

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 9

Hearing Stream 4

Part 2: District-wide matters – NATC – Natural Character of Freshwater Bodies

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2 and 17**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation Report 17 contains the PDP Panel's recommendations on the PDP's EI - Energy and Infrastructure Chapter.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 4** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 9 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the objective, policies and the advice note relating to the NATC – Natural Character of Freshwater Bodies Chapter and the submissions received on those provisions. The relevant provisions are:
 - Introduction
 - Objectives NATC-O1 to NATC-O3
 - Policies NATC-P1 to NATC-P6
 - Rules NATC-R1 – NATC-R10
 - Standards NATC -S1 and NATC-S2
 - Matters of Discretion NATC-MD1 – NATC-MD6.
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 - 6** contains our evaluation of key issues and recommended amendments to provisions; and
 - (c) **Section 7** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.
5. We record that all submissions on the provisions relating to the NATC – Natural Character of Freshwater Bodies chapter have been taken into account in our

deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions and written Reply Reports, which are available on the Council's website.

6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report author's recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
- (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. This chapter attracted 19 original submitters, who made a 128 submission points. Of these, 49 were in support, 54 seeking amendment, and 25 opposed. There were also eight further submitters who made 53 further submission points.

Key issues

12. The issues in contention on this chapter addressed in this report are:
- NATC-O1 and NATC-O2
 - NATC-P6
 - Integration with the EI chapter.

3. NATC-O1 and NATC-O2

Overview

13. The following is a summary of the Panel's recommended amendments to NATC-O2, beyond those recommended by the s42A report author.

Provision	Panel recommendations
NATC-O2	Amend the title of the objective to <i>"Restoration or enhancement of degraded natural character"</i> Amend the objective to read <i>"Degraded natural character of surface freshwater bodies and their margins is enhanced or restored, where this is appropriate."</i>

Reasons

14. The submissions we consider here are those seeking amendments to NATC-O1 and NATC-O2. In summary, these were:
- (a) Retain NATC-O1 as notified.¹
 - (b) Retain NATC-O2 as notified.²
 - (c) Replace 'preservation' in NATC-O1 with 'protection'.³
 - (d) Replace 'restoration' in NATC-O2 with *'Where practicable, prioritise restoration'*.⁴

¹ Mainpower [249.142], Rolleston Industrial Developments Ltd [326.281] and Federated Farmers [414.128]

² Mainpower [249.143], Rolleston Industrial Developments Ltd [326.282]

³ Waimakariri Irrigation Ltd [210.25 and 26], Dairy Holdings [420.13 and 14]

⁴ Waimakariri Irrigation Ltd [210.25 and 26], Dairy Holdings [420.13 and 14]

- (e) Align the reference to freshwater in the two objectives, (NATC-O1 refers to the ‘freshwater environment’ whereas NATC-O2 refers to ‘freshwater bodies’).⁵
 - (f) Delete NATC-O2 in its entirety.⁶
15. In relation to NATC-O1, the s42A report author recommended that the submission of Forest and Bird be accepted by replacing ‘freshwater environment’ with ‘freshwater bodies’, which is the phrase used consistently throughout the PDP. However, the s42A report author did not recommend any further change. In relation to the use of ‘protection’ instead of ‘preservation’ in NATC-O1, the report author considered that this objective implements Objective 7.2.1(2) of the RPS but stated that ‘protection’ is not used within that objective *“and to include one would be to be inconsistent with the CRPS.”*
 16. In our preliminary questions to the report author, the Panel sought clarification on this comment given Objective 7.2.1(2) of the RPS uses the phrase *“protected from inappropriate subdivision, use and development”*, which reflects the wording of s6(a) of the RMA. In response to this question, the report author considered this phrase to be *“a specific example of how the overall preservation directive is to be given effect to, and is a rephrasing of s6(a) RMA”* and went on to say *“that preservation is a stronger directive than protect”* and that *“to introduce a directive term other than “preserve” would be inconsistent with the CRPS.”* At the hearing, the report author acknowledged the issue raised with ‘preserve’ being a more stringent test but was not in favour of including ‘protection’ in the objective also because this would just ‘parrot the RPS’. The officer was of the opinion that the policies set out what activities are considered appropriate (or not) in these environments and that the rule framework, which provides for permitted, restricted discretionary and discretionary activities, addresses the submitters’ primary concern.
 17. The Panel essentially agrees with the sentiment expressed by the submitters on this point, noting that the objective does not address the second part of s6(a) RMA which is reflected in Objective 7.2.1(2) of the RPS. However, merely substituting ‘preserve’ with ‘protect’ does not assist with overcoming what could be seen as a shortcoming in the objective, as the submissions do not request that the introduction set out or state what these resources are to be protected from, which is inappropriate subdivision, use, and development. That led the Panel to review the structure of the policy suite to determine if the report author is correct that *“the policies set out what is inappropriate”*.
 18. On balance, we accept the s42A report author’s position on this. NATC-P4 is to “preserve natural character values” and requires certain things to be done to protect those values. Both NATC-P5 and P6 enable activities and structures that have a functional or operational need to be located in these areas. Hence, the specific concern of the submitters, and the wider concern of the Panel, in relation to the directiveness of the objective is overcome by the policies outlining what will not conflict with the preservation of these values. On that basis, we are comfortable with the final position reached by the report author on NATC -O1.

