

Section 32 Report

Āhuatanga o te whenua/ Natural Features and Landscapes

prepared for the

Proposed Waimakariri District Plan

September 2020



WAIMAKARIRI
DISTRICT COUNCIL

TABLE OF CONTENTS

1. EXECUTIVE SUMMARY	4
2. OVERVIEW AND PURPOSE	5
2.1 Purpose of Section 32 RMA.....	5
2.2 Topic Description.....	5
2.2.1 Relationship of the Natural Features and Landscapes chapter to other parts of the District Plan	5
2.3 Significance of this Topic.....	6
2.4 Current Objectives, Policies and Methods	6
2.4.1 Objectives and Policies.....	6
2.4.2 Methods.....	7
2.4.3 Feature area and description	7
2.5 Information and Analysis	9
<i>Table 1 – List of relevant background assessments and reports</i>	<i>9</i>
2.6 Consultation Undertaken.....	10
2.6.1 Targeted landowner consultation	10
2.6.2 Public Feedback.....	10
2.6.3 Agency / Organisation Consultation.....	11
2.6.3 Te Ngāi Tūāhuriri Rūnanga	12
2.7 Iwi Authority Advice.....	12
2.8 Reference to Other Relevant Evaluations	14
3. STATUTORY AND POLICY CONTEXT	14
3.1 Resource Management Act 1991.....	14
3.1.1 Section 6	14
3.1.2 Section 7	15
3.2 National Instruments	15
3.2.1 National Planning Standards	15
3.2.2 New Zealand Coastal Policy Statement (NZCPS).....	16
3.2.3 National Policy Statement on Renewable Electricity Generation (NPS REG) & National Policy Statement on Electricity Transmission (NPS ET).....	16
3.3 Regional policy statement and plans.....	17
3.3.1 Canterbury Regional Policy Statement.....	17
3.3.2 Land and Water Regional Plan.....	17
3.3.4 Regional Coastal Environment Plan.....	18

3.4	Iwi Management Plan	19
3.5	Any relevant management plans and strategies.....	20
3.6	Any other relevant legislation or regulations	21
3.7	Any plans of adjacent or other territorial authorities	21
4.	KEY RESOURCE MANAGEMENT ISSUES	21
5.	OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS	23
5.1	Strategic Direction.....	23
5.2	Zone / District-wide Subject	23
5.3	Proposed Objectives and Policies	23
5.4	Proposed Methods	23
6.	SCALE AND SIGNIFICANCE EVALUATION	24
6.1	Evaluation of Scale and Significance.....	26
6.2	Summary – Evaluation of Scale and Significance	27
7.	EVALUATION OF PROPOSED OBJECTIVES.....	28
7.1	Evaluation of Proposed Objectives.....	28
7.2	Summary - Evaluation of Proposed Objectives	29
8.	EVALUATION OF PROPOSED POLICIES AND METHODS	30
8.1	Evaluation of Proposed Policies and Methods.....	31
8.2	Summary - Evaluation of Proposed Policies and Methods	37
9.	SUMMARY	37
	Appendices	38
	Appendix 1 – Proposed Objectives, Policies and Methods.....	38

1. EXECUTIVE SUMMARY

The management of important landscapes and features is required under section 6 and 7 of the RMA and Chapter 12 of the Canterbury Regional Policy Statement (CRPS). While it identified some outstanding natural landscapes and features, the Operative District Plan provisions do not identify all the important landscapes and features in the District using current best practice criteria. A review of these landscapes and features in the District has identified three additional areas for identification and management, and amended the boundaries of the existing ONL.

The identified outstanding natural landscapes and features in the Proposed Plan are:

- The Puketeraki Range and Oxford Foothills Outstanding Natural Landscape (ONL) – operative overlay amended
- The Ashley River/Rakahuri Saltwater Creek Estuary Outstanding Natural Feature (ONF) – new overlay proposed
- The Waimakariri River ONF – new overlay proposed
- The Ashley River/Rakahuri Significant Amenity Landscape (SAL) – new overlay proposed

The majority of the identified overlays are in public agency ownership (Department of Conservation, Canterbury Regional Council, Land Information New Zealand, or the Waimakariri District Council). All landowners (public and private) within a new or an amended ONL, ONF or SAL have been informed of the proposed changes by letter, and comments were received in response to the consultation.

The assessment of the existing Operative Plan provisions identified that some could be more precise. The proposed rules are generally more targeted and pragmatic, and better support the continued rural use of sites located within landscape and feature overlays.

The proposed provisions are the most appropriate option as:

- The District's landscapes and features have been assessed using current criteria;
- Additional important landscapes and features have been included;
- The objectives and policies provide for the protection of ONLS and ONFs, and the maintenance of SALs, thereby giving effect to the landscape and feature requirements of the CRPS and RMA;
- Permitted activity rules provide for anticipated activities to establish and include thresholds for some activities such as buildings and access tracks where there is potential for adverse effects to occur.

Overall, it is considered that the preferred provisions are the most appropriate given that the benefits outweigh the costs in terms of efficiency and effectiveness. The risks of acting are also clearly identifiable and limited in their extent.

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 evaluation report provides the reasoning and rationale for the proposed provisions and should be read in conjunction with those provisions.

2.2 Topic Description

The purpose of the chapter is to identify and manage Outstanding Natural Landscapes, Outstanding Natural Features and Significant Amenity Landscapes. These areas have been identified through a district-wide landscape assessment and application of current best practice criteria.

The ONLs and ONFs and SAL areas are identified as overlays on the planning maps. The objectives and policies are based on updates to the operative provisions and seek to protect the values of ONLs and ONFs and maintain and enhance the SAL values, from inappropriate use and development. The policies are implemented through rules that manage key activities that can adversely affect the identified values, including buildings/structures, tree planting, quarrying/mining, and plantation forestry. Earthworks, subdivision and infrastructure are also relevant, with these activities addressed through those chapters.

2.2.1 Relationship of the Natural Features and Landscapes chapter to other parts of the District Plan

The structure of district plans mandated by the National Planning Standards is based around each topic or zone being in its own stand-alone chapter with its own provisions. The Natural Features and Landscapes Chapter uses overlays that apply over zones (principally the General Rural Zone, Rural Lifestyle Zone and Natural Open Space). In addition to the proposed provisions for the Chapter, provisions for the underlying zone, district-wide provisions and other overlays also apply. Relevant chapters include:

- (a) Coastal environment;
- (b) Natural character of freshwater water bodies;
- (c) Earthworks;
- (d) Ecosystems and indigenous biodiversity;
- (e) Sites and areas of significance to Māori;
- (f) Energy and infrastructure;
- (g) General Rural Zone and Rural Lifestyle Zone; and

(h) Natural Open Space Zone.

2.3 Significance of this Topic

Natural features and landscapes cover large parts of the District, extending across the Puketeraki Range, covering the full length of the Ashley River/Rakahuri and the Waimakariri Rivers (to the District boundary) and overlaying important coastal landscapes such as the Ashley River/Rakahuri Saltwater Creek Estuary. They therefore make an important contribution to the natural environment and visual qualities of the District.

The District Council has the responsibility under Section 6(b) of the RMA to provide for, as a matter of national importance the *“the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development”*. This gives the Proposed Natural Features and Landscapes Chapter a high level of significance.

While significant, the majority of the identified ONLs, ONFs and SAL are located on land owned by the District Council, the Regional Council, Land Information New Zealand, or the Department of Conservation which have management requirements under other legislation and policies. However, parts of these identified areas are also on private land.

2.4 Current Objectives, Policies and Methods

The Operative District Plan Outstanding Landscapes and Features objectives, policies and methods are summarised below.

2.4.1 Objectives and Policies

Consistent with the identified areas, the objectives and policies are set out in Chapter 5 and seek the following:

- The protection of characteristics that contribute to the natural character of the outstanding landscapes and natural features (Objective 5.1.1);
- The avoidance or remediation of adverse effects of inappropriate subdivision, use and development of land on the characteristics and qualities of the Outstanding Landscape Area (Policy 5.1.1.2);
- The avoidance, remediation or mitigation of the adverse effects of land use, subdivision and development on the landscape qualities of prominent ridges within the Outstanding Landscape Area (Policy 5.1.1.3);
- The maintenance of the ability to view the Canterbury Plains and Ashley Gorge from selected viewpoints on the Lees Valley Road (Policy 5.1.1.4).

2.4.2 Methods

The Outstanding Natural Landscapes and Features rules are contained within Chapter 24. The rules cover the following, with some variance in activity status across the Core, Buffer and Ashley Outstanding Landscapes:

- New buildings / dwellings (discretionary activity);
- Various earthworks provisions depending on location and activity (controlled or discretionary);
- The planting of exotic species (restricted discretionary or non-complying);
- Tree planting or structures that block the view of the landscape from the two selected viewpoints (controlled activities);
- Structures within 20m of the highest adjacent point of any ridgeline (restricted discretionary activities);
- Vegetation clearance (restricted discretionary activity); and
- Subdivision (discretionary activity).

The Operative Plan proposed to survey natural features in conjunction with landowners and develop a management strategy to protect them from inappropriate subdivision, use and development. It is understood that this has not been undertaken.

