

APPENDIX 1 - SELECTION OF REGIONAL PLANNING PROVISIONS

Note that the provisions cited are **representative examples from and not intended to be a comprehensive review of** each of the planning documents cited.

Canterbury Land and Water Regional Plan

Section 3 Objectives

The Objectives of this Plan must be read in their entirety and considered together. In any particular case some Objectives may be more relevant than others, but in general no single Objective has more importance than any other.

.....

- 3.8A** High quality fresh water is available to meet actual and reasonably foreseeable needs for community drinking water supplies.

Section 4 Policies

.....

Protect sources of drinking-water

- 4.23** Any water source used for drinking-water supply is protected from any discharge of contaminants that may have any actual or potential adverse effect on the quality of the drinking-water supply including its taste, clarity and smell and community drinking water supplies are protected so that they align with the CWMS drinking-water targets and meet the drinking-water standards for New Zealand.

- 4.23A** The quality of water abstracted from community drinking-water supply sources is protected through:

- (a) the application of a provisional protection zone around the source of any existing community drinking-water supply, unless a specific protection zone is included as a condition in the permit to take or use water; and
- (b) requiring applications for new or replacement permits to take or use water for community drinking-water supply to include an assessment of the specific protection zone required, taking into account the factors set out in Schedule 1; and
- (c) providing, by way of resource consent, for the replacement of provisional protection zones with specific protection zones which reflect the level of protection required for that supply.

- 4.23B** In considering resource consent applications to take or use water for a community drinking water supply, the consent authority shall have regard to:

- (a) the factors set out in Schedule 1; and
- (b) the extent to which the application reflects those factors set out in Schedule 1 when establishing the extent of the proposed protection zone; and
- (c) the level of additional restriction the proposed protection zone will impose on land users within the proposed protection zone.

- 4.28** The disposal of sewage sludge from the treatment of human effluent:

- (a) does not contaminate any drinking-water supply;
- (b) avoids adverse effects on people's health or safety, on human or stock water supplies and on surface water beyond the site boundary;
- (c) does not restrict activities on adjoining properties; (d) avoids creating a dust nuisance on adjoining properties.

4.29 Where an on-site effluent treatment and disposal system is to be installed to treat and dispose of human effluent the system proposed will:

- (a) effectively treat and dispose of human effluent, given the conditions of the site;
- (b) avoid adverse effects on people's health or safety, on human or stock water supplies and on surface water beyond the site boundary;
- (c) not restrict activities on adjoining properties;
- (d) allow sufficient distance between the discharge from the on-site system and other discharges, wells or groundwater to avoid elevation of groundwater levels to an extent that land drainage is impeded.

Section 5 Region-wide Rules

Sewerage Systems

5.84 The use of land for a community wastewater treatment system and the discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater treatment system and the discharge of sewage sludge and bio-solids from an on-site wastewater treatment system into or onto land, or into or onto land in circumstances where a contaminant may enter water are **discretionary activities**.

5.85 The use of land for a community wastewater treatment system and the discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater treatment system and the discharge of sewage sludge and bio-solids from an on-site wastewater treatment system into or onto land, or into or onto land in circumstances where a contaminant may enter water within a Community Drinking-water Protection Zone as set out in Schedule 1 is a **prohibited activity**.

Municipal Solid Waste

5.89 The discharge of municipal solid waste or hazardous waste into or onto land, or into or onto land in circumstances where a contaminant may enter water and is not categorised as a prohibited activity is a **discretionary activity**.

5.90 The discharge of municipal solid waste into or onto land, or into or onto land in circumstances where a contaminant may enter water, where the discharge is:

- (a) in the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
- (b) in a Community Drinking-water Protection Zone as set out in Schedule 1;

is a prohibited activity.

Bores

5.109 The taking of water from groundwater for the purposes of carrying out bore development or pumping tests, or incidental to hydrological or geotechnical investigations, and the associated use and discharge of that water is a **permitted activity**, provided the following conditions are met:

1. The take continues only for the time required to carry out bore development or a pumping test and in any event, the taking does not exceed 120 hours within any 14 day period and total no more than 10 days in any consecutive 12 month period per bore; and
2. Any bore development or pumping test is carried out in accordance with Schedule 11; and
3. Bore development or pumping tests shall cease upon notification that the pumping may be preventing access to any:
 - (a) community drinking water supply; or
 - (b) private drinking water supply, except any supply located on the property the test is being carried out on; and
4. At the point and time of any discharge to surface water, the rate of flow in the river or artificial watercourse is at least five times the rate of the discharge; and
5. The concentration of total suspended solids in the discharge does not exceed:
 - (a) 50g/m³ to any spring-fed river, Banks Peninsula river, or to a lake; or
 - (b) 100g/m³ where the discharge is to any other river or to an artificial watercourse.

5.110 The taking of water from groundwater for the purposes of carrying out bore development or pumping tests, or incidental to geotechnical investigations, and the associated use and discharge of that water that does not meet one or more of the conditions in Rule 5.109 is a **restricted discretionary activity**.

The exercise of discretion is restricted to the following matter:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 5.109.

Small and Community Water Takes

5.115 The taking and using of water for a community water supply from groundwater or surface water is a **restricted discretionary activity**, provided the following conditions are complied with:

1. A Water Supply Strategy prepared in accordance with Schedule 25 is submitted with the resource consent application; and

2. Where the application seeks water for purposes other than drinking water, the application shall identify which components are not related to drinking water, and which of those are existing or new activities.

