

16 Activities in *Artificial Watercourses**, Beds of Rivers and Lakes, and Damming

16.1A Objectives

Objective 16-1: Regulation of *structures*[^] and activities in *artificial watercourses** and in the *beds*[^] of *rivers*[^] and *lakes*[^], and damming

The regulation of *structures*[^] and activities in *artificial watercourses** and in the *beds*[^] of *rivers*[^] and *lakes*[^], and damming, in a manner that has regard to:

- (a) the Values and management objectives in Schedule AB, and
- (b) the objectives and policies of Chapter 6 that relate to *structures*[^] and activities in *artificial watercourses** and in the *beds*[^] of *rivers*[^] and *lakes*[^], and damming.

16.1 Policies

Policy 16-1: Consent decision-making for activities in, on, under or over the *beds*[^] of *rivers*[^] and *lakes*[^] (including modified watercourses but excluding *artificial watercourses**)

When making decisions on *resource consent*[^] applications, and setting consent *conditions*[^], for activities in, on, under or over the *bed*[^] of a *river*[^] or *lake*[^] (including modified watercourses but excluding *artificial watercourses**) the Regional Council must:

- (b) have regard to the extent to which the activity is consistent with best management practices,
- (c) seek to avoid where reasonably practicable any adverse *effects*[^] on any other lawful activity in, on, under or over the *bed*[^] of the *river*[^] or *lake*[^], including existing *structures*[^],
- (d) have regard to whether the activity is of a temporary nature or is associated with necessary *maintenance** work, and
- (ea) have regard to the objectives and policies of Chapters 3, 4, 6, 7, 10 and 11A to the extent that they are relevant to the activity.

Policy 16-2: Consent decision-making for activities in *artificial watercourses**

When making decisions on *resource consent*[^] applications, and setting consent *conditions*[^], for activities on *land*[^] in an *artificial watercourse** the *Regional Council* must:

- (a) have regard to the purpose for which the *artificial watercourse** was established,
- (b) in circumstances where the *artificial watercourse** joins a *river^* or *lake^*, have regard to the policies relating to the *beds^* of *rivers^* and *lakes^* in Section 6.4.4,
- (c) seek to avoid, remedy or mitigate adverse effects on any significant ecosystems intrinsic to the *artificial watercourse**, and
- (d) manage the activity in accordance with (b), (d) and (ea) of Policy 16-1.

Policy 16-2A: Gravel extraction

Having regard to Policies 6-27 to 6-30, activities in, on, under or over the *beds^* of *rivers^* and *lakes^* that enable gravel extraction will generally be allowed provided that:

- (b) The average annual volume of gravel available for extraction from those *rivers^* and *river^* reaches listed in Table 16.1A must be limited to the quantities stated in the table, unless:
 - (i) there is a demonstrable *river^* management need to increase or decrease this volume, or
 - (ii) the gravel extraction is necessary to decrease the risk of flooding or damage to *structures^*, or
 - (iii) future information establishes that actual sustainable rates of gravel extraction are higher or lower than those in Table 16-1A taking into account the cumulative volumes being extracted and the natural rates of replenishment.
- (d) For any *river^* or *river^* reach not specified in Table 16.1A, the *effects^* of the cumulative volume of gravel being extracted on an annual basis in the *river^* reaches must be considered, including matters in relation to:
 - (i) the natural rates of gravel replenishment,
 - (ii) the *site**-specific *effects^* of the gravel extraction,
 - (iii) *river^* management needs, and
 - (iv) the need to decrease the risk of flooding or damage to *structures^*.
- (e) For the purposes of this policy “annual” is defined as 1 July to 30 June the following year.

Table 16.1A Average annual allocable volumes of gravel

River or Reach	Volume (m ³)
Kawhatau River	35,000
Makino Stream	3,000
Makuriiti Stream	3,000

River or Reach	Volume (m ³)
Manawatu River	
• From 1 km upstream of Ngawapurua Bridge to source	20,000
• 1 km upstream to 2.5 km downstream of Ngawapurua Bridge	No extraction
• 2.5 km downstream of Ngawapurua Bridge to Ballance Bridge	15,000
• Manawatu Gorge to Karere Rd	2,500
• Karere Rd to Hamilton's Line	15,000
• Hamilton's Line to Oroua confluence [2007 to 2009]	20,000
• Hamilton's Line to Oroua confluence [2009 onwards] the 2 km aggrading reach between 39 Miles (NZMS 260 S24:212-832) and Benchmark 643 (NZMS 260 S24:226-830)	17,500
• Hamilton's Line to Oroua confluence [2009 onwards] the 2 km aggrading reach between BM 604 (NZMS 260 S24:206-833) and BM 622 (NZMS 260 S24:207-826)	35,000
Mangahao River	15,000
Mangatainoka River	55,000
Ohau River	
• Upstream of a point 1 km above SH 1 bridge	5,000
• Downstream of a point 1 km above SH 1 bridge	10,000
Oroua River	
• Upstream of Menzies Ford	10,000
• Downstream of Menzies Ford	55,000
Pohangina River	25,000
Rangitikei River	
• Makahikatoa Stream to Mangarere Road bridge	15,000
• Mangarere Road bridge to Rewa	25,000
• Rewa to 7 km downstream of SH 1 bridge	40,000
• 7 km downstream of SH 1 bridge to mouth	100,000
South East Ruahine Streams	
• Kumeti	3,000
• Mangaatua	5,000
• Mangapapa	2,000

River or Reach	Volume (m ³)
• Mangatera	500
• Mangatewaiiti	2,000
• Mangatewainui	4,000
• Oruakeretaki	5,000
• Otamaraho	2,000
• Otamarahu	1,000
• Rokaiwhana	10,000
• Raparapawai	3,000
• Tamaki	20,000
Turakina River	3,000
Whangaehu River	8,000
Whanganui River	7,000

16.2 General Conditions for Permitted Activities and Controlled Activities involving the Beds of Rivers and Lakes

The table below sets out general conditions for activities involving the beds of rivers and lakes. These general conditions are referred to in a number of the permitted activity and controlled activity rules in this chapter. The table sets out general conditions for all rivers and lakes under the Value of Life-supporting Capacity (this Value applies to all rivers and lakes as shown in Schedule AB). It then sets out additional conditions for other Values that apply to specific reaches of rivers, as listed in Schedule AB. Schedule AB must be referred to in order to identify the locations of the *Water Management Sub-zones** to which these other Values apply, and whether they are therefore relevant to a particular activity.

