

E4. Other discharges of contaminants

E4.1. Background

The following provisions are regional provisions and apply to discharges of contaminants onto or into land and/or into water that are not otherwise covered by other parts of the Plan and occur or need to occur pursuant to section 15 of the Resource Management Act 1991.

Discharges directly to the coastal marine area are addressed in [F2 Coastal – General Coastal Marine Zone](#).

E4.2. Objectives [rp]

The objectives are located in [E1 Water quality and integrated management](#).

E4.3. Policies [rp]

The policies are located in [E1 Water quality and integrated management](#).

E4.4. Activity table

Table E4.4.1 Activity table specifies the activity status for the discharge of contaminants not otherwise covered by other parts of the Plan onto or into land and/or into water pursuant to section 15 of the Resource Management Act 1991.

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) E4.4.1 to E4.6.2 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPF in relation to any of the above, the most restrictive rule will prevail.

If the NESPF does not regulate an activity then the plan rules apply.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

If an activity provided for in rules E4.4.1 to E4.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

Table E4.4.1 Activity table

Activity	Activity status
(A1) Discharge of water and/or contaminants (including wastewater) onto or into land and/or into water from any of the following activities: (a) concrete/asphalt laying or reworking; (b) drilling (excluding bore development and testing); (c) mobile cleaners; (d) washing vehicles, plant or machinery; (e) cleaning, maintenance and preparation of surfaces of buildings, and associated structures that do not border, or span or otherwise extend over any water body; (f) road construction activities; (g) construction, repair, maintenance, upgrade or removal of any component of the stormwater or wastewater network that does not border, span or otherwise extend over any water body; (h) construction, repair, maintenance, upgrade or removal of network utility infrastructure that does not border, span or otherwise extend over any water body; (i) maintenance and cleaning of quay cranes operated by Ports of Auckland; (j) dust suppression; (k) emergency services response firefighting and training or investigation activities; or (l) the removal of graffiti from any structure, including those that border, span or otherwise extend over any water body	P
(A2) Discharge of water onto or into land and/or into water from any of the following: (a) testing or emptying of pipelines, tanks or bunds; (b) swimming pools, other than saltwater pools and filter backwash water; (c) bore development, testing or purging (dewatering), except for contaminated groundwater; (d) temporary or permanent discharge of diverted uncontaminated	P

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	groundwater; or (e) water used for freshwater fish farming ponds, tanks or other containment structures operating without chemical additives on a continuous flow-through basis	
(A3)	Discharge of swimming pool filter backwash onto or into land and/or into water in a manner that does not result in runoff into surface water	P
(A4)	Discharge of potable water onto or into land and/or into water for the purpose of draining pipelines or water reservoirs for inspection, repair or maintenance	P
(A5)	Discharge onto or into land and/or into water for the purpose of dewatering trenches or other excavations	P
(A6)	Discharge of dye or tracer material for investigative purposes onto or into land and/or into water	P
(A7)	Discharge of geothermal water onto or into land and/or into water from any site in Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area that complies with Standard E4.6.1 and Standard E4.6.2.7	P
(A8)	Discharge onto or into land and/or into water from the use of weapons associated with military training under the Defence Act 1990	P
(A9)	Discharge of water and/or sediment onto or into land and/or into water from produce washing in a manner that does not result in runoff into surface water	P
(A10)	Discharge of water and/or contaminants onto or into land and/or into water as a result of wet or dry abrasive blasting activities	C
(A11)	Discharge of water and/or contaminants (including washwater) onto or into land and/or into water from any of the following: (a) cleaning, maintenance and preparation of surfaces of buildings, and associated structures; (b) construction, repair, maintenance, upgrade or removal of network utility infrastructure; or (c) construction, repair, maintenance, upgrade or removal of any component of the stormwater or wastewater network	C
(A12)	Discharge of geothermal water onto or into land and/or into water from any site in the Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area that does not comply with Standard E4.6.2.7, but complies with Standard E4.6.1 and Standard E4.6.3.2	C
(A13)	Discharge of geothermal water onto or into land and/or into water from any site in the Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area, that does not comply with Standard E4.6.1 and Standard E4.6.3.2	RD
(A14)	Discharge of geothermal water onto or into land and/or into water	D

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	outside of Parakai and Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area	
(A15)	Discharge of water or contaminants (including washwater) onto or into land and/or into water not complying with the relevant standards or not otherwise provided for by a rule in the Plan	D
(A16)	Discharge of contaminants associated with hydraulic fracturing onto or into land and/or into water	D

E4.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table E4.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table E4.4.1 Activity table and which is not listed in E4.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

E4.6. Standards

E4.6.1. General standards for all permitted activities, controlled activities and restricted discretionary activities

All activities listed as permitted, controlled or restricted discretionary in Table E4.4.1 Activity table must comply with the following standards.

