

Track Changes – End of Water Hearing – Yellow Version – 09 April 2010

Notes for track changes: This is the final recommendation for wording of One Plan provisions made by Regional Council officers at the conclusion of the Water Hearing. It uses the Proposed One Plan provisions as notified as the base document and consolidates recommendations from the Planning Evidence and Recommendations Report (August 2009), Supplementary Report (November 2009) and End of Hearing Report (April 2010).

Words recommended to be added are shown in underline, words recommended to be removed are shown in ~~strike through~~.

Terms defined within the Proposed One Plan glossary are *italicised* and marked with an asterisk (*) symbol. Terms defined in the Resource Management Act 1991 are *italicised* and marked with a caret (^) symbol.

13 **Discharges^ to Land^ and or Water^**¹

13-1A Objective 13-1: Regulation of discharges^ to land^ or water^

The regulation of discharges^ onto or into land^ or into water^ (either directly or as the consequence of a discharge^ onto or into land^) in a manner that:

- (a) recognises and provides for the water^ management values set out in Schedule Ba
- (b) recognises and provides for the objectives and policies of Chapter 6 as they relate to surface water^ and groundwater quality
- (c) where a discharge^ is onto or into land^, adverse effects^ on surface water^ or groundwater are avoided or mitigated.²

13.1 **Policies**

Policy 13-1: Consent decision-making for discharges^ to water^

When making decisions on *resource consent^* applications, and setting consent *conditions^*, for *discharges^* of *water^* or *contaminants^* into *water^*, the Regional Council will have particular regard to:

- (a) the objectives and policies of Chapter 6 regarding the values of *water_bodies^* and the management of surface *water^* quality and *discharges^*
- (b) avoiding *discharges^* which contain any persistent *contaminants^* that are likely to accumulate in a *water_body^*
- (c) the appropriateness of adopting the *best practicable option^* to prevent or minimise adverse *effects^* in circumstances where:

¹ Minor change – Schedule 1, Clause 16(2) RMA.

² Scope for this recommendation is found in “Report on scope for Water Chapter recommendations” Clause (ii).

- (i) it is difficult to establish *discharge*[^] standards for a particular *discharge*[^] that recognise and provide for the management approaches for *water*[^] quality and *discharges*[^] set out in Chapter 6
- (ii) the likely potential² adverse *effects*[^] are likely to be² minor, and the costs associated with adopting the *best practicable option*[^] are small in comparison to the costs of investigating the likely *effects*[^] on *land*[^] and *water*[^]
- (d) the objectives and policies of Chapters 3, 4, 7, 9, 10 and 11A⁴ to the extent that they are relevant to the *discharge*[^]

This policy implements Objective 13-1.²

Policy 6-40 13-2: Options for *discharges*[^] to surface *water*[^] and or *land*^{^2}

When applying for consents and making decisions on consent applications for *discharges*[^] of *contaminants*[^] into *water*[^] or *land*[^], the opportunity to utilise alternative *discharge*[^] options or a mix of *discharge*[^] regimes, for the purpose of mitigating adverse *effects*[^] where practicable, ~~shall~~ must⁴ be considered, including but not limited to:

- (a) *discharging*[^] *contaminants*[^] onto or into² *land*[^] ~~in preference to~~ rather than² *discharging*[^] *contaminants*[^] into *water*[^]
- (b) withholding from *discharging*[^] *contaminants*[^] into surface *water*[^] at times of low flow
- (c) adopting different treatment options for *discharges*[^] to different receiving *environments*[^] or at different times (including different flow regimes in ~~surface water bodies~~).³

This policy implements Objective 13-1.²

Policy 6-44 13-3: Human sewage *discharges*[^]

Notwithstanding targets for *water*[^] quality and other policies in this chapter:

- (a) all new *discharges*[^] of treated human sewage ~~shall~~ must⁴ be applied onto or into *land*[^], or flow overland, or pass through a rock filter or *wetland*[^] treatment system or alternative system that mitigates the *effects*[^] on the *mauri*^{*} of the receiving ~~before entering a~~⁵ *surface*⁴ *water body*^{*}
- (b) all existing direct *discharges*[^] of treated human sewage into a ~~surface~~⁴ *water body*^{*} ~~shall~~ must⁴ change to a treatment system described under ~~subsection~~² (a) by ~~the year~~¹ 2020.⁶

³ Policy 13-2 has been incorporated in part from Chapter 6 (Policy 6-10).

⁴ Consequential change as a result of the Provisional Determinations.

⁵ WTR 33 – 280/43.

⁶ Policy 13-3 has been incorporated in its entirety from Chapter 6 (Policy 16-11)

This policy implements Objective 13-1.²

Policy 13-4: Monitoring requirements for consent holders

Point source⁷ ~~Discharges~~[^] of ~~contaminants~~[^] to ~~water~~[^] shall must⁴ generally be subject to the following monitoring requirements:

- (a) the regular monitoring of ~~discharge~~[^] volumes on ~~discharges~~[^] smaller than 100 m³/day and making the records available to the Regional Council on request
- (b) the installation of a pulse-count capable meter in order to monitor the volume discharged for ~~discharges~~[^] of a volume ~~greater than~~ 100 m³/day or greater¹
- (c) the installation of a Horizons¹ Regional Council compatible ~~conductivity meters~~ telemetry system⁷ on ~~discharges~~[^] of volumes greater than 300 m³/day, ~~with telemetry of conductivity and discharge volume on an hourly basis~~⁷
- (d) ~~Monitoring~~¹ and reporting on the quality of the ~~discharge~~[^] at the point of ~~discharge~~[^] before it enters surface water⁸ and upstream and downstream of the point of discharge⁸ (after *reasonable mixing**) may also be required. This will align with the Horizons¹ Regional Council's¹ environmental monitoring programme where practicable to enable cumulative impacts to be measured.

This policy implements Objective 13-1.²

Policy ~~13-2~~ 13-5¹: Consent decision-making for ~~discharges~~[^] to ~~land~~[^]

When making decisions on ~~resource consent~~[^] applications, and setting consent ~~conditions~~[^], for ~~discharges~~[^] of ~~contaminants~~[^] onto or into ~~land~~[^] the Regional Council will have particular regard to:

- (a) the objectives and policies of Chapter 6 regarding the management of groundwater quality and ~~discharges~~[^]
- (b) where the ~~discharge~~[^] may enter ~~water~~[^] or have an adverse ~~effect~~[^] on ~~water~~[^] quality, the degree of compliance with the approach for managing surface ~~water~~[^] quality set out in Chapter 6
- (c) avoiding ~~as far as practicable~~⁹ any adverse ~~effects~~[^] on any sensitive receiving ~~environment~~[^] or potentially incompatible ~~land~~[^] uses, in particular any houses, schools, churches, marae, public areas, regionally significant infrastructure[^] identified in Policy 3-1,⁹ ~~wetlands,~~ ~~surface~~² ~~water_bodies~~^{*}, and the ~~Coastal Marine Area~~[^];¹

⁷ WTR 74 – 182/35.

⁸ WTR 74 – 182/36.

⁹ WTR 75 - 265/29.

- (d) the appropriateness of adopting the *best practicable option* to prevent or minimise adverse *effects* in circumstances where:
 - (i) it is difficult to establish *discharge* standards for a particular *discharge* that recognise and provide for the management approaches for *water* quality and *discharges* set out in Chapter 6
 - (ii) the likely adverse *effects* are minor, and the costs associated with adopting the *best practicable option* are small in comparison to the costs of investigating the likely *effects* on *land* and *water*
- (e) avoiding *discharges* which contain any persistent *contaminants* that are likely to accumulate in the soil or groundwater
- (f) the objectives and policies of Chapters 3, 4, 5,¹⁰ 7, 9¹¹, 10 and 11A⁴ to the extent that they are relevant to the *discharge*

This policy implements Objective 13-1.²

Policy ~~6-9~~ 13-6: Point source *discharges* to *land*

Discharges of *contaminants* onto or into *land* shall must⁴ be managed in a manner which:

- (a) ensures that ~~there is no significant degradation of the existing groundwater quality~~ is maintained¹²
- (b) does not result in pathogens or other toxic substances accumulating in soil or pasture to levels that would render the soil unsafe for agricultural or domestic use
- (c) recognises and provides for the strategies for surface *water* quality management set out in Policies 6-3, 6-4 and 6-5, as necessary
- (d) maximises the reuse of nutrients and *water* contained in the *discharge* to the extent practicable
- (e) ensures that adverse *effects* on *rare habitats**, *threatened habitats** and *at-risk habitats** are avoided, remedied or mitigated.^{13 14}

This policy implements Objective 13-1.²

¹⁰ WTR 75 – 440/86.

¹¹ WTR 75 – 460/108.

¹² WTR 31 – 180/29.

¹³ WTR 31 – 372/56.

¹⁴ Policy 13-6 has been incorporated in its entirety from Chapter 6 (Policy 6-9).

Policy 13-7: Management of intensive farming activities

- (a) When making decisions on resource consent applications and setting conditions on resource consents for *intensive farming** activities the Regional Council will:
- (i) seek to limit nitrogen leaching to the *cumulative nitrogen leaching maximum**; and
 - (ii) seek to exclude all livestock from the following *waterbodies**:
 - (A) a wetland or lake that is a *rare habitat** or *threatened habitat**;
 - (B) a river that is permanently flowing, or is intermittently flowing with an active bed* width greater than 1 metre (when measured as an average across the property) at any time the bed contains water.

unless the access is required for stock to cross the river in which case condition a) iii) applies. For the purposes of this policy *excluded* means stock must be denied access to the specified *waterbody** by any permanent or temporary fence, or any natural barrier; and
 - (iii) seek to ensure that all places where livestock regularly cross rivers identified in a) ii) are culverted or bridged and those culverts or bridges used by the livestock whenever they cross the specified river. Regularly crossed means crossed by more than 1350 stock movements per week.
- (b) The Regional Council may make an exception to (a) in circumstances where:
- (i) the *intensive farming** was existing as at 31 May 2007; and
 - (ii) putting in place the nutrient management practices identified in the *nutrient management plan** for the activity to achieve the *cumulative nitrogen leaching maximum** or requiring stock exclusion would have an unreasonably high financial cost that in the opinion of the Regional Council would significantly outweigh the environmental benefit of the practice. When making an assessment under this policy the Regional Council will have regard to the individual and cumulative adverse effects, which may extend beyond the boundary of the property.
- (c) Where the circumstances in (b) apply, consents will generally be granted with conditions that require that:
- (i) all best management practices (other than those identified to be unreasonable by b) ii) above) to minimise the loss of nitrogen, phosphorous faecal coliforms and sediment from the activity are implemented; and
 - (ii) any losses of nitrogen, phosphorous, faecal contamination or sediment which cannot reasonably be mitigated on the property (as identified by b) ii) above) are offset or mitigated including by way of environmental compensation offered by the applicant; and

- (iii) the amount of nitrogen leaching from the *intensive farming** activity in each year does not exceed the average loss of N/ha/year from the activity over the period 31 May 2007 to 31 May 2009.¹⁵

This policy implements Objective 13-1.²

Policy 13-8: Transfer of N-loss entitlement

When making decisions on *resource consent*[^] applications, and setting *conditions*[^], on *land*[^] use relating to the amount of nitrogen leaching to be allowed from a activity regulated by Rule 13-1b, 13-1c or 13-1d the Regional Council must take into account nitrogen leaching avoided from any other rural *property** in the Region provided:

- (a) the *property** on which nitrogen leaching is to be avoided is within the same specified *Water Management Zone** as the *property** in respect of which consent is being considered
- (b) the volume or rate of the nitrogen leaching avoided and the duration of that avoidance is recorded in a *resource consent*[^] or a legally enforceable agreement with the Regional Council
- (c) the calculation of nitrogen leaching avoided is based on the difference between the modelled amount of nitrogen leaching and the *cumulative nitrogen leaching maximum**
- (d) the nitrogen leaching avoided is not being relied on by any other party for the purpose of compliance with *conditions*[^] of any *resource consent*[^].¹⁶

This policy implements Objective 13-1.²

Policy 13-3 13-9¹: Management of *discharges*[^] of *domestic wastewater**

When making decisions on *resource consent*[^] applications, and setting consent *conditions*[^], for on-site *discharges*[^] of *domestic wastewater*^{*}, the Regional Council will generally ensure that the *discharge*[^] is in accordance with the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council, 2006~~9~~)¹⁸.

For *discharges*[^] that are not in accordance with the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council, 2006~~9~~)¹⁷ the Regional Council will make decisions on *resource consent*[^] applications, and set consent *conditions*[^], for on-site *discharges*[^] of *domestic wastewater*^{*}, to ensure that:

¹⁵ Consequential changes as a result of the insertion of rule 13-1a, 13-1b, 13-1c and 13-1d.

¹⁶ Link insertion of new Policy 13-8 to 182/40

¹⁷ Consequential change as a result of changes to the 'Manual for On-site Wastewater Systems' – See WTR 76.

- (a) the *site*^{*} is suitable for the intended on-site wastewater management system
- (b) the *discharge*[^] does not result in actual or potential contamination of groundwater at any point of abstraction utilised for irrigation, stock or domestic drinking water, surface *water_bodies*^{*}, ~~stormwater drains~~ *artificial watercourses*^{*2 18}, or neighbouring *properties*^{*}
- (c) the *discharge*[^] does not constitute a public health threat
- (ca) an adequate area of *land*[^] equal in size to the disposal area must be set aside as a reserve area for *land*[^] application²
- (d) the *discharge*[^] does not cause any offensive or objectionable odour to the extent that causes an adverse *effect*[^] beyond the *property*^{*} boundary
- (e) the reserve disposal area allocation is sufficient.

This policy implements Objective 13-1.²

Policy 13-10: Industry based standards

The Regional Council will examine relevant industry based standards (including guidelines and codes of practice) and may accept compliance with industry standards as being adequate to avoid, remedy or mitigate adverse *effects*[^] to the extent that such standards address the matters in Policies 13-1 and 13-2.¹⁹

This policy implements Objective 13-1.²

13.2 Rules[^]: Agricultural Activities

Table 13.1 sets out the target *Water Management Sub-zones*^{*20} where management of *intensive farming*^{*} *land*[^] uses ~~activities~~² *activities* controlled by rules 13-1a to 13-1d will be specifically controlled. The table includes the dates ~~after on~~ which the provisions of ~~the One Plan rules~~ 13-1a to 13-1d that relate to these *Water Management Sub-zones*^{*20} come into force.

Table 13.1 *Water Management Sub-Zones*^{*20}

¹⁸ WTR 161 – 426/214 and WTR 165 357/7.

¹⁹ WTR 72 – 267/8.

²⁰ Consequential change from recommendations and changes to Schedule D including the development of the new Schedule Ba.

Catchment	Water Management Sub-Zone*	Date the rules [^] of the Plan come into force
Mangapapa	Mana_9b	1 April 2009 1 July 2011 ²¹
Mowhanau	West_3	1 April 2009
Mangatainoka	Mana_8a Mana_8b Mana_8c Mana_8d Mana_8e	1 April 2010 1 July 2011 ²¹
Upper Manawatu above Hopelands	Mana_1a Mana_1b Mana_1c Mana_2a Mana_2b Mana_3 Mana_4 Mana_5a Mana_5b Mana_5c Mana_5d Mana_5e	1 April 2011 1 July 2012 ²¹
Lake Horowhenua	Hoki_1a Hoki_1b	1 April 1 July 2012
Waikawa	West_9 West_9a West_9b ²⁰	1 April 1 July 2012
Manawatu above gorge	Mana_6 Mana_9a Mana_9c	1 April 1 July 2013
Other south-west catchments (Waitare and Papaitonga)	West_7 West_8	1 April 1 July 2013
Other coastal lakes	West_4 West_5 West_6	1 April 1 July 2013
Coastal Rangitikei	Rang_4a Rang_4b	1 April 1 July 2014

²¹ WTR 78 – 372/142

Catchment	Water Management Sub-Zone*	Date the rules^ of the Plan come into force
	Rang_4c Rang_4d ²⁰	
Mangawhero/Makotuku	Whau_3b Whau_3c Whau_3d	1 April 1 July 2015
<u>New land uses in all Water Management Zones* not specified above</u>		1 July 2011

Maps of the *Water Management Zones** and *Water Management Sub-zones** are contained in Schedule Ba^{21 15}

Table 13.2 sets out the maximum nitrogen leaching/run-off rate allowed for *land^* within the specified *Land^ Use Capability Classes (LUC)** after the specified dates. The *Year 1 Period 1* date is the date from Table 13.1 for the particular *Water Management Sub-zone** in which that *land^* class is situated. *The cumulative nitrogen leaching maximum** for each year is specified in table 13.2. ~~The following dates in the table are the number of years after the Year 1 date.~~

Table 13.2 *Land Use Capability Classes (LUC)* Nitrogen Leaching/Run-off Values*²²

Period when nitrogen leaching values apply.	LUC I (1)	LUC II (2)	LUC III (3)	LUC IV (4)	LUC V (5)	LUC VI (6)	LUC VII (7)	LUC VIII (8)
Period 1 this is the period from the date the relevant rule comes into force based in table 13.1 to the fifth anniversary after the rule comes into force. Year 1 (when rule^ comes into force) (kg of N/ha/year)	32	29	22-25	16-19	13-18	10-16	6	2
Period 2 from the 5 th anniversary from the date the relevant rule comes into force based in table 13.1 to the 10 th anniversary after the rule comes into force. Year 5 (kg of N/ha/year)	27-30	25-28	21-24	16-18	13-17	10-15	6	2
Period 3 from the 10 th anniversary from the date the relevant rule comes into force based in table 13.1 to the 15 th anniversary after the rule comes into force. Year 10	26-28	22-26	19-22	14-17	13-16	10-14	6	2

²² WTR 79 – 398/49

Period when nitrogen leaching values apply.	LUC I (1)	LUC II (2)	LUC III (3)	LUC IV (4)	LUC V (5)	LUC VI (6)	LUC VII (7)	LUC VIII (8)
(kg of N/ ha/year)								
Period 4 from the 15 th anniversary from the date the relevant rule comes into force based in table 13.1 to the 20 th anniversary after the rule comes into force. Year 20 (kg of N/ ha/year)	25	21	18	13	12	10	6	2

Rule ²³	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>13-1 Dairy farming, cropping, market gardening and intensive sheep and beef farming, and associated activities²³</p>	<p>From the dates specified in Table 13.1, the existing use of land in the water management zones specified in Table 13.1 and from the date this rule becomes operative, any new use of land, including conversion, in all water management zones in the Region for:</p> <p>(a) dairy farming* (b) cropping* (c) market gardening* (d) intensive sheep and beef farming*</p> <p>including any of the following activities associated with the above uses:</p> <p>i. the taking and use of surface water ii. the taking and use of not more than 50 m³/day/property* of groundwater iii. the discharge of fertiliser* onto land and any consequential discharge of contaminants to air</p>	<p>Controlled</p>	<p>(a) The use or activity is undertaken in accordance with a Farmer Applied Resource Management Strategy (FARM Strategy).</p> <p>(b) The FARM Strategy referred to in (a) shall be prepared to meet the requirements set out in The FARM Strategy Workbook (Horizons Regional Council, April 2007).</p> <p>(c) The FARM Strategy referred to in (a) shall be submitted to the council as part of the resource consent application required by this rule.</p> <p>When calculating the maximum nitrogen leaching/run-off values allowed for the whole farm in accordance with preparing a FARM Strategy as required by (b), the values for each land use capability class (LUC) in Table 13.2 shall be used.</p> <p>If the activity involves the taking of more than 30 m³ per day of surface water:</p> <p>(d) The taking and use of any surface water shall not be from rivers protected under Rule 15-7</p> <p>(e) Water shall only be taken when the river is at or above its minimum flow, as assessed in accordance with Schedule B</p> <p>(f) The amount of water taken, when assessed in combination with all other water takes within the same water management zone, shall not exceed the relevant core allocation set out for that water management zone in Schedule B</p> <p>(g) The amount of water taken, when assessed in combination with all other water takes within the same catchment, shall not exceed the cumulative allocation for each water management zone in the same catchment.</p>	<p>Control is reserved over:</p> <p>(a) the method of calculating the loss of nitrogen and phosphorus from a farm (b) the level of compliance with The FARM Strategy Workbook (Horizons Regional Council, April 2007) (c) effects on rare and threatened habitats* and at risk habitats* (d) the preparation and implementation of a FARM Strategy for the purposes of meeting the requirements of this rule and the conditions of consent (e) the method, location, volume and rate of water takes (f) the review period of the FARM Strategy (g) the provision of information to the regional council to demonstrate compliance with this rule (h) duration of consent (i) review of consent conditions (j) compliance monitoring.</p> <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>

²³ Changes to Rule 13-1 are as a result of recommendations in the End of Hearing report. Scope can be found in a number of submissions under the recommendation WTR 81 including (but not limited to) Fonterra Co-Operative Group Limited 398/1, 398/47, 398/48; Federated Farmers of New Zealand Inc 426/163, 426/164; Balance Agri-nutrients Limited 453/13, Royal Forest and Bird Protection Society of New Zealand 460/110 and Minister for the Environment 437/12.

Rule^_	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>iv. the discharge of contaminants onto land from</p> <p>a. the preparation, storage, use or transportation of stock feed on production land, or</p> <p>b. the use of a feed pad and any consequential discharge of contaminants to air</p> <p>v. the discharge of grade A biosolids* and soil conditioners* onto or into production land, and any consequential discharge of contaminants to air</p> <p>vi. the discharge of contaminants onto or into production land associated with an offal hole or farm dump, and any consequential discharge of contaminants into air</p> <p>vii. any discharge of contaminants to land or water from farm animals associated</p>			

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>with the land use</p> <p>a. effluent from dairy sheds and ancillary feed pads</p> <p>b. effluent from existing piggeries</p> <p>c. sludge from farm effluent ponds</p> <p>d. poultry farm litter and effluent and any consequential discharge of contaminants into air.</p>			
<p>13-1a</p> <p><u>Existing dairy farming*, cropping*, commercial vegetable production* and intensive sheep and beef farming*</u> in targeted catchments²³</p>	<p>The <u>existing*</u> use of <u>land[^]</u> pursuant to s9(2) RMA in the <u>Water Management Sub-zones*</u> specified in Table 13.1 for <u>dairy farming* cropping*, commercial vegetable production* and intensive sheep and beef farming* and ancillary discharges of nutrients to land from farm animals pursuant to ss15(1), 15(2) or 15(2A) RMA except those controlled by Rule 13-2, 13-3, 13-4, 13-5 and 13-6.</u></p> <p>Where an <u>existing use of land for intensive farming*</u> occurs in part on land within a targeted <u>water management sub-zone*</u></p>	<p><u>Permitted</u></p>	<p>(a) <u>By the date specified in Table 13.1 the activity and any ancillary discharges carried out in accordance with permitted activity conditions or a resource consent must be operated in accordance with a <i>nutrient management plan*</i> that demonstrates that nitrogen leaching from the activity is occurring at a rate no greater than the <i>cumulative nitrogen leaching maximum*</i>.</u></p> <p>(b) <u>The <i>nutrient management plan*</i> specified in (a) must be supplied to the Regional Council by 1 July every year.</u></p> <p>(c) <u>By 1 July 2011 or by one year following the date this rule becomes operative (whichever is the earlier):</u></p> <p>(i) <u>all livestock must be excluded from any proportion of any river within the property that is subject to this rule that is:</u></p> <ol style="list-style-type: none"> 1. <u>permanently flowing or</u> 2. <u>is intermittently flowing with an <i>active bed*</i> width greater than 1 metre (when measured as an averaged across the property) at any time</u> 	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><u>and in part outside a targeted water management subzone[*], it is only regulated by this rule if at least 20% of the effective farming area[*] is within a targeted water management subzone[*].</u></p>		<p><u>the bed contains water.</u> <u>unless the access is required for stock to cross the river and condition (ii) and (iii) below are complied with.</u></p> <p>(ii) <u>all places where livestock regularly cross the rivers identified in condition (a) must be culverted or bridged and those culverts or bridges used by the livestock whenever they cross the specified river. Regularly crossed means crossed by more than 1350 stock movements per week.</u></p> <p>(iii) <u>all livestock must be excluded from any wetland or lake that is a rare habitat[*] or threatened habitat[*].</u></p> <p><u>For the purposes of this rule livestock means cows, calves, heifers and bulls</u></p> <p><u>For the purposes of this rule excluded means stock must be denied access to the specified river, lake or wetland by</u> (a) <u>any permanent or temporary fence, or any natural barrier</u></p>	
<p>13-1b <u>Existing[*] dairy farming[*], cropping[*], commercial vegetable production[*] and intensive sheep and beef farming[*] together with their associated activities in targeted catchments that do not comply with one or more of the conditions in Rule 13-1a²³</u></p>	<p><u>The existing[*] use of land[^] pursuant to s9(2) RMA in the Water Management Sub-zones[*] specified in Table 13.1 for dairy farming[*] cropping[*], commercial vegetable production[*] and intensive sheep and beef farming[*] from the date for each water management sub-zone[*] specified in Table 13.1 that do not comply with one or more of the conditions in Rule 13-1a together with any of the following activities associated with the above uses:</u></p>	<p>Controlled</p>	<p>Information requirement The applicant must:</p> <p>(a) <u>identify the land use capability class[*] of all land on which the activity to which this rule relates occurs;</u></p> <p>(b) <u>identify the cumulative nitrogen leaching maximum[*] for all the land on which the activity occurs;</u></p> <p>(c) <u>provide a nutrient management plan[*] that identifies:</u> (i) <u>the nitrogen leaching from the activity and compares this to the cumulative nitrogen leaching maximum; and</u> (ii) <u>where the nitrogen leaching is greater than the cumulative nitrogen leaching maximum identifies any management practices that will reduce the nitrogen leaching a rate to at or below the cumulative nitrogen leaching maximum.</u></p>	<p>Control is reserved over:</p> <p>(a) <u>the method of calculating the loss of nitrogen from the activity.</u></p> <p>(b) <u>management practices to reduce nitrogen, phosphorus, faecal contamination and sediment losses from the activity</u></p> <p>(c) <u>effects on rare habitats, threatened habitats and at risk habitats and management of these effects</u></p> <p>(d) <u>any measures required to exclude stock from waterbodies[*]</u></p> <p>(e) <u>the effect of odour, dust, waste or fertiliser drift or spray drift</u></p> <p>(f) <u>the maximum rate, timing and annual volume of nitrogen application from all sources</u></p>

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>viii. <u>the discharge^ of fertiliser* onto land^ pursuant to ss15(1), 15(2) or 15(2A) RMA and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>ix. <u>the discharge^ of contaminants^ onto land^ pursuant to ss15(1), 15(2) or 15(2A) RMA from</u></p> <p>a. <u>the preparation, storage, use or transportation of stock feed on production land^, or</u></p> <p>b. <u>the use of a feed pad and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>x. <u>the discharge^ of grade A biosolids* and soil conditioners* onto or into production land^ pursuant to ss15(1), 15(2) or 15(2A) RMA,</u></p>			<p>(g) <u>any environmental compensation to offset losses of nitrogen, phosphorous, faecal contamination and sediment which cannot be mitigated by on-site management measures</u></p> <p>(h) <u>the provision of information to the Regional Council to demonstrate compliance with the consent</u></p> <p>(i) <u>duration of consent</u></p> <p>(j) <u>review of consent conditions</u></p> <p>(k) <u>compliance monitoring</u></p> <p><u>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons)</u></p>

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><u>and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>xi. <u>any discharge^ of contaminants^ to land^ pursuant to ss15(1), 15(2) or 15(2A) RMA or water^ pursuant to s15(1) RMA from farm animals associated with the land^ use including:</u></p> <ul style="list-style-type: none"> a. <u>effluent from dairy sheds and ancillary feed pads</u> b. <u>effluent from existing piggeries</u> c. <u>sludge from farm effluent ponds</u> <p><u>poultry farm litter and effluent and any consequential discharge^ of contaminants^ into air pursuant to ss15(2) or 15(2A) RMA.</u></p> <p><u>and any ancillary discharges of nutrients to land from animals pursuant to ss15(1), 15(2) or 15(2A) RMA.</u></p>			

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>Where an <i>existing use of land for intensive farming</i>* occurs in part on land within a <i>targeted water management sub-zone</i>* and in part outside a <i>targeted water management subzone</i>*, it is only regulated by this rule if at least 20% of the <i>effective farming area</i>* is within the <i>targeted water management subzone</i>*.</p>			
<p>13-1c New dairy farming*, cropping*, commercial vegetable production* and intensive sheep and beef farming* together with their associated activities²³</p>	<p>The <i>new use of land</i>^{^^} pursuant to s9(2) RMA for dairy farming* cropping*, commercial vegetable production* and intensive sheep and beef farming* from 1 July 2011 together with any of the following activities associated with the above uses:</p> <p>xii. the discharge[^] of fertiliser* onto land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA and any consequential discharge[^] of contaminants[^] to air pursuant to ss15(2) or 15(2A) RMA</p> <p>xiii. the discharge[^] of contaminants[^] onto land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA from</p> <p>a. the preparation,</p>	<p><u>Controlled</u></p>	<p>(a) The activity and any ancillary discharges carried out in accordance with permitted activity conditions or a resource consent must not result in nitrogen leaching from the land exceeding the cumulative nitrogen leaching maximum.</p> <p>(b) By 1 July 2011 or by two years following the date this rule becomes operative (whichever is the earlier):</p> <p>(i) all livestock must be excluded from any proportion of any river within the property that is subject to this rule that is:</p> <ol style="list-style-type: none"> 1. permanently flowing or 2. is intermittently flowing with an <i>active bed</i>* width greater than 1 metre (when measured as an averaged across the property) at any time the bed contains water. <p>unless the access is required for stock to cross the river and condition ii) below is complied with.</p> <p>(ii) all places where livestock regularly cross the rivers identified in condition (a) must be culverted or bridged and those culverts or bridges used by the livestock whenever they cross the specified river. Regularly crossed means crossed by more than 1350 stock movements per week.</p>	<p>Control is reserved over:</p> <p>(a) the method of calculating the loss of nitrogen from the activity.</p> <p>(b) Management practices to reduce nitrogen, phosphorus, faecal contamination and sediment losses from the activity</p> <p>(c) effects on rare habitats, threatened habitats and at risk habitats and management of these effects</p> <p>(d) any measures required to exclude stock from waterbodies*</p> <p>(e) the effect of odour, dust, waste or fertiliser drift or spray drift</p> <p>(f) the maximum rate, timing and annual volume of nitrogen application from all sources</p> <p>(g) any environmental compensation to offset losses of nitrogen, phosphorous, faecal contamination and sediment which cannot be mitigated by on-site management measures</p> <p>(h) the provision of information to the Regional Council to demonstrate compliance with the consent</p> <p>(i) duration of consent</p> <p>(j) review of consent conditions</p>

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><u>storage, use or transportation of stock feed on production land^, or</u></p> <p>b. <u>the use of a feed pad and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>xiv. <u>the discharge^ of grade A biosolids* and soil conditioners* onto or into production land^ pursuant to ss15(1), 15(2) or 15(2A) RMA, and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>xv. <u>any discharge^ of contaminants^ to land^ pursuant to ss15(1), 15(2) or 15(2A) RMA or water^ pursuant to s15(1) RMA from farm animals associated with the land^ use including:</u></p> <p>a. <u>effluent from</u></p>		<p>(iii) <u>all livestock must be excluded from any wetland or lake that is a rare habitat* or threatened habitat* .</u></p> <p><u>For the purposes of this rule livestock means cows, calves, heifers and bulls</u></p> <p><u>For the purposes of this rule excluded means stock must be denied access to the specified river, lake or wetland by</u></p> <p>(a) <u>any permanent or temporary fence, or any natural barrier</u></p>	<p>(k) <u>compliance monitoring</u></p> <p><u>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons)</u></p>

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><u>dairy sheds and ancillary feed pads</u></p> <p>b. <u>effluent from existing piggeries</u></p> <p>c. <u>sludge from farm effluent ponds</u></p> <p><u>poultry farm litter and effluent and any consequential discharge^ of contaminants^ into air pursuant to ss15(2) or 15(2A) RMA.</u></p> <p><u>and ancillary discharges of nutrients to land from animals pursuant to ss15(1), 15(2) or 15(2A) RMA.</u></p>			
<p>13-1d <u>New dairy farming*, cropping*, commercial vegetable production* and intensive sheep and beef farming* together with their associated activities that does not comply with one or more of the conditions specified in Rule 13-1c</u>²³</p>	<p><u>The new use of land^* pursuant to s9(2) RMA for dairy farming* cropping*, commercial vegetable production* and intensive sheep and beef farming* from 1 July 2011 together with any of the following activities associated with the above uses:</u></p> <p>i. <u>the discharge^ of fertiliser* onto land^ pursuant to ss15(1), 15(2) or 15(2A) RMA and any consequential discharge^ of contaminants^ to air pursuant to ss15(2)</u></p>	<p>Non-complying</p>	<p>Information requirement</p> <p>The applicant must:</p> <p>(a) <u>identify the land use capability classes of all land on which the activity to which this rule relates occurs;</u></p> <p>(b) <u>identify the cumulative nitrogen leaching maximum for all the land on which the activity occurs;</u></p> <p>(c) <u>provide a nutrient management plan* that identifies:</u></p> <p>(i) <u>the nitrogen leaching from the activity and compares this to the cumulative nitrogen leaching maximum; and</u></p> <p>(ii) <u>where the nitrogen leaching is greater than the cumulative nitrogen leaching maximum identifies any management practices that will reduce the nitrogen leaching to at or below the cumulative nitrogen leaching maximum.</u></p>	

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>or 15(2A) RMA</p> <p>ii. <u>the discharge^ of contaminants^ onto land^ pursuant to ss15(1), 15(2) or 15(2A) RMA from</u></p> <p>d. <u>the preparation, storage, use or transportation of stock feed on production land^, or</u></p> <p>e. <u>the use of a feed pad and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>iii. <u>the discharge^ of grade A biosolids* and soil conditioners* onto or into production land^ pursuant to ss15(1), 15(2) or 15(2A) RMA, and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</u></p> <p>iv. <u>any discharge^ of contaminants^ to land^ pursuant to</u></p>			

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p><u>ss15(1), 15(2) or 15(2A) RMA or water^ pursuant to s15(1) RMA from farm animals associated with the land^ use including:</u></p> <p>f. <u>effluent from dairy sheds and ancillary feed pads</u></p> <p>g. <u>effluent from existing piggeries</u></p> <p>h. <u>sludge from farm effluent ponds</u></p> <p><u>poultry farm litter and effluent and any consequential discharge^ of contaminants^ into air pursuant to ss15(2) or 15(2A) RMA.</u></p> <p><u>and ancillary discharges of nutrients to land from animals pursuant to ss15(1), 15(2) or 15(2A) RMA.</u></p>			
13-2 Fertiliser^	<p>The <u>discharge^ of fertiliser^ onto or into land^ pursuant to ss15(1), 15(2) or 15(2A) ^4 and any consequential ancillary^ discharge^ of contaminants^ into air pursuant to ss15(2) or 15(2A) RMA^4, except where the discharge^ is undertaken in</u></p>	Permitted	<p>(a) There shall <u>must^4</u> be no direct <u>discharge^ of fertiliser^</u> into any <u>water_body^</u> including groundwater.</p> <p>(b) There shall <u>must^4</u> be no <u>discharge^</u> onto or into any <u>rare habitat^, or threatened habitat^ or at-risk habitat^</u>, except for the purpose of enhancing such habitats.</p> <p>(c) The <u>fertiliser^</u> shall <u>must^4</u> be applied in accordance with the Code of Practice for <u>Fertiliser Use Nutrient</u></p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>association with a use of <i>land[^]</i> controlled by Rules <u>13-1b</u>, <u>13-1c</u> or <u>13-1d</u>.</p>		<p><u>Management</u> (New Zealand Fertiliser Manufacturers' Research Association, 2002²⁴),²⁴ except where the <i>fertiliser[*]</i> is being applied for domestic purposes, meaning the garden associated with a household.²⁵</p> <p>(d) Where nitrogen <i>fertiliser[*]</i> is applied onto or into <i>land[^]</i>:</p> <p>(i) <u>in excess of an application rate of 60kgN/ha/year across the whole farm, or</u></p> <p>(ii) <u>in excess of an application rate of 200 kgN/ha/year to an individual block on a farm²⁶</u></p> <p>an annual²⁶ nutrient budget, which takes into account all other sources of nitrogen and which is designed to minimise nitrogen leaching rates, shall <u>must⁴</u> be used to plan and carry out the <i>fertiliser[*]</i> application and be made available to the Regional Council upon request.²⁶</p> <p>(iii) <u>if a nutrient management plan[*] is required under Rule 13-1a then the nutrient management budget required by this condition must be consistent with it and the activity must be carried out in accordance with it.</u></p> <p>(e) The <i>discharge[^]</i> shall <u>must⁴</u> not result in any offensive or² objectionable odour or <i>fertiliser[*]</i> drift to the extent that causes an adverse effect² beyond the <i>property[*]</i> boundary.</p> <p>(f) For aerial <i>discharges[^]</i>, all reasonable measures must be taken to prevent:</p> <p>(i) <u>Any <i>discharge[^]</i> within 10m of the <i>bed[^]</i> of a <i>river[^]</i> that is permanently flowing or has an <i>active bed[*]</i> width greater than 2m, or any <i>lake[^]</i> or <i>wetland[^]</i> which has an area of 1 h.a. or more</u></p> <p>(ii) <u>Any adverse effects[^] on a <i>rare habitat[*]</i>, <i>threatened habitat[*]</i> or <i>at risk habitat[*]</i>.</u></p>	

²⁴ WTR 82 – 415/19.

