features, and Rural Scenic Landscapes by managing inappropriate activities</u> ...	<ul style="list-style-type: none"> Objective 12.2.1 of the CRPS provides for the identification and protection of outstanding natural features and landscapes. Objective 12.2.2 of the CRPS requires identification and management of <i>other</i> landscapes which may also be important at a regional, district or local level. For consistency with the CRPS, it would be appropriate to separate this objective into two.
NFL-O2 Wilding conifers	Support in part Consider the inclusion of additional pest species.	<ul style="list-style-type: none"> Support provision for managing wilding conifers, however while wilding conifer spread from plantings are obviously a threat, so too are other exotic plant species such as rowan, hawthorn, sycamore, lupins, willows, wattles.
NFL-O3 NFL-O3 Restoration and enhancement of landscapes	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS

Policies		
<p>NFL-P1</p> <p>Identify Natural Features and Landscapes</p>	<p>Support in part</p> <p>Request additional policy</p>	<ul style="list-style-type: none"> • Method 2 of Policy 12.3.1 requires district plans to set out provisions, including maps, to identify <i>outstanding natural features and landscapes</i>. Method 1 of Policy 12.3.3 suggests local authorities provide for other types of landscapes which do not meet the criteria as outstanding. It would be appropriate to provide a single policy for outstanding natural features and landscapes, and a single policy for other types of landscape. • The methodology for identification of <i>outstanding</i> natural features and landscapes is generally consistent with CRPS as set out in Policy 12.3.4. • The approach of separating Outstanding Natural Features and Landscapes from Significant Natural Features and Landscape and Rural Scenic Landscape is the approach used for policies NFL-P3 and NFL-P4 and rules NFL-R1 and NFL-R2 which appears to work well.
<p>NFL-P2</p> <p>Recognise the importance of protecting Natural Features and Landscapes</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>NFL-P3</p> <p>Inappropriate activities on or within an Outstanding Natural Feature or Landscape</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS

<p>NFL-P4</p> <p>Inappropriate activities within Significant Natural Features and Rural Scenic Landscapes</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> Useful to separate Outstanding Natural Features and Landscapes from Significant Natural Features and Landscape and Rural Scenic Landscape.
<p>Rules</p>		
<p>NFL-R4</p> <p>Earthworks on or within Outstanding Natural Features or Landscapes, Significant Natural Features or Rural Scenic Landscapes</p>	<p>Support in part.</p> <p>Insert specific rule for Local Authorities to undertake river management activities to carry out their functions.</p>	<ul style="list-style-type: none"> As discussed in our submission on the Natural Hazards chapter, our preference is for an overarching rule in NH chapter, then specific permission wouldn't be required in these other rules. This rule would trigger consent requirements for most of our rating districts.
<p>NFL-R8</p> <p>Landscape enhancement activities on or within Outstanding Natural Features and Landscapes, Significant</p>	<p>Support</p>	<ul style="list-style-type: none"> This would support CRC berm transition work which introduces/incorporates native plants throughout flood protection to create a naturally robust vegetated berm.

<p>Natural Features and Rural Scenic Landscapes</p>		
<p>NFL-R9</p> <p>Plantation Forestry within or on a Significant Natural Feature or Rural Scenic Landscape</p>	<p>Amendment required for clarification.</p> <p>Amend as follows:</p> <p>NFL-R9 Plantation Forestry Carbon forestry within or on a Significant Natural Feature or Rural Scenic Landscape</p> <p>Amend activity status from “controlled” to “prohibited”</p>	<ul style="list-style-type: none"> • CRC are concerned that forestry planting will detract from the amenity of the area. The NES-PF provides controls on planting activities. It also states a rule in a plan may be more stringent than the regulations if the rule recognises and provides for the protection of outstanding natural features and landscapes from inappropriate use and development.
<p>NFL-R10</p> <p>Indigenous vegetation clearance on or within an Outstanding Natural Feature or Landscape</p>	<p>Support in part.</p> <p>Insert specific rule for Local Authorities to undertake river management activities to carry out their functions.</p>	<ul style="list-style-type: none"> • As above
<p>NFL-R11 and NFL-R12</p>	<p>Clarification required</p>	<ul style="list-style-type: none"> • To enable CRC to fulfil our Regional functions it is necessary to manage gravel extraction from within riverbeds. If these rules apply within a riverbed, this will create a double up of consent requirements.

