


## 5.2 Discharges to land and water

### 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. Where a proposal includes a number of activities which trigger separate specific rules, all of the relevant 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.

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

As noted in Section 2.1 provisions relevant to the coastal marine area are identified by this icon 

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.

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

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### 5.2.1 Discharges to land and water 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.

### 5.2.2 Discharges of water and contaminants

#### Rule R43: 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 R44: 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 does not enter 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) 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 R45: 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 water reservoirs for inspection, repair, maintenance or **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
- (b) the discharge shall not contain backwash water from a water treatment plant, and
- (c) the concentration of free or combined residual chlorine
  - (i) in the discharge shall not exceed  $0.3\text{g/m}^3$ , or
  - (ii) for significant rivers (Schedule F1 rivers or streams with high macroinvertebrate health) shall not exceed  $0.0004\text{ g/m}^3$ , or  $0.003\text{ g/m}^3$  for all other fresh water bodies, after the **zone of reasonable mixing**, and
- (d) the concentration of fluoride in the discharge shall not exceed  $1.5\text{g/m}^3$ , and
- (e) 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
- (f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area.

#### Rule R46: 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

#### Commented [RS1]:

Masterton District Council  
South Wairarapa District Council  
Topic 34A 34B Balance of water quality provisions – Consent order dated 4 November 2021

- (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 prior to the dye or salt tracer being discharged, including details of the:
  - (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 R47: 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 R46 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) or Schedule H1 (contact recreation).

#### *Notification*

In respect of Rule R47 applications are precluded from public notification (unless special circumstances exist).

### 5.2.3 Stormwater

Rule R48: Stormwater from an individual property – permitted activity

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NZ Transport Agency, Porirua City Council – Topic 33 Stormwater Consent order granted 13 October 2021

The discharge of **stormwater** into water, or onto or into 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 does not originate from industrial or trade premises where **hazardous substances** are stored or used unless:
  - (i) **hazardous substances** cannot enter the **stormwater** system, or
  - (ii) the **stormwater** contains no **hazardous substances** except petroleum hydrocarbons, and the **stormwater** is passed through an interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release, and
- (b) the discharge is not from, onto or into **SLUR Category III land**, unless the **stormwater** does not come into contact with **SLUR Category III land**, and
- (c) the discharge is not from a local authority **stormwater network**, a port, airport or state highway, and
- (d) the discharge shall not contain **wastewater**, and
- (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 F4 (coastal sites), or Schedule H1 (contact recreation), or
  - (ii) 100g/m<sup>3</sup> where the discharge enters any other water, and
- (f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- (g) 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.

*Note*

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

**Rule R48A: Stormwater from new subdivision and development – permitted activity**



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 or state highway stormwater network, from:

- (a) a new urban subdivision or new urban development associated with **earthworks** up to a total area of 3,000m<sup>2</sup> per **property** per 12 month period, or
- (b) a new or redeveloped state highway associated with earthworks up to a total area of 3,000 m<sup>2</sup>, or
- (c) a new urban subdivision or new urban development, or new or redeveloped state highway 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:

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

**Rule R52A: Stormwater from new subdivision and development – restricted discretionary activity**



The discharge of **stormwater** from a new urban subdivision or new urban development, or new or redeveloped state highway into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing local authority or state highway stormwater network, that is not permitted by Rule R48A is a restricted discretionary activity.

*Matters for discretion*

1. Measures to **minimise** the adverse effects of **stormwater** discharges in accordance with Policy P73, including the extent to which **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** discharge consent, including those set out in any relevant stormwater

**Commented [NM3]:**  
Masterton District Council, South Wairarapa District Council  
Wellington Water Limited – Topic 33 Stormwater  
Consent order granted 13 October 2021

**Commented [NM4]:**  
Masterton District Council, South Wairarapa District Council – Topic 33 Stormwater  
Consent order granted 13 October 2021  
Consent order granted to retain 'minimise in R52, R52A, R80, R90



management strategy developed in accordance with Schedule N (stormwater strategy).

