

NATC

Natural Character

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Natural Character

Introduction

To a varying extent, all riparian margins have natural character. In the context of riparian margins, natural character refers to its degree of naturalness, evidenced by the degree to which it possesses qualities and features that are products of nature compared to human influence. Natural character is an expression of natural elements, processes and patterns and may include natural biophysical, amenity, ecological, geological, hydrological and geomorphological values and experiential attributes, including sounds and smell. The degree of natural character tends to be highest in the least modified (most pristine) areas.

This chapter applies to activities on riparian margins. If activities are not properly managed, they can have adverse effects on the natural character of riparian margins. Subdivision, use and development can adversely affect natural character values of riparian margins by introducing man-made structures, altering natural land contours, scarring the land, interfering with natural processes and/or adversely affecting the community's appreciation and perception of the area. Specifically, in the context of riparian margins, damaging or removing indigenous vegetation causes adverse effects because riparian vegetation is important for preserving natural character, water quality, habitat, erosion and flood management.

Objectives

NATC-O1 Preserving and protecting the natural character of Waitaki’s riparian margins

The natural character of Waitaki District’s riparian margins is preserved and the inappropriate subdivision, use and development of riparian margins is avoided.

NATC-O2 Restoring and enhancing degraded natural character

The natural character of Waitaki District’s riparian margins is restored or enhanced, where they exist in a degraded state.

Policies

NATC-P1 Enabling certain buildings, structures, earthworks, vegetation clearance and planting within riparian margins

Enable the following on riparian margins:

1. limited earthworks and vegetation clearance to maintain existing roads, tracks, fences, dams, yards, irrigation infrastructure, driveways and access;
2. structures, earthworks, vegetation clearance and planting carried out by Waitaki District Council, Otago Regional Council, Canterbury Regional Council or their agents for flood and/or erosion management, recognising the importance of managing natural hazard risks;
3. post and wire fencing, recognising it as an appropriate way to manage the adverse effects of stock on natural character values;
4. vegetation clearance where it is to remove pest species and appropriate planting of indigenous vegetation, recognising it can help to restore or enhance natural character;
5. limited vegetation clearance for customary harvesting, recognising the importance of customary uses of natural resources; and
6. appropriate parks furniture, recognising that it can allow the community to experience natural character.

NATC-P2 Significant adverse effects on riparian margins

Only allow significant adverse effects and appropriately remedy or mitigate other adverse effects on the natural character values of riparian margins from other buildings, structures, earthworks, tree planting and indigenous vegetation clearance on riparian margins where it can be demonstrated that:

1. there is a functional need or operational need for it; and
 - a) no alternative locations are practicable;
 - b) any risks of natural hazards will not be increased; or

2. it is necessary for the maintenance, repair or upgrade of an essential structure and significant adverse effects on natural character values of the riparian margin are appropriately remedied or mitigated.

NATC-P3 Certain activities prohibited in riparian margins

Prohibit the planting of vegetation identified as a pest species or an organism of interest in the applicable Regional Pest Management Plan within a riparian margin.

NATC-P4 Recognise the natural character of riparian margins

Recognise the following, when considering the adverse effects of an activity on the natural character values of riparian margins:

1. the degree of the natural character of riparian margins, ranging from pristine to modified and dependent on the extent to which natural elements, patterns and processes occur;
2. that natural character includes natural elements, patterns and processes and may include aspects such as:
 - natural ecological values, such as habitat for indigenous fauna (particularly indigenous vegetation);
 - the natural movement of water and sediment;
 - geomorphological values; and
 - experiential attributes, including sound and smell;
3. natural character is highest where there is least modification to the natural environment.

NATC-P5 Restoration or enhancement of natural character of riparian margins

Support the restoration or enhancement of natural character values on riparian margins, including by:

1. enabling appropriate planting of indigenous vegetation;
2. enabling the removal of vegetation identified as a pest species or an organism of interest in the Regional Pest Management Plan that applies to the particular location;
3. considering opportunities for restoration or enhancement of degraded riparian margins; and using a range of tools, including incentives, education and advocacy, to encourage owners, community groups and others to take action to enhance or restore the natural character of riparian margins.

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.