PA – Public Access

- Support the clear and succinct provisions of this chapter

Provision	Change requested	Comments
Objectives		
PA-O1 and PA-O2	Retain as drafted	<ul style="list-style-type: none">• Gives effect to CRPS
Policies		
PA-P1 to PA-P3	Retain as drafted	<ul style="list-style-type: none">• Gives effect to CRPS

SUB – Subdivision

- There is a general lack of mention of natural hazards in the subdivision chapter. It would be useful to have a policy that addresses natural hazards in relation to subdivision or redirect the reader to the Natural Hazards chapter in the introduction.

Provision	Change requested	Comments
Objectives		
SUB-O1 to SUB-O5	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
Policies		
SUB-P1 and SUB-P2	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
SUB-P3 Provision of infrastructure	Support in part Amendment required to avoid or mitigate adverse effects on human health. Recommended amendment as follows: <i>Require infrastructure to be provided in an integrated and comprehensive manner by:</i> ... 5. <i>ensuring that appropriate on-site wastewater, stormwater and water supply infrastructure, <u>which avoids or mitigates adverse effects on the environment and human health and with sufficient capacity for firefighting purposes, is provided on-</u></i>	<ul style="list-style-type: none"> • Method 3 of CRPS policy 5.3.5 requires the district plan to set out rezoning provisions that will efficiently and effectively provide for the collection, treatment and disposal of sewage and stormwater, and the provision of potable water, to avoid or mitigate adverse effects on the environment and human health. This appears to be missing from this policy. Amendment would give effect to the CRPS.

	<p><i>site where reticulated services are not available for the site; and</i></p> <p>...</p>	
SUB-P4 to SUB-11	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
SUB-P12 Subdivision Design	<p>Support in part</p> <p>Amendment required to promote good planning, building design and urban design that gives effect to the New Zealand Urban Design Protocol (2005).</p> <p>Recommended amendment as follows:</p> <p><i>Ensure that subdivision is designed and located to:</i></p> <p>...</p> <p><i>12. be consistent with any relevant design guidelines <u>which promote good planning, building design and urban design that give effect to the New Zealand Urban Design Protocol (2005); and</u></i></p> <p>...</p>	<ul style="list-style-type: none"> • This amendment would give full effect to method 3 of CRPS policy 5.3.1.
SUB-P13 to SUB-19	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
Rules		
SUB-R2 Subdivision in the Canterbury	Amendments required to provide required hazard management in line with the CRPS.	<ul style="list-style-type: none"> • Policy 11.3.2 requires subdivision to be avoided unless there is no increased risk. The restricted discretionary criteria is insufficient, in combination with Policy NH P7, which is insufficiently aligned with Policy 11.3.2 of the CRPS

Flood Assessment Overlay		
SUB-R3 to SUB-R11	Unclear relationship to other subdivision rules and standards	<ul style="list-style-type: none"> It is unclear if these controlled and restricted activity rules apply in addition to other subdivision rules, or if the subdivision standards apply. This needs to be made clear for each rule.
SUB-R3 Boundary adjustment	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
SUB-R4 to SUB-R8	Retain as drafted	<ul style="list-style-type: none"> Gives effect to CRPS
SUB-R9 Subdivision creating a lot in the National Grid Substation Buffer	Amendments required to complete listed matters of control	<ul style="list-style-type: none"> Method 3 of Policy 16.3.4 requires cultural values to also be taken into account when considering matters related to the subdivision, development or use of land. This appears to be absent from the matters of control.
SUB-R10 to SUB-R12 to SUB-R19 <i>(excluding SUB-R17, R18 and SUB-R20)</i>	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS

SUB-R18	Delete this rule	<ul style="list-style-type: none"> This rule duplicates SUB-R19 but appears to use the wrong overlay with the wrong name. The subdivision rule for faults should only apply in the Surface Fault Rupture Hazard Overlay – Subdivision, which is covered by SUB-R19.
Standards		
SUB-S1 and SUB-S2	Retain as drafted	
SUB-S3 and SUB-S4	<p>Amendment required to include a reference to effects on human health to complete listed matters of discretion.</p> <p>Recommended amendment as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <i>the size of the allotments created; and</i> <i>the provision of an alternative water supply that is safe, sanitary and sufficient to meet anticipated demand; and</i> <i>any cumulative adverse effects.</i> <u><i>any potential adverse effects on the environment and human health; and</i></u> 	<ul style="list-style-type: none"> Method 3 of policy 5.3.5 requires district plans to set out a rule framework that ensures potable water infrastructure does not adversely affect the health of the environment or humans. By including this in the standard clearly gives effect to the CRPS.
SUB-S5 Stormwater management	<p>Amendment required to include a reference to effects on human health to complete listed matters of discretion.</p> <p>Recommended amendment as follows:</p> <p>Matters of discretion are restricted to:</p>	<ul style="list-style-type: none"> Method 3 of policy 5.3.5 requires district plans to set out a rule framework that ensures potable water infrastructure does not adversely affect the health of the environment or humans. By including this in the standard clearly gives effect to the CRPS.

	<ol style="list-style-type: none"> 1. <i>the access and on-going maintenance of the hydraulic neutrality devices; and</i> 2. <i>any potential impacts on any downstream flooding hazard; and</i> 3. <i>the size and scale of the development and the additional stormwater that the proposal will generate, compared to the existing situation; and</i> 4. <i>the preference for one central hydraulic neutrality device over numerous individual hydraulic neutrality devices; and</i> 5. <i>the capacity of the local stormwater network; and</i> 6. <i>whether there are any site-specific constraints or opportunities within the local area that mean that hydraulic neutrality is not required; and</i> 7. <i>any potential impacts on a downstream flooding hazard from the proposed stormwater disposal from the site; and</i> 8. <i>the size and scale of the development and the additional stormwater that the proposal will generate, compared to the existing situation-; <u>and</u></i> 9. <u><i>any potential adverse effects on the environment and human health.</i></u> 	
SUB-S6 and SUB-S7	Retain as drafted	

ASW – Activities on the Surface of Water

Provision	Change requested	Comments
Objectives		
ASW-O1	<p>Support in part.</p> <p>Amend to clearly highlight avoidance of adverse effects as the preferred outcome.</p> <p>Recommended amendment as follows:</p> <p><i>The surface of waterbodies in the Waitaki District are able to be used for a range of activities, including recreational and commercial activities, provided adverse effects on where natural environment values, mana whenua values, amenity, public health and safety, and the Waitaki Power Scheme, are avoided where practicable, and otherwise remedied or mitigated protected from adverse effects.</i></p>	<ul style="list-style-type: none"> • This objective could be redrafted to provide clear and specific guidance regarding the outcome sought. • In relation to the Waitaki Power Scheme, Policy 16.3.5(3) requires territorial authorities to: <ul style="list-style-type: none"> ○ avoid land-uses that may result in adverse reverse sensitivity effects on the electricity generation infrastructure, and ○ enable the upgrade of existing and establishment of new electricity generation infrastructure, while avoiding or mitigating the adverse effects referred to in Policy 16.3.5(2)(a)-(b) above and controlling other adverse effects. • The use of “where practicable” can be vague and imprecise and amending the structure of this objective clearly gives effect to the CRPS.
Policies		
ASW-P1 Providing for recreational activities	<p>Support in Part.</p> <p>Amend to clearly set the hierarchy to avoid adverse effects in the first instance.</p> <p>Recommended amendment as follows:</p> <p><i>Provide for recreational activities on the surface of water where adverse effects on natural environment values, mana whenua values, amenity values, public health and safety, and any values associated with the Waitaki</i></p>	<ul style="list-style-type: none"> • For plan users, clearly articulating the requirement to avoid adverse effects in the first instance is helpful. The alternative would give plan users further detail on where adverse effects can be minimised.

