

Notes for track changes. Recommendations made by the Historic Heritage officer are shown in **Blue**. Recommendations made by the Water officer are shown in **Green**. Recommendations made by the Supplementary Officers Report for water are shown in **Red**. Sentences shown in ~~black~~ strikethrough or are recommended within the Officer's Report to be relocated to other parts of the document, those sentences that have been relocated are shown in black underline. Words recommended to be added are shown in underline, words recommended to be removed are shown in ~~strike through~~

Terms defined within the Proposed One Plan glossary are *italicised* and marked with an asterisk (*) symbol. Terms defined in the Resource Management Act 1991 are *italicised* and marked with a caret (^) symbol.

16. **Structures[^] and Activities involving the Beds[^] of Rivers[^], Lakes[^] and Artificial Watercourses, and Damming**

16.1A Objective 16-1: Regulation of certain uses of beds of rivers[^], lakes[^] and artificial watercourses

Structures and activities in the beds[^] of rivers[^], lakes[^] and artificial water courses are controlled in a manner that:

- (a) recognizes and provides for the water management values set out in Schedule Ba; and
- (b) recognizes and provides for the objectives and policies of Chapter 6 as they relate to river[^] and lake[^] beds.

16.1 **Policies**

Policy 16-1: Consent decision-making for activities in the beds of rivers[^] and lakes[^] beds[^] (including modified watercourses but excluding artificial watercourses and artificial lakes[^])⁶¹

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[^]* the Regional Council will:

- (a) recognise and provide for the policies regarding the *beds[^] of rivers[^] and lakes[^]* in Section 6.4.4, and have regard to the other provisions of Chapter 6 where appropriate
- (b) have regard to the extent to which the activity is consistent with best management practices
- (c) seek to avoid where practicable any **more than minor** 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
- (e) recognise and provide for the provisions of Chapter 10 in relation to flood management-

- (f) in relation to the beds[^] of lakes[^] or wetlands[^] that are rare habitats* or threatened habitats* when assessed in accordance with Schedule E, have regard to the biodiversity policies in Chapter 12⁶¹
- (g) have regard to the objectives and policies of Chapter 3

This policy implements Objective 16-1

Policy 16-2: Consent decision-making for activities in the beds[^] of artificial watercourses and artificial lakes[^]

When making decisions on *resource consent[^]* applications, and setting consent *conditions[^]*, for activities in, on, under or over the *bed[^]* of an artificial watercourse (including farm drainage canals and canals for the supply of *water[^]* for electricity power generation) or artificial *lake[^]* the *Regional Council* will:

- (a) recognise and provide for the purpose for which the artificial watercourse or artificial *lake[^]* was established
- (b) in circumstances where the artificial watercourse or artificial *lake[^]* joins a *river[^]* or *lake[^]*, recognise and provide for the policies regarding the *beds[^]* of *ivers[^]* and *lakes[^]* in Section 6.4.4, and have regard to the other provisions of Chapter 6 where appropriate
- (c) seek to avoid, remedy or mitigate adverse *effects[^]* on any significant ecosystems intrinsic to the artificial watercourse or artificial *lake[^]*
- (d) manage the activity in accordance with subsections (b) to (e) of Policy 16-1.

This policy implements Objective 16-1

Policy 16-3 General management of River[^] and Lake[^] Beds[^]

- ~~(b)~~ (a) avoids or mitigates the risk of flood hazards arising from¹ any significant reduction in ability of a *river[^]* to convey flood flows, or significant impedance to the passage of floating debris
- ~~(c)~~ (b) avoids or mitigates¹ any significant adverse *effects[^]* on the stability and function of existing *structures[^]* including flood and erosion control *structures[^]*
- ~~(d)~~ (c) *The manages effects[^]* on natural character (including cumulative effects) and public access, shall be avoided or mitigated in accordance with the relevant policies in Chapter 7, including Policy 7-8 which assists in an understanding of the term natural character. Natural character can include the natural style and dynamic processes of the *river[^]* in terms of its natural meander pattern, characteristics, bed style and width, quality and quantity of bed habitat and connectivity with its flood plain at the appropriate geomorphologic scale. Method 6.9 will assist in defining natural character.

¹ Water officers report – recommendation WTR 50

- (f) (d) provides for the safe passage of fish both upstream and downstream
- (g) (e) ensures that the existing nature and extent of navigation of the *water body*^{Δ*} are not obstructed
- (h) (f) ensures that access required for the *maintenance*^{*}, *upgrade*^{*} and *operation* of ~~essential works and services~~ *infrastructure*^{Δ1} is not obstructed.²

This policy implements Objective 16-1

Policy 6-28 16-4: Activities in *water bodies*^{Δ*} with a Value of Natural State, Sites of Significance - Cultural, or Sites of Significance - Aquatic

In those *W*~~water~~ *M*~~management~~ *S*~~sub-zones~~^{*} ³ with a Value of Natural State, Sites of Significance - Cultural, or Sites of Significance - Aquatic, as shown in Schedule ~~D~~ *Ba*³, activities in, on, under or over the *beds*^Δ of *rivers*^Δ and *lakes*^Δ shall be managed in a manner which:

- (a) avoids or mitigates⁴ adverse effects^Δ on these values
- (b) maintains the habitat and spawning requirements of the species identified in Schedule ~~D~~ *Ba*³ as being significant within the subject *W*~~water~~ *M*~~management~~ *S*~~sub-zones~~^{*}.^{3 5}

This policy implements Objective 16-1

Policy 6-29 16-5: Activities in *water bodies*^{Δ*} within valued for a Flood Control or Drainage scheme⁶

In those *W*~~water~~ *M*~~management~~ *S*~~sub-zones~~^{*} within a *water body*^{Δ*} valued for⁶ Flood Control or Drainage scheme⁶ as shown in Schedule ~~I~~ *Ba20*³, activities in, on, under or over the *beds*^Δ of *rivers*^Δ and *lakes*^Δ shall be managed in a manner which:

- (a) enables the level of flood hazard and erosion control existing at the time of notification of this Plan to be maintained within *river*^Δ and drainage schemes
- (b) maintains other values associated with the *water body*^{Δ*}, unless functional constraints make this impractical, in which case adverse effects^Δ on other values shall be mitigated ~~or~~ and may be⁶ offset or compensated by way of a financial contribution in accordance with the policies in Chapter 18.⁷

² Policy 16-3 has been incorporated in part from Chapter 6 (Policy 6-27)

³ Consequential changes as a result of changes to Schedule D

⁴ Water officers report – recommendation WTR 51

⁵ Policy 16-4 has been incorporated in its entirety from Chapter 6 (Policy 6-28)

⁶ Water officers report – recommendation WTR 52

This policy implements Objective 16-1

6-30 16-6: Activities in water bodies^Δ* with other values

In those ~~W~~water ~~M~~management Sub-zones^{*3} not valued for Natural State, Sites of Significance - Cultural, Sites of Significance - Aquatic, or ~~within a Flood Control or Drainage scheme as shown in Schedule 1⁸~~, activities in, on, under or over the *beds^Δ of rivers^Δ and lakes^Δ* shall be managed in a manner which:

- (a) avoids, remedies or mitigates significant adverse *effects^Δ* on these other values, ~~or (b) provides consent applicants with the option of making a. A financial contribution may be considered in order⁸~~ to offset or compensate for adverse *effects^Δ* in accordance with the policies in Chapter 18.⁹

This policy implements Objective 16-1

Policy ~~6-31~~ 16-7: Essential Existing¹⁰ and beneficial activities

Notwithstanding Policies 6-27 to 6-30, activities in, on, under or over the *beds^Δ of rivers^Δ and lakes^Δ* that are *essential existing¹⁰* or result in an environmental benefit shall generally be allowed, including:

- (a) the use and *maintenance^{*}* of existing *structures^Δ*, including works designed to maintain or improve the stability and functionality of existing *structures^Δ*
- (b) the removal of derelict, unlawful or non-functional *structures^Δ*
- (c) the restoration or enhancement of natural habitats.¹¹

This policy implements Objective 16-1

⁷ Policy 16-5 has been incorporated in its entirety from Chapter 6 (Policy 6-29)

⁸ Water officers report – recommendation WTR 53

⁹ Policy 16-6 has been incorporated in its entirety from Chapter 6 (Policy 6-30)

¹⁰ Water officers report – recommendation WTR 54

¹¹ Policy 16-7 has been incorporated in its entirety from Chapter 6 (Policy 6-31)