⁵ Forest and Bird [192.64, 192.65]

⁶ Federated Farmers [414.129]

19. Having said that we would recommend that Council, in any future plan change or variation process, reconsider the approach taken to a number of the objectives in the PDP that address the s6 'matters of national importance' in the Act. The protection afforded by this section of the Act is, in several instances, qualified by that protection being from 'inappropriate subdivision, use and development'. Plans must ensure that this is appropriately recognised and provided for.
20. Turning to NATC-O2, the concern of the submitters is that there is no requirement in either the Act or higher order documents to require 'restoration' of natural character where it is degraded. Federated Farmers sought that the objective be deleted while WIL and Dairy Holdings requested it be amended to read "*where practicable, prioritise restoration...*". The s42A report author did not support any change to the objective, stating in reference to the 'where practicable' phrase that "*an objective should not be subjective in the sense that it applies in some situations and not others*" but noted that an assessment against the policies would largely achieve a similar result. In terms of the higher order direction, the report author advised that this was provided by the RPS.
21. The Panel notes that Objective 7.2.1(2) of the RPS uses the phrase 'where appropriate' in respect to restoring or enhancing natural character values, while Policy 7.3.2 is to "*improve natural character values where they have been degraded to unacceptable levels.*" Our understanding is that 'improving' something is not the same as 'restoring' which is something that generally focuses on preserving and returning it to its original state. The RPS does not, therefore, appear to contain any policies that speak directly to restoring natural character values.
22. Based on the evidence we heard at the hearing, our opinion is that NATC-O2 is more directive than required by the CRPS. Furthermore, the policy that is to achieve the objective only requires the 'promotion of opportunities' to restore and rehabilitate. We are not particularly clear on how that policy will be given effect to and by whom. As a consequence, the Panel accepts the submissions of Waimakariri Irrigation Ltd and Dairy Holdings Ltd.
23. However, we consider that NATC-O2 should be more accurately aligned with Objective 7.2.1(2) of the RPS, so our recommendation does not adopt the wording proposed by the submitters. We have therefore recommended the adoption of the phrasing from the RPS, and a slight structural change, so that the objective reads "*Degraded natural character of surface freshwater bodies and their margins is enhanced or restored, where this is appropriate.*" As a consequence of this amendment, we also recommend that the title of the objective be renamed as "Restoration or enhancement of degraded natural character".

4. NATC-P6 New and existing structures within and over freshwater bodies

Overview

24. The following is a summary of the Panel's recommended amendments to NATC-P6, beyond those recommended by the s42A report author:

Provision	Panel recommendations
NATC-P6	Retain 'Provide for' in the chapeau of the policy and replace the recommended reference to 'does not disturb' with 'minimises adverse effects on' in sub-section 4.

Reasons

25. The submissions we consider here are those seeking a range of minor amendments to NATC-P6. The s42A report author recommended accepting a number of these changes including the following:
- (a) replacing "provide for" with "consider" at the beginning of the chapeau.⁷
 - (b) replacing 'disturb' with "have a significant adverse effect on".⁸
26. The s42A report author supported the Forest and Bird submission on the basis that *"NATC-P6 does not provide for structures, it should be considering the suitability of structures subject to the six criteria within the policy"*. The report author considered 'provide for' enabling and a *"stronger direction than 'consider', which is similar to 'have regard to' and 'take into account', subject to criteria."* In response to a question from the Panel on this matter, the report author supported and recommended the wording to be changed to *"Consider the provision of..."*.
27. Forest and Bird did not attend the hearing or table any evidence on this issue. However, both Federated Farmers (who opposed the Forest and Bird submission) and Transpower attended the hearing and addressed this matter. Dr Hume, for Federated Farmers, questioned the point of the amendment if it did not alter the application of the policy as suggested by the s42A report author. He believed the policy should provide for structures subject to appropriate conditions based on consideration of the policy.
28. Ms McLeod, the planner for Transpower, was of the opinion that *"the use of 'consider' in the manner proposed is unusual, uncertain and inconsistent with the expression used in policies throughout the Proposed District Plan"*. She did not agree that to 'provide for' necessarily permits activities and noted that *"the extent to which new and upgraded structures are 'provided for' is appropriately qualified by clauses (1) to (5) of Policy NATC-P6"*.

⁷ Forest and Bird [192.70]

⁸ Transpower [195.78]

29. The Panel agrees with both Dr Hume and Ms McLeod on this matter. In the Panel's view, 'provide for' is a well understood phrase that is commonly used in planning provisions, as well as in s6 of the RMA itself. We agree with Ms McLeod that in the context this plan, 'provide for' is the most appropriate policy direction given the policy is supported by a permitted and restricted discretionary rule framework. As a consequence, we have retained the original phrase.
30. Ms McLeod also gave evidence on Transpower's submission to replace 'disturb' with 'have a significant adverse effect on'. Her support for this was on the basis *"that disturbance of the habitat of indigenous species generally does not necessary equate to an adverse effect or an outcome"* and as a consequence, she considered *"disturb' to be 'overly stringent and inconsistent with Objective ECO-O1 (Ecosystems and indigenous biodiversity) and Policy ECO-P4(Maintenance and enhancement of other indigenous vegetation and habitats)."* The report author did not originally recommend this change but, upon reflection in the reply report, accepted that the subject clause was too stringent.
31. While the Panel agrees with both Ms McLeod and the report author that the threshold of merely disturbing indigenous biodiversity is too stringent, we are not entirely comfortable with the threshold for a s6 resource of national importance to be pitched at a 'significant adverse effect level'. In our view, all efforts should be made to 'minimise' such effects, bearing in mind that the relevant matter of discretion (NATC-M5(2)) refers to the extent to which a structure compromises ecological values, and specifically identifies the minimisation of the building's footprint in this context. Hence, we have recommended the use of this phrase in NATC-P6(4).

5. Integration with the E&I Chapter

Overview

32. The following is a summary of the Panel's recommended amendments to the NATC chapter to address integration with the EI chapter, beyond those recommended by the s42A report authors.

Provision	Panel recommendations
Introduction section	Amend to note that the EI chapter includes provisions to manage energy and infrastructure activities within the natural character of scheduled freshwater bodies setbacks
Rules section	Amend to note that the rules do not apply to EI activities

Reasons

33. The submission points we consider here are those that relate to the provision for infrastructure within the NATC chapter and how this is integrated with the EI chapter. A

number of submitters made general submissions on the PDP as a whole, along with the specific chapters, that raised concern with the relationship between the EI Chapter and other District wide chapters, including the NATC chapter.

