

## 3.3 Activities on the Surface of Water

### Introduction and Issues

Council is required, under Section 31 (e) of the Resource Management Act, to control the effects of activities in relation to the surface water in rivers and lakes. The Waikato River and the city's peat lakes have been identified as key natural features that require careful management to protect their natural values. Activities that occur on the surface of these waterbodies have the potential to undermine these natural values.

The waterbodies to be covered under these provisions include the Waikato River and Hamilton Lake (Lake Rotoroa). Horseshoe Lake and Lake Rotokaeo are also covered even though there are no surface water activities currently undertaken on them.

Hamilton City adjoins Waikato District to the north and Waipa District to the south. These authorities also have responsibilities to control activities on the Waikato River. A compatible and mutually supportive approach to management across these boundaries is important.

Environment Waikato is responsible for the bed of the river, water quality and all structures in, on, under, or over the beds of lakes and rivers. This includes boat ramps and jetties. Management of activities on the river (the bed, surface and banks) requires an integrated and consistent approach between authorities.

The principal issues regarding activities on the surface of water in Hamilton are:

- **Surface water activities have the potential to adversely affect ecological, cultural and amenity values.** The Waikato River and the city's lakes are important wildlife habitats, key taonga to Waikato iwi, and interesting visual features. Activities on the surface of water have the potential to disturb habitats, undermine bank stability, introduce noxious flora and fauna and pollute surface waters.
- **The increasing use of waterways as recreation resources can adversely effect both the waterbody and adjoining uses.** The Waikato River and Lake Rotoroa are recreation assets that are used for a variety of activities and there is the potential for increased use of these waterbodies in future. Activities on the surface of these waterbodies enables people to provide for their social, economic and recreational needs. However, the impacts of these activities can adversely affect the waterbody and adjoining land, particularly the effects of noise on surrounding residential uses and the effect of wash on bank stability.
- **Use of the Waikato River for power generation and subsequent adverse effects on bank stability and habitats.** The Waikato River is used for hydro-electric power generation. This activity has a marked effect on the river's water level. These large fluctuations in level have an adverse effect on bank stability (particularly when combined with vegetation clearance of banks) and on habitats. These fluctuations can also affect activities on the river, such as the use of jetties. Controlling river

flows and levels is not the responsibility of Council, however the regional council can set maximum and minimum levels for the Waikato River.

- **Structures on the surface of the Waikato River can adversely affect ecological and amenity values.** Structures on the surface of water have the potential to cause conflicts for space with other river users and affect the natural character of the waterbody, inhibit water flows and have the potential to become navigation hazards.

### **Objective 3.3.1 Activities on the Surface of Water**

To ensure that the ecological, cultural, and amenity values of waterways are not adversely affected by surface water activities.

#### **Policies**

- a) Minimise the adverse effects from motorised surface water activities on adjoining land uses particularly in terms of noise.
- b) Minimise adverse effects on ecological and cultural values from activities on the surface of the city's waterways particularly in relation to water quality, bank stability and habitat quality.
- c) Avoid the generation of adverse effects such as wash, noise, and the transfer and distribution of aquatic weeds on all lakes.
- d) Allow a limited number of organised temporary events on the surface of the Waikato River provided that potential adverse effects can be mitigated.
- e) Minimise the adverse effects of structures on the surface of the Waikato River particularly in terms of the river's natural character, inhibition of water flows, or possible navigation hazards.

#### **Reasons**

The wide range of activities that take place on the surface of these waters has the potential, if left unmanaged, to significantly affect their environmental quality and the amenities enjoyed by the community.

The majority of issues relating to surface water activities centre around motorised craft, whether they are for commercial or private recreation purposes. Impacts such as noise, wash, the potential for accelerated erosion and habitat destruction all need to be controlled.

The size, speed and frequency of motorised craft are the major causes of these impacts. The location and size of the waterbody is also relevant in its ability to absorb certain impacts, as is the proximity of adjoining uses. The proximity of both the Waikato River and Lake Rotoroa to densely populated residential areas suggests that careful management is required. The smaller peat lakes (Horseshoe and Rotokaeo) are both too small to adequately mitigate the effects of motorised surface water activities.

Organised temporary events (i.e. events of a limited duration and restricted hours of operation) will be allowed to an extent because adverse effects are mitigated by the short-term nature of the event. The cumulative effects of such events may require further research.

Structures on the surface of water have the potential to cause conflicts with other river users especially in terms of safety and adverse effects on the natural character of the waterbody. Most structures are attached to the bed of the river (and are therefore the responsibility of the regional council) though in instances where the main body of the structure either floats on the surface of the water (in the case of pontoons) or sits on or above the surface of water (in the case of jetties) they will need to be controlled as part of the District Plan.

## Methods

The Activities on the Surface of Water objective and policies will be implemented through the following methods:

### District Plan

- **Activities on the Surface of Water Rules** - will include performance standards to mitigate the effects of activities on adjoining land users, and on the natural, cultural and amenity values of the city's waterbodies.

### Other Methods

- **Reserves Act Management Plans** - the Hamilton Lake Management Plan (including Lake Rotoroa) and the Riverside Reserves Management Plan provides complementary management of river and lake-margins in public reserve. These plans can also control access to waterbodies for commercial activities through leases and licenses.
- **Guidelines and Other Educational Material** - can be developed for river users on safety and environmental matters.
- **Liaison with Iwi and Surrounding Authorities** - through both formal and informal means can ensure an integrated and consistent approach to the use and protection of the Waikato River.
- **Regional Plan** - provides for the control of structures in, over or under the bed of rivers and lakes.
- **Research and Monitoring** - further research into the effects of surface water activities (including cumulative effects) particularly on bank stability and identified significant habitats may help to modify or further refine the Surface Water Rules.
- **Hamilton City - Council and Regional Council Bylaws and Other Regulations** - provides for complementary management of those aspects of surface water activities that have no exclusive environmental effect.
- **Advocacy** - Council can advocate to the Regional Council regarding the development and refinement of maximum and minimum water levels for the Waikato River to reduce downstream effects from hydro power generation.

## **Anticipated Environmental Results**

The following environmental results are anticipated:

- Conflicts between incompatible uses reduced.
- Natural values of waterbodies maintained.