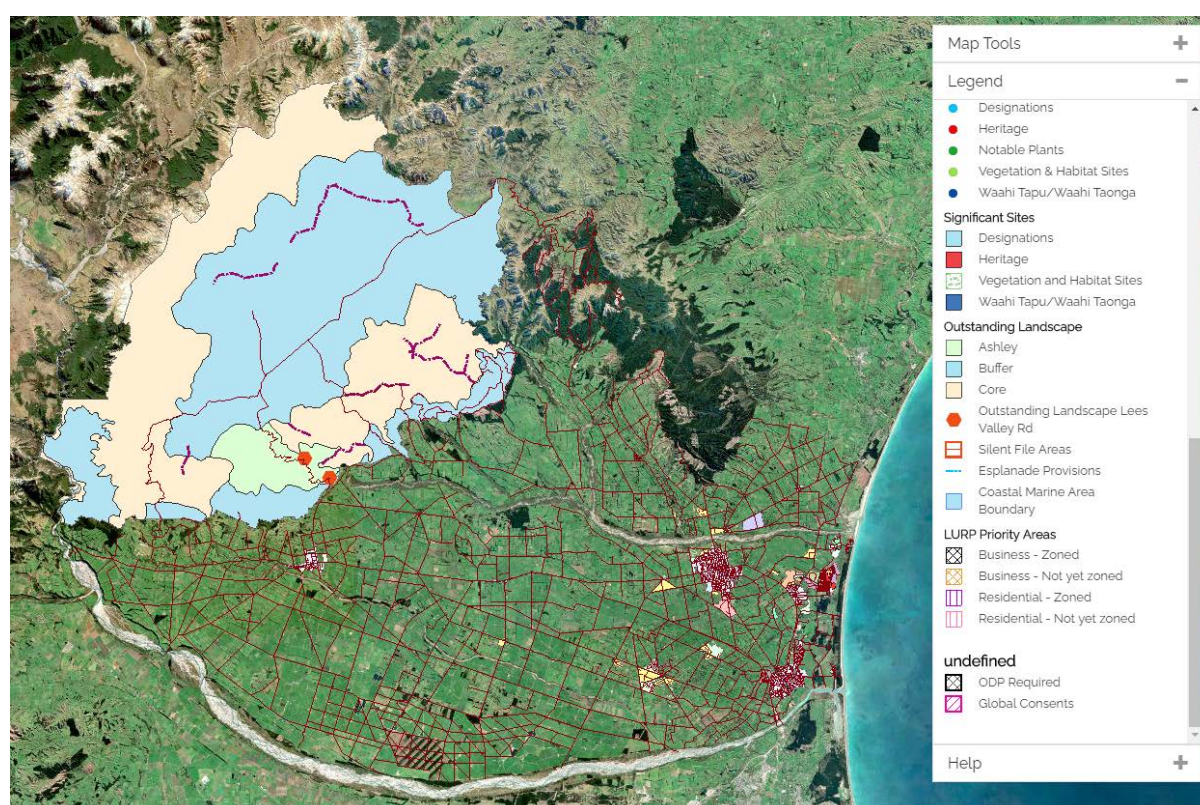
2.4.3 Feature area and description

The Operative Plan recognises that the Outstanding Landscape Area is not uniform and has therefore been divided into three areas, the “Core”, “Buffer” and “Ashley Gorge”, with additional features mapped as follows:

- Outstanding Landscape Buffer;
- Outstanding Landscape Core;
- Outstanding Landscape Ashley;
- Prominent Ridges;
- Lees Valley Outstanding Landscapes (view shafts).

Figure 1 is a snip of the Operative Plan’s planning map showing the location of these layers.

Figure 1 – Operative District Plan Outstanding Landscape Layers



The Operative Plan states that some parts of the Outstanding Landscape Area are dominated by both their dramatic topography and their largely unmodified natural vegetation cover. The Core Outstanding Landscape Area is characterised by steep bush clad hills, and is enhanced in quality when compared to the Buffer Outstanding Landscape Area by their relative lack of wilding trees and lack of structures. This contributes to a heightened sense of solitude and naturalness experienced in the Core area.

Bordering the Core Outstanding Landscape Area are buffer landscapes also with dramatic topography. The Plan states that these Buffer Outstanding Landscape Areas have been modified by land use activities such as vegetation change, buildings and shelter plantings. Nonetheless, the Plan states that the areas of remnant indigenous vegetation, the landforms, watercourses, and the expansive views of Lees Valley and the Plains still have a strong natural component. They include Lees Valley, and the lower slopes of Mount Thomas, Mount Richardson, Mount Oxford and the Puketeraki Range. They are important both for their intrinsic qualities and for their value as a transition between the Core Outstanding Landscape Areas and the surrounding modified plains. They share some of the characteristics and qualities of the Core Outstanding Landscape Area.

The Ashley Gorge is the third area of the Outstanding Landscape Area. The Plan identifies it as a dynamic landscape which, in a considerable part, is the result of the work of landowners. Both natural and managed vegetation changes occur rapidly. The Gorge's vegetation cover is a product of past and present land management that included burning and grazing followed by an invasion of bracken, gorse, manuka and matagouri. Without this constant intervention the visual elements of Ashley Gorge would be very different. Although it has been modified, historical photographs show that the dramatic landform has remained dominant.

The boundary between the three areas of the Outstanding Landscape Area are aligned as closely as possible to the change in landscape attributes from one area to another. Natural features, such as prominent rock outcrops, are also present outside the Outstanding Landscape Area.

Notably, neither the Waimakariri River nor the Ashley River/ Rakahuri (outside of the hill country) are identified as outstanding landscapes in the Operative Plan.

2.5 Information and Analysis

A number of background reports have been undertaken on the topic as set out in Table 1 below.

Table 1 – List of relevant background assessments and reports

Title	Author
District Plan Effectiveness Review	<i>Waimakariri District Council 2016/2017</i>
Description of Report	
The report reviewed the Operative Plan's provisions. There have been no relevant plan changes for this topic since the Plan became operative.	
The report identified that the proposed landscape analysis of the Outstanding Landscape Area along with the associated guidelines was not undertaken.	
There were four non-notified consents processed from 2005-2016 as follows:	
<ul style="list-style-type: none"> • RC105040 – 233 Glentui Bush Road. To erect a dwelling in a Buffer Outstanding Landscape area. • RC125081 – 367 Ashley Gorge Rd. To erect a dwelling in a Buffer Outstanding Landscape area. • RC155246 – 103 Glentui Bush Rd – Extensions to an existing dwelling within a Buffer Outstanding Landscape area. • RC095409 – 103 Glentui Bush Road – Earthworks. 	
As identified, three of these consents were for dwellings in the Buffer Outstanding Landscape Area, and one was for earthworks. All three consents imposed conditions on the colour of the exterior of the dwellings.	
Title	Author
Issues and Options, Natural Environments	<i>Waimakariri District Council, September 2017</i>
Description of Report	
This paper identified options for managing landscapes and natural features for consultation purposes.	
Title	Author
What's the Plan?	<i>Waimakariri District Council, July 2019</i>
Description of Report	
The "What's the Plan?" consultation was undertaken to help shape the content of the Proposed District Plan. The community were asked a range of questions with respect to natural features and landscapes across the District. Feedback received is summarised in section 2.6.	
Title	Author
Waimakariri District Landscape Evaluation	<i>Boffa Miskell, September 2019</i>
Description of Report	
The study reviewed the existing ONLs in the district. Its findings include:	
<ul style="list-style-type: none"> • deleting the ridgeline requirements; • removing parts of the ONL (principally in the Lees Valley); 	

- adding two additional ONLs (Waimakariri River and the Ashley River / Rakahuri Saltwater Creek Estuary).

It also identified a SAL (the Ashley River / Rakahuri). Comprehensive values for the areas were identified along with threats to these values. The report also mapped the area extents.

2.6 Consultation Undertaken

Extensive consultation has been undertaken as part of this District Plan Review process with key agencies, the public generally and potentially affected landowners.

2.6.1 Targeted landowner consultation

Consultation letters were sent directly to all landowners where change to identified landscapes was proposed. This included:

- Oxford Foothills (Additions to the existing Outstanding Natural Landscape): the letter was sent to 15 landowners, covering 45 different properties;
- Oxford Foothills and Lees Valley (proposed removal of Outstanding Natural Landscape): the letter was sent 53 landowners covering 118 properties;
- The Ashley River/Rakahuri /Saltwater Creek Estuary (Proposed Outstanding Natural Feature): the letter for the estuary was sent to 11 landowners covering 18 different properties;
- Ashley River/Rakahuri (Proposed Outstanding Natural Feature): the letter was sent to 77 landowners covering 128 different properties; and
- Waimakariri River (Proposed Outstanding Natural Feature): the letter was sent to 18 landowners covering 68 different properties.

Staff received a small number of phone calls with questions regarding the changes in relation to the boundaries of natural features and landscapes and the consultation process that would be undertaken. One respondent enquired as to whether any restrictions or rules would be placed on farm fencing.

2.6.2 Public Feedback

The “*What’s the Plan?*” consultation was released for public comment for four weeks from Monday 8 April to Monday 6 May 2019. Three specific questions were asked in relation to natural features and landscapes.

This included questions around acceptable levels of development within ONL areas, whether there were any natural features or landscapes in the District that they believed were worthy of protection, and whether they supported the inclusion of newly identified features (Waimakariri River & the Ashley River/Rakahuri Salt Water Creek Estuary).

Responses from the community largely supported limiting and placing restrictions on development within natural features and landscapes. Most respondents also supported the inclusion of features such as the Waimakariri River and the Ashley River/Rakahuri /Saltwater Creek Estuary, although some were opposed.

Respondents also identified other environments such as sand dunes, braided rivers, wetlands in Lees Valley, Ashley Gorge, the Puketeraki Range, watercourses, the Kaiapoi River and Mount Thomas were worthy of protection. While the community has sought inclusion for a broad range of environment features, technical advice provided to the Council with respect to natural features and landscapes has

only supported the inclusion of the Waimakariri River (ONF), the Ashley River/Rakahuri /Saltwater Creek Estuary (ONF) and the Ashley River/Rakahuri (SAL).

In relation to the amount of acceptable development within natural landscape and feature overlays, the Proposed Chapter is consistent with the feedback received from the community. The proposed provisions manage activities such as buildings and structures, motor vehicles, vehicle access tracks, earthworks, plantation forestry (including woodlots and shelterbelts), roads, centre pivots and mining and quarrying which could compromise the values of the identified natural features and landscapes.

2.6.3 Agency / Organisation Consultation

Agencies were consulted during the development of the proposed provisions. This consultation and responses are set out in Table 2 below.

Table 2 - Agency / Organisation Consultation

Date	Group	Subject Matter	Feedback and response
Various	Environment Canterbury	In regard to Chapter 12 (Landscape) of the CRPS.	<p>It was noted that regional landscape studies were undertaken when developing the CRPS and any relevant landscapes should be identified in the district plan. The view-shafts of Ashley Gorge and the Canterbury Plains from Lees Valley Road 'may' be incorporated into the District Plan. The use of criteria to protect significant natural areas should be included within the review.</p> <p><u>Response:</u> the regional studies have informed the district level review, including significance criteria.</p>
7 June 2019	Department of Conservation	Outstanding Landscapes and Natural Features	<p>DoC supported the Council's approach, including managing development in the Puketeraki Range and Oxford Foothills and the Waimakariri River and Ashley River/Rakahuri / Saltwater Creek (Note: the Ashley SAL was identified after the DOC consultation).</p> <p><u>Response:</u> none required</p>
3 Dec 2019	Federated Farmers NZ Waimakariri Irrigation	Outstanding Natural Features and Landscapes	<p>Questions related to riparian edges and the status of this land which could be privately owned and farmed.</p> <p><u>Response:</u> there is some private property under the overlays, however boundary rationalisation has been undertaken to avoid small unnecessary encroachments onto private land. The provisions will not impact on farming but could impact farm</p>

			<p>buildings in the overlay. It would also have an impact on motorised sporting events.</p> <p>Question if there is a clear difference in level of control between ONL/Fs and SALs.</p> <p><u>Response:</u> there are small differences in the rules and in the assessment matters.</p>
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2.6.3 Te Ngāi Tūāhuriri Rūnanga

Consultation has been undertaken with Te Ngāi Tūāhuriri Rūnanga regarding a range of District Plan matters.

