

Guidance Note for Discharge to Water Applications in a coastal environment



Completing the application form to discharge contaminants?

Please supply more information about your proposed discharge to water.

Provide an appropriate level of information relative to the scale of your activity. If your proposed discharge is small, will not exceed water quality guidelines, and there are no other users of the surface waterbody, your description might fit on Form B - you can probably do it yourself.

However, if you seek consent to discharge to a sensitive waterbody and your discharge could impact water quality limits and guidelines, you will likely need to engage a technical consultant to model the effects of your proposed activity. Writing 'Not applicable' isn't enough. You need to add some comment, such as: 'My proposed discharge to water complies with Policy 71 because I will take the following actions to avoid adverse effects of my discharge to water on...'

Only particularly relevant parts of policies and objectives are shown here. Full text, relevant objectives and policies are available at: <http://www.hbrc.govt.nz/our-council/policies-plans-strategies/rcep/>

1. Sustainable management (RMA, Part 2)

The purpose of the Resource Management Act is to promote the sustainable management of natural and physical resources. Your proposed activity must use natural and physical resources in a way or at a rate, to enable people and communities to provide for their social, economic, and cultural well-being, and for their health and safety. Your proposed activity must also:

- sustain the potential of natural and physical resources to meet the needs of future generations; and
- safeguard the life-supporting capacity of air, water, soil, and ecosystems; and
- avoid, remedy, or mitigate any adverse effects of activities on the environment.

Please explain why you think your proposed discharge to water is sustainable

2. Relevant legislation (Section 104(1)(b))

Regional Policy Statement (RPS)

Objective 27: surface water resources and the water quality of rivers, lakes and wetlands must be maintained or enhanced so it's suitable to sustain or improve aquatic ecosystems in catchments as a whole, and recreation where appropriate.

Policy 49: stormwater diversion and discharge and the impacts on surface water resources, needs the cumulative effects of stormwater discharges on water quality to be mitigated, where appropriate.

Objectives 34-37 and Policies 64-66 in the RPS give a framework that recognises matters of significance to iwi/ hapū and the actions to consider concerning resource consent applications. This includes avoiding significant adverse effects on waahi tapu (sacred places), tauranga waka (landings for waka), taonga raranga (plants used for weaving and resources used for traditional crafts), mahinga kai (food cultivation areas) and the policy requires recognition of the importance of the relationship of Māori with coastal, lake, wetland and river environments.

Regional Coastal Environment Plan (RCEP)

Objective 9.1: the water quality of rivers and lakes must be maintained and enhanced to sustain existing species and natural character, while providing for resource availability for a variety of purposes, including groundwater recharge, maintenance or enhancement of mauri, and the protection of aquatic ecosystems.

Policy 9.1: environmental guidelines to manage effects of activities on the quality of water in rivers, lakes and wetlands. These surface water quality environmental guidelines apply across Hawke's Bay:

Issue	Guideline ¹
Temperature	Water temperature should be suitable to sustain aquatic habitat
Dissolved oxygen	The concentration of dissolved oxygen should exceed 80% of saturation concentration
Ammoniacal nitrogen	The concentration of ammoniacal (N-NH ₄ ⁺) should not exceed 0.1 mg/l.
Soluble reactive phosphorus	The concentration of soluble reactive phosphorus should not exceed 0.015 mg/l.
Clarity	In areas used for contact recreation, the horizontal sighting range of a 200 mm black disk should exceed 1.6 m.

Surface water quality environmental guidelines also apply to specific stream and river catchments in Hawke's Bay - refer to the Catchment Area table.

Policy 9.2: environmental guidelines for surface water quality will be put into practice in the process of making decisions on resource consents, considering the following approach:

(a) After reasonable mixing - guidelines apply after reasonable

Catchment Area	Faecal Coliforms (cfu/100 ml)	Suspended Solids (mg/l)
Aropaoanui River	200	50
Clive Rivers and tributaries	200	10
Esk River	200	50
Ikanui Stream	200	50
Kopuawhara Stream	200	50
Mangakuri Stream	200	50
Maraetotara River	200	50
Mohaka River	50	10
Ngaruroro River upstream of Fernhill Bridge	50	10
Ngaruroro River between Fernhill Bridge and Expressway Bridge	100	25
Ngaruroro River downstream of the Expressway Bridge	150	25
Opoutama Stream	200	50
Papanui Stream	150	10
Porangahau River	200	50
Puhokio Stream	200	50
Taharua Stream	50	10
Tukituki River and tributaries upstream of SH50	50	10
Tukituki River and tributaries between SH50 and Tamumu Bridge	200	10
Tukituki River downstream of Tamumu Bridge	100	10
Tutaekuri River upstream of Redclyffe Bridge	50	10
Tutaekuri River between Redclyffe Bridge and SH50	100	25
Tutaekuri River downstream of the Expressway Bridge	150	25
Waingonoro Stream	200	50
Waipatiki Stream	200	50
Waipuka Stream	200	50
Wairoa River and tributaries upstream of Frasertown	100	25
Wairoa River at and downstream of Frasertown	200	25

¹ The guideline applies after reasonable mixing and disregards the effect of any natural perturbations that may affect the water body, as per Policy 72

mixing of contaminants², and disregard the effect of natural perturbations that may affect the water body.