	<i>Power Scheme, are avoided in the first instance or and where it is not practicable to avoid adverse effects, they <u>are</u> minimised.</i>	
ASW-P2 Commercial activities	Support in part. Recommended amendment as follows: <i>Provide for commercial surface water activities where it can be demonstrated that they maintain <u>or enhance</u> the natural environment values, mana whenua values, amenity values, public health and safety, and any values associated with the Waitaki Power Scheme.</i>	<ul style="list-style-type: none"> The suggested amendment would be more consistent with the RMA
ASW-P3 Structures and swing moorings	Support in part. Amend to clearly set the hierarchy to avoid adverse effects in the first instance. Recommended amendment as follows: <i>Only allow structures and swing moorings to pass across or through the surface of water where any adverse effects on natural environment values, mana whenua values, amenity values, public health and safety, and the Waitaki Power Scheme are avoided or <u>in the first instance and where it is not practicable to avoid adverse effects, they are</u> minimised.</i>	<ul style="list-style-type: none"> For plan users, clearly articulating the requirement to avoid adverse effects in the first instance is helpful. The alternative would give plan users further detail on where adverse effects can be minimised.
ASW-P4 to ASW-P6	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
ASW-P7	Minor grammatical amendment required as follows:	<ul style="list-style-type: none"> Minor amendment to address grammatical error. Drafting may need to be revised once the NPSIB is released.

Managing adverse effects on ecological values/habitat	Managing adverse effects on ecological values/habitats	
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EW – General Earthworks Activities

- The Earthworks chapter has been separated into three parts. Part A focuses on managing the adverse effects of general earthworks activities to ensure that they do not compromise amenity and safety values of individuals and communities, and that effects on the natural, mana whenua and cultural heritage values of the District are minimised. Part B and Part C address earthworks involving quarrying for aggregate, gravel extraction or mining activities.
- This submission has focussed feedback on Part A in relation to the main issues concerning CRC functions.
- As noted in our submission on the Natural Hazards chapter it is CRC’s preference that reference is made within the introduction of the Earthworks chapter to highlight a new rule (NH-RX) provides overarching permission for earthworks required to protect the community from flooding and erosion.

Provision	Change requested	Comments
Objectives		
EW-01 Protecting sensitive environments	Support in part. Amendment required to provide for the protection of historical heritage values. Recommended amendment as follows: <i>Earthworks are undertaken in a manner that avoid, remedy or mitigate any adverse environmental effects, including effects onIndigenous biodiversity, natural landscapes, natural landforms, natural features, mana whenua and <u>historic and cultural heritage values are protected from the adverse effects of earthworks.</u></i>	<ul style="list-style-type: none"> • This objective could be redrafted to provide clear and specific guidance regarding the outcome sought. • To give effect to the CRPS, it would be appropriate to provide protection of historic heritage values.
EW-02 Protecting communities	Support in part. Amendment suggested to provide clear and specific guidance. <i>Earthworks are undertaken in a manner that avoid, remedy or mitigate any adverse effects on<u>maintains or enhances amenity, community health and safety</u></i>	<ul style="list-style-type: none"> • This objective could be redrafted to provide clear and specific guidance regarding the outcome sought. • Method 6 or Policy 15.3.1 requires district plans to manage land-use activities and practices that may adversely affect soil quality. While this is partly captured in the current drafting in relation to ‘highly productive land’ this term is quite narrow in focus. Amendment would give effect to the CRPS.