The exercise of discretion is restricted to the following matters:

1.
3. The quality and adequacy of, compliance with and auditing of the Water Supply Strategy; and
4.
7. The need for and extent of the proposed Community Drinking-water Protection Zone; and
8. The matters set out in Schedule 1 and the way in which those matters are responded to in the proposal for which consent is sought and the assessment of effects forming part of the application; and
9. The actual and potential effects on any user of land located within the proposed Community Drinking-water Protection Zone.

Contaminated Land

....

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

1. There has been a site investigation report provided to the CRC in accordance with Rule 5.185; and
2. Either the site investigation report or water quality sampling demonstrates that the discharge does not result in the concentration of contaminants in groundwater:
 - (a)
 - (c) within a Community Drinking-water Protection Zone;

exceeding the limits applicable to groundwater set out in Schedule 8; and

5.188 The passive discharge of contaminants from contaminated land onto or into land in circumstances where those contaminants may enter water that does not meet one or more of the conditions in Rule 5.187 is a **discretionary activity**.

Section 9 Christchurch-West Melton

9.4 Policies

The following policies apply in the Christchurch-West Melton sub-region, in addition to those set out in Section 4 of this Plan.

Protect Sources of Drinking Water

9.4.1 Protect the high quality, untreated groundwater sources available to Christchurch City as a potable water supply in the area shown on the Planning Maps as the Christchurch Groundwater Protection Zone by:

- (a) Ensuring any abstraction of groundwater maintains upward hydraulic pressure gradients of groundwater where this pressure exists;
- (b) Controlling the use of land where activities involve the aggregation of large quantities of hazardous substances to ensure risks of spill, leaching or other contamination of groundwater are appropriately mitigated;
- (c) Preventing new landfills or any expansion of existing landfill disposal areas, except for the disposal of inert fill or clean fill only; and
- (d) Ensuring any land uses maintain an overlying confining layer above the aquifer of at least 3 m thickness, or where the confining layer is less than 3 m thick, maintain the existing thickness of the confining layer. Where the confining layer is removed or reduced, including as part of site construction or gravel or mineral extraction, measures are put in place to mitigate the risk of contaminants from land uses entering groundwater once site construction or excavation ceases and any remaining excavations are rehabilitated using inert fill.

9.5 Rules

9.5.13 Within the Specific Purpose (Burwood Landfill and Resource Recovery Park) Zone as shown on Map 9.2, the use of land for the deposition of earthquake related residual demolition waste, liquefaction silt, or infrastructure waste, excavation, and site remediation; the consequential discharge of contaminants onto or into land in circumstances where contaminants may enter water; and the discharge of construction phase stormwater, sediment-laden water or stormwater to water associated with these activities, is a **controlled activity** provided the following conditions are met: ...

The CRC reserves control over the following matters:

1.
5. Effects on groundwater quality, drinking water quality and surface water quality; and
.....

Schedule 1 Community Drinking-water Protection Zones

A Community Drinking-water Supply is a drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 25 people with drinking-water for not less than 60 days each calendar year, or is a site listed in (a) below.

The location and details of groundwater wells (including water infiltration galleries) and surface water intakes used as the source of a community drinking-water supply can be found on the Community Supply Wells and Community Water Supply Protection Zone map layers on the CRC's online GIS mapping website.

Existing community drinking-water supplies will have provisional Community Drinking-water Supply Protection Zones (established using the method set out in this schedule) until the relevant resource consent requires replacement or until an application for resource consent to apply a specific protection zone is made.

Where the holder of a water permit for an existing community drinking-water supply considers the provisional protection zone is not adequate for the level of protection required for that supply, an application for resource consent to amend the conditions of the water permit may be made. The dimensions of a specific protection zone shall form part of any application for resource consent to take or use water for a new community drinking-water supply or the replacement of an existing permit for that purpose.

The dimensions of a specific protection zone around a community drinking water supply are to be determined using site specific information, including:

1. the topography, geography and geology of the site;
2. the depth of the well;
3. the construction of the well;
4. pumping rates;
5. the type of aquifer;
6. the rate of flow in the surface waterbody;
7. the types of actual or potential contaminants;
8. the level of treatment that the abstracted water will receive;
9. any potential risk to water quality.

All new community drinking-water supplies and specific protection zones will be added to the Group or Community Supply Wells and Community Water Supply Protection Zone map layers on Environment Canterbury's GIS mapping website. Existing groundwater community drinking-water supplies are protected for distances specified in Figure S1A and Table S1A.

Figure S1A Method for calculating the area of a provisional Group or Community Drinking-water Protection Zone.

