

# APPENDIX 1

## REGIONAL POLICY STATEMENT

### Objectives and Policies Relevant to the Proposed CPWES – as referred to in Evidence

#### **CHAPTER 6 : TANGATA WHENUA**

##### **Objective 1**

To enable Tangata Whenua to exercise their relationship, their culture and their traditions with their ancestral lands, water, sites, wahi tapu, and other taonga and to take into account the Treaty principles of partnership and active protection of Tangata Whenua in the use of their lands and waters to the fullest extent practicable.

##### ***Policy 1***

*The Regional Council, in recognition of the role of Tangata Whenua in resource management, will continue to develop its relationship with runanga for the management of natural and physical resources and to resolve conflict that may arise over resource management issues. In fostering this relationship the Regional Council will take into account the principles of the Treaty of Waitangi as expressed in case law, and as appropriate to the circumstances, those principles expressed by the Waitangi Tribunal. It will seek to give effect to these principles with the utmost good faith.*

##### ***Policy 3***

*Specific aspects of the relationship of Tangata Whenua, their culture and their traditions with their ancestral lands, water, sites, wahi tapu and other taonga should be recognised and provided for through resource management and planning including provisions in plans, decisions on resource consents and monitoring the state of the environment.*

##### ***Policy 4***

*To promote the protection of any site or activity that yields evidence of koiwi tangata (human bones) or artefacts (taonga) from violation or desecration.*

#### **CHAPTER 7 : SOILS AND LAND USE**

##### **Objective 1**

- (a) Safeguard the life-supporting capacity of soil by maintaining or restoring where appropriate, soil quality factors including: soil depth, soil structure, water holding capacity, organic matter, soil fertility and soil fauna.

- (b) Prevent, as far as practicable, induced soil erosion in Canterbury.

**Policy 2**

- (a) *Wherever any action or activity is carried out that increases the likelihood of soil depth being lost, the best practicable<sup>2</sup> method for reducing the amount of erosion likely to occur as a result of that action or activity should*
  - <sup>2</sup> *For the purposes of this policy, “practicable” means what is possible in practice. Put in other words, adopting the “best practicable method” means using a method that minimises the likelihood of soil erosion occurring or being made worse, while still enabling the task to continue.*
- (b) *Activities that have the potential, regardless of the method adopted, to result in significant soil erosion, or to lead to significant off-site effects, including sedimentation of water bodies or the coastal environment, should be avoided unless these adverse effects can be offset by mitigation measures undertaken elsewhere.*

**Policy 3**

- (a) *Maintain or restore vegetative cover on non-arable land so that it is sufficient to prevent land degradation as indicated by:*
  - (i) *a combination of all the following: a long-term reduction in plant stature, vigour and biomass; increased bare ground; and the presence of early successional plant communities; or*
  - (ii) *a long-term decline in soil quality factors as set out in Policy 1; or*
  - (iii) *induced soil erosion.*
- (b) *Vegetation clearance on non-arable land, whether by burning, or other means, should as soon as practicable be followed by post-clearance treatment to restore or establish a vegetative cover or other surface that is sufficient to prevent induced soil erosion.*
- (c) *Where burning is used to manage vegetation on nonarable land, pre-burn soil quality factors should be protected or restored by appropriate post-burn management.*

**Policy 4**

- (a) *Where past or present land use is resulting in induced erosion, or has increased vulnerability to induced erosion, the landowner or occupier should implement remedial measures to return the rate of erosion, or erosion vulnerability to its natural level.*
- (b) *Priority for treatment should be where there is a significant actual or potential adverse effect on significant habitats of indigenous flora and fauna, water bodies or their beds (including wetlands), or the coastal environment.*

**Objective 3**

Protection of the environment from on-site and off-site adverse effects:

- (a) resulting from land that has become contaminated;
- (b) by prevention of land contamination.

