

ASW

Activities on the Surface of Water

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Activities on the Surface of Water

Introduction

An activity that passes across or through the surface of water within an inland waterbody is considered a surface water activity. Access to a wide variety of water bodies across the District results in a range of different surface water activities able to be undertaken, including the use of vessels, the use and location of structures, the undertaking of commercial activities, hydroelectricity generation, and contact recreation, such as fishing and swimming.

Any adverse effects generated by these activities will depend on their scale and nature as well as whether the activity occurring can be considered episodic or obtrusive. Even episodic activities, if managed inappropriately, can cause reverse sensitivity or cumulative adverse effects. Activities on the surface of water can adversely affect a range of key values, including landscape, significant flora, fauna and habitat, amenity, cultural and heritage values and natural character.

Many values of importance to mana whenua intersect and are derived from the waterbodies of the Waitaki District. Many waterbodies hold taonga species, of special significance to local iwi as well as represent historic gathering places to exercise kaitiaki and mahinga kai.

Regionally significant infrastructure, such as the Waitaki Power Scheme operate within and adjacent to waterbodies across the District. To achieve the outcomes for the District relating to regionally significant infrastructure, the activities on the surface of water provisions need to allow for their continued safe, efficient and effective use.

The provisions of this chapter are designed to enable a range of activities to be undertaken on the surface of water within the District while ensuring that any adverse effects generated by these activities are minimised.

Objectives

ASW-O1 Protecting the values of waterbodies

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 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.

Policies

ASW-P1 Providing for recreational activities

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 Power Scheme, are avoided or minimised.

ASW-P2 Commercial activities

Provide for commercial surface water activities where it can be demonstrated that they maintain the natural environment values, mana whenua values, amenity values, public health and safety, and any values associated with the Waitaki Power Scheme.

ASW-P3 Structures and swing moorings

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 minimised.

ASW-P4 Recognising importance of science and monitoring

Recognise scientific research and monitoring, consent monitoring, compliance, enforcement, search and rescue, defence, pest control and civil emergency purposes, as being essential to the health and well-being of the environment, people and communities.

ASW-P5 Vessels used for accommodation

Avoid vessels being used for accommodation on the surface of water except where any effluent is contained on board the vessel.

ASW-P6 Providing for the use of vessels associated with the Waitaki Power Scheme

Provide for the use of vessels associated with the operation, maintenance, refurbishment, enhancement, monitoring, upgrading and development of the Waitaki Power Scheme.

ASW-P7 Managing adverse effects on ecological values/habitat

Manage activities on the surface of water to minimise adverse effects on:

1. salmon and trout spawning habitat/values;
2. mahika kai species;
3. Significant Natural Areas.

Rules

Note: For certain activities, a resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, resource consent is required under each of those rules. The steps to determine the status of an activity are set out in the General Approach Chapter.

PERMITTED ACTIVITIES

ASW-R1 Use of vessels for a recreational activity							
<p>All zones</p>	<p>Activity status: Permitted</p> <p>Where: PER-1 The use of motorised and powered vessels does not occur on, or within:</p> <ol style="list-style-type: none"> 1. the Ahuriri River or the tributaries of the Hopkins River, unless an existing speed uplift has been granted under the regional Navigation Safety Bylaw; 2. the following motorised and powered vessel exclusion areas, identified on the Planning Maps: <ol style="list-style-type: none"> a) the side braids of the Waitaki River; b) areas of Lake Ruataniwha; c) the Wairepo Arm; and d) Kellands Pond; and <p>PER-2 The following noise limits are not exceeded:</p> <table border="1"> <thead> <tr> <th>Hours</th> <th>Noise Level</th> </tr> </thead> <tbody> <tr> <td>7:00am–8:00pm</td> <td>80 dB LAF(max)</td> </tr> <tr> <td>8:00pm–7:00am</td> <td>67 dB LAF(max)</td> </tr> </tbody> </table> <p><i>Note: This rule does not apply to vessels being used for search and rescue activities – refer ASW-R3.</i></p> <p><i>The current regional Navigation Safety Bylaws for Canterbury and Otago apply restrictions to ensure navigation safety</i></p>	Hours	Noise Level	7:00am–8:00pm	80 dB LAF(max)	8:00pm–7:00am	67 dB LAF(max)
Hours	Noise Level						
7:00am–8:00pm	80 dB LAF(max)						
8:00pm–7:00am	67 dB LAF(max)						
	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with PER-1 or PER-2</p>						

on the water bodies of Canterbury and Otago.	
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ASW-R2 Use of vessels for accommodation		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 Is for a recreational activity; and PER-2 Any effluent is contained on board the vessel in a suitable self-containment system with a minimum capacity of 3 days.</p> <p><i>Note: The current regional Navigation Safety Bylaws for Canterbury and Otago apply restrictions to ensure navigation safety on the water bodies of Canterbury and Otago.</i></p> <p><i>Discharge of contaminants to a waterbody are managed through the Regional Plans for Canterbury and Otago.</i></p>	<p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with PER-1 or PER-2</p>

ASW-R3 Use of vessels for scientific research and monitoring, consent monitoring, compliance, enforcement, search and rescue, defence, pest control and civil emergency purposes.		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 Except for pest control, all such activities must be carried out in accordance with a statutory responsibility.</p> <p><i>Note: Temporary military training activities, exercises and emergency management exercises are captured within the Temporary Activities provisions.</i></p>	<p>Activity status when compliance is not achieved: Not Applicable</p>

	<i>The current regional Navigation Safety Bylaws for Canterbury and Otago apply restrictions to ensure navigation safety on the water bodies of Canterbury and Otago.</i>	
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ASW-R4	Use of vessels for the operation, maintenance, refurbishment, enhancement, monitoring, upgrading and development of the Waitaki Power Scheme	
All zones	Activity status: Permitted	Activity status when compliance is not achieved: Not Applicable

DISCRETIONARY ACTIVITIES

ASW-R5	Use of the surface of water for commercial activities	
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable

ASW-R6	Structures and swing moorings that pass across or through the surface of water	
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable

ASW-R7	Any activity not provided for as a permitted, restricted discretionary or non-complying activity.	
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable