



APPENDIX C

Planning Documents



Rule 30 Permitted – Discharge of Stormwater to Surface Water

The discharge of stormwater to surface water, or to land where the discharge enters surface water, is a permitted activity, subject to the following conditions:

- (a) The suspended solids concentration of the discharge shall not be greater than 150 g/m³, except where a 10 minute duration 10% AEP storm event (10 year return period storm) is exceeded.
- (b) The discharge shall not be to a surface water body in an area otherwise covered by a Comprehensive Catchment Discharge Consent.
- (c) The discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable materials.
- (d) The rate of discharge shall not exceed 125 litres per second for a 10 minute duration 10% AEP storm event (10 year return period storm).
- (d) The discharge shall not contain any stormwater from a timber preservation site, timber treatment site, or a site where chemically treated timber is stored.
- (f) The discharge shall not cause or induce erosion to the bed or banks of any surface water body, or to land, where the erosion is persistent or requires active erosion control measures to bring it under control. Erosion includes:
 - (i) Instability of land or the banks of the surface water body.
 - (ii) Scour to the bed of the surface water body.
 - (iii) Damage to the margins or banks of the surface water body.
- (g) The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.
- (h) The discharge shall not contain hazardous substances, or substances that are toxic to aquatic ecosystems (as measured relative to the ANZECC Guidelines for Fresh and Marine Water Quality, 2000).
- (i) The discharge shall not contain any wastes (including, but not limited to, wastewater or condensates) from a trade or industrial process.
- (j) The discharge shall not cause a conspicuous change in the colour of the receiving waters.
- (k) Where the discharge is to a part of a receiving water body that is classified as Water Supply, the discharge shall not contain any substance that renders the water unsuitable for treatment (equivalent to coagulation, filtration, disinfection or micro-infiltration) for human consumption.

This activity is also subject to the requirements of the rules in section 9.4.

Rule 30A Restricted Discretionary – Discharge of Stormwater to Surface Water

The discharge of stormwater to surface water, or to land where the discharge enters surface water, where the rate of discharge is greater than 125 litres per second for a 10 minute duration 10% AEP storm event (10 year return period storm) is a restricted discretionary activity subject to the following conditions:

- (a) The suspended solids concentration of the discharge shall not be greater than 150g/m³, except where a 10 minute duration 10% AEP storm event (10 year return period storm) is exceeded.



- (b) The discharge shall be substantially free of grease, oil, scums and foam.
- (c) The discharge shall not contain any stormwater from a timber preservation site, timber treatment site, or a site where chemically treated timber is stored.
- (d) The discharge shall not cause or induce erosion to the bed or banks of any surface water body, or to land, where the erosion is persistent or requires active erosion control measures to bring it under control. Erosion includes:
 - (i) Instability of land or the banks of the surface water body.
 - (ii) Scour to the bed of the surface water body.
 - (iii) Damage to the margins or banks of the surface water body.
- (e) The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.
- (f) The discharge shall not contain hazardous substances, or substances that are toxic to aquatic ecosystems (as measured relative to the ANZECC Guidelines for Fresh and Marine Water Quality, 2004).
- (g) The discharge shall not contain any wastes (including, but not limited to, wastewater or condensates) from a trade or industrial process.
- (h) The discharge shall not cause a conspicuous change in the colour of the receiving waters.

Rule 31 Permitted – Discharge of Stormwater to Land Soakage

The discharge of contaminated stormwater to land soakage is a permitted activity, subject to the following conditions:

- (a) The rate of discharge shall not exceed 125 litres per second for a 10 minute duration 10% AEP storm event (10 year return period storm).
- (b) The discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable materials.
- (c) The discharge shall not contain any wastes (including, but not limited to, wastewater or condensates) from a trade or industrial process.
- (d) The discharge shall not contain any stormwater from a timber preservation site, timber treatment site, or a site where chemically treated timber is stored.
- (e) The discharge shall not cause or induce erosion to the bed or banks of any surface water body, or to land, where the erosion is persistent or requires active erosion control measures to bring it under control. Erosion includes:
 - (i) Instability of land or the banks of the surface water body.
 - (ii) Scour to the bed of the surface water body.
 - (iii) Damage to the margins or banks of the surface water body.
- (f) The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.