Note: Earthworks within a riparian margin are subject to the provisions of the Earthworks (EW) Chapter

PERMITTED ACTIVITIES

NATC-R1 Structures within a riparian margin		
Open Space and Recreation Zone	Activity status: Permitted Where: PER-1 The structure is parks furniture; and PER-2 The structure is constructed by Waitaki District Council, Otago Regional Council, Canterbury Regional Council or its agents.	Activity status when compliance is not achieved: Restricted Discretionary Where: RDIS-1 Compliance is not achieved with PER-1 or PER-2 Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. evidence of the existing degree of natural character of the riparian margin; and 2. the extent and management of adverse effects on natural character of the riparian margin, including: <ol style="list-style-type: none"> a) the extent to which the location, design, size, colour and finish of materials used for structures will reduce the natural character of the riparian margin; and b) the extent to which the proposed structure will: <ol style="list-style-type: none"> i. allow natural elements to dominate; and ii. introduce man-made elements to the riparian margin; and iii. affect the amenity values of the riparian margin; and iv. create disturbances that will be ongoing, as opposed to temporary; and

		<ul style="list-style-type: none"> v. affect the stability of the riparian margin; and vi. affect the community’s access to and appreciation of the natural character of the riparian margin; and vii. result in sedimentation effects; and viii. affect the effective management of flood risks; and ix. restrict access for mahika kai purposes; and <p>3. the extent to which any cumulative adverse effects have been considered and addressed.</p>
All other zones	<p>Activity status: Permitted</p> <p>Where: PER-3 The structure is constructed by Waitaki District Council, Otago Regional Council, Canterbury Regional Council or their agents for flood and/or erosion management; or</p> <p>PER-4 The structure is a post and wire fence.</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-2 Compliance is not achieved with PER-3 or PER-4</p> <p>Matters of discretion are restricted to:</p> <p>1. the same as above for RDIS-1</p>

NATC-R2 Vegetation clearance within a riparian margin		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The vegetation clearance is undertaken by Waitaki District Council, Otago Regional Council, Canterbury Regional Council or their agents for flood and/or erosion management; or</p> <p>PER-2 The vegetation clearance is for the construction of a post and wire fence and the vegetation clearance occurs</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1, PER-2, PER-3, PER-4, PER-5 or PER-6</p> <p>Matters of discretion are restricted to:</p> <p>1. evidence of the existing degree of natural character of the riparian margin; and</p> <p>2. the extent and management of adverse effects on natural character of the riparian margin, including:</p>

	<p>within the footprint necessary for the construction of the structure; or</p> <p>PER-3 The vegetation clearance is for the construction of parks furniture and the vegetation clearance occurs within the footprint of the structure; or</p> <p>PER-4 The vegetation clearance is for customary harvesting; or</p> <p>PER-5 The vegetation is identified as a pest species or an organism of interest in the applicable Regional Pest Management Plan, but the vegetation has not been planted for flood protection or erosion management purposes; or</p> <p>PER-6 1. The vegetation clearance is for the repair and maintenance of existing and lawfully established: <ul style="list-style-type: none"> a) roads; b) farm tracks; c) yards; d) irrigation infrastructure; e) fences; f) dams; g) walking tracks; h) cycling tracks; or i) driveways and access; and 2. the vegetation clearance occurs within the existing footprint.</p>	<ul style="list-style-type: none"> a) the extent to which the proposed earthworks will: <ul style="list-style-type: none"> i. allow natural elements to dominate; and ii. introduce man-made elements to the riparian margin; and iii. affect the amenity values of the riparian margin; and iv. create disturbances that will be ongoing, as opposed to temporary; and v. affect the stability of the riparian margin; and vi. affect the community’s access to and appreciation of the natural character of the riparian margin; and vii. result in sedimentation effects; and viii. affect the effective management of flood risks; and ix. restrict access for mahika kai purposes; and 3. the extent to which any cumulative adverse effects have been considered and addressed.
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NATC-R3 Planting indigenous vegetation within riparian margins		
All zones	Activity status: Permitted	Activity status when compliance is not achieved: Not applicable

NATC-R4 Planting exotic vegetation within riparian margins	
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The vegetation is poplar or willow (excluding <i>Salix x fragilis</i>); and</p> <p>PER-2 The vegetation is planted by Waitaki District Council, Otago Regional Council, Canterbury Regional Council or their agents, for flood and/or erosion management; or</p> <p>PER-3 The vegetation is not a tree and relates to a lawfully established activity.</p>
	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1, PER-2, or PER-3</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. evidence of the existing degree of natural character of the riparian margin; and 2. the extent and management of adverse effects on natural character of the riparian margin, including: <ol style="list-style-type: none"> a) the extent to which the proposed planting will: <ol style="list-style-type: none"> i. allow natural elements and patterns to dominate; and ii. affect the amenity values of the riparian margin; and iii. create disturbances that will be ongoing, as opposed to temporary; and iv. affect the community's access to and appreciation of the natural character of the riparian margin; and v. affect sedimentation; and vi. affect the effective management of flood risks; and vii. restrict access for mahika kai purposes; and 3. the extent to which any cumulative adverse effects have been considered and addressed.

PROHIBITED ACTIVITIES

NATC-R5 Planting of any pest, pest agent, or organism of interest identified in a Regional Pest Management Plan within a riparian margin		
All zones	Activity status: Prohibited	Activity status when compliance is not achieved: Not Applicable