## **CHAPTER 8 : LANDSCAPE ECOLOGY AND HERITAGE**

### **Objective 1**

Protection or enhancement of wetlands, particularly the gross area of wetlands in the region, their ecological integrity and functioning, their cultural amenity and recreational values, and the preservation of their natural character.

### **Policy 1a**

- (a) *Adverse effects on the ecological integrity, functioning, natural character, cultural, amenity and recreational values of wetlands (including the effects of drainage, reclamation, clearance of vegetation, burning, grazing, cultivation, dumping, subdivision or building) should be avoided, remedied or mitigated. Where practicable these wetland areas should be enhanced. The particular sensitivity of wetlands to the effects of land use activities should be reflected in the provisions of regional and district plans.*

### **Policy 2**

*Encourage artificial wetland areas in suitable places, either as a strategic improvement in the provision of natural habitats, or as a means of dealing with discharges of contaminants.*

### **Objective 2**

Protection or enhancement of the natural features and landscapes that contribute to Canterbury's distinctive character and sense of identity, including their associated ecological, cultural, recreational and amenity values.

### **Policy 3**

*Natural features and landscapes that meet the relevant criteria of sub-chapter 20.4(1) should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their enhancement should be promoted. Activities that may have adverse effects include those involving the clearance or modification of areas of indigenous vegetation (particularly tall tussock), earthworks, alteration to landforms, tree planting, or the erection of structures.*

*The particular sensitivity of these natural features and landscapes to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region. Assessments of effects should be made by considering:*

- (i) *aesthetic values;*
- (ii) *expressiveness;*
- (iii) *transitory value;*

- (iv) *natural science factors.*

### **Objective 3**

Protection or enhancement of:

- (i) Indigenous biodiversity, (including the survival of threatened species, communities and habitats, and species, biological communities and habitats unusual in, or characteristic of Canterbury);
- (ii) Indigenous ecosystem functioning; and
- (iii) Indigenous vegetation and habitats which contribute to the region's natural character.

### **Policy 4**

*Areas of indigenous vegetation and habitats of indigenous fauna that meet the relevant criteria of sub-chapter 20.4(1) should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their enhancement should be promoted. In particular, indigenous species, communities and habitats that are threatened, unusual in, or characteristic of Canterbury should be identified, and their survival, and the survival of ecosystems on which they depend, safeguarded as far as practicable.*

*The particular sensitivity of these areas of vegetation or habitats to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region.*

### **Objective 4**

Protection or enhancement of the historical and cultural heritage sites, buildings, places and areas, including their cultural, recreational and amenity values, that contribute to Canterbury's distinctive character and sense of identity.

### **Policy 5**

- (a) *Historic sites, buildings, places or areas that meet the relevant criteria of sub-chapter 20.4(1), including their associated cultural and heritage values, should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their conservation should be promoted.*

*The particular sensitivity of these historic sites, buildings, places or areas to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region.*

- (b) *Subject to (a), access for Tangata Whenua to wahi tapu and wahi taonga sites should be provided for where appropriate.*
- (c) *Information regarding the location of wahi tapu and wahi taonga sites, and whether use of that land or public access to it is appropriate should be obtained*

*from Tangata Whenua. Such information as the Regional Council may have will only be released with prior agreement of Tangata Whenua. Any runanga initiative for appointment as a heritage protection authority should be supported where it would further facilitate the protection of wahi tapu and wahi taonga within their rohe.*

## **CHAPTER 10 : BEDS OF RIVERS AND LAKES AND THEIR MARGINS**

### **Objective 1**

With respect to land use and development within the beds and margins of lakes and rivers, protection, and where appropriate, enhancement of:

- (a) natural character;
- (b) significant habitats of indigenous flora and fauna;
- (c) significant natural features and landscapes;
- (d) mahinga kai areas, wahi tapu, and wahi taonga, and Tangata Whenua access to these;
- (e) habitat values of braided river beds;
- (f) significant amenity and recreation values;
- (g) heritage values;
- (h) significant habitats of trout and salmon;
- (i) life-supporting capacity (health) of aquatic and riparian