Policy ~~6-32~~ 16-8: Gravel extraction

- (a) ~~The annual volume of gravel available for extraction from those rivers[^] and reaches with certain allocations, listed in Table 6.3, shall be limited to the quantities stated in the table.~~
- (b) ~~The annual volume of gravel available for extraction from those rivers[^] and reaches with estimated allocations, listed in Table 6.4 16.1(a), shall generally be limited to the quantities stated in the table, unless better information is available~~
 - (i) ~~there is a demonstrable river[^] management need to exceed this volume or;~~
 - (ii) ~~where the extraction is necessary to decrease the risk of flooding or damage to structures or;~~
 - (iii) ~~there is information presented that clearly establishes that actual sustainable rates of extraction are higher or lower than those in the schedule taking into account the cumulative volumes being extracted and the natural rates of replenishment.~~
- (c) ~~In other rivers or reaches, where there is no annual extraction limit, gravel extraction shall not exceed the natural rate of replenishment except where extraction is necessary to decrease the risk of flooding or damage to structures[^].~~¹²
- (d) ~~For any river or reach not specified in Table 16.1(a) the effects of the cumulative volume being extracted per annum in river reaches shall be considered including matters in relation to:~~
 - (i) ~~the natural rates of replenishment,~~
 - (ii) ~~the site specific impacts~~
 - (iii) ~~river management needs~~
 - (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~~

This policy implements Objective 16-1

Table 6.4 16.1a Average Annual allocable volumes of gravel - estimated allocations^{13 - 14}

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

¹² Policy 16-8 has been incorporated in its entirety from Chapter 6 (Policy 6-32)

¹³ Black underline indicates content has moved from Table 6.3 to Table 6.4 (at s42 officer reporting stage); Green strikethrough indicates deletion from Table 6.4; Green underline indicates new wording

¹⁴ Table 16.1a has been incorporated in its entirety from Chapter 6 (Table 6.4) at supplementary stage

River or Reach	Volume (m ³)
<u>Makuriiti Stream</u>	6,000 3,000
<u>Manawatu River</u>	
• <u>From 1 km upstream of Ngawapurua Bridge to source</u>	20,000
• <u>1 km upstream to 2.5 km downstream of Ngawapurua Bridge</u>	No extraction
• <u>2.5 km downstream of Ngawapurua Bridge to Ballance Bridge</u>	15,000
• <u>Manawatu Gorge to Karere Rd</u>	50,000
• <u>Karere Rd to Hamilton's Line</u>	300,000
• <u>Hamilton's Line to Oroua confluence [2007 to 2009]</u>	20,000
• <u>Hamilton's Line to Oroua confluence [2009 onwards] the 2 km aggrading reach between 39 Miles (S24 212 832) and Benchmark 643 (S24 226 830)</u>	350,000
• <u>Hamilton's Line to Oroua confluence [2009 onwards] the 2 km aggrading reach between BM 604 (S24 206 833) and BM 622 (S24 207 826)</u>	700,000
<u>Mangahao River</u>	15,000
<u>Mangatainoka River</u>	55,000
<u>Ohau River</u>	
• <u>Upstream of a point 1 km above SH 1 bridge</u>	2,000 5,000
• <u>Downstream of a point 1 km above SH 1 bridge</u>	10,000
<u>Oroua River</u>	
• <u>Upstream of Menzies Ford</u>	10,000
• <u>Downstream of Menzies Ford</u>	55,000
<u>Pohangina River</u>	30,000 25,000
<u>Rangitikei River</u>	
• <u>Makahikatoa Stream to Mangarere Road bridge</u>	15,000

River or Reach	Volume (m ³)
• <u>Mangarere Road bridge to Rewa</u>	<u>25,000</u>
• <u>Rewa to 7 km downstream of SH 1 bridge</u>	40,000 <u>50,000</u>
• <u>7 km downstream of SH 1 bridge to mouth</u>	<u>100,000</u>
<u>South East Ruahine Streams</u>	
• <u>Kumeti</u>	<u>3,000</u>
• <u>Mangaatua</u>	<u>5,000</u>
• <u>Mangapapa</u>	<u>2,000</u>
• <u>Mangatera</u>	<u>500</u>
• <u>Mangatewaiiti</u>	<u>2,000</u>
• <u>Mangatewainui</u>	<u>4,000</u>
• <u>Oruakeretaki</u>	<u>5,000</u>
• <u>Otamaraho</u>	<u>2,000</u>
• <u>Otamarahu</u>	<u>1,000</u>
• <u>Rokaiwhana</u>	<u>10,000</u>
• <u>Raparapawai</u>	<u>3,000</u>
• <u>Tamaki</u>	<u>20,000</u>
<u>Turakina River</u>	<u>3,000</u>
<u>Whangaehu River</u>	<u>8,000</u>
<u>Whanganui River</u>	<u>7,000</u>
• <u>Whakapapa Island to Pipiriki</u>	<u>4,000</u>
• <u>Pipiriki to mouth</u>	<u>2,750</u>

16.2 Standard Conditions for *Permitted Activities* involving the *Beds* of *Rivers* and *Lakes*

The table below sets out standard conditions for activities involving the *beds* of *rivers* and *lakes*. These standard *conditions* are referred to in a number of the *permitted activity rules* in this chapter. The table firstly sets out standard *conditions* for all *rivers* and *lakes* under the *V* value of Life-Supporting Capacity (this *V* value applies to all *rivers* and *lakes* as shown in Schedule *D-Ba*²¹). It then sets out additional conditions for other values that apply to specific reaches of *rivers*, as listed in Schedule *D-Ba*.²¹ Schedule *D-Ba*²¹ must be referred to in order to identify the locations of the *Water Management Sub-zones*²¹ to which these other values apply, and whether they are therefore relevant to a particular activity.

Table 16.1 Standard conditions for *permitted activities* involving the *beds* of *rivers* and *lakes*

Value	Condition
Restrictions applying to all water bodies ¹⁵	<p>(a) The activity shall not adversely reduce the ability of the <i>water body</i>¹⁵ to convey flood flows, floating debris or sediment.^{15 16}</p> <p>(f) Any materials no longer required as part of the activity, including any temporary <i>structures</i>, shall not be stored in or on any <i>river</i> or <i>lake bed</i> and shall be removed after completion of the activity.^{15 16}</p> <p>(l) The activity shall not disturb any <i>archaeological site, waahi tapu or kōiwi remains, historic heritage</i> as identified in any <i>District Plan</i> or <i>Regional Plan</i> schedule or database, or <i>Proposed Plan</i>, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.^{15 16}</p> <p>(m) In the event of an <i>archaeological site, waahi tapu or kōiwi remains</i> being discovered or disturbed while undertaking the activity, the activity shall cease and the Regional Council shall be notified as soon as practicable such that the Regional Council will provide advice regarding the appropriate authorities to be contacted. The activity shall not be recommenced without the approval of the Regional Council.^{15 16}</p>
Life-Supporting Capacity conditions which apply to all water bodies ¹⁷	<p>(a) The activity shall not adversely reduce the ability of the waterbody to convey flood flows, floating debris or sediment.^{15 18}</p> <p>(b) There shall 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>.</p> <p>(d) (c) Any discharge of sediment under condition (c) (d) shall not, after reasonable mixing*, cause any conspicuous change in the colour of water in the receiving water body*, or any change in horizontal visibility of greater than 30% the standard set in the clarity % change column of Schedule Ba., more than 24 hours after completion of the activity.</p>

¹⁵ OVR 2 – Submission point 280/2

¹⁶ This condition has been moved in its entirety from the category 'Life-Supporting Capacity'.

¹⁷ This heading has been clarified to make it clear that it applies to all *water bodies*.

¹⁸ This condition has been moved in its entirety to a new values category named 'Values applying to all *water bodies*' in Table 16.1.

Value	Condition
	<p>(d) (d) Any <i>discharge</i> of sediment directly caused by the activity shall not be undertaken for more than 5 <u>consecutive</u> days, or for <u>no</u> more than 12 hours on any one of those 5 days.</p> <p>(e) Any materials used shall be necessary for the activity and shall not be toxic* to aquatic ecosystems.</p> <p>(f) Any materials no longer required as part of the activity, including any temporary structures, shall not be stored in or on any river or lake bed and shall be removed after completion of the activity.^{15 18}</p> <p>(g) Refuelling of machinery shall not take place in any area where spills may enter surface <i>water</i>.</p> <p>(h) The activity shall be undertaken in a manner that provides for the safe passage of <i>fish</i> both upstream and downstream, including past any <i>structure</i>.</p> <p>(i) Any diversion of <i>water</i> required for works associated with a <i>structure</i> shall be temporary, shall be within the <i>bed</i> of the <i>river</i>, shall not exceed 100 m in length, shall not be between catchments, shall not involve a <i>lake</i> (except artificial <i>lakes</i>), and the diversion channel shall have sufficient capacity to carry the same flow as the original <i>bed</i>.</p> <p>(j) Upon completion of any channel bank works, the banks shall be reinstated to a natural contour and revegetated.</p> <p>(k) Any permanent straightening or channeling 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.</p> <p>(l) The activity shall not disturb any <u>archaeological site, waahi tapu or koiwi remains historic heritage</u> as identified in any District or Regional Council plan <u>Schedule or database, or proposed plan</u>, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.^{15 18}</p> <p>(m) In the event of <u>an archaeological site, waahi tapu or koiwi remains</u> being discovered or disturbed while undertaking the activity, <u>the activity shall cease and the Regional Council shall be notified as soon as practicable such that the Regional Council will provide advice regarding the appropriate authorities to be contacted</u>. <u>The activity shall not be recommenced without the approval of the Regional Council.</u>^{15 18}</p> <p>(r) There shall 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 <u>or it poses a hazard to</u></p>

