

## **Western Bay of Plenty District Plan -Relevant Objectives and Policies**

### **Section 4B - Transportation Access and Parking**

#### **4B.2.1 Objectives**

1. *To provide an integrated, efficient, safe and sustainable transportation network that supports the social and economic wellbeing, and land use pattern of the sub-region as defined in this District Plan and that maintains or enhances the regional strategic linkages.*

#### **4B.2.2 Policies**

2. *To avoid, remedy or mitigate the adverse effects of land use, development and subdivision on the safety, efficiency, sustainability and capacity of the transportation network.*
3. *To manage the land use, development and subdivision of areas to achieve compatibility with the roads they front and the wider transportation network, with particular regard to the potential effects on that network, including, but not limited to, the safe and efficient provision of site access at the local level and intersections within the wider network and the effects of reverse sensitivity experienced between the operation and use of the transportation network and the establishment of adjacent land uses.*
10. *The access, parking and loading effects of activities on the transportation network shall be avoided, remedied or mitigated with particular regard given to the level of service the road provides within the District's roading hierarchy.*
11. *Activities should be established and operate in a manner which ensures safe and effective on-site and off-site vehicle parking, manoeuvring and access and pedestrian access.*

### **Section 4C – Amenity**

#### **Objective 4C.1.2.1**

*An environment free of unreasonable noise in accordance with the character and amenity of the zone within which the noise is generated and received.*

#### **Policy 4C.1.2.2**

1. *Ensure activities do not generate noise levels inconsistent with the character and amenity of the zone in which the generated noise is received.*

### **Section 4D – Signs**

#### **4D.2.1 Objective**

1. *Maintenance and enhancement of the visual amenity of the District from the adverse effects of signs while recognising the different sensitivities of different locations.*
2. *Avoidance of the adverse effects of signs on the safe and efficient operation of roads within the District.*

3. *Mitigation of the adverse effects on traffic safety of activities which attract people to the site where the activities are taking place.*

#### **4D.2.2 – Policies**

1. *Signs should be of a size, type, colour, number and/or location as to maintain and enhance the visual amenity of the respective zone.*
2. *Signs visible from roads should be positioned and designed so that the signs do not distract motorists or otherwise impair their ability to drive safely*
3. *Signs should be positioned and designed so as to clearly indicate where an activity is.*

### **Section 5 – Natural Environment**

#### **5.2.1 Objectives**

1. *Protection of all significant native plant and animal habitats within the Western Bay of Plenty District.*
2. *Support and encourage the protection and enhancement of ecosystems of importance for both the natural processes they offer and any ecological benefits in terms of connectivity, buffering or the provision of habitat for threatened species.*
3. *Preservation of the natural character of the District's coastal environment (including the coastal marine area), rivers, lakes, and their margins.*
4. *Preservation of wetland and riparian areas and where practicable the enhancement or restoration of the values and function of degraded wetland and riparian areas.*

#### **5.2.2 Policies**

1. *Ecological sites that have been scientifically identified as significant should be protected.*
2. *Support and encourage the protection and enhancement of ecological corridors, networks and connections between significant native habitats and ecosystems.*
8. *Activities should not adversely affect any identified significant native plant and animal habitats and ecosystems.*
9. *The adverse effects of inappropriate subdivision, use and development on the natural character of the coastal environment, wetlands, rivers, lakes, and their margins should be avoided. Where avoidance is not practicable, such effects should be appropriately remedied or mitigated.*
11. *To protect and maintain wetlands and riparian areas and enhance and restore wetlands and riparian areas in appropriate locations.*

13. *Any new activities should be managed in a way that avoids damage to undergrowth and the removal of forest floor material which would result in the native ecosystem being adversely affected in identified significant areas.*

## **Section 7 – Historic Heritage**

### **7.2.1 Objectives**

1. *Protection and preservation of a unique or representative range of historic heritage items of value to the community and to the nation.*
2. *The protection and conservation of buildings and objects of historic heritage value to the District.*

