



# Clearing streams and drains

This information sheet provides guidance on clearing plants and other bed material, and taking gravel, from waterways in the Region. It also covers disposing of cleared plants and materials. The One Plan includes rules that allow these activities to be carried out without a resource consent provided certain conditions are met. These include some '*general conditions*' that set out a common-sense framework for managing all types of work in the beds of waterways. If you can't meet all the conditions, it doesn't mean you can't clear a waterway or take gravel. However, you will either need to consider whether you can alter how or when you're proposing to work so you can meet them, or apply for and be granted a resource consent before you start.

## Removing plants and bed material

You can destroy and remove weeds from streams and farm drains on private land almost everywhere in the Region without a resource consent – the exception is when they are flowing through wetlands, lake and lagoon margins, or indigenous vegetation that is rare, threatened or at-risk habitat. [Horizons' staff](#) can provide advice about the status of these areas on your property.

If you want to use spray to kill weeds in the bed of a stream or drain, it's fine to do this using a spot-spraying method provided you *follow the agrichemical manufacturer's instructions and keep the spray out of the water*. You can spray weeds in rare, threatened and at-risk habitats when you're doing it to maintain the habitat.

## Digging out a stream or drain

Disturbing the bed of a flowing stream or drain can have serious effects on the waterway and instream life, so there are a few more restrictions around digging them out to clear weeds and sediment<sup>1</sup>.

The general conditions apply when you are removing bed material from a waterway – the

[Working in beds of rivers and lakes – 'general conditions'](#) information sheet has advice on how to meet these conditions. If you're using a digger to clear a stream or drain, you will need to manage the release of sediment into water to meet the [Table 15](#) General Conditions (3), (4), (17) and (20). You can do this by either:

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<sup>1</sup> This advice does not apply to digging new drains.



- waiting till the stream or drain dries up, if you expect this to happen over the summer; or
- if you have to dig in the flowing channel, do it once a year, for no more than 24 hours over five consecutive weekdays (and avoid public holidays).

In some places you will need to apply for, and be granted consent before you begin. Most of these restrictions apply to 'rivers', not artificial watercourses. The term 'river' includes modified streams, which are often thought of as drains. If you are uncertain whether the waterway you want to clear is a stream or a drain, it is advisable to check whether it has any of the following values or special characteristics by contacting a [Consents Duty Planner](#).

- River reaches with the One Plan Value of Site of Significance – Aquatic or Site of Significance – Cultural. These reaches are described, and mapped at a regional scale, in [Schedule 2](#). A [Consents Planner](#) can help you work out whether the site is in one of these reaches.
- Sites within 500m upstream or downstream of a flow recording site<sup>2</sup>, or 20m upstream or downstream of a high pressure gas transmission pipeline. These

## Disposing of plant and bed

You won't need a consent for disposing of plant and bed material provided you are sensible about where you put it and how you manage it. You need to avoid the following sites:

- land with a slope greater than 20°
- wetlands
- within 20m of the bed of a lake, waterway or inland of the high spring tide mark
- within 30m of a bore and 50m of any historic heritage sites.

Any material you dispose of must be stable and not cause any erosion, or flooding on another property. If you compost plant material, run-

pipelines are usually marked by a white triangle marker post or a yellow pipeline warning sign, or your local district or city council can tell you where they are.

### You may also need a consent:

- to clear a stream or drain on land leased from the Department of Conservation
- if you pay rates for a flood control or drainage scheme – contact the [Consents Duty Planner](#) before you start work to ensure it won't affect the effectiveness of any flood control or drainage structure.

There may be restrictions around when you can clear a waterway or take gravel if the reach has other values such as inanga spawning or trout fishery; please check the [Working in beds of rivers and lakes – 'general conditions'](#) information sheet and [Table 15](#) of the One Plan for more information. [Horizons' Consent Planners](#) can provide advice about whether any of these values are present at a specific site. The other thing you need to do is return any stranded fish to the stream or drain – this means quickly checking through the cleared material (within five minutes of digging it out) and putting any fish you find<sup>3</sup> back in the water.

off shouldn't be getting into the area, or running from the compost to streams or drains (including tile or mole drains). Compost mustn't cause an offensive or objectionable odour beyond your property.

There are limits on how much you can dispose of on land; if you're putting more than 50m<sup>3</sup> onto your property in a day or more than 100m<sup>3</sup> in a year, check the One Plan rules or contact a [Consents Planner](#) for advice. You may be asked what any discharges are made up of, so you will need to keep a record of what, and how much, you are disposing of.

<sup>2</sup> You can check this on the [Horizons website](#).

<sup>3</sup> Horizons would like to know if you find a fish in a drain, and is keen to receive information, including photographs, about the location, type and number of any fish you find.



## Taking gravel

You can take a small amount of gravel from many waterways in the Region without a consent – up to 50m<sup>3</sup> per 12 month period, which is approximately 20 farm tip trailer loads or the same size as two 25,000L water tanks. Some key things you must do to meet the conditions are:

- take gravel from only the part of the bed that isn't covered by flowing water at the time ([RP-LF-AWBD-R69](#) condition (3)), and keep machinery out of the water
- during each 12 month period, take gravel for less than 12 hours in total over five consecutive weekdays (not public holidays)
- avoid taking it between 1 August and 31 December. Endangered dotterel nest on gravel beaches in the Region during this period, and their eggs and chicks are extremely difficult to spot.

We also encourage you to avoid stockpiling gravel where it would interfere with the waterway's flow during a flood.

## The rules

We recommend that you read the applicable rules when assessing whether you can clear your waterways without consent. If you're not sure, a [Horizons' Consent Planner](#) can provide information and advice.

The general conditions for permitted activities and controlled activities involving the beds of rivers and lakes are set out in [Table 15](#). They apply to all plant removal, stream and drain clearance or gravel takes when the bed of a waterway is disturbed, in addition to the following specific rules for these activities. Guidance on how to meet these conditions is available in the [Working in beds of rivers and lakes – 'general conditions'](#) information sheet.

Clearing plants from a stream or drain is covered in the One Plan by [RP-LF-AWBD-R72](#).

Using spray is covered by [RP-AIR-R1 Small-scale application of agrichemicals](#).

Clearing bed material from streams or drains is covered by [RP-LF-AWBD-R70 Other minor bed disturbances](#) or [RP-LF-AWBD-R73 Minor activities involving artificial watercourses](#).

Taking gravel is covered by [RP-LF-AWBD-R69 Small-scale gravel extraction](#).

Depositing cleared plant and bed material onto land is covered by [RP-LF-LW-R35](#).

[RP-LF-LW-R35 Discharges of contaminants onto or into land that will not enter water](#), [RP-LF-LW-R36 Discharges of contaminants onto or into land that may enter water](#), or [RP-LF-FW-R29 Discharges of cleanfill material](#).

Composting plant material is covered by [RP-LF-FW-R30 Composting activities](#).

## Additional information

Contact Horizons Regional Council on 0508 800 800 or email [help@horizons.govt.nz](mailto:help@horizons.govt.nz).