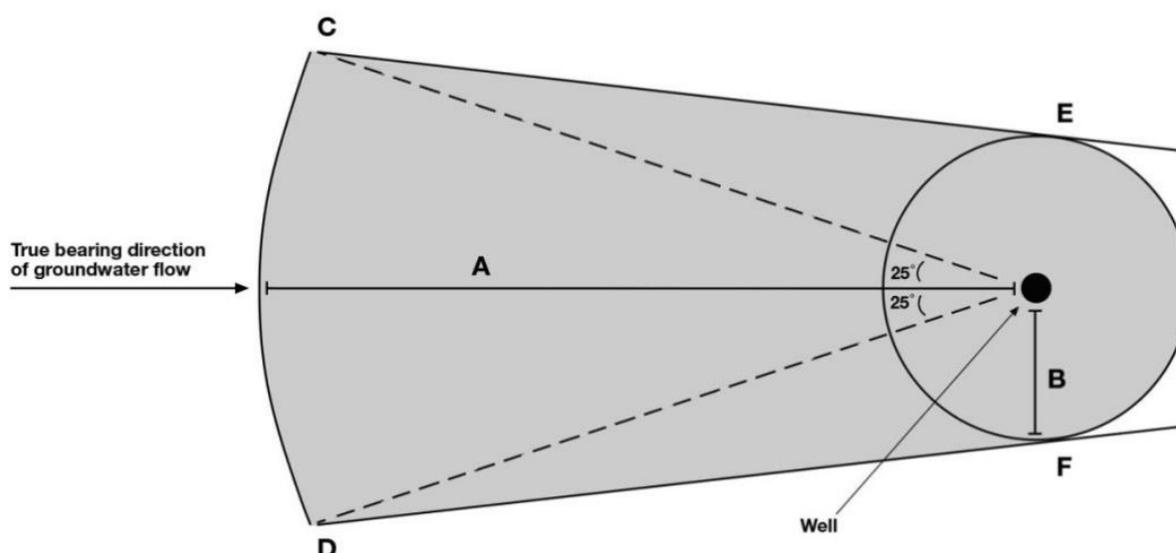


Table S1A - Protection Areas

| Screen Depth (or well depth if no screen depth is recorded) | Aquifer Type | Protection distances(m) | |
|--|------------------------------------|---------------------------------|-----|
| | | Upgradient from the bore (A) | |
| <10 m | All | 2,000 | 200 |
| 10-< 30 m | Unconfined or semi confined | 1,000 | 200 |
| | Confined | 100 | 100 |
| | Coastal Confined Gravel Aquifer | 400 | 400 |
| 30 – 70 m | Unconfined or semi confined | 500 | 200 |
| | Confined | 100 | 100 |
| | Coastal Confined Gravel Aquifer | 400 | 400 |
| > 70 m | Unconfined or semi confined | 100 | 100 |
| | Confined | 100 | 100 |
| | Coastal Confined Gravel Aquifer | 400 | 400 |

Existing surface water community drinking-water supplies, including galleries, are protected from discharges for the following distances, across the full width of the bed, and within a lateral distance of 50 m from the bed:

Upstream on a river 1,000 m

Downstream on a river 100 m

On a lake 500 m radius from the point of take.

Schedule 25 Water Supply Strategy

A water supply strategy is a document required to accompany an application for resource consent to take and use water for a community water supply. It must contain the following information in sufficient detail to enable the consent authority to be reasonably informed on the nature and extent of the activity and any effects of that activity on the environment:

1. A description of the community water supply system including:
 - (a) the location of the water source, surface water or groundwater abstraction point, and any relevant bore numbers; and
 - (b) a description of the water conveyance method; and
 - (c) the geographical extent of the water supply distribution network; and
 - (d) the estimated population supplied, or to be supplied, by the network; and
 - (e) primary water uses e.g. stockwater, domestic, industrial or commercial use; and
 - (f) expected peak demand water requirements; and

- (g) water treatment methods; and
2. An assessment of existing and future demand for water to meet:
 - (a) reasonable domestic needs; and
 - (b) public health needs; and
 - (c) the responsibilities of municipal water supply authorities under the Local Government Act 2002 with respect to the supply of water; and
 - (d) any staged increase in allocation that may be sought during the term of the water permit to meet these demands; and
 3. A description of:
 - (a) any proposed water conservation methods and measures to ensure efficient use of water (including both regulatory and non-regulatory actions); and
 - (b) measures to minimise water loss from the water reticulation network; and
 - (c) how the above measures in (3)(a) and (3)(b) will be implemented; and
 - (d) performance targets to measure the effectiveness of the methods implemented; and
 - (e) the timeframe for review of any specified actions listed in the implementation plan; and
 4. An assessment of any alternative water sources available or alternative means of sourcing water; and
 5. A drought management plan that includes:
 - (a) methods to reduce consumption during water shortage conditions and particularly consumption by non-essential agricultural, residential, industrial or trade processes; and
 - (b) a description of any methods to ensure water conservancy during times of drought, including but not limited to public education programmes and compliance or enforcement measures.

Auckland Unitary Plan – Operative in Part¹

Section D Overlay Provisions

D1. High-use Aquifer Management Areas Overlay

D1.1. Background

Aquifers are important as direct sources of water supply for domestic, industrial and rural use. They are the major contributors to the base flow of many streams, particularly in the southern parts of Auckland. Aquifers also contribute to the overall quality and diversity of surface waterbodies.

Some aquifers are highly allocated, providing water to users as well as being major sources of spring and stream flow. They are currently adversely affected by over pumping or are likely to become highly allocated over the life of the Plan, particularly in areas of high potential growth. These aquifers are identified as High-use Aquifer Management Areas.

Aquifers in the High-use Aquifer Management Areas Overlay require careful management of water availability to meet user needs and at the same time maintain base flows for surface streams. For this reason most proposals to take or use groundwater from aquifers will be assessed through the resource consent process.

D1.2. Objectives

- (1) Aquifers identified in the High-use Aquifer Management Areas Overlay are managed so they can continue to meet existing and future water take demands and provide base flow for surface streams.
- (2) Where applicable, the Vision and Strategy for the Waikato River in Schedule 2 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 is recognised in the management of aquifers in the lower catchment of Auckland.

D1.3. Policies

- (1) Manage proposals to take and use water from High-use Aquifer Management Areas in Table D1.3.1 to prevent groundwater allocation exceeding availability, also having regard to Table 1 Aquifer water availabilities and level in Appendix 3 Aquifer water availabilities and levels.
- (2) Require resource consents for all proposals to take and use water from the High use Aquifer Management Areas in Table D1.3.1 (other than takes permitted by section 14(3)(b) of the Resource Management Act 1991) to assess the impacts of the proposal on water availability levels and to take account of new information on water availability as it becomes available.