### **Policy 1**

- (a) *Areas within the beds of rivers and lakes and their margins containing important conservation values are to be identified. These include:*
  - (i) *areas of natural character;*
  - (ii) *significant habitats of indigenous flora and fauna;*
  - (iii) *significant natural features and landscapes;*
  - (iv) *areas of mahinga kai, wahi tapu or wahi taonga (including historical artefacts, urupa, skeletal remains) and Tangata Whenua needs for access to them;*
  - (v) *significant amenity and recreation values;*
  - (vi) *significant heritage values;*
  - (vii) *significant habitats of trout and salmon.*
- (b) *Land use or development should avoid causing significant adverse effects on the conservation values contained in areas identified in Policy 1(a).*
- (c) *Prior to identification of areas under Policy 1(a), land use activities on the beds and margins of lakes and rivers should be undertaken at such times or in such ways that their adverse effects on the following values are avoided or mitigated:*
  - (i) *habitats of indigenous fauna, including international migratory bird species, particularly threatened species, and species rare or endemic within Canterbury;*

- (ii) *habitats or the unimpeded passage of indigenous fish;*
- (iii) *areas of indigenous vegetation;*
- (iv) *wetland areas;*
- (v) *natural character or significant landscape values;*
- (vi) *spawning habitats or the unimpeded passage of trout and salmon;*
- (vii) *amenity and recreation values;*
- (viii) *heritage sites;*

**Policy 2**

*The areas identified in Policy 1(a) and 1(c) should be enhanced where:*

- (a) *they exist in a degraded state and enhancement will achieve long-term improvement; and*
- (b) *for areas with important ecological values this will:*
  - (i) *contribute to the indigenous biodiversity of that area, particularly for ecosystem types that are threatened or under-represented in protected areas; or*
  - (ii) *improve the life-supporting capacity of the indigenous ecosystems; or*
  - (iii) *improve or establish connections between habitats and create corridors for wildlife dispersal; and*
- (c) *it will not reduce the flood-carrying capacity of a river; and*
- (d) *it will not cause adverse effects on the stability or performance of essential structures.*

**Policy 3**

*Retain, and promote the establishment of, riparian vegetation particularly indigenous vegetation along the margins of rivers and lakes, to reduce the adverse effects of land use on water quality and to enhance conservation and amenity values.*

**Objective 2**

Protect the flood-carrying capacity of rivers from the adverse effects of land use within the beds and margins of rivers, or the obstruction of waterways by the accumulation of bed material and vegetation.

**Policy 4**

*Land use within beds and margins of rivers should be undertaken in such a way that any adverse effects on the following values are avoided or mitigated:*

- (i) *the free passage of floodwaters within the beds; and*
- (ii) *the contribution of vegetation or structures to the control of flood flows or the control of erosion.*

**Objective 3**

Protection of the stability and performance of essential structures from the adverse effects of land use within the beds and margins of rivers.

**Policy 6**

*Land use activities within the beds and margins of rivers should be undertaken in such a way that any adverse effects on the stability or performance of essential structures are avoided.*

**Objective 4**

Achieve improved and safe public access to and along rivers and lakes and their margins, to enhance recreational opportunities and the ability of Tangata Whenua to exercise kaitiakitanga, where it will not lead to activities which could:

- (a) adversely affect values identified in Objective 1;
- (b) compromise the stability and performance of flood control and other essential structures;
- (c) cause conflicts with activities of land owners or occupiers.

**Policy 7**

*Maintain and enhance public access to and along rivers and lakes and their margins for the enjoyment of their recreation and amenity values and for Tangata Whenua to exercise kaitiakitanga, except where restrictions are necessary to:*

- (a) safeguard the conservation values identified in Policy 1;
- (b) protect the stability or performance of flood control and other essential structures;
- (c) avoid conflicts with activities of land owners or occupiers ;
- (d) protect public safety.