**Rule R49: Stormwater to land – permitted activity**



The discharge of **stormwater** onto or into land, including where contaminants may enter groundwater, is a permitted activity provided the following conditions are met:

- (a) the discharge is not from, onto or into **SLUR Category III land**, unless the stormwater does not come into contact with **SLUR Category III 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 of a bore used for water abstraction for potable supply or stock water, and
- (d) the discharge does not originate from industrial or trade premises where **hazardous substances** are stored or used unless:
  - (i) **hazardous substances** cannot enter the **stormwater** system, or
  - (ii) the **stormwater** contains no **hazardous substances** except petroleum hydrocarbons, and the **stormwater** is passed through an interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release.

**Commented [NM5]:**

The Oil Companies – Topic 33 Stormwater  
Consent order granted 13 October 2021

**Rule R50: Stormwater from a local authority or state highway network – controlled activity**



The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater** into water, or onto or into land where it may enter water, from a local authority or state highway **stormwater network** is a controlled activity, provided the following condition is met:

- (a) the resource consent application is received prior to 31 December 2021.

*Matters of control*

1. Requirements to monitor and report on the quality of **stormwater** discharges to fresh and/or coastal water, including **stormwater network** 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)

**Commented [NM6]:**

Carterton District Council, Masterton District Council  
South Wairarapa District Council – Topic 33 Stormwater  
Consent order granted 13 October 2021

### Notification

In respect of Rule R50 applications are precluded from public notification (unless special circumstances exist) and are precluded from limited notification.

**Rule R51:** Stormwater from a local authority or state highway network with a stormwater management strategy – restricted discretionary activity



The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater**, into water, or onto or into land where it may enter water, from a local authority or state highway **stormwater network** that is not provided for by Rule R50 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

**Rule R52:** Stormwater from a port or airport – restricted discretionary activity



The discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water, including through a local authority **stormwater network**, from a port or airport 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)

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Carterton District Council, Masterton District Council  
Porirua City Council, South Wairarapa District Council  
Wellington Water Limited – Topic 33 Stormwater  
Consent order granted 13 October 2021

#### Commented [NM8]:

NZ Transport Agency, Porirua City Council  
Wellington International Airport Limited, Wellington Water Limited  
– Topic 33 Stormwater  
Consent order granted 13 October 2021  
Consent order granted to retain 'minimise in R52, R52A, R80, R90

3. **Minimisation** of the adverse effects of **stormwater** discharges
4. Requirements of any relevant local authority **stormwater network** discharge consent

**Rule R53: All other stormwater – discretionary activity** 

The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater** into water or onto or into land where it may enter water that is not permitted by Rules R48, R48A or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51, R52, or R52A is a discretionary activity.

#### 5.2.4 Water races and pumped drainage schemes

**Rule R58: Water races – discretionary activity**

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

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**Rule R59: Existing pumped drainage schemes – permitted activity** 

The discharge of water or contaminants into a **surface water body**, or coastal water from an existing **pumped drainage scheme**, established before 31 July 2015, is a permitted activity provided the following conditions are met:

- (a) the discharge shall not cause any erosion of the channel or banks of the receiving water body or coastal marine area, and
- (b) 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), 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
- (d) the discharge shall not give rise to the following, 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

- (iv) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
- (v) any conspicuous change in the colour or visual clarity, or
- (vi) any emission of objectionable odour, or
- (vii) fresh water is unsuitable for consumption by farm animals, or
- (viii) any significant adverse effects on aquatic life.

**Rule R60: 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 31 July 2015, or from a **pumped drainage scheme** that is not permitted by Rule R59, is a discretionary activity.

**5.2.5 On-site domestic wastewater**

**Rule R71: Pit latrine – permitted activity**

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

- (a) the **pit latrine** is not located:
  - (i) within 20m of a **surface water body**, coastal marine area, 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 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 R72: Composting toilets – permitted activity

The discharge of domestic **wastewater** from a **composting toilet** 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 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
- (c) the discharge is not within 20m of a **surface water body**, the coastal marine area, 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 R73: Greywater – permitted activity

The discharge of **greywater** 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 shall occur within the boundary of the **property**, and
- (b) the discharge 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, and
  - (ii) 20m of the boundary of the **property**, unless the land discharge 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 R74: Existing on-site domestic wastewater systems – permitted activity

The discharge of domestic **wastewater** onto or into land where a contaminant may enter water, and the associated discharge of odour to air from an **on-site domestic wastewater treatment and discharge system** that existed 31 July 2015 is a permitted activity provided the following conditions are met:

- (a) the **on-site domestic wastewater treatment and discharge system** has not been 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, and
- (b) the volume of the discharge has not been increased 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**.