¹⁹ This *condition* has been moved in its entirety from the category 'Trout Spawning'

Value	Condition
	<u>recreational use</u> . ^{15 19}
Riparian <u>Habitat</u> (applies to all <u>sites sites</u> <u>within</u> ²⁰ <u>water bodies</u> ^{Δ*} ²¹ with a <u>V</u> value of <u>Site of</u> <u>Significance - Riparian</u> <u>Habitat</u> as shown in Schedule <u>D Ba</u>) ²¹	(n) <u>For the purpose of minimising disturbance to nesting dotterals; B</u> between ¹⁵ 1 August and 31 December, gravel extraction and <u>bed</u> disturbance on gravel beaches shall 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 <u>sites sites</u> <u>within</u> ²⁰ <u>water bodies</u> ^{Δ*} ²¹ with a <u>V</u> value of Inanga Spawning as shown in Schedule <u>D Ba</u>) ²¹	(o) The use of mobile machinery in or on the <u>bed</u> of a <u>river</u> or <u>lake</u> in a manner that disturbs the <u>bed</u> shall not take place between 1 February and 1 May.
<u>Native</u> <u>Whitebait</u> <u>migration</u> ²² <u>Fishery</u> (applies to all <u>sites sites</u> <u>within</u> ²⁰ <u>water bodies</u> ^{Δ*} with a <u>V</u> value of <u>Native Fishery</u> <u>whitebait migration</u> as shown in Schedule <u>D Ba</u>) ²¹	(p) The use of mobile machinery in or on the <u>bed</u> of a <u>river</u> or <u>lake</u> in a manner that disturbs the <u>bed</u> of the active flowing channel shall not take place in the following locations at the following times: (i) in any <u>water body</u> ^{Δ*} valued <u>as a for whitebait migration fishery</u> between <u>1 October 15 August</u> ²² and 30 November (ii) In any waterbody valued as a koura fishery, between 1 April and 31 December. ²³

²⁰ Supplementary evidence – recommendation of Richard Peterson, Mighty River Power (519/48)

²¹ Consequential change from recommendations and changes to Schedule D including the development of the new Schedule Ba.

²² Water officers report - recommendation WTR 138 182/82

²³ Water officers report - recommendation WTR 138 – 182/83

Value	Condition
<p>Trout Spawning</p> <p>(applies to all sites sites within²⁰ water bodies^{Δ*} with a Vvalue of Trout Spawning as shown in Schedule D Ba)²¹</p>	<p>(q) The use of mobile machinery in or on the bed[^] of a river[^] or lake[^] in a manner that disturbs the bed[^] of the active flowing channel shall not take place in water bodies^{Δ*} valued for the spawning of trout between 1 May and 30 September.</p>
<p>Trout Fishery</p> <p>(applies to all sites sites within²⁰ water bodies^{Δ*} with a Vvalue of Trout Fishery as shown in Schedule D Ba)¹⁵</p>	<p>(r) There shall 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.^{15 24}</p> <p>(x) Activities shall not result in suspended sediment being conspicuous at reaches valued for trout fisheries²⁵, as shown in Schedule Ba, during weekends and public holidays between 1 December and 28 February.</p>
<p>Amenity</p> <p>(applies to all sites sites within²⁰ water bodies^{Δ*} with a Vvalue of Amenity as shown in Schedule D Ba)²¹</p>	<p>(s) Existing public access to or along a river[^] or lake[^] shall not be rendered unsafe by the activity.</p> <p>(t) Existing public access to or along a river[^] or lake[^] 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 shall not result in suspended sediment being conspicuous at public bathing beaches as shown in Schedule D Ba²¹, during weekends and public holidays between 1 December and 28 February.</p>
<p>Existing Infrastructure[^]</p>	<p>(v) No excavation of the river bed[^] of a river[^]²⁶ shall take place within 500 m upstream or 1 km downstream of any flow-recording site. ²⁷</p> <p>(w) No excavation of the bed[^] of a river[^] shall take place within 20 m upstream or 20 m downstream of a high pressure gas transmission pipeline identified by either a District Plan[^] or Regional Plan[^] and/ or by a marker²⁸ on the bank of the river[^]^{28 29}</p>

²⁴ This condition has been moved in its entirety into the category 'Life-supporting Capacity'.

²⁵ Water officers report - recommendation WTR 138 417/87

²⁶ Water officers report - recommendation WTR 135

²⁷ [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 Hydrology department.](#)

²⁸ [High pressure transmission gas pipelines are normally indicated by white triangle marker posts and/ or yellow pipeline warning signs. If you are unsure about a pipeline being present please contact your Territorial Authority.](#)

²⁹ Water officers report - recommendation WTR 138 – 115/10

16.3 Rules[^] – Special Rivers[^] and Lakes[^]

Rule [^]	Activity	Classification	Conditions [^] Standards/Terms	Control/Discretion Non-Notification
16-1 Damming of protected rivers [^] water bodies [^] with a value of Aesthetics listed in Schedule Ba including water bodies [^] with a National Water Conservation Order [^] 21 protected rivers [^]	<p>The erection or placement of a ^{new}³⁰ dam structure[^] pursuant to s13(1) RMA in or on the bed[^] of the following rivers[^] the following any rivers[^] water body[^] valued as Aesthetic, listed in Schedule Ba; and any associated ancillary²⁶ damming of water[^] pursuant to s14(21) RMA</p> <p>(a) the main stem of the Manganui-o-Te-Ao River and the main stems of its tributaries, the Makatote River, the Mangaturuturu River, the Waimarino Stream and the Orautoha Stream,</p> <p>(b) the Upper and Middle Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993, and downstream of the Middle River where the dam structure has the effect of impounding water upstream of the confluence with the Hautapu River</p> <p>(c) the main stem of the Hautapu River above its confluence with the Oraukura Stream and the main stems of its tributaries, the Irirangi Stream and the Waiouru Stream</p> <p>(d) the main stem of the Makuri River and the main stem of its tributary the Makuri-iti Stream</p> <p>(e) the main stem of the Mangatainoka River and the main stems of 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>	Prohibited		

³⁰ Water officers report - recommendation WTR 141 – 358/101

Rule^	Activity	Classification	Conditions^Standards/Terms	Control/Discretion Non-Notification
	<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 T22:578-378.²¹</p> <p>(a) <u>the main stem of the Manganui o Te Ao River and the main stems of its tributaries, the Makatote River, the Mangaturuturu River, the Waimarino Stream and the Orautoha Stream,</u></p> <p>(b) <u>the Upper and Middle Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993, and downstream of the Middle River where the dam structure has the effect of impounding water upstream of the confluence with the Hautapu River</u></p> <p>(c) <u>the main stem of the Hautapu River above its confluence with the Oraukura Stream and the main stems of its tributaries, the Irirangi Stream and the Waiouru Stream</u></p> <p>(d) <u>the main stem of the Makuri River and the main stem of its tributary the Makuri-iti Stream</u></p> <p>(e) <u>the main stem of the Mangatainoka River and</u></p>			

Rule^	Activity	Classification	Conditions^Standards/Terms	Control/Discretion Non-Notification
	<p><u>the main stems of 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</u></p> <p>(f) <u>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</u></p> <p>(g) <u>the main stem of the Manawatu River through the Manawatu Gorge from the Ballance Bridge to the confluence of the Pohangina and Manawatu Rivers</u></p> <p>(h) <u>the main stem of the Pohangina River from its source to its confluence with the Manawatu River near the Manawatu Gorge</u></p> <p>(i) <u>the main stem of the Oroua River from its source to its confluence with the Mangoira Stream at map reference NZMS 260 T22:578-378.²¹</u></p>			
<p>16-2 Other structures and 31Disturbances in protected rivers^</p>	<p>(a) the erection or placement of a structure in or on the bed of the rivers listed below pursuant to s 13(1) RMA, except for:</p> <p>(i) dam structures, which are prohibited by Rule 16.1</p> <p>(ii) lines, cables, pipelines and ropeways, which are regulated by the rules in Section 16.7.6.³¹</p>	<p>Non-complying</p>		