**CHAPTER 12 : SETTLEMENT AND THE BUILT ENVIRONMENT**

**Objective 1**

Enable urban development and the physical expansion of settlements and the use and provision of network utilities to occur while avoiding, remedying or mitigating adverse effects on the environment, including in particular effects on:

- (a) uses and values associated with water quality of water bodies.
- (b) flow and level regimes of water bodies, including the flow regimes of spring-fed streams.
- (c) air quality.
- (d) natural character of coastal environments, wetlands, lake and river margins that meet the criteria of sub-chapter 20.4.
- (e) natural features and landscapes that meet the criteria of sub-chapter 20.4.
- (f) areas of significant indigenous and native vegetation and significant habitats of indigenous or native fauna including native fish, for example, inanga (whitebait), tuna (eel), including those that meet the criteria of subchapter 20.4.

- (g) ancestral land, water, sites, wahi tapu, and wahi taonga of value to Tangata Whenua.
- (h) amenity values that meet the criteria of sub-chapter 20.4.
- (i) heritage values of sites, buildings, places and areas that meet the criteria of sub-chapter 20.4.
- (j) recreational resources that meet the criteria of subchapter 20.4.
- (k) energy use

**Policy 2**

*The use of land for urban development and the physical expansion of settlements should be discouraged and the adverse effects of network utility use and provision minimised where such use would:*

- (a) *result in the contamination of sources of drinking water.*
- (b) *have an adverse effect on flows and level regimes of water bodies, including the flow regimes of spring-fed streams.*
- (c) *adversely affect the natural character of coastal environments, wetlands, lake and river margins, natural features and landscapes, and recreational, amenity and heritage values that meet the criteria of sub-chapter 20.4, and significant indigenous vegetation and habitats of indigenous fauna including those that meet the criteria of sub-chapter 20.4.*
- (d) *adversely affect ancestral land, water and sites, including prevention of the maintenance and, as may be appropriate, the enhancement of mahinga kai, and the protection of wahi tapu and wahi taonga.*

**CHAPTER 13 : AIR**

**Objective 2**

Avoid, remedy or mitigate the adverse effects on people, flora and fauna, and other natural and physical resources resulting from discharges of contaminants into the air.

**Policy 3**

*Set standards, conditions and terms for discharges of contaminants into the air to avoid, remedy or mitigate adverse effects.*

**Policy 5**

- (a) *Activities which require resource consents to discharge contaminants into air should be encouraged to locate away from residential dwellings, educational facilities, hospitals, shops and other similar public buildings unless adverse effects can be avoided or mitigated.*
- (b) *Avoid encroachment of new development on existing activities discharging to air, unless the adverse effects can be avoided or mitigated.*

## **CHAPTER 14 : ENERGY**

### **Objective 1**

Reduce Canterbury's dependence on non-sustainable energy sources.

## **CHAPTER 15 : TRANSPORT**

### **Objective 1**

Enable a safe, efficient and cost-effective transport system to meet present and future regional, inter-regional and national needs for transport.

### ***Policy 1***

*Promote the implementation of the concepts of clean production, waste reduction, re-use, recycling and resource recovery.*

### **Objective 2**

Avoid, remedy, or mitigate the adverse effects on the environment of transport use and provision.

### ***Policy 4***

*Ensure that in the provision, realignment or maintenance of transport infrastructure, adverse effects on natural resources that meet the criteria of sub-chapter 20.4 are avoided, remedied, or mitigated.*

## **CHAPTER 16 : NATURAL HAZARDS**

### **Objective 1**

Avoid or mitigate the actual or potential costs of loss or damage to life, property, or other parts of the environment from natural hazards.