### **7.2.2 Policies**

1. *Public awareness and appreciation of historic heritage resources should be increased so as to minimise adverse effects on the historic heritage feature or on the spirituality associated with the site or feature.*
2. *Public access to historic heritage sites should not jeopardise the integrity of the item, nor the reasonable operation of activities on the parent property.*
3. *The demolition of scheduled buildings and objects should be discouraged.*
4. *The effects of activities and development which could damage or destroy the historic heritage values associated with scheduled buildings and objects should be minimised.*
5. *The continued use or reuse of scheduled buildings while ensuring that their valued features are not damaged or destroyed should be encouraged.*

## **Section 10 – Infrastructure, Network Utilities & Designations**

### **10.2.1 Objectives**

1. *Development, operation, maintenance and upgrading of infrastructure and network utility systems and services so as to efficiently and effectively meet the current and foreseeable needs of the District.*
5. *Fulfilment of the functional, locational, technical and operational requirements of different infrastructure and network utilities whilst avoiding, remedying or mitigating the actual or potential adverse environmental effects of such activities.*

### **10.2.2 Policies**

3. *Where infrastructure or network utilities have a functional, locational, technical or operational need for a particular location, such facilities should, as far as practicable, be located and designed so as to avoid, remedy or mitigate adverse effects on:*
  - (i) *The landscape, streetscape, cultural values of an area;*
  - (ii) *Nearby residents and properties; and*

- (iii) *Other established infrastructure and network utilities.*
4. *Assessment of resource consent applications should have regard to the functional, locational, technical and operational requirements of infrastructure and network utilities. Recognition shall be afforded to the requirements of, and constraints on, the efficient and effective development, operation, maintenance, and upgrading of infrastructure and network utilities.*
  5. *Infrastructure and network utilities should be developed, operated, maintained and upgraded in a manner that avoids, remedies or mitigates the generation and/or emission of adverse environmental effects.*

## **Section 18 – Rural**

### **18.2.1 Objectives**

1. *The rural land resource and versatile land capability is maintained to enable its use for rural production activities.*
2. *Primary productive activities should be able to operate in the Rural Zone without unreasonable constraints being imposed on them by other activities.*
3. *Appropriate provision for activities not directly based on primary production but which have a functional or other legitimate need for a rural location.*
4. *The efficient use and development of the rural land resource for primary production.*
5. *Maintain the rural character and amenity values associated with the low density rural environment.*
6. *Protection and enhancement of ecological, landscape, cultural, heritage and other features located in the rural environment which are of value to the wider community.*
9. *Fulfilment of the special relationship of Maori with their ancestral land including the particular culturally based housing needs and traditions associated with such land.*

### **18.2.2 Policies**

4. *Subdivision, use and development which has the potential to inhibit the efficient use and development of rural land for primary production or to inhibit the efficient use and development of existing mineral extraction sites (including vehicle access routes to such resources) should be avoided or minimised.*
5. *Subdivision, use and development of rural land for purposes other than primary production and which have the potential to inhibit the efficient and lawful operation of existing or designated network utility operations should be avoided or minimised.*
10. *Activities with a functional or other legitimate need for a rural location should not be established in rural areas unless they are able to be undertaken without constraining the lawful operation of productive rural land uses which are carried out in accordance with accepted management practices.*

11. *The establishment in rural areas of industrial, commercial or other activities which do not have a functional or other legitimate need for a rural location should be avoided.*
15. *The use and development of ancestral Māori land should be provided for in a manner consistent with and in recognition of the special relationship of Māori to such land, including provision for multiple housing and associated support facilities*

## **Bay of Plenty Regional Natural Resources Plan – Relevant Objectives and Policies**

### **Kaitiakitanga**

#### **Objectives**

##### **KT 01**

*The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are recognised and taken into account in the management of water, land and geothermal resources.*

##### **KT 03**

*Consultation with tangata whenua that recognises their societal structures, practices, protocols, and procedures, and status under the Act.*

##### **KT 04**

*The water, land and geothermal concerns of tangata whenua are taken into account and addressed as part of resource management processes, while recognising that different iwi and hapu may have different concerns or practices.*

##### **KT 05**

*Water, land and geothermal resource management decisions have regard to iwi resource management planning documents.*

##### **KT 06**

*Maintain the biological and physical aspects of the mauri of water, land and geothermal resources; and where practicable achieve the ongoing improvement of the biological and physical aspects of the mauri where it has been degraded, as it relates to:*