³¹ Water officers report - recommendation WTR 152 – 358/120

³² Water officers report - recommendation WTR 140 – 363/177

Rule^	Activity	Classification	Conditions^Standards/Terms	Control/Discretion Non-Notification
	<p>(b) (a) Any excavation, drilling, tunneling or other disturbance of the <i>bed^</i> of the <i>rivers^</i> listed below pursuant to s13(1) RMA <u>which does not involve the permanent removal of <i>bed^</i> material:</u> ³²except for disturbances associated with lines, cables, pipelines and ropeways <u>which are regulated by Rules 16-4 and 16-10</u> ³³ <u>and excluding the <i>maintenance*</i> and upgrading of <i>structures^</i> to the extent it is allowed for by Rule 16-6.</u> ¹⁵</p> <p>The <i>rivers^</i> to which this <i>rule^</i> applies are:</p> <p>(c) the mainstem of the Manganui o Te Ao River and the mainstems of its tributaries, the Makatote River, the Mangaturuturu River, the Waimarino Stream and the Orautoha Stream</p> <p>(d) the Upper Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993</p> <p>(e) the main stem of the Hautapu River above its confluence with the Oraukura Stream and the main stem of its tributary the Irirangi Stream</p> <p>(f) the Makuri Gorge reach, beginning approximately 0.5 km downstream of the Makuri township bridge at map reference T25:643-700 and extending to a point approximately 3.5 km downstream to the end of the gorge at map reference T25:605-692. ³²</p>			
<p><u>16-2A Gravel extraction in protected rivers</u> ³³</p>	<p><u>Any removal of <i>bed^</i> material, including gravel from the <i>bed^</i> of a <i>river^</i> and any ancillary excavation or other disturbance in, or on the <i>bed^</i> pursuant to 13(1) RMA excluding for the <i>maintenance*</i> and upgrading of <i>structures^</i> to the</u></p>	<p><u>Non-Complying</u></p>		

³³ Water officers report - recommendation WTR 142 – 363/177

Rule^	Activity	Classification	Conditions^Standards/Terms	Control/Discretion Non-Notification
	<p><u>extent it is allowed for by rule 16-6</u></p> <p><u>The rivers^ to which this rule^ applies are:</u></p> <p>(a) <u>the mainstem of the Manganui o te Ao River and the mainstems of its tributaries, the Makatote River, the Mangaturuturu River, the Waimarino Stream and the Orautoha Stream</u></p> <p>(b) <u>the Upper Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993</u></p> <p>(c) <u>the mainstem of the Hautapu River above its confluence with the Oraukura Stream and the mainstem of its tributary the Irirangi Stream</u></p> <p>(d) <u>the Makuri Gorge reach, beginning approximately 0.5 km downstream of the Makuri township bridge at map reference T25:643-700 and extending to a point approximately 3.5 km downstream to the end of the gorge at map reference T25:605-692.</u></p>			
<p>16-3 Reclamation and drainage of regionally significant lakes^</p>	<p>Any reclamation or drainage of the bed^ of the following lakes^ pursuant to s 13(1) RMA, excluding any existing reclamations and drainage:</p> <p>(a) Lake Horowhenua</p> <p>(b) Lake Papaitonga</p> <p>(c) Pukepuke Lagoon.</p>	<p>Non-complying</p>		

Rule^	Activity	Classification	Conditions^Standards/Terms	Control/Discretion Non-Notification
<p>16-4 Structures^ and disturbances involving water bodies^* valued as Natural State, Sites of Significance – Aquatic, and Sites of Significance – Cultural</p>	<p>Any of the following activities pursuant to s13(1) RMA:</p> <p>(a) Natural State <u>water_bodies^*</u></p> <p>(i) The erection, placement or extension of any <u>structure^</u> in, on, under or over <u>the bed^ of a river^ or lake^ that reach of a water body^*</u> valued as <u>Natural State^ listed in Schedule Ba</u> (including lines, cables pipelines and ropeways, excluding lines, cables and ropeways that go 'over' a <u>river^ or lake^</u> valued as <u>Natural State^</u> which are regulated by Rule 16-10) ³⁴</p> <p>(ii) Any excavation, drilling, tunnelling or other disturbance of <u>the bed^ of a river^ or lake^ that reach of a water body^*</u> valued as <u>Natural State^, listed in Schedule Ba</u></p> <p>(b) Sites of Significance – Aquatic and Sites of Significance – Cultural <u>water_bodies^*</u></p> <p>(i) The erection, placement or extension of any <u>structure^</u> in or on the <u>bed^ of that reach of a river^ or lake^ water body^*</u> valued as a Site of Significance - Aquatic^ or Site of Significance - Cultural^, <u>listed in Schedule Ba</u> except for those activities listed in (c) and (d).</p> <p>(ii) Any excavation, drilling, tunnelling or other disturbance of the <u>bed^ of a river^ or lake^ reach of a water body^*</u> valued as a Site of Significance - Aquatic^ or Site of Significance - Cultural^, <u>listed in Schedule Ba</u>, except for those activities listed in (c) and (d).</p> <p>This <u>rule^</u> does not include:</p>	<p>Discretionary</p>		

³⁴ Water officers report - recommendation WTR 144 – 265/45

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
	<p>(c) lines, cables, pipelines and ropeways within a <u>river[^] or lake[^] reach of a water body^{Δ*}</u> valued as a Site of Significance - Aquatic[±] or Site of Significance - Cultural[±] <u>listed in Schedule Ba</u> (these are regulated by Rule 16-10), or</p> <p>(d) activities involving a Site of Significance - Aquatic within a <u>Flood Control or Drainage scheme Value</u>, provided the activities are undertaken by the Regional Council in accordance with the Environmental Code of Practice for River Works, Horizons Regional Council <u>April 2007 August 2009</u>⁵² (these activities are regulated by Rule 16-13).</p> <p>(e) <u>maintenance[*] and upgrading of lawfully established structures[^] to the extent it is allowed for by Rule 16-6</u></p>			

[Rule Guide for rules 16.1 to 16.4](#)

[With regards to Rule 16-4, any lines, cables or ropes over a water body^{Δ*} valued as Natural State are permitted by Rule 16-10. Any support structures for the ropes, lines or cables which are located within public estate will, however, require a concession from the Department of Conservation.](#)

16.4 Rules[^] – Use, Maintenance^{*}, Repair Upgrade^{*35}, Removal and Demolition of Structures[^]

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
16-5 Use of structures [^]	The use of a <u>lawfully established³⁶ structure[^]</u> located in, on, under or over the <u>bed[^] of a river[^] or lake[^]</u> pursuant to s13(1) RMA, and any <u>associated ancillary²⁶</u> .	Permitted		

³⁵ Water officers report - recommendation WTR 177

³⁶ Water officers report - recommendation WTR 154 – 161/20

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
	<p>(a) damming or diversion of <i>water[^]</i> pursuant to s14(24) 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 sediment or <i>water[^]</i> pursuant to ss15(1), 15(2) or 15(2A) RMA.</p> <p>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(21) RMA).</p>			
<p>16-6 <i>Maintenance[*]</i> and <i>repair[*]</i> <i>upgrade[*]</i>³⁵ of <i>structures[^]</i>, and <i>associated[*]</i> <i>ancillary[*]</i>²⁶ removal of <i>bed[^]</i> material and plants</p>	<p>(a) <i>Structures[^]</i> - The <i>maintenance[*]</i> or <i>repair[*]</i> <i>upgrade[*]</i>³⁵ of a <i>lawfully established[*]</i>³⁶ <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 <i>associated[*]</i> <i>ancillary[*]</i>.²⁶</p> <p>(i) 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(24) RMA</p> <p>(iii) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to ss15(1), 15(2) or 15(2A) RMA.</p> <p>(b) Associated removal of <i>bed[^]</i> material and plants - The removal of <i>bed[^]</i> material or plants pursuant to s13(1) or 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 <i>associated[*]</i> <i>ancillary[*]</i>.²⁶</p> <p>(i) damming or diversion of <i>water[^]</i> pursuant to s14(24) RMA</p> <p>(ii) <i>discharge[^]</i> of <i>water[^]</i> or sediment</p>	<p>Permitted</p>	<p>(a) The activity shall comply with the standard <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> shall comply with the <i>conditions[^]</i> of Rule 16-23³⁷.</p> <p>(c) <u>The rate of <i>discharge[^]</i> shall be no more than 100 m³/y per <i>property[*]</i>.</u></p> <p>(d) <u>The <i>discharge[^]</i> shall not contain <i>agricultural waste[*]</i>, <i>sewage</i>, <i>stormwater</i>, <i>contaminants[^]</i> from <i>composting[^]</i> operations, or <i>contaminants[^]</i> from <i>landfills[^]</i>.</u></p> <p>(e) <u>The <i>discharge[^]</i> shall not be located within:</u></p> <p>(i) <u>a <i>rare habitat[*]</i>, <i>threatened habitat[*]</i> or an <i>at-risk habitat[*]</i></u></p> <p>(ii) <u>a <i>site[*]</i> with a <i>slope[*]</i> greater than 20°</u></p> <p>(iii) <u>50 m from any <i>historic heritage[^]</i> as identified in any <i>District or Regional Plan[^]</i> schedule or database or <i>Proposed Plan[^]</i>.</u></p> <p>(f) <u>Records of the source and composition of the <i>discharge[^]</i> shall be maintained and made available to the Regional Council upon request.</u></p> <p>(g) <u>The <i>discharge[^]</i> shall be undertaken and maintained in a manner so as to ensure its long-term stability, and avoid the risk of erosion.</u></p>	