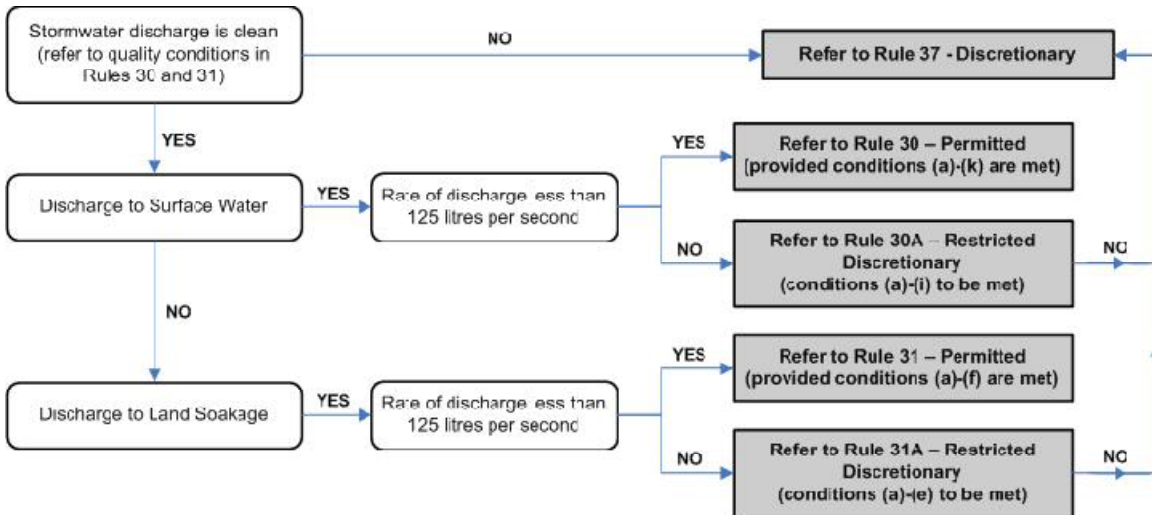
This activity is also subject to the requirements of the rules in section 9.4.



Explanation/intent of Rule

To allow point sources discharges of clean stormwater and encourage the discharge to land soakage, where this is appropriate. Such discharges present a low risk to the environment. Rule 31 is consistent with Objective 35, Policy 57, and Method 140 of the RLWP. Refer to Flow Diagram 9 to assist reading of this rule.

Flow Diagram 9 – Stormwater discharges



Rule 31A Restricted Discretionary – Discharge of Stormwater to Land Soakage

The discharge of contaminated stormwater to land soakage, where the rate of discharge is greater than 125 litres per second for a 10 minute duration 10% AEP storm event (10 year return period storm) is a restricted discretionary activity subject to the following conditions:

- (a) The discharge shall not contain any hazardous substances.
- (b) The discharge shall not contain any wastes (including, but not limited to, wastewater or condensates) from a trade or industrial process.
- (c) The discharge shall not contain any stormwater from a timber preservation site, timber treatment site, or a site where chemically treated timber is stored.
- (d) The discharge shall not cause or induce land erosion to the bed or banks of any surface water body, or to land, where the erosion is persistent or requires active erosion control measures to bring it under control. Erosion includes:
 - (i) Instability of land or the banks of the surface water body.
 - (ii) Scour to the bed of the surface water body.
 - (iii) Damage to the margins or banks of the surface water body.
- (e) The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.

This activity is also subject to the requirements of the rules in section 9.4.



APPENDIX C (I)

Regional Land and Water Plan - Rule 31 and Policies

Environment Bay of Plenty restricts its discretion to the following matters:

- (a) Management and maintenance of the stormwater system to achieve the conditions.
- (b) Measures to avoid, remedy or mitigate the adverse effects of the stormwater discharge on:
 - (i) Erosion or land instability.
 - (ii) Flooding of land owned or occupied by another person.
 - (iii) Indigenous flora and fauna.
 - (iv) Sites of significance to tangata whenua.
- (c) The administrative charges under section 36 of the Act.
- (d) Monitoring requirements.