¹ The Auckland Unitary Plan has rules regarding resource consents that require effects on drinking water supplies to be addressed

Table D1.3.1 High-use aquifer management areas

| Aquifer name | Description |
|-------------------------|---|
| Kumeū Waitematā | Refers to all aquifers below the ground surface shown on the |
| Ōmaha Waitematā | Includes all rocks of the Waitematā Group, but does not include alluvium (Tauranga Group) or the underlying greywacke rocks (Waipapa Group) |
| Tomarata Waitematā | Refers to all aquifers below the ground surface |
| Mahurangi Waitematā | Includes all rocks of the Waitematā Group, but not the overlying Tauranga Group, Mahurangi Limestone or Mangakahia Complex |
| Ōnehunga Volcanic | Includes all rocks of the Auckland Volcanic Field within the area shown on the overlay, all aquifers below the ground and above the Waitematā Group rocks |
| Mt Wellington Volcanic | Includes all rocks of the Auckland Volcanic Field within the area shown on the overlay, all aquifers below the ground and above the Waitematā Group rocks |
| Waiheke | Refers to all aquifers |
| Manukau Waitematā | Includes all rocks of the Waitematā Group, but not the overlying Tauranga Group or Kaawa Formation |
| Manukau Southeast Kaawa | Refers to Kaawa Formation only. It may be overlain by Auckland volcanic field or Tauranga Group which are not included. The underlying Waitematā Group is not included |
| Clevedon East Waitematā | Includes all rocks of the Waitematā Group, but not the underlying greywacke (Waipapa Group) or the overlying Tauranga Group or Kaawa Formation |
| Clevedon West Waitematā | Includes all rocks of the Waitematā Group, but not the underlying greywacke (Waipapa Group) or the overlying Tauranga Group or Kaawa Formation |
| Franklin Volcanic | <p>Comprises the following aquifers:</p> <ul style="list-style-type: none"> (i) Bombay Volcanic (ii) Glenbrook Volcanic (iii) Pukekohe Central Volcanic (iv) Pukekohe North Volcanic (v) Pukekohe South Volcanic (vi) Pukekohe West Volcanic <p>Includes all aquifers from the ground surface to the base of the South Auckland volcanic field, but not the underlying Kaawa Formation or Waitematā Group</p> |
| Franklin Kaawa | <p>Comprises the following sub-zones</p> <ul style="list-style-type: none"> (i) Bombay - Drury Kaawa (ii) Pukekohe Kaawa (iii) Glenbrook Kaawa |

| Aquifer name | Description |
|--------------------|---|
| | (iv) Waiuku Kaawa Refers to Kaawa Formation only. It may be overlain by South Auckland volcanic field or Tauranga Group which are not included. The underlying Waitematā Group is not included |
| Drury Sand | Includes Tauranga Group and South Auckland volcanic field but does not include underlying Waitematā Group |
| Waiwera Geothermal | Refers to all geothermal aquifers below the ground surface |
| Parakai Geothermal | Refers to all geothermal aquifers below the ground surface |

D2. Quality-sensitive Aquifer Management Areas Overlay

D2.1. Background

The Quality-sensitive Aquifer Management Areas Overlay contains aquifers that are shallow and unconfined and therefore susceptible to pollution from surface sources such as excess fertiliser application or discharges of contaminants such as stormwater or sewage. The potential for contamination is highest in the volcanic aquifers where discharge to aquifers is most direct. These aquifers are important sources of water for rural and industrial purposes, as well as providing base flow to surface streams in some areas.

Rules for this overlay are located in section E7 Taking, using, damming and diversion of water and drilling.

D2.2. Objective

- (1) The quality and quantity of water in quality-sensitive aquifer management areas is protected from contamination.

D2.3. Policies

- (1) Recognise the sensitivity of the following aquifers to groundwater contamination and minimise the discharge of contaminants in quality-sensitive aquifer management areas:
 - (a) rural aquifers - Kaipara Sand, Franklin Volcanic, Drury Sand and Āwhitu Sand; and
 - (b) urban aquifers - Auckland isthmus volcanics (including the Ōnehunga, Western Springs Volcanic, Mt Richmond Volcanic, Wiri Volcanic and Mt Wellington aquifers).
- (2) Discourage the discharge of contaminants where they are likely to have significant adverse effects on groundwater quality within quality-sensitive aquifer management areas.
- (3) Maintain the quality of the Onehunga aquifer as a source of municipal water supply for Auckland and minimise the risk of chemical spills into ground or into stormwater drains in the catchment.

D7. Water Supply Management Areas Overlay²

D7.1. Background

The purpose of the Water Supply Management Areas Overlay is to:

- provide protection for the water catchments that supply the freshwater to Auckland municipal water supply dams; and
- provide for the ongoing operation, maintenance, repair, upgrading and development of the municipal water supply infrastructure.

The areas comprise the catchments that are mainly in public ownership surrounding municipal water supply infrastructure. These include five dams in the Waitākere Ranges, two reservoirs in the Hunua Ranges, the Hays Creek dam at Papakura and land owned by Watercare Services in the Riverhead Forest.

The overlay also includes all related supporting and connected water supply infrastructure such as the pipe network and pumping stations located within these catchments. Part of the water supply management area for the Hunua water supply infrastructure is now outside the Auckland region.

Water supply management areas, particularly those in the Waitākere and Hunua Ranges, contain a mix of vegetation cover. Large areas of significant indigenous vegetation meet the criteria for identification as a natural stream management area.

