

## 18.4 DISCHARGES TO WATER

### 18.4.1 Permitted Discharges to Water

#### Rule 63. Discharge of stormwater from reticulated systems

The discharge of stormwater from any reticulated stormwater system to water is a **permitted activity** if all of the following conditions are met:

- (a) For any stormwater system installed after 31 March 2004, provision is made for the interception and removal of any contaminant which would give rise to the effects identified in condition (e); and
- (b) The discharge does not originate from areas within industrial or trade premises where hazardous substances are stored or used unless:
  - i) Hazardous substances cannot enter the stormwater system; or
  - ii) There is an interceptor in place to collect all stormwater that contains hazardous substances and beyond trace concentrations these hazardous substances must be contained on-site until removed to an approved disposal facility for the type of hazardous substance concerned; and
- (c) The discharge does not contain any human sewage or agricultural effluent; and
- (d) The discharge does not cause or exacerbate flooding of another person's property, erosion, land instability, sedimentation or property damage; and
- (e) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not give rise to the following effects:
  - i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
  - ii) Any conspicuous change in the colour or visual clarity; or
  - iii) Any emission of objectionable odour; or
  - iv) The rendering of fresh water unsuitable for consumption by farm animals; or
  - v) Any significant adverse effects on aquatic life; or
  - vi) Adverse effects on any take of water for human consumption.

**Note:** A reticulated stormwater system is any system that collects water from impervious surfaces such as roofs, buildings and other structures. A drain is a collection and delivery system that collects water from generally unsealed surfaces (e.g. on farm or rural roadside drains) but also includes water collected from sealed surfaces with no associated reticulated stormwater system such as roadside swales and concrete dish swales. The hollows of humped and hollowed land are considered drains.

#### Rule 64. Discharge from any drain

The discharge from any drain to a water body, or another drain beyond the property boundary, is a **permitted activity** if all of the following conditions are met:

- (a) The discharge does not cause or exacerbate flooding of another person's property, erosion, land instability, sedimentation or property damage; and
- (b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not give rise to the following effects:
  - i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
  - ii) Any conspicuous change in the colour or visual clarity; or
  - iii) Any emission of objectionable odour; or
  - iv) The rendering of fresh water unsuitable for consumption by farm animals; or
  - v) Any significant adverse effects on aquatic life; or
  - vi) Adverse effects on any take of water for human consumption; and
- (c) Any discharge to the Rahu River, Station Creek, Wooley River or Buller River upstream of Te Kuha must meet the requirements of Clause 11 of the Buller River Conservation Order (see Schedule 5).
- (d) The discharge does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure.

**Note:** Rule 1 must also be met for humping and hollowing.

**Cross reference:** Stormwater discharge or runoff containing sediment from earthworks that enters a waterbody is dealt with under the permitted, controlled or discretionary earthworks rules (Rule 3, 12, 16 or 17).

#### **Rule 65. Discharge of cooling water, swimming pool water, or water from any drinking water supply pipeline or reservoir**

The discharge of cooling water, swimming pool water or water from a drinking water supply pipeline or reservoir into water is a **permitted activity** if all of the following conditions are met:

- (a) The discharge contains no:
  - i) Disinfectant, antiseptic, or pesticide; or
  - ii) Residual flocculant, except aluminium at acid-soluble aluminium concentrations less than 0.1 g/m<sup>3</sup>; or
  - iii) Free or residual chlorine at concentrations greater than 0.1g/m<sup>3</sup>; or
  - iv) Any other hazardous substance; and
- (b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not:
  - i) Change the pH of the receiving water by more than 0.5 pH units; or
  - ii) Raise the temperature in the receiving water by more than 3 degrees Celsius, or cause the temperature to rise above 25 degrees Celsius; and
- (c) The discharge does not cause or exacerbate flooding of another person's property, erosion, land instability, sedimentation or property damage.