³⁷ Water officers report - recommendation WTR 146 – 182/84

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
	<p>pursuant to <u>ss15(1), 15(2) or 15(2A)</u> 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 onto or into <i>land[^]</i> pursuant to <u>ss15(1), 15(2) or 15(2A)</u> RMA.</p>		<p>(h) <i>The discharge[^] shall not cause any increase in the concentration of hazardous substances[^] or pathogenic organisms on or in any land[^].</i></p> <p>(i) <i>The discharge[^] shall not have any acid-producing potential.</i></p>	
16-7 Removal and demolition of structures [^]	<p>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 <i>associated ancillary</i>.²⁶</p> <p>(a) 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(24) RMA</p> <p>(c) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to <u>ss15(1), 15(2) or 15(2A)</u> RMA.</p>	Permitted	<p>(a) The activity shall comply with the standard <i>conditions[^]</i> listed in Section 16.2.</p> <p>(b) The Regional Council shall 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:</p> <p>(i) access <i>structures[^]</i> in or on the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i>, including bridges, culverts and fords, where the catchment above the <i>structure[^]</i> is greater than 50 ha</p> <p>(ii) <i>structures[^]</i> occupying more than 5 m² of the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i>.</p>	

Rule[^] Guide [for rules 16-5 to 16-7](#): ²⁶

Use, *maintenance^{*}* and *repair upgrade^{*35}* – The *rules[^]* above permit the ongoing use, *maintenance^{*}* and *repair upgrade^{*35}* of *structures[^]* once they are established (subject to *conditions[^]* in the case of *maintenance^{*}* and *repair upgrade^{*35}* activities). *For dams -This means that the Regional Council has decided to accept the presence of existing dam structures and has declined to give itself the discretionary as to whether an existing dam structure should remain.* 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.

16.5 Rules[^] – Dams

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 lawfully established dam <i>structures[^]</i> and associated damming within <i>river[^]</i>, within artificial watercourses and on <i>land[^]</i>:</p> <p>(a) The erection or placement of a dam in, on, under or over the <i>bed[^]</i> of a <i>river[^]</i> pursuant to s13(1) RMA</p> <p>(b) the damming of <i>water[^]</i> and any associated ancillary²⁶ taking, diversion or <i>discharge[^]</i> of <i>water[^]</i> that is part of the normal operation of a dam, pursuant to s14(24) and s15(1) RMA</p> <p>(c) any associated ancillary²⁶ disturbance of a the bed of a river[^] bed²⁶ pursuant to s13(1) RMA</p> <p>(d) any associated ancillary²⁶ <i>discharge[^]</i> of sediment pursuant to ss15(1), 15(2) or 15(2A) RMA.</p> <p><u>For the avoidance of doubt any proposal to take water[^] that is impounded behind a dam structure[^] for consumptive use must comply with the rules[^] set out in Chapter 15 of this Plan</u></p>	<p>Permitted</p>	<p>(a) Any new dam shall not be located in a <i>river[^]</i> or <i>lake[^]</i> prohibited by Rule 16-1 or regulated under Rule 16-4.</p> <p>(b) For a dam in a <i>river[^]</i>, the catchment area above the dam shall be no greater than 50 ha hectares.</p> <p>(c) The maximum <i>water[^]</i> depth shall be no greater than 3 m (measured from the natural ground level at the upstream toe of the dam <i>structure[^]</i>).</p> <p>(d) A spillway shall be constructed to enable the passage of the probable maximum flood without the dam being overtopped.</p> <p>(e) <i>Water[^]</i> impounded by the dam shall not encroach onto adjoining properties.</p> <p>(f) Dams in permanently flowing watercourses shall maintain a residual flow out of the dam at all times including during filling of the dam.</p> <p>(g) For a dam located in a <i>river[^]</i> the activity shall comply with the standard <i>conditions[^]</i> listed in Section 16.2.</p> <p>(h) For a dam located in an artificial watercourse the activity shall comply with the standard <i>conditions[^]</i> (a) to (m) in Section 16.2 as if these <i>conditions[^]</i> applied to an artificial watercourse.</p> <p>(i) <u>The maximum capacity of the dam must not exceed 20,000 m³ ³⁸</u></p> <p>(j) <u>This The activity shall not take place in any lake[^] or wetland[^] classed as a rare habitat* or threatened habitat* listed in Schedule E. ³⁹</u></p>	
<p>16-9 Other existing dams</p>	<p>Any lawfully established damming of <i>water[^]</i> within a <i>river[^]</i>, within an artificial watercourse or on <i>land[^]</i>, and any associated ancillary²⁶ taking, diversion or <i>discharge[^]</i> of <i>water[^]</i> that is part of the normal operation of the dam, pursuant to s14(24) and s15(1) RMA, except as permitted by Rule 16-8.</p>	<p>Controlled</p>	<p>(a) The activity shall continue to comply with all <i>conditions[^]</i>, standards and terms that were imposed at the time that the activity commenced.</p> <p>(b) The dam <i>structure[^]</i> shall include a spillway to enable the passage of the probable maximum flood without the dam being overtopped.</p>	<p>Control is reserved over:</p> <p>(a) <i>fish[^]</i> 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>

³⁸ Water officers report - recommendation WTR 148 – 422/3

³⁹ Water officers report - recommendation WTR 159- 268/48

Rule^	Activity	Classification	Conditions^/Standards/Terms	Control/Discretion Non-Notification
	<u>For the avoidance of doubt any proposal to take water^ that is impounded behind a dam structure^ for consumptive use must comply with the rules^ set out in Chapter 15 of this Plan</u>			(e) effects^ on rare <u>habitats^</u> , and <u>threatened habitats^</u> and <u>at-risk habitats^</u> (f) duration of consent (g) review of consent <u>conditions^</u> (h) compliance monitoring.

Rule^ Guide for rules 16-8 to 16-9: ²⁶

Dam structures^ versus damming of water^ – The use, maintenance* and repair upgrade*³⁵ of dam structures^ pursuant to s15(1) RMA, once they are lawfully established, are permitted by the rules^ in Section 16.4 (subject to conditions^ in the case of maintenance* and repair upgrade*³⁵ activities). Hence for existing dams the rules^ above only address the damming of water^ pursuant to s14(1) RMA, and not the dam structure^ itself. 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, 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 Regional Council.

Dams that exceed the ‘small dams’ criteria set out in Rule 16-8 are a discretionary activity^ under Rule 16-20 and may require a building consent from the Regional Council under the Building Act 2004. ⁴⁰

~~Water^ takes – Note that any proposal to take water^ that is impounded behind a dam structure^ must comply with the rules^ set out in Chapter 15 of this Plan~~ ⁴¹

⁴⁰ Water officers report - recommendation WTR 135 – 359/121

⁴¹ Water officers report - recommendation WTR 149 – 358/114

16.6 Rules[^] – Other Structures[^]

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
16-10 Lines, cables, pipelines and ropeways	<p>The erection, reconstruction, placement, alteration, 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 <i>associated ancillary</i>:²⁶</p> <p>(a) 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(24) RMA</p> <p>(c) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to ss15(1), <u>15(2) or 15(2A)</u> RMA.</p>	Permitted	<p>(a) The line or cable and any <i>associated ancillary</i>²⁶ support structures[^] shall either:</p> <p>(i) be wholly located over or under the <i>bed[^]</i> of the <i>water body^{Δ*}</i>, or</p> <p>(ii) occupy no more than 20 m² of the <i>bed[^]</i> of the <i>water body^{Δ*}</i>.</p> <p>(b) <i>This activity shall not take place in a water body^{Δ*} valued as Natural State except for lines, cables and ropeways that go over a river[^] or lake[^].</i>³⁴</p> <p>(c) The activity shall comply with the standard conditions[^] listed in Section 16.2.</p> <p>(d) This The activity shall not take place in any <i>lake[^]</i> or <i>wetland[^]</i> <i>classified as a rare habitat* or threatened habitat* listed in Schedule E.</i>⁴²</p>	
16-11 Culverts	<p>The erection, reconstruction, placement, alteration, 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 <i>associated ancillary</i>:²⁶</p> <p>(a) 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(24) RMA</p> <p>(c) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to ss15(1), <u>15(2) or 15(2A)</u> RMA.</p>	Permitted	<p>(a) No new culvert shall be erected or placed in:</p> <p>(i) a <i>river[^]</i> or <i>lake[^]</i> regulated under Rule 16-2</p> <p>(ii) a <i>river[^]</i> or <i>lake[^]</i> regulated under Rule 16-4</p> <p>(iii) a <i>waterway water body^{Δ*}</i> managed by the Regional Council within a flood control or drainage scheme, unless the work is undertaken by the Regional Council.</p> <p>(iv) a waterway within an urban area, unless the work is undertaken by a Territorial Authority.</p> <p>(b) There shall be only one culvert per crossing.</p> <p>(c) The culvert, associated fill and culvert placement shall comply with the following dimensions:</p> <p>(i) a maximum culvert length of 20 metres <i>which can be made up by either single or multiple lengths of pipe joined together</i>⁴³</p>	

