

# Section 32 Report

Ngā momo tākaro ki runga i  
te wai/

Activities on the Surface of  
Water

prepared for the

**Proposed**

**Waimakariri District Plan**

18 September 2021



**WAIMAKARIRI**  
DISTRICT COUNCIL

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## 1. EXECUTIVE SUMMARY

Activities on the surface of water describes the range of recreational, commercial and cultural activities that may occur on the surface of rivers and lakes. This includes non-motorised activities, motorised and non-motorised watercraft, and accommodation on a vessel on the surface of a river.

The Waimakariri District contains a number of water bodies that provide for these activities. The specific resource management issue for surface water activities are:

- (a) Activities such as houseboats on the surface of water may compromise amenity values, natural character, public access, or other natural values.

Other activities, such as building new structures or upgrading existing structures on the surface of water may also compromise surface water values. The management of structures is dealt with through the provisions of the Proposed Natural Character of Freshwater Bodies Chapter.

The key changes to this chapter compared with the Operative Plan is that the Activities on the Surface of Water Chapter is now a stand-alone chapter in the Proposed District Plan. This is consistent with the most recent edition of the National Planning Standards.

In summary, the Proposed Activities on the Surface of Water Chapter contains provisions to:

- (a) Provide for non-motorised, and motorised activities on the surface of most water bodies throughout the District;
- (b) Control the use of water craft on ecologically sensitive water bodies;
- (c) Manage houseboats on the surface of water through a restricted discretionary activity status; and
- (d) Manage any other activities on the surface of water that are not listed in the chapter that may compromise surface water values through a discretionary activity status.

It is anticipated that the outcome of applying the proposed provisions will be that most activities on the surface of the water are enabled. Therefore, it is expected that the provisions will provide opportunities for the community to provide for their social, cultural and economic wellbeing. It is considered that the proposed provisions are the most appropriate for achieving the purpose of the RMA.

## 2. OVERVIEW AND PURPOSE

### 2.1 Purpose of Section 32 RMA

The overarching purpose of Section 32 of the Resource Management Act 1991 (RMA) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.

Section 32 reports are intended to clearly and transparently communicate the reasoning behind plan provisions to the public. The report should provide a record of the evaluation process, including the consultation, technical work, methods, assumptions and risks that informed that process. A robust report can prove highly useful to decision makers, particularly where it clearly communicates the analysis undertaken to identify the most appropriate way to achieve the purpose of the RMA.

The District Council is required to undertake an evaluation of any proposed District Plan provisions before notifying those provisions. The Section 32 report provides the reasoning and rationale for the proposed provisions (including compared to any relevant operative provisions) and should be read in conjunction with those provisions.

### 2.2 Topic Description

In the Proposed District Plan, the ***Activities on the Surface of Water*** is part of ***Part 2 – District Wide Matters – General District Wide Matters***.

The Waimakariri District contains a wide range of water bodies such as rivers, streams, small lakes and wetlands. These water bodies provide for a range of recreational, cultural and commercial activities and are highly valued by the community for their natural, ecological and amenity values.

Certain activities on the surface of water can compromise these values and therefore require management. The purpose of this chapter is to manage activities on the surface of water to maintain these values.

There have been a number of changes between the Operative District Plan and Proposed District Plan with respect to managing surface water activities. For instance, under the Operative District Plan, provisions for managing surface water activities were located in the water chapter, alongside a range of other provisions that applied to water bodies and water quality. The provisions in the Operative Plan are also effects-based.

Under the Proposed District Plan, provisions for managing activities on the surface of water are located within a stand-alone chapter. Furthermore, the provisions in the Proposed Chapter are now activities-based as opposed to effects-based. This is consistent with the most recent edition of the National Planning Standards.

#### 2.2.1 Relationship to other parts of the District Plan

The structure of district plans mandated by the National Planning Standards (see Section 3.2.1 below) is based around each topic or zone being in its own stand-alone chapter with its own provisions. Provisions from other chapters in the Proposed District Plan also apply to activities on the surface of water, these include:

- a. Natural features and landscapes;
- b. Natural character of fresh water bodies;

- c. Coastal environment;
- d. Natural Open Space Zone; and
- e. Sites of Significance to Māori.

## 2.3 Significance of this Topic

Water bodies across the Waimakariri District are significant resources for the community and provide for a range of activities. The natural values of water bodies are also important for biodiversity and make an important contribution to the amenity of the District. It is important that these values are preserved by managing activities that could compromise these values.

There is unlikely to be a high number of stakeholders affected by the provisions due to the low number of activities being managed.

## 2.4 Current Objectives, Policies and Methods

A summary of the relevant objectives, policies and methods that apply to activities on the surface of water are summarised in **Appendix One**.

There are a limited number of policies and methods that apply to surface water activities. These provisions mostly relate to activities in the Waimakariri Gorge with specific rules for Kaiapoi Lakes and Pegasus Lake.

## 2.5 Information and Analysis

District Plan Effectiveness assessment and reporting was undertaken prior to the commencement of the District Plan Review. The purpose of this report was to determine how effective the Operative District Plan was in meeting its objectives.

Key findings with respect to surface water activities may be summarised as follows:

- (a) The Operative Plan proposed monitoring noise levels in the Waimakariri Gorge. This was not achieved as no survey work or noise monitoring was undertaken. However, no complaints were recorded in relation to jet boat noise.

## 2.6 Consultation Undertaken

Consultation has been undertaken as part of this District Plan Review process with key internal and external stakeholders and the wider community. The consultation undertaken and nature of involvement and the feedback is summarised below.

### Issues and Options

Comments received from the wider community in response to *'District Plan Review Issues and Options'* paper in 2017, which included comments on surface water activities, included general support for more enhanced controls for surface water activities. More specific comments sought to retain the Operative Plan provisions to protect habitat values and recreational values. Comments made with respect to surface water activities are summarised in **Appendix Three**.

## **What's the Plan?**

Two respondents provided feedback with respect to surface water activities in the 'What's the Plan?' consultation undertaken in July 2019. These respondents sought to maintain the provisions in the Operative District Plan and outlined that jet boating did not produce adverse effects to ecological values or recreational values. Comments made during the What's the Plan? Consultation are summarised in **Appendix Four**.

### **WDC Greenspace Staff**

Prior to the drafting of the Proposed *Activities on the Surface of Water* chapter, initial meetings with the District Council's Greenspace team were held to determine key issues with respect to surface water activities.