- (a) Water quality meeting the specified water quality classifications.*
- (b) Water flows not breaching the instream minimum flow requirements.*
- (c) The life-supporting capacity of soils are sustained.*
- (d) Protection of geothermal surface features identified by, and of special value to tangata whenua.*

##### **KT 07**

*The extent of the spiritual, cultural and historical values of water, land and geothermal resources (including waahi tapu, taonga and sites of traditional activities) to tangata whenua are identified.*

#### **Policies**

##### **KT P1**

*To recognise that tangata whenua, as indigenous peoples, have rights protected by the Treaty of Waitangi (Te Tiriti o Waitangi) and that consequently the Act accords Maori a status distinct from that of interest groups and members of the public.*

##### **KT P2**

*To take into account the principles of the Treaty of Waitangi in the management of land, water and geothermal resources.*

##### **KT P3**

*To encourage tangata whenua to identify their particular requirements to address sections 6(e), 7(a) and 8 of the Act, in relation to their ancestral lands (rohe), sites or resources, and mauri.*

**KT P7**

*To make provision for kaitiaki to manage their ancestral land, water, and geothermal resources where this is consistent with the Act.*

**KT P8**

*To recognise that kaitiakitanga involves both:*

- (a) The use and development of land, water and geothermal resources by tangata whenua, and*
- (b) The protection of taonga, waahi tapu, significant sites, traditional use sites, and other natural and physical resources of importance to tangata whenua.*

**KT P9**

*To have particular regard to kaitiakitanga, including customary use and management practices relating to water, land and geothermal resources, including mahinga kai whenua and mahinga kai awa, waahi tapu and taonga raranga, in accordance with tikanga Maori, and the mana and responsibilities of Nga Tangata Pukenga, where this is consistent with the Act.*

**KT P10**

*To identify the extent of cultural values associated with rivers, streams, lakes, wetlands, geothermal resources and land, where this is considered appropriate by tangata whenua.*

**KT P11**

*To recognise and provide for the mauri of water, land and geothermal resources when assessing resource consent applications.*

**KT P13**

*To advise and encourage resource consent applicants to consult directly with tangata whenua where it is necessary to identify the relationships of Maori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga, and the actual and potential adverse effects of proposed activities on that relationship.*

**KT P14**

*To consult tangata whenua on water, land and geothermal resource management issues according to the requirements of the Act, tikanga Maori methods of consultation, and in a manner consistent with case law.*

**KT P15**

*To consult all appropriate tangata whenua holding mana whenua in circumstances where rohe (tribal boundaries), or areas of ancestral or historic interest overlap.*

**KT P16**

*To recognise that different iwi and hapu may have different water, land and geothermal resource management concerns, practices and management methods.*

**KT P17**

*To:*

- (a) Take into account iwi resource management planning documents, when preparing or changing a regional plan, where such documents exist.*

- (b) *Have regard to iwi resource management planning documents when considering resource consent applications, where such documents exist.*

**KT P18**

*To avoid, remedy or mitigate adverse effects on water, land and geothermal resources or sites of spiritual, cultural or historical significance to tangata whenua, where resources and sites have been identified by tangata whenua.*

**KT P19**

*To encourage tangata whenua to recommend appropriate measures to avoid, remedy or mitigate the adverse environmental effects of the use and development of water, land and geothermal resources.*

**KT P20**

*To assess effects of proposed development activities on the cultural and historic values and sites of water, land and geothermal resources in consultation with tangata whenua.*

**Integrated Management**

**Objectives**

**IM O1**

*Integrated management of land and water resources.*

**IM O2**

*Stewardship of natural resources which:*

- (a) Sustains the life-supporting capacity of soil, water and ecosystems.*
- (b) Maintains, and where appropriate, protects cultural, ecological, amenity, natural character and landscape values through management practices that avoid, remedy or mitigate adverse effects.*

**IM O3**

*The water quality in rivers and streams is maintained or improved to meet the Water Quality Classifications set in the Water Quality Classification Map, and the following environmental outcomes:*

