


## 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. 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.

Rules 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.

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 water and land 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 to water and land

#### Rule R42: 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 R43: 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 R44: 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
- (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 R45: 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 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 R46: 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 R45 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 R46 applications are precluded from public notification (unless special circumstances exist).

#### Rule R47: Point source discharges of a specific contaminants – non-complying activity



The **point source discharge** of:

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

- (i) the **stormwater** does not come into contact with the **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), Schedule F4 (coastal sites), or Schedule H1 (contact recreation) or
  - (ii) 100g/m<sup>3</sup> where the discharge enters any other water, and
- (e) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- (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.

*Note*

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

**Rule R49: 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 **stormwater network**, from:

- (a) a new urban subdivision or development associated with **earthworks** of a contiguous area up to 3,000m<sup>2</sup> per **property** per 12 month period, 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 R50: 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
  - (i) the **stormwater** does not come into contact with the **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 oil interceptor and the discharge does not contain more than 15 milligrams per litre of total petroleum hydrocarbons prior to release.

#### Rule R51: Stormwater from a local authority network at plan notification – 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 **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.

### *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 R51 applications are precluded from public notification (unless special circumstances exist) and are precluded from limited notification.

### **Rule R52: Stormwater from a local authority 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 **stormwater network** that is not provided by Rule R51 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 R53: Stormwater from a port, airport or state highway – 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, 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

### Rule R54: Stormwater from new subdivision and development – restricted discretionary activity

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 R49 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

### Rule R55: All other stormwater – discretionary activity

The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater** from overflows during heavy rainfall events, into water or onto or into land where it may enter water that is not permitted by Rules R48, R49 or R50, or controlled by Rule R51, or a restricted discretionary activity under Rules R52, R53 or R54 is a discretionary activity.

## 5.2.4 Water races and pumped drainage schemes

### Rule R56: Water races – discretionary activity

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

### Rule R57: Existing pumped drainage schemes – permitted activity

The discharge of water or contaminants into a **surface water body**, or coastal water from a **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,
- (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  $\pm 0.5$  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 R58: 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 R57, is a discretionary activity.

## 5.2.5 On-site domestic wastewater

### Rule R59: 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 R60: 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 R61: 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, 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, 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 R62: 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 at 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, 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**, 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.

**Rule R63: 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 to air of odour from an **on-site domestic wastewater treatment and discharge system** installed or 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, 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 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.
- (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 R64: 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 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 R63 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
  - (ii) 50m of a **bore** used for water abstraction for potable supply that is not a **bore** used for **community drinking water supply**, or
  - (iii) 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
  - (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
  - (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 R65: Discharges of wastewater to water – discretionary activity

The discharge of **wastewater**:

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

is a discretionary activity.

## Option 2

### Alternative Rule R65: Wastewater discharges to coastal and freshwater– discretionary activity

The discharge of **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

Any resource consent application arising from Rules R65 and R66 may be publicly notified; but shall be notified to the relevant rūnanga where their written approval has not been obtained.

### Rule R66: 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 R65(c) is a non-complying activity.

### Rule R67: 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 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 20 m of a surface water body, a **bore**, the Coastal Marine Area, or the **property** boundary; and
- (d) 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 **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 weater, mechanical failure or other emergencies;
11. Monitoring and reporting.

## Rule R68: Discharge of treated wastewater from a wastewater network – 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 is a restricted discretionary activity.

### *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*)
5. Wastewater discharge method, hydraulic loading rate, discharge depth and hydraulic conductivity.
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
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 discharge** 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** cultural values and sites of significance identified in Schedule A (outstanding water bodies), Schedule B (Nga Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity).

*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 R69: 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 R69, applications are precluded from public notification (unless special circumstances exist).

### 5.2.8 Biosolids

#### Rule R70: 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 is a permitted activity, provided the following conditions are met:

- (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 R71: 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 R71 applications are precluded from public notification (unless special circumstances exist).