Table 16.1 General conditions[^] for permitted activities[^] and controlled activities[^] involving the beds[^] of rivers[^] and lakes[^]

Value	Condition
Life-supporting Capacity conditions [^] which apply to all water bodies [^] and their beds [^]	<ul style="list-style-type: none"> (a) The activity must not adversely reduce the ability of the <i>water body</i>[^] or its <i>bed</i>[^] to convey flood flows, floating debris or sediment. (b) There must be no <i>discharge</i>[^] of <i>contaminants</i>[^], other than sediment and other <i>contaminants</i>[^] inherent to the <i>water</i>[^] or <i>bed</i>[^], into the <i>river</i>[^] or <i>lake</i>[^] except where the <i>discharge</i>[^] is explicitly allowed by the activity description of a <i>rule</i>[^] in this chapter. (c) Any <i>discharge</i>[^] of sediment into <i>water</i>[^] directly caused by the activity must not be undertaken for more than 5 consecutive days, and for more than 12 hours on any one of those 5 days. There must be no more than one activity in any 12 month period. (d) Any <i>discharge</i>[^] of sediment into <i>water</i>[^] under (c) must not, after <i>reasonable mixing</i>[*], cause any conspicuous change in the colour of <i>water</i>[^] in the receiving <i>water</i>[^] or any change in horizontal visibility greater than the target set in the visual clarity % change column of Schedule D, more than 24 hours after completion of the activity. (e) Any materials used must be necessary for the activity and must not be toxic to aquatic ecosystems. (f) Any materials no longer required as part of the activity, including any temporary <i>structures</i>[^], must not be stored in or on the <i>bed</i>[^] of any <i>river</i>[^] or <i>lake</i>[^] and must be removed after completion of the activity. (g) Refuelling of machinery must not take place in any area where spills may enter surface <i>water</i>[^]. (h) The activity must be undertaken in a manner that provides for the safe passage of fish both upstream and downstream, including past any <i>structure</i>[^]. (i) Any diversion of <i>water</i>[^] required for works ancillary to a <i>structure</i>[^] must be temporary, must be within the <i>bed</i>[^] of the <i>river</i>[^], must not exceed 100 m in length, must not be between catchments, must not involve a <i>lake</i>[^], and the diversion channel must have sufficient capacity to carry the same flow as the original channel. (j) Upon completion of any channel bank works, the banks must be reinstated to a natural contour and revegetated. (k) Any permanent straightening or channelling of a <i>river</i>[^] must not exceed a length equal to two times the <i>bed</i>[^] width of the <i>river</i>[^] in any 2 km length of <i>river</i>[^] in any 12 month period. (ma) There must be no removal of instream woody debris less than 2 m³ in size unless this is required to reduce the risk of flooding or erosion.

Value	Condition
Riparian (applies to all reaches in <i>water bodies</i> [^] and their <i>beds</i> [^] with a Schedule AB Value of Sites of Significance - Riparian)	(n) For the purpose of minimising disturbance to nesting dotterels 1 August to 31 December (inclusive), gravel extraction and <i>bed</i> [^] disturbance on gravel beaches must only take place: (i) within 7 days following a flood of the area of beach that is the subject of the activity, or (ii) where the extraction or disturbance commenced at the same location prior to 1 August and has not been interrupted for more than 7 days.
Inanga Spawning (applies to all reaches in <i>water bodies</i> [^] and their <i>beds</i> [^] with a Schedule AB Value of Inanga Spawning)	(o) The use of mobile machinery in or on the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] in a manner that disturbs the <i>bed</i> [^] must not take place 1 February to 1 May (inclusive).
<i>Whitebait</i> [*] Migration (applies to all reaches in <i>water bodies</i> [^] and their <i>beds</i> [^] with a Schedule AB Value of <i>Whitebait</i> [*] Migration)	(p) The use of mobile machinery in or on the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] in a manner that disturbs the <i>bed</i> [^] of the active flowing channel must not take place 15 August to 30 November (inclusive).
Trout Spawning (applies to all reaches in <i>water bodies</i> [^] and their <i>beds</i> [^] with a Schedule AB Value of Trout Spawning)	(q) The use of mobile machinery in or on the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] in a manner that disturbs the <i>bed</i> [^] of the active flowing channel must not take place 1 May to 30 September (inclusive).
Trout Fishery (applies to all reaches in <i>water bodies</i> [^] and their <i>beds</i> [^] with a Schedule AB Value of Trout Fishery)	(ra) Activities must not result in suspended sediment being conspicuous during Saturdays, Sundays and public holidays 1 December to 28 February (inclusive).

Value	Condition
Contact Recreation (applies to all reaches in <i>water bodies</i> [^] and their <i>beds</i> [^] with a Schedule AB Value of Contact Recreation)	<p>(s) Existing public access to or along a <i>river</i>[^] or <i>lake</i>[^] must not be rendered unsafe by the activity.</p> <p>(t) Existing public access to or along a <i>river</i>[^] or <i>lake</i>[^] may be rendered unavailable where this is necessary for public safety or for the purpose of undertaking the activity, provided the public access is re-opened as soon as practicable.</p> <p>(u) Activities must not result in suspended sediment being conspicuous at reaches with a Schedule AB Value of Contact Recreation, during Saturdays, Sundays and public holidays 1 December to 28 February (inclusive).</p>
Existing <i>Infrastructure</i> [^]	<p>(v) Excavation, drilling, tunnelling or other disturbance of the <i>bed</i>[^] of a <i>river</i>[^] must not take place within 500 m upstream or downstream of any flow-recording site.¹</p> <p>(va) Excavation, drilling, tunnelling or other disturbance of the <i>bed</i>[^] of a <i>river</i>[^] must not take place within 20 m upstream or downstream of a high pressure gas transmission pipeline identified by a <i>district plan</i>[^] or <i>regional plan</i>[^] or by a marker² on the bank of the <i>river</i>[^].</p>

16.3 Rules - Special Rivers and Lakes

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
16-1 Damming of protected rivers[^]	<p>The erection or placement of a dam <i>structure</i>[^] pursuant to s13(1) RMA in or on the <i>bed</i>[^] of the following <i>rivers</i>[^], and any ancillary damming of <i>water</i>[^] pursuant to s14(2) RMA:</p> <p>(a) the Manganui o te Ao River and its tributaries, the Makatote River, the Mangaturuturu River, the Waimarino Stream and the Orautoha Stream</p> <p>(b) the Rangitikei River itself and all its tributaries above the confluence of the Makahikatoa Stream, the Rangitikei River itself from the confluence of the Makahikatoa Stream to the Mangarere Bridge, the Whakaurekau River and all its tributaries and the Kawhatau River and all its</p>	Prohibited		

¹ Further information on the location of flow-recording sites can be obtained by either visiting the Regional Council's website (www.horizons.govt.nz) or by contacting the Regional Council's Hydrology Department.

