

## Inventory for Updates to Regional Water and Soil Plan for Northland

There are 4 new pages that are to be inserted into the RWSP as follows:

Page No.	Remove	Replace With	Add
Approval page			Approval page at beginning of Plan, after approval of 2011 Transitional policies page, before page i
58a (continues overleaf)	Page 58a – section 8	New double sided page 58a, after existing page 58 – section 8	
65/66	Page 65/66 – section 8	New page 65/66 – section 8	
79/80	Page 79/80 – section 8	New page 79/80 – section 8	

## **RESOURCE MANAGEMENT ACT 1991**

# **APPROVAL OF INSERTION OF TRANSITIONAL POLICIES**

The National Policy Statement for Freshwater Management 2014 came into effect on the 1 August 2014, and required a new transitional policy (A4-2) to be inserted into the Water and Soil Plan to guide resource consent decision-making in relation to freshwater resources.

These amendments to the Regional Water and Soil Plan were made under section 55 of the Resource Management Act 1991 as directed by the National Policy Statement for Freshwater Management 2011. Section 55 of the Resource Management Act 1991 states that the amendments are to be made without using the public submission process provided in Schedule 1 of the Resource Management Act 1991.

The amendments were publically notified on the 26 July 2014 and inserted into the plan at pages 58a and 79 in accordance with the council resolutions of 15 July 2014.



General Manager - Planning and Policy

## 7.8 TRANSITIONAL POLICY

1. When considering any application for a discharge the consent authority must have regard to the following matters:
  - (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and
  - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.
  
2. When considering any application for a discharge the consent authority must have regard to the following matters:
  - (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and
  - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.
  
3. This policy applies to the following discharges (including a diffuse discharge by any person or animal):
  - (a) a new discharge or
  - (b) a change or increase in any discharge –

of any contaminant into fresh water, or onto land in circumstances that may result in that contaminant (or, as a result if any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.
  
4. Paragraph 1 of this policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.
  
5. Paragraph 2 of this policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.

**Explanation:** *This policy has been inserted into the Water and Soil Plan to give effect to the National Policy Statement for Freshwater Management 2014. It specifies the matters the regional council must consider when assessing and determining an application for a discharge permit*

*This policy is transitional in nature and is intended to maintain ecosystem health and human health (secondary contact) values of freshwater until freshwater quality objectives and limits are established in the Water and Soil Plan by way of a plan change (as required by Policy A1 and Policy A2 of the National Policy Statement for Freshwater Management 2014).*

***Explanation continued...***

*The policy applies in addition to other assessment matters in the Water and Soil Plan and in considering all decisions on resource consents for new discharges and/or changes/increases in existing discharges. The policy does not affect activity status but does provide a basis for applying consent conditions.*

*The policy does not apply to new consents or replacement consents for an existing discharge where there is no change or increase in the discharge. Nor does it does apply to discharges authorised by a permitted activity rule.*

## 8.7 POLICIES (NB ADDITIONAL TRANSITIONAL POLICY ON PAGE 79 & 80)

1. To require all new discharges of sewage or discharges with a high organic content to be:
  - (a) By land disposal; or
  - (b) To water, if after reasonable mixing:
    - (i) it does not cause a discernible adverse change in the physico-chemical and/or microbiological water quality of the receiving water at the time of discharge; and
    - (ii) it is the best practicable option (as defined by Section 2 of the Act).

Cross-references: 6.04.01, 6.04.02

**Explanation:** *Discharges of effluent containing high organic matter can be defined as those effluents which, if discharged to water, are likely to change the dissolved oxygen regime of the receiving water. Such changes may lead to the death of aquatic life and/or the production of undesirable growths such as sewage fungus and slimes.*

*In Northland, discharges with high organic content include those from human and animal effluents, decomposing vegetable matter, animal and food processing, and leachates from solid wastes.*

*Direct discharges of contaminants into water, particularly sewage and animal effluent, are offensive to the Northland community. This was made clear during public consultation for the preparation of the Regional Policy Statement. Discharges to water also degrade the traditional, cultural and spiritual values that tangata whenua hold for water and water bodies. It is therefore intended that wherever it is practicable, all discharges will eventually be to land. This is also consistent with policies in the New Zealand Coastal Policy Statement regarding the maintenance and enhancement of water quality in the Coastal Marine Area. Before a new discharge of sewage or discharge with a high organic content to water is allowed, the Council will need to be satisfied that all other options, particularly land disposal have been considered.*