²⁵ WTR 82 – 356/53.

²⁶ WTR 82 – 415/20.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><u>Under condition (i) "reasonable measures" include the use of GPS technology, positive air flow indicators on boundaries and direct boundary supervision by qualified personnel.²⁷</u></p>	
<p>13-3 Stock feed including feed pads</p>	<p>The <u>discharge[^] of contaminants[^] onto or into land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ from:</u></p> <p>(a) the preparation, storage, use or transportation of stock feed on <u>production land[^]</u>, or</p> <p>(b) the use of a <u>feed pad[*]</u> and any <u>consequential ancillary⁴ discharge[^] of contaminants[^] into air pursuant to ss15(2) or 15(2A) RMA⁴</u>, except where the <u>discharge[^]</u> is undertaken in association with a use of <u>land[^]</u> controlled by Rules <u>13-1b, 13-1c or 13-1d</u>.</p>	<p>Permitted</p>	<p>(a) <u>All areas used for storing stock feed, excluding farm silage storage pits that have an area less than 500 m², or for feed pads, shall be sealed so as to restrict seepage of effluent. The permeability of the sealing layer shall not exceed 1x10⁻⁹ m/s. Farm silage storage pits with an area greater than 500 m² per <u>property[*]</u> and all <u>feedpads[*]</u> must be sealed so that no <u>contaminant[^] is discharged[^] to land[^]</u> except through sealing layers with a permeability of not more than 1x10⁻⁹ ²⁸</u></p> <p>(b) All areas used for storing stock feed, for <u>feedpads[*]</u> or for otherwise feeding stock (including feeding silage) shall <u>must⁴</u> be located and/or managed in a manner that ensures at all times when such areas are in use:</p> <p>(i) run-off from the area into <u>surface water bodies[*] or artificial watercourses[*]</u> is prevented</p> <p>(ii) run-off from the surrounding catchment is prevented from entering the area.</p> <p>(c) All areas used for storing stock feed, for <u>feedpads[*]</u> or for otherwise feeding stock (including feeding silage) shall <u>must⁴</u> comply with the following separation distances:</p> <p>(i) 50 m from <u>rare habitats[*],²⁹ and threatened habitats[*]</u> and <u>at-risk habitats[*]</u></p> <p>(ii) 20 m from <u>bores[*], surface water bodies[*], artificial watercourses[*]</u>, and the <u>Coastal Marine Area^{^1}</u></p> <p>(iii) 50 m from any <u>archaeological site, waahi tapu or kōwhiri remains historic heritage[^]</u> as identified in any <u>district plan[^] or regional plan[^] schedule or database or proposed plan[^]</u>, in the New Zealand</p>	

²⁷ WTR 82 – 415/18.

²⁸ WTR 83 – 182/42 and "Report on Scope for Water Chapter Recommendations" Clause (ii).

²⁹ Consequential change as a result of the preliminarily determinations.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴</p> <p>(d) All <u>farm animal² effluent[*]</u> collected from <u>feedpads[*]</u> shall <u>must⁴</u> be treated and <u>discharged[^]</u> in accordance with Rule 13-6.</p> <p>(e) The <u>discharge[^]</u> shall <u>must⁴</u> not result in any <u>offensive or⁴</u> objectionable odour, dust or <u>spray drift[*]</u> beyond the <u>property[*]</u> boundary.</p>	
<p>13-4 <u>Grade Aa Biosolids[*]</u> <u>and or² soil conditioners[*]</u></p>	<p>The <u>discharge[^]</u> of <u>grade Aa biosolids[*]</u> and or² <u>soil conditioners[*]</u> onto or into² <u>production land[^]</u> pursuant to ss15(1), 15(2) or 15(2A) RMA⁴, and any <u>consequential ancillary⁴ discharge[^]</u> of <u>contaminants[^]</u> into air pursuant to ss15(2) or 15(2A) RMA⁴, except where the <u>discharge[^]</u> is undertaken in association with a use of <u>land[^]</u> controlled by Rules 13-1b, 13-1c or 13-1d.</p>	<p>Permitted</p>	<p>(a) There shall <u>must⁴</u> be no direct <u>discharge[^]</u> into any <u>water body[*]</u> or <u>artificial watercourse[*]</u>.²</p> <p>(b) There shall <u>must⁴</u> be no ponding of material on the soil surface for more than five hours following the <u>application discharge^{^2}</u>, or any run-off into a <u>surface water body[*]</u> or <u>artificial watercourse^{*2}</u></p> <p>(c) <u>For soil conditioners^{*2}</u> the material shall <u>must⁴</u> not contain any human or animal pathogens, or any <u>hazardous substances[^]</u>.</p> <p>(ca) <u>For grade Aa biosolids[*]</u> the <u>discharge[^]</u> must comply with the requirements for <u>grade Aa biosolids[*]</u> as included with Chapters 4 and 7 of Volume 1 and Chapters 8 (including monitoring requirements) and 9 of Volume 2 of the <u>Guidelines for the Safe Application of Biosolids to Land in New Zealand (New Zealand Water and Waste Association, August 2003)³⁰</u></p> <p>(d) The <u>discharge[^]</u> shall <u>must⁴</u> comply with the following separation distances:</p> <ul style="list-style-type: none"> (i) 150 m from residences, marae, schools, public buildings and public recreation areas³¹ (ii) 50 m from <u>property[*]</u> boundaries³¹ (iii) 50 m from <u>rare habitats^{*,4}</u> and <u>threatened habitats[*]</u> 	

³⁰ WTR 84 – 287/15.

³¹ WTR 84 – 357/122.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>and <i>at-risk habitats</i>*</p> <p>(iv) 20 m from <i>bores</i>*, <i>surface water bodies</i>*, <i>artificial watercourses</i>*,² and the <i>Coastal Marine Area</i>¹</p> <p>(v) 50 m from any archaeological site, <i>waahi tapu</i> or <i>koiri remains</i> <i>historic heritage</i>[^] as identified in any <i>district plan</i>[^] or <i>regional plan</i>[^] schedule or database or <i>proposed plan</i>[^]; in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴</p> <p>(e) A nutrient budget, which takes into account all other sources of nitrogen and which is designed to minimise nitrogen leaching rates, shall <u>must</u>⁴ be used to plan and carry out the <i>grade Aa biosolids</i>* or <i>soil conditioner</i>* application <i>discharge</i>[^].²</p> <p>(i) The <i>discharge</i>[^] shall <u>must</u>⁴ not result in any <i>offensive</i> or² <i>objectionable odour</i>, dust or <i>spray drift</i>* or any spray drift* beyond the <i>property</i>* boundary.</p> <p>(ii) The discharger shall <u>must</u>⁴ keep the following records:</p> <ol style="list-style-type: none"> a. a daily record of the <i>discharge</i>[^] volume and location b. a monthly (or more frequent) analysis of the nitrogen concentration of a <i>discharge</i>[^] sample <p>and make these records available to the Regional Council upon request.</p> <p>(iii) <u>if a <i>nutrient management plan</i>* is required under Rule 13-1a then the nutrient management budget required by this condition must be consistent with it and the activity must be carried out in accordance with it.</u></p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>13-4a³² Grade Ab, Ba or Bb <u>biosolids*</u></p>	<p>The <u>discharge[^]</u> of grade Ab, Ba or Bb <u>biosolids*</u> onto or into <u>production land[^]</u> pursuant to ss15(1), 15(2) or 15(2A) RMA, and any ancillary <u>discharge[^]</u> of <u>contaminants[^]</u> into air pursuant to s15(2) or 15(2A) RMA.</p>	<p><u>Restricted Discretionary</u></p>	<p>(a) <u>There must be no direct discharge[^] into any water_body[*] or artificial watercourse[*].</u></p> <p>(b) <u>There must be no ponding of material on the soil surface for more than five hours following the discharge[^], or any run-off into a water_body[*] or artificial watercourse[*].</u></p> <p>(c) <u>The material must have undergone stabilisation processes to achieve at least B grade as given by the Guidelines for the Safe Application of Biosolids to Land in New Zealand (New Zealand Water and Waste Association, August 2003). Hazardous substances* must not exceed b grade limits as given by the Guidelines for the Safe Application of Biosolids to Land in New Zealand (New Zealand Water and Waste Association, August 2003).</u></p> <p>(d) <u>The discharge[^] must comply with the following separation distances:</u></p> <p>(i) <u>150 m from residences, marae, schools, public buildings and public recreation areas</u></p> <p>(ii) <u>50 m from property* boundaries</u></p> <p>(iii) <u>50 m from rare habitats*, threatened habitats* and at-risk habitats*</u></p> <p>(iv) <u>20 m from bores*, surface water_bodies*, artificial watercourses*, and the Coastal Marine Area[^]</u></p> <p>(v) <u>50 m from historic heritage[^] as identified in any district plan[^] or regional plan[^] schedule or database or proposed plan[^].</u></p> <p>(e) <u>A nutrient budget, which takes into account all other sources of nitrogen and which is designed to minimise nitrogen leaching rates, must be used to plan and carry out the biosolids* or soil conditioner* discharge[^].</u></p> <p>(f) <u>The discharge[^] must not result in any offensive or objectionable odour, dust or spray drift* beyond the property* boundary.</u></p>	<p>Discretion is reserved over:</p> <p>(a) <u>The rate of discharge[^] and frequency of discharge[^] to control nutrient and contaminant loading rates</u></p> <p>(b) <u>Maintenance* of vegetative cover</u></p> <p>(c) <u>Odour management</u></p> <p>(d) <u>Effects on rare habitats*, threatened habitats* and at risk habitats*</u></p> <p>(e) <u>Contingency measures</u></p> <p>(f) <u>Monitoring and information requirements</u></p> <p>(g) <u>Duration of consent</u></p> <p>(h) <u>Review of consent conditions, and</u></p> <p>(i) <u>Compliance monitoring.</u></p>

³² WTR 84 – Addition of this new rule as a consequence of evidence to the hearing in relation to 287/15.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-5 Offal holes and farm dumps	The <i>discharge[^]</i> of <i>contaminants[^]</i> onto or into <i>production land[^]</i> pursuant to <i>ss15(1), 15(2) or 15(2A) RMA⁴</i> associated with an offal hole or farm dump, and any <i>consequential ancillary⁴</i> <i>discharge[^]</i> of <i>contaminants[^]</i> into air pursuant to <i>ss15(2) or 15(2A) RMA⁴</i> , except where the discharge is undertaken in association with a use of land controlled by Rule 13-1. ³³	Permitted	<p>(a) Only <i>dead animal matter[*]</i> and <i>organic waste[*]</i>, which that is sourced from the <i>property[*]</i> on which the offal hole of or farm dump is located, shall be disposed of shall be disposed of <i>may be placed</i> in the offal hole or farm dump.²</p> <p>(b) The <i>waste[*]</i> shall shall <i>must⁴</i> not contain any <i>hazardous substances[^]</i> or sewage.</p> <p>(c) There shall shall <i>must⁴</i> be no <i>discharge[^]</i> into any <i>water[^] body[*]</i>.</p> <p>(d) The lowest point of the offal hole or farm dump shall shall <i>must⁴</i> be at least 1 m above the seasonally highest <i>water[^]</i> table.</p> <p>(e) The offal hole or farm dump shall shall <i>must⁴</i> comply with the following separation distances:</p> <ul style="list-style-type: none"> (i) 150 m from residences, marae, schools, public buildings and public recreation areas (ii) 10 m from <i>property[*]</i> boundaries (iii) 50 m from <i>rare habitats[*]</i>,²⁹ and <i>threatened habitats[*]</i> and <i>at-risk habitats[*]</i> (iv) 100 20 m from <i>bores[*]</i>, <i>surface water[^] bodies[*]</i>, <i>artificial watercourses[*]</i>,³⁴ and the <i>Geoastal Marine Area[^]</i> (v) 10 m from the first floodplain terrace of <i>rivers[^]</i>³⁵ (vi) 50 m from any archaeological site, waahi tapu or koiwi remains <i>historic heritage[^]</i> as identified in any <i>district plan[^]</i> or <i>regional plan[^]</i> schedule or database or <i>proposed plan[^]</i>, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴ <p>(f) Measures shall shall <i>must⁴</i> be used as necessary² to</p>	

³³ Consequential changes as a result of changes to Rule 13-1.

³⁴ WTR 85 – 182/45.