### ***Policy 3***

*Where there is no provision for natural hazard in a plan relevant to an area in which an application for a resource consent has been received, the consent authority should, when having regard to this Regional Policy Statement, take a precautionary approach to the potential for a natural hazard to be created or increased as it relates to the applicant or any other person or property. This may be achieved by giving priority to the principle of avoidance.*

**Policy 4**

*In discharging their responsibilities for natural hazard management, the Regional Council, and territorial authorities in the Canterbury region should adopt a precautionary approach and ensure that an appropriate combination of measures is used to modify occurrences, modify susceptibility to damage, and deal with the consequences of disaster.*

**CHAPTER 17 : HAZARDOUS SUBSTANCES**

**Objective 1**

Prevent or mitigate the adverse effects on the environment from the storage, use, disposal and transportation of hazardous substances.

**Policy 2**

*Promote hazardous substances management practices that prevent or mitigate adverse effects on the environment, including practices that reduce the use of hazardous substances.*

**Policy 3**

*Ensure that the adverse effects on the environment of unintended releases of hazardous substances from the storage, use, disposal or transportation of such substances are prevented or mitigated as far as practicable.*

**CHAPTER 18 : SOLID AND HAZARDOUS WASTE MANAGEMENT**

**Objective 1**

Avoid, remedy or mitigate the adverse effects on the environment from past, present and future.

**Policy 1**

*Promote the implementation of the concepts of clean production, waste reduction, re-use, recycling and resource recovery.*

**Policy 3**

*Solid and hazardous waste disposal sites, including sites which are no longer used for waste disposal, should be managed and located to avoid, remedy or mitigate any adverse effects on the environment.*

**Policy 4**

*Those who generate or dispose of waste should meet the environmental and waste management costs of disposing of their waste as far as practicable and necessary to avoid adverse effects.*

## **APPENDIX 2**

### **PROPOSED SELWYN DISTRICT PLAN OBJECTIVES AND POLICIES**

#### **1.1 Land and Soil**

##### **Objectives**

1. Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated.
2. People and their property are not affected by contaminated soil or unstable land and any adverse effects on the environment are avoided, remedied or mitigated.
3. Promote the sustainable management of the soil resources of the district.

##### **Contaminated Land**

- Policy 1. Ensure any activity involving hazardous substance or waste disposal is carried out in a way which reduces the risk of contaminating land or soil.*
- Policy 2. Avoid adverse effects on people through exposure to contaminated land and mitigate or remedy any adverse effects on the environment.*
- Policy 3. Encourage the management of contaminated sites so that effects on peoples' health or on the environment are avoided.*

##### **Unstable Land**

- Policy 4. Require earthworks on slopes to be carried out in ways that minimise the likelihood of land slipping or slumping.*
- Policy 5. Avoid adverse effects on people or their property from locating buildings or infrastructure on unstable land.*

##### **Soil Damage**

- Policy 6. Encourage initiatives by Environment Canterbury and landowners to reduce the adverse effects of activities on soil structure and soil erosion.*
- Policy 7. Avoid removing large quantities of topsoil from sites unless:*
- *The site will be covered in hardstanding; or*
  - *The topsoil will be replaced and the site replanted, when the activity ceases.*

#### **1.2 INDIGENOUS VEGETATION AND TREE SPREAD**

##### **Objectives**

1. Significant areas of indigenous vegetation and habitats of indigenous fauna are recognised and protected and enhancing areas of indigenous vegetation is encouraged.
3. Protect, and where practicable enhance indigenous vegetation along riparian margins and wetlands generally.
4. The potential adverse effects from activities on areas of indigenous vegetation, habitats of indigenous fauna, and indigenous biodiversity and functioning are avoided, remedied or mitigated.

### **Policies**

*Policy 1. Identify and protect significant ecological sites in partnership with landholders and other stakeholders using the process set out in Appendix 12.*

*Policy 2. Avoid irreversible damage to or destruction of significant ecological sites.*

*Policy 5. Encourage the retention of existing indigenous vegetation on the margins of lakes, rivers, wetlands and streams and the enhancement of these areas through management practices which allow for the reestablishment of vegetation of the margins of lakes, rivers, wetlands and streams in areas where it has been depleted.*

*Policy 6. Adverse effects on indigenous ecosystems, vegetation and habitat should be avoided, remedied or mitigated where these areas are important for maintaining the indigenous biodiversity and ecosystem functions and natural character of the District.*

