


## 5.2 Discharges to water and land

### *Interpretation*

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

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

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

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

### *Note*

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

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

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

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

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

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

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

Rules – Discharges to water	Page	P	C	RD	D	NC	Pr
<b>Water discharges</b>	127						
Rule R42: Minor discharges	127	•					
<a href="#">Rule R##: Discharge of a contaminant, other than stormwater, to the stormwater network<sup>5</sup></a>						•	
Rule R43: Water to water	129	•					
Rule R44: Pool and spa pool water	129	•					
Rule R45: Potable water	130	•					
Rule R46: Dye or salt tracer	130	•					
Rule R47: Other dye or salt tracer	131		•				
<b>Stormwater</b>	131						
Rule R48: Stormwater from an individual property	131	•					
<a href="#">Rule R48A: Stormwater from new subdivision and development<sup>6</sup></a>		•					
Rule R49: Stormwater to land	133	•					
Rule R50: Stormwater from a local authority network at plan notification	133		•				
Rule R51: Stormwater from a local authority network <del>two</del> <a href="#">years after public notification with a stormwater management strategy<sup>7</sup></a>	134			•			
Rule R52: Stormwater from <a href="#">a port, airport or state highway<sup>8</sup></a> <del>large sites</del>	135			•			
<a href="#">Rule R52A: Stormwater from new subdivision and development<sup>9</sup></a>				•			
Rule R53: All other stormwater	135				•		
<b>Contaminated land and hazardous substances</b>	136						
Rule R54: Site investigation	136	•					
Rule R55: Discharges from contaminated land	136	•					
Rule R56: Discharges from contaminated land	136				•		
Rule R57: Discharge of hazardous substances	137					•	
<b>Water races and pumped drainage schemes</b>	137						
Rule R58: Water races	137				•		
Rule R59: Existing pumped drainage schemes	137	•					
Rule R60: All other pumped drainage schemes	137				•		

<sup>5</sup> S42A Report: Water quality, Issue 10.1

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

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

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

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

Rules – Discharges to water	Page	P	C	RD	D	NC	Pr
<b>Wastewater</b>	138						
Rule R61: Existing wastewater	138				•		
Rule R62: New wastewater to fresh water	138					•	
Rule R63: Wastewater from ships and offshore installations	138	•					
Rule R64: Wastewater from ships and offshore installations	138					•	
<b>Biofoul cleaning</b>	138						
Rule R65: In-water biofoul cleaning	138	•					
Rule R66: In-water biofoul cleaning	139				•		
<b>All other discharges</b>	140						
Rule R67: Discharges inside sites of significance	140					•	
Rule R68: All other discharges	140				•		

### 5.2.1 Discharges to water other methods



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

### 5.2.2 ~~Water~~ Discharges to water and land<sup>10</sup>

#### Rule R42: Minor discharges – permitted activity



The discharge of contaminants into water, or onto or into land where it may enter water that is not ~~permitted, controlled, restricted discretionary, discretion, non-complying or prohibited specifically provided for~~<sup>11</sup> by any other rule in this Plan is a permitted activity provided the following conditions are met:

- (a) 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) the discharge shall not cause an adverse effect beyond the boundary of the property, and
- (b) where the discharge may enters a **surface water body** or coastal water,
  - (i) the concentration of total suspended solids in the discharge shall not exceed:
    - (i) 1. 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1

<sup>10</sup> S42A Report: Water quality, Issues 10.1 and 10.2

<sup>11</sup> S42A Report: Water quality, Issue 10.2

(rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), ~~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~~

~~(ii) 2. 100g/m<sup>3</sup> where the discharge enters any other water, except when the background total suspended solids concentration in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%, and~~

~~(c) if the discharge is from dewatering, the discharge is not from contaminated land, and~~

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

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

~~(i) 1. a change in the pH of ±0.5pH unit, or~~

~~(ii) 2. the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or~~

~~(iii) 3. any conspicuous change in the colour or visual clarity, or~~

~~(iv) 4. any emission of objectionable odour, or~~

~~(v) 5. the fresh water is unsuitable for consumption by farm animals, or~~

~~(vi) 6. any significant adverse effects on aquatic life.~~

*Note*

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

Rule R##: Discharge of a contaminant, other than stormwater, to the stormwater network – non-complying activity<sup>12</sup>



The discharge of a contaminant, other than **stormwater**, into 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 53.