*The best practicable option approach takes account of the financial implications, and the effects on the environment, of that option when compared with other options, as well as the current state of technical knowledge and the likelihood that the option can be successfully applied.*

*For the purposes of this policy, a discernible adverse change in physico-chemical and/or microbiological water quality is defined as a change in all or any of the following:*

- (a) *The physical properties or characteristics;*
- (b) *The chemical composition; and*
- (c) *The microbiological content of the receiving waters.*

**Note:** That applicants for new consents should consult with Regional Council staff regarding appropriate levels of accuracy in testing and measurement methodologies in order to determine whether a discernible adverse change is likely to occur. Note also the requirements of Objectives 7.04 and 9.04 and their associated policies, to maintain and enhance water quality.

For the purposes of this policy, a new discharge is defined as a discharge:

- (a) From a treatment and disposal system which did not exist at the time this Plan was proposed (April 1995);
  - (b) From a treatment system which replaces or enhances an existing treatment system;
  - (c) From the same treatment system to a different receiving water body.
2. To require by the year 2004 or according to an upgrading programme established as part of the conditions on a discharge permit all existing discharges of sewage or discharges with a high organic content to be:
- (a) By land disposal; or
  - (b) To water, if after reasonable mixing:
    - (i) it does not cause a discernible adverse change in the physico-chemical and/or microbiological water quality of the receiving water at the time of discharge; and
    - (ii) it is the best practicable option (as defined by Section 2 of the Act)

Cross-references: 6.04.01, 6.04.02

**Explanation:** The move to land based treatment and disposal will markedly improve the water quality of Northland's water resources.

*Discharges existing before the notification of this document will be required to be upgraded over a period of time as decided by the Council through its Annual Plan process. Criteria for upgrade priorities are given in the methods based on the actual and potential effects of the discharge on the environment.*

3. To ensure there are adequate separation distances between water bodies and discharges to land to avoid or mitigate adverse effects on water quality.

**Explanation:** There are many other discharges of small volumes containing high concentrations of organic matter and discharges of larger volumes containing low levels of contaminants. The adverse effect of those discharges can be avoided by requiring adequate separation between the discharge point or disposal area and the surface water body or groundwater.

4. To promote effective effluent treatment and disposal systems which are:
- (a) Low maintenance and low risk;
  - (b) Land based, where the soil types, available disposal areas, back-up facilities and pumping systems are adequate;

Disposal of solid waste, including hazardous wastes is an issue for both regional and District Councils. Liaison and co-ordination of efforts between the Councils is required to achieve the objectives.

The following methods relate to co-ordination and liaison:

8.10.01            8.14.04            8.14.07            8.14.08

## 8.20 TRANSITIONAL POLICY

1. When considering any application for a discharge the consent authority must have regard to the following matters:
  - (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and
  - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.
2. When considering any application for a discharge the consent authority must have regard to the following matters:
  - (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and
  - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.
3. This policy applies to the following discharges (including a diffuse discharge by any person or animal):
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4. Paragraph 1 of this policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.
5. Paragraph 2 of this policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.

## Section 8 – Discharges

**Explanation:** *This policy has been inserted into the Water and Soil Plan to give effect to the National Policy Statement for Freshwater Management 2014. It specifies the matters the regional council must consider when assessing and determining an application for a discharge permit. This policy is transitional in nature and is intended to maintain ecosystem health and human health (secondary contact) values of freshwater until freshwater quality objectives and limits are established in the Water and Soil Plan by way of a plan change (as required by Policy A1 and Policy A2 of the National Policy Statement for Freshwater Management 2014).*

*The policy applies in addition to other assessment matters in the Water and Soil Plan and in considering all decisions on resource consents for new discharges and/or changes/increases in existing discharges. The policy does not affect activity status but does provide a basis for applying consent conditions.*

*The policy does not apply to new consents or replacement consents for an existing discharge where there is no change or increase in the discharge. Nor does it apply to discharges authorised by a permitted activity rule.*