Rule 37 Discretionary – Discharge to Water or Land

Any:

- 1) Discharge of a contaminant to water.
- 2) Discharge of water to water.
- 3) Discharge of a contaminant onto or into land in circumstances which may result in the contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water.
- 4) Discharge of a contaminant from any industrial or trade premises onto or into land.

That is not:

- (a) Permitted by a rule in this regional plan.
- (b) Permitted by a rule in any other Bay of Plenty regional plan.
- (c) Prohibited by a rule in this regional plan.
- (d) Restricted discretionary status by a rule in this regional plan.
- (e) Controlled status by a rule in this regional plan.

Is a discretionary activity.



Schedule 9 – Water Quality Classification Standards and Criteria

Para 1

The Water Quality Classification Standards and Criteria in Schedule 9 will be used to assess discharges to water that are discretionary activities under Rule 37, after reasonable mixing of any contaminant or water with the receiving water, and disregarding the effect of any natural perturbations that may affect the water body. A 'natural perturbation' is a change in a water body caused by natural processes, including heating by the sun or natural geothermal inputs. Natural perturbations will be taken into account when monitoring the activity. Where appropriate, the reasonable mixing zone for a discharge of contaminants to surface water is determined in accordance with Policy 40A and Method 83B.

Para 2

Applicants are advised to determine the water quality classification applicable to their proposed activity by viewing the Water Quality Classification Map or by contacting Environment Bay of Plenty for further information.

Para 3

The standards and criteria listed for each classification do not prohibit additional discharges to any water body, but the effects of any additional discharge will be assessed against the relevant Water Quality Classification and Objective 11.

Para 4

In relation to the E.coli limits specified in Schedule 9 (1)(b), (2)(b), (3)(d), (4)(c), (5)(b), (6)(g), (9)(c), compliance will be accepted where no single monitoring sample exceeds the limits specified for the Water Quality Classification.

Para 5

Method 51 and section 128 of the Act provide for the review of resource consent conditions for discharges of contaminants to water if water quality in the water body does not meet its water quality classification, and discharges are identified to be the cause of water degradation. Existing discharges will be required to comply with these water quality classifications if a significant environmental effect is being caused, and at the time of consent renewal.

Para 6

Refer to the Regional Plan for the Tarawera River Catchment for the standards and criteria for Fish Spawning Purposes Upper Tarawera River, and Fish Purposes Lower Tarawera.

Para 7

The following water quality classification standards reference the ANZECC Guidelines for Fresh and Marine Water Quality, 2000 (ANZECC 2000). ANZECC 2000 set 'trigger levels' for contaminant levels, but allow for 'guideline levels' to be determined for specific sites based on geological areas. For example, guideline values for geothermally influenced streams will be different from those for marine water. Methodology for determining 'guideline values' is set in ANZECC 2000. Over time Environment Bay of Plenty will be determining 'guideline levels' for the Bay of Plenty in accordance with Method 77. However, resource consent applicants may use alternative limits that otherwise comply with the narrative standards in Schedule 9, providing these are scientifically justified for the proposed activity, site characteristics and values. Where the standards reference the ANZECC 2000 guidelines, compliance will be assessed in accordance with either (a), (b) or (c):

- (a) Discharges of contaminants to water shall comply with the trigger levels in the ANZECC 2000 guidelines in relation to the appropriate protection level for the receiving environment. The range of protection levels is set in ANZECC 2000 in relation to the state and value of a water body. These are:



- (i) High conservation/ecological value – 99%
 - (ii) Slightly to moderately disturbed ecosystems – 95 – 99%
 - (iii) Highly disturbed ecosystems – 80 – 90%
- (b) Resource consent applicants wishing to discharge contaminants at a higher level than the trigger levels in the ANZECC 2000 guidelines (where no other guideline levels have been determined for that site in accordance with method 77) are to determine appropriate guideline levels (site-specific criteria) in accordance with the methodology set in ANZECC 2000. Documentation of this process and justification for the guideline levels are required as part of a resource consent application. Resource consent applicants should also consider the appropriate aquatic ecosystem protection level for the site, and reasonable mixing zone.
- (c) Resource consent applicants are to provide scientific justification for alternative limits that are appropriate to the sensitivity of the receiving environment and instream values, and otherwise comply with the narrative standards in Schedule 9 of this regional plan.