34. Transpower⁹ stated in their submission that *“the key elements of Transpower’s relief seeks provisions that:*

“...clarify and provide more specific direction in respect of where the Energy and Infrastructure provisions prevail and where other chapters are relevant so that the Proposed District Plan does not, inadvertently or otherwise, result in a more stringent, confusing and/or cumbersome regulatory regime for the National Grid by virtue of rule overlaps and duplication.”

35. Transpower¹⁰ also made a general submission of similar effect on the EI chapter stating that it is *“vital that the Proposed District Plan is amended to clarify where the Energy and Infrastructure provisions prevail and where other chapters are relevant.”* The relief sought was to:

“Amend other potentially relevant District Plan provisions to explicitly set out where the Energy and Infrastructure provisions prevail and where (through direct cross-reference) other chapters include relevant rules.”

36. Chorus, Spark and Vodafone¹¹ made a similar general submission while MainPower¹² requested that all relevant provisions applicable to energy and infrastructure be consolidated and located as far as possible in a single part of the plan. Mainpower NZ¹³ also requested hyperlinks from the Energy and Infrastructure Chapter to the relevant natural character of freshwater bodies rules.

37. There are also a number of submissions that addressed infrastructure in the NATC chapter which are relevant to this matter. They are as follows:

- In relation to NATC-O3, Waimakariri Irrigation Ltd¹⁴ submitted that it may not always be possible to preserve natural character, particularly with respect to regionally significant infrastructure.
- In relation to NATC-P2, Waimakariri Irrigation Ltd¹⁵ (supported by Transpower¹⁶) submitted that irrigation and stockwater networks are critical for social and economic wellbeing, and that when identifying significant freshwater bodies, it is important to consider the presence of infrastructure and the potential impact of this on the safe and efficient functioning of that infrastructure.

⁹ 195.102

¹⁰ 195.23

¹¹ 62.6

¹² 249.1, 249.47, 249.48

¹³ 249.141

¹⁴ 210.27

¹⁵ 210.28

¹⁶ FS92

- In relation to NATC-P4, Waimakariri Irrigation Ltd¹⁷ submitted that the Policy *“must recognise and provide for regionally significant infrastructure, including irrigation infrastructure that has a functional and operational need to locate near freshwater bodies.”*
 - In relation to NATC-P5, Waimakariri Irrigation Ltd¹⁸ sought amendments to recognise that in some circumstances offsetting may be a more suitable option than avoiding, remedying, or mitigating adverse effects. They consider greater flexibility is required to allow off-setting as an alternative.
 - In relation to NATC-P5, MainPower¹⁹ support the policy but seek further clarity by including reference to enabling *“the maintenance, repair, upgrade, development and operation of critical infrastructure”*.
 - Transpower²⁰ supports NATC-P6 in part but seeks minor amendments to confirm the Policy also applies to structure ‘over’ waterbodies. MainPower²¹ seeks the addition of *“or any critical infrastructure”* to the policy.
 - Transpower²² oppose NATC-R7, requesting *“a clear permitted activity pathway for the maintenance, repair and upgrade of the National Grid...”*
38. Expert planner witness conferencing took place on the integration of the Energy and Infrastructure chapter with the other chapters of the PDP. The s42A report author for the NATC chapter was involved in that process as were the planning experts of Transpower and MainPower. However, we note that WIL were not involved in that process. Many of the integration matters, along with the issue of infrastructure consenting pathways in sensitive environments, were resolved through the expert witness conferencing process. However, the NATC chapter did not seem to feature significantly in the consideration of the experts who were part of that conferencing.
39. The experts at the witness conferencing did agree that as many of the provisions that are relevant to EI should be incorporated into the EI chapter. They also agreed that “all of the relevant objectives and policies of the PDP will apply to EI activities”. This would obviously include the relevant objectives and policies of the NATC chapter.
40. The provisions of this chapter address a sensitive environment, being ‘the natural character of scheduled freshwater bodies’. Many infrastructure activities provided for in the EI chapter require consent to locate within these areas. As a consequence, the objectives and policies of this chapter become relevant to EI activities. The concern of the submitters is that the more protective policies of the chapter may potentially make it difficult to gain consent for infrastructure in such areas, as was the case for the NFL chapter. The protective policies of this chapter include:
- NATC-O1 Preservation of natural character
 - NATC-O3 Use of freshwater bodies and their margins
 - NATC-P4 Preservation of natural character values

¹⁷ 210.30

¹⁸ 210.31

¹⁹ 249.165

²⁰ 195.78

²¹ 249.146

²² 195.79

41. The submissions also highlighted a number of rules that could apply to infrastructure such as:
- NATC-R4 Culverts, weirs, Water intake structures, siphons and ancillary equipment
 - NATC-R7 Addition to an existing building or structure
 - NATC-R8 New structures within and over freshwater overlays and setbacks
 - NATC-R9 New building or structure
42. The Panel's understanding is that EI-P5 of the EI chapter manages the effects of energy and infrastructure and provides a consent pathway for EI activities in sensitive environments, which includes the activities managed under the NATC chapter, under clauses EI-P5(3) and (4). The experts at the witness conferencing agreed that these policy provisions must be read together with the protective policies within the 'sensitive environment' chapters. While it was agreed that a 'carve out' for Regionally Significant Infrastructure activities should apply to NFL-P1, NFL-P3 and NFL-P4, no other 'carve outs' were recommended for the policies in the other 'sensitive environment' chapters of the PDP. No discussion was provided on why they were not necessary in the other chapters, but the Panel assumes that the relevant policies in these other chapters do not present a bar to consent for EI activities.
43. Having reviewed the NATC policy suite in this context, we are of the view that a consent pathway is available for EI activities in NATC-P4, NATC-P5 and NATC-P6, particularly given the changes made as the result of submissions. The policies recognise 'functional need' and 'operational need', and do not contain any 'avoid' directives.²³
44. However, to clarify this we have recommended inclusion of a statement in the Introduction section of the NATC chapter, similar to that included in the NFL chapter, to highlight that the EI chapter includes provisions to manage energy and infrastructure activities within the natural character of scheduled freshwater bodies setbacks.
45. With respect to the rules of the NATC chapter, the Panel is concerned that the integration between the two chapters is incomplete. As we highlighted above, there are a number of rules within this chapter that could apply to infrastructure, and which have drawn submissions from infrastructure providers. The proposed amendments at the beginning of the EI rules section set out how to interpret and apply the rules. This section makes it clear that the rules of the NATC chapter do not apply to infrastructure. However, no amendment has been proposed to the rules section of the NATC chapter to make that clear, as has been recommended by the JWS for the NFL chapter. We therefore recommend that a similar statement be included in the NATC rules section for consistency.
46. As a part of reviewing the integration of the two chapters, consideration was also given to moving 'NATC-R4 Culverts, weirs, water intake structures, siphons and ancillary equipment' to the EI chapter. However, we understand that this rule applies to on-farm