² High pressure transmission gas pipelines are normally indicated by white triangle marker posts or yellow pipeline warning signs. If you are unsure about a pipeline being present, please contact your Territorial Authority.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>tributaries, namely the Pouranaki River and the Mangakokeke Stream</p> <p>(c) the Hautapu River above its confluence with the Oraukura Stream and its tributaries, the Irirangi Stream and the Waiouru Stream</p> <p>(d) the main stem of the Makuri River and the Makuri-iti Stream</p> <p>(e) the Mangatainoka River and its tributaries, the Makakahi River (and its Bruce Stream tributary), the Mangaroa, Mangamaire, Makotukutuku and Mangaraupiu Streams, and an unnamed tributary entering the Mangatainoka River at map reference NZMS 260 T25:368-654</p> <p>(f) the main stem of the Whanganui River from its source at map reference NZMS 260 T19:383-286 to the boundary of the coastal marine area, and the main stem of the Whakapapa River and the main stems of its tributaries the Whakapapaiti and Whakapapanui Streams</p> <p>(g) the main stem of the Manawatu River through the Manawatu Gorge from the Ballance Bridge to the confluence of the Pohangina and Manawatu Rivers</p> <p>(h) the main stem of the Pohangina River from its source to its confluence with the Manawatu River near the Manawatu Gorge</p> <p>(i) the main stem of the Oroua River from its source to its confluence with the Mangoira Stream at map reference NZMS 260 T22:578-378.</p>			
<p>16-3 Reclamation and</p>	<p>Any reclamation or drainage of the <i>bed</i>^A of the following <i>lakes</i>^A pursuant to s13(1) RMA, excluding any existing (as at 31 May 2007)</p>	<p>Non-complying</p>		

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>drainage of regionally significant lakes[^]</p>	<p>reclamations and drainage: (a) Lake Horowhenua (b) Lake Papaitonga (c) Pukepuke Lagoon and any ancillary: (i) excavation, drilling, tunnelling or other disturbance of the <i>bed[^]</i> pursuant to s13(1) RMA (ii) damming or diversion of <i>water[^]</i> pursuant to s14(2) RMA (iii) <i>discharge[^]</i> of <i>water[^]</i> or sediment into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant to ss15(1) or 15(2A) RMA (iv) deposition of substances in or on the <i>bed[^]</i> pursuant to s13(1).</p>			
<p>16-4 Structures[^] and disturbances involving a reach of <i>river[^]</i> or its <i>bed[^]</i> with Schedule AB Values of Natural State, Sites of Significance - Aquatic and Sites of Significance - Cultural</p>	<p>Except as prohibited by Rule 16-1, any of the following activities pursuant to s13(1) RMA within: (a) a reach of <i>river[^]</i> or its <i>bed[^]</i> with a Schedule AB Value of Natural State (i) The erection, placement or extension of any <i>structure[^]</i> in, on, under or over the <i>bed[^]</i> except for lines, cables and ropeways that are suspended above the <i>water[^]</i> and do not require a support <i>structure[^]</i> in, on, over or under the <i>bed[^]</i> of the <i>river[^]</i> (ii) Any excavation, drilling, tunnelling or other disturbance of the <i>bed[^]</i> including gravel extraction and any ancillary: (i) damming or diversion of <i>water[^]</i> pursuant to s14(2) RMA (ii) <i>discharge[^]</i> of <i>water[^]</i> or sediment into</p>	<p>Discretionary</p>		

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(iii) deposition of substances in or on the <i>bed</i>[^] pursuant to s13(1).</p> <p>(b) Sites of Significance - Aquatic and Sites of Significance - Cultural</p> <p>(i) The erection, placement or extension of any <i>structure</i>[^] in, on, under or over the <i>bed</i>[^], except for lines, cables and ropeways that are suspended above the <i>water</i>[^] and do not require a support <i>structure</i>[^] in, on, over or under the <i>bed</i>[^] and except for those activities regulated by Rule 16-13</p> <p>(ii) Any excavation, drilling, tunnelling or other disturbance of the <i>bed</i>[^], except for those activities regulated by Rules 16-6 and 16-13</p> <p>and any ancillary:</p> <p>(i) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(ii) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(iii) deposition of substances in or on the <i>bed</i>[^] pursuant to s13(1).</p>			

16.4 Rules - Use, *Maintenance**, *Upgrade**, Removal and Demolition of Structures

Rule	Activity	Classification	Conditions /Standards/Terms	Control/Discretion Non-Notification
16-5 Use of structures[^]	<p>The use of a <i>structure[^]</i> located in, on, under or over the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i> pursuant to s13(1) RMA, and any ancillary:</p> <p>(a) damming or diversion of <i>water[^]</i> pursuant to s14(2) RMA, excluding the damming of <i>water[^]</i> associated with dam <i>structures[^]</i> (which is regulated by the <i>rules[^]</i> in Section 16.5)</p> <p>(b) <i>discharge[^]</i> of <i>water[^]</i> or sediment into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant to ss15(1) or 15(2A) RMA.</p> <p>Advice Note: For the avoidance of doubt, this <i>rule[^]</i> includes the “use” of a dam <i>structure[^]</i>, but excludes the damming of <i>water[^]</i> by a dam <i>structure[^]</i> (under s14(2) RMA).</p>	Permitted		
16-6 <i>Maintenance</i>* and <i>upgrade</i>* of <i>structures[^]</i>, and ancillary removal of <i>bed[^]</i> material and plants	<p>(a) Structures[^] - The <i>maintenance</i>* or <i>upgrade</i>* of a <i>structure[^]</i> located in, on, under or over the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i> pursuant to s13(1) RMA, and any ancillary:</p> <p>(i) excavation, drilling, tunnelling or other disturbance of the <i>river[^]</i> or <i>lake[^]</i> <i>bed[^]</i> pursuant to s13(1) RMA</p> <p>(ii) damming or diversion of <i>water[^]</i> pursuant to s14(2) RMA</p> <p>(iii) <i>discharge[^]</i> of <i>water[^]</i> or sediment into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant to ss15(1) or 15(2A) RMA</p> <p>(iv) deposition of substances in or on the</p>	Permitted	<p>(a) The activity must comply with the general <i>conditions[^]</i> listed in Section 16.2.</p> <p>(b) Any <i>discharge[^]</i> of removed <i>bed[^]</i> material or plants onto or into <i>land[^]</i> must comply with the <i>conditions[^]</i> of Rule 13-25, except for condition 13-25(c)(ii) and condition 13-25(b) with regard to <i>cleanfill material*</i>.</p>	

Rule	Activity	Classification	Conditions /Standards/Terms	Control/Discretion Non-Notification
	<p><i>bed</i>[^] of the <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1).</p> <p>(b) Ancillary removal of <i>bed</i>[^] material and plants - The removal or other disturbance of <i>bed</i>[^] material pursuant to s13(1) or the disturbance, removal, damage, or destruction of plants pursuant to s13(2) RMA for the purpose of maintaining the functional integrity of a <i>structure</i>[^] located in, on, under or over the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^], including flushing accumulated <i>bed</i>[^] material, and any ancillary:</p> <p>(i) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(ii) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(iii) deposition of removed <i>bed</i>[^] material or plants in or on the <i>bed</i>[^] pursuant to s13(1) RMA</p> <p>(iv) <i>discharge</i>[^] of removed <i>bed</i>[^] material or plants into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(v) deposition of substances in or on the <i>bed</i>[^] of the <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1).</p>			