Specific feedback related to natural features and landscapes, included the following:

- (a) Minor amendments to objectives, policies and rules to better reflect the Iwi Management Plan, cultural values and ensure consistency with the Proposed Sites of Significance Chapter;
- (b) Questions around specific rules, and whether these could be addressed differently;
- (c) Minor amendments to highlight the values of the Waimakariri River ONF to better protect the values;
- (d) Comments on rules for buildings – specifically around the provision for a cumulative increase in the size of buildings allowed within ONL/F areas and that this would not be consistent with other provisions in the chapter;
- (e) Comments around the types of structures provided for (and in particular flood control structures) and how these should be managed through standards; and
- (f) Comments around access tracks, particularly that it is the size of the access track, not the type (e.g. vehicle, pedestrian or livestock) that matters in determining adverse effects.

Most comments have been addressed in the Proposed Plan. Cumulative building increases have continued to be enabled, along with flood control structures undertaken by the Council, the Crown or Environment Canterbury.

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 advice received from the iwi authority relevant to natural landscapes and features and the District Council's consideration of, and response to (as required by Section 32(4A)(b) of the RMA), that advice.

Date	Iwi Authority	Subject Matter	Advice Received	Consideration of, and response to, Advice
July 2021	Ngāi Tūāhuriri Rūnanga	NFL-APP1 – Outstanding and Significant Landscapes and Features – Values and Threats Waimakariri and Puketeraki Range/Oxford Foothills	Amend the text for Waimakariri and Puketeraki Range/Oxford Foothills so that Associative Values – tributaries are part of a Nga Turanga Tupuna overlay.	The changes are appropriate and have been made.
		NFL-APP1 – Outstanding and Significant Landscapes and Features – Values and Threats Ashley River/Rakahuri - Significant Amenity Landscape	Under Rakahuri Significant Amenity Landscape refer to Ngai Tuahuriri, not “local Maori Ngai Tuahuriri”. The River should be referred to as Nga Wai.	The changes are appropriate and have been made.

2.8 Reference to Other Relevant Evaluations

This Section 32 report should be read in conjunction with other Section 32 reports prepared for the Proposed District Plan, including:

- (a) Strategic Directions – which sets out the strategic direction for the Proposed District Plan, including the plan for the protection of important areas;
- (b) Coastal Environment – which provides direction to implement the New Zealand Coastal Policy Statement (NZCPS) and includes identified natural character areas in the coastal environment of the District;
- (c) Rural Lifestyle & General Rural Zone – which provides the underlying zone provisions that apply to the majority of the ONLs/ONFs and the SAL;
- (d) Natural Character of Fresh Water Bodies – which contains provisions for managing activities within specified locations of fresh water bodies;
- (e) Activities on the Surface of Water – which includes provisions for managing activities on the Ashley River/Rakahuri and the Waimakariri River;
- (f) Open Space – which provides the underlying zone provisions applying for areas of ONLs / ONFs and the SAL;
- (g) Infrastructure and Energy – which contains provisions for managing infrastructure within ONLs, ONFs and the SAL;
- (h) Earthworks – which includes provisions which manage earthworks in ONLs, ONFs and the SAL;
- (i) Ecosystems and Indigenous Biodiversity – which includes provisions for indigenous vegetation removal and exotic planting in significant natural areas, which contribute to the values of ONLs, ONFs and the SAL;
- (j) Subdivision – which includes provisions for subdivision in areas that are identified as ONL, ONF and SAL; and
- (k) Sites and Areas of Cultural Significance to Māori – which identifies and includes provisions for cultural landscapes and sites.

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.

3.1.1 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; and

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Of these, s6(b) is directly relevant, requiring Councils to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. S6(a) and s6(c) are also relevant in part as the identification of the ONLs / ONFs is informed by the presence of areas of natural character and indigenous vegetation, and the protection of ONLs / ONFs will also support achieving s6(a) and s6(c) matters.

3.1.2 Section 7

The Section 7 matters relevant to this chapter are:

(c) the maintenance and enhancement of amenity values;

(d) intrinsic values of ecosystems; and

(f) maintenance and enhancement of the quality of the environment.

These matters are relevant as they provide justification for the proposed SAL. In addition, ONLs, ONFs collectively contribute to amenity values. The appropriate management of them will help maintain and enhance the overall quality of the District's environment.

3.1.3 Section 8

Section 8 of the RMA required Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The identification of the outstanding natural features and landscapes and the provisions relating to them have been informed through the consultation with tangata whenua through Mahaanui Kurataiao Limited.

3.2 National Instruments

The national instruments set out below are relevant to this chapter.

3.2.1 National Planning Standards

The first set of National Planning Standards came into effect in 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 statement structure, format and content.

If the following matters are addressed, they must be located in the Natural Features and Landscapes chapter:

(a) Identify natural features and landscapes that are outstanding, significant or otherwise valued;

(b) Protect and manage ONLs and ONFs, including from inappropriate subdivision, use and development; and

(c) Include provisions to manage other valued features and landscapes.

The proposed chapter and overlays are consistent with the NPS directions.

3.2.2 New Zealand Coastal Policy Statement (NZCPS)

The NZCPS is a national policy statement under the RMA. The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand. The District Council is required to give effect to the NZCPS through the District Plan.

Policy 15 of the NZCPS relates to natural features and landscapes in the coastal environment and protecting these from inappropriate subdivision, use or development. This includes avoiding adverse effects on outstanding natural features, and avoiding, remedying or mitigating significant adverse effects on other natural features within the coastal environment.

The proposed chapter identifies natural features and landscapes that overlap with the coastal environment. These are the Ashley River/Rakahuri /Saltwater Creek Estuary and both the Ashley River/Rakahuri and Waimakariri River mouths. The proposed chapter gives effect to the NZCPS by managing adverse effects on the Ashley River/Rakahuri Saltwater Creek Estuary.

3.2.3 National Policy Statement on Renewable Electricity Generation (NPS REG) & National Policy Statement on Electricity Transmission (NPS ET)

The National Policy Statement on Renewable Electricity Generation and the National Policy Statement on Electricity Transmission are relevant to this topic. However, the provisions regarding this infrastructure when located within an outstanding landscape or feature, is located within the Infrastructure and Energy Chapter. These policy statements recognise the importance of renewable electricity generation and electricity transmission. Whilst these are important, they can have adverse effects on ONLs, ONFs and SALs which are s6 and s7 matters.

3.2.4 National Environmental Standards

National Environmental Standards for Plantation Forestry (NES PF)

The Resource Management (National Environment Standards for Plantation Forestry) Regulations 2017 (NES PF) manage plantation forestry across the District. This permits forestry to be planted across the District subject to a range of permitted activity standards, and a range of situations where afforestation can be managed by way of a resource consent.

The NES PF outlines the following:

“A rule in a plan may be more stringent than these regulations if the rule recognises and provides for the protection of –

- (a) Outstanding natural features and landscapes from inappropriate subdivision, use and development;*

The NES PF further outlines that:

“A rule in a plan may be more stringent than these regulations if the rule gives effect to-

- (b) any of policies 11, 13, 15 and 22 of the New Zealand Coastal Policy Statement 2010”.¹*

This allows for the Proposed Natural Features and Landscapes Chapter to manage plantation forestry within ONLS / ONFs and implement more stringent rules than the NES PF.

3.3 Regional policy statement and plans

3.3.1 Canterbury Regional Policy Statement

Chapter 12 of the Canterbury Regional Policy Statement 2013 (CRPS) includes provisions for the management of ONLs, ONFs and SALs.

Appendix 4 of the CRPS identifies the lower Waimakariri River and Gorge as an Outstanding Natural Feature/Landscape at a regional scale. This is the only site identified in the Waimakariri District as either an ONL or ONF in the CRPS.

The relevant policies from the CRPS are summarised below:

- **Chapter 12** contains objectives that seek to consistently (**Objective 12.2.3**) identify and protect ONLs, ONFs (**Objective 12.2.1**) and identify and manage other landscapes (**Objective 12.2.2**);
- **Policy 12.3.1** requires ONLs and ONFs be identified at a district level, based on the landscape values identified at a regional scale and set out as Appendix 4 to the CRPS;
- **Policies 12.3.2 and 12.3.3** respectively cover methods to achieve the protection of ONL and ONF values and the identification and management of other important landscapes; and
- **Policy 12.3.4** seeks consistency in identification of ONLs and ONFs by specifying biophysical, sensory and associative values criteria which assessments need to utilise.

The ONLs, ONFs and SAL have been informed by assessments utilising these criteria and with reference to the identified regional landscapes.

3.3.2 Land and Water Regional Plan

The purpose of the Canterbury Land and Water Regional Plan (LWRP) is to identify the resource management outcomes for managing land and water resources in Canterbury and achieve the purpose of the RMA.

The Ashley River/Rakahuri (from the Ashley Gorge Bridge to 200m below the confluence with the Townshend River) is identified as a “High Naturalness Water Body” at Section 8.8 in the LWRP. The LWRP highlights its outstanding and significant characteristics as having a high degree of naturalness, high visual amenity value with very scenic and deeply incised gorge.

The relevant objectives from the LWRP with respect to natural features and landscapes are summarised below:

- (a) **Objective 3.1** which relates to managing land and water as interrelated resources to recognise and enable Ngāi Tahu culture, traditions and customary uses; and
- (b) **Objective 3.2** which relates to managing land and water as integrated natural resources recognising the connectivity between surface water, groundwater and fresh water, land and the coast;
- (c) **Objective 3.19** which seeks the protection of natural character values of freshwater bodies; and
- (d) **Objective 3.20** which recognises gravel extraction is required to maintain floodway capacity and provide a resource for building and construction, while maintaining natural character of braided rivers.