Greenspace outlined that there were currently no water bodies (outside of the Waimakariri River & the Ashley-Rakahuri River) that could provide for high powered craft that could potentially cause adverse effects such as noise and wildlife disturbance. However, they still sought more universal provisions for water bodies that would protect the values of Pegasus Lake and Kaiapoi Lakes.

Other key issues raised included subdivision adjacent to Council reserves that contained high ecological values, such as Kaiapoi Lakes and Northbrook Wetlands. Greenspace also outlined that a lack of controls on domestic pets and domestic pest plants significantly compromised the Council's responsibility for the maintenance and enhancement of natural character and Section 31(1)(e) of the RMA.

### **WDC Internal Staff Meeting**

*(Planning Implementation Unit, Development Planning Unit, Greenspace Staff, Utilities and Roading, and Policy and Strategy)*

WDC staff discussed existing bylaws that place some controls on surface water activities. This included the Northern Pegasus Bay Bylaw 2016, administered by the District Council, and the Navigational Safety Bylaw 2016, administered by the Regional Council. The Northern Pegasus Bay Bylaw places controls on kite surfing in the Ashley-Rakahuri Estuary whereas the Navigational Safety Bylaw contains provisions for managing the navigation and speed of watercraft and managing conflicts between activities.

WDC staff discussed key issues with respect to surface activities. This included noise, and conflict disturbance, with noise signalled as the main issue. Staff highlighted complaints that had been received in relation to jet ski noise near Kairaki, and an irrigation dam in East Rangiora that was also being used for jet skiing. It was also noted that Northbrook Waters had been consented for jet boat use.

### **Alpine Jet Thrills & Jet Boating New Zealand**

Alpine Jet Thrills and Jet Boating New Zealand outlined that jet boating had minimal adverse effects to riverbed nesting birds compared with activities such as four wheel driving. Alpine Jet Thrills and Jet Boating New Zealand recommended having discussions with a range of different stakeholders with respect to the adverse effects associated with jet boating.

### **Ashley-Rakahuri Rivercare Group**

The chairman of the Ashley-Rakahuri Rivercare Group did not believe that jet boating was a key issue for birdlife. While there was some initial disturbance from noise, this is generally brief and birds were said to return once the noise had gone. The chairman also mentioned that boat wake did not have the potential to affect bird nesting. However, birds nesting close to the water would likely have their nests washed away during a flood.

The chairman highlighted that four wheel driving and disturbance from people were a much greater concern.

### **Environment Canterbury Harbour Master**

The Harbour Master suggested that the draft provisions should not include references to navigation as this was not enforceable. The Harbour Master mentioned that he was not concerned about duplication between the Navigational Safety Bylaw 2016 and the Proposed District Plan as they were under different legislation (LGA versus RMA).

The Harbour Master mentioned that houseboats and permeant floating homes were complex issues that would require careful management in the proposed chapter.

### **WDC Three Waters**

The Waimakariri District Council's Three Waters Department outlined the Kaiapoi River as an important area for inanga spawning.

### **WDC Business Centres Unit & Development Planning Unit**

Options were discussed as to how to define a house boat and floating home, as they are different in terms of effects and the other was for the Proposed District Plan to remain silent and let the activity be caught under the catch-all rule. The latter option was not seen as feasible, as house boats were signalled in the Kaiapoi Town Centre Plan and by not addressing them this would not provide clarity on the activity.

### **WDC Planning Implementation Unit**

The Planning Implementation Unit supported the Operative District Plan provisions as there have not been any issues related to commercial jet boating and having a higher activity status for the activity would be difficult to enforce.

### **Marshall Day**

Marshall Day sought a higher activity status for commercial jet boating, which is currently permitted under the Operative District Plan. Marshall Day mentioned that it was difficult to anticipate what future activities may occur and that having a higher activity status would be more suitable.

### **WDC District Planning and Regulation Committee**

The DPRC provided feedback on the direction of the Proposed Activities on the Surface of Water chapter. This included specific questions around the wording of policies, how the Waimakariri River was dealt with as a cross boundary issue, how noise issues would be dealt with and question around the current provisions for the Kaiapoi Lakes.



One committee member expressed the view that houseboats and floating homes should both be considered boats. Floating Homes, despite being permanent structures were understood to be barge mounted.

### **Selwyn District Council**

Selwyn District Council were not carrying over the Operative Provisions for surface water activities (previously sound monitoring of the Waimakariri Gorge), as these were now managed by the District-Wide noise provisions. Structures on the surface of water were only addressed through Outstanding Natural Landscape provisions and this only related to the Waimakariri River.

### **Christchurch City Council**

The Christchurch City Council explained the approach of the Open Space Water and Margins zone. The City Council also explained that motorised water craft was provided for in the Roto Kohatu Park water body.

### **The Lakes Trust (Kaiapoi Lakes)**

The Lakes Trust are responsible for managing the privately owned area of the Kaiapoi Lakes, which is the northernmost lake.

The purpose of the discussion was to determine what activities were undertaken on the private section of the lake. Activities included the use of motorised craft for the operation of an aerator to maintain water quality.

### **Te Kōhaka o Tūhaitara Trust**

TKOT sought assurance for the Tūtaepatu Lagoon to be referred to as a lagoon throughout the District Plan and ensure that it was not considered a lake in the proposed chapter. TKOT also outlined the significance of the Lagoon to Ngāi Tūāhuriri.

TKOT discussed activities that could potentially be caught under the draft rules. This included structures that were to be used for research purposes (bird counts & monitoring). TKOT outline that the structure was moveable and would be used in the lagoon as well as other water bodies.

TKOT also discussed structures that were used to maintain water levels in the Tūtaepatu Lagoon during periods of drought. The structure was located on the bed of the water body and would help maintain the habitat for indigenous fauna.

### **WDC Technical Advisory Group**

TAG were provided with an overview of the draft activities on the surface of water provisions. Comments have been considered and amendments made where appropriate.

### **WDC Urban Regeneration Team**

The Urban Regeneration Team outlined the number of current consents they had with the District Council and the Regional Council with respect to the Kaiapoi River. Information on the type of dredging was also outlined, which included cutter suction and backhoe dredging.

The Urban Regeneration Team also outlined how the dredging was undertaken. This involved using a digger on top of a pontoon (which was classified as a certified vessel) and also by using a digger from the bank of the river.

The purpose of the dredging was to provide passage, or navigation channels, and moorings for boats. The boats were used for a variety of recreational and commercial purposes.