³⁵ WTR 85 – 182/48.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>reasonably minimise animal pests from entering the offfal hole or farm dump.</p> <p>(g) There shall <u>must</u>⁴ be no <u>offensive or objectionable</u>² odour, dust, <u>waste*</u> or <u>spray drift*</u> to the extent that causes an adverse effect² beyond the <u>property*</u> boundary.</p>	
<p>13-6 Farm animal effluent* including effluent from³⁶ dairy sheds, poultry farms and existing piggeries</p>	<p>The <u>discharge[^]</u> of farm animal effluent* onto or into² production land* pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ including:</p> <p>(a) effluent from dairy sheds and feed pads</p> <p>(b) effluent from existing piggeries</p> <p>(c) sludge from farm effluent ponds</p> <p>(d) poultry farm litter and effluent</p> <p>and any <u>consequential ancillary⁴ discharge[^]</u> of <u>contaminants[^]</u> into air pursuant to ss15(2) or 15(2A) RMA⁴, except where the <u>discharge[^]</u> is undertaken in association with a use of <u>land[^]</u> controlled by Rules 13-1b, 13-1c or 13-1d.</p> <p>This rule[^] does not apply to <u>discharges[^]</u> from new piggeries.</p>	<p>Controlled</p>	<p>(a) There shall <u>must</u>⁴ be no <u>discharge[^]</u> of effluent into a <u>water_body*</u> or <u>artificial watercourse²</u>, from effluent holding facilities.</p> <p>(b) All effluent storage and treatment facilities (including sumps and ponds) <u>newly established or extended (including deepening)</u> from the date this Rule[^] is made <u>operative[^]</u>³⁷ shall <u>must</u>⁴ be sealed so as to restrict seepage of effluent. The permeability of the sealing layer shall <u>must</u>⁴ not exceed 1x10⁻⁹ m/s.</p> <p>(c) The <u>discharge[^]</u> shall <u>must</u>⁴ comply with the following separation distances:</p> <p>(i) for <u>discharges[^]</u> of piggery effluent, 150 m from residences, marae, schools, public buildings and public recreation areas</p> <p>(ii) for other <u>discharges[^]</u>, 20 m from residences, marae, schools, public buildings, <u>and</u> public recreation areas</p> <p>(iii) for all <u>discharges[^]</u>, 50 m from <u>rare habitats*²⁹</u> and <u>threatened habitats*</u> and <u>at-risk habitats*</u></p> <p>(iv) for all <u>discharges[^]</u>, 20 m from <u>bores*</u>, <u>surface water_bodies*</u>, <u>artificial watercourses*²</u>, public roads[^] and the <u>Ceoastal Marine Area¹</u></p> <p>(v) for all <u>discharges[^]</u>, 50 m from any archaeological</p>	<p>Control is reserved over:</p> <p>(a) Amount of effluent per <u>discharge[^]</u> and <u>timing and frequency of discharge[^]</u> (including the <u>rate of discharge[^]</u>, infiltration rates, soil depth for <u>discharge[^]</u>, soil water deficits for <u>discharge[^]</u>, maximum nitrogen loading and best management practices to minimise nutrient loss)⁴⁰</p> <p>(b) Measures to manage the ponding of effluent on the <u>discharge[^]</u> area</p> <p>(c) <u>Maintenance*</u> of vegetative cover</p> <p>(d) Odour management</p> <p>(e) Effects on <u>rare habitats*²⁹</u> and <u>threatened habitats*</u> and <u>at-risk habitats*</u></p> <p>(f) Contingency measures, including but not limited to effluent storage, ⁴¹for events of mechanical failure and prolonged wet weather</p> <p>(g) Duration of consent</p> <p>(h) Review of consent <u>conditions[^]</u> and</p> <p>(i) Compliance monitoring.</p>

³⁶ WTR 86 – 180/68.

³⁷ WTR 86 – 182/47.

³⁸ WTR 86 – 353/20.

³⁹ Clause (e) has been shifted within rule 13-6 to become clause (g).

⁴⁰ WTR 86 – 409/36.

⁴¹ WTR 86 – 182/50.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>site, waahi tapu or koiwi remains historic heritage[^] as identified in any district plan[^] or regional plan[^] schedule or database or proposed plan[^], in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴³⁸</p> <p>(d) Stormwater from ancillary roof areas or hardstand areas, which that¹ does not contain farm animal effluent[*], shall <u>must⁴ not discharge[^]</u> to the effluent storage facility.</p> <p>(e) A nutrient budget, which takes into account all other sources of nitrogen and which is designed to minimise nitrogen leaching rates, shall be used to plan and carry out the animal effluent application.³⁹</p> <p>(f) There shall <u>must⁴</u> be no offensive or³⁶ objectionable odour, dust, waste[*] or spray drift[*] to the extent that causes an adverse effect beyond the property[*] boundary.</p> <p><u>Information requirement</u></p> <p>(g) <u>An annual nutrient budget, which takes into account all other sources of nitrogen and which is designed to minimise nitrogen leaching rates, shall must be used to plan and carry out the animal effluent[*] application.⁴⁰</u></p> <p>(h) <u>if a nutrient management plan is required under Rule 13-1a then the nutrient management must be consistent with it.</u></p>	<p>Resource consent[^] applications under this #Rule[^] will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>
<p>13-7 Effluent from new piggeries</p>	<p>The <u>discharge[^]</u> of effluent from new piggeries onto or into² <u>production land[^]</u> pursuant to ss15(1), 15(2) or 15(2A) RMA⁴, and any consequential <u>ancillary⁴ discharge[^]</u> of <u>contaminants[^]</u> into air pursuant to ss15(2) or 15(2A) RMA⁴.</p>	<p>Discretionary</p>		

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-8 Agricultural <i>land</i> [^] uses not covered by other <i>rules</i> [^]	<p>Agricultural <i>land</i>[^] uses not regulated by Rules 13-1a, 13-1b, 13-1c or 13-1d or any <i>rules</i>[^] in Chapter 12 (including any <i>discharge</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] pursuant to ss15(1), 15(2) or 15(2A) RMA or <i>water</i>[^] from farm animals associated with the <i>land</i>[^] use).</p> <p>For the avoidance of doubt this <i>Rule</i>[^] applies to:</p> <p>(a) agricultural <i>land</i>[^] use types not regulated by Rules 13-1a, 13-1b, 13-1c or 13-1d in all areas</p> <p>(b) existing agricultural <i>land</i>[^] uses that are regulated by Rule 13-1 but are not in Water Management <i>Sub-zones</i>[*] 20 that are specified in Rules 13-1a, 13-1b, 13-1c or 13-1d</p> <p>(c) agricultural <i>land</i>[^] use types that are regulated by Rules 13-1a, 13-1b, 13-1c or 13-1d before the date the <i>rule</i>[^] comes into force.</p>	Permitted		

Rule[^] Guide:

Activities in *rare habitats*^{*}, 29 *and threatened habitats*^{*} and *at-risk habitats*^{*} are regulated by Rules 12-7 and 12-8. Agricultural activities at other locations are regulated as follows:

- (a) *Discharges*[^] not covered by *rules*[^] – Agricultural *discharges*[^] pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that are not covered by the *rules*[^] above are a *discretionary activity*[^] under Rule 13-27.
- (b) *Activities that do not comply* – Activities pursuant to ss 9(2), 15(1), 15(2) or 15(2A) RMA⁴ that do not comply with the *permitted activity*^{^4} or *controlled activity*[^] *rules*[^] above are a *discretionary activity*[^] under general Rule 13-27.

13.3 Rules – Discharges of Water

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-9 Discharges of water into water ²	The discharge of water into water pursuant to s15(1) RMA ⁴ (excluding drainage water which is regulated by Rules 15-9 and 15-10) and the discharge of water into water that is part of the normal operation of a dam which is regulated by Rules 16-8 and 16-9. ⁴²	Permitted	<ul style="list-style-type: none"> (a) The discharge shall not cause or exacerbate the flooding of any neighbouring property. (b) The discharge shall not cause any scouring or erosion of any land or water body beyond the point of discharge. (c) The discharge shall not alter the natural course of any water body. (d) The discharge shall not be to any wetland which is considered a rare habitat or threatened habitat as identified in Schedule E (discharges into these areas are controlled as non-complying activities under Rule 12-28)⁴³. (e) The discharge shall not, after reasonable mixing, change the natural temperature of the receiving water by more than the maximum temperature or temperature change specified by the quality standards for the Water Management Sub-zone²⁰ listed in Schedule D. 	

Rule Guide:

Activities that do not comply – Discharges of water pursuant to s15(1) RMA⁴ that do not comply with the permitted activity rule above are a discretionary activity under Rule 13-27.

⁴² WTR 89 – 268/34.

⁴³ WTR 89 – 440/90.

13.4 Rules[^] – Sewage Human effluent and domestic wastewater^{*2}

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-10 Existing <i>discharges[^]</i> of <i>domestic wastewater[*]</i>	The <i>discharge[^] of domestic wastewater[*] into or onto or into² land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ from an on-site wastewater treatment and disposal land[^] application system and any ancillary <i>discharge[^] of contaminants[^] into air pursuant to ss15(2) or 15(2A) RMA² lawfully in existence at the time that this Rule[^] comes into effect becomes operative[^]. <u>New and upgraded <i>discharges[^] of domestic wastewater[*] are controlled by Rule 13-11.²</i></u></i></i>	Permitted	(a) The design flow as specified in Section 3 of the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council 2009), ⁴⁴ shall <u>must⁴</u> be no greater than 2 m ³ /d (2,000 litres per day). ² (b) The flow allowance used to calculate the system design flow shall <u>must</u> be no less than 145 litres per person per day where the water supply is provided by roof water collection, or 180 litres per person per day for other sources of water supply. (c) The <i>discharge[^]</i> shall <u>must⁴</u> consist only of <i>contaminants[^]</i> normally associated with domestic sewage and greywater. (d) There shall <u>must⁴</u> be no direct <i>discharge[^]</i> of wastewater to groundwater. (e) The <i>discharge[^]</i> shall <u>must⁴</u> comply with the following separation distances: (i) at least 30 m from any <i>bore[*]</i> used for drinking water supply. ² (ii) at least 20 m from any river, lake, natural wetland <i>water body²</i> or <i>artificial watercourse[*]</i> , or the <i>Coastal Marine Area[^]</i> . ¹ (f) The <i>discharge[^]</i> shall <u>must⁴</u> not cause any offensive or objectionable odour to the extent that causes an adverse effect² beyond the <i>property[^]</i> boundary. (g) There shall <u>must⁴</u> be no increase in the concentration of pathogenic organisms in any <i>surface² water body[*]</i> as a result of the <i>discharge[^]</i> . (h) The wastewater treatment and disposal system shall	

⁴⁴ WTR 92 – 182/57.

⁴⁵ WTR 91 - 182/52.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><u>must⁴ be maintained by a manufacturer approved contractor in accordance with the supplier's specifications or the requirements of the Manual for On-Site Wastewater Systems - Design and Management (Horizons Regional Council, 2009), whichever are the more stringent. All records of each <i>maintenance</i>[*] action must be retained and made available for inspection by the Regional Council or its agents upon request. in accordance with the manufacturer's instructions. A schedule of maintenance shall be kept, and this schedule shall be available for inspection by the regional council upon request.</u>⁴⁵</p>	
<p>13-11 New and upgraded discharges[^] of domestic wastewater[*]</p>	<p>The <i>discharge[^] of domestic wastewater[*] into or onto or into² land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA and any ancillary discharge[^] of contaminants[^] into air pursuant to ss15(2) or 15(2A) RMA⁴ from an new or upgraded on-site wastewater treatment and disposal land[^] application² system which either:</i></p> <p>(a) is newly established after this <i>Rule[^]</i> becomes operative[^], or</p> <p>(b) involves the <i>upgrade[^]</i> of a system that existed at the time that prior to this <i>Rule[^]</i> becomes operative[^] coming into effect.²</p>	<p>Permitted</p>	<p>(a) The activity shall <u>must⁴</u> comply with <i>conditions[^]</i> (a) to (g) of Rule 13-10.</p> <p>(b) All aspects of the wastewater treatment and disposal <u>land[^] application²</u> system, including <u>soil assessment²</u>, design, installation and operation, shall <u>must⁴</u> be in accordance with the "Manual for On-site Wastewater Systems – Design and Management" (Horizons Regional Council, 2006)⁴⁵</p> <p>(c) Where the <i>property[*]</i> within which the <i>discharge[^]</i> occurs is 10 ha or greater:</p> <p>(i) septic tanks shall <u>must⁴</u> be fitted with effluent outlet filters, unless the equivalent level of treatment is provided within an <u>aerobic secondary or advanced secondary wastewater²</u> treatment system</p> <p>(ii) the areal loading rate within the wastewater disposal field <u>land[^] application area shall must⁴</u> be no greater than 5 mm/d (5 litres per m² per day) the least conservative rate provided in Tables 6.2, 6.6, 6.8 and 6.10 of the Manual for On-site Wastewater Systems – Design and Management" (Horizons Regional Council, 2009).⁴⁴</p> <p>(d) Where the <i>property[*]</i> within which the <i>discharge[^]</i> occurs</p>	

⁴⁶ WTR 92 – Substantial reworking of clauses (d) to (h) as a result of submissions and evidence from submitters 182, 287 and 414.