- (a) Natural State (Lake) Water Quality Classification - the natural quality of the water shall not change.*
- (b) Natural State (River) Water Quality Classification - the natural quality of the water shall not change.*
- (c) Managed State (Lake) Water Quality Classification - the water quality in the lake shall not deteriorate.*
- (d) Aquatic Ecosystem (Bay of Plenty) Water Quality Classification - water quality shall be sufficient to support diverse and healthy aquatic ecosystems.*
- (e) Contact Recreation Water Quality Classification - water quality shall be sufficient to allow contact recreational uses.*
- (f) Water Supply Water Quality Classification - water quality shall be sufficient to allow for municipal water supply purposes, while recognising water treatment may still be required.*
- (g) Drains with Ecological Values Water Quality Classification - water quality shall be sufficient to support aquatic ecosystems, while recognising that aquatic ecosystems in such areas are limited.*
- (h) Regional Baseline Water Quality Classification - water quality shall not deteriorate.*

**IM O7**

*Recognition of the beneficial effects of the use and development of water, land and geothermal resources on the social, cultural and economic wellbeing of people and communities.*

**Policies**

**IM P1**

*To manage land and water resources in the Bay of Plenty within an integrated catchment management framework to:*

- (a) Maintain or enhance water quality in individual lakes to meet their Trophic Level Index ('TLI') and Water Quality Classification.*
- (b) Require the management of nitrogen or phosphorus in individual Rotorua Lake catchments.*
- (c) Reduce cyanobacterial algal blooms on the Rotorua Lakes by managing nutrient inputs in the lake catchment.*
- (d) Maintain or improve water quality in streams and rivers to meet their Water Quality Classification.*
- (e) Have full regard to the water quality classifications for coastal waters (including harbours and estuaries), and policies relevant to the coastal environment in the Bay of Plenty Regional Coastal Environment Plan.*
- (f) Recognise and provide for heritage values in resource management decisions.*
- (g) Maintain existing high quality groundwater, where the following have been identified:*
  - (i) Potable water, including aquifers used for municipal water supply.*
  - (ii) Natural water quality that has not been adversely affected by land use or point source discharges.*
  - (iii) Recharge areas of aquifers related to areas specified in (i) and (ii); and*
  - (iv) In the groundwater catchments of the Rotorua lakes, Ohiwa and Tauranga harbours.*
- (h) Avoid, remedy or mitigate adverse effects on groundwater quality in other areas not otherwise addressed by (g).*
- (i) Ensure the levels of bacteria in those rivers and streams that have been identified as important swimming sites and in lakes in Schedule 10 meet the Ministry of Health/Ministry for the Environment Recreational Water Quality Guidelines (1999) as a minimum.*
- (j) Understand the effects of changing land cover and land use practices on water flows and levels in rivers, streams, lakes.*
- (k) Promote and encourage the adoption of sustainable land management practices that are appropriate to the environmental characteristics and limitations of the site to:*
  - (i) Protect the soil and avoid, remedy or mitigate the adverse effects of erosion.*
  - (ii) Maintain the health of the region's soil resources for future generations.*
  - (iii) Achieve the appropriate management of riparian areas, including the retirement and planting of riparian areas of streams, rivers, lakes, wetlands and estuaries.*
  - (iv) Avoid, remedy or mitigate adverse effects on water quality in the receiving environment.*
  - (v) Take into account the assimilative capacity of the soil.*
  - (vi) Recognise and provide for heritage values of the site.*
  - (vii) Maintain or improve the protective function of coastal sand dunes.*
  - (viii) Control sediment entering estuaries and harbours from use and development activities.*
- (l) Manage land and water resources according to realistic management goals that are appropriate to the existing environmental quality and heritage values (including ecosystem values) of the location.*

#### **IM P7**

*To promote the adoption of the stewardship of soil and water resources, ecosystems, and cultural, amenity, natural character and landscape values.*

#### **IM P8**

*To allow resource use and development where there are beneficial effects on the social, cultural and economic wellbeing of people and communities; and adverse effects on the environment are avoided, remedied or mitigated.*

### **Land Management**

#### **Objectives**

##### **LM O1**

*Land use and land management practices are appropriate to the environmental characteristics and limitations of the site, and avoid, remedy or mitigate adverse effects on the life-supporting capacity of soil resources, the receiving environment and heritage values.*