- (1) The discharge must not, after reasonable mixing, give rise to any of the following:
 - (a) the production of any conspicuous oil or grease film, scum or foam, or floatable or suspended materials;
 - (b) any conspicuous change in the colour or visual clarity;
 - (c) any emission of objectionable odour;
 - (d) the rendering of freshwater unsuitable for consumption by farm animals;
 - (e) a change to the natural temperature of the receiving water by more than 3 degrees celsius;
 - (f) a change in the natural pH of the water by more than 1pH unit; and
 - (g) any significant adverse effect on aquatic life.

- (2) The discharge must not enter into any water supply catchment, or any areas identified in [D8 Wetland Management Areas Overlay](#) (excluding Wetland Management Area Number 450 Lake Pupuke), [D5 Natural Lake Management Areas Overlay](#) or [D4 Natural Stream Management Areas Overlay](#) except in the case of a discharge by a network utility operator carried out for maintenance, routine operations, or emergency works, provided there are no adverse effects on a Wetland Management Area, Natural Lake Management Area or Natural Stream Management Area.
- (3) The discharge must not cause erosion or scouring at the point of discharge or alter the natural course of the water body.
- (4) The discharge must not include washwater used for the external cleaning of a reticulated water supply system.
- (5) The discharge must be in accordance with best management practice to minimise the contaminants to the extent practicable.

E4.6.2. Permitted activity standards

All permitted activities in Table E4.4.1 Activity table must comply with the following activity specific standards as well as the general standards in Standard E4.6.1 above.

E4.6.2.1. Discharge of water onto or into land and/or into water from testing or emptying of pipelines, tanks or bunds

- (1) As far as practicable, welding residues or other debris contained within a pipeline must not be discharged to the receiving water.
- (2) Discharged water that has been chlorinated must not exceed a chlorine level of 0.02mg/L.

E4.6.2.2. Discharge of water onto or into land and/or into water from swimming pools, other than saltwater pools and filter backwash water

- (1) Swimming pool water must:
 - (a) be directed to a wastewater network where available and the connection is approved by wastewater network operator; or
 - (b) if wastewater network disposal is not available, the swimming pool must be left uncovered and must not be dosed with chemical additives for at least 14 days before the discharge occurs.

E4.6.2.3. Discharge of water onto or into land and/or into water from temporary or permanent discharge of diverted uncontaminated groundwater; or Discharge of water onto or into land and/or into water from water used for freshwater fish farming ponds, tanks or other containment structures operating without chemical additives on a continuous flow-through basis

- (1) The discharge must not either by itself or in combination with other contaminants after reasonable mixing exceed the greater of the 95 per cent trigger values for freshwater (groundwater) specified in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC 2000 Guidelines), or the natural background level.

E4.6.2.4. Discharge of potable water onto or into land and/or into water for the purpose of draining pipelines or water reservoirs for inspection, repair or maintenance

- (1) The discharge must not include backwash water from water treatment plants.
- (2) Discharged water that has been chlorinated must not exceed a chlorine level of 0.02mg/L.

E4.6.2.5. Discharge onto or into land and/or into water for the purpose of dewatering trenches or other excavations

- (1) The origin of the discharge must be limited to surface water and/or groundwater.
- (2) Appropriate sediment control measures must be implemented to ensure that the discharge does not result in any of the following:
 - (a) the production of any conspicuous oil or grease film, scum or foam, or floatable or suspended materials;
 - (b) any conspicuous change in the colour or visual clarity;
 - (c) any emission of objectionable odour;
 - (d) the rendering of freshwater unsuitable for consumption by farm animals;
 - (e) a change in the natural temperature of the receiving water by more than 3 degrees celsius;
 - (f) a change in the natural pH of the water by more than 1pH unit; and
 - (g) any significant adverse effect on aquatic life.

E4.6.2.6. Discharge of dye or tracer material for investigative purposes onto or into land and/or into water

- (1) Notice of the intended discharge must be given to the Council at least 12 hours prior to the discharge occurring.
- (2) The dye or tracer must be of a type designed for use in natural water and must be used in accordance with manufacturer's recommendations and any recognised standards and practices.

E4.6.2.7. Discharge of geothermal water onto or into land and/or into water from any site in Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area

- (1) Any discharge of backwash water must only take place from pools with a volume of less than 10m³.
- (2) Discharges other than backwash water must comprise geothermal water only and must not contain residual added chemicals.
- (3) The temperature of the discharge must be less than 35 degrees celsius.
- (4) The discharge must be less than 100m³ per day and must not cause erosion, overland flows or nuisance to neighbouring properties.
- (5) The discharge must not be directly into any water body.
- (6) Approval must be obtained from the Council for any discharge that occurs via the public stormwater network.

Figure E4.6.2.7.1 Parakai thermal aquifer management area



Figure E4.6.2.7.2 Waiwera thermal aquifer management area



E4.6.2.8. Discharge onto or into land and/or into water from the use of weapons associated with military training under the Defence Act 1990

- (1) The discharge must not result in the contamination of land not designated for defence purposes above the levels specified in [E30 Contaminated Land Table E30.6.1.4.1 Permitted activity soil acceptance criteria](#).
- (2) The discharge must not result in the contamination of groundwater used by other parties.
- (3) The discharge must not lead to contamination of surface water.