The Waitākere water supply management area forms part of the wider Waitākere Ranges Heritage Area. One of the heritage features recognised by the Waitākere Ranges Heritage Area Act 2008 is the operation, maintenance and development of the public water catchment and supply system that services the needs of the people of Auckland.

The rules for this overlay are located in E3 Lakes, rivers, streams and wetlands, E7 Taking, using, damming and diversion of water and drilling, E11 Land disturbance – Regional and E15 Vegetation management and biodiversity.

D7.2. Objectives

- (1) Municipal water supply infrastructure is able to operate and develop in water supply management areas.
- (2) Natural character, ecological, heritage, recreational and amenity values of water supply management areas are protected while the functional or operational needs of municipal water supply infrastructure are met.

D7.3. Policies

- (1) Enable the operation, use, maintenance, repair, upgrading and development of structures and activities for the storage, distribution and treatment of municipal water supply in water supply management areas.

² These overlays are only applied to surface water sources

- (2) Land use and other activities are managed to avoid adverse effects on the quality and quantity of freshwater in the catchment used for municipal water supply purposes as far as practicable.
- (3) Avoid, remedy or mitigate adverse effects of structures, equipment or works and any discharges of water from dams, pipelines or other water treatment infrastructure on the natural character, ecological, heritage, recreational and amenity values in water supply management areas.
- (4) Provide for infrastructure in, on, under or over water supply management areas only where there is a functional or operational need to be in that location or traverse the area and there is no practicable alternative.

Section E Region-wide Provisions

E6 Wastewater Network Management

E6.7. Assessment – controlled activities

.....

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1)
 - (b) the mitigation of any adverse effects associated with the discharges, including effects on potable water supplies and public health;

E6.8. Assessment – restricted discretionary activities

.....

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) for the discharge of untreated wastewater overflows onto or into land and/or into water from a wastewater network in existing urban areas (excluding wastewater treatment plants) where the discharge does not comply with Standard E6.6.1 and is not otherwise provided for by another rule in Table E6.4.1:
 - (a) whether the design and operation of the network is in accordance with recognised industry standards and minimises and mitigates adverse effects particularly on public health, safety and amenity, potable water supplies, freshwater systems and coastal waters;

E30 Contaminated Land

....

E30.3. Policies

....

- (2) Require any use or development of land containing elevated levels of contaminants resulting in discharges to air, land or water to manage or remediate the contamination to a level that:
 -
 - (b) avoids adverse effects on potable water supplies; and

E30.6. Standards

E30.6.1. Permitted activity standards

All activities listed as a permitted activity in Table E30.4.1 Activity table must comply with the following permitted activity standards.

E30.6.1.3. Discharges of contaminants into air, or into water, or onto or into land from land currently used for rural production activities

.....

(3) The discharge must not have adverse effects on potable water supplies.

E30.7. Assessment – controlled activities

E30.7.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

.....

(7) the effect on potable water supplies;

Proposed Natural Resources Plan for the Wellington Region

Policies

Policy P69: Human drinking water supplies

The adverse effects from discharges to land and water on the quality of community drinking water supplies³ and group drinking water supplies⁴ shall be avoided to the extent practicable. Where adverse effects cannot be avoided, the adverse effects shall be managed having particular regard to:

- (a) water quality in relation to determinands, including aesthetic determinands, at the water supply abstraction point, and
- (b) the type and concentration of the contaminant(s) in the actual discharge, and
- (c) soil type, in the case of discharges to land, and
- (d) travel time and path of contaminants from source to water supply abstraction point, and
- (e) treatment, design and maintenance, and
- (f) the risk of accident or an unforeseen event causing significant adverse effects on water quality.

This shall be done in consultation with the drinking water supply operator and in accordance with the National Environmental Standards for Sources of Human Drinking Water 2007.

5.2 Rules - Discharges to Water

5.2.4 Contaminated land and hazardous substances

Rule R55: Discharges from contaminated land – permitted activity

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

- (a) a site investigation has been completed in accordance with Rule R54 with a copy of the report provided to the Wellington Regional Council within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and
- (b) the site investigation report concludes that:

³ A drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.

⁴ A registered drinking water supply that is recorded in the drinking water register maintained by the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides more than 25 people with drinking water for not less than 60 days each calendar year.

- (i) the concentration of contaminants in groundwater meets the Drinking-Water Standards New Zealand 2005 (Revised 2008) for potable water for 90% of species, and

Rule R56: Discharges from contaminated land – discretionary activity

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

5.3 Rules - Discharges to Land

5.3.2 Discharge of contaminants

Rule R71: Pit latrine – permitted activity

The discharge of domestic wastewater onto or into land and the associated discharge of odour from a new pit latrine is a **permitted activity**, provided that the following conditions are met:

- (a) the pit latrine is not located:
 - (i) within 50m of a surface water body, coastal marine area, gully, or bore used for water abstraction for potable supply, or
 - (ii) within a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b or Map 27c, or

Rule R75: New or upgraded on-site wastewater systems – permitted activity

The discharge of domestic wastewater onto or into land and the associated discharge of odour from a new or upgraded on-site domestic wastewater treatment and discharge system is a **permitted activity** provided the following conditions are met:

.....

- (e) the discharge is not located within: (i) 20m of a surface water body, coastal marine area, gully or bore used for water abstraction for potable supply, or

Rule R76: New or upgraded on-site wastewater systems within community drinking water supply protection areas – controlled activity

The discharge of domestic wastewater onto or into land and the associated discharge of odour from a new or upgraded on-site domestic wastewater treatment and discharge system within a community drinking water supply protection area that is not permitted by Rule R75 is a **controlled activity** provided the following conditions are met:

.....