The relevant policies from the LWRP with respect to natural features and landscapes are summarised below:

- (a) **Policy 4.6** relates to the damming, diverting or taking of water in high naturalness water bodies;
- (b) **Policy 4.44** relates to the damming or diversion of alpine or hill-fed rivers on high naturalness water bodies and ensuring that this has minimal adverse effects on Ngāi Tahu cultural values, water flow, ecosystem health, removal of vegetation encroaching onto the bed of the mainstem, sediment transport, fish passage, water quality, ecological values, threatened native riverbed populations and significant indigenous biodiversity and recreation values;
- (c) **Policy 4.81** relates to any take, use, damming or diversion of water, any discharge of contaminants onto land or into water, or any earthworks, structures, planting or vegetation removal or other land uses within wetlands and ensuring that these do not adversely affect the significant values of wetlands, hāpua, coastal lakes, and lagoons;
- (d) **Policy 4.85A** relates to preserving indigenous biodiversity, the habitats of indigenous flora and fauna and natural character of Canterbury's braided river system by preventing further encroachment of activities onto the beds, banks and margins of lakes, braided rivers and associated wetlands and coastal lagoons (including by limiting vegetation clearance);
- (e) **Policy 4.86** relates to managing activities that occur in the beds or the margins of lakes to preserve the character and channel characteristics of rivers (amongst other water bodies), protect cultural sites and significant indigenous biodiversity values and ensuring that lawful access to river beds (and other water bodies) are not precluded (except where necessary to protect health and safety); and
- (f) **Policies 4.88 and 4.89** which relate to managing activities such as earthworks, structures and the planting or removal of vegetation in the beds of rivers (amongst other water bodies).

The Proposed Natural Features and Landscapes Chapter is consistent with the LWRP, as it manages a similar range of activities within ONFs and SALs. This includes structures, plantation forestry, roads, and centre pivot irrigation (within the overlays where these activities may exist within the margins of a river).

3.3.4 Regional Coastal Environment Plan

The Regional Coastal Environment Plan (RCEP) identifies the Ashley River/Rakahuri Saltwater Creek Estuary and the Waimakariri River mouth (including the Brooklands Lagoon which is outside the District boundary) as an area of Significant Natural Value. While this is more relevant for the coastal environment, the characteristics of natural features and landscapes are likely to have some overlap with the values the RCEP identifies (Schedule 1 - Listing of Areas of Significant Natural Value and Schedule 2 – Identified Areas of High Natural, Physical, Heritage or Cultural Value).

The relevant objectives of the RCEP are summarised below:

- (a) **Objective 6.1** relates to the protection of areas with high natural, physical, heritage or cultural values;
- (b) **Objective 6.3** relates to enabling commercial and recreation activities in the coastal environment while protecting infrastructure and avoiding, remedying or mitigating the adverse effects of those activities on the natural character of the coastal environment; and

- (c) **Objective 8.1** enables people to use the CMA and its resources while avoiding, remedying or mitigating the adverse effects of that use on the environment. This also includes avoiding, remedying or mitigating adverse effects on conflicts between uses and people's wellbeing, health and safety, and amenity and natural character (including natural, ecological amenity, cultural and historic values) of the coastal environment.

While **Objective 6.3** appears relevant, the policy (**Policy 6.4**) that gives effect to this objective in the RCEP is not relevant to the District Council as it relates to managing activities in the CMA (which is outside the jurisdictional area of the District Council) and outlines actions to be undertaken by Environment Canterbury (with no mention of any involvement from the District Council). However, the Proposed Chapter will still give effect to the objective by managing certain types of activities that could compromise natural character and subsequent values of natural features and landscapes in the coastal environment.

The relevant policies of the RCEP are summarised below:

- (a) **Policy 6.1** relates to the control of activities and development in order to mitigate adverse effects on natural, physical, heritage and cultural values;
- (b) **Policy 6.2** relates to avoiding, remedying or mitigating the adverse effects of subdivision, use or development of land in the coastal environment (landward of the Coastal Marine Area) on areas of Significant Natural Value and areas of high natural, physical, heritage or cultural values;
- (c) **Policies 8.1 and 8.2** manage structures and introduction of exotic plants;
- (d) **Policy 8.7** relates to activities in the CMA which should not take place where this may have the potential to create irreversible effects on natural or cultural values of areas of significance natural value; and
- (e) **Policy 8.10** manages motorised vehicles in the Ashley River/Rakahuri Saltwater Creek Estuary.

Objective 8.1 and the policies that give effect to this objective (**Policies 8.1, 8.2, 8.7 and 8.10**) apply to the CMA which is outside the jurisdictional authority of the District Council. However, the Ashley River/Rakahuri Saltwater Creek Estuary is located on both the landward side and seaward side of the CMA, or Mean High Water Springs. Therefore, it is important that there is alignment between the Regional Council and the District Council. The proposed chapter manages a similar range of activities (motorised activities, commercial recreation) that are generally consistent with the RCEP.

Waimakariri River Regional Plan 2011

The Waimakariri River Regional Plan (WRRP) manages the effects from activities within the Waimakariri River catchment. Outside of the bed of the river the WRRP manages water use and contamination. In the bed of the river the WRRP manages disturbance and structures. This Proposed District Plan chapter does not manage structures within the bed of the river as these are managed by the WRRP, however structures are managed within the overlay where they are outside of the bed of a river.

3.4 Iwi Management Plan

Under section 74(2A) the District Council must, when preparing or changing a district plan, take into account any relevant planning document recognised by an iwi authority and lodged within the territorial authority, to the extent that its content has a bearing on the resource management issues

of the District. The Mahaanui Iwi Management Plan 2013 (IMP) is the mana whenua planning document that applies to the Waimakariri District (amongst other jurisdictional authorities).

The IMP places emphasis on cultural landscapes, and identifies particular areas and places that have cultural significance. This includes culturally significant sites such as papakāinga, marae, kāinga, pā and urupā. With respect to natural features and landscapes identified as part of the District Plan Review, the IMP highlights the Ashley River/Rakahuri Saltwater Creek Estuary, the Waimakariri River, the Ashley River/Rakahuri and areas between these two rivers as an important cultural landscape that should be restored.

The IMP sets out policy to recognise cultural landscapes and provide for their protection. Key provisions from the IMP include:

- **5.8 Objective 1:** Cultural landscapes are recognised and provided for as a planning tool to protect wāhi tapu and wāhi taonga, and their the values;
- **Issue TAN6:** the protection of coastal cultural landscapes;
- **Issue TAN7:** coastal land development can have adverse effects on Ngai Tahu values and the environment;
- **TAN7.1:** local authorities to protect the views of significant natural features and landmarks;
- **Issue TAW1:** wind farms have potential effects on Ngai Tahu values and associations with the landscape;
- **WM9.4:** the effects water storage on cultural landscapes;
- **Issue P12:** vegetation clearance can contribute to change in landscape and natural character;
- **Issue P13:** mining and quarrying can have adverse effects on the landscape and tangata whenua values;
- **Issue P14:** commercial forestry must be managed to avoid adverse effects on landscape.
- **WAI5.1** seeks to recognise that the coastal and lowland region between the Waimakariri River and Ashley River/Rakahuri as a cultural landscape; and
- **WAI5.2** seeks to restore the cultural landscape values of this area.

While the focus of the IMP is mostly around water quality and quantity (through managing water takes and discharges) the IMP seeks management of adjacent land use in the riparian margins and in the upper catchments. The management of activities to protect natural features and landscapes can also help achieve outcomes for cultural landscapes. For example, the Proposed Natural Features and Landscapes Chapter manages activities such as structures, buildings, specific types of irrigators, construction of new roads, mining and quarrying activities and plantation forestry, woodlots and shelterbelts. By managing activities within the margins and across identified natural features, this will help to preserve water quality and give effect to the IMP.

3.5 Any relevant management plans and strategies

The following management plans and strategies prepared under other legislation are relevant to this matter:

3.5.1 District Development Strategy 2048

Regard is to be had to the Waimakariri 2048 - District Development Strategy (2018). The Waimakariri District Development strategy (DDS) is a non-RMA area planning and consultation outcome with the community. The plan sets out the community's long-standing and clearly expressed preference for these settlements, and has been given weight in the proposed provisions.

The Strategy identifies the challenges to the District in terms of accommodating substantial growth over the next 30 years, including the need for 15,000 new houses. Regarding ONLs, ONFs and the SAL, the Strategy does not contain express direction on these, however it seeks to protect the natural environment by focusing residential and business growth within and around the District's existing urban environments. Focussing growth in these areas supports protecting the identified values in the proposed ONLs, ONFs and SAL.

3.6 Any other relevant legislation or regulations

There is no other directly relevant legislation or regulations.

3.7 Any plans of adjacent or other 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.

All second generation plans in Canterbury have been developed under the CRPS which includes regional scale landscape guidance, criteria for identifying landscapes and features at a district scale and protection and management requirements. Consequently, the Christchurch District Plan, Selwyn Proposed District Plan, and Hurunui District Plan have all adopted a similar approach to natural landscapes and natural features. For example:

- the Christchurch District Plan identifies Outstanding Natural Landscapes/ Features, Rural Amenity Landscapes and Significant Features and contains provisions to manage subdivision use and development in these areas. Notably the plan identifies the southern side of the Waimakariri River (within CCC's jurisdictional boundary) as an ONL/F;
- the Hurunui District Plan identifies Outstanding Natural Landscapes, Outstanding Natural Features and contains provisions to manage subdivision use and development in these areas; and
- the Proposed Selwyn District Plan identifies Outstanding Natural Landscapes and Visual Amenity Landscapes and contains provisions to manage subdivision use and development in these areas.

Most of the plans provide for small scale activities as permitted activities, such as small buildings/ structures and maintenance of access tracks. Larger scale structures generally require consent as either restricted discretionary, discretionary or non-complying, depending on the values and identified threats of the overlay. Given that the values and threats are different across the assessed plans, the policy response is also justifiably different.

The proposed provisions give effect to the CRPS and are consistent with these district plans.