²³ While we are taking an 'exceptions approach, we have commented on this matter because Waimakariri Irrigation Ltd were not party to the expert witness conferencing.

infrastructure as opposed to the type of infrastructure provided for in the EI chapter. Accordingly, we do not recommend any amendments to this rule.

47. The changes we have recommended here are consistent with the recommendations we have made on other chapters, such as the NFL chapter, and will ensure that all rules relevant to infrastructure are contained within the EI chapter alone.

6. Other matters and consequential changes

48. There are no consequential changes that we have identified as being necessary.

7. Conclusion

49. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Part 2: District-Wide Matters – NATC – Natural Character of Freshwater Bodies. Our recommended amendments are shown in Appendix 2.
50. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

Appendix 1: submitter attendance and tabled evidence for Natural Character - Hearing Stream 4

Attendee	Speaker	Submitter No.
Council Reporting Officer	<ul style="list-style-type: none"> Peter Wilson 	
Federated Farmers of New Zealand Ltd	<ul style="list-style-type: none"> Lionel Hume Karl Dean 	414 FS 83
Royal Forest and Bird Protection Society Inc.	<ul style="list-style-type: none"> Nicky Snoyink 	192 FS 78
Director General of Conservation	<ul style="list-style-type: none"> Pene Williams Amy Young 	419 FS 77
Transpower New Zealand Ltd	<ul style="list-style-type: none"> Ainsley McLeod 	195 FS 92
MainPower New Zealand Ltd	<ul style="list-style-type: none"> Melanie Foote Mark Appleman 	249
Fulton Hogan Ltd	<ul style="list-style-type: none"> Timothy Ensor 	41
Canterbury Regional Council	<ul style="list-style-type: none"> Joanne Mitten 	316
Tabled Evidence		
Waimakariri Irrigation Limited	<ul style="list-style-type: none"> Ben Williams Kirsty Jacomb 	210
MainPower New Zealand Ltd	<ul style="list-style-type: none"> Jo Appleyard Annabelle Lee 	249

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

*THIS SECTION HAS RULES THAT HAVE LEGAL EFFECT. PLEASE CHECK THE EPLAN TO
SEE WHAT THE LEGAL EFFECT IS OR SUBJECT TO APPEAL.*

NATC - Āhuetanga o te awa - Natural Character of Freshwater Bodies

Introduction

The RMA requires the District Plan to provide for the preservation of the natural character of freshwater bodies and their margins, and protection from inappropriate subdivision, use, and development. In order to preserve and restore natural character, freshwater body setbacks are imposed for buildings, structures, impervious surfaces, and non-indigenous vegetation. The planting of freshwater body setbacks with indigenous vegetation is encouraged.

The NPSFM uses the concept of Te Mana o te Wai, that recognises that protecting the health of freshwater protects the health and well-being of the wider environment. As part of Te Mana o te Wai, the NPSFM objectives prioritises the health and well-being of water bodies and freshwater ecosystems, over the health needs of people (such as drinking water), which is over the ability of people and communities to provide for their social, economic, and cultural well-being, for now and in the future.

Most natural freshwater bodies are mapped and those with attributes that form part of the natural character are scheduled. Not all freshwater bodies have been investigated. Those investigated have only been for a limited number of attributes, such as high ecological values, cultural or spiritual values, or are close to their natural state, and only for a limited area. All natural freshwater bodies are important and even if they are not presently scheduled, it does not mean that they do not have natural character values. These will be investigated during the life of the District Plan.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter and zone chapters, other District Plan chapters that contain provisions that may also be relevant to natural character of freshwater bodies include:

- Coastal Environment: this chapter contains provisions relating to natural character features identified in the coastal environment in accordance with the NZCPS.
- Earthworks: this chapter contains provisions relating to any earthworks situated within the natural character of scheduled freshwater bodies setbacks.
- Energy and Infrastructure: this chapter includes provisions to manage energy and infrastructure activities within natural character of scheduled freshwater bodies setbacks; as such the rules and standards¹ within the NATC Chapter do not apply to energy and infrastructure. The objectives, policies, matters of discretion, schedule, and planning map

¹ Transpower New Zealand Ltd [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

overlay relating to the NATC chapter do apply to energy and infrastructure activities within natural character of scheduled freshwater bodies setbacks.²

- Sites and Areas of Significance to Māori: this chapter identifies the cultural values for a number of freshwater bodies that are scheduled in this chapter.
- Natural Hazards: this chapter has provisions that relate to the construction of stopbanks and other hazard mitigation infrastructure within the natural character of scheduled freshwater bodies setbacks.
- Natural Features and Landscapes: this chapter has policy and rules relating to a range of activities along the Waimakariri River and Ashley River/Rakahuri.
- Ecosystems and Indigenous Biodiversity: this chapter contains provisions that control the clearance of indigenous vegetation across the District.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives

NATC-O1	Preservation of natural character The preservation of the natural character of the surface freshwater <u>bodies environment</u> , <u>its including</u> wetlands, and lakes and rivers and their margins. ³
NATC-O2	Restoration <u>or enhancement</u> of <u>degraded</u>⁴ natural character Restoration of the natural character of surface freshwater bodies and their margins where degradation has occurred. <u>Degraded natural character of surface freshwater bodies and their margins is enhanced or restored, where this is appropriate.</u> ⁵
NATC-O3	Use of freshwater <u>bodies and their</u> margins ⁶ The use of wetlands, and lakes and rivers and their margins are managed to preserve their natural character.

