

## CHAPTER 35: DISCHARGES TO COASTAL MARINE AREA

### 35.0 INTRODUCTION

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Many activities, both land based and within the coastal marine area, cause contaminants to be discharged into the coastal marine area. The discharges may be point source or diffuse, entering the coastal water via non-point sources such as land run-off in rivers and streams.

The coastal marine area of the Tasman District has a wide range of uses and values, including public uses such as recreation and the harvesting and consumption of seafood, commercial activities such as aquaculture and tourist activities, as well as important ecological, cultural and natural values. These uses and values can be adversely affected by poor water quality. Contaminants alter water and sediment chemistry, adversely affecting water quality and ecology. Water quality is an important determinant of ecological health and the life-supporting capacity of the environment. Contaminants discharged to coastal water may move up the food chain, potentially adversely affecting fish, birds and other animals, including humans.

Studies indicate that surface (coastal) water quality in Tasman Bay/Te Tai-o-Aorere and Golden Bay/Mohua beyond the near-shore area is strongly influenced by the input of river water. Changes in water quality in relation to higher river flows have been indicated for factors such as nutrients, primary productivity and indicator bacteria. There is not enough data on which to make the same observation for the near-shore coastal area. However, given patterns of water circulation and factors such as wind and waves, it is reasonable to assume that river waters will also affect the quality of near-shore coastal waters at times. The biennial bathing water surveys indicate that, at most times and in most places, the microbial quality of the water is suitable for contact recreation.

This part of the Plan considers discharges to land or water in the coastal marine area. Chapter 33 deals with discharges outside the coastal marine area but also considers the downstream effects on water quality in the coastal marine area. Chapter 3 includes management of cross-boundary issues with Nelson City in respect of coastal water quality. This Chapter 35 and relevant rules in Chapter 36 are part of the Regional Coastal Plan and need to be considered in conjunction with Part III (Coastal Marine Area).

Discharges to the coastal marine area of particular significance are the bioaccumulative or toxic chemicals and heavy metals such as those used in some industries, or those derived from pesticides or through the use of vehicles. Most of these toxins are persistent in the environment, and long-term detrimental damage occurs gradually. These toxins generally enter the coastal marine area through stormwater; urban stormwater has higher levels of these compounds than rural stormwater. In some parts of the coastal marine area such as the Waimea Inlet, there are risks of degradation of water quality because of the cumulative effects of discharges to coastal waters.

There is a high level of interest in aquaculture activities, including use of long-line or cage structures, trawling or dredging for shellfish, or gathering shellfish from tidal sandflats. While such activities depend on high water quality, they can also have an adverse effect on water quality through artificial feeding, fish mortality, excreta, disinfectant and fish treatments, including hormones, antibiotics, and the like.

The coastal environment has historically been regarded as a convenient location for disposing much of the District's waste and effluent. Coastal waters receive treated sewage from a number of townships, industrial discharges, and discharges from boats. Emergency or unplanned discharges from sewerage systems require particular attention as does the discharge of sewage from boats near bathing beaches. This is a particular problem during summer months for some beaches on the Abel Tasman National Park coastline. A number of rubbish dumps (now closed) have been sited around margins of estuaries and their potential to continue to affect water quality requires monitoring.

The New Zealand Coastal Policy Statement requires this Plan to provide for maintenance of coastal water quality and enhancement of water quality where that is desirable in those areas where there is:

- (a) a high public interest in or use of the water;

- (b) a particular tangata whenua interest in the water;
- (c) a particular value to be maintained or enhanced;
- (d) a direct discharge containing human sewage.

Marine Pollution Regulations have been prepared by the Ministry for the Environment under the provisions of Section 15 of the Act. The Council has responsibility for enforcing these regulations. The regulations limit the nature and extent of contaminant discharges to the Coastal Marine Area and they are included in the Plan in Annexe 2 of Chapter 36 for information purposes only (they cannot be subject to Council changes through submissions).

The Council has also classified the waters in the coastal marine area for identified uses and values. Any discharge to coastal water must not result in reducing the quality of the water below the standards of the classification.

