


## 5.2 Discharges to water and land

### *Interpretation*

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. ~~This does not apply where a proposal includes a number of activities which trigger separate specific rules. In that case, all of the relevant<sup>1</sup> rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the whaitua Chapters 7 – 11.<sup>2</sup>~~

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

Rules~~Provisions~~ relevant to the coastal marine area are identified by this icon . As noted in Sections 2.1 and 2.1.3, due to the integrated nature of the Plan, provisions marked with the coastal icon are also relevant to activities related to air, land and water outside of the coastal marine area where the regional council has jurisdiction.<sup>3</sup>

Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.

### Note

The rules relating to the discharge of contaminants to water, do not apply to the discharge of contaminants to water in relation to an existing National Grid line (existing at 14 January 2010) that forms part of the National Grid. These activities are covered by Regulations 28 and 29 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.<sup>4</sup>

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

<sup>1</sup> S42A Report: Water quality, Issue 10.1

<sup>2</sup> S42A Report: Overall policy framework of the proposed Plan, Issue 1.3

<sup>3</sup> S42A Report: Overall policy framework of the proposed Plan, Issue 1.2

<sup>4</sup> S42A Report: Water quality, Issue 10.1

Rules – Discharges to water <u>and land</u>	Page	P	C	RD	D	NC	Pr
<b>Water dDischarges to water and contaminantsland</b>	129						
Rule R4342: Water to water	129	•					
Rule R4443: Pool and spa pool water	129	•					
Rule R4544: Potable water	129	•					
Rule R4645: Dye or salt tracer	130	•					
Rule R4746: Other dye or salt tracer	131		•				
<u>Rule R4447: Point source dDischarges of a specific contaminants, other than stormwater, to the stormwater network<sup>5</sup></u>	131					•	
<b>Stormwater</b>	132						
Rule R48: Stormwater from an individual property	132	•					
<u>Rule R48A49: Stormwater from new subdivision and development<sup>6</sup></u>	<u>134</u>	•					
Rule R4950: Stormwater to land	134	•					
Rule R5051: Stormwater from a local authority network at plan notification	135		•				
Rule R5152: Stormwater from a local authority network <u>two years after public notification with a stormwater management strategy<sup>7</sup></u>	135			•			
Rule R5253: Stormwater from <u>a port, airport or state highway<sup>8</sup> large sites</u>	136			•			
<u>Rule R52A54: Stormwater from new subdivision and development<sup>9</sup></u>	<u>137</u>			•			
Rule R5355: All other stormwater	137				•		
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Rule R5856: Water races	137				•		
Rule R5957: Existing pumped drainage schemes	137	•					
Rule R6058: All other pumped drainage schemes	138				•		
<b>On-site domestic wastewater</b>	139						
Rule R7159: Pit latrine	138	•					
Rule R7260: Composting toilets	139	•					
Rule R7361: Greywater	140	•					
Rule R7462: Existing on-site <u>domestic</u> wastewater systems	140	•					
Rule R7563: New or <u>upgraded modified</u> on-site <u>domestic</u> wastewater systems	142	•					

<sup>5</sup> S42A Report: Water quality, Issue 10.1 and RoR Report: Water Quality (Michelle Conland), Section 12

<sup>6</sup> S42A Report: Stormwater, Issue 5

<sup>7</sup> S42A Report: Stormwater, Issue 3.3

<sup>8</sup> S42A Report: Stormwater, Issue 6.3

<sup>9</sup> S42A Report: Stormwater, Issue 5

Rules – Discharges to water <u>and land</u>	Page	P	C	RD	D	NC	Pr
Rule R7664: New or <u>upgraded modified</u> on-site <u>domestic</u> wastewater systems within community drinking water supply protection areas	143		•				
<b>Wastewater</b>	146						
Rule R6465: <u>Existing Discharges of</u> wastewater <u>to water</u> <sup>10</sup>	146				•		
Rule R6266: New <u>discharges of</u> <sup>11</sup> wastewater to fresh water – non-complying activity	146					•	
Rule R7967: Discharge of <u>treated</u> wastewater <u>from an industrial or trade process</u>	146		•				
Rule R8068: Discharge of treated wastewater <u>from a wastewater network</u>	152			•			
<b>Drinking water treatment plant waste</b>	154						
Rule R8469: Drinking water treatment plant supernatant waste	154		•				
<b>Biosolids</b>	154						
Rule R7770: <u>Application Discharge</u> of <u>Aa</u> biosolids to land	154	•					
Rule R7871: <u>Application Discharge</u> of biosolids ( <u>Ab, Ba, or Bb</u> ) to land	155			•			
<b>Fertiliser and animal effluent</b>	156						
Rule R8272: <u>Application Discharge</u> of fertiliser from ground-based or aerial application	156	•					
Rule R8373: Discharge of collected animal effluent onto or into land	157		•				
Rule R8474: Discharge of collected animal effluent to water	158					•	
<b><u>Compost, solid animal waste, refuse, silage and compost refuse</u></b>	158						
Rule R8575: <u>Application Discharge</u> of compost <u>or solid animal waste</u> to land	163	•					
Rule R8676: <u>Application Discharge</u> of compost <u>or solid animal waste</u> to land	159			•			
Rule R9077: <u>Discharge from M</u> manufacture and storage of silage and compost, <u>and storage of solid animal waste</u>	159	•					
Rule R8978: Farm refuse dumps	160	•					
Rule R9479: Offal pit	161	•					
<b><u>Cleanfill material</u></b>	162						
Rule R7080: Cleanfill material	162	•					
<b>Contaminated land and hazardous substances</b>	163						
Rule R5481: <u>Detailed S</u> site <sup>12</sup> investigation	163	•					

<sup>10</sup> S42A Report: Wastewater to water, issue 12

<sup>11</sup> RoR Report: Wastewater to water, Issue 12

<sup>12</sup> S42A Report: Contaminated Land and Hazardous Substances, issue 6.

Rules – Discharges to water <u>and land</u>	Page	P	C	RD	D	NC	Pr
Rule R <del>558</del> 2: Discharges from contaminated land	163	•					
Rule R <del>568</del> 3: <u>Investigation of or <del>D</del>discharges</u> <sup>13</sup> from contaminated land	165				•		
Rule R <del>578</del> 4: Discharge of hazardous substances	165					•	
<b>Vertebrate toxic agents</b>	165						
Rule R <del>878</del> 5: Land-based discharge of vertebrate toxic agents	165	•					
Rule R <del>888</del> 6: Aerial <u>application discharge</u> of vertebrate toxic agents	166		•				
<b>Wastewater from ships and offshore installations and <u>B</u>biofoul cleaning</b>	166						
Rule R <del>638</del> 7: Wastewater from ships and offshore installations	167	•					
Rule R <del>648</del> 8: Wastewater from ships and offshore installations	167					•	
Rule R <del>658</del> 9: In-water biofoul cleaning	167	•					
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<b>All other discharges</b>	169						
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<del>Rule R69: Minor contaminants</del> <sup>14</sup>	<del>170</del>	<del>•</del>					
Rule R92: <del>All <del>D</del>Discharges to land from a new pit latrine, a new farm refuse dump, a new offal pit, or of collected animal effluent</del> <sup>15</sup> within <u>a</u> community drinking water supply protection areas	170			•			
Rule R <del>679</del> 3: <u>All other <del>D</del>discharges inside to</u> <sup>17</sup> sites of significance	171					•	
Rule R <del>689</del> 3A: All other discharges	172				•		
<del>Rule R93: All other discharges to land</del>	<del>172</del>				<del>•</del>		

### 5.2.1 Discharges to water and land<sup>18</sup> other methods



The Wellington Regional Council will promote sustainable land and water management through Methods M1, M2, M6, M7, M8, M9, M10, M11, M12, M13, M14, M15, M16, M17, M18, M19, M20, M21, M22, M25, M26, M27, and M28.

<sup>13</sup> S42A Report: Contaminated Land Redline Appendix, issue 8.

<sup>14</sup> S42A Report: Water quality, Issues 10.1 and 10.2

<sup>15</sup> ROR Report: Community drinking water supply protection areas, Section 3

<sup>16</sup> RoR Report: Water Quality (Michelle Conland), Section 8

<sup>17</sup> RoR Report: Water Quality (Michelle Conland), Section 6

<sup>18</sup> S42A Report: Water quality, Issues 10.1 and 10.2

## 5.2.2 ~~Water d~~Discharges to water and land<sup>19</sup>

### Rule R4342: Water to water – permitted activity

The discharge of water into water is a permitted activity, provided the following conditions are met:

- (a) the discharge is to the same water body or area of coastal water it was taken from, and
- (b) the quality of the discharged water is the same as or better than the quality of the water body or area of coastal water it was taken from, and
- (c) the discharge shall not cause a change in temperature of more than 2°C in the receiving water after the **zone of reasonable mixing**, and
- (d) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.

### Rule R4443: Pool and spa pool water – permitted activity

The discharge of water into water, or onto or into land where it may enter water from a swimming pool, or spa pool, on a residential **property** is a permitted activity provided the following conditions are met:

- (a) the discharge ~~is not into~~ does not enter<sup>20</sup> a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua),<sup>21</sup> Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), ~~or~~ Schedule F4 (coastal sites), or Schedule H1 (contact recreation) and
- (b) the discharge shall not contain any filter backwash water, copper chemicals or flocculants, including, but not limited to, aluminium salts, and
- (c) the swimming pool or spa pool is not covered for a period of 14 days, and has not been treated within the previous 14 days with a pool sanitising agent, including, but not limited to, chlorine, bromine or polyhexamethylene biguanide, and
- (d) if the discharge enters fresh water, the discharge is not from a saltwater pool, and
- (e) the discharge shall not result in water or contaminants discharging onto another **property**.

### Rule R4544: Potable water – permitted activity

The discharge of potable water, including scouring water, into water, or onto or into land where it may enter water, for the purpose of draining pipelines or

<sup>19</sup> S42A Report: Water quality, Issues 10.1 and 10.2

<sup>20</sup> RoR Report: Water Quality (Michelle Conland), Section 6

<sup>21</sup> S42A Report: Water quality, Issue 10.5

water reservoirs for inspection, repair, maintenance or ~~upgrade~~ **upgrade** is a permitted activity provided the following conditions are met:

- (a) if the discharge is to a tidally-influenced environment, the discharge occurs during the time between three hours before and three hours after high tide, unless the discharge occurs directly into open water without disturbing sediment, and
- (a) the discharge shall not contain backwash water from a water treatment plant, and
- (b) the concentration of free or combined residual chlorine in the discharge shall not exceed  $0.3\text{g/m}^3$ , and
- (c) the concentration of fluoride in the discharge shall not exceed  $1.5\text{g/m}^3$ , and
- (d) the discharge shall not cause any conspicuous change in the colour or visual clarity in the receiving water after the **zone of reasonable mixing**, and
- (e) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.

#### Rule R4645: Dye or salt tracer – permitted activity



The discharge of dye or salt tracer, excluding radioisotope tracers, into water or onto or into land where it may enter water is a permitted activity, provided the following conditions are met:

- (a) the discharge is not into a water body within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, and
- (b) the dye or salt tracer shall not exceed:
  - (i) 20L of dye in solution, or
  - (ii) 10kg of salt, or
  - (iii) 100L of salt solution, and
- (c) the dye or salt tracer is not a **hazardous substance** in accordance with the Hazardous Substances and New Organisms Act 1996, and
- (d) the Wellington Regional Council is notified ~~in writing of the discharge at least 24 hours before the time of~~ **prior to the dye or salt tracer being discharged**, including details of the:<sup>22</sup>

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<sup>22</sup> S42A Report: Water quality, Issue 10.7

- (i) persons responsible for the discharge, including contact details, and
- (ii) nature of the tracer (including type, colour, product name or description), and
- (iii) location, timing and duration of the discharge, and
- (iv) purpose of the tracer programme.

#### Rule R4746: Other dye or salt tracer – controlled activity



The discharge of salt or dye tracer, including radioisotope tracers, into water, or onto or into land where it may enter water, not permitted by Rule R4645 is a controlled activity.

#### *Matters of control*

1. Duration and timing of the discharge
2. Volume, concentration and type of the tracer
3. Effects on **aquatic ecosystem health** and **mahinga kai**
4. Effects on **community drinking water supply** water quality
5. Effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)<sup>23</sup> or Schedule H1 (contact recreation)<sup>24</sup>.

#### *Notification*

In respect of Rule R4746 applications are precluded from public notification (unless special circumstances exist).

#### Rule R###47: Point source ~~Discharges of a specific contaminants, other than stormwater, to the stormwater network~~<sup>25</sup> – non-complying activity<sup>26</sup>



The ~~point source discharge~~ point source discharge of a contaminant, other than stormwater.:

- (a) Chemical cleaning products including vehicle cleaning products, detergents and disinfectant
- (b) Chemical cleaning agents including bleach and '30 seconds' type products

<sup>23</sup> S42A Report: Water quality, Issue 10.7

<sup>24</sup> RoR Report: Water Quality (Michelle Conland), Section 6

<sup>25</sup> RoR Report: Water Quality (Michelle Conland), Section 12

<sup>26</sup> S42A Report: Water quality, Issue 10.3

- (c) Paint and other substances used for the purpose of protecting surfaces (including stain and paint wash)
- (d) Solvents including paint stripper
- (e) Liquid fuels, including diesel, petrol, oil, grease, except where these have been treated by an interceptor system to collect hazardous contaminants and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release
- (f) Radiator coolant
- (g) Cooking oil
- (h) Cement wash, cement slurry and concrete cutting waste
- (i) Drill cooling water

into water or onto land, including via the **stormwater network**, where it may enter a **surface water body** or coastal water is a non-complying activity.

*Note*

In respect of **stormwater** discharges refer to Rules R48 to ~~535~~55.

### 5.2.3 Stormwater

Rule R48: Stormwater from an individual property – permitted activity



The discharge of **stormwater** into water, or onto land where it may enter a **surface water body** or coastal water from an individual **property** is a permitted activity, provided the following conditions are met:

- ~~(a) the discharge is not into a site identified in Schedule A (outstanding water bodies), and<sup>27</sup>~~
- (a) the discharge does not originate from industrial or trade premises where ~~hazardous substances~~ **hazardous substances** are stored or used unless:<sup>28</sup>
  - (i) ~~hazardous substances~~ **hazardous substances** cannot enter the ~~stormwater~~ **stormwater** system, or
  - (ii) the ~~stormwater~~ **stormwater** contains no ~~hazardous substances~~ **hazardous substances** except petroleum hydrocarbons, and the ~~stormwater~~ **stormwater** is passed through an oil interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release, and

<sup>27</sup> S42A Report: Stormwater, Issue 7.1

<sup>28</sup> RoR Report: Stormwater, Section 12.1



~~(b)~~~~(a)~~~~(b)~~ the discharge is not from, onto or into **contaminated land SLUR Category III land**<sup>29</sup>, unless

(i) the ~~stormwater~~ **stormwater** does not come into contact with the ~~SLUR Category III land~~ **SLUR Category III land**~~contaminated land~~<sup>30</sup>, and

~~(e)~~~~(b)~~~~(c)~~ the discharge is not from a local authority **stormwater network**, a port, airport or state highway, and

~~(d)~~~~(e)~~~~(d)~~ the discharge shall not contain **wastewater**, and

~~(e)~~~~(d)~~~~(e)~~ the concentration of total suspended solids in the discharge shall not exceed:

(i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule H1 (contact recreation), ~~except when the background total suspended solids in the receiving water is greater than 50g/m<sup>3</sup>, in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or~~

(ii) 100g/m<sup>3</sup> where the discharge enters any other ~~fresh or coastal water, except when the background total suspended solids in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, and~~

~~(f)~~~~(e)~~ the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and

~~(g)~~~~(f)~~ the discharge shall not give rise to the following effects beyond the **zone of reasonable mixing**:

(i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or

(ii) any conspicuous change in the colour or visual clarity, or

(iii) any emission of objectionable odour, or

(iv) the fresh water is unsuitable for consumption by farm animals, or

(v) any significant adverse effects on aquatic life.

<sup>29</sup> S42A Report: Contaminated land and hazardous substances, Issue 1

<sup>30</sup> S42A Report: Contaminated land and hazardous substances, Issue 1

*Note*

In respect of ~~the discharge of sediment stormwater discharges~~ from **earthworks** activities refer to Rules R99 and R101.

**Rule R48A49: Stormwater from new subdivision and development – permitted activity**<sup>31</sup> 

~~The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, from:~~

- ~~(a) a new urban subdivision or development associated with ~~earthworks~~ **earthworks** of a contiguous area up to 3,000m<sup>2</sup> per ~~property~~ per 12 month period,<sup>32</sup> or~~
- ~~(b) a new urban subdivision or development in an area where a **stormwater management strategy** in accordance with Schedule N (stormwater strategy) applies~~

~~is a permitted activity provided the following condition is met:~~

- ~~(c) the discharge shall comply with the conditions of Rule R48 ~~except condition R48(c)~~.~~

**Rule R4950: Stormwater to land – permitted activity** 

The discharge of **stormwater** onto or into land, including where contaminants may enter groundwater, ~~from an individual property~~<sup>33</sup> is a permitted activity provided the following conditions are met:

- (a) the discharge is not from, onto or into ~~contaminated land~~ **SLUR Category III land**, ~~unless~~
  - (i) ~~the stormwater~~ **stormwater** does not come into contact with ~~the SLUR Category III contaminated land~~, and
- (b) the discharge shall not cause or exacerbate the flooding of any other **property**, and
- (c) ~~the discharge is not located within 20m up-gradient of a bore used for water abstraction for potable supply or stock water~~<sup>34</sup> and-
- (d) ~~the discharge does not originate from industrial or trade premises where hazardous substances~~ **hazardous substances** are stored or used ~~unless:~~
  - (i) ~~hazardous substances~~ **hazardous substances** cannot enter the ~~stormwater~~ **stormwater** system, or

<sup>31</sup> S42A Report: Stormwater, Issue 5

<sup>32</sup> RoR Report: Stormwater, Section 12.1

<sup>33</sup> RoR Report: Stormwater, Section 12.2

<sup>34</sup> S42A Report: Stormwater, Issue 7.2

- (ii) ~~the stormwater~~ **stormwater** contains no ~~hazardous substances~~ **hazardous substances** except petroleum hydrocarbons, and ~~the stormwater~~ **stormwater** is passed through an oil interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release.

**Rule R~~5051~~**: Stormwater from a local authority network at plan notification – controlled activity



The discharge of **stormwater**, ~~including stormwater that may be contaminated by wastewater from overflows during heavy rainfall events<sup>35,36</sup>~~, into water, or onto or into land where it may enter water, from a local authority **stormwater network** is a controlled activity, provided the following condition is met:

- (a) the resource consent application is received within ~~six months of this rule becoming operative two years of the date of public notification of the Proposed Natural Resources Plan (31.07.2015).~~<sup>37</sup>

*Matters of control*

1. Requirements to monitor and report on the quality of **stormwater** discharges to fresh and/or coastal water, including of **stormwater** discharges containing **wastewater**
2. Management of acute effects of **stormwater** on human health detected during monitoring
3. Duration of consent up to a maximum of five years
4. Timeframes for the development of a **stormwater management strategy** in accordance with Schedule N (stormwater strategy)

*Notification*

In respect of Rule R~~5051~~ applications are precluded from public notification (unless special circumstances exist) and are precluded from limited notification.

**Rule R~~5452~~**: Stormwater from a local authority network ~~with a stormwater management strategy two years after public notification<sup>38</sup>~~ – restricted discretionary activity



The discharge of **stormwater**, ~~including stormwater that may be contaminated by wastewater from overflows during heavy rainfall events<sup>39,40</sup>~~, into water, or onto or into land where it may enter water, from a local authority **stormwater network** ~~that is not provided by Rule R~~5051~~ two years after the~~

<sup>35</sup> RoR Report: Stormwater, Section 9.1

<sup>36</sup> S42A Report: Stormwater, Issue 4.3

<sup>37</sup> S42A Report: Stormwater, Issue 3.2

<sup>38</sup> S42A Report: Stormwater, Issue 3.3

<sup>39</sup> RoR Report: Stormwater, Section 9.1

<sup>40</sup> S42A Report: Stormwater, Issue 4.3

~~date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~<sup>41</sup> is a restricted discretionary activity, provided the following condition is met:

- (a) the resource consent application includes a **stormwater management strategy** in accordance with Schedule N (stormwater strategy).

*Matters for discretion*

1. The contents and implementation of the **stormwater management strategy** in accordance with Schedule N (stormwater strategy)
2. Development and implementation of methods, such as catchment-specific **stormwater** management plan(s), in accordance with any relevant objectives identified in this plan, including any relevant whaitua-specific objectives
3. Management of adverse effects, including cumulative effects, on **aquatic ecosystem health** and **mahinga kai**, contact recreation and **Māori customary use**
4. Management of adverse effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)

5. **Management of adverse effects on human health**<sup>42</sup>

**Rule R5253: Stormwater from a port, airport or state highway large sites**<sup>43</sup> – restricted discretionary activity



The discharge of **stormwater** into water, or onto or into land where it may enter a surface water body or coastal<sup>44</sup> water, including through a local authority stormwater network,<sup>45</sup> from a port, airport or state highway is a restricted discretionary activity.

*Matters for discretion*

1. The management of the adverse effects of **stormwater** capture and discharge, including cumulative effects, of **stormwater** on **aquatic ecosystem health** and **mahinga kai**, contact recreation and **Māori customary use**
2. The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)
3. Minimisation of the adverse effects of **stormwater** discharges through progressive improvement over time

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<sup>41</sup> S42A Report: Stormwater, Issue 3.3

<sup>42</sup> S42A Report: Stormwater, Issue 4.3

<sup>43</sup> S42A Report: Stormwater, Issue 6.3

<sup>44</sup> S42A Report: Stormwater, Issue 6.1

<sup>45</sup> RoR Report: Stormwater, Section 5.1

Rule R~~52A~~54: Stormwater from new subdivision and development – restricted discretionary activity<sup>46</sup> 

The discharge of **stormwater** from a new subdivision or development into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing local authority **stormwater network**, that is not permitted by Rule R~~48A~~49 is a restricted discretionary activity.

Matters for discretion

1. Measures to minimise the adverse effects of ~~stormwater~~ **stormwater** discharges in accordance with Policy P73, including the extent to which ~~water sensitive urban design~~ **water sensitive urban design** measures are employed
2. Measures to manage runoff volumes and peak flows in accordance with Policy P79
3. Requirements of any relevant local authority ~~stormwater network~~ **stormwater network** discharge consent

Rule R~~53~~55: All other stormwater – discretionary activity 

The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater** from overflows during heavy rainfall events<sup>47</sup>, into water or onto or into land where it may enter water that is not permitted by Rules R48, R~~48A~~49<sup>48</sup> or R~~49~~50, or controlled by Rule R~~50~~51, or a restricted discretionary activity under Rules R~~51~~52, ~~–or~~ R~~52~~53, ~~or~~ R~~52A~~54 is a discretionary activity.

## 5.2.4 Water races and pumped drainage schemes

Rule R~~58~~56: Water races – discretionary activity

The discharge of water or contaminants ~~into water~~ from a **water race** shown on Map 28 into water<sup>49</sup> is a discretionary activity.

Rule R~~59~~57: Existing pumped drainage schemes – permitted activity 

The discharge of water or contaminants into a **surface water body**, or coastal water from an ~~existing<sup>50</sup>~~ **pumped drainage scheme**, established before 31 July 2015<sup>51</sup> ~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~, is a permitted activity provided the following conditions are met:

- the discharge shall not cause any erosion of the channel or banks of the receiving water body or coastal marine area, erosion occurring as a result of the discharge shall be remedied, and

<sup>46</sup> S42A Report: Stormwater, Issue 5

<sup>47</sup> S42A Report: Stormwater, Issue 4.3

<sup>48</sup> S42A Report: Stormwater, Issue 5

<sup>49</sup> S42A Report: Water quality, Issue 11.1

<sup>50</sup> S42A Report: Water quality, Issue 11.2

<sup>51</sup> RoR Report: Water races and pumped drainage schemes, Issue 11.

- (b) the concentration of total suspended solids in the discharge shall not exceed: ~~the discharge shall not give rise the following effects after the zone of reasonable mixing:~~
- (i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua, Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), Schedule F4 (coastal sites) or Schedule H1(contact recreation),
  - (ii) 100g/m<sup>3</sup> where the discharge enters any other water,
- (c) the discharge shall not cause the concentration of *E.coli* in a **significant contact recreation fresh water body** to exceed the limits in Table 3.1, or
- ~~(b)~~(d) the discharge shall not give rise to the following ~~effects~~ after the **zone of reasonable mixing**:
- (i) the daily minimum dissolved oxygen concentration of less than 4mg/L, or
  - (ii) The 7-day mean minimum dissolved oxygen concentration of less than 5mg/L, or
  - (iii) A change in the pH of ±0.5 pH unit, or
  - ~~(i)~~(iv) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
  - ~~(ii)~~(v) any conspicuous change in the colour or visual clarity, or
  - ~~(iii)~~(vi) any emission of objectionable odour, or
  - ~~(iv)~~(vii) fresh water is unsuitable for consumption by farm animals, or
  - ~~(v)~~(viii) any significant adverse effects on aquatic life.

**Rule R6058: All other pumped drainage schemes – discretionary activity**



The discharge of water or contaminants into a **surface water body**, or coastal water, from a **pumped drainage scheme** established after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), or from a **pumped drainage scheme** that is not permitted by Rule R5957, is a discretionary activity.

### 5.2.5 On-site domestic wastewater

#### Rule R7459: Pit latrine – permitted activity

The discharge of domestic **wastewater** from a pit latrine<sup>52</sup> onto or into land where a contaminant may enter water and the associated discharge of odour to air ~~from a new pit latrine~~ is a permitted activity, provided that the following conditions are met:

- (a) the **pit latrine** is not located:
  - (i) within ~~20m~~ **50m** of a **surface water body**, coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, or
  - (ii) within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, or
  - (iii) where a sewer connection is available, and
- (b) the **pit latrine** shall be located in silty or clay soils, and
- (c) the bottom of the **pit latrine** shall be 0.6m above the seasonally highest water table, and
- (d) **stormwater** ~~is~~ is prevented from entering the **pit latrine**, and
- (e) domestic **wastewater** in the **pit latrine** shall not accumulate to a level less than 0.3m of the original ground surface, and
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

#### *Note*

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

#### Rule R7260: Composting toilets – permitted activity

The discharge of domestic **wastewater** from a composting toilet<sup>53</sup> onto or into land where a contaminant may enter water, and the associated discharge of odour to air ~~from a composting toilet~~ is a permitted activity, provided the following conditions are met:

- (a) the discharge shall occur on the **property** where the **composting toilet** is located, and
- (b) the discharge has been aerobically composted for more than 12 months from the last addition of raw domestic **wastewater**, and

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<sup>52</sup> S42A Report: Discharges to Land, Issue 13

<sup>53</sup> S42A Report: Discharges to Land, Issue 14

- (c) the discharge is not within ~~20m~~ **50m** of a **surface water body**, the coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
- (d) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

*Note*

Permission may be required from the relevant city or district council in respect of the discharge under other legislation or bylaws.

**Rule R7361: Greywater – permitted activity**

The discharge of **greywater** onto or into land where a contaminant may enter water,<sup>54</sup> and the associated discharge of odour to air is a permitted activity, provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the **property**, and
- (b) the ~~application~~discharge<sup>55</sup> rate of **greywater** shall not exceed a maximum daily volume of 2,000L, and
- (c) the discharge is not located within:
  - (i) 20m of a **surface water body** or the coastal marine area, or **bore** used for water abstraction for potable supply, or
  - (ii) 20m of the boundary of the **property**, unless the land ~~application~~discharge<sup>56</sup> system consists of a pressure compensating drip irrigation system where the boundary set back is 5m, and
- (d) the discharge shall not pond on the surface of the ground or runoff from the discharge area, and
- (e) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

*Note*

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

**Rule R7462: Existing on-site domestic wastewater systems – permitted activity**

The discharge of domestic **wastewater** onto or into land where a contaminant may enter water,<sup>57</sup> and the associated discharge of odour to air from an **on-site domestic wastewater treatment and discharge system** that ~~exists~~ existed at

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<sup>54</sup> S42A Report: Discharges to Land, Issue 15

<sup>55</sup> RoR Report: Discharges to land

<sup>56</sup> RoR Report: Discharges to land

<sup>57</sup> S42A Report: Discharges to Land, Issue 16



~~the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~ is a permitted activity provided the following conditions are met:

- (a) the **on-site domestic wastewater treatment and discharge system** has not been altered or modified from that established at the time the system was constructed, other than through routine maintenance or building consent approvals for the system or related changes to the connected ~~building dwelling~~, and
- (b) the volume of the discharge has not been increased ~~beyond that approved~~ as a result of the addition of buildings, an alteration of an existing building, or a change in use of a building that is connected to the system, and
- (c) the **on-site domestic wastewater treatment and discharge system** is:
  - (i) operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification, Section 6.3 and Appendices T and U of the *New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and
  - (ii) the system is performing effectively, including the **sludge** and scum layers not occupying more than one half of the system primary tank volume, and
- (d) the volume of domestic **wastewater** to be discharged from any one system shall not exceed 1,300L/day (calculated as a weekly average), and
- (e) there is no direct discharge to groundwater, a **surface water body** or above ground level, and
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**, ~~and~~
- (g) ~~the discharge shall consist only of contaminants normally associated with domestic sewage, and~~
- (h) there is no **wastewater network** available to the property

*Note*

~~Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.~~

~~It is recommended that performance inspections be carried out every two years, or more frequently if required by the system manufacturer.~~

Rule R7563: New or ~~upgraded~~ modified on-site domestic wastewater systems – permitted activity

The discharge of domestic **wastewater** onto or into land where a contaminant may enter water,<sup>58</sup> and the associated discharge to air of odour from ~~a new or upgraded~~ **an on-site domestic wastewater treatment and discharge system installed or ~~upgraded~~ modified after 31.07.2015** is a permitted activity provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the **property**, and
- (b) the **on-site domestic wastewater treatment and discharge system** design shall meet the requirements of *AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and
- (c) the flow allowance used to calculate the system design flow must be no less than 145L per person per day where the water supply is provided by roof water collection, or no less than 180L per person per day for other sources of water supply, and
- (d) the discharge shall consist only of contaminants normally associated with domestic sewage, and
- (e) the discharge is not located within:
  - (i) 20m of a **surface water body**, coastal marine area, **gully** or **bore** used for water abstraction for potable supply, or 50m from a bore used for water abstraction for potable supply when the discharge is from an on-site domestic wastewater treatment and discharge system installed after [date of decision], or
  - (ii) 20m of the boundary of the **property** unless the land application discharge<sup>59</sup> system consists of a pressure compensating drip irrigation system where the boundary set-back is 5m, or
  - (iii) 0.1m of the soil surface unless it is covered permanently with a minimum of 0.1m of mulch or similar cover material, or
  - (iv) a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, ~~and or~~
  - (v) a property where there is a ~~wastewater network~~ **wastewater network** available.
- (f) the **on-site domestic wastewater treatment and discharge system** is operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification,

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<sup>58</sup> S42A Report: Discharges to Land, Issue 17

<sup>59</sup> RoR Report: Discharges to land

Section 6.3 and Appendices T and U of *AS/NZS 1547:2012 – On-Site Domestic Wastewater Management*, and

- (g) the discharge shall not exceed 14,000L/week ~~or~~ and a maximum daily volume of 2,000L, and
- (h) the **wastewater** is discharged evenly to the entire filtration surface of the discharge field and shall not cause ponding or surface runoff from the discharge area, and
- (i) the system is performing effectively, including the **sludge** and scum layers not occupying more than one half of the system primary tank volume, and
- (j) the following reserve areas shall be provided:
  - (i) for primary treatment systems using a discharge field basal loading rate, the reserve area allocation must be not less than 100% of the discharge field, or
  - (ii) for pressure compensating drip irrigation systems, no reserve area is required, or
  - (iii) for all other systems, the reserve area must be not less than 50% of the discharge field, and
- (k) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

*Note*

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

It is recommended that performance inspections be carried out every two years, or more frequently if required by the system manufacturer.

Rule R~~7664~~7563: New or upgraded modified on-site domestic wastewater systems within community drinking water supply protection areas – controlled activity

The discharge of domestic **wastewater** onto or into land and the associated discharge of odour from a new or upgraded modified on-site domestic wastewater treatment and discharge system within a **community drinking water supply protection area** that is not permitted by Rule R~~7563~~7563 is a controlled activity provided the following conditions are met:

- (a) the discharge shall occur within the boundary of the **property**, and
- (b) the **on-site domestic wastewater treatment and discharge system** design shall meet the requirements of *AS/NZS 1547:2012 – On-site Domestic Wastewater Management*, and

- (c) the flow allowance used to calculate the system design flow must be no less than 145L per person per day where the water supply is provided by roof water collection, or no less than 180L per person per day for other sources of water supply, and
- (d) the discharge shall consist only of contaminants normally associated with domestic sewage, and
- (e) the discharge is not located within:
  - (i) 20m of a **surface water body**, coastal marine area, **gully gully**<sup>60</sup> or
  - ~~(ii)~~ 50m of a bore used for water abstraction for potable supply that is not a bore used for community drinking water supply community drinking water supply. or
  - ~~(ii)~~(iii) 20m of the boundary of the **property** unless the land application discharge<sup>61</sup> system consists of a pressure compensating drip irrigation system where the boundary set-back is 5m, or
  - ~~(iii)~~(iv) 0.1m of the soil surface unless it is covered permanently with a minimum of 0.1m of mulch or similar cover material, and
- (f) the **on-site domestic wastewater treatment and discharge system** is operated and maintained in accordance with the system design specification for maintenance or, if there is no design specification, Section 6.3 and Appendices T and U of *AS/NSZ 1547:2012 – On-Site Domestic Wastewater Management*, and
- (g) the discharge does not exceed 14,000L/week or a maximum daily volume of 2,000L, and
- (h) the system is performing effectively, and the **sludge** and scum layers are not occupying more than one half of the system primary tank volume, and
- (i) the **wastewater** is discharged evenly to the entire filtration surface of the discharge field and shall not cause ponding or surface runoff from the discharge area, and
- (j) the following reserve areas shall be provided:
  - (i) for primary treatment systems using a discharge field basal loading rate, the reserve area allocation must be not less than 100% of the discharge field, or

<sup>60</sup> S42A Report: Community drinking water supplies, Issue 3

<sup>61</sup> RoR Report: Discharges to land

- (ii) for pressure compensating drip irrigation systems, no reserve area is required, or
- (iii) for all other systems, the reserve area must be not less than 50% of the discharge field, and
- (k) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**, and

(l) there is no **wastewater network** available to the **property**.

*Matters of control*

1. Type and concentration of the contaminants in the discharge, and effects on **community drinking water supply** water quality
2. Travel time and path of contaminants from source to any **community drinking water supply** abstraction point
3. Treatment, design, maintenance and frequency of monitoring and maintenance inspections
4. Sampling of the discharge, on at least an annual basis, for biochemical oxygen demand, total suspended solids and *E.coli*
5. Risk of accident or an unforeseen event causing significant adverse effects on water quality

*Note*

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

## 5.2.6 Wastewater

### Option 1

Rule R~~6465~~: Existing Discharges of wastewater to water <sup>62</sup> – discretionary activity

The discharge of ~~wastewater~~ wastewater:

- (a) into coastal water, or
- (b) that is an **existing discharge** into fresh water;

is a discretionary activity.

### Option 2

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<sup>62</sup> S42A Report: Wastewater to water, issue 12

Alternative<sup>63</sup> Rule ~~R6165~~: ~~Existing wastewater discharges to coastal and freshwater~~– discretionary activity

The discharge of ~~wastewater~~ wastewater:

- (a) into coastal water, or
- (b) that is an **existing discharge** into fresh water; or
- (c) that is a **new discharge** of treated wastewater into freshwater that was authorised by an **existing resource consent** at the time of application for a new consent and meets the following conditions:
  - (i) the location of the discharge was authorised by an **existing resource consent** at the time of application for a new consent
  - (ii) the volume of the discharge is reduced from that which was authorised by a condition on an **existing resource consent**
  - (iii) the volume or concentration of contaminants is reduced from that which was authorised by a condition on an **existing resource consent**
  - (iv) the range of contaminants in the discharge is not increased.

is a discretionary activity.

### Notification<sup>64</sup>

Any resource consent application arising from Rules ~~R6165~~ and ~~R6266~~ may be publicly notified; but shall be notified to the relevant rūnanga where their written approval has not been obtained<sup>65</sup>.

Rule ~~R6266~~: **New discharges of wastewater to fresh water – non-complying activity**

The discharge of **wastewater** into fresh water that is a **new discharge** into fresh water that does not comply with Rule ~~R6165(c)~~<sup>66</sup> is a non-complying activity.

~~Rule ~~R7967~~: **Discharge of treated wastewater** **Discharge of wastewater from an industrial or trade process**~~<sup>67</sup>– **controlled activity**

~~The discharge of treated wastewater onto or into land, and the associated discharge of odour is a controlled activity, provided the following conditions are met:~~

<sup>63</sup> Recommended that the submissions of South Wairarapa District Council S366/108, Masterton District Council S367/108 Hutt City Council S84/023, Carterton District Council S301/059, and Porirua City Council S163/096 be accepted in part

<sup>64</sup> Recommended that the submission of Ngā Hapū o Ōtaki S309/035 be accepted in part

<sup>65</sup> Recommendation to accept in part the submission from Ngā Hapū o Ōtaki S309/035

<sup>66</sup> RoR Report: Wastewater to water, Issue 12

<sup>67</sup> S42A Report: Discharges to Land, Issue 19

- ~~(a) the discharge is not located within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and~~
- ~~(b) the discharge shall contain no more than 10% trade wastes based on daily dry weather flow, averaged over a calendar year, and~~
- ~~(c) the discharge shall meet the following criteria:
 
  - ~~(i) the concentration of soluble carbonaceous five day biochemical oxygen demand shall not exceed 30mg/L in more than eight out of 12 consecutive samples, or exceed 50mg/L in more than two out of 12 consecutive samples, and~~
  - ~~(ii) the concentration of total suspended solids shall not exceed 50mg/L for more than eight out of 12 consecutive samples, or exceed 80mg/L in more than two out of 12 consecutive samples, and~~~~
- ~~(d) the pathogen concentration in **wastewater** shall have been reduced to a level commensurate with its having been treated to a tertiary level before discharge for surface application and secondary level for subsurface irrigation, and shall not exceed an *Escherichia coli* (*E.coli*) concentration of 2,000cfu/100mL, and~~
- ~~(e) the application method is either a subsurface or surface drip irrigation or **low pressure spray irrigation** system less than or equal to 1.5m above ground surface, and~~
- ~~(f) the hydraulic loading rate shall not exceed 5mm/hr or 15mm per application event and can only occur when **soil moisture deficit** is greater than the application event, and~~
- ~~(g) the **distribution uniformity** of the spray irrigation system shall be greater than or equal to 80%, with drip irrigation emitters at a minimum spacing of 0.6m x 1m, and~~
- ~~(h) the application shall not result in significant ponding (areas of ponded effluent on the ground surface greater than 10m<sup>2</sup> for a period greater than 12 hours) or runoff (visible overland flow); and~~
- ~~(i) the nitrogen loading rate of the **wastewater** applied shall not exceed the following limits for the specified land uses:
 
  - ~~(i) 150kg N/ha/year if mown without grass removal, or grazed, or~~
  - ~~(ii) 300kg N/ha/year if cut, harvested and removed, and~~~~
- ~~(j) the phosphorus loading rate of the **wastewater** applied shall not exceed the following limits for the specified land uses:~~

- ~~(i) 30kg P/ha/year if mown without grass removal, or grazed, or~~
- ~~(ii) 50kg P/ha/year if cut, harvested and removed, and~~
- ~~(k) the application must be onto actively growing vegetation which is not dormant. Application shall not be onto **fallow land** or areas that have no vegetative growth, and~~
- ~~(l) for spray irrigation, the discharge is not located within:
 
  - ~~(i) 50m of a **surface water body**, coastal marine area or **property** boundary, or~~
  - ~~(ii) 150m of any **marae**, schools, shops, playgrounds, **bore** used for water abstraction for potable supply, places of work or residential dwellings not on the application **property**; and~~~~
- ~~(m) for surface and subsurface drip irrigation, the discharge is not located within:
 
  - ~~(i) 5m of a **surface water body**, coastal marine area or **property** boundary, or~~
  - ~~(ii) 150m of a **bore** used for water abstraction for potable supply, and~~~~
- ~~(n) there shall be a minimum depth to groundwater of at least 1m below the point of application, and~~
- ~~(o) a **deficit irrigation** regime is used for the application of treated **wastewater** to land, and~~
- ~~(p) the application of **wastewater** to land by spray irrigation shall have automated shut off controls so that there shall be no irrigation when the wind speed 10 minute average exceeds 6m/s, and~~
- ~~(q) the normal droplet size delivered by **wastewater** irrigation shall not have a volume median diameter less than 1,700µm or an equivalent volume mean diameter, and~~
- ~~(r) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.~~

