

## Work in rural streams

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A brief guide to the rules in the Proposed Auckland Regional Plan: Air, Land and Water (ALW Plan) regulating activities which may cause disturbance to lake, river and stream beds in the Auckland Region.

### ■ Purpose of this factsheet

To provide a brief guide to the regulations covering work carried out by farmers and rural landowners that disturbs the bed of a river or stream or disturbs the bed of a lake. This is a summary of rules from the ALW Plan: Chapter 7 – Beds of Lakes and Rivers. The ALW Plan can be viewed on the ARC website at [www.arc.govt.nz](http://www.arc.govt.nz)

**Many activities that disturb the beds of permanent rivers, permanent streams or lakes require a resource consent. Do not commence any work until you have discussed your proposals with the ARC.**

### ■ Why are Auckland's lakes, rivers and streams so important?

The lakes, rivers and streams of the Region are home to many unique plants and animals, some found nowhere else in the world:

- The young of small aquatic insects can be found in high numbers in some Auckland's streams and provide an important food for native fish like the banded kokopu, a member of the "whitebait" group of native fish. Other whitebait species found in Auckland are giant kokopu, inanga, shortjaw kokopu and koaro.
- Lakes in the Auckland Region are valuable habitat for a variety of water birds, for example, the NZ dabchick and the NZ shoveler. The lakes can also support a diverse native fishery, such as longfin and hortfin eel, grey mullet and whitebait.



## ■ How Auckland uses freshwater

Freshwater is important for Auckland social, economic and cultural wellbeing. Freshwater is used for:

- Domestic, industrial, commercial water supply and irrigation;
- Absorbing and removing contaminants;
- Recreation such as swimming, boating, fishing, kayaking.
- Landscape amenities such as an attractive stream running through an urban park.
- Maori have strong cultural and historic links to streams, lakes and wetlands in Auckland. These resources are spiritually important, a source of kaimoana and contribute to the identity of tangata whenua (people of the land).

## ■ Lakes, permanent rivers and permanent streams:

Work can be carried out which disturbs the bed of a permanent river, permanent stream or a lake as a permitted activity if it complies with the following conditions below which are a summary of rule 7.7.15:

- The activity does not divert any part of the lake, permanent river or permanent stream to a new course resulting in infilling of the original course;
- The continuous length of any bed disturbance shall not exceed 100 metres;
- A period in excess of 2 months shall elapse before an area is disturbed within 100 metres of a previously disturbed area in the same lake, permanent river or permanent stream;
- The activity shall not occur in a Natural Lake, Natural Stream or Wetland Management Area;
- Machinery shall not sit in the bed of the lake, permanent river or permanent stream;
- Any materials used shall be non-toxic to aquatic organisms;
- All reasonable steps shall be taken to minimise the release of sediment;
- Any bare earth surfaces above the water level shall be stabilised after disturbance;
- No contaminants shall be discharged into the lake, river or stream;
- Debris or other cleared material shall not be re-deposited on the bed or on the bank where it could enter any waterbody;
- The lake, permanent river or permanent stream shall be restored to a profile that does not inhibit water flow or the safe passage of fish up and downstream;
- No lawful structure shall be removed, damaged or destroyed;
- No waahi tapu or other archaeological site shall be disturbed and the ARC shall be informed if any archaeological sites are discovered.



## ■ Intermittent streams

Work can be carried out which disturbs the bed of an intermittent stream as a permitted activity if it complies with the following conditions below which are a summary of rule 7.7.14:

- No increase in annual flood levels on land or structures other than on land owned or controlled by the person undertaking the activity;
- The activity shall not cause more than minor erosion up stream or downstream of the works;
- Any discharge of sediment shall be minimised by use of best practice measures;
- No contaminants shall enter the stream.

## ■ Definitions

### **River**

The RMA defines rivers to mean a continually or intermittently flowing body of fresh water and includes a stream or modified watercourse but does not include any artificial watercourse<sup>1</sup>. Rivers and streams in the Auckland Region are further defined as Permanent or Intermittent; these are subsets of the RMA definition of river.

### ■ **Permanent Stream<sup>1</sup>**

Downstream of the uppermost reach of a river or stream which meets either of the following criteria:

- (a) has continual flow; or
- (b) has natural pools having a depth at their deepest point of not less than 150 millimetres and has a total pool surface area that is 10m<sup>2</sup> or more per 100 metres of river or stream bed length.

### ■ **Intermittent Stream<sup>1</sup>**

Any stream or part of a stream that is not a permanent stream.

### ■ **Bed**

In relation to any river or stream “bed” means the space of land which the water of the river or stream cover at its annual fullest flow without overtopping its banks. In relation to any lake “bed” means the space of land which the waters of the lake cover without exceeding its margin, except where the level of water in the lake is controlled by artificial means, in this case “bed” means the space of land which the waters of the lake cover at its maximum permitted operating level.

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<sup>1</sup> These definitions do not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply for electricity power generation, farm drainage canal and roadside drain and water table except where the roadside drain or water table is a modified element of a natural drainage system).

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## ■ Contact Information

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