These provisions, together with the importance of avoiding adverse effects on the natural character of the coastal environment, mean a restrictive outlook for discharges in the coastal marine area.

## **35.1 DISCHARGES IN THE COASTAL MARINE AREA**

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### **35.1.1 Issues**

- 35.1.1.1 Discharges into the coastal marine area can cause significant adverse effects, including cumulative effects.
- 35.1.1.2 Many land use activities outside the coastal marine area can cause contaminants to be discharged to the coastal marine area, particularly via land run-off from rural and urban areas.

### **35.1.2 Objective**

The discharge of contaminants into the coastal marine area in such a way that avoids, remedies, or mitigates adverse effects while:

- (a) maintaining existing water quality; and
- (b) enhancing water quality where existing quality is degraded for natural and human uses or values.

### **35.1.3 Policies**

*Refer to Rule section 36.2.*  
*Refer to Information Requirement 37.2A.*

- 35.1.3.1 To recognise and provide for the uses and values of coastal water through a system of classification that establishes the water quality standards required to protect the water quality needs of those uses and values.
- 35.1.3.2 To control the effects of discharges of contaminants so that, in combination with other contaminant discharge effects, they enable the relevant water classification standards to be complied with.
- 35.1.3.3 To seek to improve water quality where existing water quality is lower than the requirements for the classification.
- 35.1.3.4 To ensure that water quality is not degraded where the existing water quality is the same or higher than the relevant water classification.

- 35.1.3.5** Adverse effects of discharges into the coastal marine area, including adverse effects of:
- (a) point source discharges on their own or in combination with other point source discharges; and
  - (b) non-point source contamination arising from land use activities and entering the coastal marine area; and
  - (c) contaminants in urban and rural stormwater; and
  - (d) discharges of contaminants from aquaculture activities;
- should, as far as practicable, be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects, to the extent practicable.
- 35.1.3.6** To ensure that existing water quality is not degraded after reasonable mixing as a result of any discharge of contaminants into water and to take into account the following criteria when determining what constitutes reasonable mixing:
- (a) the depth, water circulation patterns and tidal flow characteristics of the receiving water, including the nature and extent of mixing which may occur and the assimilative capacity of the water;
  - (b) the extent of the mixing zone and the likely adverse effects on aquatic life and ecosystems within the mixing zone;
  - (c) the characteristics of the discharge, including the presence of toxic constituents;
  - (d) the classification of the water;
- provided that the inter-tidal areas are excluded from any mixing zone unless the discharge has no more than a minor adverse effect on the inter-tidal area.
- 35.1.3.7** To take into account the following factors in determining the significance of actual or likely adverse effects on the receiving water of or from contaminant discharges:
- (a) Any water classification.
  - (b) Existing water quality of the receiving water.
  - (c) The sensitivity and significance of the aquatic life or ecosystem.
  - (d) The extent of the water adversely affected.
  - (e) The magnitude, frequency and duration of the adverse effect, including any cumulative effect as a result of the discharge.
  - (f) The range and intensity of uses and values of the water.
  - (g) The conflicts between uses and values of the water.
  - (h) The nature of the risks of the adverse effect.
  - (i) Any relevant national or international water quality guideline or standard.
- 35.1.3.8** To avoid the discharge of untreated wastewater to the coastal marine area unless it better meets the purpose of the Act than disposal to land and there has been consultation with the tangata whenua and with the community generally.
- 35.1.3.9** Subject to policy 35.1.3.10, to discourage the introduction of new point source discharges and to reduce contamination from existing point source discharges into the coastal marine area, particularly hazardous wastes, non-biodegradable wastes, and trade and industrial wastes.
- 35.1.3.10** To ensure that adverse effects from the discharge of contaminants (including feed and therapeutants) from aquaculture activities on water and sediment quality, ecology, and the benthic environment are avoided, remedied or mitigated.