## **1.3 WATER**

### **Objectives**

1. Contamination of ground water or surface water is avoided and/or mitigated and water quality improved in degraded waterbodies through changes in land management practices and controls on land uses likely to cause waterbody contamination.
2. To protect and enhance the vegetation, habitat values, ecosystem processes and amenity values of waterbodies and their riparian margins, their role in maintaining water quality and their significant landscape values.
3. Protect and enhance the amenity values along waterbodies.
4. Land use activities involving structures or provisions for the storage of or reticulation of rural water supplies are to maintain and mitigate adverse effects on the amenity and environmental qualities of the rural area.
5. Remaining wetland areas within the District are protected and degraded areas are restored.
6. Land use activities, and particularly earthworks, forestry, vegetation clearance and modification, and agricultural activities, are managed within catchments and

riparian areas to protect water quantity and quality, aquatic habitat, and natural character.

## **Policies**

### **General Policies**

- Policy 1. To pursue integrated, catchment based approaches to the management of the District's water resources in conjunction with the Regional Council.*
- Policy 2. Recognise and provide for the special interest of tangata whenua in resource management issues relating to water.*

### **Ground and Surface Water**

- Policy 3. Ensure allotment sizes are adequate to provide for onsite water abstraction and effluent disposal, and ensure the zones of influence from these activities do not adversely affect other people and that any adverse effects are contained within the boundary of the property they are situated on.*
- Policy 4. Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including:*
- Activities locating close to waterbodies; or*
  - Activities which may result in surface runoff of contaminants, or leaching of contaminants into groundwater.*

### **Riparian Margins**

- Policy 5. Retain vegetation, in particular indigenous vegetation, along the riparian margins of the coast, rivers, lakes and wetlands. Where large quantities of indigenous vegetation are removed, ensure they are replaced with the same or similar species*
- Policy 6. Encourage large scale earthworks, structures or tree planting to be setback from lakes or rivers, unless the activity must be located in the riparian margin.*
- Policy 7. Encourage the management of grazing activities on and so that riparian margins and wetlands are protected against the effects of livestock.*
- Policy 8. Ensure any earthworks, flood protection works, structures or trees that must be located in riparian margins, or access by stock to riparian margins:*

- Allow legal public access along the waterway waterbody [ENV C 0250B/04] where appropriate if such access exists, or is desirable for recreation or mahinga kai; and
- Take precautions to prevent the introduction of weeds into areas where they are not already present; and
- Mitigate any adverse effects on the natural character of the waterway waterbody [ENV C 0250B/04]; and
- Avoid adverse effects on trout and salmon habitats.

*Policy 9. Encourage initiatives by landholders and communities and work co-operatively with them [ENV C 0280G/04] to enhance the natural character of riparian margins and wetlands. [ENV C 0280G/04]*

### **Wetlands**

*Policy 10. Protection or enhancement of wetlands, particularly the gross area of wetlands in the district, [ENV C 0280G/04] their ecological integrity and functioning, their cultural amenity and recreational values, and the preservation of their natural character.*

*Policy 11. Utilise opportunities to create esplanade strips or other means to protect riparian margins, particularly on waterways waterbodies [ENV C 0250B/04] which are:*

- *Important ecological sites;*
- *Sites of waahi tapu or mahinga kai;*
- *High in natural character, or*
- *Areas of poor water quality.*

## **1.4 OUTSTANDING LANDSCAPES AND NATURAL FEATURES**

### **Objective**

1. The Outstanding Natural Features and Landscapes of the District are recognised and protected from inappropriate use and development while still enabling people to provide for their economic and social wellbeing.