Policies

NATC-P1	Recognising natural character ⁷ Recognise the following natural elements, patterns, processes and experiential qualities which contribute to the natural character values of <u>surface</u> freshwater bodies <u>and their margins</u> : <ol style="list-style-type: none"> 1. freshwater bodies and their margins in their natural state or close to their natural state; 2. freshwater landforms and landscapes, biophysical, geologic and morphological aspects; 3. hydrological and fluvial processes, including erosion and sedimentation; 4. indigenous biodiversity, habitats and ecosystems; 5. water flow and levels, colour and clarity, and water quality; 6. the cultural values of the water body to Ngāi Tūāhuriri, including values associated with traditional and contemporary uses and continuing ability of the freshwater body to support taonga species and mahinga kai activities; and
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² Transpower New Zealand Ltd [195.23, 195.79, 195.80, 195.81, 195.84], Chorus, Spark and Vodafone [62.6], Mainpower [249.1, 249.47, 249.48], WIL [210.27, 210.28, 210.30, 210.31]

³ Forest and Bird [192.64, 192.65].

⁴ Waimakariri Irrigation Limited [210.25 and 26], Dairy Holdings [420.13 and 14]

⁵ Waimakariri Irrigation Limited [210.25 and 26], Dairy Holdings [420.13 and 14]

⁶ Forest and Bird [192.66].

⁷ Forest and Bird [192.67, 414.134].

	7. the experience of the above elements, patterns and processes.
NATC-P2	<p>Identify, map and schedule significant freshwater bodies</p> <p>Continue the identification, mapping, and scheduling of freshwater bodies with one or more recognised natural character attributes, where the following apply:</p> <ol style="list-style-type: none"> 1. the y freshwater bodies and their margins have high indigenous species and habitat values, where they support threatened, at risk, or regionally distinct indigenous species; 2. the presence of distinctive geological features, such as fault traces, fossil localities, geoscience and geohistoric values, or represents a unique geomorphic process; 3. cultural, spiritual or heritage associations of Ngāi Tūāhuriri to the freshwater body, including the ability to undertake customary practices; and 4. importance of the freshwater body to provide access and connections to areas of recreational use. 5. <u>recreational use associated with the experience of natural character elements, patterns and processes.</u>⁸
NATC-P3	<p>Customary harvesting and Ngāi Tūāhuriri values within the freshwater body and their margins</p> <p>Recognise the cultural significance of wetlands, lakes and rivers and their margins, to mana whenua, and manage the effects of land use activities through limiting the size, visual appearance, and location,⁹ to ensure they do not adversely affect taonga species, mahinga kai or customary harvesting, access, and other cultural values.</p>
NATC-P4	<p>Preservation of natural character values</p> <p>Preserve the natural character values of wetlands, and lakes and rivers and their margins, and protect those values, by:</p> <ol style="list-style-type: none"> 1. ensuring that the location, intensity, scale and form of subdivision, use and development of land takes into account the natural character values of the surface freshwater bodies; 2. <u>avoiding, minimizing remedying or mitigating, in that order,</u>¹⁰ indigenous vegetation clearance and modification <u>which affects natural character</u>¹¹, including where associated with ground disturbance and the location of structures, near wetlands, and lakes and rivers and their margins; 3. requiring setbacks of activities from wetlands, and lakes and rivers and their margins, including buildings, structures, impervious surfaces, plantation <u>commercial</u>¹² forestry, woodlots and shelterbelts; and 4. promoting opportunities to restore and rehabilitate the natural character of surface freshwater bodies and their margins, such as the removal of plant and animal pests, and supporting initiatives for the regeneration of indigenous biodiversity values, and spiritual, cultural and heritage values.
NATC-P5	<p><u>Structures Activities</u>¹³ within surface freshwater body setbacks</p> <p>Enable activities that have a functional need or operational need to be located within the freshwater body setbacks, provided that adverse effects on natural character values are avoided, remedied or mitigated.</p>

⁸ Forest and Bird [192.68].

⁹ Dairy Holdings Limited [420.18]

¹⁰ Forest and Bird [192.69]

¹¹ Consequential to Forest and Bird [192.69]

¹² s44A(4) of RMA.

¹³ Fulton Hogan [41.53]

NATC-P6	<p>New and existing structures within and over freshwater bodies</p> <p>Provide for new structures, and upgrades to existing structures, on <u>or over</u>¹⁴ the surface of freshwater where:</p> <ol style="list-style-type: none"> 1. public access to, and along, the freshwater body is maintained; 2. the structure has a functional need or operational need to be located on <u>or over</u>¹⁵ the surface of freshwater; 3. the structure does not <u>significantly</u>¹⁶ compromise the use of the surface of freshwater for existing users; 4. the structure does not disturb <u>minimises adverse effects on</u>¹⁷ the habitat of indigenous species or hinder passage of migratory fish species; 5. the structure avoids <u>to the extent possible</u>¹⁸ creating new, or exacerbating existing natural hazards, or river or stream bank erosion; and 6. any adverse effects to the natural character and cultural values, associated with freshwater bodies are avoided, remedied or mitigated in order to preserve those values.
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Activity Rules

How to interpret and apply the rules

The rules within the NATC Chapter do not apply to energy and infrastructure activities¹⁹

NATC-R1	Planting of indigenous vegetation	
Scheduled Natural Character Freshwater Bodies Overlay	<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
NATC-R2	Planting of non-indigenous vegetation	
Scheduled Natural Character Freshwater Bodies Overlay	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. planting is for one of the following purposes: <ul style="list-style-type: none"> a. erosion or flood control purposes where undertaken by or on behalf of the Regional Council or the District Council or their nominated contractor or agent; or²⁰ <u>ab.</u> planting is an agricultural crop or grass within improved pasture; or 	<p>Activity status when compliance with NATC-R2 (1)(a) to (1)(c) not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> NATC-MD1 - Planting vegetation within freshwater body setbacks NATC-MD2 - Maintaining and enhancing public access <p>Activity status when compliance with NATC-R2 (2) not achieved: NC</p> <p>Activity status when compliance with NATC-R2 (3) not achieved: as set out in the relevant natural character standard</p>

¹⁴ Transpower [195.78].