4. KEY RESOURCE MANAGEMENT ISSUES

The resource management issues set out in this section have been identified using sources of information including (but not limited to) the following:

Proposed Waimakariri District Plan Section 32 (Natural Features and Landscapes)

- a. *Primary and secondary research;*
- b. *Monitoring and review of the current district plan;*
- c. *Issues identified in other documents and plans, including those described above;*
- d. *Matters raised in various forums by statutory partners and key stakeholder(s)/advisory groups;*
- e. *Input from experts involved in landscape assessment.*

4.1.1 Issue 1

Issue Statement	Identification of ONL / ONF / SAL Overlays
Description/discussion	
<p>The Operative Plan contains ONL provisions that were prepared in the mid-1990s covering the hill country and Lees Valley. Since that time landscape assessment methodologies have evolved through Environment Court case law and the revised CRPS now specifies the matters of assessment to be considered in the evaluation of landscapes to identify ONFs and ONLs. Identification of SALs uses the same assessment framework. In addition to changing methodology, parts of the existing ONLs have undergone change, particularly parts of Lees Valley. Furthermore, the Operative Plan was made operative prior to the CRPS and the NES on Plantation Forestry and the provisions need to be updated to reflect the higher order direction.</p> <p>The supporting technical evidence identifies the Waimakariri River, Ashley River/Rakahuri and the Ashley River/Rakahuri Salt Water Creek Estuary as having sufficient merit for identification and management. It also refines the boundary of the existing ONL. Appendix 2 contains a description of these along with a map identifying their location.</p>	

4.1.2 Issue 2

Issue Statement	Development within ONL / ONF / SAL Overlays
Description/discussion	
<p>If not appropriately managed, subdivision, use and development can have adverse effects on the biophysical, sensory and associative values of the area. For example, areas that are high in biophysical values can be threatened by earthworks and structures that modify the environment, while areas that are high in sensory values can be undermined by built structures that are incongruous in an otherwise natural landscape.</p> <p>In addition to identifying areas of the district with special characteristics or values that warrant them being identified as ONLs, ONFs and a SAL, the technical evidence has identified the threats to these which need to be managed through a district plan. While the majority of the areas identified as ONL, ONF or SAL are owned by DoC, LINZ, Environment Canterbury or the Council, some areas are privately owned. The majority of privately owned land is zoned rural and used for rural activities.</p> <p>It is important to recognise the existing activities occurring on privately owned sites and target the provisions to manage only those new activities that create adverse effects on the identified values. Provisions that are overly restrictive could undermine the ability to continue to utilise privately owned areas for existing activities.</p>	

Some operative provisions are overly blunt. For example, any vegetation clearance in the Core (other than plantation forestry) is a restricted discretionary activity, while the location of all buildings in the Core and dwellings in the Buffer Area are discretionary activities, irrespective of the building size.

5. OVERVIEW OF PROPOSED OBJECTIVES, POLICIES AND METHODS

5.1 Strategic Direction

The most relevant Strategic Direction is SD-O1 Natural environment, which includes a requirement that important natural features and landscapes are identified and their values recognised and protected (clause 3).

This chapter gives effect to that strategic direction across the ONLs, ONFs and the SAL.

5.2 Zone / District-wide Subject

The Proposed Natural Features and Landscapes Chapter is part of *Part 2 – District-wide Matters – Natural environmental values*.

5.3 Proposed Objectives and Policies

The proposed objectives and policies are set out in **Appendix 1** of this report. Two objectives seek the protection of ONLs and ONFs, while the third seeks the maintenance of the SAL. The supporting policies identify the methods for protection and maintenance, including by recognising the values and threats of identified areas and avoiding identified activities such as plantation forestry and large buildings.

5.4 Proposed Methods

The proposed methods are set out in **Appendix 1** of this report.

In summary, a range of permitted, restricted discretionary and non-complying activities are provided for in the proposed provisions. All the permitted activities within the Proposed Chapter are subject to activity standards. The rules in the proposed chapter generally seek to protect the natural features and landscape values by managing activities that could compromise these, based on the values and threats technical evidence identified in the technical evidence.

The following Overlays are identified on the Planning Map:

- The Puketeraki Range and Oxford Foothills ONL;
- The Ashley River/ Rakahuri Saltwater Creek Estuary ONF;
- The Waimakariri River ONF; and
- The Ashley River/Rakahuri SAL.

These are based on an expert technical assessments undertaken as part of the review of the Operative Plan provisions. Given the scale at which the mapping occurred, the boundaries of the overlays were further refined at a parcel scale to ensure they do not include sites or parts of sites unnecessarily.

Key definitions used in the proposed chapter are listed below:

- Environment
- River
- Indigenous biodiversity
- Plantation forestry
- Conservation activities
- Rural production
- Recreational activities
- Residential unit
- Public amenities
- Shelterbelts
- Mining
- Indigenous fauna
- Buildings
- Structure
- GFA (Ground floor area)
- Park management activities
- Building footprint
- Site coverage

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 those with particular interests including Maori;
- (g) Adversely affect people's health and safety;

- (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
Degree of change from the Operative Plan		✓	
Provisions exist in the Operative Plan to identify and manage subdivision, use and development in one important landscape. The proposal involves amendments to the existing ONL layer in the Puteraki Oxford hill country and Lees Valley, and the addition of the Waimakariri River ONF, the Ashley River/ Rakahuri Saltwater Creek Estuary ONF and the Ashley River/Rakahuri SAL.			
Effects on matters of national importance			✓
The proposed provisions will address matters of national importance outlined in Section 6(b) of the Act, which highlights the protection of outstanding natural features and landscapes from inappropriate subdivision, use or development as a matter of national importance. The proposed provisions will also address some of the matters outlined in Section 7 of the Act. This includes the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, intrinsic values of ecosystems, maintenance and enhancement of the quality of the environment, and any finite characteristics of natural and physical resources.			
Scale of effects geographically (local, district wide, regional, national)		✓	
Although not district wide, the provisions apply to a large area of the District.			
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	✓		
While the provisions apply to a relatively large area of the District, they do not affect a large number of property owners as the majority of the land is agency owned (land owned by the Department of Conservation, LINZ, Environment Canterbury (for regional parks and flood control land)) or the Council.			
Scale of effects on those with specific interests, e.g., Mana Whenua, industry groups	✓		
While the provisions apply to a relatively large area of the District, they do not affect a large number of industry groups or significantly affect Mana Whenua. The proposed overlays include some Māori land, however, the proposed provisions are unlikely to conflict with mana whenua values and the proposed chapter is consistent with the Proposed Sites and Areas of Significance to Māori Chapter.			
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?	✓		
There is no National Policy Statement that is specific to Natural Features and Landscapes. However, the NZCPS contains policies that the District Plan must give effect to for Natural Features or Landscapes located within the coastal environment. The Proposed Chapter is consistent with the NZCPS. The provisions are aligned with and are supported by the CRPS and have a direct line of sight to s6 and s7 of the RMA.			
Likelihood of increased costs or restrictions on individuals, communities or businesses	✓		
Where the ONL / ONF layers remain unchanged the costs and restrictions remain comparable with the Operative Plan. There will be some consenting costs and restrictions imposed by the addition of the Waimakariri River ONF, the Ashley River/ Rakahuri Saltwater Creek Estuary ONF and Ashley River/Rakahuri SAL, however these are limited as most of these areas are located on Agency land, areas already subject to natural hazards restrictions and / or rural land where there are restrictions on residential development. The consenting costs will often include specialist landscape assessments.			

6.2 Summary – Evaluation of Scale and Significance

Overall the evaluation of the scale and significance of the changes from the Proposed District Plan compared to the Operative District Plan is considered **low to medium**. Given this, the level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects anticipated from the implementation of the proposed provisions.

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

While not specifically required under s32 of the RMA, it is appropriate to also consider alternative objectives to those currently included in the Proposed Plan, so as to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation the following criteria form the basis for assessing the appropriateness of the proposed objectives:

1. Relevance i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?
2. Reasonableness: What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes? Will the objective guide decision-making? Does it meet sound principles for writing objectives?
3. Achievability i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the local authority.

For the purpose of this evaluation, the Council has considered the following potential objectives:

1. The status quo; and
2. The proposed objective.

Alternative objectives, such as to not address ONLs/ONFs have not been assessed given the clear RMA s6 and s7 requirements and the requirements in the CRPS.

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
Objective 5.1.1 <i>The protection of characteristics that contribute to the natural character of the outstanding landscapes and natural features.</i>	Relevance: Adverse effects undermining the protection of ONLs / ONFs is an RMA issue to respond to. The objective assists the Council to meet its functions under the RMA.
	Reasonableness: This approach is considered to be reasonable. Protecting ONLs and ONF has generally been supported by the

Existing Objective/s (status quo)	Appropriateness to achieve the purpose of the Resource Management Act 1991
	community (for example through What's the Plan consultation). However, the Operative Plan provisions do not address the Waimakariri River, Ashley / Rakahuri River or the Ashley / Rakahuri Salt Water Creek Estuary landscapes and features.
	<p>Achievability:</p> <p>This objective is achievable as it uses planning rules to manage activities and buildings in identified areas.</p>

Proposed Objective/s	Appropriateness to achieve the purpose of the RMA
<p>NFL-O1 - Outstanding Natural Features <i>Outstanding natural features are protected from land use or development that would adversely affect the values of these features.</i></p> <p>NFL-O2 - Outstanding Natural Landscapes <i>Outstanding natural landscapes are protected from land use or development that would adversely affect the values of these landscapes</i></p> <p>NFL-O3 - Significant Amenity Landscapes <i>The values of significant amenity landscapes are maintained.</i></p>	<p>Relevance:</p> <p>Adverse effects undermining the protection of ONLs / ONFs is an RMA issue to respond to. The objectives assist the Council to meet its functions under the RMA and the CRPS (Policies 12.3.2 and 12.3.3).</p> <p>Reasonableness:</p> <p>The objectives are considered to be reasonable. Protecting ONLs and ONFs has generally been supported by the community (for example through What's the Plan consultation). The approach will reflect best practice by using directive language and reflecting the approach taken in other district plans. The approach will not result in unjustifiably high costs on the community or landowners given the direction to protect ONL's in the RMA, the ownership of the areas and the existing restrictions that already apply.</p> <p>Achievability:</p> <p>The objectives are achievable as they use planning rules to manage activities and buildings in clearly identified areas.</p>

7.2 Summary - Evaluation of Proposed Objectives

The proposed objectives are considered to be the most appropriate means of achieving the purpose of the Act. They directly address s6 and s7 matters as required under the RMA. Relative to the status quo, they focus on values as opposed to characteristics, which is more aligned with the CRPS regional landscape study. In addition, an SAL is now included which recognises the significance and values of the Ashley / Rakahuri River to the local community.

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.

The evaluation being undertaken is of the proposed approach and the status quo, resulting in a preferred option being put forward.

For the purpose of this evaluation, the Council has considered the following potential objectives:

1. The proposed objective; and
2. The status quo.

Alternative objectives, such as to not address ONLs/ONFs have not been assessed given the clear MRA s6 and s7 requirements and the requirements in the CRPS.