Rule	Activity	Classification	Conditions /Standards/Terms	Control/Discretion Non-Notification
16-7 Removal and demolition of structures[^]	Except as regulated by Rule 16-14, the removal or demolition of a <i>structure[^]</i> located in, on, under or over the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i> pursuant to s13(1) RMA, and any ancillary: <ul style="list-style-type: none"> (a) excavation, drilling, tunnelling or other disturbance of the <i>river[^]</i> or <i>lake[^]</i> <i>bed[^]</i> pursuant to s13(1) RMA (b) damming or diversion of <i>water[^]</i> pursuant to s14(2) RMA (c) <i>discharge[^]</i> of <i>water[^]</i> or sediment into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant to ss15(1) or 15(2A) RMA (d) deposition of substances in or on the <i>bed[^]</i> of the <i>river[^]</i> or <i>lake[^]</i> pursuant to s13(1). 	Permitted	<ul style="list-style-type: none"> (a) The activity must comply with the general <i>conditions[^]</i> listed in Section 16.2. (b) The Regional Council must be informed in writing of the removal or demolition of any of the following <i>structures[^]</i>, at least 10 <i>working days[^]</i> prior to the commencement of the removal or demolition: <ul style="list-style-type: none"> (i) <i>access structures[^]</i> in or on the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i>, including bridges (other than temporary bridges for military training purposes), culverts and fords, where the catchment above the <i>structure[^]</i> is greater than 50 ha (ii) <i>structures[^]</i> occupying more than 5 m² of the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i> (iii) any device for the purpose of monitoring or recording <i>river[^]</i> levels or quality. (c) The activity must not take place in any <i>rare habitat[*]</i>, <i>threatened habitat[*]</i> or <i>at-risk habitat[*]</i>. 	

Rule Guide:

Use, *maintenance** and *upgrade** - The rules above permit the ongoing use, *maintenance** and *upgrade** of structures once they are established (subject to conditions in the case of *maintenance** and *upgrade** activities). For structures requiring a consent to be established, this means that consents can be granted for a short duration. The rules are intended to avoid the need for resource users to hold long-term consents enabling the use or upkeep of structures once they are established.

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.

16.5 Rules - Dams and Damming

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>16-8 New and existing small dams</p>	<p>All of the following activities, to the extent that they are relevant, for new and existing dam structures[^] and associated damming within rivers[^], within <i>artificial watercourses*</i> and on land[^]:</p> <ul style="list-style-type: none"> (a) the erection, placement or extension of a dam in, on, under or over the bed[^] of a river[^] or within an <i>artificial watercourse*</i> or on land[^] pursuant to ss9(2) or 13(1) RMA (b) the damming of water[^] and any ancillary take, diversion or discharge[^] of water[^] that is part of the normal operation[*] of a dam, pursuant to ss14(2) and 15(1) RMA (c) any ancillary excavation, drilling, tunnelling or other disturbance of the bed[^] of a river[^] pursuant to s13(1) RMA (d) any ancillary discharge[^] of water[^] or sediment into water[^] or onto or into land[^] pursuant to ss15(1) or 15(2A) RMA (e) any deposition of substances in or on the bed[^] of the river[^] or lake[^] pursuant to s13(1). <p>Advice Note: For the avoidance of doubt, any proposal to take water[^] that is impounded behind a dam structure[^] for any use other than that provided for in (b) must comply with the rules[^] set out in Chapter 15 of this Plan.</p>	<p>Permitted</p>	<ul style="list-style-type: none"> (a) Any new dam must not be located in a river[^] prohibited by Rule 16-1 or regulated under Rule 16-4. (b) For a dam in a river[^], the catchment area above the dam must be no greater than 50 ha. (c) The maximum water[^] depth must be less than 3 m (measured from the natural ground level at the upstream toe of the dam structure[^]). (d) A spillway must be constructed to enable the passage of a 200 year flood without the dam being overtopped. (e) Water[^] impounded by the dam must not encroach onto adjoining properties[*]. (f) Dams in permanently flowing rivers[^] and <i>artificial watercourses*</i> must maintain a residual flow out of the dam at all times including during filling of the dam. (g) For a dam located in a river[^], the activity must comply with the general conditions[^] listed in Section 16.2. (h) For a dam located in an <i>artificial watercourse*</i>, the activity must comply with general conditions (a) to (k) in Section 16.2 as if these conditions[^] applied to an <i>artificial watercourse*</i>. (i) The activity must not take place in any rare habitat[*], threatened habitat[*] or at-risk habitat[*]. 	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
16-9 Replacement consents for existing damming of water[^]	<p>Any lawfully established damming of <i>water[^]</i> within a <i>river[^]</i>, within an <i>artificial watercourse*[*]</i> or on <i>land[^]</i> for which replacement consents are sought and any ancillary:</p> <p>(a) take, diversion or <i>discharge[^]</i> of <i>water[^]</i> that is part of the normal <i>operation*[*]</i> of the dam, pursuant to s14(2) or s15(1) or 15(2A) RMA, except as permitted by Rule 16-8</p> <p>(b) <i>discharge[^]</i> of <i>water[^]</i> or sediment into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant to ss15(1) or 15(2A) RMA</p> <p>(c) deposition of substances in or on the <i>bed[^]</i> of the <i>river[^]</i> or <i>lake[^]</i> pursuant to s13(1).</p> <p>Advice Note: For the avoidance of doubt, any proposal to take <i>water[^]</i> that is impounded behind a dam <i>structure[^]</i> for any use other than that provided for in (a) must comply with the <i>rules[^]</i> set out in Chapter 15 of this Plan.</p>	Controlled		<p>Control is reserved over:</p> <p>(a) fish passage</p> <p>(b) <i>water[^]</i> levels and residual flows</p> <p>(c) measures to manage <i>land[^]</i> stability and erosion</p> <p>(d) management of dam failure</p> <p>(e) effects[^] on <i>rare habitats*[*]</i>, <i>threatened habitats*[*]</i> and <i>at-risk habitats*[*]</i></p> <p>(f) duration of consent</p> <p>(g) review of consent <i>conditions[^]</i></p> <p>(h) compliance monitoring.</p>

Rule Guide:

All new and existing small dams are authorised if they comply with the conditions of Rule 16-8. The erection or placement of new large dams requires consent under Rule 16-20. These large dams also require a building consent from the Regional Council under the Building Act 2004. The damming of water by existing large dams requires ongoing authorisation under s14(2) RMA. Rule 16-9 regulates the replacement of existing consents for the damming of water when those consents expire. The use, *maintenance*^{*}* and *upgrade*^{*}* of all dam structures, once they are established, are permitted by rules 16-5 (use) and 16-6 (*maintenance*^{*}* and *upgrade*^{*}*). The authorised use (Rule16-5) specifically excludes damming regulated under s14(2) RMA as that is covered by Rules 16-8 and 16-9. This means that the Regional Council has decided to accept the presence of existing dam structures (and has declined to give itself the discretion as to whether an existing dam structure should remain). However, for replacement consents for large dams, the Regional Council does retain control over the effects of damming water on fish passage, residual flow etc. as listed in Rule 16-9. These are the effects of concern to the Council.