- 35.1.3.11** To promote and advocate development of site contingency plans to avoid, remedy or mitigate the likely adverse effects of any emergency discharges or other accidental spills in the coastal marine area.
- 35.1.3.12** To ensure that land use and discharge activities, particularly those involving hazardous substances, are carried out having regard to contingency planning measures appropriate to the scale and nature of any discharge or potential discharge and the risk to the environment for any accidental discharge of any contaminant that may result in connection with the activity.
- 35.1.3.13** To avoid discharge of wastes to the coastal marine area by ensuring adequate and convenient provision of facilities for the collection and appropriate disposal of litter, sewage, spills and residues from vessel use, and maintenance and refuelling and other uses of the coastal marine area.
- 35.1.3.14** To avoid, remedy or mitigate adverse effects of contaminants arising from land-based activities on the coastal marine area, particularly those discharged via urban and rural run-off/stormwater.

## **35.1.20 Methods of Implementation**

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### **35.1.20.1 Regulatory**

- (a) Rules relating to:
- (i) the discharge of contaminants directly or indirectly into water;
  - (ii) the discharge of contaminants onto land;
  - (iii) the location of discharge activities;
  - (iv) the preparation of contingency plans.
- (b) Water classification of water in the coastal marine area.
- (c) Enforcement or abatement action where necessary.

### **35.1.20.2 Education and Advocacy**

- (a) Promotion or support of industry codes of practice and individual management practices that avoid, remedy or mitigate adverse effects of a contaminant discharge on the environment.
- (b) Provision of information and advice concerning sustainable practices, including best practicable options.
- (c) Liaison with resource user groups.
- (d) Promotion of on-board treatment systems for boats.

### **35.1.20.3 Works and Services**

- (a) Advice to the public when accidental or emergency discharges pose a threat to human health.
- (b) Encouraging the provision of rubbish disposal facilities, toilets, and facilities to accept sewage from boats and other users of the coastal marine area.
- (c) Oil spill management.

### **35.1.20.4 Investigations and Monitoring**

- (a) Ongoing water quality monitoring.
- (b) Investigations into tidal circulation patterns.

- (c) Investigation of the nature, extent and sources of contamination, including those from land use activities outside the coastal marine area and from stormwater discharges to the coastal marine area and consider possible means of reducing contaminant levels.

### **35.1.30 Principal Reasons and Explanation**

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These policies reflect the requirements of the New Zealand Coastal Policy Statement and are consistent with the Marine Pollution Regulations.

Coastal water needs to retain and, in places, improve its value for a wide range of public uses where water quality is important. Risks to water quality need to be managed so that coastal waters' values and uses are maintained or improved where necessary.

Existing water quality in some waters may be higher than required for the classification. The policy ensures that the existing higher quality is unchanged as a result of any activity in the coastal marine area. Enhancement of existing water quality may also be required in some areas to meet the objective. It will not be adequate just to maintain the existing water quality in those circumstances.

Discharges of human sewage have the potential to significantly adversely affect coastal water quality, particularly through microbial contamination of bathing waters and shellfish. Direct discharge of such wastes into water is abhorrent to both Maori and Pakeha alike and there is a need for stringent control over this.

This Plan seeks to maintain water quality at, or improve it to, an acceptable level which recognises the importance of the coastal marine area to the District's cultural and social wellbeing and which sustains its life-supporting capacity for marine ecosystems. The Council considers that water quality can be more effectively managed if a comprehensive approach is taken to manage all types of discharges to the coastal marine area and via land-based activities which may affect water quality in the coastal marine area. It does this by (actively) discouraging certain wastes in the coastal marine area and by reducing the risks of emergency or accidental discharges. It will particularly consider the effects or risks of stormwater, sewage and hazardous waste discharges, and discharges arising from aquaculture activities.

### **35.1.40 Performance Monitoring Indicators**

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**35.1.40.1** The surveyed quality of water in the coastal marine area affected by contaminant discharges and changes in the quality over time.

**35.1.40.2** The numbers of resource consents issued for discharges of contaminants to water.

### **35.50 ENVIRONMENTAL RESULTS ANTICIPATED**

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**35.50.1** Discharges of contaminants that avoid, remedy or mitigate adverse effects.

**35.50.1** Water quality maintained or enhanced for all water bodies of the District.