**LM O2**

*Riparian margins are appropriately managed to protect and enhance their soil conservation, water quality and heritage values.*

**LM O3**

*Protect vulnerable areas from erosion.*

**LM O4**

*The intactness and health of the region's soils is maintained.*

**Policies**

**LM P3**

*To use a range of mechanisms, including education, and regulation where necessary and appropriate, to avoid, remedy or mitigate the adverse effects of land use activities on water quality, or for soil conservation purposes, in order to achieve stated environmental objectives. Areas of particular concern in the Bay of Plenty are riparian margins, steep slopes, erosion-prone soils, the recharge areas of potable groundwater supplies, and the catchments of the Rotorua lakes.*

**Discharges to Water and Land**

**Objectives**

**DW O1**

*Discharges of contaminants to water are managed to meet the following goals:*

- (a) After reasonable mixing, discharges of contaminants to lakes, streams and rivers meet the water quality classification of the receiving water bodies as a minimum; and have no more than minor adverse effects on heritage values, existing users in downstream areas, and lakes, harbours and estuaries.*
- (b) Discharges of contaminants to water are in a manner that takes into account the cultural values of tangata whenua acknowledged for that area.*

**DW O4**

*Discharges of water to water avoid, remedy or mitigate adverse effects on the environment as appropriate to the values, uses and existing environmental quality of the activity site.*

**DW O15**

*Stormwater discharges avoid, remedy or mitigate adverse effects on the ecological, natural character, landscape, recreational, and Maori cultural values of streams, rivers and lakes.*

**Policies**

**DW P1**

*Discharges of contaminants to water are to comply with the following requirements:*

	Receiving Environment	Discharge Requirement
(a)	Lakes	<p>(i) Direct discharges of contaminants to lakes are discouraged, while allowing for minor discharges that are unlikely to have adverse effects on water quality.</p> <p>(ii) There shall be no net increase of nitrogen or phosphorus in lake catchments. This does not preclude the use of nutrient trading within the same lake catchment to achieve this policy.</p> <p>(iii) Where discharges are made directly to lakes, the discharge is to:</p> <ul style="list-style-type: none"> <li>• Meet the water quality classification of the lake after reasonable mixing.</li> <li>• Avoid, remedy or mitigate adverse effects on heritage values and existing users of the lake. This will include implementing appropriate treatment and mixing methods for the discharge.</li> </ul>
(b)	Rivers and streams	<p>(i) Discharges of contaminants to streams and rivers with Water Supply or Natural State (river) water quality classifications are avoided where practicable.</p> <p>(ii) Discharges to rivers and streams are to:</p> <ul style="list-style-type: none"> <li>• Meet the water quality classification of the stream or river after reasonable mixing.</li> </ul> <p>(a) Avoid, remedy or mitigate adverse effects on heritage values and existing users in downstream areas. This may include consideration of appropriate mixing methods for the discharge.</p> <p>(iii) For discharges to rivers and streams that are tributaries of lakes, there shall be no net increase of nitrogen or phosphorus in lake catchments. Full regard will be given to the effect on the TLI of the lake, including cumulative effects.</p> <p>(iv) For discharges to rivers and streams that flow directly to the open coast, or are tributaries of harbours and estuaries, the effect on the water quality of coastal waters will be given full regard. This includes cumulative effects.</p> <p>(v) For discharges to streams that are not shown on the 1:50,000 Water Quality Classification Maps, the discharge shall comply with the Regional Baseline water quality classification as a minimum, subject to an assessment of the appropriate water quality classification in accordance with IM M26. Where the assessment determines an appropriate water quality classification, the discharge will be considered relative to the higher water quality classification.</p> <p>(vi) Where a river or stream has more than one water quality classification along its length, a discharge will be assessed relative to the water quality classification at the point of discharge, as shown on the Water Quality Classification map.</p> <p>(vii) The owners or operators of hydroelectric generation dams are required to gain resource consent for the discharge of contaminants associated with dredging activities and extraction of bed materials necessary to maintain the function of the dam. Dam owners and operators are not responsible for contaminants discharged within the catchment above the dam.</p>
(c)	Ephemeral flowpaths	Discharges of contaminants to ephemeral flowpaths will be considered to be discharges to land, or discharges to land where the contaminant may enter water, whichever is appropriate to the individual circumstances.