### **Christchurch City Council Kaiapoi Lakes**

Kaiapoi Lakes was identified as being an important habitat for bird species such as the Crested Grebe, cormorant colonies, marsh crake and possible sightings of Spotless Crake and the Australasian Bittern.

### **Pegasus Residents Group**

PRG outlined the current types of activities that occurred on Pegasus Lake which included a range of non-motorised recreation activities such as dragon boating, model yachts, research and monitoring, and maintenance sprays of the water body to control algal blooms. Motorised craft was occasionally used to support non-motorised recreation sporting events such as dragon boating.

PRG did not support the use of motorised craft on the Lake where this was not ancillary for non-motorised sporting events.

## **2.7 Iwi Authority Advice**

Clause 3(1)(d) of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities during the preparation of a proposed plan. Clause 4A requires the District Council to provide a copy of a draft proposed plan to iwi authorities and have particular regard to any advice received. This section summarises the consultation feedback/advice received from the iwi authority relevant to activities on the surface of water, and the District Council's consideration of, and response to (as required by Section 32(4A)(b) of the RMA), that feedback/advice.

Consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga as part of the District Plan Review process. Specific feedback related to activities on the surface of water is summarised below:

- a. A number of minor suggestions were made around cross referencing to other chapters (such as referring to the sites of significance to Māori chapter) and the wording of provisions to better reflect cultural values;
- b. A specific amendment was made to avoid adverse effects from motorised activities on inanga spawning habitats. This included amendments to the wording of policies and a rule for motorised craft generating boat wake and causing subsequent erosion. It also included a request to include maps from the Canterbury Land and Water Regional Plan, and limit motorised craft within the areas; and
- c. A specific amendment to the policy for structures was made to ensure that any structure would not hinder the passage of migratory fish species or disturb the habitat of other indigenous species;

With respect to the feedback received from the Rūnanga, amendments to the provisions have been made where appropriate. However, not all amendments were able to be made. For example, the Rūnanga requested that motorised activities be limited in areas mapped by the Canterbury Land and Water Regional Plan. This would include motorised activities on the Kaiapoi River which is where the Kaiapoi Marine Precinct is located. The marine precinct provides for a range of short-term and flexible moorings for boats and is also home to the Kaiapoi River Queen. Provisions for managing motorised craft on this river would create conflict with council and community ambitions for this area.

## 2.8 Reference to Other Relevant Evaluations

This Section 32 topic report should be read in conjunction with the following evaluations:

- a. Sites and areas of significance to Māori;
- b. Natural character of freshwater bodies;
- c. Public access;
- d. Coastal environment;
- e. Temporary activities; and
- f. Energy and infrastructure.

## 3. STATUTORY AND POLICY CONTEXT

### 3.1 Resource Management Act 1991

Section 5 of the RMA sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. In achieving this purpose, authorities need to recognise and provide for matters of national importance identified in Section 6, have particular regard to other matters listed in Section 7, and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8.

#### Section 6

The Section 6 matters relevant to this chapter are:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; and*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

#### Section 7

The Section 7 matters relevant to this chapter are:

- (a) kaitiakitanga;*
- (b) the ethic of stewardship;*
- (c) the maintenance and enhancement of amenity values;*
- (d) intrinsic values of ecosystems;*

(e) maintenance and enhancement of the quality of the environment; and

(f) the protection of the habitat of trout and salmon.

## Section 8

Section 8 of the RMA requires the District Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Mana whenua, through iwi authorities have been consulted as part of the District Plan Review process and the obligation to make informed decisions based on that consultation is noted. Section 74(2A) further requires councils to take into account relevant Iwi Management Plans and their bearing on the resource management issues of the District.

Consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga regarding a range of District Plan matters, and specific feedback was provided with respect to activities on the surface of water. The nature of this feedback is summarised in Section 2.7 above. How the activities on the surface of water provisions address relevant policies of the Mahaanui Iwi Management Plan 2013 is summarised in Section 3.4 below. Consultation with the Rūnanga regarding the wider District Plan Review is ongoing.

## 3.2 National Instruments

The following national instruments are relevant to this topic.

### 3.2.1 National Planning Standards 2019

The first set of set of National Planning Standards came into effect on 3 May 2019 and minor amendments were incorporated in November 2019. The purpose of the National Planning Standards is to improve consistency in plan and policy statements, structure, format and content.

The National Planning Standards require any provisions for managing activities on the surface of water be located in an '*Activities on the Surface of Water*' chapter. The Standards also direct the District Plan to include provisions relating to activities on the surface of water in **Part 2 – District Wide-Matters – General District-Wide Matters**.

The structure of the Activities on the Surface of Water chapter is consistent with the National Planning Standards.

## 3.3 Regional policy statement and plans

Under Section 75(3)(c) of the RMA, a District Plan must give effect to the relevant or applicable regional policy statement or plan.

### 3.3.1 Regional Policy Statement

Chapter 7 of the Regional Policy Statement (RPS) contains policy direction for district plans in relation to fresh water bodies. In particular, Objective 7.2.1 requires that the region's fresh water resources be sustainably managed to enable people to provide for their economic and social well-being. This includes recreational and amenity values, and any economic and social activities that are associated with these values. This is subject to the life supporting capacity of ecosystems and indigenous species being safe-guarded, the natural character values of wetlands, lakes and rivers preserved, and any foreseeable requirements for community and stock water supplies and customary uses provided for.

The Activities on the Surface of Water chapter contains provisions that address some of these matters where these are relevant to the surface of water and is therefore consistent with the policy direction of the RPS.

### 3.3.2 Regional Coastal Environment Plan

The purpose of the Regional Coastal Environment Plan (RCEP) is to promote the sustainable management of coastal resources. Of significance is the Ashley/Rakahuri Saltwater Creek Estuary, which has been identified as an area of significant natural value (map 7.12 RCEP) and a prohibited area for vehicles (map 4.1 RCEP). Policy 8.7 which states that activities should not take place where they have, or have the potential to have a significant irreversible adverse effect on natural or cultural values of an Area of Significant Natural Value. Rule 8.20 prohibits the operation of any motorised vehicle within the Ashley/Rakahuri Saltwater Creek Estuary. Exceptions are available for local and central government operations, scientific research and in some circumstances for farm management.