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>is less than 10 ha but greater than 4ha:</p> <ul style="list-style-type: none"> (i) the property shall cover an area of at least either 5000 m² for properties created by subdivision after this rule comes into effect, or 2500 m² for properties that existed prior to this rule coming into effect (ii) the treatment system shall must be either include secondary treatment which shall must⁴ achieve, as a minimum, the following <i>discharge^</i> quality standards: 20 g/m³ Biochemical Oxygen Demand, and 30 g/m³ Suspended Solids, and 3045 g/m³ Total Nitrogen or an improved primary septic tank and outlet filter. (ia) <u>The <i>land^</i> application system must be via pumping to dose load pressure compensating dripper irrigation lines for secondary or advanced secondary treated effluent and shallow low pressure effluent distribution trenches for primary treated effluent or lesser rate in accordance with that prescribed in Table 6.2 in the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council, 2009).</u> (iii) The <i>area</i> loading rate within the wastewater <i>land^</i> application area disposal field shall must⁴ be no greater than 35 mm/d (35 litres per m² per day) for secondary treated effluent and 3mm/d (3m³ litres per m² per day) for primary treated effluent. (da) <u>Where the <i>property^</i> within which the <i>discharge^</i> occurs is less than 4 ha:</u> <ul style="list-style-type: none"> (i) <u>The <i>property^</i> must cover an area of at least either 5,000 m² for <i>properties^</i> created by subdivision after this <i>rule^</i> becomes <i>operative^</i>, or 2,500 m² for <i>properties^</i> that existed prior to this <i>Rule^</i> becoming <i>operative^</i></u> (ii) <u>The wastewater treatment system must include secondary treatment which must achieve, as a</u> 	

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><u>minimum, the following discharge quality standards: 20 g/m³ Biochemical Oxygen Demand, 30 g/m³ Suspended Solids, and 60 g/m³ Total Nitrogen.</u></p> <p><u>(ii) The <i>land</i>[^] application system must be via pumping to dose load pressure compensating dripper irrigation lines.</u></p> <p><u>(iii) The loading rate within the wastewater <i>land</i>[^] application area must be no greater than 3mm/d (3 litres per m² per day) or lesser rate in accordance with that prescribed in Table 6.2 in the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council, 2009).</u></p> <p>(e) The disposal system shall comprise a pressure compensating drip irrigation land application disposal system.</p> <p>(f) For disposal systems underlain by clay or silt-predominant soils:</p> <p>(i) there shall be at least 600 mm depth between the effluent discharge and the highest groundwater level</p> <p>(ii) there shall be at least 200 mm depth of topsoil, bark or compost beneath the pressure compensating drip irrigation lines.</p> <p>(g) For disposal systems underlain by sand or gravel-predominant soils:</p> <p>(i) there shall be at least 900 mm depth between the effluent discharge and the highest groundwater level</p> <p>(ii) there shall be at least 300 mm depth of topsoil, bark or compost beneath the pressure compensating drip irrigation lines.</p> <p><u>(ga) Separation distances to <i>water bodies</i>[*] and <i>property</i>[*] boundaries must be in accordance with those specified in Table 2.2 in the Manual for On-site Wastewater</u></p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><u>Systems – Design and Management (Horizons Regional Council, 2009)</u></p> <p>(gb) <u>The placement, burial, covering and exclusion of the land[^] application area must be as specified in section 6 in the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council, 2009)</u></p> <p>(h) <u>For secondary treatment systems there shall must be at least a 100-50% reserve disposal area allocation. For primary treatment systems this reserve area allocation must be not less than 100%.⁴⁶</u></p> <p>(i) <u>The activity shall must⁴ not take place in any rare habitat*,²⁹ or threatened habitat* or in any-at-risk habitat*.</u></p> <p>(j) <u>The activity shall must⁴ not be to any archaeological site, waahi tapu or kōiwi remains historic heritage[^] as identified in any district plan[^] or regional plan[^] schedule or database, or proposed plan[^], in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴</u></p> <p>(k) <u>In the event of an archaeological site, waahi tapu, or kōiwi remains being discovered or disturbed while undertaking the activity, the activity shall cease and the Regional Council shall must be notified as soon as practicable such that the Regional Council will provide advice regarding the appropriate authorities to be contacted. The activity shall not be recommenced without the approval of the Regional Council.⁵⁴</u></p> <p>(l) <u>There shall must⁴ be a programmed maintenance* contract by a manufacturer approved contractor in accordance with the supplier's specifications or the requirements of the Code of Practice for the Manual for On-Site Wastewater Systems - Design and Management (Horizons Regional Council, 2009) of On-site Wastewater Systems, whichever are the more stringent, and All records of each maintenance* action</u></p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>shall <u>must</u> be retained and made available for inspection by the Regional Council or its agents upon request.⁴⁵</p> <p>(m) <u>The discharge must not cause any offensive or objectionable odour beyond the <i>property</i>[^] boundary.</u>⁴⁶</p>	
13-12 <i>Discharges[^] of domestic wastewater[*] not complying with Rules 13-10 and 13-11</i>	The <i>discharge[^] of domestic wastewater[*] into or onto or into² land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA and any ancillary discharge[^] of contaminants[^] into air pursuant to ss15(2) or 15(2A) RMA</i> ⁴ from an on-site wastewater treatment and disposal system that does not comply with one or more of the <i>conditions[^]</i> of Rules 13-10 or 13-11.	Restricted Discretionary	<p>(a) The design flow shall <u>must</u>⁴ not exceed 6 m³/d.</p> <p>(b) The flow allowance used to calculate the system design flow shall <u>must</u> be no less than 145 litres per person per day where the <i>water[^]</i> supply is provided by roof <i>water[^]</i> collection, or 180 litres per person per day for other sources of <i>water[^]</i> supply</p> <p>(c) The <i>discharge[^]</i> shall <u>must</u>⁴ consist only of <i>contaminants[^]</i> normally associated with domestic sewage and greywater.</p> <p>(d) The activity shall <u>must</u>⁴ not take place in any <i>rare habitat[*]</i>,²⁹ or threatened habitat[*] or in any at-risk habitat[*].</p> <p>(e) The activity shall <u>must</u>⁴ not be to any archaeological site, waahi tapu or koivi remains <i>historic heritage[^]</i> as identified in any <i>district plan[^]</i> or <i>regional plan[^]</i> <i>schedule or database, or proposed plan[^]</i>, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴</p> <p>(f) In the event of an archaeological site, waahi tapu, or <i>kōiwi remains</i> being discovered or disturbed while undertaking the activity, the activity shall cease and the Regional Council shall <u>must</u>⁴ be notified as soon as practicable such that the Regional Council will <u>provide advice regarding the appropriate authorities to be contacted. The activity shall not be recommenced without the approval of the Regional Council.</u>⁵⁴</p>	Control is reserved over: <p>(a) the volume of wastewater and design of the treatment system</p> <p>(b) compliance with the Manual for On-site Wastewater Systems – Design and Management (Horizons Regional Council, 20069)⁴⁵</p> <p>(c) the design of the disposal system, the disposal method, and the rate of <i>land[^]</i> application</p> <p>(d) the <i>discharge[^]</i> quality, and allowable level of contamination</p> <p>(e) <i>environmental[^] effects[^]</i> arising from the location and method of disposal</p> <p>(f) the reserve application area</p> <p>(g) duration of consent</p> <p>(h) review of consent <i>conditions[^]</i></p> <p>(i) compliance monitoring.</p> <p><i>Resource consent[^]</i> applications under this <i>Rule[^]</i> will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>
13-13 Human effluent storage and	The <i>discharge[^] into or onto or into² land[^]</i> of human effluent pursuant to ss15(1), 15(2) or 15(2A) RMA ⁴ for the purpose of	Permitted	(a) All effluent storage and treatment facilities (including sumps and ponds) shall <u>must</u> ⁴ be sealed so as to restrict seepage of effluent prevent seepage of effluent to <i>land[^]</i> except through a sealed layer with a permeability not	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
treatment facilities	<p>storing or treating the effluent in ponds and any associated <u>discharge[^] of contaminants[^] into² air pursuant to ss15(2) or 15(2A) RMA⁴.</u></p> <p>This <u>Rule[^]</u> controls sewage treatment and storage ponds but does not control <u>domestic wastewater[*]</u> treatment and disposal, which is controlled under Rules 13-16, 13-17 and 13-18 13-10, 13-11 and 13-12.⁴⁷</p>		<p>more than – The permeability of the sealing layer shall not exceed² 1x10⁻⁹ m/s.</p> <p>(b) All effluent storage and treatment facilities (including sumps and ponds) shall must⁴ be located and/or managed in a manner which ensures at all times that:</p> <p>(i) run-off from the area into surface water bodies[*], artificial watercourses[*] or the Coastal Marine Area² is prevented</p> <p>(ii) run-off from the surrounding catchment is prevented from entering the area.</p> <p>(c) The <u>discharge[^]</u> shall must⁴ not result in any offensive or objectionable odour to the extent that it causes an adverse <u>effect[^]</u> beyond the boundary of the subject <u>property[*]</u>.</p> <p>(d) The <u>discharge[^]</u> shall must⁴ comply with the following separation distances:</p> <p>(i) 150 m from residences, marae, schools, public buildings and public recreation areas</p> <p>(ii) for all discharges¹, 50 m from <u>rare habitats[*]</u>,²⁹ and threatened habitats[*] and at-risk habitats[*]</p> <p>(iii) for all discharges¹, 30 m from <u>bores[*]</u>, <u>surface water bodies[*]</u>, <u>artificial water bodies[*]</u>, <u>public roads[^]</u> and the <u>Coastal Marine Area[^]</u></p> <p>(iv) for all discharges 50 m from any archaeological site, waahi tapu or koiwi remains <u>historic heritage[^]</u> as identified in any <u>district plan[^]</u> or <u>regional plan[^]</u> schedule or database or <u>proposed plan[^]</u>,⁷ in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴</p>	
13-14 <u>Discharges[^] of</u>	The <u>discharge[^]</u> of untreated human effluent directly into a	Prohibited		

⁴⁷ WTR 94 – 182/58.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
untreated human effluent directly into surface water [^]	<p>surface water body[^] pursuant to s15(1) RMA⁴, except:</p> <p>(a) within the section of the Whanganui River between NZMS R22: 848380 and NZMS R22: 858392 until 1 July 2009</p> <p>(b) stormwater that is contaminated with sewage as a result of infiltration during rainfall.</p>			

Rule[^] Guide:

Discharges[^] in rare habitats*, and²⁹ threatened habitats* and at-risk habitats* are regulated by Rules 12-7 and 12-8. Discharges[^] at other locations are regulated as follows:

- (a) Activities not covered by rules[^] – Discharges[^] of sewage pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that are not covered by the rules[^] above are a discretionary activity[^] under Rule 13-27.
- (b) Activities that do not comply – Discharges[^] of domestic wastewater* pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that do not comply with the permitted activity[^], controlled activity[^] ² or restricted discretionary activity[^] rules[^] above, but which are not prohibited, are a discretionary activity[^] under Rule 13-27.

13.5 Rules[^] – Stormwater

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>13-15 Discharges[^] of stormwater into surface water bodies* and onto or into land^{^2}</p>	<p>The discharge[^] of stormwater into surface water bodies* pursuant to s15(1) RMA⁴ or onto or into land[^] pursuant to ss15(1), 15(2) or 15(2A) RMA⁴, and any ancillary associated⁴ takes or diversions of stormwater pursuant to s14(2) RMA⁴ forming part of the stormwater system.</p>	<p>Permitted</p>	<p>(a) The discharge[^] shall must⁴ not include stormwater from any: (i) industrial or trade premises[^] where hazardous substances[^] are stored or used (ii) contaminated land[^] (iii) operating quarry or mineral[^] extraction site[^] unless there is an interceptor system* in place. (b) For discharges that include stormwater from an industrial or trade premises, or an urban area, the catchment area of the discharge shall not exceed 2 hectares.⁴⁸ (c) The discharge[^] shall must⁴ not cause or exacerbate the flooding of any property[^], unless written approval is obtained from the affected property owner.² (d) The activity shall must⁴ not cause erosion of any land[^] or the bed[^] of any² water body[^] beyond the point of discharge[^] unless this is not practicably avoidable, in which case any erosion that occurs as a result of the discharge[^] shall must⁴ be remedied as soon as practicable. (e) There shall must⁴ be no discharge[^] to any rare habitat*,²⁹ or threatened habitat*, at-risk habitat*, or Natural State Water Management Sub-zone*.²⁰ (f) For discharges[^] of stormwater onto or into land[^]: (i) the discharge[^] shall must⁴ be below a rate that would cause flooding outside the design discharge[^] soakage area, except in rain events equivalent to</p>	

⁴⁸ WTR 97 – 151/164.