- (e) the discharge is not located within:
 - (i) 20m of a surface water body, coastal marine area, gully or bore used for water abstraction for potable supply, or

Matters of control

1. Type and concentration of the contaminants in the discharge, and effects on community drinking water supply water quality....

5.3.3 Biosolids

Rule R77: Application of Aa biosolids to land – permitted activity

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

....

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

Rule R78: Application of biosolids (Ab, Ba, or Bb) to land – restricted discretionary activity

The discharge of Ab, Ba or Bb grade biosolids onto or into land and the associated discharge of odour is a **restricted discretionary activity**, provided the following conditions are met:

- (a) the discharge is not located within a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b, or Map 27c, and

5.3.4 Treated wastewater

Rule R79: Discharge of treated wastewater – controlled activity

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

- (a) the discharge is not located within a community drinking water supply protection area as shown on Map 26, Map 27a, Map 27b, or Map 27c, and

Rule R80: Discharge of treated wastewater – restricted discretionary activity

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

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

Matters for discretion

1. Effects on community drinking water supply water quality
2. Effects on domestic and group drinking water supplies

5.3.9 All other discharges

Rule 92: All discharges to land within community drinking water supply protection areas – restricted discretionary activity

The discharge of a contaminant onto or into land that occurs within a community drinking water supply protection area, and is not permitted under Rules R71, R75, R77, R78 or R89 is a restricted **discretionary activity** provided the following conditions are met:

....

Matters for discretion

1. Effects on community drinking water supply water quality.

5.6.4 Bore construction or alteration

Rule R146: Geotechnical investigation bores – permitted activity

The use of land and the associated diversion and discharge of water or contaminants for the drilling, construction or alteration of a geotechnical investigation bore is a **permitted activity**, provided the following conditions are met:

- (a) the bore is not located within a community drinking water supply protection area shown on Map 26, Map 27a, Map 27b, or Map 27c, and
- (b) there is compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock, and
- (c) a Wellington Regional Council bore/well log form is submitted to the Wellington Regional Council within one month of the bore being constructed, and
- (d) there is no flooding beyond the boundary of the property.

Note For contaminated land site investigation bores Rule R54 also applies.

Schedule M2: Groundwater community drinking water supply abstraction points

Shown on Maps 27a, 27b and 27c

Schedule M2: Groundwater community drinking water supply abstraction points

(schedule itself not included)

Schedule Q: Reasonable and efficient use criteria

Group or community water supplies

A water management plan shall be submitted with a resource consent application to take and use water for group or community drinking water supplies that addresses:

- (a) the reasonable demand for water, taking into account the size of the group or community, the number of properties that are to be supplied, the potential growth in demand for water, the sectors in the group or community that will use the water and the relative amounts that will be provided to each sector. Sectors in the community using water include:
- households (domestic use)
 - businesses (commercial use)
 - industry
 - hospitals, other facilities providing medical treatment, marae, schools or other education facilities, New Zealand Defence Force facilities or correction facilities
 - public amenity and recreational facilities such as gardens, parks, sports fields and swimming pools
 - sectors requiring water for the reasonable needs of animals or agricultural uses that are supplied by the group drinking water supply or community drinking water supply system
- (b) the amount of water required for the health needs of people and how the water supplier will manage water used by all sectors at times when restrictions are being placed on all consented uses of water (summer low flow periods), and
- (c) the effectiveness and efficiency of the distribution network.

Hawke's Bay Regional Resource Management Plan - Change 5 (Land and Freshwater Management)

3.1A Integrated Land Use and Freshwater Management

Policies

POL LW3 Problem solving approach – Managing the effects of use of production land use

1. To manage the effects of the use of, and discharges from, production land so that:
 - a) the loss of nitrogen from the root zone of crops and plants grown on production land, and thereafter to groundwater and surface water, does not cause catchment area or sub-catchment area limits for nitrogen set out in regional plans to be exceeded;
 - b) the discharge of faecal matter from livestock to land, and thereafter to groundwater and surface water, does not cause faecal indicator bacteria water quality limits for human consumption and irrigation purposes set out in regional plans to be exceeded;
 - c) the loss of phosphorus from production land into groundwater or surface water does not cause limits set out in regional plans to be exceeded.
- 1A. To provide for the use of audited self management programmes to achieve good management of production land.
2. To review regional plans and prepare changes to regional plans to promote integrated management of land use and development and the region's water resources.

Insertions to Other Chapters in Part 3 (RPS) of HB Regional Resource Management Plan

Objectives

Delete Objective 21 and Amend Objective 22 in Chapter 3.8 (Groundwater quality) as follows, and consequentially amend duplicate objectives OBJ 42 and OBJ 43 in Chapter 5.6 to read the same:

OBJ 21 No degradation of existing groundwater quality in the Heretaunga Plains and Ruataniwha Plains aquifer systems.

OBJ 22 The maintenance or enhancement of groundwater quality in ~~unconfined or semiconfined~~ ~~productive~~ aquifers in order that it is suitable for human consumption and irrigation without treatment, or after treatment where this is necessary because of the natural water quality.