#### DW P5

To recognise and provide for the effects on the mauri of the receiving environment caused by the discharge of contaminants to water by:

- Where appropriate, encouraging early and ongoing consultation with tangata whenua during the consideration of wastewater treatment systems to take into account the cultural values of tangata whenua acknowledged for that area.
- Where reasonable and practicable to do so, take steps to promote better use of freshwater by discouraging disposal of toxic materials via wastewater systems.
- Encouraging a shift to land based treatment and disposal systems, where appropriate and environmentally sustainable and socially, technically and economically feasible. This includes disposal of sewage by passage through land, soil or wetlands.
- Avoid, remedy or mitigate adverse effects on water, land and geothermal resources or sites that are of significance to tangata whenua, where such resources or sites have been identified by tangata whenua.

- (e) *Avoiding physical degradation of the life-supporting capacity of receiving waters.*

#### **DW P6**

*When considering any application for a discharge the consent authority must have regard to the following matters:*

- (a) *the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and*
- (b) *the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided; and*
- (c) *the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and*
- (d) *the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.*

#### **DW P9**

*To avoid, remedy or mitigate the adverse effects of discharges of water to water on:*

- (a) *Flooding.*
- (b) *Any relevant Maori cultural values.*
- (c) *Stability of the beds and banks of the receiving water body.*
- (d) *Ecological values.*

#### **DW P10**

*To encourage, as appropriate, discharge activities to comply with current best engineering practices and best practicable options to avoid or mitigate adverse effects on the environment so that the requirements of this regional plan and other Regional Council requirements are met. Best engineering practices are relevant where the scale, intensity and potential adverse effects require such engineering practices.*

#### **DW P15**

*To require the appropriate management of stormwater quality, including:*

- (a) *The use of source controls to avoid the contamination of stormwater.*
- (b) *The use of best practicable options.*
- (c) *Treatment of stormwater to prevent the contamination of receiving environments.*

#### **DW P20**

*To encourage the use of appropriate measures to reduce the level of contaminants in rural stormwater, to avoid, remedy or mitigate adverse effects on water quality.*

### **Beds of Water Bodies**

#### **Objectives**

##### **BW O1**

*Aquatic ecosystems, aquatic habitats of indigenous species, spawning areas and migratory pathways of fish, and significant aquatic vegetation are maintained and enhanced.*

##### **BW O4**

*Activities in, on, under or over the beds of streams, rivers and lakes:*

- (a) Do not significantly impede the flow of flood waters, except where the activity is necessary for flood control purposes.*
- (b) Provide for water flow and volume requirements in downstream areas, including authorised water abstractions and non-consumptive uses.*
- (c) Avoid, remedy or mitigate adverse effects on natural hydrological processes of the stream, river or lake, or downstream areas.*
- (d) Do not lead to accelerated erosion of the beds and banks of streams, rivers and lakes.*
- (e) Maintain existing public access to and along the margins of rivers and lakes, where appropriate.*
- (f) Avoid or mitigate the contamination of water by sediment.*
- (g) Avoid adverse effects on areas of significant natural character.*
- (h) Avoid, remedy or mitigate adverse effects on ecological values.*

**BW O5**

*Structures in, on, under or over the beds of streams, rivers and lakes are:*

- (a) Designed to commonly accepted design standards (including flood design standards) in relation to the use and location of the structure.*
- (b) Constructed to a standard to withstand flood events.*
- (c) Designed and used to account for natural lake level fluctuations.*

**BW P1**

*To require activities in the beds of rivers, streams and lakes to be undertaken in a comprehensive and integrated manner that recognises and provides for the water quality, water quantity (including flood hazards), soil conservation, aquatic ecosystem issues in the water body, and areas of significant natural character.*

**BW P2**

*All new activities in the beds of streams, rivers and lakes, reconstruction of existing structures, re-planting of plants, and existing activities upon renewal of consents, are required to comply with the following:*