## **5.2.9 Fertiliser and animal effluent**

### **Rule R72: 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 discharge is not directly onto or into a **surface water body**, and
- (b) the discharge from aerial discharge is not directly onto or into a **surface water body** that is more than 2m wide, and
- ~~(b)~~(c) the discharge does not cause an offensive or objectionable effect beyond the boundary of the **property**, and
- ~~(e)~~(d) the discharge 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.

### **Rule R73: Discharge of collected animal effluent onto or into land – controlled activity**

The discharge of collected liquid **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 **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 R73, applications are precluded from public notification (unless special circumstances exist).

**Rule R74: 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 R75: 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 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 shall not enter a **surface water body**, and
- (c) nitrogen loading on the discharge area 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
- (e) the discharge of odour is not offensive or objectionable beyond the boundary of the **property**-, and
- (f) The discharge of **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 R76: 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 R75 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 R77: 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:

- (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) **stormwater** is prevented from entering into the manufacture or storage area, and
- (d) the walls and floor of a **silage** or **solid animal waste** storage area shall have an impermeable lining able to withstand corrosion, the manufacture and storage of **compost** at an industrial or trade premise shall be undertaken on an impermeable surface, and there shall be no discharge of leachate from a manufacturing or storage 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 other legislation or bylaws.

The discharge of **compost** to land is controlled by Rules R75 and R76.

**Rule R78: 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 volume of a **farm refuse dump** 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 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 R79: 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 R80: 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.

## 5.2.12 Contaminated land and hazardous substances

### Rule R81: 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 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 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 following the completion of the investigation.

### Rule R82: Discharges from contaminated land – permitted activity

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 R81; 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;
- (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
  - (iii) the water quality exceeding 50% of the maximum acceptable value in the *Drinking-Water Standards New Zealand 2005 (Revised 2008)* where the **SLUR Category III land** is located within a **community drinking water supply protection area** shown on Maps 26, 27a, 27b, or 27c.

#### Rule R83: Investigation of or discharges from contaminated land – discretionary activity

The use of land to undertake a detailed site investigation of contaminated land, or the discharge of a contaminant—from **SLUR Category III land** where a contaminant may enter water that is not permitted by Rule R81 or Rule R82 is a discretionary activity.

#### Rule R84: Discharge of hazardous substances – non-complying activity



The discharge of a **hazardous substance** into water, onto land or into or onto land where it may enter water, that is not 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 R85: 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, via land-based methods is a permitted activity, provided the following conditions are met:

- (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 R86: Aerial discharge 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, 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 R86, 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.

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

**Rule R87: 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, and



- (b) A discharge that 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 R88: 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 R89: 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<sup>1</sup> the cleaning or removal of macrofouling 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) 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

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<sup>1</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.

- (iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so.

*Notes*

1. For the purposes of Rule R89 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 R90: 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 R89 is a discretionary activity.

*Note*

For the purposes of Rule R90, guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.

**5.2.15 All other discharges**

**Rule R91: Minor discharges – permitted activity**



The discharge of a contaminant into water, or onto or into land where it may enter water that is not 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 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 enter 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), Schedule F4 (coastal sites) or Schedule H1 (contact recreation),

2. 100g/m<sup>3</sup> where the discharge enters any other water,
- (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  $\pm 0.5$  pH 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.

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

The discharge from a new **pit latrine**, a new **farm refuse dump**, a new **offal 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** is a restricted discretionary activity provided the following conditions are met:

- (a) any new **pit latrine** must meet the conditions of Rule R59, except condition (a)(ii)
- (b) any new **farm refuse dump** must meet the conditions of Rule R89, except condition (d)(iii)
- (c) any new **offal pit** must meet the conditions of Rule R79, except condition (i)
- (d) a discharge of **collected animal effluent** must meet the conditions of Rule R73, except condition (e)(iii).

*Matters for discretion*

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

### Rule R93: 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 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), that is not provided for by any other rule in this Plan, is a non-complying activity.

### Rule R93A: 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 provided for by any other rule in this Plan is a discretionary activity, except for discharges that are non-complying activities under Rule R93.