

Rivers and their margins

Public Access and River and Stream Setbacks

The purpose of the provisions

The management of land use and development near waterways is required by national and regional legislation to protect:

- Stream health and water quality,
- Riparian margin biodiversity and habitats,
- Ngāi Tahu cultural values,
- Natural character and landscape values,
- Public access, and
- Flood hazard impacts.

The setback standard is one way the Proposed District Plan manages the impacts on stream values across the District.

The maintenance and enhancement of public access to and along waterbodies is important to people and communities, as well as being vital to mana whenua to express and practice their culture. Protecting access to waterbodies and ensuring the District's pathway networks connect open spaces and other public areas are important. Maintenance and public access to the Maitake River, mana whenua access to mahinga kai sites including the Maitake River mātaihai, and access for licensed fishermen to the Waikaka Stream and its margins are considered a priority.

The rules and standards

Public Access

The Public Access chapter does not have specific rules or standards within it but sets out the circumstances and places where we will require or encourage public access to and along streams and rivers. Other chapters in the Plan include rules requiring structures to be setback from streams, and through subdivision the creation of esplanade reserves and strips to provide public access.

River and Stream Setbacks

The setback standard applies to earthworks, buildings and structures near rivers and streams. The setback recognises the order of the stream and applies as follows:

- 20m – High order streams (order five and above).

Examples of higher order streams are the Maitake River, and the lower Waikaka and Pukerau streams.

- 10m – Middle order streams (order three and four)

Examples of middle order streams are the Waimumu Stream, Charlton Stream, and the upper Waikaka and Pukerau streams

- 5m – Low order streams (order one and two)

Examples of lower order streams are unnamed tributaries and headwaters.

The order of streams and rivers are shown on our map ([link to map on this page](#))

When would resource consent be required?

A resource consent would be required to undertake earthworks or erect a building or structure within the above setbacks. Exceptions apply to earthworks, for example those:

- permitted or authorised by Environment Southland,
- for hazard mitigation works by or for a statutory authority,
- for indigenous vegetation restoration, or
- for cultivation of land and planting crops.

What are the changes from the operative Gore District plan?

The Proposed District Plan offers broader protection and management of adverse environmental effects related to rivers and streams. The minimum setback is reduced from six metres to five metres, but applies more broadly. The streams and rivers are spatially identified based on the stream order, this provides more certainty about what setback applies and where. The proposed plan sets out the matters needing to be assessed under a resource consent application and is more specific, which gives more clarity and assurance to potential applicants.

Links to the Proposed Gore Plan

This information sheet addresses a few of the key provisions in the Proposed Gore Plan. It should not be used as a definitive representation of content. To view actual Proposed Gore District Plan content, please go to www.lets.talk.goredc.govt.nz

Make a submission

To find out how to submit on the Proposed Gore District Plan, head to www.lets.talk.goredc.govt.nz.