#### 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 R75: New or modified on-site domestic wastewater systems – permitted activity

The discharge of domestic **wastewater** onto or into land where a contaminant may enter water, and the associated discharge of odour to air from an **on-site domestic wastewater treatment and discharge system** installed or modified

after 31 July 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, 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 31 July 2019, or
  - (ii) 20m of the boundary of the **property** unless the land discharge 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, or
  - (v) a **property** where there is a **wastewater network** available, 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 shall not exceed 14,000L/week 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 R76: New or 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 to air from a new or modified **on-site domestic wastewater treatment and discharge system** within a **community drinking water supply protection area** that is not permitted by Rule R75 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 or **bore** used for water abstraction for potable supply, or



- (ii) 20m of the boundary of the **property** unless the land discharge 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, 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 and 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
  - (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

Rule R61: Wastewater discharges to coastal and fresh water – discretionary activity

COASTAL

The discharge of **wastewater**:

- (a) into coastal water, or
- (b) that is an **existing wastewater discharge** into fresh water and meets the following conditions:
  - (i) the volume of the discharge is reduced from that previously consented, and
  - (ii) the loads of the contaminants monitored under the previous consent are reduced, or
- (c) that is an **existing wastewater discharge** into fresh water as a result of a heavy rainfall event overflow, and the application is accompanied by a management plan to demonstrate how the frequency and/or volume of the discharge will be progressively reduced,

is a discretionary activity.

### Notification

Any resource consent application arising from Rules R61 and R62 may be publicly notified; but shall be notified to the relevant iwi authority where their written approval has not been obtained.

Rule R62: Discharges of wastewater to fresh water – non-complying activity

The discharge of **wastewater** into fresh water that is:

- (a) an **existing wastewater discharge** into fresh water that does not comply with Rule R61(b) or (c), or
- (b) a **new wastewater discharge** into fresh water

is a non-complying activity.

**Commented [RS10]:**

Masterton District Council, Porirua City Council  
South Wairarapa District Council, Wellington Water Limited  
Consent order granted 27 October 2021 – Topic 32 Wastewater

**Commented [RS11]:**

Carterton District Council, Porirua City Council  
Wellington Water Limited - Consent order granted 27 October 2021  
– Topic 32 Wastewater

Rule R79: Discharge of wastewater from an industrial or trade process  
– controlled activity

The discharge of **wastewater** or **sludge** from an industrial or trade process, excluding **wastewater** or **sludge** 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 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 contains:
  - (i) a **hazardous substance**,
  - (ii) a substance likely to cause infectious disease in humans or other animals, or
  - (iii) human sewage, and
- (c) the discharge is not:
  - (i) directly to fresh or coastal water, or within 20m of a surface water body, a bore, the coastal marine area, or the property boundary, and
  - (ii) within a Community Drinking Water Protection Area set out in Map 26; Map 27a, Map 27b or Map 27c, and
  - (iii) onto or into land with high risk soils, and
  - (iv) onto or into 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** cultural values and sites of significance
4. Discharge 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** collection (including **stormwater** collection) and storage system
7. **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

Commented [RS12]:

Carterton District Council – Consent order 1 July 2021 no changes

Rule R80: Discharge of treated wastewater from a wastewater network – restricted discretionary activity

COASTAL

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 to air is a restricted discretionary activity.

*Matters for discretion*

1. Effects on wetlands, groundwater and surface water quality, including a community drinking water supply, group drinking water supply or domestic water supply
2. The quality of the discharge, including limits on:
  - (i) biological oxygen demand (five day),
  - (ii) total suspended solids,
  - (iii) *Escherichia coli (E.coli)*, and
  - (iv) other contaminants
3. Wastewater discharge method, hydraulic loading rate, discharge depth and nitrogen and phosphorus loading rates
4. Set back distances from waterbodies, the coastal marine area, water supply bores, property boundaries and other sensitive environments
5. Measures to minimise spray drift to prevent impacts on any Sensitive area or Sensitive activity, to the property
6. Suitability of the land to receive treated wastewater and potential effects on soil condition (including potential cumulative adverse effects)
7. Management of the land discharge area (including the management of the farm system) and management of discharges of any other wastes, or fertilisers or agrichemicals
8. The contents and implementation of an Operation and Management Plan covering monitoring and reporting requirements including in relation to emerging contaminants
9. Effects on mana whenua cultural and spiritual values and sites of significance identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua),