### **Policies**

- Policy 1. Provide for the mix of physical and natural elements that are often contained in Outstanding Natural Features and Landscapes to continue.*
- Policy 2. Recognise that landscapes will change over time and allow changes to landscapes provided that they complement the landscape and retain its core values.*
- Policy 3. Control the effects of clearance of indigenous vegetation in the Outstanding Landscape Areas and encourage the restoration and*

*enhancement of indigenous vegetation generally, and the mitigation of practices which are adversely impacting on indigenous vegetation cover.*

## **2.1 TRANSPORT NETWORK**

### **Objectives**

1. The safe and efficient operation of roads, railway lines and airfields is not compromised by effects of new land uses.
2. Adverse effects on the environment from constructing and maintaining roads and rail links are mitigated.

### **Policies**

#### **Roads**

*Policy 6(a) Ensure vehicle crossings, intersections, vehicular accessways, roadside signs and noticeboards and roadside stalls are designed and positioned to ensure good visibility for motorists and pedestrians, and to allow safe access and egress.*

*Policy 12 Encourage network utility operators to install and maintain utilities located in the road reserve, at times and in ways which reduce potential effects on traffic flow, safety or access to properties.*

## **2.2 UTILITIES**

### **Objectives**

1. Utilities are recognised as essential tools for people's economic and social well-being, and to mitigate effects of other activities, on the environment.
2. The provision of utilities where any adverse effects on the environment and on people's health, safety and wellbeing is managed having regard to the scale, appearance, location and operational requirements of utilities.]

### **Policies**

*Policy 3 Ensure provision is made for the ongoing maintenance and repair of utilities which are not vested in the Council, and that the users of these utilities are informed of any responsibility they have for ongoing maintenance or repair.*

*Policy 6. (a) Avoid siting utility structures or buildings on hilltops in the margins of lakes or rivers or in areas identified as outstanding natural features and landscapes, sites with special cultural values (Silent File Areas, Wahi*

- Taonga Sites and Management Areas or Mahinga Kai Sites) or Heritage Sites in the Plan, unless operational necessity makes this impractical.*
- (b) *Where not practical mitigate any adverse effects of the utility, and of any access road or ancillary features, on the landscape values of the area.*
- Policy 7      Require utility structures to be made of low reflective materials.*
- Policy 8      Encourage the co-siting of utilities, where practical.*
- Policy 10     Encourage utilities located in road reserves to be installed, maintained and replaced with minimal adverse effects on traffic safety or flow.*
- Policy 11     Enable the provision of utility networks that serve extensive areas to be located in rural areas commensurate with operational requirements.*

## **2.3 COMMUNITY FACILITIES AND RECREATIONAL AREAS**

### **Objective**

1. Efficient use and maintenance of community facilities is encouraged.
2. The use of areas for recreation and camping, and camping facilities, and access to them will not detract from the amenity values or their surrounds.

### **Policies**

- Policy 1 .      Recognise community facilities as part of the rural environment and encourage new uses for existing community facilities.*
- Policy 3.      Encourage new community facilities to:*
- i.      Be located in or adjoining townships; and*
  - ii.     Be designed and sited for easy access and personal safety of patrons.*
- Policy 5.      To use opportunities to negotiate forms of public access over land to lakes, rivers or other recreation areas with landowners where such access is appropriate.*
- Policy 6.      To create esplanade reserves, esplanade strips, or other mechanisms to provide public access along margins of lakes and rivers listed in Appendix 17, except where restrictions are necessary to:*
- (a)     safeguard the conservation values identified in the Reserve.*
  - (b)     protect the stability or performance of flood control and other essential structures.*
  - (c)     avoid conflicts with activities of land owners or occupiers.*
  - (d)     protect public safety.*

## **2.4 WASTE DISPOSAL AND HAZARDOUS SUBSTANCES**

### **Objective**

2. Adverse effects on the environment from the collection, treatment, storage or disposal of waste are reduced.

### **Policies**

*Policy 2. Require activities which create large amounts of waste to have a plan to minimise the waste produced and mitigate the environmental effects of disposing of it.*

*Policy 5. Ensure any site or facility used to collect, temporarily store or redistribute waste, is designed, sited and managed to:*