¹⁵ Transpower [195.78].

¹⁶ Transpower [195.78].

¹⁷ Transpower [195.78].

¹⁸ Transpower [195.78].

¹⁹ Transpower New Zealand Ltd [195.23, 195.79, 195.80, 195.81,195.84], Chorus, Spark and Vodafone [62.6], Mainpower [249.1, 249.47, 249.48], Waimakariri Irrigation Limited [210.27,210.28, 210.30, 210,31]

²⁰ Environment Canterbury [316.81].

	<p>be. planting is being undertaken as part of a domestic garden;</p> <p>2. planting excludes all plants listed in the National Pest Plant Accord (reprinted with minor amendments February 2020), the DOC Consolidated List of Environmental Weeds in NZ (May 2008), and all organisms classified as pests and all Organisms of Interest listed in the Canterbury Regional Pest Management Plan 2018-2038; and</p> <p>3. the activity complies with NATC-S1.²¹</p>	<p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
NATC-R3	Customary harvesting	
Scheduled Natural Character Freshwater Bodies Overlay	Activity status: PER	Activity status when compliance not achieved: N/A
NATC-R4	<u>Culverts, weirs, Water intake structures, siphons and ancillary equipment</u>²²	
Scheduled Natural Character Freshwater Bodies Overlay	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> any new <u>culverts, weirs</u>, water intake structures, siphons or ancillary equipment such as pump sheds, electricity supply and pipework, are authorised or permitted by the Regional Council. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NATC-MD3 - Specified structures within water body setbacks</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
NATC-R5	Public amenities	
Scheduled Natural Character Freshwater Bodies Overlay	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> any individual building shall have a maximum building footprint of 75m²; the maximum height of any building shall be 5m; the maximum area of any impermeable surface is 10m²; there shall be only one public amenities building per site; and 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NATC-MD2 - Maintaining and enhancing public access</p> <p>NATC-MD4 - Buildings, structures and impervious surfaces within freshwater body setbacks</p>

²¹ Environment Canterbury [316.111]

²² Consequential amendment from Dean and Victoria Caseley [159.2, 159.3]

	5. the activity complies with NATC-S1.	
NATC-R6	New or replacement fences and water troughs <i><u>This does not apply to stock exclusion fences²³</u></i>	
Scheduled Natural Character Freshwater Bodies Overlay	Activity status: PER Where: 1. the activity does not involve any indigenous vegetation clearance; 2. the activity is more than 5m from the bank of any river or stream, or the edge of a wetland or lake; and 3. the fence is a standard post and rail or wire fence, and is no less than 75% visually transparent.	Activity status when compliance not achieved NATC-R6(1): RDIS Matters of discretion are restricted to: ECO-MD2 - Species selected for planting Activity status when compliance not achieved NATC-R6 (2) and (3): RDIS Matters of discretion are restricted to: NATC-MD3 - Specified structures within freshwater body setbacks Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.
NATC-R7	Addition to an existing building or structure	
Scheduled Natural Character Freshwater Bodies Overlay	Activity status: PER Where: 1. any building or structure addition has a maximum GFA addition of 10m ² in any continuous five year period.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NATC-MD2 - Maintaining and enhancing public access NATC-MD4 - Buildings, structures and impervious surfaces within freshwater body setbacks
NATC-R8	New structures within and over freshwater <u>bodies-overlays and setbacks²⁴</u>	
Scheduled Natural Character Freshwater Bodies Overlay	Activity status: RDIS Matters of discretion are restricted to: NATC-MD2 - Maintaining and enhancing public access NATC-MD5 - Structures within and over freshwater bodies	Activity status when compliance not achieved: N/A
	Advisory Note <ul style="list-style-type: none"> The provision of flood mitigation works is managed through the Natural Hazards Chapter where located within the freshwater body setback area. 	
NATC-R9	New building or structure	
	<i>This rule applies to this activity not provided for in rules NATC-R4 to NATC-R8.</i>	

²³ Dean and Victoria Caseley [159.1].

²⁴ Environment Canterbury [316.112,316.113], Bellgrove [408.20].

Scheduled Natural Character Freshwater Bodies Overlay	Activity status: RDIS Where: <ol style="list-style-type: none"> 1. any individual building shall have a maximum building GFA of 75m²; 2. the maximum height of any building or structure shall be 5m; 3. any new impermeable surface is a maximum of 10m²; and 4. the activity complies with NATC-S1 and NATC-S2. Matters of discretion are restricted to: NATC-MD2 - Maintaining and enhancing public access NATC-MD4 - Buildings, structures and impervious surfaces within freshwater body setbacks	Activity status when compliance not achieved: DIS
	Advisory Note <ul style="list-style-type: none"> • The provision of flood mitigation works is managed through the Natural Hazards Chapter where located within the freshwater body setback area. 	
NATC-R10	Plantation Commercial²⁵ forestry, woodlot or shelterbelts	
Scheduled Natural Character Freshwater Bodies Overlay	Activity status: NC	Activity status when compliance not achieved: N/A

Activity Standards

NATC-S1 Setback standards for the natural character of freshwater bodies²⁶

²⁵ s44A(4) of RMA.

²⁶ Dean and Victoria Caseley [159.4].