	Factor	Requirement
(a)	Stability of Banks and Beds of Water Bodies	<ul style="list-style-type: none"> <li>Avoid, remedy or mitigate adverse effects on the stability of banks and beds of surface water bodies, including scour and erosion that can be directly attributed to the existence and operation of the activity. Any erosion or scour events that can be directly attributed to the existence or operation of the activity is remedied as soon as practicable.</li> </ul>
(b)	Water Quality	<ul style="list-style-type: none"> <li>Avoid or mitigate the release of sediment to water from activities in the bed of streams, rivers and lakes.</li> <li>Require practices that minimise the release of sediment to water.</li> <li>Not cause the breach of Water Quality Classification of the stream, river or lake.</li> </ul> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>The discharge of contaminants other than sediment to water (including discharges from activities in the beds of streams, rivers and lakes) is addressed in the Discharges to Water and Land Section of this regional plan.</li> <li>Refer to DW P1(b)(vii) of this regional plan for the discharge of sediment resulting from maintenance dredging of dams. Dam owners and operators are not responsible for contaminants discharged within the catchment above the dam.</li> </ol>
(c)	Water and Flood Flows	<ul style="list-style-type: none"> <li>Avoid impeding the flow of flood waters, except where the activity is specifically for flood or water level control purposes, or is a dam.</li> <li>Avoid, remedy or mitigate adverse effects on natural hydrological processes, instream minimum flow requirements, and non-consumptive uses.</li> </ul>
(d)	Natural Character, Landscape Values, Maori Cultural Values	<ul style="list-style-type: none"> <li>Avoid adverse effects on areas of significant natural character.</li> <li>Refer to Policies KT P18, KT P19, KT P20 and BW P3 of this regional plan.</li> <li>Markers or high visibility materials required for navigational safety are excluded from requirements relating to natural character.</li> </ul>
(e)	Wetlands	<ul style="list-style-type: none"> <li>Refer to the Wetlands section of this regional plan.</li> </ul>
(f)	Existing Uses	<ul style="list-style-type: none"> <li>Avoid, remedy or mitigate adverse effects on existing users of the water body, including water abstractions, except where written approval of affected parties is obtained.</li> </ul>
(g)	Public Access	<ul style="list-style-type: none"> <li>When assessing the adverse effects of proposed activities, consider the effects on authorised public access to and along the margins of rivers, streams and lakes.</li> </ul>

**BW P3**

*To avoid, remedy or mitigate adverse effects on aquatic ecosystems, the aquatic habitats of indigenous fauna, important trout habitats, and fish migration. This is to be achieved by designing, planning, constructing or undertaking, and maintaining activities to:*

- (a) *Avoid undertaking significant instream bed disturbance activities at spawning sites during relevant spawning periods of fish species present in the water body*
- (b) *Avoid, remedy or mitigate the adverse effects of instream works on:*
- (c) *The aquatic habitats of indigenous aquatic fauna and flora, including spawning sites.*
- (d) *(ii) The important aquatic habitats of trout, including spawning sites.*
- (e) *Provide for fish passage for migration, recruitment, and habitat range in areas where there are no natural barriers to fish passage. Where fish passage is necessary it is not to be impeded by new structures, or beyond the duration of any instream works. Manual transference will be considered to be the provision of fish passage for existing structures.*

- (f) Remediate aquatic habitat characteristics at the activity site that have been degraded by the activity, except where restoration or enhancement of aquatic habitats at other locations is more appropriate.*

**BW P4**

*New structures in, on, under or over the beds of rivers, streams and lakes, and the reconstruction of existing structures, are to be designed, constructed and maintained to comply with the requirements of BW P2 and BW P3, and the following environmental standards:*

- (a) Designed to flood design standards that are appropriate to the Bay of Plenty region (refer to BW M6), and to the site of the structure. This does not apply to flood control structures (refer to WQ R15 and BW R1).*
- (b) Designed, constructed and maintained to appropriate standards to:*
  - (i) Withstand flood events.*
  - (ii) Ensure the integrity of the structure is maintained for its specified use.*
- (c) Located, designed, constructed and used a manner that accounts for the effect of natural lake water level fluctuations.*

*For the purpose of this regional plan, gabion baskets and rock riprap are considered to be structures.*