⁴⁹ WTR 97 – 182/59.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>or greater than the 10% annual exceedence probability design storm. Any exceedence shall <u>must</u>⁴ go into designated overland flow paths</p> <p>(ii) there shall <u>must</u>⁴ not be any overland flow resulting in a <i>discharge</i>[^] to a <i>natural surface water body</i>², except in rain events equivalent to or greater than the 10% annual exceedence probability design storm</p> <p>(iii) the <i>discharge</i>[^] shall <u>must</u>⁴ not contain concentrations of <i>hazardous substances</i>[^] that may cause toxicity are toxic to aquatic ecosystems, or render freshwater unsuitable for human consumption after treatment <u>accumulate in soil</u>.⁴⁹</p> <p>(g) For <i>discharges</i>[^] of stormwater into <i>surface water bodies</i>[*] the <i>discharge</i>[^] shall <u>must</u>⁴ not cause any permanent reduction of the ability of the receiving <i>water body</i>[*] to convey flood flows.</p> <p>(h) For <i>discharges</i>[^] of stormwater into <i>surface water bodies</i>[*] the <i>discharge</i>[^] shall <u>must</u>⁴ not cause, after <i>reasonable mixing</i>[*], any of the following <i>effects</i>[^] in the receiving <i>water body</i>[*]:</p> <ul style="list-style-type: none"> (i) the production of conspicuous <i>oil</i>[*] or grease films, scums or foams, or floatable or suspended materials (ii) any conspicuous change in the colour or visual clarity of the receiving <i>water</i>[^] (iii) any emission of objectionable odour (iv) the rendering of freshwater unsuitable for consumption by farm animals (v) toxicity to aquatic ecosystems. <p>(i)(b) The activity shall <u>must</u>⁴ not be to any <i>archaeological site</i>, <i>waahi tapu</i> or <i>kowi remains</i> <i>historic heritage</i>[^] as identified in any <i>district plan</i>[^] or <i>regional plan</i>[^] <i>schedule</i> or <i>database</i>, or <i>proposed plan</i>[^], in the New Zealand Archaeological Association's Site Recording Scheme, or</p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			by the Historic Places Trust except where Historic Places Trust approval has been obtained. ⁵⁴	
13-16 Discharges of stormwater to land not complying with Rule 13-15 ⁵⁰	The discharge of stormwater onto land that does not comply with Rule 13-15, and any associated takes and diversions of stormwater forming part of the stormwater system.	Controlled	<p>(a) The discharge shall not include stormwater from any:</p> <ul style="list-style-type: none"> (i) industrial or trade premises where hazardous substances are stored or used (ii) contaminated land (iii) operating quarry or mineral extraction site unless there is an interceptor system* in place. <p>(b) The discharge shall be below a rate that would cause flooding outside the design discharge soakage area, except in rain events equivalent to or greater than the 10% annual exceedence probability design storm. Any exceedence shall go into designated overland flow paths.</p> <p>(c) There shall not be any overland flow resulting in a discharge to a natural surface waterbody except in rain events equivalent to or greater than the 10% annual exceedence probability design storm.</p> <p>(d) There shall be no discharge to any rare, threatened habitat* or at risk habitat*.</p>	<p>Control is reserved over:</p> <ul style="list-style-type: none"> (a) measures to control flooding and erosion (b) contaminant concentrations and loading rates (c) measures to avoid adverse effects on groundwater quality (d) measures to manage the level of soil contamination (e) measures to manage effects on surface waterbodies (f) odour management (g) stormwater system maintenance requirements (h) contingency requirements (i) monitoring and information requirements (j) duration of consent, and (k) review of consent conditions. <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>
13-17 Discharges [^] of stormwater into surface water bodies* or onto or into land [^] pursuant to ss15(1), 15(2) or 15(2A) RMA ⁴ which do not comply with Rule	The discharges [^] of stormwater into <u>surface water bodies*</u> pursuant to s15(1) RMA or onto or into <u>land[^]</u> pursuant to <u>ss15(1), 15(2) or 15(2A) RMA⁴</u> which do not comply with Rule	Restricted Discretionary	<p>(a) There shall shall <u>must</u>⁴ be no discharge[^] to any natural lake^{^1}, rare <u>habitat*</u>,⁴ or²⁹ threatened habitat*, at-risk habitat*, or Natural State <u>Water Management Sub-zone*</u>²⁰ with a Value of Natural State² or Site of Significance - Aquatic.</p>	<p>Discretion is reserved over:</p> <ul style="list-style-type: none"> (a) measures to control flooding and erosion (b) <u>contaminant[^]</u> concentrations and loading rates (ba) measures to avoid adverse <u>effects[^]</u> on

⁵⁰ WTR 98 – 363/158.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
complying with Rule 13-15 ⁶ ¹	13-15 ⁶ ¹ , and any ancillary associated ⁴ takes or diversions of stormwater pursuant to s14(2) RMA ⁴ forming part of the stormwater system.			<p><u>groundwater quality</u></p> <p>(bb) <u>measures to manage the level of soil contamination</u>⁵¹</p> <p>(c) measures required to comply with s107(1) RMA</p> <p>(d) measures required to comply with the <u>water[^] quality standards for the <u>Wwater Mmanagement Ssub-zone(s)</u></u>^{* 20}</p> <p>(e) odour management</p> <p>(f) stormwater system <u>maintenance[*]</u> requirements</p> <p>(g) contingency requirements</p> <p>(h) monitoring and information requirements</p> <p>(i) duration of consent, and</p> <p>(j) review of consent <u>conditions[^]</u>.</p>

Rule[^] Guide:

- (a) Discharges[^] in rare habitats^{*,29} and threatened habitats* and at-risk habitats* are regulated by Rules 12-7 and 12-8.
- (b) Discharges[^] in Natural State Wwater Mmanagement Ssub-zones^{*20} with a Value of Natural State² or Sites of Significance - Aquatic are regulated by Rule 13-23.

Discharges[^] at other locations are regulated as follows:

- (a) Activities not covered by rules[^] – Discharges[^] of stormwater pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that are not covered by the rules[^] above are a discretionary activity[^] under Rule 13-27.
- (b) ~~Activities that do not comply~~ Discharges of stormwater that do not comply with the permitted or controlled activity rules above are a discretionary activity under Rule 13-27.²

⁵¹ WTR 99 – Consequential change as a result incorporation of Rule 13-16 into Rule 13-17 to avoid duplication and improve clarity (182/60 & 61).

13.6 Rules[^] – Dyes and Tracers

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-18 <i>Discharges[^] of dye and salt tracers</i>	The <i>discharge[^]</i> of dye and salt tracer material, excluding radioisotope tracers, into a <u>surface² water body[*] pursuant to s15(1) RMA⁴</u> .	Permitted	<p>(a) The dye or salt tracer material <i>discharged[^]</i> shall <u>must⁴</u> not exceed 20 l of dye in solution, 10 kg of salt, or 100 l of salt solution.</p> <p>(b) The <u>R_egional C_eouncil¹</u> and the relevant <u>T_erritorial A_uthority[^]</u> shall <u>must⁴</u> be notified in writing of the proposed <i>discharge[^]</i> at least 24 hours prior to the <i>discharge[^]</i>. Such notification shall <u>must⁴</u> include:</p> <ul style="list-style-type: none"> (i) the name and contact details of the person responsible for the <i>discharge[^]</i> (ii) the purpose and nature of the <i>discharge[^]</i> (iii) the nature of the tracer including its type, colour, and product name and description (iv) the location, timing and duration of the <i>discharge[^]</i>. <p>(c) The dye or salt tracer shall <u>must⁴</u> not be a <i>hazardous substance[^]</i> in terms of the Hazardous Substances and New Organisms Act 1996.</p> <p>(d) There shall <u>must⁴</u> be no <i>discharge[^]</i> to any <u>natural² lake[^], rare habitat[*], or²⁹ threatened habitat[*] or at-risk habitat[*], or Natural State water management zone²⁰ reach of a water body[*] with a Value of Natural State² or Site of Significance – Aquatic listed in Schedule Ba.²⁰</u></p>	

Rule[^] Guide:

- (a) *Discharges[^]* in rare habitats^{*}, and²⁹ threatened habitats^{*} and at-risk habitats^{*} are regulated by Rules 12-7 and 12-8.
- (b) *Discharges[^]* in Natural State Water Management Sub-zones²⁰ with a Value of Natural State² or Sites of Significance - Aquatic are regulated by Rule 13-23.

Discharges[^] at other locations are regulated as follows:

- (a) Activities not covered by *rules[^]* – *Discharges[^]* of radioisotope tracers and other tracers pursuant to s15(1) RMA⁴ that are not covered by the *rule[^]* above are a *discretionary activity[^]* under Rule 13-27.

- (b) Activities that do not comply – *Discharges* of dyes and tracers pursuant to s15(1) RMA⁴ that do not comply with the *permitted activity* rule[^] above are a *discretionary activity* under Rule 13-27.

13.7 Rules[^] – Cleanfill^{*}, Composting^{*}, Landfills^{*}, and Solid Waste^{*}

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-19 <i>Discharges</i> of <i>cleanfill</i> [*]	The <i>discharge</i> [^] of <i>cleanfill material</i> ^{*52} onto or into <i>land</i> [^] pursuant to ss15(1), 15(2) or 15(2A) RMA ⁴ and any ancillary associated ⁴ <i>discharge</i> [^] of <i>contaminants</i> [^] into <i>water</i> [^] pursuant to s15(1) RMA ⁴ or air pursuant to ss15(2) or 15(2A) RMA ⁴ except as regulated by other <i>rules</i> [^] in this Plan. ⁵³	Permitted	<p>(a) The siting, design, installation and management shall <u>must</u>⁴ be in accordance with A Guide to the Management of Cleanfills (Ministry for the Environment, 2002).</p> <p>(b) The rate of <i>cleanfill material</i>^{*52} deposition shall <u>must</u>⁴ be no more than 2,500 m³/y per <i>property</i>[*].</p> <p>(c) The <i>cleanfill material</i>^{*52} shall <u>must</u>⁴ not be deposited within:</p> <ul style="list-style-type: none"> (i) a rare <i>habitat</i>^{*29} or or <i>threatened habitat</i>[*] or <i>at-risk habitat</i>[*] (ii) a site with a <i>slope</i>[*] greater than 20° (iii) 50 m from any <i>archaeological site</i>, <i>waahi tapu</i> or <i>koivi remains</i> <i>historic heritage</i>[^] as identified in any <i>district plan</i>[^] or <i>regional plan</i>[^] schedule or database or <i>proposed plan</i>[^], in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴ <p>(d) Records of the source and composition of all <i>cleanfill</i>^{*52} <i>material</i>[*] disposed of at the <i>site</i>[*] shall <u>must</u>⁴ be maintained and made available to the <i>Regional Council</i> upon request.</p>	

⁵² WTR 169 – 303/5.

⁵³ WTR 101 – 182/ 62.