*Matters of control*

- ~~1. Provision of a Site Investigation and Design Report, which shall include as a minimum:
 
  - ~~(i) the suitability of the soil to receive treated **wastewater**~~
  - ~~(ii) how the discharge system is designed based on the soil characteristics to mitigate adverse effects on soils, ground and surface water~~~~



- ~~(iii) soil **saturated hydraulic conductivity** is shown to be greater than 10mm/hr~~
  - ~~(iv) soil water holding capacity is shown to be greater than 30mm~~
  - ~~(v) a map showing soil unit boundaries, soil textural and structural changes, and **high risk soils**~~
  - ~~(vi) details of existing soil concentrations of nutrients and metals and an assessment of the potential cumulative effects of the proposed **wastewater** application including the addition of any other wastes or **fertilisers**~~
- ~~2. Provision of an Operation and Management Plan, which shall include as a minimum:~~
- ~~(i) a description of the discharge system, including a site map indicating the location of discharge infrastructure and monitoring sites~~
  - ~~(ii) the intended operating and maintenance procedures, including how the system will be operated and maintained to meet the requirements of the conditions of the activity~~
  - ~~(iii) measures to ensure that the **wastewater** being discharged is not odorous~~
  - ~~(iv) on site responsibilities, including operation of the discharge facility, operation of the soil moisture monitoring or balance system, operation during high winds~~
  - ~~(v) key operational matters, including daily, weekly and monthly maintenance checks and keeping of a maintenance register to record the details of all maintenance events or any systems malfunction~~
  - ~~(vi) details of signage warning of the public health risk of coming into contact with **wastewater**, particularly in publically accessible areas or where the application site borders a publically accessible area~~
  - ~~(vii) details of site induction procedures to warn any person that may come into contact with the **wastewater** about the potential risks of doing so~~
  - ~~(viii) a contingency plan in the event of system malfunctions or breakdowns showing how adverse environmental and public health effects will be avoided~~
  - ~~(ix) how changes in **wastewater** composition and volume are to be managed~~

- ~~(x) — procedures for recording and responding to any complaints~~
  - ~~(xi) — procedures for the annual review of the Operation and Management Plan to incorporate any proposed changes to the management of the activities~~
- ~~3. — Provision of a Monitoring and Reporting Plan, which shall include as a minimum monitoring procedures covering all aspects of the activity to demonstrate compliance with the conditions, including:~~
- ~~(i) — monitoring of the discharged **wastewater** quality for biological oxygen demand (five day), total suspended solids, total nitrogen, total phosphorus and *E. coli*~~
  - ~~(ii) — continuous flow monitoring of the discharged **wastewater**~~
  - ~~(iii) — soil moisture monitoring (if used rather than a daily water balance)~~
  - ~~(iv) — the intended programme for soil quality, chemical, hydraulic and structural monitoring, vegetation assessment, surface water quality monitoring, groundwater quality monitoring~~
  - ~~(v) — details of surface and groundwater monitoring to be undertaken~~
  - ~~(vi) — record keeping of the land application area used each day, application depth, managing a **deficit irrigation** system and climatic conditions~~
  - ~~(vii) — records of land management, including grazing and harvesting frequency, including dry matter and nutrient removal where appropriate~~
  - ~~(viii) — the location of monitoring sites detailed on site maps~~
  - ~~(ix) — details of the frequency of sampling and reporting~~
  - ~~(x) — measures to ensure reporting requirements are met~~
  - ~~(xi) — a record of all complaints received~~
  - ~~(xii) — a record of infrastructure modifications~~
  - ~~(xiii) — details of who will undertake the monitoring and procedures to be used~~
- ~~4. — Review of the conditions of consent, in accordance with Section 128 of the RMA, including for the purposes of assessing whether any **emerging contaminants** should be monitored in the soil, herbage or groundwater, taking into consideration the degree of certainty about the fate and risk to the environment from these contaminants.~~

### *Notification*

~~In respect of Rule R79, applications are precluded from public notification (unless special circumstances exist).~~

### *Note*

~~Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.~~

~~The discharge of **wastewater** or **sludge** from an industrial or trade process, excluding **wastewater** or **sludge** from a **wastewater network network**, onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge to air, is a controlled activity, provided the following conditions are met:~~

- ~~(a) the volume of the discharge does not exceed 20m<sup>3</sup> per day; and~~
- ~~(b) the discharge is not of **hazardous waste**, or contain; a **hazardous substance**, a substance likely to cause infectious disease in humans or other animals, or human sewage; and~~

~~the discharge is not:~~

- ~~(c) directly to fresh or coastal water, or within 20m of; a surface water body, a **bore bore**, the **Coastal Marine Area**, or the **property** boundary; and~~
- ~~(d) **W**within a **Community Drinking Water Protection Area** set out in Map 26; Map 27a, Map 27b or Map 27c, and~~
- ~~(e) onto or into land with **high risk soils**; and~~
- ~~(f) onto or into ~~contaminated land~~ **SLUR Category III land**.~~

### *Matters of control*

- ~~1. Location, design and management of the discharge system;~~
- ~~2. Effects on quality of soils, groundwater, surface water and air,~~
- ~~3. Impacts on ~~mana whenua~~ **mana whenua** cultural values and sites of significance;~~
- ~~4. **Application**Discharge<sup>68</sup> rates and volume, including in relation to the infiltration rate and water storage capacity of the soil;~~
- ~~5. Contaminant loading rates on land;~~
- ~~6. Design, volume, construction and maintenance of the ~~wastewater~~ **wastewater** collection (including **stormwater** collection) and storage system;~~

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<sup>68</sup> RoR Report: Discharges to Land

7. ~~Wastewater~~ **Wastewater** storage volume to allow for the deferred discharge during periods of prolonged wet weather;
8. Procedures for desludging the system and applying **sludge** to land;
9. Odour mitigation methods;
10. Contingency plans for prolonged wet weather, mechanical failure or other emergencies;
11. Monitoring and reporting.

**Rule R8068: Discharge of treated wastewater from a wastewater network<sup>69</sup> – restricted discretionary activity**



The discharge of treated **wastewater from a wastewater network** onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour ~~that does not meet the conditions of Rule R79~~ is a restricted discretionary activity, ~~provided the following conditions are met:~~

- ~~(a) the application method is either a subsurface or surface drip irrigation or **low pressure spray irrigation** system, less than or equal to 1.5m above ground surface, and~~
- ~~(b) the application must be onto **actively growing vegetation**. Application shall not be onto **fallow land** or areas that have no vegetative growth, and~~
- ~~(c) a **deficit irrigation** regime is used for the application of treated **wastewater** to land, and~~
- ~~(d) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.~~

*Matters for discretion*

1. Effects on groundwater and surface water quality, including **community drinking water supply** water quality
2. Effects on domestic and **group drinking water supplies**
3. The proportion of trade waste the discharge contains
4. The quality of the discharge, including limits on:
  - (i) biological oxygen demand (five day), and
  - (ii) total suspended solids, and
  - (iii) *Escherichia coli* (*E.coli*)

<sup>69</sup> S42 Report: Discharges to Land, Issue 19

~~5. Wastewater application discharge<sup>70</sup> method, Hydraulic loading rate, application discharge<sup>71</sup> depth and hydraulic conductivity.~~

~~5. **Distribution uniformity**~~

6. Nitrogen and phosphorus loading rates
7. Set back distances from waterbodies, the coastal marine area, water supply bores, property boundaries and other sensitive environments
8. Depth to ground water below the point of irrigation
9. Measures to minimise spray drift to prevent impacts on human or animal health, or offensive and objectionable odours beyond the boundary of the property
10. Suitability of the soil to receive treated wastewater and management of the land discharge area
11. Design of the discharge system based on the soil characteristics

~~**Soil saturated hydraulic conductivity**~~

12. Soil water holding capacity
13. Mapping of soil unit boundaries, soil textural and structural changes, and **high risk soils**
14. Details of existing soil concentrations of nutrients and metals and an assessment of the potential cumulative effects of the proposed wastewater application discharge<sup>72</sup> including the addition of any other wastes or **fertilisers**
15. Provision of an Operation and Management Plan
16. Provision of a Monitoring and Reporting Plan
17. Measures for monitoring **emerging contaminants**

~~18. Effects on ~~mana whenua~~ **mana whenua** cultural values and sites of significance identified in ~~Schedule A (outstanding water bodies), Schedule B (Nga Taonga Nui a Kiwa), Schedule C (Mmana Wwhenua), Schedule F (indigenous biodiversity).~~~~

~~*Notification*~~

~~In respect of Rule R80, applications are precluded from public notification (unless special circumstances exist).~~

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<sup>70</sup> RoR Report: Discharges to Land

<sup>71</sup> RoR Report: Discharges to Land

<sup>72</sup> RoR Report: Discharges to Land

*Note*

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

### 5.2.7 Drinking water treatment plant supernatant waste

Rule R8469: Drinking water treatment plant supernatant waste – controlled activity



The discharge of supernatant from a drinking water treatment plant onto or into land where a contaminant may enter water,<sup>73</sup> is a controlled activity, provided the following conditions are met:

- (a) the discharge is not located within 20m of a **surface water body**, the coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
- (b) the base of the disposal area shall be 0.6m above the seasonally highest water table.

*Matters of control*

1. Effects on groundwater and **surface water bodies**
2. Discharge rate(s) of the supernatant

*Notification*

In respect of Rule R8469, applications are precluded from public notification (unless special circumstances exist).