Para 8

In relation to Schedule 9 3(c), 4(d), 5(d), 6(e), 7(c), 8(b) and 9(d), the following species shall be used as indicators to assess compliance for 'undesirable biological growths': growths where organisms of the genus *Spaeroglossa*, *Zoogloea*, or *Beggiatoa* are present. Appropriate levels for biological growths resulting from a discharge to water will be set on a case by case basis in relation to reasonable mixing, natural perturbations and relevant characteristics of the receiving water body. Natural perturbations will be taken into account when monitoring the discharge and the receiving environment.

1 Natural State (Lake) Water Quality Classification

Any discharge of contaminants or water to water in a lake classified as Natural State (Lake) in the Water Quality Classification Map shall not alter the natural quality of the water after reasonable mixing of the discharge with the receiving water. The standards and criteria that apply to Natural State (Lake) are:

- (a) There shall be no change in water quality parameters as a result of the discharge that causes a decrease in water quality, including, but not limited to:
 - (i) No increase in temperature.
 - (ii) No change in pH.
 - (iii) No increase in suspended solids.
 - (iv) No decrease in dissolved oxygen.
- (b) The discharge shall not cause the *E. coli* level to exceed 126cfu/ml as measured by a single sample.
- (c) Aquatic organisms, fish and other food resources shall not be rendered unsuitable for human consumption by the presence of contaminants as a result of the discharge (refer to ANZECC Guidelines for Fresh and Marine Water Quality, 200052).
- (d) The discharge of contaminants (either by itself or in combination with the same, similar, or other contaminants) or water to water shall not cause:
 - (i) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials.
 - (ii) Any conspicuous change in the colour or visual clarity. There shall be no (0%) decrease in secchi disc depth or black disk range.



APPENDIX C (III)

Regional Water and Land Plan - Water Classifications

- (iii) Any emission of objectionable odour (refer to the Operative Bay of Plenty Regional Air Plan).
 - (iv) The rendering of fresh water unsuitable for consumption by farm animals (refer to ANZECC Guidelines for Fresh and Marine Water Quality, 2000).
 - (v) Any adverse effects on aquatic life (refer to ANZECC Guidelines for Fresh and Marine Water Quality, 2000).
- (e) There shall be no net increase of nitrogen or phosphorus in the lake as a result of the discharge. This means the mass of nitrogen or phosphorus being discharged directly to surface water or to groundwater, after taking into account mitigation or offset measures, is not above that entering surface water or groundwater from the activity site prior to the discharge.

Explanation/intent of Classification

To ensure that the natural water quality in lakes classified as Natural State (Lake) is not altered by discharges to the lake. Such lakes are to be protected in their existing high quality state.



Schedule 10 – Freshwater Bathing Sites

Para 1

The listed sites are those monitored as part of the Bathing Suitability investigations, and have been identified by the community and Environment Bay of Plenty as major bathing areas in the region.

	Stream or Lake	Location of Monitoring
1	Haparapara River	SH 35
2	Waioeka River	Waioeka Gorge mouth
3	Tauranga River	Te Paakau
4	Waimana River	Wardlaw Glade
5	Whakatane River	Landing Road Bridge
6	Whakatane (Ohinemataroa) River	Ruatoki Valley Road (Waikirikiri)
7	Rangitaiki River	Murupara
8	Rangitaiki River	Te Teko
9	Tarawera River	Kawerau
10	Puarenga Stream	Whakarewarewa
11	Kaituna River	The Trout-pool
12	Utuhina Stream	Pukehangi Road
13	Ngamuwahine River	
14	Wairoa River	McLaren Falls
15	Wairoa River	Bethlehem
16	Uretara Streak	Katikati
17	Tuapiro Stream	McMillan Road
	Lake Sites	
18	Lake Rotoiti	Hinehopu
19	Lake Rotoiti	Gisborne Point
20	Lake Rotorua	Haumurana
21	Lake Rotorua	Waiteti Stream
22	Lake Rotorua	Ngongotaha
23	Lake Okareka	
24	Lake Okaro	