Schedule E (historic heritage), Schedule F (indigenous biodiversity), Schedule H (contact recreation and Māori customary use) or a site identified in a planning document recognised by an iwi authority and lodged with a local authority

10. Effects of improved surface water and coastal water quality, including potential improvements in aquatic ecosystem health, Māori customary use, mahinga kai and contact recreation values arising from the adoption of discharge to land in preference to direct discharge to freshwater or coastal water.

#### *Notification*

In respect of Rule R80, applications are precluded from public notification (unless special circumstances exist); except that the relevant iwi authority/ies is an affected person under RMA s95E when a discharge may have a minor or more than minor adverse effect on **mana whenua** cultural or spiritual values.

#### *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 waste

#### Rule R81: 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, 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, 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 R81, applications are precluded from public notification (unless special circumstances exist).

### 5.2.8 Biosolids

#### Rule R77: Discharge of biosolids to land – permitted activity

The discharge of **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 permitted activity, provided the following conditions are met:

#### **Commented [RS13]:**

Carterton District Council  
Masterton District Council  
Rangitāne  
South Wairarapa District Council  
Consent order granted to retain \*minimise in R52, R52A, R80, R90  
Consent order granted 1 July 2021 - R80

- (a) the **biosolids** comply as Grade Aa in the Guidelines for the Safe Application of Biosolids to land in New Zealand 2003;
- (b) **biosolids** discharge 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
- (d) the discharge is not located within 20m of a **surface water body**, coastal marine area, 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 R78: Discharge of biosolids to land – restricted discretionary activity**



The discharge of **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) 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) the discharge shall not result in the creation of contaminated land.

*Matters for discretion*

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

*Notification*

In respect of Rule R78 applications are precluded from public notification (unless special circumstances exist).

### 5.2.9 Fertiliser and animal effluent

**Rule R82: Discharge of fertiliser from ground-based or aerial discharge – permitted activity**

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

- (a) the discharge from ground-based application is not directly onto or into a **surface water body**, and
- (b) all reasonably practicable steps must be taken to prevent the discharge by a commercial operator undertaking aerial application onto or into a river with an **active bed, lake, natural wetland, water race** or an estuary outside the coastal marine area, and
- (c) the discharge does not cause an offensive or objectionable effect beyond the boundary of the **property**, and
- (d) the discharge by a commercial operator is in accordance with the Fertiliser Quality Council’s Code of Practice for the Placement of Fertiliser in New Zealand 2018, and
- (e) the discharge 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.

*Note*

The discharge of synthetic nitrogen fertiliser is also subject to Regulations 33 and 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. These regulations are in effect from 3 September 2020.

**Rule R83: Discharge of collected animal effluent onto or into land – controlled activity**

The discharge of collected **animal effluent**, including **sludge**, onto or into land where a contaminant may enter water, and the associated discharge of odour to air from:

**Commented [RS14]:**  
Federated Farmers of New Zealand – Topic 37 Balance of discharges to land – Consent order granted 8 December 2021

- (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 **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) 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) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

*Matters of control*

1. Effluent discharge rates and volume, including in relation to the infiltration rate and water storage capacity of the soil
2. Maximum 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** values or sites of significance
10. Effects on groundwater and surface water quality

*Notification*

In respect of Rule R83, applications are precluded from public notification (unless special circumstances exist).

Rule R84: 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, silage and refuse

Rule R85: Discharge of compost or solid animal waste 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 of **compost** or **solid animal waste** is not located within 5m of a **surface water body**, coastal marine area, or **bore** used for water abstraction for potable supply, and
- (b) The discharge of **solid animal waste** is not located between 5m and 20m of a **bore** used for a **community drinking water supply**, or within a **community drinking water supply protection area** as shown on Map 26, Map 27a, Map27b or Map27c, and
- (c) the discharge shall not enter a **surface water body**, and
- (d) nitrogen loading on the discharge area from the discharge is less than 150kg N/ha/year, and
- (e) 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
- (f) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**.