### 3.3.3 Waimakariri River Regional Plan

The purpose of the Waimakariri River Regional Plan (WRRP) is to promote the sustainable management of rivers, lakes and hydraulically connected groundwater, and river and lake beds in the Waimakariri River catchment. In particular the WRRP sets out objectives and policies around water quantity, point and non-point discharge of contaminants and land use activities on the bed of the lakes and rivers within the Waimakariri River catchment.

The proposed chapter only manages activities on the surface of water whereas the Waimakariri River Regional Plan controls activities on the beds of rivers. However, for any structures occurring on both the surface of water and the bed of a river, this may require a consent through the District Council (through provisions of the Proposed Natural Character of Freshwater Bodies Chapter) and Regional Council. The proposed provisions are consistent, and avoid duplication with the Waimakariri River Regional Plan.

## 3.4 Iwi Management Plan

The Mahaanui Iwi Management Plan 2013 (IMP) contains objectives and policies of relevance to activities on the surface of water. The table below lists the relevant IMP objectives and policies and summaries how the proposed chapter addresses these.

IMP Objectives/Policies	Response
<p><b>Wai Māori - Ngā Paetae (Objectives)</b></p> <p>(1) Water management effectively provides for the taonga status of water, the Treaty partner status of Ngāi Tahu, the importance of water to cultural well-being, and the specific rights and interests of tāngata whenua in water.</p> <p>(3) Water and land are managed as interrelated resources embracing the practice of Ki Uta Ki Tai, which recognises the connection between land, groundwater, surface water and coastal waters.</p> <p>(4) Mauri and mahinga kai are recognised as key cultural and environmental indicators of the cultural health of waterways and the relationship of Ngāi Tahu to water.</p> <p>(5) Land and water use in the takiwā respects catchment boundaries, and the limits of our land and freshwater resources.</p>	<p>Provisions in Activities on the Surface of Water chapter provide for these objectives.</p>
<p><b>Wai Māori - Ngā Kaupapa (Policies)</b></p> <p>(WM 1.1) Ngāi Tahu, as tāngata whenua, have specific rights and interests in how freshwater resources should be managed and utilised in the takiwā.</p> <p>(WM 1.3) Papatipu Rūnanga may have their own policy positions on the commercial use and ownership of water, from that of Te Rūnanga o Ngāi Tahu as the iwi authority, and from other Papatipu Rūnanga.</p> <p>(WM 1.4) To require that local authorities and water governance bodies recognise that:</p> <ul style="list-style-type: none"> <li>(a) The relationship of tāngata whenua to freshwater is longstanding;</li> <li>(b) The relationship of tāngata whenua to freshwater is fundamental to Ngāi Tahu culture and cultural well-being;</li> <li>(c) Tāngata whenua rights and responsibilities associated with freshwater are intergenerational; and</li> <li>(d) Tāngata whenua interests in freshwater resources in the region are cultural, customary and economic in nature.</li> </ul> <p>(WM 1.5) To support the development of a Te Rūnanga o Ngāi Tahu Freshwater Strategy Statement, to further protect, enhance, utilise and develop freshwater resources within the Ngāi Tahu rohe for the benefit and achievement of Ngāi Tahu whānui cultural, environmental, social and economic aspirations and outcomes.</p>	<p>Provisions in the Activities on the Surface of Water provide for the relationship between tāngata whenua and fresh water. While not direct, the proposed chapter only manages motorised activities on the surface of water on the water bodies with natural character within the coastal environment and houseboats. Therefore, cultural activities and the ability for tāngata whenua to provide for their social and economic well-being are provided for.</p>

### 3.5 Any relevant management plans and strategies

There are no relevant management plans or strategies for this chapter.

### 3.6 Any other relevant legislation or regulations

Other legislation and regulations are relevant to activities on the surface of water and have been considered in preparing these provisions. This includes:

- (a) The **Conservation Act 1987**, which manages some matters in relation to surface water activities such as indigenous freshwater fisheries and freshwater fish habitats;
- (b) The Regional Council's **Navigation Safety Bylaw 2016**, which regulates the navigation of vessels, the placement of buoys, posts or signs, and any other general matters in all water bodies in the Canterbury Region;
- (c) The Regional Council's **Waimakariri River Regional Plan 2004**, which promotes the sustainable management of rivers, lakes and hydraulically connected groundwater, and river and lake beds in the Waimakariri River Catchment.
- (d) The District Council's **Northern Pegasus Bay Bylaw 2016**, which regulates some surface water activities in the coastal marine area; and
- (e) The District Council's **Stockwater Race Bylaw 2019**, which manages activities that occur within and adjacent to stockwater races including controls on animals, discharges and water quality, water abstraction, disposal of organic materials, earthworks, structures and plantings.

### 3.7 Any plans of adjacent territorial authorities

The District Council is required to have regard to the extent to which the district plan needs to be consistent with the plans and proposed plans of adjacent territorial authorities under Section 74(2)(c) of the RMA.

Drafting of the Proposed Activities on the Surface of Water chapter has had regard to the structure and content of the district plans outlined below.

#### 3.7.1 Christchurch City Council District Plan

With respect to surface water activities, the Operative Christchurch District Plan manages the use of motorised craft and limits this to identified water bodies. This includes provision for motorised craft on the Waimakariri River, which both the Waimakariri District Council and Christchurch City Council have jurisdiction for. The Proposed Activities on the Surface of Water chapter also provides for motorised water craft on the Waimakariri River and is therefore consistent with the CDP.

The Christchurch District Plan also manages surface water activities that may create adverse effects in terms of the size and speed of vessels, natural values of water bodies and their margins, margin and bank stability, wildlife disturbance, effects on residents in adjoining zones – particularly with respect to noise, public access and Ngāi Tahu cultural values.

The District Council also engaged with Christchurch City Council regarding the provisions of the Open Space Water and Margins zone. The City Council explained that motorised water craft was provided for in the Roto Kohatu Park water body.

The content of the proposed Activities on the Surface of Water is mostly consistent with the content of the Christchurch District Plan. However, the proposed chapter will not manage any noise effects from surface water activities as these will be addressed in the Proposed Noise Chapter. This reflects the structure required by the National Planning Standards.

### **3.7.2 Selwyn District Council Proposed District Plan**

The Proposed Selwyn District Plan permits the use of motorised watercraft except where it is undertaken on High Country Lakes. Where motorised watercraft is undertaken on High Country Lakes, it is permitted for the purposes of scientific investigations or monitoring, law enforcement, emergency search and rescue work, or biosecurity work carried out by the Regional Council. Where it is not undertaken for this purpose, it is a prohibited activity.

