

Resource Management (National Environmental Standards for Freshwater) Regulations 2020 Analysis

Section and Activity	Conditions and Assessment	Activity Status
<p>Culverts 70 – Permitted activities</p>	<p>Rule / Standard:</p> <p>(1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions.</p> <p>Conditions</p> <p>(2) The conditions are that—</p> <p>(a) the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert; and</p> <p>(b) the culvert must be laid parallel to the slope of the bed of the river or connected area; and</p> <p>(c) the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and</p> <p>(d) the culvert’s width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows:</p> <p>(i) where $w \leq 3$, $s \geq 1.3 \times w$;</p> <p>(ii) where $w > 3$, $s \geq (1.2 \times w) + 0.6$; and</p> <p>(e) the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert’s diameter is below the level of the bed; and</p> <p>(f) the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and</p> <p>(g) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).</p> <p>Information requirements</p> <p>(3) See also regulations 62 and 63 for information requirements that apply to the permitted activity (unless the activity is use).</p> <p>Activity and Assessment:</p> <p>The culvert design cannot achieve d) with the width of the culvert being greater than the permitted rule / standard. All other rules / standards will be met.</p>	<p>Does not comply</p>
<p>Culverts 71 – Discretionary Activities</p>	<p>(1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2).</p> <p><i>Conditions required in resource consent</i></p> <p>(2) A resource consent granted for the discretionary activity must impose the conditions required by—</p> <p>(a) regulations 62 and 63 (information about structures and passage of fish and about culverts), unless the activity is use; and</p> <p>(b) regulation 69 (monitoring and maintenance).</p>	<p>Discretionary</p>