#### **Rule 66. Incidental discharge of contaminants to water from temporary activities associated with maintenance of structures**

The incidental discharge of contaminants to water resulting from temporary activities associated with maintenance of structures is a **permitted activity** if all of the following conditions are met:

- (a) The incidental discharge shall be for no more than 10 working days; and
- (b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not give rise to the following effects:
  - i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
  - ii) Any conspicuous change in the colour or visual clarity; or
  - iii) Any emission of objectionable odour; or
  - iv) The rendering of fresh water unsuitable for consumption by farm animals;
  - v) Any significant adverse effects on aquatic life; or
  - vi) Adverse effects on any take of water for human consumption; and
- (c) Any discharge to the Rahu River, Station Creek, Wooley River or Buller River upstream of Te Kuha must meet the requirements of Clause 11 of the Buller River Conservation Order (see Schedule 5).

#### **Rule 67. Discharge of water to water excluding activities permitted by Rules 63, 64, 65, or 66**

Excluding the activities permitted by Rules 63, 64, 65, or 66 any discharge of water to water is a **permitted activity** if all of the following conditions are met:

- (a) The discharge contains no contaminants beyond trace concentrations, or hazardous substances; and
- (b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not:
  - i) Change the pH of the receiving water by more than 0.5 pH units where the pH is above 8 or below 6.5; or
  - ii) Raise the temperature in the receiving water by more than 3 degrees Celsius, or cause the temperature to rise above 25 degrees Celsius; and
- (c) The discharge does not cause flooding of another person's property, erosion, land instability, sedimentation or property damage.

### Rule 68. Discharge of aquatic herbicide in gel form

The discharge of aquatic herbicide in gel form to water for the purpose of controlling aquatic plants is a **permitted activity** if all of the following conditions are met:

- (a) The herbicide and any additive are authorised for aquatic use in New Zealand, and is applied in accordance with that authorisation and any directions issued by the herbicide manufacturer; and
- (b) The applicator holds a Growsafe© Registered Chemical Applicator Certificate of Qualification, or comparable qualification, or is working under the direct supervision of someone who does and a copy of that certificate is produced to an officer of the Council, on request; and
- (c) No lawful take of water is adversely affected as a result of the discharge; and
- (d) The applicator notifies all persons taking water within 1 km downstream of the discharge, at least one week prior to the discharge occurring, advising of the time the discharge is to occur; and
- (e) The discharge does not have any adverse effects on any take of water for human consumption.

### Rule 69. Discharge of herbicide to water

The discharge of herbicide to water incidental to its application to emergent aquatic plants or plants adjacent to a water body is a **permitted activity** if all the following conditions are met:

- (a) The herbicide and any additive are authorised for use in or over water, in New Zealand, and is applied in accordance with that authorisation and any directions issued by the herbicide manufacturer; and
- (b) All reasonable measures are taken to minimise the quantity of incidental discharge into water; and
- (c) No lawful take of water is adversely affected as a result of the discharge; and
- (d) The applicator notifies all persons taking water within 1 km downstream of the discharge, at least one week prior to the discharge occurring, advising of the time the discharge is to occur; and
- (e) The discharge does not have any adverse effects on any take of water for human consumption.

### Rule 70. Aerial discharge of sodium monofluoroacetate to water

The aerial discharge of sodium monofluoroacetate to water, incidental to its application to adjacent land, is a **permitted activity** if all of the following conditions are met:

- (a) The baits shall not contain more than 0.15% weight/weight of sodium monofluoroacetate (1080 poison) and the application rate of baits containing sodium monofluoroacetate shall not exceed 5 kilograms per hectare; and
- (b) The applicator holds a Growsafe© Agrichemical Pilots Rating Certificate, or another appropriate chemical and agricultural rating as required under Civil Aviation regulations to undertake aerial application of sodium monofluoroacetate, and a copy of that certificate is produced to an officer of the Council, on request.

**Note:** All pilots must comply with the most recent Civil Aviation Authority requirements.

#### 18.4.2 Discretionary Discharges to Water

### Rule 71. Discharge of any contaminant, or water to water, not complying with Rules 63 to 70

Unless permitted by Rules 63, 64, 65, 66, 67, 68, 69 or 70 the discharge of any contaminant or water to water is a **discretionary activity**