### **3.7.3 Hurunui District Council District Plan**

The Operative Hurunui District Plan manages commercial recreation activities on the surface of water, or within 20m of the bed of any river or lake or edge of any wetland as a discretionary activity.

As no specific issues with commercial recreation have been identified in the Waimakariri District, the Proposed Activities on the Surface of Water chapter does not directly address commercial recreation activities. However, these activities could be managed through the catch all rule, or managed through other chapters of the Proposed District Plan such as the Proposed Noise Chapter.

In addition, the Hurunui District Plan manages any recreation activity that may compromise opportunities for passive recreation, or enjoyment and peace and tranquillity in certain areas. The Proposed Activities on the Surface of Water Chapter is consistent with this approach.

### **Various Councils outside Canterbury**

The District Council consulted with other Councils where similar resource management issues were identified in their district plans.

#### **Hauraki District Council**

HDC outlined that provisions were included due to issues with a houseboat permanently mooring in a river generating rubbish, noise and reducing public access.

#### **Queenstown Lakes District Council**

Queenstown Lakes District Council provided some information on rules that they had to control water craft used for accommodation.

### **Noise & Activities on the Surface of Water**

Queenstown District Lakes Council provided some background information on their proposed noise rules including links to the current district plan rules, section 32 reports, section 42a reports and hearings reports.

#### **Auckland District Council**



The Auckland Council mentioned that they did not have specific provisions relating to houseboats and that these were treated as vessels in the mooring zone as a permitted activity. Houseboats were required to be licenced by the Harbour Master under the Navigation Safety bylaw.

## **4. KEY RESOURCE MANAGEMENT ISSUES**

The resource management issues set out in this section have been identified using sources of information including the following:

- (a) Community consultation and stakeholder engagement;
- (b) Technical advice from Marshall Day;
- (c) Internal WDC staff feedback; and
- (d) Technical reports and technical information.

The resource management issues are summarised below:

### **4.1 Houseboats on the surface of water**

Houseboats were signalled in the Kaiapoi Town Centre Plan for the Kaiapoi River. Houseboats may have the potential to create conflicts with existing activities on the surface of water through reverse sensitivity effects and may potentially compromise other values associated with water bodies. Furthermore, residents in houseboats may have an expectation that land adjacent to the houseboat is private land, which could adversely affect public access to, or alongside the Kaiapoi River.

Houseboats are therefore managed through a restricted discretionary status which controls the location of mooring, conflicts with other activities, natural values and whether the houseboat is designed to be navigated on a water body.

### **4.2 Impacts of water craft on sensitive habitats**

Stakeholders and the public have previously identified issues around water craft causing damage to sensitive indigenous ecosystems and habitats, and amenity values. While it may not be an issue in most of the district, there are some water bodies that have been identified as having high natural character and habitat values. These water bodies have been identified within a rule and certain activities that have a functional need to occur at these water bodies is allowed, while others are identified as non-complying.

## **5. OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS**

### **5.1 Strategic Direction**

In the Proposed District Plan, Strategic Direction SD-01 outlines a vision for the natural environment including a gain in the quality and quantity of indigenous ecosystems and habitat, and indigenous biodiversity, maintaining the natural character of the coastal environment, fresh water bodies and wetlands, recognising and protecting the values of the important natural features and landscapes, and ensuring that people have access to a network of natural areas of open space, recreation, conservation and education.

The proposed activities on the surface of water provisions are consistent with strategic objective for the natural environment.

## 5.2 Zone / District-wide Subject

The *Activities on the Surface of Water* chapter is part of **Part 2 – District Wide Matters – General District Wide Matters** section of the District Plan.

## 5.3 Proposed Objectives and Policies

The Proposed Objectives and Policies are summarised in **Appendix Two** of this report.

## 5.4 Proposed Methods

The Proposed Methods are set out in **Appendix Two** of this report. The Proposed Methods include a range of rules and matters of discretion to manage activities on the surface of water. The activities-based rules of the chapter provide greater certainty to plan users and are well integrated with the rest of the Proposed District Plan.

All non-motorised and motorised activities are permitted across most of the district. There is some restrictions on four water bodies which are primarily wetlands. There is one rule for houseboats which are managed through a discretionary activity status, and a catch all rule for any other activities not listed in the chapter.

The relevant definitions for this chapter are summarised below:

Amenity values	Natural hazard
Coastal Marine Area	Lake
Fresh water	Recreation activities
Houseboat	River
Indigenous fauna	Water body
Natural hazard	

## 6. SCALE AND SIGNIFICANCE EVALUATION

Section 32 (1)(c) of the RMA requires that a Section 32 report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed objectives, policies and methods.

The level of detail undertaken for the subsequent evaluation of the proposed objectives, policies and methods has been determined by this scale and significance assessment.

In particular, Section 32 (1)(c) of the RMA requires that:

- (a) Any new proposals need to be examined for their appropriateness in achieving the purpose of the RMA;
- (b) The benefits and costs, and risks of new policies and methods on the community, the economy and the environment need to be clearly identified and assessed; and
- (c) All advice received from iwi authorities, and the response to the advice, needs to be summarised.

Further, the analysis has to be documented to assist stakeholders and decision-makers understand the rationale for the proposed objectives, policies and methods under consideration.

In making this assessment regard has been had to a range of scale and significance factors, including whether the provisions:

- (a) Are of regional or district wide significance;
- (b) Involve a matter of national importance in terms of Section 6 of the RMA;
- (c) Involve another matter under Section 7 of the RMA;
- (d) Raise any principles of the Treaty of Waitangi (Te Tiriti o Waitangi) under Section 8 of the RMA;
- (e) Address an existing or new resource management issue;
- (f) Adversely affect people's health and safety;
- (g) Adversely affect those with particular interests including Maori;
- (h) Adversely affect a large number of people;
- (i) Result in a significant change to the character and amenity of local communities;
- (j) Result in a significance change to development opportunities or land use options;
- (k) Limit options for future generations to remedy effects;
- (l) Whether the effects have been considered implicitly or explicitly by higher order documents;  
and
- (m) Include regulations or other interventions that will impose significant costs on individuals or communities.

**Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective.**

## 6.1 Evaluation of Scale and Significance

	Low	Medium	High
<b>Degree of change from the Operative Plan</b>		✓	
The Activities on the Surface of Water Chapter is now a stand-alone chapter in the Proposed District Plan. Furthermore, it contains a wider variety of provisions for managing activities which are activities-based. This represents a medium level degree of change from the Operative Plan.			
<b>Effects on matters of national importance</b>	✓		
Section 6(a) of the Act requires the District Council to preserve the natural character of wetlands, lakes and rivers from inappropriate subdivision, use and development. Most surface water activities are unlikely to compromise natural character. Therefore, effects on matters of national importance are considered low.			
<b>Scale of effects geographically (local, district wide, regional, national)</b>	✓		
The proposed provisions will apply district-wide on rivers and lakes. However, the number of water bodies where the provisions will apply is likely to be low as many water bodies will not have the capacity to provide for the activities that are managed by the provisions.			
<b>Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)</b>	✓		

The number of people that will be affected by the provisions is likely to be low as most surface water activities are provided for (such as motorised craft and non-motorised activities)			
<b>Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups</b>	✓		
Some activities on the surface of water may compromise cultural values of certain areas of specific water bodies. However, this applies to a very small and limited area. Effects on all other stakeholders are considered to be low.			
<b>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice? Is it consistent, inconsistent or contrary to those?</b>	✓		
The proposed provisions are consistent with the National Planning Standards, the Regional Policy Statement and are not inconsistent with the Land and Water Regional Plan.			
<b>Likelihood of increased costs or restrictions on individuals, communities or businesses</b>	✓		
There is a low likelihood of increased costs and restrictions is likely to be low due to the low number of activities being managed.			

## 7. EVALUATION OF PROPOSED OBJECTIVES

Section 32(1)(a) of the RMA requires the District Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose of the RMA. The level of detail undertaken for the evaluation of the proposed objectives has been determined by the preceding scale and significance assessment. Below is a summary of the proposed objectives that have been identified as the most appropriate to address the resource management issue(s) and achieve the purpose of the RMA, against those objectives in the operative plan.

### 7.1 Evaluation of Proposed Objectives

Existing Objective/s – status quo	Appropriateness to achieve the purpose of the RMA
Preserve the natural character, and ecological values within the Waimakariri Gorge and the Ashley River/Rakahuri.	<p><b>Relevance:</b></p> <p>The existing objective does not sufficiently address all of the key resource management issues outlined in Section 4 of this report. The operative objective relates to two specific water bodies (The Waimakariri &amp; Ashley-Rakahuri River) and does not adequately address issues on other water bodies. The existing objective is therefore not considered to be the most appropriate to achieve Part 2 of the RMA.</p>
	<p><b>Reasonableness:</b></p> <p>The extent of the regulatory impact placed on individuals, businesses on the community from the operative provisions is low.</p>
	<p><b>Achievability:</b></p> <p>The rules have not achieved the objective. For example, the Operative District Plan contains two rules to achieve the objective that included managing motorised craft on water bodies within the Residential 6 Zone (as a non-complying activity) and the Residential 5 Zone (as a prohibited activity). These rules did not go far enough to achieve the objective.</p>

Proposed Objective	Appropriateness to achieve the purpose of the RMA
<p>ASW-O1 Values of Water Bodies</p> <p>Activities on the surface of water maintain public access, and the natural, recreational and amenity values of rivers and lakes.</p>	<p><b>Relevance:</b></p> <p>The proposed objective recognises that water bodies provide for a range of recreational activities. It also better highlights the natural and amenity values associated with rivers and lakes.</p>
	<p><b>Reasonableness:</b></p> <p>The extent of the regulatory impact that will be imposed on individuals, businesses and the wider community is low as the Proposed Chapter only manages one activity.</p>
	<p><b>Achievability:</b></p> <p>The proposed objectives will have a high level of achievability. The plan clearly identifies what activities are enabled and which need consent and collectively these help to achieve the objective.</p>

Alternative Approach	Appropriateness to achieve the purpose of the RMA
<p>Do not include provisions for managing surface water activities and rely on other controls such as bylaws.</p>	<p><b>Relevance:</b></p> <p>This would not address resource management issues identified in Section 4 of this report. This approach would also not achieve the purpose of the RMA, which requires adverse effects on the environment to be avoided, remedied, or mitigated.</p>
	<p><b>Reasonableness:</b></p> <p>The extent of the regulatory impact placed on individuals, businesses and the community would be very low, as no surface water activities would be managed through the District Plan. This would not be consistent with tangata whenua or community views, which sought management for some activities.</p>
	<p><b>Achievability:</b></p> <p>This approach would have a high level of achievability as it would not require any Council resources.</p>

## 7.2 Summary - Evaluation of Proposed Objectives

The proposed objective better recognises key issues related to surface water activities. It also better manages the effects from identified surface-water activities and structures on the environment. In addition, the proposed objective better achieves Part 2 of the RMA. Proposed provisions better align with contemporary planning practice applied elsewhere and the National Planning Standards.

## 8. EVALUATION OF PROPOSED POLICIES AND METHODS

Section 32 (1)(b) of the RMA requires an evaluation of whether the proposed policies and methods are the most appropriate way to achieve the proposed objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the proposed policies and methods

in achieving the objectives, and summarising the reasons for deciding on the proposed policies and methods.

**The level of detail undertaken for the evaluation of the proposed policies and methods has been determined by the preceding scale and significance assessment.**

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed policies and methods, including opportunities for economic growth and employment.

The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

**Policies and methods have been evaluated as a package, as together they address a particular issue and seek to meet a specific objective.**

An evaluation of the proposed policies and methods is summarised in the following table