<p>1. Activities shall be outside of the setback distance specified in Table NATC-1.</p> <p><u>1. Activities in SCHED1 freshwater bodies shall meet all relevant rule criteria within the overlay.²¹</u></p> <p><u>2. Activities in SCHED2, SCHED3, SCHED4 freshwater bodies shall meet all relevant rule criteria within the overlay and additional setback.</u></p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NATC-MD6 - Freshwater body setback assessment</p>
<p>Advisory Notes</p> <ul style="list-style-type: none"> • Schedule freshwater bodies are listed in NATC-SCHED; • Measured from the bank of rivers and streams or edge of wetlands and lakes of the freshwater bodies as identified in the relevant schedule and shown on the planning map (for measurement interpretation see Figure NATC-1); and • Where a site has more than one zoning the applicable zone setback will apply. is divided by a zone boundary, each part of the site shall be treated as a separate site. 	

Table NATC-1: Freshwater body setbacks ²⁷

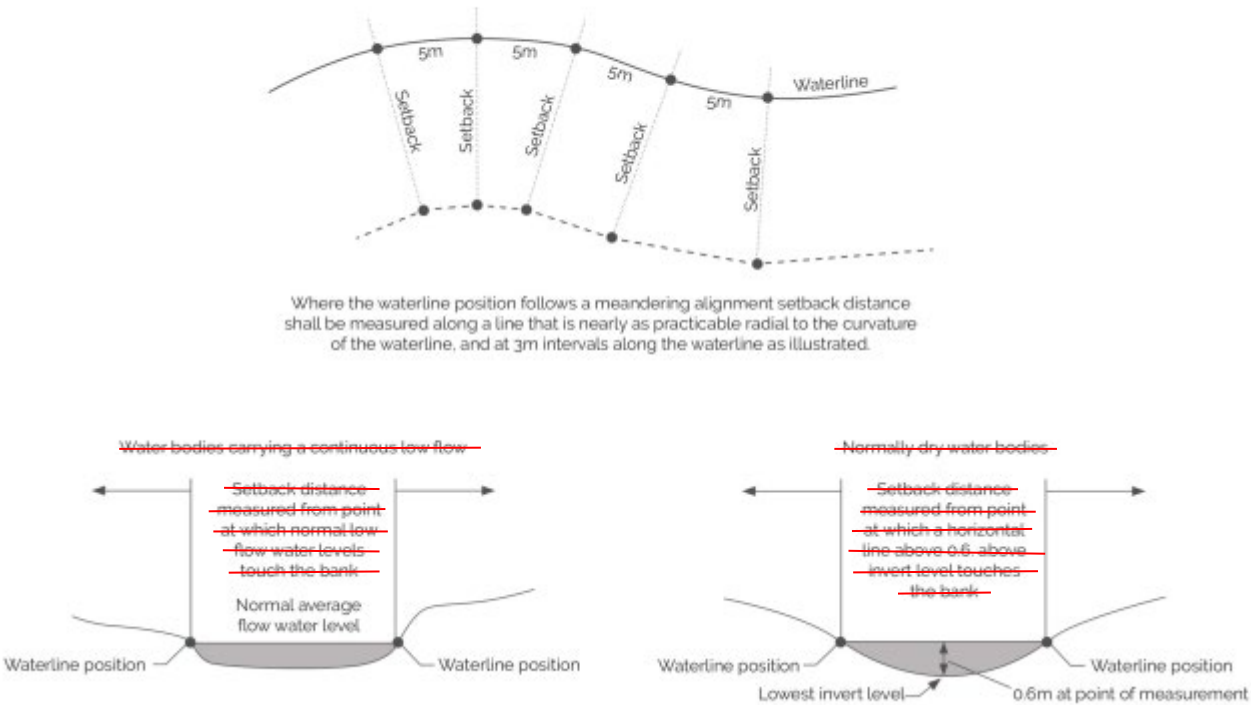
Freshwater body classification	Freshwater body setback widths Rural Zones, Open Space and Recreation Zones	Freshwater body setback widths Residential Zones, Industrial Zones, Commercial and Mixed Use Zones, and Special Purpose Zones
NATC-SCHED1	<u>No additional setback applies within the freshwater overlay in addition to the freshwater overlay 50m</u>	<u>No additional setback applies within the freshwater overlay in addition to the freshwater overlay 20m</u>
NATC-SCHED2	20m <u>measured from the edge of the overlay</u>	10m <u>measured from the edge of the overlay</u>
NATC-SCHED3	10m <u>measured from the edge of the overlay</u>	5m <u>measured from the edge of the overlay</u>
<u>UNSCHEDULED NATC-SCHED4²⁸</u>	5m	5m

Figure-1: Interpretation of banks of water bodies²⁹

²⁷ Dean and Victoria Caseley [159.4]

²⁸ Waimakariri District Council [367.44]

²⁹ Dean and Victoria Caseley [159.4]



NATC-S2 Building and structure reflectivity	
<div><div>1. Exterior building materials which, when graded using the British Standard</div><div>BS5252:1976 Framework for Colour Co-ordination for Building Purposes, meet the following standards:</div><div><div>a. where the materials are not used for a roof cladding, they are of a colour which has a reflectivity value of a maximum of:</div><div><div>i. 60% for greyness groups A or B;</div><div>ii. 40% for greyness group C;</div></div><div>b. where the materials are used for a roof</div><div>cladding, they are of a colour which has a reflectivity value of a maximum of 40% for greyness groups A, B or C;</div></div></div>	<div>Activity status when compliance not achieved: DIS</div>
<div>Exemptions</div> <div><div>• NATC-S2 (1) does not apply to:</div><div><div>○ natural timber as exterior building materials; or</div><div>○ windows, window frames, bargeboards, stormwater guttering, downpipes or doors which may be of any colour.</div></div></div>	

Advice Notes

NATC-AN1	It is advised that applicants consult with Te Ngāi Tūāhuriri Runanga and consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities on sites adjoining water bodies which have cultural, spiritual and/or historic values and interests or associations of importance to Ngāi Tūāhuriri, providing opportunities for Ngāi Tūāhuriri to exercise their customary responsibilities as mana whenua and kaitiaki in respect of riparian margins.
NATC-AN2	The rules do not apply to any artificial water courses, including but not limited to water races or drains, under the control of the District Council, Regional Council or the Crown, ponds and artificial lakes, or within any ephemeral flow path where there is no defined channel.