*Note*

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

**Commented [RS15]:**  
Wellington Water Limited - Topic 37 Balance of discharges to land – consent order granted 8 December 2021

Rule R86: Discharge of compost or solid animal waste to land – restricted discretionary 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 into air that is not permitted by Rule R85 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. Effects on water quality
4. Discharge of odour

Rule R90: Manufacture and storage of silage and compost, and storage of solid animal waste – 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:

- (c) 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
- (d) 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
- (e) the walls and floor of a permanent pit or bunker for the storage of **silage** or **solid animal waste** 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, and
- (g) the manufacture and storage of **compost** at an industrial or trade premise shall be undertaken on an impermeable surface, and

Commented [NM16]: Consent order granted to retain 'minimise' in R52, R52A, R80, R90

- (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 R85 and R86.

**Rule R89: Farm refuse dumps – permitted activity**

The discharge of contaminants onto or into land, or into land where a contaminant may enter water, 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
- (b) the total volume of **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
  - (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, **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**, 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 R91: Offal pit – 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 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, 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** 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 R70: Cleanfill material – permitted activity

The discharge of **cleanfill material** onto or into land, or onto or into land where a contaminant may enter water, 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
- (c) the **cleanfill material** shall be 0.6m above the seasonally highest water table, and
- (d) 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) the volume of **cleanfill material** deposited at a **property** shall not exceed 400m<sup>3</sup>; per 12 month period, and
- (f) 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) 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.

Rule R27 is applicable for the associated discharge to air from cleanfill material.

### 5.2.12 Contaminated land and hazardous substances

#### Rule R54: Detailed site investigation – permitted activity

The use of land to undertake a detailed site investigation of contaminated land and any associated discharge into air is a permitted activity, provided the following conditions are met:

- (a) the investigation is undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011), and
- (b) the investigation is reported in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011), and

- (c) a copy of the report is provided to the Wellington Regional Council within two months following the completion of the investigation.

**Rule R55: Discharges from contaminated land – permitted activity**

The discharge of a contaminants 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, and
- (b) the results of the detailed site investigation indicates that the discharge does not pose unacceptable risks to human health or the environment – on-site or off-site, or
- (c) the discharge from **SLUR Category III land or SLUR Category IV land** does not, or is not likely to, result in:
  - (i) water quality exceeding the maximum acceptable value (MAV) in the *Drinking-Water Standards New Zealand 2005 (Revised 2008)* or 50% of the MAV in a **community drinking water supply protection area** shown on Maps 26, 27a, 27b or 27c at the following locations:
    1. at the **property** boundary, or within 50m from the source of the discharge, whichever is the lesser distance, or
    2. in an existing **bore** within the **property** boundary or within 50m from the source of the discharge, whichever is the lesser distance, used to abstract water for any use other than water quality monitoring,
  - (ii) water quality in a **surface water body** within the **property** boundary or within 50m from the source of the discharge, whichever is the lesser distance, exceeding a value in Schedule W for the protection of 95% of species,

**Rule R56: Investigation of, or discharges from contaminated land – discretionary activity**

The use of land to undertake a detailed site investigation of contaminated land that is not permitted by Rule R54, or the discharge from **SLUR Category III land or SLUR Category IV land** where a contaminant may enter water, that is not permitted by Rule R55 is a discretionary activity.

**5.2.13 Vertebrate toxic agents**

**Rule R87: Land-based discharge of vertebrate toxic agents – permitted activity**

The discharge of **vertebrate toxic agents (except rotenone)**, onto or into land, or onto or into land where it may enter water, via land-based methods is a permitted activity, provided the following conditions are met:

**Commented [RS17]:**  
The Oil Companies  
Wellington International Airport Limited – Topic 20 Contaminated land and hazardous substances – Consent order granted 8 December 2021

**Commented [RS18]:**  
Wellington International Airport Limited – Topic 20 Contaminated land and hazardous substances – Consent order granted 8 December 2021

**Commented [NM19]:**  
Minister of Conservation – Consent order dated 31.3.21

- (a) the substance and discharge 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
- (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 discharge 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 R88: Aerial discharge of vertebrate toxic agents – controlled activity**

The discharge of a **vertebrate toxic agent (except rotenone)** onto or into land, or onto or into land where it may enter water, and the associated discharge into water, by aerial discharge is a controlled activity, provided the following conditions are met:

- (a) the substance and the discharge 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 discharge area, including flight paths and accidental discharge into water
2. Discharge methods, systems and management processes to prevent fugitive discharges and the recording of discharge areas
3. Navigational guidance systems

*Notification*

In respect of Rule R88, applications are precluded from public notification (unless special circumstances exist).