## 8.1 Evaluation of Proposed Policies and Methods

### 8.1.1 Proposed Policies and Methods

Policy and method options to achieve the District Plan objectives relating to activities on the surface of water	Benefits environmental, economic, social and cultural effects anticipated,	Costs environmental, economic, social and cultural effects anticipated,	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Option A: Implement the provisions of the Proposed District Plan for activities on the surface of water.</p> <p><i>(Refer to Appendix Two for a summary of the Proposed Provisions)</i></p>	<p><b>Environmental:</b> (a) Activities that may compromise natural values, amenity or public access are managed.</p> <p><b>Economic:</b> (a) Economic activities are provided for through a resource consent pathway; and (b) Provisions for enabling houseboats may contribute to the vibrancy of the Kaiapoi Town Centre which could lead to increased economic activity.</p> <p><b>Social:</b> (a) Existing surface water activities will not be compromised by any future activities as these are managed in the Proposed Chapter; and (b) Public access to, and along, water bodies where appropriate will be maintained.</p>	<p><b>Environmental:</b> (a) No direct or indirect environment costs have been identified through this approach.</p> <p><b>Economic:</b> (a) No direct economic costs have been identified through this approach.</p> <p><b>Social:</b> (a) No direct or indirect social costs have been identified through this approach.</p>	<p>(a) Proposed provisions provide greater clarity and a better decision-making framework for plan users;</p> <p>(b) Proposed provisions are well integrated with other chapters of the Proposed District Plan;</p> <p>(c) Proposed provisions are more efficient as they only target activities that cause issues; and</p> <p>(d) Provisions are consistent with the most recent edition of the National Planning Standards.</p>	<p>(a) The Proposed provisions will respond to identified resource management issues;</p> <p>(b) The risk of not acting is that any new activities may not maintain the amenity, natural, cultural, economic or recreational, values of water bodies;</p> <p>(c) The risk of not acting is that new activities may compromise existing activities as the rule framework of the Operative Plan is unclear.</p>

	<b>Cultural:</b> (a) Provisions take into account some of the feedback from the Iwi authority where this was possible.	<b>Cultural:</b> (a) Some inanga spawning sites may be affected by the Kaiapoi Marine Prescient.		
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**Opportunities for economic growth and employment**

There is a consent pathway for commercial activities on the surface of water which may support economic growth and employment.

**Quantification**

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Suggested wording where quantification not undertaken: Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.



### 8.1.2 Operative District Plan Policies and Methods

Policy and Method options to achieve the objective relating to activities on the surface of water.	Benefits environmental, economic, social and cultural effects anticipated,	Costs environmental, economic, social and cultural effects anticipated,	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Option B: Maintain the provisions of the Operative District Plan for activities on the surface of water.</p> <p><i>(Refer to <b>Appendix One</b> for the relevant provisions of the Operative District Plan).</i></p>	<p><b>Environmental:</b> (a) Specific policies provide a level of protection for the Waimakariri Gorge and the Ashley-Rakahuri River.</p> <p><b>Economic:</b> (a) No direct or indirect economic benefits have been identified through this approach.</p> <p><b>Social:</b> (a) Maintaining the relevant provisions of the Operative District Plan would provide a level of familiarity for existing plan users; and  (b) Public access to and along water bodies is provided for through the Operative District Plan provisions.</p> <p><b>Cultural:</b> (a) No direct or indirect cultural benefits have been identified through this approach.</p>	<p><b>Environmental:</b> (a) No management of activities such as houseboats that could compromise natural and amenity values and public access.</p> <p><b>Economic:</b> (a) No direct or indirect economic costs have been identified through this approach.</p> <p><b>Social:</b> (a) No direct or indirect social costs have been identified through this approach.</p> <p><b>Cultural:</b> (a) Feedback received does not take into account advice</p>	<p>(a) A limited range of rules mean that activities that could potentially compromise the values outlined in the objective may not be achieved;</p> <p>(b) The relevant provisions in the Operative District Plan contain policies for managing noise effects from activities which is not consistent with the most recent edition of the National Planning Standards;</p>	<p>(a) The risk of this approach is that it would not manage all the resource management issues that have been identified as part of the District Plan Review;</p> <p>(b) The risk of this approach is that it is not consistent with the most recent edition of the National Planning Standards;</p>

	<p>However, the Rūnanga may have a level of familiarity with the provisions.</p>	<p>received from the Rūnanga; and</p> <p>(b) Provisions may lead to further degradation of water bodies as activities that compromise natural values are not managed, this might affect cultural values.</p>		
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**Opportunities for economic growth and employment**

Commercial activities on the surface of water are enabled through the provisions of the Operative District Plan and may support economic growth and employment.

**Quantification**

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Suggested wording where quantification not undertaken: Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

### 8.1.3 Alternative Approach

Policy and Method options to achieve the objective relating to activities on the surface of water.	Benefits environmental, economic, social and cultural effects anticipated,	Costs environmental, economic, social and cultural effects anticipated,	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
Option C: Rely on other legislation outside of the District Plan to manage surface water activities.	<b>Environmental:</b> (a) No direct or indirect environmental benefits have been identified through this approach.	<b>Environmental:</b> (a) A lack of controls for surface water activities could lead to worse environmental outcomes.	(a) Less opportunities for duplication across various methods such as navigational safety bylaws;  (b) Effectiveness of this approach would be limited by the gaps in coverage of existing methods;  (c) Does not respond to resource management issues that have been identified as part of the District Plan Review;  (d) The RMA requires the District Council to control any actual or potential effects of activities in relation to the surface of water in rivers and lakes, which means the Council would not be meeting statutory obligations under the Act; and  (e) This approach would not be consistent with the National Planning Standards.	(a) The risk of this approach is that the natural, cultural and recreational values of water bodies may be compromised by a lack of controls on activities on the surface of water;  (b) This approach would not be consistent with the National Planning Standards; and  (c) The risk of this approach is that it would not address resource management issues identified as part of the DPR, and the Council would not be meeting its statutory obligations under the RMA.
	<b>Economic:</b> (a) No Council resources required to monitor or enforce district plan provisions for surface water activities.	<b>Economic:</b> (a) No direct or indirect economic costs have been identified with this approach.		
	<b>Social:</b> (a) No direct or indirect social benefits have been identified through this approach.	<b>Social:</b> (a) No provisions for the maintenance or enhancement of public access.		
	<b>Cultural:</b> (a) No direct or indirect cultural benefits have been identified through this approach.	<b>Cultural:</b> (a) Provisions may lead to further degradation of water bodies as activities that compromise natural values are not managed, this might affect cultural values.		
<b>Opportunities for economic growth and employment</b>				
A lack of regulation on surface water activities would mean that Commercial activities on the surface of water are enabled which may support economic growth and employment.				

## 8.2 Summary - Evaluation of Proposed Policies and Methods

Three options have been proposed for giving effect to the proposed objective. Option A is to implement the provisions for the proposed Activities on the Surface of Water Chapter. This approach would see the implementation of a revised set of provisions that are activities-based and manage activities. Option A would address the resource management issues that have been identified as part of the District Plan Review and is also consistent with the National Planning Standards.

Option B would maintain the relevant provisions for managing activities on the surface of water in the Operative District Plan. However, Option B is not appropriate for achieving the objectives as there are a lack of rules, and it is not consistent with the National Planning Standards.