⁵⁴ Changes recommended by the officers report for Historic Heritage.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			(e) The placement of the <i>cleanfill material</i> ⁵² shall <u>must</u> ⁴ be undertaken and maintained in a manner so as to ensure its long-term physical stability.	
13-20 <i>Composting</i> _^ operations	The <i>discharge</i> _^ of <i>contaminants</i> _^ onto or into <i>land</i> _^ pursuant to ss15(1), 15(2) or 15(2A) RMA ⁴ , or into air pursuant to ss15(2) or 15(2A) RMA ⁴ arising from a <i>composting</i> _^ operation.	Permitted	(a) The material to be composted shall <u>must</u> ⁴ be green waste [*] , and shall <u>must</u> ⁴ not contain any <i>hazardous substance</i> _^ or sewage. (b) The activity shall <u>must</u> ⁴ not be located within: (i) a rare <i>habitat</i> [*] , or ²⁹ <i>threatened habitat</i> [*] or an <i>at-risk habitat</i> [*] (ii) the <i>bed</i> _^ or <i>floodplain</i> ² of a <i>river</i> _^ or <i>lake</i> _^ (iii) a site with a <i>slope</i> [*] greater than 20° (iv) 50 m from any <i>archaeological site</i> , <i>waahi tapu</i> or <i>koiri remains</i> <i>historic heritage</i> _^ as identified in any <i>district plan</i> _^ or <i>regional plan</i> _^ schedule or database or <i>proposed plan</i> _^ ; in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained. ⁵⁴ (c) All areas used for the <i>composting</i> _^ operation, including areas for storing compost, shall <u>must</u> ⁴ be located and/or managed in a manner that ensures at all times when such areas are in use: (i) run-off from the area into surface a <i>water body</i> _^ , <i>artificial watercourse</i> [*] or the <i>Coastal Marine Area</i> _^ ² is prevented (ii) run-off from the surrounding catchment is prevented from entering the area. (d) The <i>discharge</i> _^ shall <u>must</u> ⁴ not cause any offensive or objectionable odour to the extent that causes an <i>adverse effect</i> _^ beyond the <i>property</i> [*] boundary. ²	
13-21 Closed <i>landfills</i> _^	The <i>discharge</i> _^ of <i>contaminants</i> _^ into <i>water</i> _^ pursuant to s15(1) RMA ⁴ or air	Controlled		Control is reserved over: (a) measures to avoid adverse <i>effects</i> _^ on groundwater quality

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>pursuant to ss15(2) or 15(2A) RMA⁴ from a closed <i>solid waste* landfill*</i>.</p>			<p>(b) measures to manage the level of soil contamination</p> <p>(c) measures to manage <i>effects^</i> on surface <i>water_bodies*</i>, including maintaining the <i>V</i> values and <i>water^</i> quality standards set out in Schedule <i>DBa</i>²⁰</p> <p>(d) odour management</p> <p>(e) stormwater management onto and from the <i>site^</i></p> <p>(f) contingency requirements</p> <p>(g) monitoring and information requirements</p> <p>(h) duration of consent</p> <p>(i) review of consent <i>conditions^</i>.</p> <p><i>Resource consent^</i> applications under this <i>R#rule^</i>¹ will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>
<p>13-22 <i>Discharges^</i> of persistent and harmful <i>contaminants^</i></p>	<p>Any <i>discharge^</i> onto or into <i>land^</i> pursuant to ss15(1), 15(2) or 15(2A) RMA⁴, or into <i>water^</i> pursuant to s15(1)RMA⁴, of:</p> <p>(a) wastewater sludge originating from timber treatment processes using copper-chromium-arsenic wood preservatives</p> <p>(b) perchlorethylene-contaminated <i>waste*</i> from dry cleaning operations</p> <p>(c) persistent organochlorine substances</p> <p>(d) polyaromatic</p>	<p>Non-complying</p>		

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	hydrocarbons (e) Tributyl tin. ¹			

Rule^ Guide:

(a) Discharges_ in rare *habitats**, ~~and~~²⁹ *threatened habitats** and *at-risk habitats** are regulated by Rules 12-7 and 12-8.

Discharges_ at other locations are regulated as follows:

- (a) Activities not covered by rules_ – Discharges_ pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that are not covered by the rules_ above are a *discretionary activity_* under Rule 13-27.
- (b) Activities that do not comply – Discharges_ pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that do not comply with the *permitted activity_* or *controlled activity_* rules_ above, but which are not non-complying, are a *discretionary activity_* under Rule 13-27.

13.8 Rules[^] – Discharges[^] of contaminants[^] ² to Natural State Water Management Sub-zones^{55,*}, Lakes[^] and Wetlands[^]

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>13-23 <u>Discharges[^] of contaminants[^] ² to Natural State <u>W</u>ater <u>M</u>anagement <u>S</u>ub-zones[*] with a value of Natural State², ²⁰Sites of Significance – Aquatic and lakes[^] and wetlands[^]</u></p>	<p>Any direct <u>discharge[^] of contaminants[^] pursuant to ss15(1), 15(2) or 15(2A) RMA⁴</u> into:</p> <ul style="list-style-type: none"> (a) a <u>reach of a water body[*] with a value identified as Natural State <u>W</u>ater <u>M</u>anagement <u>S</u>ub-zone[*] in Schedule Ba²</u> (b) a <u>site[*] or reach of a² water body[*] identified as a Site of Significance – Aquatic in Schedule DBa⁵⁵</u> (c) a <u>natural lake, except Lake Otamangakau, Lake Te Whaiiau and Lake Moawhango⁵⁶</u> (d) a <u>wetland classified as a rare or threatened habitat^{*56}</u> <p>except the <u>discharge[^] of agrichemicals[*] for the purpose of controlling pests control as defined in a Regional Pest Management Strategy prepared under the Biosecurity Act 1993⁴ (this activity is</u></p>	<p>Non-complying</p>		

⁵⁵ Consequential change due to recommendations to amend Schedules – See “Report on Scope for Water Chapter Recommendations” Clause (iii).

⁵⁶ Consequential change due to new glossary definition of *water body*^{*}.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	regulated by Rule 14-2).			

13.9 Rules[^] – Generic Discharge[^] Rules[^]

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-24 Discharges [^] of contaminants [^] to surface water bodies ^{*2}	The discharge [^] of contaminants [^] into surface water bodies ^{*2} pursuant to s15(1) RMA, except as regulated by other rules [^] in this Plan.	Permitted	<p>(a) The rate of discharge[^] shall must⁴ be no greater than 50 m³/d.</p> <p>(b) The discharge[^] shall must⁴ not contain agricultural waste[*], sewage, stormwater, cleanfill[*] material⁵², contaminants[^] from composting[*] operations, or contaminants[^] from landfills[*].</p> <p>(c) The discharge[^] shall must⁴ not cause or exacerbate the flooding of any property[*], unless written approval is obtained from the affected property[*] owner[^].²</p> <p>(d) The discharge[^] shall must⁴ not cause any scouring or erosion of any land[^] or water[^] body[*] beyond the point of discharge[^].</p> <p>(e) The discharge[^] shall must⁴ not alter the natural course of any water[^] body[*].</p> <p>(f) There shall must⁴ be no discharge[^] to any natural lake[^], rare habitat[*], or ²⁹threatened habitat[*], at-risk habitat[*], Site of Significance – Aquatic or Natural State Water Management Sub-zone[*] with a Value of Natural State or Site of Significance - Aquatic[*].²⁰</p> <p>(g) The discharges[^] shall must⁴ not cause, after reasonable mixing[*], any of the following effects[^] in the receiving water[^] body[*]</p> <p>(i) the production of conspicuous oil[*] or grease films, scums or foams, or floatable or suspended materials</p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<ul style="list-style-type: none"> (ii) any conspicuous change in the colour or visual clarity of the receiving <i>water</i>[^] (iii) any emission of <i>offensive or</i>² objectionable odour. (h) The <i>discharges</i>[^] shall <i>must</i>⁴ not, after <i>reasonable mixing</i>[*], cause the receiving <i>water_body</i>[^] to breach the <i>water</i>[^] quality standards for that <i>water_body</i>[^] set out in Schedule D, either from the <i>discharge</i>[^] itself or in combination with any other <i>discharges</i>[^]. 	
<p>13-25 <i>Discharges</i>[^] of <i>contaminants</i>[^] onto or into² <i>land</i>[^] that will not enter <i>water</i>[^]</p>	<p>The <i>discharge</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] in circumstances that will not result in any <i>contaminant</i>[^] entering <i>water</i>[^], pursuant to ss15(1)(d), 15(2) or s 15(2A) RMA, except as regulated by other <i>rules</i>[^] in this Plan.</p>	<p>Permitted</p>	<ul style="list-style-type: none"> (a) The rate of <i>discharge</i>[^] shall <i>must</i>⁴ be no more than 100 m³/y per <i>property</i>[^]. (b) The <i>discharge</i>[^] shall <i>must</i>⁴ not contain agricultural waste[*], sewage, stormwater, <i>cleanfill material</i>^{*52}, <i>contaminants</i>[^] from <i>composting</i>[*] operations, or <i>contaminants</i>[^] from <i>landfills</i>[*]. (c) The <i>discharge</i>[^] shall <i>must</i>⁴ not be located within: <ul style="list-style-type: none"> (i) <i>any rare habitat</i>[*], or ²⁹<i>threatened habitat</i>[*] or an <i>at-risk habitat</i>[*] (ii) the <i>bed</i>[^] or floodplain of a <i>river</i>[^] or <i>lake</i>[^] (iii) a <i>site</i>[^] with a <i>slope</i>[*] greater than 20° (iv) 50 m from any archaeological site, waahi tapu or koiwi remains <i>historic heritage</i>[^] as identified in any <i>district plan</i>[^] or <i>regional plan</i>[^] schedule or database or <i>proposed plan</i>[^], in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.⁵⁴ (d) Records of the source and composition of the <i>discharge</i>[^] shall <i>must</i>⁴ be maintained and made available to the Regional Council upon request. (e) The <i>discharge</i>[^] shall <i>must</i>⁴ be undertaken and maintained in a manner so as to ensure its long-term stability, and avoid the risk of causing² erosion. (f) The <i>discharge</i>[^] shall <i>must</i>⁴ not cause any increase in 	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>the concentration of <i>hazardous substances[^]</i> or pathogenic organisms on or in any <i>land[^]</i>.</p> <p>(g) The <i>discharge[^]</i> shall <u>must</u>⁴ not have any acid-producing potential.</p>	
<p>13-26 <i>Discharges[^] of contaminants[^] onto or into² land[^] that may enter water[^]</i></p>	<p>The <i>discharge[^] of contaminants[^]</i> onto or into <i>land[^]</i> in circumstances which may result in those <i>contaminants[^]</i> (or any other <i>contaminant[^]</i> emanating as a result of natural processes from those <i>contaminants[^]</i>) entering <i>water[^]</i>, pursuant to s15(1)(b) RMA, except as regulated by other <i>rules[^]</i> in this Plan.</p>	<p>Permitted</p>	<p>(a) The <i>discharge[^]</i> shall <u>must</u>⁴ comply with all of the <i>conditions[^]</i> of Rule 13-24.</p> <p>(b) The <i>discharge[^]</i> shall <u>must</u>⁴ comply with all of the <i>conditions[^]</i> of Rule 13-25, except condition (a).</p> <p>(c) There is <i>discharge[^]</i> shall <u>must</u>⁴ be at least 600 mm depth between the discharge and above the seasonally highest water[^] table.²</p> <p>(d) The <i>discharge[^]</i> shall <u>must</u>⁴ comply with the following separation distances:</p> <ul style="list-style-type: none"> (i) at least 30 m from any <i>bore[*]</i> (ii) at least 20 m from any river, lake, natural wetland or water body⁵⁶, artificial watercourse[*], or the <i>Coastal Marine Area[^]</i>. <p>(e) There shall <u>must</u>⁴ be no surface ponding in the area of <i>discharge[^]</i>, or run-off of any <i>contaminant[^]</i> into a <i>surface water body[*], artificial watercourse[*] or the Coastal Marine Area^{^2}</i> as a result of the <i>discharge[^]</i>.</p> <p>(f) The discharge shall not cause any detectable reduction in the quality of groundwater.</p> <p>(g) The <i>discharge[^]</i> shall <u>must</u>⁴ not result in any airborne liquid <i>contaminant[^]</i> being carried beyond the boundary of the subject <i>property[*]</i>.</p>	

Rule[^] Guide:

- (a) *Discharges[^]* pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ in *rare habitats^{*}*, ~~and~~⁵⁵ *threatened habitats^{*}* and *at-risk habitats^{*}* are regulated by Rules 12-7 and 12-8.
- (b) *Discharges[^]* pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ in ~~Natural State~~ *Water Management Sub-zones^{*20}* with a Value of Natural State ² or Sites of Significance - Aquatic are regulated by Rule 13-23.

Discharges[^] at other locations are regulated as follows:

- (a) *Discharges[^]* pursuant to ss15(1), 15(2) or 15(2A) RMA⁴ that do not meet the requirements of the generic *rules[^]*, and are not covered by any other *rule[^]* in the Plan, are *discretionary activities[^]* under Rule 13-27.

13.10 Rules – Default Discharge Rule

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
13-27 Discharges of contaminants to land or water not covered by other rules in this Plan	The discharge of contaminants into surface water pursuant to s15(1)(a) RMA or discharge of contaminants into or onto land pursuant to ss15(1) (b), 15(1)(d), 15(2) or 15(2A) RMA ⁴ which are not regulated by other rules in this Plan, or which do not comply with the permitted activity ⁴ , controlled activity ⁴ or restricted discretionary activity ⁴ rules in this Plan.	Discretionary		

Rule Guide:

- (a) Associated discharges to air are dealt with in Chapter 14, Discharges to Air.²