(b) Flow - at or below median flows or levels for all guidelines except suspended solids - all environmental guidelines (except those for suspended solids) apply to flowing surface water bodies when water flow is at/ less than the median flow, or for non-flowing water bodies the level of water is at/ less than the median level.

(c) Flow - at all flows for suspended solids - environmental guidelines for suspended solids are:

- (i) At times when suspended solids concentration is less than the specified guideline for a particular water body and location, an activity should not cause, or contribute to, a breach of the specified guideline. In no case should an activity cause more than a doubling of the suspended solids concentration or turbidity of the receiving water body.
- (ii) At times when the suspended solids concentration is equal to/ greater than the specified guideline, an individual activity should not cause the concentration of suspended solids or the turbidity in any river or lake to increase by more than 10%, as determined on a case by case basis³.

(d) Existing good water quality - where existing water quality is better than the guidelines, no more than minor degradation of water quality is allowed.

(e) Improvement of poor water quality - where existing water quality is poorer than the guidelines, the following approach will be used:

Where activities that require resource consents are the main cause of poor water quality, improvements will be sought, considering:

- the degree the activity adversely affects aquatic ecosystems & contact recreation
- the extent the activity causes poor water quality relative to other activities
- for existing activities, the need to allow time to achieve required improvements.

Where activities regulated by resource consents are not the main cause of degraded water quality, conditions will be imposed on consents to avoid further degradation of water quality unless HBRC is satisfied that:

- the activity will not cause any significant adverse effects on aquatic ecosystems and contact recreation
- exceptional circumstances justify allowing further degradation, or
- the discharge is of a temporary nature, or is associated with necessary maintenance work.

Policy 9.2A of the RCEP: supports the interim provisions of the National Policy Statement for Freshwater Management 2014 (NPSFM). The policy requires HBRC to consider to what degree:

² For this Regional Plan, “reasonable mixing in surface water” of contaminants in surface water will generally be considered to have occurred as follows:

a) In relation to flowing surface water bodies, at whichever of the following is the least:

- (i) a distance 200 metres downstream of the point of discharge
- (ii) a distance = seven times the bed width of the surface water body, but which shall be not less than 50 metres, or
- (iii) the distance downstream at which mixing of contaminants has occurred across the full width of the surface water body, but which shall not be less than 50 metres.

b) In relation to lakes, at a distance 15 metres from the point of discharge.

Alternatively, for activities subject to resource consents, “reasonable mixing” may be set case-by-case through the resource consent process.

³ HBRC recognises some resource users prefer to measure clarity, rather than concentrations of suspended solids or turbidity. While no direct relationship between suspended solids and clarity can be applied regionwide, HBRC is happy to work with resource users to establish allowable changes in clarity corresponding to suspended solids limits where required.

- the discharge application would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem
- it is feasible and dependable that any more than minor adverse effect on fresh water and of any associated ecosystem resulting from the discharge would be avoided
- 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
- 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. Assessment of Environmental Effects (AEE)

Please try and add a sentence or two about each of these points

- The actual or potential effects of your proposed discharge to water on the environment? You can comment on positive effects, as well as possible adverse/negative effects.
Have a think about:
 - Is your discharge likely to degrade surface water quality?
How will that affect other surface water users?
 - What aquatic animals and plants are living in the water body and on the banks of the stream that you will discharge into? How will the discharge impact them?
 - What is the surface waterbody used for, i.e. recreation, food cultivation?
 - Will the discharge impact amenity, social, recreational and cultural values associated with the waterway?
 - Are there people living near the proposed discharge site? Will the discharge impact human health?
 - Are there any waahi tapu or other significant cultural sites at/ near your proposed discharge point? Will your proposed discharge impact the values associated with those sites?
 - Will your discharge result in exceedances of any guidelines, set limits and targets for water quality, i.e. nitrogen, phosphorus, faecal coliforms, temperature and oxygen?
 - How far is your discharge from the coast? Could it impact the coastal marine area?
- What is the distance between your proposed point of discharge and the closest surface water abstraction? Where is the closest public water supply?
- Information about anything you intend to do to try and reduce the effect your discharge may have on the environment.
- Details of any alternative methods of discharge and treatment or alternative sites you have thought about for your proposed discharge. Why do you consider the proposed method of treatment and disposal is the best option?
- Details of anyone you have talked to about your proposed discharge because you think the activity might affect them.

If you have questions about what to provide, or want to arrange a meeting to discuss your application - before you formally lodge it with HBRC - contact the Consents Advisor on 06 833 8090.