E4.6.2.9. Discharge of water and/or sediment onto or into land and/or into water from produce washing to land in a manner that does not result in runoff into surface water

- (1) The discharge must not contain contaminants other than sediment, and/or those contaminants generally found in agricultural soils and water.
- (2) The discharge must be land in such a manner that there is no runoff into surface water or onto other property.

E4.6.3. Controlled activity standards

All controlled activities in Table E4.4.1 Activity table must comply with the following activity specific standards as well as the general standards in Standard E4.6.1 above.

E4.6.3.1. Discharge of water and/or contaminants (including washwater) onto or into land and/or into water from any of the following:

- (a) **cleaning, maintenance and preparation of surfaces of buildings, and associated structures;**
 - (b) **construction, repair, maintenance, upgrade or removal of network utility infrastructure; or**
 - (c) **construction, repair, maintenance, upgrade or removal of any component of the stormwater or wastewater network**
- (1) Discharges must not enter any areas identified in the Wetland Management Areas Overlay, Natural Lake Management Areas Overlay or Natural Stream Management Areas Overlay.

E4.6.3.2. Discharge of geothermal water onto or into land and/or into water from any site in the Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area that does not comply with Standard E4.6.2.7

- (1) The discharge must comprise geothermal water, with or without the addition of pool chemical treatments.
- (2) The discharge must not contain any filter backwash water.
- (3) The contaminant discharged must not either by itself or in combination with other contaminants exceed the 95 per cent trigger values for freshwater (groundwater) specified in the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC 2000 Guidelines).
- (4) The temperature of the discharge must be less than 35 degrees celsius.
- (5) The discharge after reasonable mixing must not change the natural temperature of the receiving water by more than 3 degrees celsius.

- (6) The discharge after reasonable mixing must not change the natural pH of the water by greater than 1pH unit.
- (7) The discharge must not cause erosion or scouring at the point of discharge or cause downstream channel erosion or alter the natural course of the water body.
- (8) The discharge must not result in significant flooding.

E4.7. Assessment – controlled activities

E4.7.1. Matters of control

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

- (1) general matters for all controlled activities:
 - (a) the volume of discharge and level of contamination;
 - (b) the method of discharge and effects arising from the method chosen;
 - (c) the provision and adequacy of equipment for the collection, treatment and disposal of any discharge; and
 - (d) monitoring requirements and duration of the consent.
- (2) for the discharge of water and/or contaminants onto or into land and/or into water as a result of wet or dry abrasive blasting activities:
 - (a) the duration of the discharge; and
 - (b) notification of affected parties prior to work starting.
- (3) for the discharge of geothermal water onto or into land and/or into water from any site in the Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area that does not comply with Standard E4.6.2.7:
 - (a) the quality of any discharge including methods for the treatment and disposal of contaminants, including pool treatment chemicals and filter backwash water;
 - (b) the location of any discharge point; and
 - (c) the rate and frequency of any discharge.

E4.7.2. Assessment criteria

The Council will consider the relevant assessment criteria for all controlled activities from the list below:

- (1) the extent to which contaminants in the discharge and associated adverse effects are minimised and mitigated, having regard to objectives [E1.2\(1\) – \(3\)](#)

and policies [E1.3\(1\) – \(6\)](#) and [E1.3\(26\)](#) of [E1 Water Quality and Integrated Management](#).

E4.8. Assessment – Restricted discretionary activities

E4.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) for the discharge of geothermal water onto or into land and/or into water from any site in the Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area, that does not comply with Standard E4.6.1 and Standard E4.6.3.2:
 - (a) the quality of any discharge including methods for the treatment and disposal of contaminants, including pool treatment chemicals and filter backwash water;
 - (b) the method of discharge and adverse effects arising from the method chosen;
 - (c) the location of any discharge point;
 - (d) the rate and frequency of any discharge;
 - (e) monitoring requirements and consent duration ; and
 - (f) the effects on Mana Whenua values.

E4.8.2. Assessment criteria

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

- (1) for the discharge of geothermal water onto or into land and/or into water from any site in the Parakai or Waiwera thermal aquifer management areas as shown in Figure E4.6.2.7.1 Parakai thermal aquifer management area and Figure E4.6.2.7.2 Waiwera thermal aquifer management area, that does not comply with Standard E4.6.1 and Standard E4.6.3.2:
 - (a) whether contaminants in the discharge and associated adverse effects are minimised and mitigated having regard to objectives [E1.2\(1\) – \(3\)](#) and policies [E1.3\(1\) – \(6\)](#) and [E1.3\(26\)](#) of [E1 Water Quality and Integrated Management](#);
 - (b) whether any effects on Mana Whenua values are avoided, remedied or mitigated.

E4.9. Special information requirements

There are no special information requirements in this section.