	<i>(including the risk from natural hazards), land stability, infrastructure, the efficiency of the stormwater network and highly productive land <u>soil quality</u>.</i>	
Policies		
EW-P1 to EW-P5	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
EW-P6 The effects of earthworks	<p>Support in part.</p> <p>Amendment required to give effect to CRPS.</p> <p>Recommended amendment as follows:</p> <p><i>Require any earthworks to avoid, remedy or mitigate adverse effects on the following:</i></p> <p>...</p> <p>9. highly productive land <u>soil quality</u>.</p>	<ul style="list-style-type: none"> • Method 6 or Policy 15.3.1 requires district plans to manage land-use activities and practices that may adversely affect soil quality. While this is partly captured in the current drafting in relation to 'highly productive land' this term is quite narrow in focus. Amendment would give effect to the CRPS. • There may be some implications in terms of the terms used pending the gazettal of the NPS for Highly Productive Land
EW-P7 Rehabilitation of disturbed ground	<p>Support in part.</p> <p>Amendment suggested to align with CRPS.</p> <p>Recommended amendment as follows:</p> <p><i>Enable earthworks that <u>enhance, restore or rehabilitate</u> areas of disturbed ground to reflect the surrounding landform and vegetation.</i></p>	<ul style="list-style-type: none"> • Policy 9.3.4 and Policy 9.3.5 require district plans to set out provisions which 'restore' or 'enhance' biodiversity. This would include vegetation.
Rules		

<p>All rules <i>excluding</i> EW-R2</p>	<p>Generally retain as drafted.</p> <p>There appear to be differences across chapters as to the structure of rules. For example, the 'outside sensitive environments' is in the heading for EW-R1, whereas it is in the performance standards in other rules/chapters (for example HAZS-R1).</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>EW-R2</p> <p>Repair and maintenance activities within or outside of a sensitive environment</p>	<p>Support in part</p> <p>Request that repair and maintenance activities are provided for</p> <p>Clarify references or links to other applicable rules</p>	<ul style="list-style-type: none"> • Clear links to other applicable rules in other chapters is useful for plan users. However, while it is great to see that silt and sediment control measures have been considered in relation to earthworks in ECO and NFL, it does not appear to be considered in root protection of a Notable Tree. • Provide for repair and maintenance activities. This would enable CRC to undertake its functions as a Regional Authority.
<p>EW-R4</p> <p>Earthworks for conservation activities within sensitive environments</p>	<p>Support in part</p> <p>Consider whether this rule enables enough earthworks to achieve its purpose.</p>	<ul style="list-style-type: none"> • PER-1 permits earthworks which do not exceed 25m² in area over any 3-year period. This is a very small area.
<p>EW-R5</p> <p>Earthworks within a riparian margin</p>	<p>Support</p>	<ul style="list-style-type: none"> • This rule enables our works program, however our preference for an overarching NH-X rule would also address this.

Standards

All standards

Retain as drafted

- Good to see the management of silt, sediment and erosion has been included in these standards, which give effect to the CRPS

PK – Papakāika

Provision	Change requested	Comments
Objectives		
PK-O1 Sustainable Māori communities	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
PK-O2 Form and scale of papakāika	Support in part. Amendment suggested to provide clarity and support interpretation. Recommended amendment as follows: <i>Papakāika are of a form and scale that are not incompatible with the zone the site is located in, while recognising that they may contain <u>ancillary</u> activities of a character, scale, intensity or range that is not provided for in the surrounding area.</i>	<ul style="list-style-type: none"> It is useful to clearly state that only activities providing necessary support to the primary <i>Papakāika</i> activities are provided for.
Policies		
PK-P1 Papakāika on land held under Te Ture Whenua Māori Act 1993 and	Support in part. Amendment suggested to provide clarity and support interpretation. Recommended amendment as follows:	<ul style="list-style-type: none"> It is useful to clearly state that only activities providing necessary support to the primary <i>Papakāika</i> activities are provided for. CRPS Policy 5.3.4 requires <i>regard</i> is given to ‘amenity values’. The reference to the ‘effects on adjoining properties’ appears a narrow interpretation of ‘amenity’. It is important to enable use of Māori ancestral land.