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 is not into a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua),<sup>13</sup> Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), 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

---

<sup>12</sup> S42A Report: Water quality, Issue 10.3

<sup>13</sup> S42A Report: Water quality, Issue 10.5

- (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
- (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 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
- (b) the dye or salt tracer shall not exceed:
  - (i) 20L of dye in solution, or
  - (ii) 10kg of salt, or
  - (iii) 100L of salt solution, and
- (c) the dye or salt tracer is not a **hazardous substance** in accordance with the Hazardous Substances and New Organisms Act 1996, and

- (d) the Wellington Regional Council is notified ~~in writing of the discharge at least 24 hours before the time of~~ prior to the dye or salt tracer being discharged, including details of the:<sup>14</sup>
- (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).<sup>15</sup>

##### *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

- ~~(a) — the discharge is not into a site identified in Schedule A (outstanding water bodies), and~~<sup>16</sup>
- ~~(b)(a)~~ the discharge is not from, onto or into **contaminated land**, and
- ~~(e)(b)~~ the discharge is not from a local authority **stormwater network**, a port, airport or state highway, and

<sup>14</sup> S42A Report: Water quality, Issue 10.7

<sup>15</sup> S42A Report: Water quality, Issue 10.7

<sup>16</sup> S42A Report: Stormwater, Issue 7.1

- ~~(d)~~(c) the discharge shall not contain **wastewater**, and
- ~~(e)~~(d) 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), ~~except when the background total suspended solids in the receiving water is greater than 50g/m<sup>3</sup>, in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or~~
  - (ii) 100g/m<sup>3</sup> where the discharge enters any other ~~fresh or coastal water, except when the background total suspended solids in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%~~, and
- ~~(f)~~(e) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- ~~(g)~~(f) the discharge shall not give rise to the following effects beyond the **zone of reasonable mixing**:
- (iii) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
  - (iv) any conspicuous change in the colour or visual clarity, or
  - (v) any emission of objectionable odour, or
  - (vi) the fresh water is unsuitable for consumption by farm animals, or
  - (vii) any significant adverse effects on aquatic life.

*Note*

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



#### Rule R48A: Stormwater from new subdivision and development – permitted activity<sup>17</sup>



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

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

is a permitted activity provided the following condition is met:

- (c) The discharge shall comply with the conditions of Rule R48.

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



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

- (a) the discharge is not from, onto or into **contaminated land**, and
- (b) the discharge shall not cause or exacerbate the flooding of any other **property**.
- (c) the discharge is not located within 20m up-gradient of a **bore** used for water abstraction for potable supply or stock water<sup>18</sup>.

#### Rule R50: Stormwater from a local authority network at plan notification – controlled activity



The discharge of **stormwater**, including **stormwater** that may be contaminated by **wastewater** from overflows during heavy rainfall events,<sup>19</sup> into water, or onto or into land where it may enter water, from a local authority **stormwater network** is a controlled activity, provided the following condition is met:

- (a) the resource consent application is received within six months of this rule becoming operative two years of the date of public notification of the Proposed Natural Resources Plan (31.07.2015).<sup>20</sup>

<sup>17</sup> S42A Report: Stormwater, Issue 5

<sup>18</sup> S42A Report: Stormwater, Issue 7.2

<sup>19</sup> S42A Report: Stormwater, Issue 4.3


<sup>20</sup> S42A Report: Stormwater, Issue 3.2

### *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 R50 applications are precluded from public notification (unless special circumstances exist) and are precluded from limited notification.

**Rule R51: Stormwater from a local authority network with a stormwater management strategy two years after public notification<sup>21</sup> – restricted discretionary activity** 

The discharge of **stormwater, including stormwater that may be contaminated by wastewater from overflows during heavy rainfall events,**<sup>22</sup> into water, or onto or into land where it may enter water, from a local authority **stormwater network two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015)**<sup>23</sup> is a restricted discretionary activity, provided the following condition is met:

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

### *Matters for discretion*

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

---

<sup>21</sup> S42A Report: Stormwater, Issue 3.3

<sup>22</sup> S42A Report: Stormwater, Issue 4.3

<sup>23</sup> S42A Report: Stormwater, Issue 3.3

## 5. Management of adverse effects on human health.<sup>24</sup>

### Rule R52: Stormwater from a port, airport or state highway large sites<sup>25</sup> – restricted discretionary activity

The discharge of **stormwater** into water, or onto or into land where it may enter a surface water body or coastal<sup>26</sup> water, 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 R52A: Stormwater from new subdivision and development – restricted discretionary activity<sup>27</sup>

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

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** from overflows during heavy rainfall events<sup>28</sup>, into water or onto or into land where it may enter water that is not permitted by

<sup>24</sup> S42A Report: Stormwater, Issue 4.3

<sup>25</sup> S42A Report: Stormwater, Issue 6.3

<sup>26</sup> S42A Report: Stormwater, Issue 6.1

<sup>27</sup> S42A Report: Stormwater, Issue 5

<sup>28</sup> S42A Report: Stormwater, Issue 4.3

Rules R48, R48A<sup>29</sup> or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51, ~~or R52~~, or R52A is a discretionary activity.

#### 5.2.4 Contaminated land and hazardous substances

##### Rule R54: Site investigation – permitted activity

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

- (a) the assessment is undertaken in accordance with *Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011)*, and
- (b) the assessment 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 two months after the completion of the assessment.

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

The discharge of contaminants onto or into land from **contaminated land** where the discharge may enter water is a permitted activity provided the following conditions are met:

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

##### Rule R56: Discharges from contaminated land – discretionary activity

The use the land, and discharge of contaminants onto or into land from **contaminated land** where the discharge may enter water that is not permitted by Rule R54 or Rule R55 is a discretionary activity.