### 5.2.8 Biosolids

Rule R7770: Application Discharge<sup>74</sup> of **Aa** biosolids to land – permitted activity<sup>75</sup>

The discharge of **Aa-grade biosolids** onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour is a permitted activity, provided the following conditions are met:

- (a) the **biosolids** ~~carry the registered Biosolids Quality Mark (BQM) accreditation, and~~ comply as Grade Aa in the Guidelines for the Safe Application of Biosolids to land in New Zealand 2003;
- (b) **biosolids** application discharge<sup>76</sup> rates shall not exceed a three-year average of 200kg total N/ha/year, or 600kg N/ha/year with no repeat within three years, and
- (c) soil pH where the **biosolids** are discharged is not less than pH 5.5, and

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<sup>73</sup> S42A Report: Discharges to Land, Issue 20

<sup>74</sup> RoR Report: Discharges to Land

<sup>75</sup> S42A Report: Discharges to Land, Issue 18

<sup>76</sup> RoR Report: Discharges to Land

- (d) the discharge is not located within 20m of a **surface water body**, coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
- (e) the discharge is not located within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

Rule R7871: Application Discharge<sup>77</sup> of biosolids (~~Ab, Ba, or Bb~~) to land – restricted discretionary activity<sup>78</sup> 

The discharge of ~~Ab, Ba or Bb~~ grade biosolids onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air is a restricted discretionary activity, provided the following conditions are met:

- (a) the biosolids comply as Grade Ab, Ba or Bb under the Guidelines for the Safe Application of Biosolids to Land in New Zealand 2003, and
- ~~(b)(a)~~—the discharge is not located within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- ~~(c)(b)~~—the discharge shall not result in the creation of **contaminated land** contaminated land.

*Matters for discretion*

1. Application Discharge<sup>79</sup> rate, volume and location including in relation to:
  - (i) presence of subsurface drainage
  - (ii) nutrient capacity of the soil
2. Effects on soil health
3. Storage period and volume for deferred application discharge<sup>80</sup> during periods of prolonged wet weather
4. Effects on groundwater quality
5. Set back distances from **surface water bodies**, coastal marine area, and water supply **bores**
6. Discharge of odour

<sup>77</sup> RoR Report: Discharges to Land

<sup>78</sup> S42A Report: Discharges to Land, Issue 18

<sup>79</sup> RoR Report: Discharges to Land

<sup>80</sup> RoR Report: Discharges to Land

7. Methods for the incorporation of **biosolids** into soil
8. Effects on soil pH
9. Nitrogen loading rate

#### *Notification*

In respect of Rule R~~78~~71 applications are precluded from public notification (unless special circumstances exist).

### 5.2.9 Fertiliser and animal effluent

Rule R~~82~~72: Application Discharge<sup>81</sup> of fertiliser from ground-based or aerial applications discharge – permitted activity

The discharge of **fertiliser** onto or into land where a contaminant may enter water,<sup>82</sup> or into air is a permitted activity, provided the following conditions are met:

- (a) the discharge from ground-based application discharge is not directly onto or into a **surface water body** ~~or beyond the boundary of the property including as a result of wind drift,~~ and
- (b) the discharge from aerial application discharge is not directly onto or into a surface water body that is more than 2m wide, and
- ~~(b)(c)~~ the discharge of odour is not does not cause an offensive or objectionable effect beyond the boundary of the **property**, and
- ~~(e)(d)~~ the application discharge<sup>83</sup> of fertiliser is in accordance with the Fertiliser Quality Control Council's Code of Practice for the Placement of Fertiliser in New Zealand 2018 or any replacement. for aerial discharges, the pilot shall record details of the following:
  - (i) ~~locations of the discharge site, and~~
  - (ii) ~~date of the discharge, and~~
  - (iii) ~~type of fertiliser applied, and~~
  - (iv) ~~daily flight logs, and~~
  - (v) ~~verification of tracks flown, and~~
  - (vi) ~~weather conditions at the time of discharge, and~~
  - (vii) ~~a copy of the flight log is held by the operator and made available to the Wellington Regional Council upon request.~~

<sup>81</sup> RoR Report: Discharges to Land

<sup>82</sup> S42A Report: Discharge to Land, Issue 21

<sup>83</sup> RoR Report: Discharges to Land



- (e) the discharge of fertiliser by a non-commercial operator using groundspreading equipment, is in accordance with the Fertiliser Association of New Zealand's Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) 2013.

Rule R8373: Discharge of collected animal effluent onto or into land – controlled activity

The discharge of collected **liquid**<sup>84</sup> **animal effluent**, including **sludge**, onto or into land where a contaminant may enter water, and the associated discharge of odour from:

- (a) dairy farms,
- (b) piggeries,
- (c) poultry farms,
- (d) other premises involving the concentration of animals in a confined area

is a controlled activity, provided the following conditions are met:

- (e) the discharge is not located within:
  - (i) 20m of a **surface water body**, the coastal marine area, or **bore** used for water abstraction for potable supply, or
  - (ii) 20m of the boundary of the **property**, unless the agreement of the adjacent landowner is obtained, or
  - (iii) a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b or Map 27c, and
- ~~(f) the discharge shall not pond on the surface of the ground or runoff from the discharge area, and~~
- ~~(f)(g)~~ the **animal effluent** collection, storage and treatment facilities (including, sumps and ponds) are sealed. The permeability of the sealing layer shall not exceed  $1 \times 10^{-9}$  m/s, and
- ~~(g)(h)~~ the capacity of the **animal effluent** storage and treatment facilities (including sumps and ponds) shall be sufficient to provide for deferred irrigation when the **field capacity** of the soil is exceeded, and
- ~~(h)(i)~~ the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

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<sup>84</sup> S42A Report: Discharge to Land, Issue 22

*Matters of control*

1. Effluent ~~application~~discharge<sup>85</sup> rates and volume, including in relation to the infiltration rate and water storage capacity of the soil
2. Maximum ~~herd size for the~~ property effluent volume
3. Nutrient loading rates
4. Design, volume, construction and maintenance of the collection (including **stormwater** collection), storage and discharge system
5. Effluent storage volume to allow for the deferred irrigation during periods of prolonged wet weather
6. Procedures for desludging the system and applying **sludge** to land
7. Odour mitigation methods
8. Contingency plans for prolonged wet weather, mechanical failure or other emergencies
9. Measures to avoid adverse effects on ~~mana whenua~~ **mana whenua** values or sites of significance
10. Effects on groundwater and surface water quality

*Notification*

In respect of Rule R~~8373~~, applications are precluded from public notification (unless special circumstances exist).

Rule R~~8474~~: Discharge of collected animal effluent to water – non-complying activity



The discharge of collected **animal effluent** into water is a non-complying activity.

**5.2.10 Compost, solid animal waste, Refuse, silage and refuse compost**

Rule R~~8575~~: ApplicationDischarge<sup>86</sup> of compost or solid animal waste<sup>87</sup> to land – permitted activity

The discharge of **compost** or solid animal waste onto or into land, where a contaminant may enter water, and the associated discharge of odour to air, is a permitted activity provided the following conditions are met:

- (a) the discharge is not located within 5m of a **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply that is not a community drinking water supply, and

<sup>85</sup> RoR Report: Discharges to Land

<sup>86</sup> RoR Report: Discharges to Land

<sup>87</sup> S42A Report: Discharges to Land, Issue 23

- (b) ~~contaminants in~~ the discharge shall not enter a surface water body pond on the surface of the ground or run off from the discharge area, and
- (c) nitrogen loading on the discharge area ~~from all sources~~ the discharge is less than 150kg N/ha/year, and
- (d) the compost or solid animal waste shall be spread evenly on the land, and there shall be no subsequent discharge event until compost or solid animal waste from a previous discharge event is not visible in the land surface, and
- ~~(d)~~(e) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**, and
- (f) The discharge of ~~solid animal waste~~ solid animal waste is not located within a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b or Map 27c.

*Note*

The manufacture and storage of **compost** is controlled by Rule R90.

Rule R~~8676~~: Application Discharge<sup>88</sup> of compost or solid animal waste to land – restricted discretionary activity 

The ~~application discharge~~<sup>89</sup> of **compost** or solid animal waste<sup>90</sup> onto or into land, where a contaminant may enter water, and the associated discharge of odour into air that is not permitted by Rule R~~8575~~ is a restricted discretionary activity.

*Matters for discretion*

1. Set-back distances from any **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply
2. Discharges to water-logged or flooded land
3. ~~Nitrogen loading rates~~ Effects on water quality
4. Discharge of odour

Rule R~~9077~~: Manufacture and storage of silage and compost, and storage of solid animal waste<sup>91</sup> – permitted activity

The discharge of contaminants onto or into land, or onto or into land where a contaminant may enter water, and the associated discharge of odour to air, from the manufacture and storage of **silage** or **compost**, or storage of solid animal waste is a permitted activity, provided the following conditions are met:

<sup>88</sup> RoR Report: Discharges to Land

<sup>89</sup> RoR Report: Discharges to Land

<sup>90</sup> S42A Report: Discharges to Land, Issue 23

<sup>91</sup> S42A Report: Discharges to Land, Issue 26

- (a) the manufacture and storage area shall not be located within 20m of a **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply, and
- (b) the discharge does not contain:
  - (i) **hazardous substances**, or
  - (ii) **wastewater**, sludge and other human sewage material, industrial waste, offal or dead animal matter, and
- (c) there shall be no discharge of leachate to water from a manufacturing or storage area, and
- (d) **stormwater** is prevented from entering into the manufacturing or storage area, and
- ~~(d)~~(e) the walls and floor of a **silage or solid animal waste** pit or bunker storage area shall have an impermeable lining able to withstand corrosion, and
- (f) the base of a silage stack storage area shall be constructed of compacted clay or compacted hardfill to minimise seepage of contaminants into land, and the base of the storage area shall be located at least 0.6m above the seasonally highest water table at the site;
- (g) the manufacture and storage of ~~compost~~ **compost** at an industrial or trade premise shall be undertaken on an impermeable surface, and there shall be no discharge of leachate to water from a manufacturing or storage area, and
- ~~(e)~~(h) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

*Note*

Permission may be required from the relevant city or district council in respect of other legislation or bylaws.

The discharge of **compost** to land is controlled by Rules ~~R8575~~ and ~~R8676~~.