Amend Anticipated Environmental Result in Chapter 3.8 (Groundwater quality) to read:

| Anticipated Environmental Result | Indicator | Data Source |
|--|--|--|
| No degradation of existing groundwater quality in confined productive aquifers | Nitrate-nitrogen levels Organic and inorganic determinands of significance in NZ Drinking Water Standards E.coli levels Pesticides and herbicides | Ministry of Health Council monitoring |

Hawke's Bay Regional Resource Management Plan - Change 6 Tukituki River Catchment

5.9 TUKITUKI RIVER CATCHMENT

5.9.1 Fresh Water Objectives

OBJ TT1 To sustainably manage the use and development of land, the discharge of contaminants including nutrients, and the taking, using, damming, or diverting of fresh water in the Tukituki River catchment so that:

....

- (ba) Water quality and quantity enables safe and reliable human drinking water supplies;

5.9.2 Water Quality Policies

POL TT1 SURFACE WATER QUALITY LIMITS, TARGETS AND STATE INDICATORS

....

- 4. Manage point source discharges and the use of production land upstream of any registered drinking water supply takes to ensure compliance with the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 and the Drinking-Water Standards for New Zealand (2005 Revised edition 2008).

POL TT2 GROUNDWATER QUALITY LIMITS

- 1. For groundwater Hawke’s Bay Regional Council will:

...

- (d) Manage point source discharges and the use of production land upstream of any registered drinking water supply takes to ensure compliance with the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 and the Drinking-Water Standards for New Zealand (2005 Revised edition 2008).

Table 5.9.2: Groundwater Water Quality Limits and Indicators Applicable 10m or More Below Ground Level in Productive Aquifer Systems

| Aesthetic determinands | E. coli | Nitrate-nitrogen | Nitrate-nitrogen Indicator | All other determinands |
|--|---|---|--|--|
| Guideline value for any aesthetic determinand [Drinking-Water Standards for New Zealand (DWSNZ)] | Maximum concentration of Escherichia coli per 100 millilitres | Maximum 95th percentile concentration of nitrate-nitrogen (mg NO3-N /L) | Maximum annual average concentration of nitrate-nitrogen (mg NO3-N /L) | All other inorganic or organic determinands of health significance [DWSNZ] |
| Within guideline | <1 | 11.3 | 5.65 | Maximum acceptable value (MAV) ²⁵ |

....

Note: These limits apply after reasonable mixing and disregarding the effect of any natural conditions that may affect the water body.

25 The MAV is to be determined in accordance with the Drinking Water Standards for New Zealand (2005/ Revised edition 2008) or subsequent version, Appendix 1 and Table A1.3. Compliance with chemical determinands is to be based on results obtained over one year and where the sampling frequency is monthly or more frequently the number of exceedances required to be assessed as non-complying is zero.

6.9 Tukituki River Catchment Rules

6.9.1 Land Use and Water Quality

| Rule | Activity | Classification | Conditions/Standards/Terms/Matters of Control and Discretion /Notification |
|--|---|----------------|---|
| TT1 Production land use Refer to POLs TT1 to TT5 | The use of production land on farm properties or farming enterprises in the Tukituki River catchment pursuant to s9(2) RMA. | Permitted | k. For farm properties or farming enterprises exceeding 4 hectares in area, contaminants leached from the land shall be demonstrated ⁴² to be not causing or contributing to any breach of the Resource Management (National Environmental Standards for Human Drinking Water) Regulations 2007 or the guideline values or maximum acceptable values for determinands in the Drinking Water Standards of New Zealand (2005 Revised edition 2008) or subsequent version for any registered drinking water supply takes. (Note: Hawke’s Bay Regional Council is satisfied that this permitted activity rule will not cause or con |

⁴² “Demonstrated” means as a result of monitoring and/or modelling undertaken by the Hawke’s Bay Regional Council. Individual land owners seeking Certificates of Compliance under Rule TT1 will not be required to undertake any modelling or water quality monitoring themselves.

CONSEQUENTIAL AMENDMENTSTO CHAPTERS 5 AND 6 OF THE REGIONAL RESOURCE MANAGEMENT PLAN

5.6 Groundwater Quality

The provisions of Chapter 5.6 do not apply within the Tukituki River catchment.

...

POLICIES

POL 75 ENVIRONMENTAL GUIDELINES - GROUNDWATER QUALITY

5.6.1 Other than in the productive aquifer systems in the Tukituki River catchment, to manage the effects of activities affecting the quality of groundwater in accordance with the environmental guidelines set out in Table 10.

Table 10. Environmental Guidelines – Groundwater Quality

| Issue | Guideline |
|---|---|
| CONFINED, PRODUCTIVE AQUIFERS IN THE HERETAUNGA PLAINS AND RUATANIWHA PLAINS AQUIFER SYSTEMS (as shown in Schedule IV) | |
| 1. No degradation | There should be no degradation of existing water quality. |
| OTHER PRODUCTIVE AQUIFERS | |
| 1. Human consumption | The quality of groundwater should meet the “Drinking Water Quality Standards for New Zealand” (Ministry of Health, 1995) without treatment, or after treatment where this is necessary because of the natural water quality |
| | |

ANTICIPATED ENVIRONMENTAL RESULTS

| Anticipated Environmental Result | Indicator | Data Source |
|--|---------------------------|------------------------|
| No degradation of existing groundwater quality in confined productive aquifers | Nitrate levels | Ministry of Health |
| | Pesticides and herbicides | Council SER monitoring |
| Groundwater quality in productive aquifers which meets the “Drinking Water Quality Standards for New Zealand” (MoH, 1995) | Nitrate levels | Ministry of Health |
| | Pesticides and herbicides | Council SER monitoring |
| Groundwater quality in productive aquifers which meets irrigation guidelines contained in the “Australian Water Quality Guidelines for Fresh and Marine Waters” (Australian and NZ Environment and Conservation Council, 1998) | Nitrate levels | Ministry of Health |
| | Pesticides and herbicides | Council SER monitoring |