*Note*

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.

**Commented [RS20]:**  
Minister of Conservation – Consent order dated 31.3.21

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

##### Rule R63: Wastewater from ships and offshore installations – permitted activity

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.

##### *Note*

Also see the requirements of 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.

##### Rule R64: Wastewater from ships and offshore installations – 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 R65: 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) into coastal water from **in-water cleaning of biofouling** from a vessel, moveable structure or navigation aid, 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
- (b) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and
- (c) the cleaning of microfouling and goose barnacles may occur without capture, and
- (d) for macrofouling less than or equal to 2 on the Level of Fouling Rank the cleaning shall ensure minimal release, using best available technology, capture any biological material greater than 50µm in diameter, with any captured cleaning debris disposed of at an approved landfill, and
- (e) for macrofouling not within (d) the cleaning shall capture any biological material greater than 50µm in diameter, with any captured cleaning debris disposed of at an approved landfill, and
- (f) if any person suspects that harmful or unusual aquatic species (including species designated as unwanted organisms or pests under the



Biosecurity Act 1993) are to be found, 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 shall be notified 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 R65 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)*.

**Rule R66: 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 R65 is a discretionary activity.

*Note*

For the purposes of Rule R66, guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.

**5.2.15 All other discharges**

**Rule R42: 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, discretionary, non-complying or prohibited specifically provided for~~ by any other rule in this Plan is a permitted activity provided the following conditions are met:

- (a) **the contaminant is not a hazardous substance**
- (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, the discharge shall not cause an adverse effect beyond the boundary of the property, and**
- (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:

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), 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
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~~

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

(iii) the discharge shall not give rise to the following effects after the zone of reasonable mixing:

1. a change in the pH of ±0.5pH unit, or
2. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
3. any conspicuous change in the colour or visual clarity, or
4. any emission of objectionable odour, or
5. the fresh water is unsuitable for consumption by farm animals, or
6. any significant adverse effects on aquatic life.

**Note**

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

**Commented [RS21]:**  
Rangitane  
The Oil Companies  
Wellington Fish and Game Council  
Wellington International Airport Limited  
Wellington Water Limited

~~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.~~


Rule R92: Discharges to land from a new pit latrine, a new farm refuse dump, a new offtal pit, of collected animal effluent or solid animal waste within a community drinking water supply protection area - restricted discretionary activity

The discharge of a contaminant from a new **pit latrine**, a new **farm refuse dump**, or a new **offtal pit**, of collected **animal effluent** or **solid animal waste**, onto or into land where a contaminant may enter water, that occurs within a **community drinking water supply protection area**, or is a **discharge of solid animal waste** that occurs between 5m and 20m of a **bore** used for a **community drinking water supply** is a restricted discretionary activity provided the following conditions are met:

- (a) any **new pit latrine** must meet the conditions of Rule R71, except condition (a)(ii)
- (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 offtal pit must meet the conditions of Rule R91, except condition (i)
- (d) a discharge of collected animal effluent must meet the conditions of Rule R83, except condition (e)(iii)
- (e) a discharge of solid animal waste must meet the conditions of Rule R85, except condition (b).

*Matters for discretion*

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

Rule R67: All other discharges to 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) in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and

**Commented [RS22]:**  
NZ Transport Agency

**Commented [NM23]:**  
Wellington Water Ltd - Topic 37 Balance of discharges to land –  
Consent order granted 8 December 2021

- (b) that is not a permitted, controlled, restricted discretionary, or discretionary activity under any rule in the Plan, or a non-complying activity under Rules R62, R84 or R64

is a non-complying activity.

**Rule R68: 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~~
- (b) ~~is not provided for by Rule R67 or any other rule in this Plan~~
- (a) in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and
- (b) a permitted, controlled, restricted discretionary, or non-complying activity under any other rule in the Plan, or a discretionary activity under Rules R53, R58, R60, R61, R56 or R66.

is a discretionary activity.

**Commented [RS24]:**  
Transpower Limited