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.

The erection and placement of new dams and the damming of water within *rare habitats*^{*}*, *threatened habitats*^{*}* or *at-risk habitats*^{*}* is regulated under Rule 12-6.

16.6 Rules - Other Structures

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>16-10 Lines, cables, pipelines and ropeways</p>	<p>The erection, placement, or extension of a line, cable, pipeline or ropeway in, on, under or over the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1) RMA, and any ancillary:</p> <p>(a) excavation, drilling, tunnelling or other disturbance of the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1) RMA</p> <p>(b) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(c) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(d) deposition of substances in or on the <i>bed</i>[^] of the <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1).</p>	<p>Permitted</p>	<p>(a) The activity and any ancillary support <i>structures</i>[^] must either:</p> <p>(i) be wholly located over or under the <i>bed</i>[^], or</p> <p>(ii) occupy no more than 20 m² of the <i>bed</i>[^].</p> <p>(b) The activity must not take place in, on, under or over a reach of a <i>river</i>[^] with a Schedule AB Value of Natural State except for lines, cables and ropeways that are suspended over the <i>water</i>[^] and do not require a support <i>structure</i>[^] in, on, over or under the <i>bed</i>[^] of the <i>river</i>[^].</p> <p>(c) The activity must comply with the general <i>conditions</i>[^] listed in Section 16.2.</p> <p>(d) The activity must not take place in any <i>rare habitat</i>[*] or <i>threatened habitat</i>[*].</p>	
<p>16-11 Culverts</p>	<p>The erection, placement, or extension of a culvert in, on, under or over the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1) RMA and any ancillary:</p> <p>(a) excavation, drilling, tunnelling or other disturbance of the <i>river</i>[^] or <i>lake</i>[^] <i>bed</i>[^] pursuant to s13(1) RMA</p> <p>(b) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(c) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(d) deposition of substances in or on the <i>bed</i>[^] of the <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1).</p>	<p>Permitted</p>	<p>(a) A new culvert must not be erected or placed in:</p> <p>(ii) a <i>river</i>[^] or <i>lake</i>[^] regulated under Rule 16-4</p> <p>(iii) a reach of a <i>river</i>[^] with a Schedule AB Value of Flood Control and Drainage, unless the work is undertaken by or on behalf of the Regional Council.</p> <p>(b) Where multiple culverts are placed side by side, the total cross-sectional area of the multiple culverts must not be less than that of a single culvert which complies with this <i>rule</i>[^].</p> <p>(c) The culvert, associated fill and culvert placement must comply with the following dimensions:</p> <p>(i) a maximum culvert length of 20 m</p> <p>(ii) for circular culverts a culvert diameter of 0.3 m to 1.2 m (inclusive)</p>	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<ul style="list-style-type: none"> (ii) for non-circular culverts a width and height of 0.3 m to 1.2 m each (inclusive) (iv) a maximum fill height of 2 m above the top of the culvert unless a spillway is constructed to enable the passage of a 200 year flood without the fill being overtopped (v) a minimum culvert installation depth below the <i>bed</i>[^] of 20% of the width of the culvert. (d) The culvert must be positioned so that its alignment and gradient are the same as the <i>river</i>[^]. (e) The culvert must be constructed to allow: <ul style="list-style-type: none"> (i) the flow from a 5% annual exceedance probability (20 year return period) flood event without overtopping, unless the overtopping flows to a specifically designed spillway (ii) the flow from a 2 year return period flood event without any flow impediment. (f) The culvert inlet and outlet must be protected against erosion. (g) All practicable steps must be used to minimise the release of sediment during construction. (h) The culvert must be constructed and maintained to avoid any aggradation or erosion of the <i>bed</i>[^]. (i) The culvert must be kept clear of accumulated debris. (j) The activity must comply with the general <i>conditions</i>[^] listed in Section 16.2. (k) The activity must not take place in any <i>rare habitat</i>[*], <i>threatened habitat</i>[*] or <i>at-risk habitat</i>[*]. 	
16-12 Other <i>structures</i>[^] including bridges, fords and other access <i>structures</i>[^]	The erection, placement, or extension of any <i>structure</i> [^] that is not regulated by any other <i>rule</i> [^] in this chapter in, on, under or over the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1) RMA and any ancillary:	Permitted	<ul style="list-style-type: none"> (a) A new <i>structure</i>[^] must not be erected or placed in: <ul style="list-style-type: none"> (ii) a <i>river</i>[^] or <i>lake</i>[^] regulated under Rule 16-4 (iii) a reach of a <i>river</i>[^] with a Schedule AB Value of Flood Control and Drainage, unless the work is undertaken 	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>(a) excavation, drilling, tunnelling or other disturbance of the <i>river</i>[^] or <i>lake</i>[^] <i>bed</i> pursuant to s13(1) RMA</p> <p>(b) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(c) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p> <p>(d) deposition of substances in or on the <i>bed</i>[^] of the <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1).</p> <p>Advice Note: For the avoidance of doubt, this <i>rule</i>[^] excludes the erection, reconstruction, placement, alteration, or extension of any dam in, on, under or over the <i>bed</i>[^] of any <i>river</i>[^] or <i>lake</i>[^], within an <i>artificial watercourse*</i> or on <i>land</i>[^]. Dams are regulated by Rules 16-1, 16-4, 16-5, 16-6, 16-8 and 16-20.</p>		<p>by or on behalf of the Regional Council.</p> <p>(b) For bridges and other access <i>structures</i>[^], except fords and temporary bridges for military training purposes that are removed within 2 weeks of their erection, located in, on, under or over the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^], the catchment area above the <i>structure</i>[^] must be no greater than 200 ha.</p> <p>(c) For all <i>structures</i>[^] located in, on, under or over the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^], the <i>structure</i>[^] must occupy a <i>bed</i>[^] area no greater than 20 m² except for:</p> <p>(i) <i>whitebait*</i> and maimai <i>structures</i>[^] which must not exceed 5 m²</p> <p>(ii) fords which must occupy a <i>bed</i>[^] area no greater than 40 m²</p> <p>(iii) temporary bridges for military training purposes that are removed within 2 weeks of their erection.</p> <p>(d) The <i>structure</i>[^] must be constructed and maintained to avoid any aggradation or scouring of the <i>bed</i>[^] that may inhibit fish passage.</p> <p>(e) The activity must comply with the general <i>conditions</i>[^] listed in Section 16.2.</p> <p>(f) The activity must not take place in any <i>rare habitat*</i>, <i>threatened habitat*</i> or <i>at-risk habitat*</i>.</p>	
<p>16-12A Recording sites*</p>	<p>The erection, placement or extension of a device for the purposes of monitoring or recording <i>river</i>[^] levels or quality in, on, under or over the <i>bed</i>[^] of a <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1) RMA and any ancillary:</p> <p>(a) excavation, drilling, tunnelling or other disturbance of the <i>river</i>[^] or <i>lake</i>[^] <i>bed</i>[^] pursuant to s13(1) RMA</p> <p>(b) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(c) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or</p>	<p>Permitted</p>	<p>(a) The device must occupy a <i>bed</i>[^] area no greater than 20 m².</p> <p>(b) The device must be constructed and <i>maintained*</i> to avoid any aggradation or scouring of the <i>bed</i>[^] that may inhibit fish passage.</p> <p>(c) The device may divert up to 30 m³ of <i>water</i>[^] per day for the purpose of measuring <i>water</i>[^] quality or quantity, provided the <i>water</i>[^] is returned to the <i>water body</i>[^] within 50 m of the diversion point.</p> <p>(d) The activity must comply with the general <i>conditions</i>[^] listed in Section 16.2.</p> <p>(e) The Regional Council must be informed in writing at least</p>	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	15(2A) RMA (d) deposition of substances in or on the <i>bed</i> [^] of the <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1).		10 <i>working days</i> [^] prior to the commencement of the activity taking place. (f) The activity must not take place in any <i>rare habitat</i> [*] , <i>threatened habitat</i> [*] or <i>at-risk habitat</i> [*] .	
16-12B Bridges and culverts constructed to comply with Rules 13-1 to 13-1C	The erection, placement or extension of a culvert or bridge in, on, under or over the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] pursuant to s13 RMA in order to comply with Rules 13-1 to 13-1C and any ancillary: (a) excavation, drilling, tunnelling or other disturbance of the <i>river</i> [^] or <i>lake</i> [^] <i>bed</i> [^] pursuant to s13(1) RMA (b) damming or diversion of <i>water</i> [^] pursuant to s14(2) RMA (c) <i>discharge</i> [^] of <i>water</i> [^] or sediment into <i>water</i> [^] or onto or into <i>land</i> [^] pursuant to ss15(1) or 15(2A) RMA (d) deposition of substances in or on the <i>bed</i> [^] of the <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1).	Controlled	(a) The proposed activity is required in order to comply with Rules 13-1 to 13-1C but is unable to meet one or more of the <i>conditions</i> [^] of Rules 16-6, 16-11 or 16-12. (b) The activity must not take place in any <i>rare habitat</i> [*] , <i>threatened habitat</i> [*] or <i>at-risk habitat</i> [*] .	Control is reserved over: (a) measures to avoid, remedy or mitigate the <i>effects</i> [^] of any non-compliance with the <i>conditions</i> [^] of Rules 16-6, 16-11 or 16-12 (b) duration of consent (c) review of consent <i>conditions</i> [^] (d) compliance monitoring.