Option C is to rely on other controls such as navigational safety bylaws. This approach is also not appropriate for achieving the objectives, as it would not address identified resource management issues, is not consistent with the National Planning Standards, and could lead to worse environmental outcomes.

Overall, it is determined that Option A is most effective for achieving the proposed objectives.

## 9. SUMMARY

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposed approach having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA.

This evaluation has demonstrated that the proposed approach is the most appropriate option as:

- (a) It best addresses resource management issues that have been identified as part of the District Plan Review; and
- (b) It is consistent with the National Planning Standards, which require provisions for managing surface water activities to be located within a separate “Activities on the Surface of Water” chapter;

Overall, it is considered that the proposed provisions are the most appropriate for achieving the purpose of the RMA. These provisions better respond to resource management issues and give effect to the National Planning Standards. Other approaches, such as maintaining the operative provisions (status quo) and not having provisions for managing surface water activities are not considered appropriate, as the costs of both of these approaches outweigh the benefits.

## 10. Appendices

### Appendix 1 – Relevant Operative District Plan Provisions

<b>Objectives</b>
<i>Objective 3.1.1</i> <i>Preserve the natural character, and ecological values within the Waimakariri Gorge, and the Ashley River/Rakahuri</i>
<b>Policies</b>
<i>Policy 3.1.1.1</i> <i>Monitor within the Waimakariri Gorge, the effects arising from activities in relation to the surface of water.</i>
<i>Policy 3.1.1.2</i> <i>Manage the noise environment of the Waimakariri Gorge so that natural sound is the dominant characteristic.</i>
<b>Methods</b>
22.1.1 Within the Residential 6 Zone, the use of the “Lake”, as shown on District Plan Map 142, by any boat or other craft powered by an engine, other than for emergency search and rescue, public scientific research or resource management monitoring, is a non-complying activity.
22.2.1 Within, or upon the surface of the waters of the lake within the Residential 5 Zone, the operation of motorised craft (including model craft, jet skis, personal water craft, or similar devices) is a prohibited activity.

## Appendix 2 – Proposed District Plan Provisions

<b>Objectives</b>
<p><b>ASW-O1: Surface water values</b>            Activities on the surface of water are enabled for public access, and provide for the appreciation of natural, recreational and amenity values of rivers and lakes.</p>
<b>Policies</b>
<p><b>ASW-P1 Surface Water Activities</b>            Enable activities on the surface of water where they have minimal disturbance to natural, recreational and amenity values of rivers and lakes.</p>
<p><b>ASW-P2 Houseboats on the Kaiapoi River</b>            Provide for houseboat activity where:</p> <ol style="list-style-type: none"> <li>1. moored in a location that does not compromise use for other surface water activities;</li> <li>2. they are navigable vessels designed to be navigated on a water body;</li> <li>3. existing public access to, or along, the Kaiapoi River is maintained; and</li> <li>4. any adverse effects to the values associated with water bodies, including natural character values and cultural values, are protected in order to maintain those values.</li> </ol>
<b>Permitted Activities</b>
<ul style="list-style-type: none"> <li>• Use of watercraft in most zones</li> </ul>
<b>Restricted Discretionary Activities</b>
<ul style="list-style-type: none"> <li>• Any houseboat</li> </ul>
<b>Non-complying Activities</b>
<ul style="list-style-type: none"> <li>• Use of watercraft in areas of outstanding, very high and high natural character within the coastal environment overlay</li> </ul>
<b>Matters of Discretion</b>
<p>Houseboats</p> <ol style="list-style-type: none"> <li>1. The extent to which the houseboat compromises the use of the surface of water for other users;</li> <li>1. Whether the houseboat has been designed to be navigated on a water body;</li> <li>2. The extent to which the houseboat compromises existing public access to the Kaiapoi River; and</li> <li>3. The extent to which amenity values, ecological, cultural or recreational values, including any natural character values associated with the Kaiapoi River are compromised.</li> </ol>

## Appendix Three – Issues and Options Consultation Feedback

Comment	Response
<p>Support controls where activities emitting high amounts of noise threaten natural or recreational values.</p> <p>Provide for management activities by Council, ECan, Fish &amp; Game, Ngai Tahu and DOC that involve use of motorised craft.</p> <p>Retain existing controls on Upper Waimakariri and Ashley/Rakahuri Rivers as these protect wildlife habitat and recreational amenity.</p>	<p>Noise is now managed through a separate noise chapter.</p> <p>Motorised activities are permitted on most water bodies, and are permitted on Kaiapoi Lakes and Pegasus Lake if undertaken for the purpose of maintenance of water quality, maintenance of the habitat of indigenous fauna, research and monitoring and search and rescue.</p> <p>The existing controls have not been carried over. There have been no complaints recorded in relation to jet boat noise and no specific threats to wildlife habitat and recreational amenity identified.</p>
<p>Need to maintain District Plan controls on activities on the surface of water, especially on the Ashley/Rakahuri River (upstream of SH1) and on the Waimakariri River (upstream of SH1 and downstream of Bealey Bridge on SH73) as Navigation Bylaws do not control effects of activities on the surface of water on habitat.</p>	<p>The effects from activities need to be clearly outlined in order for the District Plan to control any specific effects.</p>
<p>Support controls for activities on the surface of water.</p>	<p>This is achieved as the draft chapter provides clearer provisions for controls on activities such as structures and motorised activities.</p>
<p>Support for more proactive level of management.</p>	<p>Achieved through the draft chapter provisions</p>
<p>Support greater protection of rivers and lakes.</p>	<p>Achieved through the draft chapter provisions, although this is likely covered in other chapters such as Natural Features and Landscapes and Natural Character.</p>
<p>Support for enhanced controls for activities on the surface of water.</p>	<p>Achieved through the draft chapter provisions</p>
<p>Support for more enhanced controls on activities on the surface of water.</p>	<p>Achieved through the draft chapter provisions</p>
<p>Support for more enhanced controls on activities on the surface of water.</p>	<p>Achieved through the draft chapter provisions</p>

## Appendix Four – What’s the Plan? Consultation Feedback

Stakeholder	Response
Canterbury Branch Jet Boating New Zealand	Retain current District Plan provisions for activities on the surface of water.  No adverse effects from jet boats have been reported/no complaints recorded.
Jet Boating New Zealand	Ashley Rivercare Group has indicated that boating does not provide any significant risk to birdlife.