Native Reserves	<p><i>Enable the development of papakāika on land held under Te Ture Whenua Māori Act 1993 and on Native Reserves, where:</i></p> <p>...</p> <p>4. <i>non-residential <u>ancillary</u> activities are of a type and scale that will not compromise the role and function of the District's Commercial, Mixed Use and Industrial Zones; and</i></p> <p>5. <i>any adverse effects on adjoining properties and the environment are avoided, remedied, or mitigated <u>there are no significant adverse effects on amenity values.</u></i></p>	
PK-P2 Papakāika on other land	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS.

Rules		
GRUZ-R15 Carbon forestry	<p>Minor grammatical amendment required as follows:</p> <p><i>CON-4</i></p> <p><i>Afforestation must not occur—</i></p> <p>...</p>	<ul style="list-style-type: none"> • It is noted that the Draft District Plan prefers reference to 'papakāika' rather than 'papakāinga'. Amendment provides consistency across the Plan.

	<p>3. <i>within 30m of the boundary of land used for papakāinga papakāika purposes or an urban area; or</i></p>	
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RURZ – Rural Zones

- This chapter contains objectives, policies and rules for the General Rural Zone, the Rural Lifestyle Zone and the Settlement Zone.
- The structure of these objectives and policies is not always clearly articulated, which may prove difficult to Plan users interpreting and implementing the provisions. Several amendments have been suggested for consideration.

Provision	Change requested	Comments
Objectives		
<p>RURZ-O1</p> <p>Providing for primary production activities</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>Primary production activities are provided for, or enabled while minimising, or where appropriate, avoiding, impacts on while protecting important ecological, cultural and landscape values for the District.</i></p>	<ul style="list-style-type: none"> • The structure of this objective could be confusing to Plan users and amendments would be appropriate to provide clear and specific guidance regarding the outcome sought.
<p>RURZ-O2</p> <p>Highly productive land</p>	<p>Support in part</p> <p>Amend to give greater effect to the CRPS</p>	<ul style="list-style-type: none"> • While this policy generally gives effect to the CRPS, it is noted that ‘highly productive land’ is a focus of the Plan and provisions relating to other matters relating to soil quality appear not to have been considered. Amendments to give effect to policy 15.3.1 of the CRPS is highly recommended.
<p>RURZ-O3</p> <p>Sustainable growth in settlements</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>Sustainable growth of rural settlements <u>is provided for ensuring that:</u></i></p>	<ul style="list-style-type: none"> • The wording of this objective could be confusing to Plan users and amendments would be appropriate to provide clear and specific guidance regarding the outcome sought.

	<ol style="list-style-type: none"> 1. provide for housing and/or commercial activities occur in appropriate locations, in a timely manner, and according to growth needs; and 2. maintain the rural character <u>is maintained through appropriate controls on built form; and</u> 3. <u>it is responsive to community and district needs; and</u> 4. <u>it enables new development as well as redevelopment of existing settlement areas.</u> 	
<p>RUR-O4</p> <p>Rural amenity values</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i><u>A range of activities anticipated in the Rural Zone are provided for, while Rrural amenity and environmental values are maintained consistent with the range of activities anticipated in the Rural Zones and do not create unacceptably unpleasant living or working conditions for the District's residents and visitors, and maintain the quality of the rural environment.</u></i></p>	<ul style="list-style-type: none"> • The wording of this objective could be confusing to Plan users and amendments would be appropriate to provide clear and specific guidance regarding the outcome sought.
<p>RURZ-O5</p> <p>Business development in rural areas</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i><u>Rural areas (excluding the settlements) are retained for primary production, conservation purposes or rural lifestyle purposes, and the establishment of commercial, industrial, service, recreational and large-scale</u></i></p>	<ul style="list-style-type: none"> • The wording of this objective could be confusing to Plan users and amendments would be appropriate to provide clear and specific guidance regarding the outcome sought.