Matters of Discretion

NATC-MD1	Planting vegetation within freshwater body setbacks <ol style="list-style-type: none"> How the planting of vegetation will affect <u>restore</u> the natural state of the freshwater body and it's <u>its</u> amenity values.³⁰ Changes to biophysical processes such as: <ol style="list-style-type: none"> loss of shading of the freshwater bodies; loss of detritus inputs into freshwater bodies; increasing risk of erosion and sedimentation; loss of ecological corridor; and fragmentation of indigenous habitats. Effects on īnanga spawning, and trout and salmon habitat. Effects on cultural and spiritual values and mahinga kai.
NATC-MD2	Maintaining and enhancing public access <ol style="list-style-type: none"> Maintain and enhance existing public access to and along surface freshwater bodies, by managing the adverse effects of activities and development, where these would limit public access, or compromise the use or enjoyment of these areas.
NATC-MD3	Specified structures within freshwater body setbacks <ol style="list-style-type: none"> Effects on natural character and amenity values. Effects on cultural and spiritual values, and mahinga kai. Effects on indigenous vegetation, habitats of indigenous fauna and indigenous biodiversity. Effects on īnanga spawning, and trout and salmon habitat. The extent to which the structure compromises the ability to undertake flood mitigation work, or maintenance of any river or lake by the District Council, Regional Council, the Crown, or their nominated contractor or agent. The extent to which the location and size of the structure will impede flood waters or restrict navigation. The extent to which the structure location in the setback is sufficient given the identified requirement for an esplanade strip or esplanade reserve, set out in SUB-S17, including whether a condition and associated covenant is proposed requiring removal of structures where an esplanade reserve or esplanade strip is to be taken as part of any future subdivision.

³⁰ Forest and Bird [192.64, 192.65]

	<p>8. <u>The manner in which the structure is used to assist in restoration and rehabilitation initiatives.</u>³¹</p>
NATC-MD4	<p>Buildings, structures and impervious surfaces within freshwater body setbacks</p> <ol style="list-style-type: none"> 1. Requiring the use of low impact or water sensitive design for buildings and structures. 2. The potential for streambank erosion from stormwater runoff from impervious surfaces. 3. Effects on indigenous vegetation, habitats of indigenous fauna and indigenous biodiversity. 4. Effects on natural character and amenity values, including: <ol style="list-style-type: none"> a. the loss of indigenous vegetation that contributes towards an ecological corridor; b. restriction of public access where it is available; c. any change to the general landform, such as, slope or geomorphic features, as a result of earthworks; and d. the incorporation of screening and other measures to reduce the visibility of any structure from the water body. 5. Effects on cultural and spiritual values, and mahinga kai. 6. Whether the structure location in the setback is sufficient given the identified requirement for an esplanade strip or esplanade reserve, set out in SUB-S17, including whether a condition and associated covenant is proposed requiring removal of structures where an esplanade reserve or esplanade strip is to be taken as part of any future subdivision. 7. The extent to which any building or structure compromises the ability to undertake flood mitigation work, or maintenance of the any river, stream or wetland by the District Council, Regional Council, the Crown, or their nominated contractor or agent. 8. <u>The manner in which the structure, building or impervious surface is used to assist in restoration and rehabilitation initiatives.</u>³²
NATC-MD5	<p>Structures within and over freshwater bodies</p> <ol style="list-style-type: none"> 1. The extent to which the location and size of the structure will impede flood waters or restrict navigation. 2. The extent to which the structure compromises amenity values, ecological, cultural, or recreational values, including any natural character values associated with the surface of water, including: <ol style="list-style-type: none"> a. minimisation of the footprint; b. visual appearance of the structure and whether design features are sympathetic with the surrounding landscape; and c. any impacts upon īnanga spawning locations. 3. The extent to which the structure would create new, or exacerbate existing flood risk, or stream bank erosion. 4. The extent to which the structure would compromise public access to, or along the freshwater body. 5. The technical, functional or operational need for the structure to be located within or over the freshwater body. 6. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation.

³¹ Forest and Bird [192.64, 192.65]

³² Forest and Bird [192.64, 192.65]

	7. <u>The manner in which the structure is used to assist in restoration and rehabilitation initiatives.</u> ³³
NATC-MD6	Freshwater body setback assessment <ol style="list-style-type: none"> Reduction in the setback width and any adverse effects on: <ol style="list-style-type: none"> the natural state of freshwater body margins; freshwater landforms and landscapes, biophysical, geologic and morphological aspects; the hydrological and fluvial processes, including erosion and sedimentation; indigenous biodiversity, habitats and ecosystems; water flow and levels, colour and clarity, and water quality; cultural values of the freshwater body to Ngāi Tūāhuriri, including values associated with traditional and contemporary uses and continuing ability of the freshwater body to support taonga species and mahinga kai activities; where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation; and the experience of the above elements, patterns and processes. Any assessment of the natural character of freshwater bodies that undertaken by a suitably qualified and experienced specialist in the various attributes of natural character.

Schedules

NATC-SCHED - Scheduled freshwater bodies

NATC-SCHED1 (Main branch)	NATC-SCHED2 (Main branch)	NATC-SCHED3 (Main branch)	UNSCHEDULED (Tributaries)
Waimakariri River	Broom Stream and Kingsdown Stream	Whistler River	Any freshwater body not listed in SCHED1, SCHED2 or SCHED3
Ashley River/Rakahuri	Cam/Ruataniwha River	View Hill Stream	
Saltwater Creek (outside coastal environment overlay)	Coopers Creek		
	Eyre/ Waiariki River		
	Kaiapoi River and Courtney Stream		
	Little Ashley Creek		
	Ōkuku River		
	Pines Beach Wetland		
	Silverstream		
	Taranaki Stream		

³³ Forest and Bird [192.64, 192.65]

	Cust River		
	Makerikeri/Makirikiri River		