**Rule ~~R8978~~**: Farm refuse dumps – permitted activity

The discharge of contaminants onto or into land, or into land where a contaminant may enter water,<sup>92</sup> and the associated discharge of odour to air, from a new **farm refuse dump** is a permitted activity, provided the following conditions are met:

- (a) the contents of the **farm refuse dump** is from the **property** where the farm dump is located, and

<sup>92</sup> S42A Report: Discharges to Land, Issue 25

- (b) the total volume of **a farm refuse dump** capacity available on a property at any time shall not exceed 50m<sup>3</sup>, and
- (c) the **farm refuse dump** is located:
  - (i) on a **property** that is over 20ha, or ~~and~~
  - (ii) in a hole excavated in silty or clay soils, or
  - (iii) where no kerbside community collection is available or the **property** is located more than 20km by road from a transfer station, and
- (d) the **farm refuse dump** is not located within:
  - (i) an area prone to flooding or ponding, or
  - (ii) 50m of a **surface water body**, coastal marine area, ~~gully~~**gully**, **bore** used for water abstraction for potable supply, or boundary of the **property**, or
  - (iii) a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- (e) the base of the **farm refuse dump** is 0.6m above the seasonally highest water table, and
- (f) the discharge does not contain:
  - (i) **hazardous substances**, or
  - (ii) **wastewater**, ~~offal or dead animal matter~~, and
- (g) there is no burning of the contents of a **farm refuse dump**, and
- (h) the size and location is recorded, using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information made available to the Wellington Regional Council upon request, and
- (i) the **farm refuse dump** is re-contoured and re-vegetated to a condition that is compatible with the surrounding land within six months of completion, and
- (j) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

**Rule R~~91~~79:** Offal pit – permitted activity

The discharge of contaminants onto or into land, or onto or into land where a contaminant may enter water,<sup>93</sup> and the associated discharge of odour to air,

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<sup>93</sup> S42A Report: Discharges to Land, Issue 27

from a new **offal pit** is a permitted activity, provided that the following conditions are met:

- (a) the **offal pit** shall only contain dead animal matter from the **property** where the **offal pit** is located, and
- (b) the **offal pit** shall not be located within:
  - (i) 50m of a **surface water body**, coastal marine area, **gully**, or **bore** used for water abstraction for potable supply, and
  - (ii) an area prone to flooding or ponding, and
- (c) the **offal pit** shall be located in silty or clay soils, and
- (d) the bottom of the **offal pit** is 0.6m above the seasonally highest water table, and
- (e) **stormwater** is prevented from entering the **offal pit**, and
- (f) the location is recorded, by GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and
- (g) the **offal pit** is re-contoured and re-vegetated to a condition that is compatible with the surrounding land within six months of completion, and
- (h) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**, and
- (i) ~~the **offal pit**~~ **offal pit** is not located in a **community water drinking water protection area** as shown on Map 26, Map 27, Map 27b, and Map 27c.

### 5.2.11 **Cleanfill material**

#### Rule R7080: Cleanfill material – permitted activity

The discharge of **cleanfill material** onto or into land, or onto or into land where a contaminant may enter water,<sup>94</sup> is a permitted activity, provided the following conditions are met:

- (a) the **cleanfill material** is not located within 20m of a **surface water body**, or **bore** used for water abstraction for potable supply, and
- (b) the **cleanfill material** is located to avoid being undermined or eroded by **natural processes** or being inundated from coastal or river flooding, and

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<sup>94</sup> S42A Report: Discharges to Land, Issue 12

- ~~(c)~~(d) the **cleanfill material** shall be 0.6m above the seasonally highest water table, and
- ~~(d)~~(e) the **cleanfill material** shall be managed (siting, design and operation) in accordance with Sections 5-8 in *A Guide to the Management of Cleanfills (2002)*, and
- ~~(e)~~(f) the volume of **cleanfill material** deposited at a **property** shall not exceed ~~400m<sup>3</sup>~~ 100m<sup>3</sup>; ~~per 12 month period~~, and
- ~~(f)~~(g) the volume and origin of the **cleanfill material** and the date the material has been deposited on this **property**, is recorded using GPS or mapped to an accuracy of at least 50m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and
- ~~(g)~~(h) the **cleanfill material** shall be **stabilised** and re-vegetated within six months of completion of the activity.

*Note*

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

## 5.2.12 Contaminated land and hazardous substances

Rule R~~548~~1: Detailed Site<sup>95</sup> investigation – permitted activity

The use of land to undertake a detailed site investigation of ~~assess the concentration of hazardous substances that may be present in the soil~~ contaminated land and any associated discharge into air is a permitted activity, provided the following conditions are met:

- (a) the ~~assessment investigation~~ is undertaken by a suitably qualified and experienced practitioner and in accordance with *Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011)*, and
- (b) the ~~assessment investigation~~ is reported in accordance with the *Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011)*, and
- (c) The investigation results in a report certified by the practitioner and a copy of the report is provided to the Wellington Regional Council within two months ~~after~~ following the completion of the ~~assessment investigation~~.

Rule R~~558~~2: Discharges from contaminated land – permitted activity

~~The discharge of contaminants onto or into land from contaminated land where the discharge may enter water is a permitted activity provided the following conditions are met:~~<sup>96</sup>

<sup>95</sup> S42A Report: Contaminated Land and Hazardous Substances, issue 6.

- (a) ~~a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and~~
- (b) ~~the site investigation report concludes that:~~
  - (i) ~~the concentration of contaminants in groundwater meets the *Drinking Water Standards New Zealand 2005 (Revised 2008)* for potable water for 90% of species, and~~
  - (ii) ~~the concentration of contaminants in groundwater, at the **property** boundary, or at the location of existing bores, or at any point where the groundwater exits to the surface meets the *Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000)* for the protection of 95% of species.~~

The discharge of a contaminant from contaminated land where a contaminant may enter water is a permitted activity provided the following conditions are met:

- (a) a detailed site investigation has been undertaken, reported and provided to Wellington Regional Council in accordance with Rule ~~R54~~**R5481**; and
- (b) the detailed site investigation report concludes that the discharge of contaminants is highly unlikely to be a risk to human health or the environment at present or in the future; or
- (c) the detailed site investigation report and water quality monitoring demonstrates that the discharge from **SLUR Category III land** does not, or is not likely to, result in:
  - (i) groundwater quality exceeding the maximum acceptable value in the *Drinking-Water Standards New Zealand 2005 (Revised 2008)*;
    1. at the **property** boundary, or within 50 metres from the source of the discharge, whichever is the lesser distance; or
    2. in an existing **bore** within the **property** boundary or within 50 metres from the source of the discharge, whichever is the lesser distance, used to abstract water for any use other than water quality monitoring; ~~or~~

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<sup>96</sup> S42A Report: Contaminated Land and Hazardous Substances, issue 7.



- (ii) water quality in a **surface water body** within the **property boundary** or within 50 metres from the source of the discharge, whichever is the lesser distance, exceeding the *Australian and New Zealand Environment and Conservation Council (ANZECC) Guidelines for Fresh and Marine Water Quality (2000) for the protection of 90% of species*, ~~and~~
- (iii) the water quality exceeding 50% of the maximum acceptable value in the *Drinking-Water Standards New Zealand 2005 (Revised 2008)* where the<sup>97</sup> **SLUR Category III land** is ~~not~~ located within a **community drinking water supply protection area** shown on Maps 26, 27a, 27b, or 27c.

Rule ~~R5683~~: Investigation of or ~~D~~discharges<sup>98</sup> from contaminated land – discretionary activity

The use ~~the~~ of land to undertake a detailed site investigation of contaminated land, and or the discharge of a contaminants onto or into land from ~~contaminated land~~ **SLUR Category III land** where ~~the discharge a contaminant~~ may enter water that is not permitted by Rule ~~R5481~~ or Rule ~~R5582~~ is a discretionary activity.

Rule ~~R5784~~: Discharge of hazardous substances – non-complying activity



The discharge of a **hazardous substance** into water,<sup>99</sup> ~~or~~ onto land or into or onto land where it may enter water, that is not ~~permitted by Rule R36, Rule R37, Rule R42, Rule R46 and Rule R87 or controlled under Rule R47 and Rule R87 or Rule R88 or discretionary under Rule R38 and Rule R93~~ that is not provided for as a permitted, controlled, restricted discretionary or discretionary activity is a non-complying activity.

### 5.2.13 Vertebrate toxic agents

Rule ~~R8785~~: Land-based discharge of vertebrate toxic agents – permitted activity

The discharge of **vertebrate toxic agents** onto or into land, or onto or into land where a contaminant may enter water,<sup>100</sup> via land-based methods is a permitted activity, provided the following conditions are met:

- (a) the substance and ~~application~~discharge<sup>101</sup> technique or method is approved for use by the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all controls of the approval, and
- (b) the discharge is not located within 20m of a **bore** used for water abstraction for potable supply, and

<sup>97</sup> ROR Report Contaminated land and hazardous substances, Section 8

<sup>98</sup> S42A Report: Contaminated Land Redline Appendix, issue 8

<sup>99</sup> S42A Report: Contaminated Land Redline Appendix, issue 9

<sup>100</sup> S42A Report: Discharges to Land, Issue 24

<sup>101</sup> RoR Report: Discharges to Land

- (c) where the **vertebrate toxic agent** is applied to public land, signs shall be placed for the duration of any residual effects of the pesticide at all public lines of approach to the discharge area. The signs shall identify the pesticide(s) applied, the date of [applicationdischarge<sup>102</sup>](#) and the precautions, if any, that people using the area should take.

*Note*

This rule does not apply to any vertebrate toxic agent that is exempt from section 15 of the RMA under the Resource Management (Exemption) Regulations 2017.

Rule R8886: Aerial [applicationdischarge<sup>103</sup>](#) of vertebrate toxic agents – controlled activity

The discharge of a **vertebrate toxic agent** onto or into land and where it may enter water, and the associated discharge into water,<sup>104</sup> by aerial [applicationdischarge](#) is a controlled activity, provided the following conditions are met:

- (a) the substance and the [applicationdischarge<sup>105</sup>](#) technique or method is approved for use under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all controls of the approval, and
- (b) the discharge is not onto a roof or other structure used to collect drinking water.

*Matters of control*

1. Advice and information to people and authorities in and adjacent to the [applicationdischarge<sup>106</sup>](#) area, including flight paths and accidental discharge into water
2. [ApplicationDischarge<sup>107</sup>](#) methods, systems and management processes to prevent fugitive discharges and the recording of [applicationdischarge<sup>108</sup>](#) areas
3. Navigational guidance systems

*Notification*

In respect of Rule R8886, applications are precluded from public notification (unless special circumstances exist).

*Note*

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<sup>102</sup> RoR Report: Discharges to Land

<sup>103</sup> RoR Report: Discharges to Land

<sup>104</sup> S42A Report: Discharges to Land, Issue 24

<sup>105</sup> RoR Report: Discharges to Land


<sup>106</sup> RoR Report: Discharges to Land

<sup>107</sup> RoR Report: Discharges to Land

<sup>108</sup> RoR Report: Discharges to Land

The rule does not apply to any vertebrate toxic agent that is exempt from section 15 of the RMA under the Resource Management (Exemption) Regulations 2017.