⁴² Water officers report - recommendation WTR 159- 268/48

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
			<ul style="list-style-type: none"> (ii) For circular culverts⁴⁴ a culvert <u>diameter width and height</u>⁴⁴ between 0.3 m and 1.25⁴⁵ metres (iii) a culvert width equal to or greater than the average width of the wetted part of the channel at the location where the culvert intersects the <i>bed[^]</i> (iv) a maximum fill height above the culvert of 2 metres (v) a minimum culvert installation depth below the <i>bed[^]</i> of 0.3 m or 20% of the width of the culvert, whichever is the lesser. (d) The culvert shall be positioned so that its alignment and gradient are the same as the subject <u>waterway water body^Δ</u>. (e) The culvert shall be constructed to allow: <ul style="list-style-type: none"> (i) the flow from a 5% annual exceedence 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 shall be protected against erosion. (g) All practicable steps shall be used to minimise the release of sediment during construction. (h) The culvert shall be constructed and maintained to avoid any aggradation or erosion of the <i>bed[^]</i>. (i) The culvert shall be kept clear of accumulated debris. (j) The activity shall comply with the standard <i>conditions[^]</i> listed in Section 16.2. (k) This <u>The activity shall not take place in any lake[^] or wetland[^] classed as a rare habitat* or threatened habitat* listed in Schedule E.</u>⁴⁶ 	

⁴³ OVR – 172/2

⁴⁴ Water officers report - recommendation WTR 153 – 182/85 and 161/21

⁴⁵ Water officers report - recommendation WTR 153 – 331/35

⁴⁶ Water officers report - recommendation WTR 159- 268/48

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
<p>16-12</p> <p>Other <i>structures[^]</i> including bridges, fords and other access <i>structures[^]</i></p>	<p>The erection, reconstruction, placement, alteration, or extension of any <i>structure[^]</i> that is not regulated by any other <i>rule[^]</i> 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 <u>associated ancillary</u>:²⁶</p> <p>(a) 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, or</p> <p>(c) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to <u>ss15(1), 15(2) or 15(2A)</u> RMA.</p>	<p>Permitted</p>	<p>(a) No new <i>structure[^]</i> shall be erected or placed in:</p> <p>(i) a <i>river[^]</i> or <i>lake[^]</i> regulated under Rule 16-2⁴⁷</p> <p>(ii) a <i>river[^]</i> or <i>lake[^]</i> regulated under Rule 16-4</p> <p>(iii) a <u><i>waterway water body</i>^{Δ*}</u> managed by the Regional Council within a flood control or drainage scheme, unless the work is undertaken by the Regional Council.</p> <p>(iv) a <i>waterway</i> within an urban area, unless the work is undertaken by a <i>Territorial Authority</i>[^]</p> <p>(b) For bridges and other access <i>structures[^]</i>, except fords, located in or on the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i>, the catchment area above the <i>structure[^]</i> shall be no greater than 200 <u>ha</u>^{ectares}.</p> <p>(c) For all <i>structures[^]</i> located in or on the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i>, the <i>structure[^]</i> shall occupy a <i>bed[^]</i> area no greater than 20 m² except for whitebait and maimai <i>structures[^]</i> which shall not exceed <u>5 10</u> m²⁴⁸.</p> <p>(d) The <i>structure[^]</i> shall be constructed and maintained to avoid any aggradation or scouring of the <i>bed[^]</i> that may inhibit <i>fish[^]</i> passage.</p> <p>(e) The activity shall comply with the standard <i>conditions[^]</i> listed in Section 16.2.</p> <p>(f) This <u>The activity shall not take place in any <i>lake[^]</i> or <i>wetland[^]</i> classed as a <i>rare habitat</i>[*] or <i>threatened habitat</i>[*] listed in Schedule E</u>.⁴⁹</p>	
<p><u>16-12(a)</u></p> <p><u>Recording sites[*]</u></p>	<p><u>The erection, reconstruction, placement, alteration, extension or removal or demolition of a device for the purposes of monitoring or recording <i>river[^]</i> levels and/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:</u></p> <p>(a) <u>disturbance of the <i>river[^]</i> or <i>lake[^]</i> <i>bed[^]</i></u></p>	<p><u>Permitted</u></p>	<p>(a) <u>For all <i>structures[^]</i> located in or on the <i>bed[^]</i> of a <i>river[^]</i> or <i>lake[^]</i>, the <i>structure[^]</i> shall occupy a <i>bed[^]</i> area no greater than 20 m²</u></p> <p>(b) <u>The <i>structure[^]</i> shall be constructed and maintained to avoid any aggradation or scouring of the <i>bed[^]</i> that may inhibit <i>fish[^]</i> passage.</u></p> <p>(c) <u>The monitoring device may divert up to 30 m³ of <i>water[^]</i> per day for the purpose of measuring <i>water[^]</i> quality or quantity,</u></p>	

⁴⁷ Water officers report - recommendation WTR 154 – 358/120

⁴⁸ Water officers report - recommendation WTR 154 – 406/76

⁴⁹ Water officers report - recommendation WTR 159- 268/48

⁵⁰ Water officers report - recommendation WTR 159- 268/48

Rule^	Activity	Classification	Conditions^/Standards/Terms	Control/Discretion Non-Notification
	<p><u>pursuant to s13(1) RMA,</u></p> <p>(b) <u>damming or diversion of water^ pursuant to s14(2+) RMA, or</u></p> <p>(c) <u>discharge^ of water^ or sediment pursuant to ss15(1), 15(2) or 15(2A) RMA.</u></p>		<p><u>provided the water^ is returned to the water body^* within 50 m of the diversion point</u></p> <p>(d) <u>The activity shall comply with the standard conditions^ listed in Section 16.2</u></p> <p>(e) <u>The Regional Council shall be informed in writing of the erection, reconstruction, placement, alteration, extension, removal or demolition of a device for the purposes of monitoring or recording river^ levels and/or quality, at least 10 working days^ prior to the commencement of the works taking place.</u></p> <p>(f) <u>This The activity shall not take place in any lake^ or wetland^ classified as a rare habitat* or threatened habitat* listed in Schedule E.⁵⁰</u></p>	

16.7 Rules^ – Activities Within Flood Control and Drainage Schemes

Rule^	Activity	Classification	Conditions^/Standards/Terms	Control/Discretion Non-Notification
Rule 16-13 Activities undertaken by, <u>or on behalf of</u> ⁵¹ the Regional Council in <u>water bodies^* valued for flood control</u>	<p>The following activities within a <u>reach of a water body^* valued for Flood Control or Drainage scheme</u> as shown in Schedule 4 Ba20, ⁵²where they are undertaken by, <u>or on behalf of</u> ⁵¹the Regional Council:</p> <p>(a) the erection, reconstruction, placement, alteration, or extension of any <u>structure^</u> in, on, under or over the <u>bed^</u> of a <u>river^</u> or <u>lake^</u> <u>pursuant to 13(1) RMA</u></p> <p>(b) the excavation, drilling, tunnelling or other disturbance of the <u>bed^</u> of a <u>river^</u> (but not</p>	Permitted	<p>(a) The activity shall be undertaken in accordance with the Environmental Code of Practice for River Works, Horizons Regional Council <u>April 2007 August 2009</u>⁵².</p> <p>(b) The activity shall not involve:</p> <p>(i) an activity prohibited under Rule 16-1</p> <p>(ii) an activity regulated under Rule 16-2</p> <p>(iii) an activity regulated under Rule 16-4, <u>except to the extent that the activities may be carried out in specified Sites Of Significance – Aquatic in accordance with the terms specified in the Environmental Code of Practice for River Works, Horizons Regional Council August 2009</u>⁵¹</p>	

⁵¹ Water officers report - recommendation WTR 153 - 182/187

⁵² Water officers report - recommendation WTR 153 – Consequential change.