6.6.5 Generic Discharges of Contaminants - Discharges to Land/Water

| Rule | Activity | Classification | Conditions/Standards/Terms/Matters of Control and Discretion /Notification |
|--|---|-------------------------|---|
| 49 Discharges to land that may enter water ⁵⁸ Refer POL 16, 71, 79 | The discharge of contaminants onto or into land, in circumstances which may result in those contaminants (or any other contaminant emanating as a | Permitted ⁵⁹ | k. For other aquifers, the discharge shall not cause or contribute to a breach of the following guidelines after reasonable mixing: i. The “Drinking Water Quality Standards for New Zealand” (Ministry of Health, 1995). |

| | | | |
|--|--|--|--|
| | <p>result of natural processes from those contaminants) entering water, pursuant to section 15 (1) (b) RMA, except as expressly regulated by other rules in this Plan.</p> | | |
|--|--|--|--|

59 Compliance - Where there is doubt about compliance with the Conditions (a) to (l) of Rule 49 it is the responsibility of the person undertaking the activity to prove to the council that the conditions are being complied with or a resource consent shall be required.

Hawke's Bay Regional Resource Management Plan

6. Regional rules⁵

6.6.4 DOMESTIC SEWAGE - DISCHARGES TO LAND

| Rule | Activity | Classification | Conditions/Standards/Terms | Matters for Control / Discretion | Non-notification |
|---|---|--------------------------|---|---|------------------|
| 36 Existing high discharge volume sewage systems Refer to POL 16, 17, 18, 71, 75 | The discharge of contaminant s onto or into land, and any ancillary discharge of contaminant s into air, from any existing sewage system with a discharge volume exceeding 2m ³ /day averaged over any 7 day period. | Restricted discretionary | <p>a. The discharge shall not occur over the Heretaunga Plains or Ruataniwha Plains unconfined aquifer as shown in Schedule IV.</p> <p>b. There shall be no surface ponding as a result of the discharge, or direct discharge into any water body.</p> <p>c. There shall be no increase in the concentration of pathogenic organisms in any surface water body as a result of the discharge. d. Either:</p> <p>i. The point of discharge shall be no less than 600 mm above the highest seasonal groundwater table; or</p> <p>ii. The discharge shall not result in, or contribute to, a breach of the "Drinking Water Quality Standards for New Zealand" (Ministry of Health, 2005 (Revised 2008)) in any groundwater body after reasonable mixing.</p> <p>e. The discharge shall not cause any emission of offensive or objectionable odour, or release of noxious or dangerous gases (including aerosols) beyond the boundary of the subject property.</p> | <p>a. Method of treatment.</p> <p>b. Method of disposal.</p> <p>c. Effluent application rate.</p> <p>d. Need for reserve area.</p> <p>e. Buffer zone requirements.</p> <p>f. Duration of consent.</p> <p>g. Review of consent conditions.</p> <p>h. Compliance monitoring</p> <p>i. Proximity to registered drinking water supplies</p> <p>j. Maintenance of system</p> | |

⁵ For example

Proposed Southland Regional Land and Water Plan

Region-wide Rules

Rule 11 - Discharge of vertebrate pest control poisons

The discharge of vertebrate pest control poisons, including sodium monofluoroacetate (1080), baits, pre-feed and deer repellent, into or onto land where it may enter water is a **permitted activity** provided the following conditions are met:

- (a) the agrichemical is approved for use within New Zealand under the Hazardous Substances and New Organisms Act 1996, and the use and discharge of the substance is in accordance with all the conditions of the approval;
- (b) the discharge does not occur within the microbial health protection zone of a drinking water supply site identified in Appendix J, or where no such zone is identified, then 250 metres of the abstraction point of a drinking water supply site identified in Appendix J.

Rule 19 – Discharge of water associated with water treatment processes

The discharge of water containing contaminants associated with water treatment processes from a water treatment plant onto or into land in circumstances where contaminants may enter water is a **controlled activity**, provided the following conditions are met:

- (a)

Environment Southland will restrict the exercise of its control to the following matters:

1. ...
3. the separation distance of the discharge from surface waterbodies, artificial watercourses, subsurface drains, the coastal marine area, residential dwellings, landholding boundaries and drinking water sources;

Wastewater, Effluent and Sludge Rules

Rule 26 – Discharges from on-site wastewater systems

- (a) The discharge of treated domestic wastewater, onto or into land in circumstances where a contaminant may enter water from an existing on-site wastewater system is a **permitted activity** provided the following conditions are met:
 - (i)
 - (viii) the discharge does not occur within the microbial health protection zone of a drinking water supply site identified in Appendix J, or where no such zone is identified, then 250 metres of the abstraction point of a drinking water supply site identified in Appendix J.
- (b) The discharge of treated domestic wastewater, onto or into land in circumstances where a contaminant may enter water from a new on-site wastewater system or a replacement of an existing system is a **permitted activity** provided the following conditions are met:
 - (i)

- (vi) the discharge is not within:
 - (1)
 - (3) 50 metres of any bore or well used for potable or stock water supply;
 - (4) the microbial health protection zone of a drinking water supply site identified in Appendix J, or where no such zone is identified, then 250 metres of the abstraction point of a drinking water supply site identified in Appendix J;
- (c) The discharge of treated domestic wastewater, onto or into land in circumstances where a contaminant may enter water from an on-site wastewater system that does not meet the conditions of Rule 26(a) or (b), is a **discretionary activity**.

Appendix J – Drinking Water Protection Zones

(Table not included.)