#### 5.2.14 Wastewater from ships and offshore installations, and ~~B~~biofoul cleaning

Rule ~~R6387~~: Wastewater from ships and offshore installations – permitted activity 


(a) The discharge of **wastewater** into coastal water from a ship greater than 500 tonnes, or an offshore installation outside the **harbour and pilotage limit** as shown on Map 49 ~~is a permitted activity.~~, and<sup>109</sup>

*Note*

~~Also see the requirements of~~

(b) A discharge that ~~The discharge complies with~~ the Resource Management (Marine Pollution) Regulations 1998 in sections 11, 12 and 12A in relation to the discharge of wastewater from ships and offshore installations into coastal water-

~~is a permitted activity.~~

Rule ~~R6488~~: Wastewater from ships and offshore installations ~~not~~<sup>110</sup> – non-complying activity 

The discharge of **wastewater** into coastal water from a ship greater than 500 tonnes, or an offshore installation, inside the **harbour and pilotage limit** shown on Map 49, and not controlled by sections 12 or 12A of the Resource Management (Marine Pollution) Regulations 1998, is a non-complying activity.

Rule ~~R6589~~: In-water biofoul cleaning – permitted activity 

The discharge of contaminants and biological material (including process water to which no contaminants have been added and which has been UV treated or filtered to 50 microns maximum)<sup>111</sup> into coastal water from **in-water cleaning** of **biofouling** from a vessel ~~from either domestic or international origin~~<sup>112</sup>, moveable structure or navigation aid, ~~three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~<sup>113</sup> in the coastal marine area, is a permitted activity provided the following conditions are met:

(a) the **anti-foul coating** on the vessel, moveable structure or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and

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<sup>109</sup> S42A Report: Wastewater to water, Issue 13.1

<sup>110</sup> S42A Report: Wastewater to water, Issue 13.2, Clause 16(2) amendment

<sup>111</sup> RoR Report: Biofouling, issue 12

<sup>112</sup> S42A Report: Water quality, Issue 12.1

<sup>113</sup> S42A Report: Water quality, Issue 12.2

- (b) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and
- (c) the cleaning of microfouling and goose barnacles ~~of international origin<sup>114</sup> shall may<sup>115</sup> be removed may occur using a gentle, non-abrasive cleaning technique, without capture<sup>116</sup>~~, and
- (d) ~~F~~for macrofouling less than or equal to 2 on the Level of Fouling Rank<sup>117</sup> the cleaning or ~~treatment method~~ removal of macrofouling<sup>118</sup> shall ensure minimal release, using best available technology, capture any biological material ~~released into the water column~~ greater than 50µm in diameter, with any captured cleaning debris disposed ~~of~~ at an approved landfill, and
- ~~(e) — any captured cleaning debris is appropriately disposed of, and<sup>119</sup>~~
- ~~(f)~~(e)<sup>120</sup> if any person suspects that suspected harmful or unusual aquatic species harmful or unusual aquatic species (including species designated as unwanted organisms or pests under the Biosecurity Act 1993) are to be found, the vessel owner or operator that person shall take the following steps:
- (i) any cleaning activities commenced shall cease immediately, and
- (ii) the Wellington Regional Council Harbourmaster ~~and the Ministry of Primary Industries<sup>121</sup>~~ shall be notified within five working days without unreasonable delay, and
- (iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so.

### Notes

1. For the purposes of Rule R~~658~~9 any terms not defined in Section 2 of the Natural Resources Plan, guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.

2. International vessels arriving in New Zealand waters will have additional obligations under the Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand (May 2014).

<sup>114</sup> S42A Report: Water quality, Issue 12.1

<sup>115</sup> S42A Report: Water quality, Issue 12.2

<sup>116</sup> S42A Report: Water quality, Issue 12.2

<sup>117</sup> Defined in Floerl et al (2005) as Light biofouling 1-5% of visible surface covered by very patchy macrofouling. Remaining area often covered in microfouling.

<sup>118</sup> S42A Report: Water quality, Issue 12.2

<sup>119</sup> S42A Report: Water quality, Issue 12.2

<sup>120</sup> S42A Report: Water quality, Issue 12.2, Clause 16(2) amendment

<sup>121</sup> S42A Report: Water quality, Issue 12.3

## Rule R6690: In-water biofoul cleaning – discretionary activity



The discharge of contaminants and biological material into coastal water from **in-water cleaning** of **biofouling** from a vessel, moveable structure or navigation aid that is not permitted by Rule R6589 is a discretionary activity.

### Note

For the purposes of Rule R6690, guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.

## 5.2.15 All other discharges

### Rule R4291: Minor discharges – permitted activity



The discharge of a contaminants into water, or onto or into land where it may enter water that is not ~~permitted, controlled, restricted discretionary, discretion, non-complying or prohibited specifically provided for~~<sup>122</sup> by any other rule in this Plan is a permitted activity provided the following conditions are met:

- (a) the discharge contaminant<sup>123</sup> is not a **hazardous substance**<sup>124</sup>
- ~~(a)~~(b) where the discharge is onto or into land where it may enter groundwater,
  - (i) the discharge is not located within 50m-20m of a bore used for water abstraction for potable supply or stock water, and
  - (ii) where the discharge is a point source discharge point source discharge, the discharge shall not cause an adverse effect beyond the boundary of the property property, and
- ~~(b)~~(c) where the discharge may enters a **surface water body** or coastal water,
  - (i) the concentration of total suspended solids in the discharge shall not exceed:
    - (i) 1. 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), ~~or~~ Schedule F4 (coastal sites) or Schedule H1 (contact recreation)<sup>125</sup>, ~~except when the background total suspended solids concentration in the receiving water is greater than 50g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or~~

<sup>122</sup> S42A Report: Water quality, Issue 10.2

<sup>123</sup> ROR Report: Contaminated land and hazardous substances, Section 6

<sup>124</sup> RoR Report: Water Quality (Michelle Conland), Section 7

<sup>125</sup> RoR Report: Water Quality (Michelle Conland), Section 6

- (ii) ~~2.~~ 100g/m<sup>3</sup> where the discharge enters any other water, ~~except when the background total suspended solids concentration in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, and~~
- (e) ~~if the discharge is from dewatering, the discharge is not from contaminated land, and~~
- (d) ~~(ii)~~ the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- (e) ~~(iii)~~ the discharge shall not give rise to the following effects after the **zone of reasonable mixing**:
  - (i) ~~1.~~ a change in the pH of ±0.5pH unit, or
  - (ii) ~~2.~~ the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
  - (iii) ~~3.~~ any conspicuous change in the colour or visual clarity, or
  - (iv) ~~4.~~ any emission of objectionable odour, or
  - (v) ~~5.~~ the fresh water is unsuitable for consumption by farm animals, or
  - (vi) ~~6.~~ any significant adverse effects on aquatic life.

*Note*

~~Discharges related to pumping tests are provided for under Rule R139.~~

~~Rule R69: Minor contaminants – permitted activity~~ 

~~The discharge of contaminants onto or into land that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited under any other rule in this Plan is a permitted activity provided the following conditions are met:~~

- (a) ~~the contaminant shall not enter water, and~~
- (b) ~~the contaminant shall not cause an adverse effect beyond the boundary of the property, and~~
- (c) ~~the contaminant is not a hazardous substance.~~

<sup>126</sup> S42A Report: Water quality, Issue 10.2

Rule R92: ~~All~~ Discharges<sup>127</sup> to land from a new pit latrine, a new farm refuse dump, a new ofal pit, or of collected animal effluent<sup>128</sup> within a community drinking water supply protection areas – restricted discretionary activity



The discharge ~~of a contaminant from a new pit latrine, a new farm refuse dump, or a new ofal pit, or of collected animal effluent,~~ onto or into land where a contaminant may enter water, that occurs within a **community drinking water supply protection area**, ~~and is not a permitted activity under Rules R71, R75, R77, R78 or R89 or R91~~ is a restricted discretionary activity provided the following conditions are met:

- (a) any new pit latrine must meet the conditions of Rule ~~R71~~59, except condition (a)(ii)
- ~~(b) any new or upgraded on site wastewater systems must meet the conditions of Rule R75, except condition (e)(iv)~~
- ~~(c) any application of Aa biosolids to land must meet the conditions of Rule R77, except condition (e)~~
- ~~(d) any application of biosolids (Ab, Ba, or Bb) to land, must meet the conditions of Rule R78, except condition (a)~~
- ~~(e)(b) any discharge of contaminants from a new farm refuse dump must meet the conditions of Rule R89, except condition (d)(iii):~~
- (c) any new ~~ofal pit~~ ofal pit must meet the conditions of Rule ~~R91~~79, except condition (i)
- (d) a discharge of collected animal effluent must meet the conditions of Rule ~~R83~~73, except condition (e)(iii).

*Matters for discretion*

1. Effects on water quality including community drinking water supply water quality

Rule ~~R67~~93: All other ~~Dd~~<sup>129</sup> discharges inside to<sup>130</sup> sites of significance – non-complying activity



The discharge of water or contaminants into water, or onto or into land where it may enter water:

- (a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua),<sup>131</sup> Schedule F1 (rivers/lakes),

<sup>127</sup> S42A Report: Community Drinking Water Supplies, Issue 4

<sup>128</sup> ROR Report: Community drinking water supply protection areas, Section 3

<sup>129</sup> RoR Report: Water Quality (Michelle Conland), Section 8

<sup>130</sup> RoR Report: Water Quality, (Michelle Conland), Section 6

Schedule F3 (significant wetland), ~~or~~ Schedule F4 (coastal sites) or  
Schedule H1 (contact recreation), and

- (b) that is not ~~permitted by Rules R42, R43, R44 or R45~~ authorised  
provided for by any other rule in this pPlan, with the exception of  
Rule R68,

is a non-complying activity.

**Rule R6893A: All other discharges – discretionary activity**



The discharge of water or contaminants into water, or onto or into land where it  
may enter water, that is not:

- (a) ~~permitted by Rules R42, R43, R44 or R45, and~~<sup>132</sup>

- (b) ~~is not provided for by Rule R67 or~~ authorised provided for<sup>133</sup> by any  
other rule in this Plan

is a discretionary activity, except for discharges that are non-complying  
activities under Rule R6793.

~~Rule R93: All other discharges to land – discretionary activity~~



~~The discharge of contaminants onto or into land that are not permitted,  
controlled, restricted discretionary, or non-complying is a discretionary  
activity.~~

<sup>131</sup> S42A Report: Water quality, Issue 10.8

<sup>132</sup> S42A Report: Water quality, Issue 10.9

<sup>133</sup> RoR Report: Water Quality (Michelle Conland), Section 8