8.1 Evaluation of Proposed Policies and Methods

Policy and method options to achieve the District Plan objectives relating to Natural Features and Landscapes.	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: Proposed Approach</p> <ul style="list-style-type: none"> Objectives and policies seek that: ONLs and ONFs are identified and their values protected; the SAL is identified and its values are maintained. Rules cover additions and new buildings, distinguishing between buildings for conservation and park management, residential and farming, and buildings for other purposes. Commercial and organised motorised activities are RDIS. New or extensions to tracks wider than 3m are RDIS. Centre pivot and 	<p>Environmental:</p> <p>Clear understanding provided of the values, threats and what needs to be managed. Requires assessment of activities that may generate significant effects and enables applications to be declined.</p> <p>Values are protected, or maintained, from adverse effects associated with buildings and activities.</p> <p>Economic:</p> <p>Activities which rely on the identified biophysical, sensory and associate values are supported. These could include tourism and recreational activities. Provides for the continued operation of farming activities and other activities that do not threaten the identified values.</p>	<p>Environmental:</p> <p>There may be potential for some minor adverse effects from activities (such as buildings in the Rural Zones) that need to locate within ONL/F or SAL areas. However, these activities are managed through rules and built form standards, including resource consent assessment for some activities.</p> <p>Economic:</p> <p>Restrictions are proposed on identified activities and structures. This may reduce development potential in the ONL/F or SAL directly or due to uncertainty created by the resource consent process, although the majority of the land is in agency ownership and as such</p>	<p>The proposed option is considered to be the most efficient and effective as it:</p> <ul style="list-style-type: none"> enables the Council to fulfil its statutory obligations, including s6(b), s7(c) and 7(f); gives effect to the provisions of the CRPS; ensures that a robust process is undertaken and documented that sets out values and threats for all ONL/F or SAL areas; provides clarity and certainty over anticipated activities; will implement the objectives of protecting and maintaining the identified values whilst not unnecessarily restricting economic activity; gives effect to the NZCPS, with respect to the protection of identified values in the coastal environment; enables the Council to effectively administer its District Plan objectives. 	<p>The proposed approach aligns with technical evidence, and the Council has sufficient information to determine the areas, values and threats and to act on the proposed provisions.</p> <p>The risk of not acting may result in further degradation of identified natural features and landscapes.</p> <p>The risk of not acting would result in the Council failing to meet its statutory obligations under the RMA.</p> <p>The Operative Plan already manages an ONL, there are direct requirements in the RMA and the CRPS to do so, and the technical evidence is consistent with industry best practice.</p> <p>The risk of this approach is a higher level of regulation for activities within natural features and landscape areas.</p>

Policy and method options to achieve the District Plan objectives relating to Natural Features and Landscapes.	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>travelling irrigators and new roads are DIS. Mining, plantation forestry and woodlots are non-complying.</p> <ul style="list-style-type: none"> • Built form standards cover reflectivity and site coverage. • The underlying zone rules also apply. 		<p>it will not affect a large number of landowners.</p> <p>Additional costs may apply due to resource consent requirements in a large geographic area. However, the proposed approach is more targeted than the Operative provisions (e.g. for vegetation clearance and new buildings). As such, the proposed approach could result in less restrictions on some activities and therefore lower costs than the Operative Plan.</p>		<p>Overall it is considered that that there is a low risk from the proposed approach.</p>
	<p>Social:</p> <p>The values of these areas, which contribute to the community's appreciation of them, are managed consistent with the objectives. These values can be appreciated both now and in the future.</p>	<p>Social:</p> <p>There may be differences of opinion across the community over the value of ONL/F or the SAL and the need for district plan provisions.</p>		
	<p>Cultural:</p> <p>The values of these areas, which contribute to the community's</p>	<p>Cultural:</p> <p>None identified.</p>		

Policy and method options to achieve the District Plan objectives relating to Natural Features and Landscapes.	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>appreciation of them are appropriately protected/maintained.</p> <p>The provisions better reflect Ngāi Tūāhuriri cultural values and better reflect the objectives and policies of the IMP. They may help to protect cultural sites of significance which are located within the overlays.</p> <p>The provisions provide for greater protection of the Waimakariri River, the Ashley/Rakahuri Saltwater Creek Estuary and the Ashley River which are identified in the Sites of Cultural Significance Chapter.</p> <p>The provisions are likely to support better environmental outcomes which could have positive affects for cultural activities such as mahinga kai.</p>			
Opportunities for economic growth and employment				
Opportunities for economic growth and employment exist for those activities which utilise or rely on ONL/F and SAL. Plantation Forestry and travelling irrigation systems require resource consent, but otherwise farming activities are enabled.				

Policy and method options to achieve the District Plan objectives relating to Natural Features and Landscapes.	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
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Quantification

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

Options less appropriate to achieve the objective

Option B: Status Quo	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>Environmental:</p> <p>Requires assessment of activities that may generate significant effects and enables applications to be declined.</p> <p>Natural area values are protected, or maintained, from adverse effects associated with buildings and activities.</p> <p>However, the status quo does not cover other areas of the District where technical evidence indicates protection / management is also required.</p>	<p>Environmental:</p> <p>Not all important landscapes and features in the District are identified and appropriately managed. This could result in adverse environmental effects occurring.</p>	<p>The status quo option is not considered to be the most efficient and effective as it:</p> <ul style="list-style-type: none"> • gives effect to the provisions of the CRPS only in part, as other important landscapes such as the Waimakariri River are not identified. • enables the Council to fulfil its statutory obligations under s6 and 7 only in part as other important landscapes are not identified. • utilises superseded assessment criteria to identify the existing ONL area; 	<p>The status quo approach does not align with the recent technical evidence which has been developed based on current best practice and CRPS requirements. The status quo approach does not fully give effect to the CRPS as some important areas such as the Waimakariri River are not identified and appropriately managed.</p> <p>Overall it is considered that that there is a risk from adopting the status quo approach.</p>

Policy and method options to achieve the District Plan objectives relating to Natural Features and Landscapes.	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>Economic:</p> <p>Activities which rely on the identified values are supported. These could include tourism and recreational activities. Provides for the continued operation of farming activities and other activities that do not threaten the identified values.</p>	<p>Economic:</p> <p>Restrictions exist on identified activities and structures which will reduce development potential in the ONLs directly or due to uncertainty created by the resource consent process, although the majority of the hill country area is in DoC ownership.</p> <p>Additional costs may apply due to the need to get resource consent.</p>	<p>In addition, some activities that could adversely affect ONL/F values are not controlled by way of rules i.e. commercial motorised activities. Conversely, some Operative Plan provisions are overly blunt (e.g. for vegetation clearance and new buildings), requiring consent for activities that may not adversely affect the protected values.</p> <p>In addition, many activities that do not meet the permitted activity standards become discretionary. This may not achieve an appropriate level of protection in ONL areas as the rules appear to have been based on managing activities and not effects on landscape values.</p>	
	<p>Social:</p> <p>The values of the ONL which the community appreciates are appropriately managed.</p>	<p>Social:</p> <p>There may be social costs associated with the non-realisation of economic potential, however none have been identified.</p> <p>The lack of identification and appropriate management of other important landscapes and features in the District could create social costs now and in the longer term, affecting future generations should</p>	<p>Additional areas can be managed efficiently and effectively as identified in the proposed approach assessment.</p>	

Policy and method options to achieve the District Plan objectives relating to Natural Features and Landscapes.	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
		unsympathetic development occur.		
	Cultural: The values of this area, which contribute to the community's appreciation of it are appropriately managed. This helps achieve the objectives in the IMP. It may also help protect cultural sites of significance which are located within the overlay.	Cultural: The lack of identification and appropriate management of other important landscapes and features in the District could create cultural costs.		
Opportunities for economic growth and employment				
Opportunities for economic growth and employment exist for those activities which utilise or rely on the ONL. Farming activities are enabled.				
Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. 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.				

8.2 Summary - Evaluation of Proposed Policies and Methods

The proposed policies and methods are similar in general approach to the status quo provisions. However, they include a Waimakariri ONF, an Ashley River / Rakahuri Saltwater Creek ONF and an Ashley River / Rakahuri SAL. In addition, the Operative Plan's Puketeraki Range and Oxford Foothills ONL has been amended to remove areas that no longer meet the prescribed criteria.

Overall, the proposed policies and methods are the most appropriate option to achieve the objectives as the benefits outweigh the costs and the methods efficiently give effect to 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 proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The District's landscapes and features have been assessed using current best practice criteria (and which is in accordance with the CRPS);
- Additional important landscapes and features have been included, the boundaries of which have been rationalised at a parcel scale to ensure these overlays do not include sites or parts of sites unnecessarily;
- The objectives and policies provide for the protection of ONLS and ONFs, and the maintenance of an SAL, thereby giving effect to the landscape and feature requirements of the CRPS;
- Permitted activity rules provide for anticipated activities to establish and include thresholds for some activities such as buildings and access tracks where there is potential for adverse effects to occur.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs in terms of efficiency and effectiveness. The risks of acting are also clearly identifiable and limited in their extent.

Appendices

Appendix 1 – Proposed Objectives, Policies and Methods

Objectives
<p>NFL-O1 - Outstanding Natural Features Outstanding natural features are protected from land use or development that would adversely affect the values of these features.</p> <p>NFL-O2 – Outstanding Natural Landscapes Outstanding natural landscapes are protected from land use or development that would adversely affect the values of these landscapes.</p> <p>NFL – O3 Significant Amenity Landscapes The values of significant amenity landscapes are maintained.</p>
Policies
<p>NFL-P1 – Protect Outstanding Natural Features</p> <p>Recognise the values of the outstanding natural features identified in {Link,9019,NFL-APP1} and protect them from the adverse effects of activities and development by:</p> <ol style="list-style-type: none">1. avoiding use and development that detracts from the very high biophysical values and high sensory and associative values identified in {Link,9019,NFL-APP1} for the Waimakariri River;2. avoiding use and development that detracts from the very high biophysical and sensory values, and high associative values of the Ashley River/Rakahuri Saltwater Creek Estuary identified in {Link,9019,NFL-APP1}, including on:<ol style="list-style-type: none">a. coastal physical processes;b. ecological habitat and indigenous biodiversity; andc. the experience of the elements and processes of (a) and (b);3. enabling community scale erosion and flood control structures where adverse impacts on the values are mitigated;4. avoiding any significant loss of indigenous vegetation;5. avoiding activities such as plantation forestry, woodlots, shelterbelts, mining and quarrying activities and large buildings or groups of buildings or other structures which create adverse effects on the identified values;6. providing for existing rural production where this does not detract from the identified values; and7. enabling conservation activities and non-motorised recreation activities. <p>NFL-P2 Ngai Tahu customary harvesting</p> <p>Recognise and provide for Ngāi Tūāhuriri customary harvesting of natural resources in identified natural features and landscapes, as an integral part of these areas.</p> <p>NFL-P3 – Protect Outstanding Natural Landscapes</p>

Recognise the values of the outstanding natural landscapes identified in {Link,9019,NFL-APP1} and protect them from the adverse effects of activities and development by:

1. avoiding use and development that detracts from the very high biophysical values and high sensory and associative values of the Puketeraki Range and Oxford Foothills identified in {Link,9019,NFL-APP1}, in particular on the:
 - a. exposed alpine environments;
 - b. sheltered densely forested slopes and gullies of the Oxford Hills;
 - c. indigenous vegetation; and
 - d. recreational values;
2. avoiding use and development in areas which have no capacity to absorb change, including near ridgelines, and mitigating adverse effects through bulk, location and design controls in other areas;
3. avoiding any significant loss of indigenous vegetation;
4. avoiding activities such as plantation forestry, shelterbelts, mining and quarrying activities which create adverse effects on the identified values;
5. providing for existing rural production where this does not detract from the identified values; and
6. enabling conservation activities and non motorised recreation activities.