---

<sup>29</sup> S42A Report: Stormwater, Issue 5

### Rule R57: Discharge of hazardous substances – non-complying activity



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

## 5.2.5 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<sup>30</sup> is a discretionary activity.

### Rule R59: Existing pumped drainage schemes – ~~permitted controlled~~<sup>31</sup> activity



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

- (a) ~~erosion occurring as a result of the discharge shall be remedied, and~~
- (b) ~~the discharge shall not give rise the following effects after the zone of reasonable mixing:~~
  - (i) ~~the production of 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) ~~fresh water is unsuitable for consumption by farm animals, or~~
  - (v) ~~any significant adverse effects on aquatic life.~~

#### Matters of control

1. Monitoring programme to determine the nature and scale of adverse effects on the environment from the discharge
2. Measures to avoid, remedy or mitigate the adverse effects on the environment of the discharge.

### 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 the date of public notification of the Proposed Natural Resources Plan (31.07.2015), or from a

<sup>30</sup> S42A Report: Water quality, Issue 11.1

<sup>31</sup> S42A Report: Water quality, Issue 11.2

**pumped drainage scheme** that is not permitted by Rule R59, is a discretionary activity.

## 5.2.6 Wastewater

Rule R61: ~~Existing~~ Discharges of<sup>32</sup> 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.

Rule R62: **New wastewater to fresh water** – non-complying activity

The discharge of **wastewater** that is a **new discharge** into fresh water is a non-complying activity.


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

- (a) ~~The discharge of **wastewater** into coastal water from a ship greater than 500 tonnes, or an offshore installation outside the **harbour and pilotage limit** as shown on Map 49 is a permitted activity., and<sup>33</sup>~~

*Note*

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

is a permitted activity.

Rule R64: **Wastewater from ships and offshore installations** ~~not<sup>34</sup>~~ – non-complying activity 

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

## 5.2.7 Biofoul cleaning

Rule R65: **In-water biofoul cleaning** – permitted activity 

The discharge of contaminants and biological material into coastal water from **in-water cleaning of biofouling** from a vessel from either domestic or international origin<sup>35</sup>, moveable structure or navigation aid, ~~three years after the date of public notification of the Proposed Natural Resources Plan~~

<sup>32</sup> S42A Report: Wastewater to water, Issue 12.2

<sup>33</sup> S42A Report: Wastewater to water, Issue 13.1

<sup>34</sup> S42A Report: Wastewater to water, Issue 13.2, Clause 16(2) amendment

<sup>35</sup> S42A Report: Water quality, Issue 12.1

~~(31.07.2015)~~<sup>36</sup> in the coastal marine area, is a permitted activity provided the following conditions are met:

- (a) the **anti-foul coating** on the vessel, moveable structure or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and
- (b) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and
- (c) the cleaning of microfouling and goose barnacles ~~of international origin~~<sup>37</sup> ~~shall~~ may<sup>38</sup> be removed using a gentle, non-abrasive cleaning technique, without capture<sup>39</sup>, and
- (d) the cleaning or ~~treatment method~~ removal of macrofouling<sup>40</sup> shall capture any biological material released into the water column greater than 50µm in diameter, with any captured cleaning debris disposed on land, and

~~(e) — any captured cleaning debris is appropriately disposed of, and~~<sup>41</sup>

~~(f)~~(e)<sup>42</sup> if suspected harmful or unusual aquatic species are found, the vessel owner or operator shall take the following steps:

- (i) any cleaning activities shall cease immediately, and
- (ii) the Wellington Regional Council Harbourmaster and the Ministry of Primary Industries<sup>43</sup> shall be notified within five working days, and
- (iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so.

#### Note

For the purposes of Rule R65 guidance is provided in the *Anti-Fouling and In-Water Cleaning Guidelines (June 2013)*.

#### 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)*.

<sup>36</sup> S42A Report: Water quality, Issue 12.2

<sup>37</sup> S42A Report: Water quality, Issue 12.1

<sup>38</sup> S42A Report: Water quality, Issue 12.2

<sup>39</sup> S42A Report: Water quality, Issue 12.2

<sup>40</sup> S42A Report: Water quality, Issue 12.2

<sup>41</sup> S42A Report: Water quality, Issue 12.2

<sup>42</sup> S42A Report: Water quality, Issue 12.2, Clause 16(2) amendment

<sup>43</sup> S42A Report: Water quality, Issue 12.3

## 1.1.2 All other discharges

### Rule R67: Discharges inside sites of significance – non-complying activity



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

- (a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua),<sup>44</sup> Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites), and
- (b) that is not ~~permitted by Rules R42, R43, R44 or R45~~ authorised by any other rule in the plan, with the exception of Rule R68.

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~~
- (c) ~~is not provided for by Rule R67 or~~ authorised by<sup>45</sup> any other rule in this Plan

is a discretionary activity.

---

<sup>44</sup> S42A Report: Water quality, Issue 10.8

<sup>45</sup> S42A Report: Water quality, Issue 10.9