	<p><i>accommodation activities is limited only to those that have a are reliant on the resources, or have a and functional need, or operational need, for locating to <u>establish</u> in the rural environment.</i></p>	
Policies		
<p>RURZ-P1</p> <p>Maintenance of highly productive land</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>RURZ-P2</p> <p>Maintenance of clear urban, rural lifestyle and rural areas</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>Maintain a clear distinction between urban, rural lifestyle and rural areas through the use of clear land use zones and <u>avoidance of</u> ad-hoc subdivision where growth to settlements or rural lifestyle areas has not been planned for.</i></p>	<ul style="list-style-type: none"> • Minor amendments to support the readability of the policy.
<p>RURZ-P3</p> <p>Integration of primary production with natural and cultural values</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS

<p>RURZ-P4</p> <p>Design of development in rural areas and settlements</p>	<p>Support in part.</p> <p>Amendment required to clearly articulate the outcomes sought.</p>	<ul style="list-style-type: none"> • This policy appears very complex and convoluted. Redrafting to clarify/refine the matters to be considered for any new development in Rural Zones may be appropriate to help Plan users implement the policy as it is intended.
<p>RURZ-P5</p> <p>High impact industries in close proximity to settlements</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>To restrict new intensive indoor and outdoor primary production, intensive outdoor primary production, and extractive industries that are in close proximity to rural settlements in order to protect the amenity of settlement residents and to avoid the effects of reverse sensitivity effects on those activities.</i></p>	<ul style="list-style-type: none"> • Amendments to clearly articulate the outcomes sought and improve readability for Plan users.
<p>RURZ-P6 and RURZ-P7</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>RURZ-P8</p> <p>Outline Development Plans</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>Provide for the any substantial development extension of existing settlements or rural residential areas where:</i> ...</p>	<ul style="list-style-type: none"> • Inclusion of 'substantial development' is consistent with the CRPS and supports Plan users with application of the policy.
<p>RURZ-P9</p>	<p>Support in part.</p>	<ul style="list-style-type: none"> • Minor amendments to support the readability of the policy.

<p>Intensive indoor primary production and intensive outdoor primary Production</p>	<p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>Intensive indoor primary production and intensive outdoor primary production</i></p> <p><i>Provide for intensive indoor primary production and intensive outdoor primary production where it can be demonstrated that:</i></p> <p>...</p>	
<p>RURZ-P10</p> <p>Energy and resource efficiency</p>	<p>Retain as drafted</p>	<ul style="list-style-type: none"> • Gives effect to the CRPS
<p>RURZ-P11</p> <p>Management of potential pest animal species</p>	<p>Support in part.</p> <p>Recommended amendment to provide clarity and support interpretation.</p> <p><i>Carefully manage the <u>Protect sensitive ecological environments from farming of potential pest species to</u> by ensure ensuring that they are not able to be released, and do not adversely affect sensitive ecological environments.</i></p>	<ul style="list-style-type: none"> • The use of the term ‘manage’ followed by the word ‘ensure’ seems inconsistent.

GRUZ – General Rural Zone

Provision	Change requested	Comments
Objectives		
GRUZ-O1 and GRUZ-O2	Retain as drafted	<ul style="list-style-type: none"> Gives effect to the CRPS
Policies		
GRUZ-P1 Development in the General Rural Zone	Support in part. Recommended amendment to provide clarity and support interpretation. <i>Maintain the rural character in the General Rural Zone by:</i> ... 4. <i>encouraging the retention <u>maintenance and enhancement</u> of existing, and planting of new, indigenous vegetation.</i>	<ul style="list-style-type: none"> Policy 5.3.12 of the CRPS uses the words 'maintain and enhance'. For consistency with the CRPS it would be appropriate to amend the draft District Plan accordingly.
Rules		
GRUZ-R2 Amenity tree planting and shelterbelts	Amendment required to PER1. Possible amendment could be: <i>PER-1</i>	<ul style="list-style-type: none"> While wilding conifer spread from plantings are obviously a threat, so too are other exotic plant species such as rowan, hawthorn, sycamore, lupins, willows, wattles. This is particularly an issue within or near to an SNA and will need further consideration.