NFL-P4 – Maintain Significant Amenity Landscapes

Recognise the values of the significant amenity landscapes identified in {Link,9026,NFL-APP1} and maintain them by:

1. managing adverse effects of use and development on the moderate-high biophysical values and high sensory and associative values of the Ashley River/Rakahuri identified in {Link,9026,NFL-APP1}, in particular on the:
 - a. braided river system;
 - b. indigenous fauna and vegetation;
 - c. the wilderness and natural environment; and
 - d. recreational values;
2. enabling community scale erosion and flood control structures where adverse impacts on the values are mitigated;
3. avoiding any significant loss of indigenous vegetation;
4. avoiding incompatible activities, including plantation forestry, shelterbelts, mining and quarrying activities, and large buildings or groups of buildings or other structures which create unacceptable adverse effects on the identified values;
5. mitigating through bulk, location and design controls the adverse effects of other uses and development in areas which have no capacity to absorb change;
6. providing for non motorised recreation activities and conservation activities; and
7. providing for existing rural production where this does not detract from the identified values.

Proposed Methods

All permitted activities in the chapter are subject to activity standards. Activity standards mostly relate to limiting the size of buildings.

Permitted Activities
Additions to existing buildings
Buildings for park management activities or conservation activities
Farm building, residential unit and ancillary buildings to residential and rural production activities
Public amenities
Structures and buildings
Access tracks and parking areas

Restricted Discretionary Activities
Commercial motorised activities (within the Waimakariri River ONF & the Ashley River / Rakahuri SAL)

Discretionary Activities
Centre pivot and travelling irrigators
The formation of a new road
Woodlots and shelterbelts
Planting restricted tree species
Additions to existing buildings in the Ashley River / Rakahuri Saltwater Creek Estuary ONF

Non-complying activities
Mining activity and quarrying activities
Plantation forestry
Specified activities in the Ashley River / Rakahuri Saltwater Creek Estuary ONF

Standards
Building and structures reflectivity rules (Discretionary where not met)
Site coverage rule (Discretionary where not met)

Matters of Discretion
<p>NFL-MD1 New Buildings and structures, additions to buildings and access tracks</p> <ol style="list-style-type: none"> 1. The extent to which the proposal is consistent with maintaining, protecting or enhancing the qualities of the outstanding or significant natural feature and/or landscape, including natural character qualities, as identified in {Link,9019,NFL-APP1}. 2. The extent to which the proposal will detract from the naturalness and openness of the landscape. 3. The extent to which the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu. 4. The extent to which the proposal integrates into the landscape and the appropriateness of the scale, form, design and finish (materials and colours) proposed and mitigation measures such as planting. This shall include consideration of any adverse effects of reflectivity, glare and light spill. 5. The proximity and extent to which the proposal is visible from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point.

6. The extent to which natural elements such as landforms and vegetation within the site mitigate the visibility of the proposal.
7. The extent to which the proposal has any adverse effects on important ridgelines.
8. The extent to which the proposal will result in adverse cumulative effects.
9. The extent to which the proposal will result in significant loss of indigenous vegetation and biodiversity.
10. The extent to which the proposal supports the continuation of farming activities in the rural area.
11. Whether the proposal is connected to reticulated water and the need to provide water supply (for firefighting), and the ability to integrate water tanks into the landscape and mitigate any adverse visual effects.
12. For new access tracks, whether the track supports conservation activities, farming, recreation activities or rural tourism activities and the ability to integrate with the landscape, follow natural contours and mitigate any adverse effects.
13. The extent to which the proposal has functional need or operational need for its location.

NFL-MD2 Motorised Activities

1. The extent of any adverse effects on the identified feature and/or landscape, including natural character qualities as identified in {Link,9019,NFL-APP1}, and natural character values in the coastal environment, including the extent to which the proposal is consistent with maintaining their qualities.
2. Any adverse effects on adjoining outstanding or significant natural features or landscapes or natural character in the coastal environment, and whether there is a sufficient separation to avoid detracting from the qualities of those areas.
3. The extent to which the nature, scale, intensity and location of the proposed activity will adversely affect indigenous biodiversity and ecosystems taking into account:
 - a. any loss of, or effects on, indigenous vegetation or habitats of indigenous fauna, including wetlands, ecological corridors and linkages;
 - b. indigenous ecosystem integrity and function;
 - c. where relevant, any effects on areas of significant indigenous vegetation and/or significant habitats of indigenous fauna in identified SNAs; and
 - d. where relevant, any effects on indigenous vegetation and habitats of indigenous fauna in the coastal environment.
4. The extent to which the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu.
5. The proximity and extent to which the activity is visible from or causes nuisance on public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point.
6. The extent to which the proposal will result in adverse cumulative effects.

Appendix 2 – Excerpts from the 2019 Boffa Miskell District Landscape Evaluation

1.0 Proposed Waimakariri River ONF

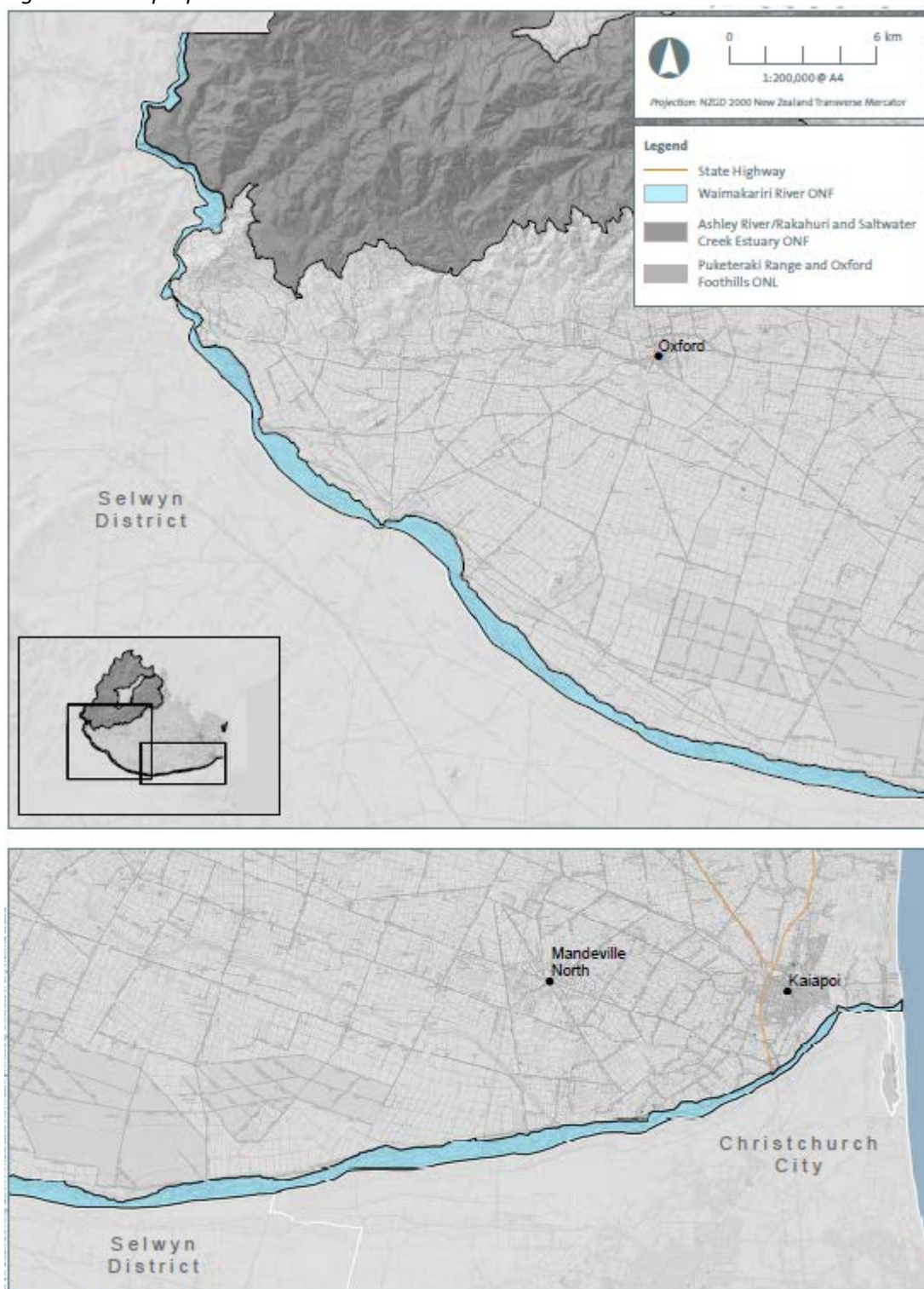
The lower 85km of the Waimakariri River wraps around the western and southern sides of the Waimakariri District. The river is contained in a steep sided and winding rocky gorge for approximately 17km separating the Torlesse and Puketeraki Ranges down to Woodstock station. From Woodstock the river changes to its distinctive broad braided riverbed traversing the plains to the sea. The braided river is restricted through the lower gorge near View Hill (Gorge Bridge). The river terminates at the coast via the mouth at Kairaki in association with Brooklands Lagoon (located on the southern side within Christchurch City).

At a regional scale the Waimakariri River between Woodstock and the coast has been identified as an ONF (Lower Waimakariri River and Gorge). The river upstream of Woodstock lies within the Waimakariri Basin ONF. The lower Waimakariri River and Brooklands Lagoon were also identified as an ONF/L in neighbouring Christchurch City.