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
and-or drainage schemes ⁵²	<p>lake[^]) pursuant to s13(1) RMA</p> <p>(c) any damming or diversion of water[^] pursuant to s14(24) RMA</p> <p>(d) any discharge[^] of <u>weed or any other material extracted from water bodies^{Δ*}, cleanfill[*]</u>⁵¹ water[^] or sediment pursuant to <u>s15(1), 15(2) or 15(2A)</u> RMA.</p>			
16-14 Activities affecting flood control or drainage schemes	<p>The following activities <u>pursuant s13(1) RMA</u> within a <u>reach of a water body^{Δ*} valued for Flood Control or Drainage scheme</u> as shown in Schedule 4Ba:</p> <p>(a) the planting of a tree[*] or shrub[*]⁵³</p> <p>(b) the erection or placement of any building, fence or other structure[^] (including accessways but excluding fences <u>to the extent provided for in (c) and (d)</u>)</p> <p>(c) the erection or placement of a fence perpendicular to a watercourse</p> <p>(d) the erection or placement of a fence greater than 1.2 m high parallel to a watercourse</p> <p>(e) the deposition of any rock, shingle, earth, debris or other cleanfill[*]</p> <p>(f) any excavation, drilling or tunnelling likely to undermine the functional integrity of a stopbank or river[^] control structure[^]</p> <p>(g) any land disturbance[*] that impedes access required for maintenance[*] of a river[^] or drainage scheme</p> <p><u>(ga) The upgrade, removal or demolition of any structure[^] that is maintained by the Regional Council for the purposes of flood or erosion protection or drainage.</u>⁵⁴</p>	Discretionary		

⁵³ Water officers report - recommendation WTR 154 – Schedule 1, Clause 16(2) change

⁵⁴ Water officers report - recommendation WTR 154 - 182/90

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
	<p>where the activities listed in (a) to (g) are undertaken in any of the following areas:</p> <p>(h) within the <i>bed[^]</i> of a <i>river[^]</i> or artificial watercourse</p> <p>(i) on a stopbank</p> <p>(j) on any strip of <i>land[^]</i> between an artificial watercourse or <i>riverbed[^] of a river^{^26}</i>, and 8 m from the <i>inland toe of a stopbank^{* 55}</i></p> <p>(k) for areas without stopbanks, anywhere within 10 m of an artificial watercourse or <i>riverbed[^] of a river^{^26}</i>.</p> <p>This <i>rule[^]</i> does not apply to activities undertaken by <i>or on behalf of⁵¹</i> the Regional Council.</p>			

Rule Guide for rules 16-13 to 16-14:

Use, maintenance*, upgrade* and removal of existing, lawfully established, structures in flood control or drainage schemes are permitted by Section 16.4.

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, tunnelling or other disturbance of the <i>bed[^]</i> of a <i>river[^]</i> (but not <i>a naturally occurring lake[^] or wetland^{^56}</i>) for the purpose of removing gravel and other <i>bed[^]</i> material, pursuant to s13(1) RMA.	Permitted	<p>(a) The activity shall not take place in a <i>river[^]</i> or <i>lake[^]</i> regulated under Rule 16-2A or Rule 16-4.</p> <p>(b) The amount of gravel and <i>bed[^]</i> material removed shall not exceed 50 m³ in any 12-month period.</p>	

⁵⁵ Water officers report - recommendation WTR 133 – 13/1

⁵⁶ Water officers report - recommendation WTR 156 – 268/47

⁵⁷ Water officers report - recommendation WTR 157- 268/48

Rule^	Activity	Classification	Conditions^/Standards/Terms	Control/Discretion Non-Notification
			<p>(c) No excavation shall take place within 500 m upstream or 1 km downstream of any flow recording site.</p> <p>(d) The gravel or other material shall be removed from an area of <u>riverbed^ in a river^</u>²⁶ that is not covered by <u>water^</u> at the time of extraction.</p> <p>(e) The activity shall comply with the standard <u>conditions^</u> listed in Section 16.2.</p> <p>(f) This <u>The activity shall not take place in any lake^ or wetland^ classed as a rare habitat* or threatened habitat* listed in Schedule E.</u>⁵⁷</p>	
<p><u>16-15(a) Large-scale gravel extraction</u>⁵⁸</p>	<p>Except as regulated by other <u>rules^</u>, the excavation, tunnelling or other disturbance of the <u>bed^ of a river^</u> (but not a naturally occurring <u>lake^ or wetland^</u>) for the purpose of removing gravel and other <u>bed^</u> material, pursuant to s13(1) RMA and including any associated ancillary:</p> <p>(a) <u>discharge^ of water^ or sediment pursuant to ss15(1), 15(2) or 15(2A) RMA</u></p> <p>(b) <u>discharges^ to air pursuant to ss15(2) or 15(2A) RMA.</u></p>	<p><u>Restricted Discretionary</u></p>	<p>(a) <u>The activity shall not take place in a river^ or lake^ regulated under Rule 16-2A or Rule 16-4.</u></p> <p>(b) <u>The gravel or other material shall be removed from an area of riverbed^ in a river^ that is not covered by water^ at the time of extraction.</u></p> <p>(c) This <u>The activity shall not take place in any Lake or wetland classed as a rare habitat* or threatened habitat* listed in Schedule E.</u>⁵⁹</p>	<p>Discretion is restricted to:</p> <p>(a) <u>Volume of gravel extracted</u></p> <p>(b) <u>Location of gravel extraction site</u></p> <p>(c) <u>The extent and nature of disturbance to or deposition on the bed^</u></p> <p>(d) <u>Rate, timing and duration of extraction</u></p> <p>(e) <u>Location of gravel stockpile area</u></p> <p>(f) <u>Effects^ on aquatic habitats</u></p> <p>(g) <u>Overall effect^ on water^ quality</u></p> <p>(h) <u>Effects^ on riparian margins</u></p> <p>(i) <u>Effects^ on channel, bank and bed^ stability</u></p> <p>(j) <u>Erosion and flooding effects^</u></p> <p>(k) <u>Effects^ on public access</u></p> <p>(l) <u>Procedures in the event of</u></p>

⁵⁸ Water officers report - recommendation WTR 157 – 346/100

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
				discovering or disturbing an archaeological site, wāhi tapu or kōiwi remains (m) Dust management (n) Financial contributions (o) Duration of consent (p) Review of consent conditions[^] (q) Compliance monitoring.
16-16 Other minor bed [^] disturbances	Except as regulated by other <i>rules[^]</i> , the excavation, drilling, tunnelling or other disturbance of the <i>bed[^]</i> of a <i>river[^]</i> (but not a naturally occurring lake[^] or wetland^{^59}) pursuant to s13(1) RMA and any associated ancillary²⁶ . (a) damming or diversion of <i>water[^]</i> pursuant to s14(24) RMA, or (b) <i>discharge[^]</i> of sediment pursuant to ss s15(1), 15(2) or 15(2A) RMA. This <i>rule[^]</i> does not include gravel extraction.	Permitted	(a) The activity shall not take place in a <i>river[^]</i> regulated under Rule 16-2 or Rule 16-4. (b) The activity shall comply with the standard <i>conditions[^]</i> listed in Section 16.2. (c) The activity shall not take place in any lake[^] or wetland[^] classed as a rare habitat* or threatened habitat* listed in Schedule E. ⁵⁹	
16-17 Plants	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)(b) RMA, and any associated ancillary²⁶ . (a) disturbance of the <i>river[^]</i> or <i>lake[^] bed[^]</i> pursuant to s13(1) RMA, (b) damming or diversion of <i>water[^]</i> pursuant to s14(24) RMA, or (c) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to ss s15(1), 15(2) or 15(2A) RMA.	Permitted	(a) No pest plant, as listed in the Regional Pest Plant Management Strategy, shall be introduced or planted. (b) The activity shall not involve the planting of a <i>tree[^]</i> or <i>shrub^{^53}</i> in a flood control or drainage scheme, as regulated by Rule 16-14. (c) The activity shall 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>). (d) The activity shall comply with the standard <i>conditions[^]</i> listed in Section 16.2. (e) The activity shall not take place in any lake[^] or wetland[^] classed as a rare habitat* or threatened habitat* listed in	

⁵⁹ Water officers report - recommendation WTR 159 – 268/48

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
			Schedule E. ⁵⁹	

Rule[^] Guide for rules 16-15 to 16-17:

Gravel extractions that cannot meet the *conditions[^]* set out in Rule 16-15a are a *discretionary activity[^]* under Rule 16-20.⁵⁸

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 Hydrology department.