Rule Guide:

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.

Activities within *rare habitats*^{*}, *threatened habitats*^{*} or *at-risk habitats*^{*} are regulated by Rule 12-6.

16.7 Rules - Activities Within Rivers with a Schedule AB Value of Flood Control and Drainage

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>Rule 16-13 Activities undertaken by or on behalf of the Regional Council in rivers[^] with a Schedule AB Value of Flood Control and Drainage</p>	<p>The following activities within a reach of a river[^] with a Schedule AB Value of Flood Control and Drainage, where they are undertaken by or on behalf of the Regional Council:</p> <ul style="list-style-type: none"> (a) the erection, placement, or extension of any structure[^] in, on, under or over the bed[^] of a river[^] pursuant to 13(1) RMA (b) the excavation, drilling, tunnelling or other disturbance (including gravel extraction) of the bed[^] of a river[^] pursuant to s13(1) RMA (c) any damming or diversion of water[^] pursuant to s14(2) RMA (d) any discharge[^] or deposition of plants, removed bed[^] material, rock, shingle, earth, cleanfill material*, water[^] or sediment into water[^] or onto or into land[^] pursuant to ss13(1), 15(1) or 15(2A) RMA (e) the damage, destruction, disturbance or removal of plants or parts of plants pursuant to s13(2) RMA. 	<p>Permitted</p>	<ul style="list-style-type: none"> (a) The activity must be undertaken in accordance with the following sections of the Environmental Code of Practice for River Works (Horizons Regional Council, June 2010): <ul style="list-style-type: none"> (i) The Generic Standards in section 2.4.2 of Part One Generic Standards for Good Practice (ii) The description of each Activity and the associated Standards for Good Practice in Part Two (for the avoidance of doubt, excluding the discussion of the Resource Management Act and potential beneficial and adverse effects) (iii) Generic Special Standards and the Site Specific Special Standards in Part Three (for the avoidance of doubt, excluding Scheme maps and Scheme dams and locations) (iv) Part Seven Definition of Terms, insofar as those defined terms must not be used other than in relation to interpreting the Environmental Code of Practice for River Works. (b) The activity must not involve: <ul style="list-style-type: none"> (i) an activity prohibited under Rule 16-1 (iii) an activity regulated under Rule 16-4, except to the extent that the activities may be carried out in specified Sites of Significance - Aquatic and Sites of Significance - Cultural in accordance with (a). 	
<p>16-14 Activities affecting Schedule AB Value of Flood Control and Drainage</p>	<p>Except as regulated by Rule 16-6, the following activities pursuant to ss 9(2) and 13(1) RMA in, on or under an artificial watercourse* or a reach of a river[^] with a Schedule AB Value of Flood Control and Drainage or adjacent land[^] as defined in (i) to (l):</p>	<p>Discretionary</p>		

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>(a) the planting of a tree or shrub</p> <p>(b) the erection, placement or extension of any building or other <i>structure</i>[^] (including accessways)</p> <p>(c) the erection, placement or extension of a fence perpendicular to a <i>river</i>[^] or <i>artificial watercourse</i>[*]</p> <p>(d) the erection, placement or extension of a fence greater than 1.2 m high parallel to a <i>river</i>[^] or <i>artificial watercourse</i>[*]</p> <p>(e) the deposition of any rock, shingle, earth, debris or other <i>cleanfill material</i>[*]</p> <p>(f) any excavation, drilling, tunnelling or other disturbance likely to undermine the functional integrity of a stopbank or <i>river</i>[^] control <i>structure</i>[^]</p> <p>(g) any <i>land disturbance</i>[*] that impedes access required for <i>maintenance</i>[*] of a <i>river</i>[^] or drainage scheme</p> <p>(ga) The <i>upgrade</i>[*], reconstruction, alteration, extension, removal or demolition of any <i>structure</i>[^] that is maintained by the Regional Council for the purposes of flood control or erosion protection or drainage</p> <p>and any ancillary:</p> <p>(i) excavation, drilling, tunnelling or other disturbance of the <i>river</i>[^] or <i>lake</i>[^] <i>bed</i>[^] pursuant to s13(1) RMA</p> <p>(ii) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA</p> <p>(iii) <i>discharge</i>[^] of <i>water</i>[^] or sediment into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA</p>			