Threats to this ONF have been identified as:

- Earthworks and quarrying (gravel extraction, encroachment of farming practices).
- Buildings, structures and utilities (including irrigation canals, hydro dams, etc.).
- Forestry and shelterbelts encroachment into riverbed.
- Native vegetation clearance.
- Further encroachment into the river corridor of activities on adjacent land.
- Activities that threaten the ecological and habitat values.
- Flood control measures, including groynes, stop banks and planting that channelises the braided river bed.
- Spread of weeds across the river bed and banks, including associated habitat loss.

Figure 1 – The proposed Waimakariri River ONF



2.0 Proposed Puketeraki Range and Oxford Foothills ONL

Existing ONLs in the district plan include parts of the Puketeraki Range, and the Oxford Foothills including Mt Oxford, Mt Richardson and Mt Thomas. As part of this assessment the existing ONLs have been reviewed and amended.

The Puketeraki Ranges and Oxford foothills comprise a small part of the Canterbury foothills north of the Waimakariri River with elevations between approximately 500m - 1950m. Lees Valley is nestled between the ranges and foothills as a small intermontane basin. The Puketeraki Range is a relatively high and steep alpine and sub alpine environment with many bare ridges and slopes. The lower and more rounded Oxford hills are typified by their dense beech/ podocarp forest cover that forms the notable backdrop to this part of the district. The well-known Canterbury peaks of Mt Oxford, Mt Richardson and Mt Thomas mark the highpoints of the Oxford hills. Many of the rivers that traverse the district originate in these hills and ranges (Eyre River, Cust River, Garry River, Ashley River/Rakahuri and Okuku River).

The slopes of the ranges and hills that enclose Lees Valley rise up from the flat valley basin floor. Within the valley a scenic high-country landscape with pastoral grazing can be found with a similar character to other valleys and basins in Canterbury. The lower slopes and hills, with more gentle topography, have been subject to more intense grazing and development than the upper slopes which are steeper. The slopes with a northerly aspect, exposed to the prevailing norwest gales and drying winds support less vegetation than more sheltered gullies and slopes. The ridge tops and skyline that encloses the valley are prominent features of Lees Valley.

The proposed ONL extends down the slopes of Lees Valley beyond the Operative Plan's 'core ONL' but does not include the valley floor (as included in the Operative Plan's 'ONL Buffer' area). Some aspects of the Lees Valley landscape, when considered as a whole, have high sensory landscape values. But not all of the existing 'ONL buffer area' is considered to reach the threshold of 'outstanding'. Factors which contribute to the high sensory values of the valley relate to its complete sequence of landforms including the ridges, upper slopes, lower slopes, valley floor and rivers as a legible and intact landform. The enclosed nature of the valley further emphasises the physical and visual presence of the enclosing hills and the vividness of the skylines. There are pockets of indigenous vegetation in the lower parts of the valley (including the red tussock wetlands in the northwest end of the valley with very high ecological value). However, modifications through farming has substantially modified the majority of the valley floor and toe slopes with improved pastures, roads, farm tracks, buildings, shelterbelts, woodlots, and fenced paddocks that extend some way up the up the lower slopes. While the valley floor and toe slopes add visual context and 'complete' the Lees Valley landform they are not of themselves natural enough to be included in the proposed ONL.

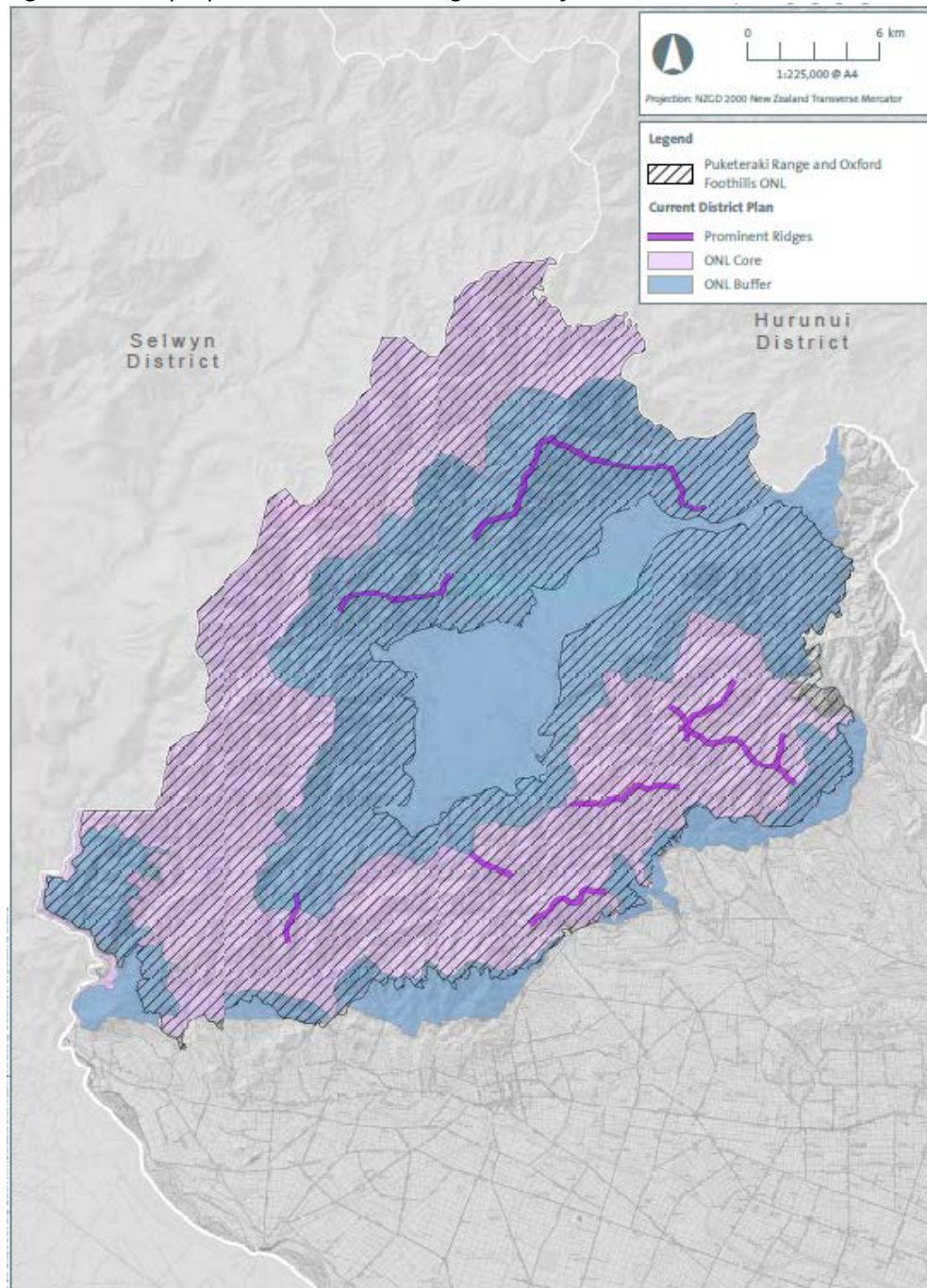
The proposed ONL boundary excludes a fringe of the existing ONL Buffer. These 'left over' ONL Buffer areas have been significantly developed and modified for farming or forestry use including earthworks, loss of indigenous vegetation and ecological systems, establishment of fences, buildings, roads and other structures. In particular, production forest harvest operations disrupt the visual coherence and natural appearance of the of the hills.

The existing ONL areas were identified and mapped in 1996. It is possible that some of the 'left over' ONL areas have undergone further development in the intervening years. Regardless of this, the methodology and thresholds used for this assessment has been consistently applied in this assessment.

Threats to this ONL have been identified as:

- Change in farming practices extend to higher elevations.
- Earthworks and quarrying, track formation.
- Prominent buildings and structures.
- Subdivision and associated fencing, planting, buildings
- Utilities particularly on elevated locations including wind farms and towers.
- Production plantations and shelterbelts;
- Native vegetation clearance.
- New or changing forms of recreation that physically impact on vegetation or landforms or disrupt the remote and quiet nature of the hills and ranges.

Figure 2 – The proposed Puketeraki Range and Oxford Foothills ONL



3.0 Proposed Ashley River/ Rakahuri Saltwater Creek Estuary ONF

The district extends to the area above Mean High Water Springs (MHWS), which defines the District/Regional boundary along the beach and estuary. However, the physical tides and coastal processes obviously extend well inland of this MHWS line. At a landscape scale the whole area is experienced in its entirety regardless of statutory boundaries and has been considered as such for this evaluation.

The natural character assessment of the marine area of the Canterbury Coast (area below MHWS) identified the Ashley River Mouth/Rakahuri Saltwater Creek Estuary as having outstanding natural character. The relevant natural character details have been included and considered in this landscape evaluation.

The Waimakariri Coastal Natural Character Study prepared for WDC identifies the Ashley River mouth/Rakahuri Saltwater Creek Estuary (above MHWS) as an area of Outstanding Natural Character.

Threats to this ONF have been identified as:

- Earthworks in estuary margin.
- Flood management structures.
- Damage to estuary, its margins and associated vegetation from vehicles or farming practices.
- Quarrying;
- Buildings and structures on estuary margins.
- Utilities (such as powerlines stormwater pipes/channels.
- Forestry and shelterbelts.
- Native vegetation clearance.

Figure 3 – The proposed Ashley River/ Rakahuri Saltwater Creek Estuary ONF



4.0 Proposed Ashley River/Rakahuri SAL

The Ashley River/Rakahuri is one of the Waimakariri District's largest braided rivers, with the proposed SAL section of the river being forty-five kilometres in length. Flanked by predominantly poplar and willow, the river meanders through farmland from the Ashley Gorge to its mouth at Waikuku beach.

The river is a popular recreational resource for the Waimakariri District, with numerous four-wheel driving, biking, and walking tracks. Most of this activity is localised to the lower reaches of the river along the stop banks and in the river bed. Organisations such as Riding for the Disabled and the North Canterbury BMX Club also use the margins of the river.

As well as having important recreational value, the Ashley River/Rakahuri provides excellent habitat for nationally vulnerable and endangered bird species. The Ashley Rakahuri Rivercare group, a local volunteer organisation, works with the Department of Conservation to trap pests, remove the river bed of weeds, and work with local users of the river to enhance its ecological health.

Threats to this SAL have been identified as:

- Impact of gravel extraction within the river bed, on bird habitat
- Further encroachment into the river corridor and margins by activities on adjacent land e.g. agriculture
- Flood management structures
- Spreading of weed across the river bed
- Buildings and other forms of infrastructure
- Four-wheel drive access and damage
- Water extraction

Figure 4- The proposed Ashley River/Rakahuri SAL