Gravel extraction and minor *bed[^]* disturbances undertaken in naturally occurring *lakes[^]* or *wetland[^]* are a *discretionary activity[^]* under Rule 16-20. These activities may also be subject to requiring a consent under Chapter 12 if the activity concerns a *rare habitat^{*}*, *threatened habitat^{*}* or *at-risk habitat^{*}*.⁵⁹

16.9 Rules[^] – Activities in Artificial Watercourses and Artificial Lakes[^]

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
16-18 Minor activities involving the <i>beds[^]</i> of artificial watercourses	Any: (a) damming or diversion of <i>water[^]</i> pursuant to s14(1) RMA (b) <i>discharge[^]</i> of <i>water[^]</i> , sediment, <i>bed[^]</i> material or plants pursuant to s15(1) RMA associated with any of the following activities: (c) the <i>maintenance[*]</i> , <i>repair</i> , <i>upgrade[*]</i> , ³⁵ alteration, extension, removal or demolition of a <i>structure[^]</i> or part of a <i>structure[^]</i> in, on, under or over the <i>bed[^]</i> of an artificial watercourse <u>pursuant to s13(1) RMA</u> (d) the removal of <i>bed[^]</i> material or plants <u>pursuant to ss13(1) or 13(2)RMA</u> for the purpose of maintaining the functional integrity of a	Permitted	(a) For activities located in an artificial watercourse, the activity shall comply with the standard <i>conditions[^]</i> (a) to (m) in Section 16.2 as if these <i>conditions[^]</i> applied to an artificial watercourse. (b) The activity shall not involve an activity restricted by Rule 16-14. (c) Any discharge of removed bed material or plants onto or into land (being land that is not the bed of an artificial watercourse) shall comply with the conditions of Rule 16-23 ⁶⁰ . (d) <u>This activity shall not take place in any <i>rare habitat[*]</i> or <i>threatened habitat[*]</i> listed in Schedule E.</u> ⁶¹ (e) <u>The rate of <i>discharge[^]</i> shall be no more than 100 m³/y per <i>property[*]</i>.</u> ⁶⁰	

⁶⁰ Water officers report - recommendation WTR 161 –182/91

⁶¹ Water officers report - recommendation WTR 159- 268/48

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
	<p><i>structure[^]</i>, including flushing accumulated <i>bed[^]</i> material</p> <p>(e) the <i>discharge[^]</i> of removed <i>bed[^]</i> material or plants onto or into <i>land[^]</i> <u>pursuant to ss15(1), 15(2) or 15(2A) RMA</u></p> <p>(f) the excavation, drilling, tunneling, or other disturbance of the <i>bed[^]</i> of an artificial watercourse <u>pursuant to s13(1) RMA</u></p> <p>(g) the introduction, planting, removal or destruction of a plant in or on the <i>bed[^]</i> of an artificial watercourse <u>pursuant to ss13(1) and 13(2) RMA</u></p> <p>(h) the deposit of any substance in, on or under the <i>bed[^]</i> of an artificial watercourse <u>pursuant to s13(1) RMA</u></p> <p>This <i>rule[^]</i> does not include the damming of an artificial watercourse <u>pursuant to s14(2) RMA</u>. This activity is addressed by the <i>rules[^]</i> in Section 16.5.</p>		<p>(f) <u>The <i>discharge[^]</i> shall not contain agricultural <i>waste[*]</i>, sewage, stormwater, <i>contaminants[^]</i> from <i>composting[^]</i> operations, or <i>contaminants[^]</i> from <i>landfills[^]</i>.</u>⁶⁰</p> <p>(g) <u>The <i>discharge[^]</i> shall not be located within:</u></p> <p>(i) <u>a <i>rare habitat[*]</i>, <i>threatened habitat[*]</i> or an <i>at-risk habitat[*]</i></u></p> <p>(ii) <u>a <i>site[*]</i> with a <i>slope[*]</i> greater than 20°</u></p> <p>(iii) <u>50 m from any <i>historic heritage[^]</i> as identified in any District or <i>Regional Plan[^]</i> Schedule or database or <i>Proposed Plan[^]</i>.</u>⁶⁰</p> <p>(h) <u>Records of the source and composition of the <i>discharge[^]</i> shall be maintained and made available to the Regional Council upon request.</u>⁶⁰</p> <p>(i) <u>The <i>discharge[^]</i> shall be undertaken and maintained in a manner so as to ensure its long-term stability, and avoid the risk of erosion.</u>⁶⁰</p> <p>(j) <u>The <i>discharge[^]</i> shall not cause any increase in the concentration of <i>hazardous substances[^]</i> or pathogenic organisms on or in any <i>land[^]</i>.</u>⁶⁰</p> <p>(k) <u>The <i>discharge[^]</i> shall not have any acid-producing potential.</u>⁶⁰</p>	
<p>16-19</p> <p><i>Bed[^]</i> disturbance of artificial <i>lakes[^]</i> to maintain their function</p>	<p>Except as permitted by other <i>rules[^]</i>, the disturbance or removal of <i>bed[^]</i> material or plants for the purpose of maintaining the functional integrity of an artificial <i>lake[^]</i>, pursuant to s13(1) and s13(2) RMA, and any <u>associated ancillary.</u>²⁶</p> <p>(a) damming or diversion of <i>water[^]</i> pursuant to s14(24) RMA</p> <p>(b) <i>discharge[^]</i> of <i>water[^]</i> or sediment pursuant to ss15(1), 15(2) 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</p>	<p>Controlled</p>	<p>(a) The activity shall comply with the standard <i>conditions[^]</i> (a) to (m) in Section 16.2 as if these <i>conditions[^]</i> applied to an artificial watercourse.</p> <p>(b) Any <i>discharge[^]</i> of removed <i>bed[^]</i> material or plants onto or into <i>land[^]</i> (being <i>land[^]</i> that does not form the <i>bed[^]</i> of an artificial watercourse) shall comply with the <i>conditions[^]</i> of Rule 13-24.⁶²</p> <p>(c) <u>The rate of <i>discharge[^]</i> shall be no more than 100 m³/y per <i>property[*]</i>.</u>⁶²</p> <p>(d) <u>The <i>discharge[^]</i> shall not contain agricultural <i>waste[*]</i>, sewage, stormwater, <i>contaminants[^]</i> from <i>composting[^]</i> operations, or <i>contaminants[^]</i> from <i>landfills[^]</i>.</u>⁶²</p>	<p>Control is reserved over:</p> <p>(a) the overall effect[^] on <i>water[^]</i> quality</p> <p>(b) the effects[^] on inflow rates of sediment</p> <p>(c) the effects[^] 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>

⁶² Water officers report - recommendation WTR 162 – 182/92

Rule^	Activity	Classification	Conditions^/Standards/Terms	Control/Discretion Non-Notification
	<p>onto or into <i>land</i>^ pursuant to <u>ss15(1), 15(2) or 15(2A)</u> RMA.</p>		<p>(e) <u>The <i>discharge</i> ^shall not be located within:</u></p> <ul style="list-style-type: none"> (i) <u>a <i>rare habitat</i>*, <i>threatened habitat</i>* or an <i>at-risk habitat</i>*</u> (ii) <u>a <i>site</i>* with a <i>slope</i>* greater than 20°</u> (iii) <u>50 m from any <i>historic heritage</i>^ as identified in any <i>District</i> or <i>Regional Plan</i>^ schedule or database or <i>Proposed Plan</i>^.</u>⁶² <p>(f) <u>Records of the source and composition of the <i>discharge</i>^ shall be maintained and made available to the Regional Council upon request.</u>⁶²</p> <p>(g) <u>The <i>discharge</i>^ shall be undertaken and maintained in a manner so as to ensure its long-term stability, and avoid the risk of erosion.</u>⁶²</p> <p>(h) <u>The <i>discharge</i>^ shall not cause any increase in the concentration of <i>hazardous substances</i>^ or pathogenic organisms on or in any <i>land</i>^.</u>⁶²</p> <p>(i) <u>The <i>discharge</i>^ shall not have any acid-producing potential.</u>⁶²</p>	

16.10 Rules^ – Activities that do not Comply with Permitted Activity^ and Controlled Activity^ Rules^

Rule [^]	Activity	Classification	Conditions [^] /Standards/Terms	Control/Discretion Non-Notification
16-20 Activities that do not comply with <u>permitted activity[^]</u> and <u>controlled activity[^]</u> rules [^]	Any activity that does not comply with one or more <u>conditions[^]</u> , standards or terms of a permitted <u>activity[^]</u> or <u>controlled activity[^]</u> rule [^] in this chapter, but which is not expressly classified as a <u>discretionary activity[^]</u> , non-complying <u>activity[^]</u> ²¹ or <u>prohibited activity[^]</u> . <u>including any ancillary</u> <u>(a)disturbance of the river[^] or lake[^] bed[^] pursuant to s13(1) or 13(2) RMA,</u> <u>(b)damming or diversion of water[^] pursuant to s14(24) RMA, or</u> <u>(c) discharge[^] of water[^] or sediment pursuant to s15(1) RMA.</u> ⁶³	Discretionary		

⁶³ Water officers report - recommendation WTR 163 - 182/93