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>(iv) deposition of substances in or on the <i>bed</i>[^] of the <i>river</i>[^] or <i>lake</i>[^] pursuant to s13(1)</p> <p>(v) <i>land disturbance</i>[*] pursuant to s9(2) RMA where the activities listed in (a) to (ga) are undertaken in any of the following areas:</p> <p>(h) within the <i>bed</i>[^] of a <i>river</i>[^] or within an <i>artificial watercourse</i>[*]</p> <p>(i) on a stopbank</p> <p>(j) on any strip of <i>land</i>[^] between an <i>artificial watercourse</i>[*] or <i>bed</i>[^] of a <i>river</i>[^] and 8 m inland of the landward toe of a stopbank</p> <p>(k) for areas without stopbanks, anywhere within 10 m of an <i>artificial watercourse</i>[*] or the <i>bed</i>[^] of a <i>river</i>[^]</p> <p>(l) Only <i>land</i>[^] use activities described under (f) and (g) are controlled under this <i>rule</i>[^] on <i>land</i>[^] described under (i) and (j) on and adjacent to the Manawatu River secondary stopbank located between Ruahine Street at Fitzroy Bend and Ruamahanga Crescent. The other listed <i>land</i>[^] use activities are not controlled in that area.</p> <p>This <i>rule</i>[^] does not apply to activities undertaken by or on behalf of the Regional Council.</p>			

Rule Guide:

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.

16.8 Rules - Gravel Extraction, Bed Disturbances and Plants

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
16-15 Small-scale gravel extraction	The excavation or other disturbance of the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] for the purpose of extracting gravel and other <i>bed</i> [^] material, pursuant to s13(1) RMA and any ancillary: (a) damming or diversion of <i>water</i> [^] pursuant to s14(2) RMA (b) <i>discharge</i> [^] of <i>water</i> [^] or sediment into <i>water</i> [^] or onto or into <i>land</i> [^] pursuant to ss15(1) or 15(2A) RMA (c) deposition of substances in or on the <i>bed</i> [^] of the <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1).	Permitted	(a) The activity must not take place in a <i>river</i> [^] or <i>lake</i> [^] regulated under Rule 16-4. (b) The amount of gravel and <i>bed</i> [^] material extracted must not exceed 50 m ³ in any 12 month period. (d) The gravel or other material must only be extracted from an area of <i>river</i> [^] <i>bed</i> [^] that is not covered by flowing <i>water</i> [^] at the time of extraction. (e) The activity must comply with the general <i>conditions</i> [^] listed in Section 16.2. (f) The activity must not take place in any <i>rare habitat</i> [*] , <i>threatened habitat</i> [*] or <i>at-risk habitat</i> [*] .	
16-15A Other gravel extraction	Except as regulated by Rules 16-4 and 16-15, the excavation or other disturbance of the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] for the purpose of extracting gravel and other <i>bed</i> [^] material, pursuant to s13(1) RMA and including any ancillary: (a) damming or diversion of <i>water</i> [^] pursuant to s14(2) RMA (b) <i>discharge</i> [^] of <i>water</i> [^] or sediment into <i>water</i> [^] or onto or into <i>land</i> [^] pursuant to ss15(1) or 15(2A) RMA (c) deposition of substances in or on the <i>bed</i> [^] of the <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1) (d) <i>discharges</i> [^] to air pursuant to s15(2A) RMA.	Restricted Discretionary	(a) The gravel or other material must only be extracted from an area of <i>river</i> [^] <i>bed</i> [^] that is not covered by flowing <i>water</i> [^] at the time of extraction. (b) The activity must not take place in any <i>rare habitat</i> [*] , <i>threatened habitat</i> [*] or <i>at-risk habitat</i> [*] .	Discretion is restricted to: (a) volume of gravel extracted (b) location of gravel extraction <i>site</i> [*] (c) the extent and nature of disturbance to or deposition on the <i>bed</i> [^] (d) rate, timing and duration of extraction (e) location of gravel stockpile areas within the <i>river</i> [^] or <i>lake</i> [^] <i>bed</i> [^] (f) <i>effects</i> [^] on aquatic habitats (g) <i>effects</i> [^] on <i>water</i> [^] quality (h) <i>effects</i> [^] on <i>river</i> [^] margins (i) <i>effects</i> [^] on channel, bank and

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
				<i>bed</i> [^] stability (j) <i>effects</i> [^] on <i>river</i> [^] flows (k) <i>effects</i> [^] on public access (l) dust management (m) financial contributions (n) duration of consent (o) review of consent <i>conditions</i> [^] (p) compliance monitoring.
16-16 Other minor <i>bed</i>[^] disturbances	Except as regulated by other <i>rules</i> [^] in this chapter, the excavation, drilling, tunnelling or other disturbance of the <i>bed</i> [^] of a <i>river</i> [^] pursuant to s13(1) RMA and any ancillary: (a) damming or diversion of <i>water</i> [^] pursuant to s14(2) RMA (b) <i>discharge</i> [^] of <i>water</i> [^] or sediment into <i>water</i> [^] or onto or into <i>land</i> [^] pursuant to ss15(1) or 15(2A) RMA (c) deposition of substances in or on the <i>bed</i> [^] of the <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1). Advice Note: For the avoidance of doubt, this <i>rule</i> [^] does not include gravel extraction.	Permitted	(a) The activity must not take place in a <i>river</i> [^] regulated under Rule 16-4. (b) The activity must comply with the general <i>conditions</i> [^] listed in Section 16.2. (c) The activity must not take place in any <i>rare habitat</i> [*] , <i>threatened habitat</i> [*] or <i>at-risk habitat</i> [*] .	
16-17 Plants	Except as regulated by other <i>rules</i> [^] in this chapter, the introduction, planting, removal or destruction of a plant in or on the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1) or s13(2) RMA, and any ancillary: (a) excavation, drilling, tunnelling or other disturbance of the <i>bed</i> [^] of a <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1) RMA (b) damming or diversion of <i>water</i> [^] pursuant to s14(2) RMA	Permitted	(a) A pest plant, as listed in the Regional Pest Plant Management Strategy, must not be introduced or planted. (b) The activity must not involve the planting of a tree or shrub in a reach of a <i>river</i> [^] with a Schedule AB Value of Flood Control and Drainage, as regulated by Rule 16-14. (c) The activity must not involve the removal or destruction of plants in Lake Papaitonga, Pukepuke Lagoon or Lake Horowhenua except for a radius of 500 m from the Lake Horowhenua outlet weir (which is permitted by this <i>rule</i> [^]).	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	(c) <i>discharge</i> [^] of <i>water</i> [^] or sediment into <i>water</i> [^] or onto or into <i>land</i> [^] pursuant to ss15(1) or 15(2A) RMA (d) deposition of substances in or on the <i>bed</i> [^] of the <i>river</i> [^] or <i>lake</i> [^] pursuant to s13(1).		(d) The activity must comply with the general <i>conditions</i> [^] listed in Section 16.2. (e) The activity must not take place in any <i>rare habitat</i> [*] , <i>threatened habitat</i> [*] or <i>at-risk habitat</i> [*] .	