- (i) Avoid the risk of leaching of contaminants into ground or surface water;*
- (ii) Avoid adverse effects of litter, vermin or odour on surrounding properties;*
- (iii) Mitigate any adverse effects from transporting waste on the road network and the safety of other road users;*
- (iv) Protect the values of any outstanding natural features and landscapes; any sites with special ecological, heritage, or cultural values; or the natural character of waterbodies; and*
- (v) Avoid the risk of creating a natural hazard through locating such facilities on land prone to inundation, instability or erosion.*
- (vi) Provide for appropriate temporary, short-term storage for hazardous substances in the waste stream.*

## **3.1 NATURAL HAZARDS**

### **Objective**

1. Activities do not cause or exacerbate natural hazards.
2. Measures to mitigate natural hazards do not cause or exacerbate adverse effects on the environment.

### **Policy 6**

*Avoid multi-storey buildings and critical facilities in the Malvern Hills or High Country.*

## **3.3 CULTURAL AND HERITAGE VALUES**

### **Objective**

1. Sites of wahi tapu, wahi taonga, Mahinga Kai and other importance to tangata whenua are protected in partnership with local runanga and landholders.
2. Sites and buildings with heritage values are recognised and protected, where appropriate, in partnership with landholders.

#### **Policies**

- Policy 1. Encourage local runanga to record information about sites of cultural importance to them, where appropriate.*
- Policy 2. Recognise and protect sites of cultural importance to local runanga through fostering a partnership between landholders and local runanga.*
- Policy 3. (i) Protect sites within areas recognised in the Plan as Silent File areas, from inappropriate disturbance.*
- Policy 3 (ii) Protect areas identified in the Plan as Wahi Taonga Sites, Wahi Taonga Management Areas and Mahinga Kai sites, from damage or destruction, whenever practical*
- Policy 4. Recognise the areas of Statutory Acknowledgement identified in Appendix 21 as areas of cultural importance to Ngai Tahu. The Ngai Tahu Claims Settlement Act 1998 identifies areas of Statut*
- Policy 6. Record information on the heritage values of sites and buildings in Selwyn District.*
- Policy 7. Allow modifications, alterations or additions to the heritage sites and structures or the subdivision of heritage sites or sites containing heritage structures listed in Appendix 3, provided any such alterations, modifications, additions or subdivision does not adversely affect their heritage values, wherever practical.*
- Policy 8. Discourage the demolition or destruction of heritage sites or buildings listed in Appendix 3, or the removal of heritage trees as listed in Appendix 4, except where necessary to:*
- Avoid danger to people or property; or*
  - Allow reasonable use of the site; and*
  - There are no appropriate options to retain the site, building, or tree.*
- Policy 10. Periodically review the lists of heritage site and buildings and Silent File Areas listed in the District Plan.*

### **3.4 AMENITY VALUES, QUALITY OF THE ENVIRONMENT AND REVERSE SENSITIVITY EFFECTS**

#### **Objective**

1. The District's rural area is a pleasant place to live and work in.

#### **Policies**

- Policy 5. Recognise the surrounding Malvern Hills area as a backdrop to the Areas of Outstanding Landscape and maintain the rural character of that area by:*
- (i) Keeping residential density and site coverage with buildings at a low level, which maintains the predominance of vegetation cover and the sense of low levels of human occupation and building development which are characteristic of the Malvern Hills.*
  - (ii) Encouraging new buildings and structures to be constructed from material with low reflectance values.*
  - (iii) Wherever practical, encouraging plantations to be planted in patterns which reflect the contours of the landscape; and planted in places which do not screen the visibility of the landforms listed in Part 1.5, Policy 14, as viewed from any public road.*
- Policy 10. Avoid night lighting shining directly into houses, other than a house located on the same site as the activity, or from vehicles using roads in the district.*
- Policy 12. Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties*
- Policy 14. Avoid, remedy or mitigate adverse effects caused by excessive or prolonged vibration.*
- Policy 15. Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.*