

**Advisory Note**

- 1 BW R8 is for structures that cross over the bed, but which are not below water level, and where no part of the structure is in, on or under the bed of stream, river or lake.
- 2 High wires that cross a water body must also comply with the requirements of the Civil Aviation Authority with regards to aerial safety matters.
- 3 BW R8 applies to the construction and use of new overhead structures that are constructed or existing structures that are upgraded (being more than maintenance as provided for in BW R2, and the ongoing use of existing structures that otherwise comply with the rule conditions.
- 4 Signage on structures on, in, or over navigable water bodies is also regulated by the Maritime Safety Authority of New Zealand (MSA).

**Explanation/Intent of Rule**

To allow structures over the bed of a stream, river or lake that are not expected to be under water, except in extreme flood situations. The rule is consistent with section 418(3C) of the Act. Condition (d) does not apply to accumulated dust on lines or cables that is washed into water during rainfall events it has negligible effects. BW R23 applies to any line, etc. that is attached to another structure over the bed of a stream, river or lake. Logging hauler cables are included by the coverage of this rule. The temporary placement of electric fences over a water body is not subject to this rule.

**BW R9 (Rule 56)****Permitted - Lines, Cables or Pipelines Under the bed of a River, Stream or Lake**

The use, erection, reconstruction, placement, alteration or extension of any line, cable or pipeline, including any telecommunication line as defined in section 2(1A) of the Telecommunication Act 1987, under the bed of a river, stream, or lake, where the structure is installed by drilling or tunnelling (including any pipe thrusting), is a permitted activity subject the following conditions:

- (a) Any pipeline, line or cable located under the bed of a river, stream, or lake, including pipe thrusting, shall be to a minimum depth of four (4) metres under beds exceeding ten (10) metres wide, and the location identified by markers, both up and downstream, on the banks of the surface water body concerned. Where the bed does not exceed ten (10) metres wide the minimum depth shall be two (2) metres.
- (b) Where the structure conveys a contaminant, there shall be no discharge of contaminants from the structure.
- (c) Any tunnelling shall begin sufficiently far back from the bed of a river, stream, or lake so as not to be exposed by scour during a flood.
- (d) The activity shall not cause or induce erosion of the bed or banks of any surface water body. Erosion includes:
  - (i) Instability of land or the banks of the surface water body.
  - (ii) Scour to the bed of the surface water body.
- (e) The activity shall not disturb vegetation in a wetland, or change the water flow or quantity, or water quality in a wetland.

- (f) The activity shall not compromise the structural integrity or use of any other authorised structure or activity in the bed of the stream, river or lake, including flood control works in River Scheme Works Areas (defined in Schedule 5).
- (g) All machinery shall be kept out of the bed of the stream, river or lake where practicable.
- (h) No machinery refuelling or fuel storage shall occur at a location where fuel can enter any water body.
- (i) All practicable measures shall be taken to avoid vegetation, soil, slash or any other debris being deposited into a water body or placed in a position where it could readily enter or be carried into a water body.
- (j) The structure shall at all times be maintained in a sound condition for the purpose for which it was constructed.
- (k) Approaches and abutments shall be stabilised, and appropriate water controls installed, to protect against erosion.
- (l) Following the completion of construction, all excess construction materials and equipment shall be removed from the bed of the stream, river or lake.

#### Explanation/Intent of Rule

To allow structures under the bed of a stream, river or lake, and encourage pipe thrusting under the bed of a river, stream, or lake rather than placing it across the bed where it may have greater adverse effects on the environment. The rule is consistent with section 418(3C) of the Act.

#### BW R10 (Rule 56A)

#### Restricted Discretionary – Lines, Cables or Pipelines Under the bed of a river, stream, lake

The use, erection, reconstruction, placement, alteration or extension of any line, cable or pipeline, including any telecommunication line as defined in section 2(1A) of the Telecommunication Act 1987, under the bed of a river, stream, or lake, where the structure is installed by drilling or tunnelling (including any pipe thrusting), where:

- 1 The structure is located below the bed of the surface water body at scour depth plus one (1) metre;

Is a restricted discretionary activity.

The Regional Council restricts its discretion to the following matters:

- (a) Matters to avoid, remedy or mitigate adverse effects on the stability of the beds and banks of streams, rivers or lakes, including erosion protection works.
- (b) Structural integrity of the structure.
- (c) Depth of the structure below the bed of the surface water body.
- (d) Where the structure conveys a contaminant, measures to ensure there is no discharge of contaminants from the structure.
- (e) Measures to ensure any tunnelling begins sufficiently far back from the bed of a river, stream, or lake so as not to be exposed by scour during a flood.
- (f) Monitoring requirements.

# How to use this Regional Plan