Rule Guide:

Gravel extraction that cannot meet the conditions set out in Rule 16-15A is a discretionary activity under Rule 16-20.

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.

Activities undertaken in *rare habitats*^{*}, *threatened habitats*^{*} or *at-risk habitats*^{*} are regulated under Rule 12-6.

16.9 Rules - Activities in *Artificial Watercourses** and Non-natural Lakes

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>16-18 Minor activities involving <i>artificial watercourses*</i></p>	<p>Any:</p> <ul style="list-style-type: none"> (a) damming or diversion of <i>water</i>[^] pursuant to s14(2) RMA (b) <i>discharge</i>[^] of <i>water</i>[^], sediment, <i>artificial watercourse*</i> material or plants into <i>water</i>[^] or onto or into <i>land</i>[^] pursuant to ss15(1) or 15(2A) RMA associated with any of the following activities within an <i>artificial watercourse*</i>: (c) the <i>maintenance*</i>, <i>upgrade*</i>, or extension of a <i>structure</i>[^] or part of a <i>structure</i>[^] in, on, under or over <i>land</i>[^] within an <i>artificial watercourse*</i> (d) the removal of <i>artificial watercourse*</i> material or plants for the purpose of maintaining the functional integrity of a <i>structure</i>[^], including flushing accumulated material (e) the <i>discharge</i>[^] of removed <i>artificial watercourse*</i> material or plants onto or into <i>land</i>[^] (f) the excavation, drilling, tunneling, or other disturbance of the <i>land</i>[^] within an <i>artificial watercourse*</i> (g) the introduction, planting, removal or destruction of a plant in or on <i>land</i>[^] within an <i>artificial watercourse*</i> (h) the deposition of any substance in or on <i>land</i>[^] within an <i>artificial watercourse*</i>. <p>This <i>rule</i>[^] does not include the damming of an</p>	<p>Permitted</p>	<ul style="list-style-type: none"> (a) The activity must comply with the general conditions (a) to (k) and (v), (va) and (ra) in Section 16.2 as if these <i>conditions</i>[^] applied to an <i>artificial watercourse*</i>. (b) The activity must not involve an activity restricted by Rule 16-14. (c) Any <i>discharge</i>[^] of removed material or plants onto or into <i>land</i>[^] (being <i>land</i>[^] that is not within an <i>artificial watercourse*</i>) must comply with the <i>conditions</i>[^] of Rule 13-25, except for condition 13-25(c)(ii). (d) The activity must not take place in any <i>rare habitat*</i>, <i>threatened habitat*</i> or <i>at-risk habitat*</i>. 	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><i>artificial watercourse*</i> pursuant to s14(2) RMA. That activity is addressed by the <i>rules^</i> in Section 16.5.</p>			
<p>16-19 Bed^ disturbance of non-natural lakes^ to maintain their function</p>	<p>Except as permitted by other <i>rules^</i> in this chapter, the disturbance or removal of <i>bed^</i> material or plants for the purpose of maintaining the functional integrity of a non-natural <i>lake^</i>, pursuant to ss13(1) or 13(2) RMA and any ancillary:</p> <p>(aa) excavation, drilling, tunnelling or other disturbance of the <i>bed^</i> pursuant to s13(1) RMA</p> <p>(a) damming or diversion of <i>water^</i> pursuant to s14(2) RMA</p> <p>(b) <i>discharge^</i> of <i>water^</i> or sediment into <i>water^</i> or onto or into <i>land^</i> pursuant to ss15(1) or 15(2A) RMA</p> <p>(c) deposition of removed <i>bed^</i> material or plants in or on the <i>bed^</i> pursuant to s13(1) RMA</p> <p>(d) <i>discharge^</i> of removed <i>bed^</i> material or plants onto or into <i>land^</i> or into <i>water^</i> pursuant to ss15(1) or 15(2A) RMA.</p>	<p>Controlled</p>	<p>(a) The activity must comply with the general conditions (a) to (k) and (v), (va) and (ra) in Section 16.2.</p> <p>(b) Any <i>discharge^</i> of removed <i>bed^</i> material or plants onto or into <i>land^</i> must comply with the <i>conditions^</i> of Rule 13-25 except condition 13-25(c)(ii).</p> <p>(c) The activity must not take place in any <i>rare habitat*</i>, <i>threatened habitat*</i> or <i>at-risk habitat*</i>.</p>	<p>Control is reserved over:</p> <p>(a) <i>effects^</i> on <i>water^</i> quality</p> <p>(b) <i>effects^</i> on inflow rates of sediment</p> <p>(c) <i>effects^</i> on aquatic habitats</p> <p>(d) the nature, scale, timing and duration of the activity undertaken</p> <p>(e) duration of consent</p> <p>(f) review of consent <i>conditions^</i></p> <p>(g) compliance monitoring.</p>

Rule Guide:

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.

Activities within *rare habitats**, *threatened habitats** or *at-risk habitats** are regulated by Rule 12-6.

16.10 Rules - Activities that do not Comply with Permitted Activity, Controlled Activity or Restricted Discretionary Activity Rules and all other s13(1) RMA Activities Not Covered by this Chapter

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>16-20 Activities that do not comply with permitted activity[^], controlled activity[^] or restricted discretionary activity[^] rules[^] and all other s13(1) RMA activities not covered by this chapter</p>	<p>Any activity that does not comply with one or more <i>conditions[^]</i>, standards or terms of a permitted <i>activity[^]</i>, <i>controlled activity[^]</i> or <i>restricted discretionary activity[^] rule[^]</i> in this chapter, but which is not expressly classified as a <i>discretionary activity[^]</i>, <i>non-complying activity[^]</i> or <i>prohibited activity[^]</i> or is a s13(1) RMA activity not covered by this chapter, including any ancillary:</p> <ul style="list-style-type: none"> (a) excavation, drilling, tunnelling or other disturbance of the <i>bed[^]</i> pursuant to s13(1) RMA (b) damming or diversion of <i>water[^]</i> pursuant to s14(2) RMA (c) <i>discharge[^]</i> of <i>water[^]</i> or sediment into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant to ss15(1) or 15(2A) RMA (d) deposition of substances in or on the <i>bed[^]</i> of the <i>river[^]</i> or <i>lake[^]</i> pursuant to s13(1). 	<p>Discretionary</p>		

Rule Guide:

The discharge of contaminants into water or into or onto land, other than contaminants specifically identified in the rules, is regulated by the rules in Chapter 13.