	<i>The amenity tree planting or shelterbelt does not involve planting of species that can become wilding conifers pest species; and</i>	
GRUZ-R1 and GRUZ-R3 to GRUZ-R9	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
GRUZ-R10 Intensive indoor primary production and intensive outdoor primary Production	<p>Suggested amendment for readability as follows:</p> <p>Intensive indoor primary production and intensive outdoor primary production</p> <p>...</p>	<ul style="list-style-type: none"> • There appears to be a focus on primary production activities which does not include other activities which can impact on soil quality and sedimentation
GRUZ-R11 to GRUZ-R14	Retain as drafted	<ul style="list-style-type: none"> • Gives effect to the CRPS
GRUZ-R15 Carbon forestry	<p>Minor grammatical amendment required as follows:</p> <p><i>CON-4</i></p> <p><i>Afforestation must not occur—</i></p> <p>...</p> <p>3. <i>within 30m of the boundary of land used for papakāinga papakāika purposes or an urban area; or</i></p>	<ul style="list-style-type: none"> • It is noted that the Draft District Plan prefers reference to 'papakāika' rather than 'papakāinga'. Amendment provides consistency across the Plan.

<p>GRUZ-R16</p> <p>Papakāika outside of land held under Te Ture Whenua Māori Act 1993 or within a Native Reserve</p>	<p>Support in part.</p> <p>Recommended amendment as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>any adverse effects on outstanding natural features and landscapes; and</u> 2. <u>any adverse effects on important natural character values of coastal environment, wetlands, lakes, rivers and their margins; and</u> 3. <u>any adverse effects on the values of historic heritage; and</u> 4. <u>the values of areas of significant indigenous vegetation and habitats of indigenous</u> 15. any adverse amenity effects on adjacent properties; and 26. any reverse sensitivity effects on adjoining land uses; and 37. public health and safety; and 48. servicing of the site with water and wastewater, including any cumulative adverse effects; and 59. ongoing retention of the land as ancestral land. 	<ul style="list-style-type: none"> • These rules all appear to apply the same matters of discretion. Policy 5.3.4 requires a range of adverse effects to be avoided, and where avoidance is not practicable to be mitigated. These include: <ul style="list-style-type: none"> i. the important natural character values of coastal environment, wetlands, lakes, rivers and their margins; ii. the values of the outstanding natural features and landscapes; iii. the values of the historic heritage; and iv. the values of areas of significant indigenous vegetation and habitats of indigenous fauna. • Amendment is required to give effect to the CRPS.
<p>GRUZ-R17 to GRUZ-R23 (excluding</p>	<p>Retain as drafted</p>	

<i>GRUZ-R20 and GRUZ-R21)</i>		
GRUZ-20 Any activity not provided for as a permitted, controlled, restricted discretionary, or non-complying activity	Support in part Amend to enable CRC to undertake flood protection functions.	<ul style="list-style-type: none"> • Provide for CRC to undertake its functions as a Regional Authority to manage gravel extraction/ quarrying/ disturbance activities within the beds of rivers. • It is CRC preference that an overarching Earthworks rule would apply, as identified in our submission on Natural Hazards chapter.
GRUZ-R21 Farming of chinchillas	Consider deletion	<ul style="list-style-type: none"> • Is this now redundant?
Standards		
All standards <i>including</i> GRUZ-APP1 – Otago Skink Habitat and Grand Skink Habitat	Retain as drafted	
NEW Standard	Additional standard required to control the minimum setback from any waterway for structures.	