

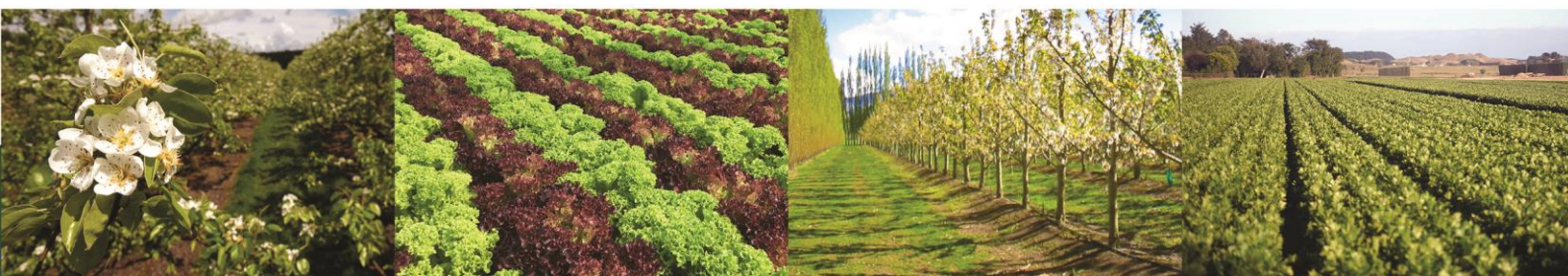
SUBMISSION ON

Draft Plan Change 14 (OSET)

26 October 2018

TO: Bay of Plenty Regional Council

NAME OF SUBMITTER: Horticulture New Zealand



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Comments on Draft Plan Change 14: On-site Effluent Treatment Systems

Horticulture New Zealand (HortNZ) thanks Bay of Plenty Regional Council for the opportunity to submit on the draft plan.

HortNZ could not gain an advantage in trade competition through this submission.

1. STRUCTURE:

The purpose of managing OSETS is the management of discharges of contaminants into the environment, as per Section 15 of the Resource Management Act 1991 (RMA).

The draft plan appears to apply a land use consenting framework to the management of on-site effluent treatment systems (OSETS). It is considered that a discharge consenting framework would be a more appropriate and efficient means of managing effects on the environment.

Applying a discharge consenting framework has been utilised in a number of other Regional Council's including Horizons One Plan¹, Auckland Council's Unitary Plan² and the Waikato Regional Plan³.

Northland's Proposed Regional Plan uses a mixture of discharge and land-use⁴. Generally, the proposed plan applies a discharge framework to management of OSETS, with the exception of a permitted activity rule for pit latrines (referred to as pit toilet's in the proposed plan).

In these instances, rules manage the discharge of domestic wastewater to land and water, rather than focusing on the specific type of treatment system. Permitted activity standards for new and existing discharges relate to a range of factors including:

- flow rates and volumes
- concentration of contaminants
- setbacks from waterbodies and potable water supply
- maintenance frequency and record keeping.

Permitted activity standards require design, installation and operation to be in accordance with specific manuals. In Horizon's One Plan, reference is made to both the Council's

¹ <https://www.horizons.govt.nz/publications-feedback/one-plan/part-2-regional-plan/chapter-14/14-5-rules-human-effluent-and-domestic-wastewater>

² <http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20E%20Auckland-wide/1.%20Natural%20Resources/E5%20On-site%20and%20small%20scale%20wastewater%20treatment%20and%20disposal.pdf>

³ <https://www.waikatoregion.govt.nz/council/policy-and-plans/rules-and-regulation/regional-plan/waikato-regional-plan/3-water-module/35-discharges/357-implementation-methods-on-site-sewage-discharges/>

⁴ C.6.1 Page170, <https://www.nrc.govt.nz/media/9289/proposedregionalplans42arecommendationsupdatedwitherrata27july2018.pdf>

Manual for Onsite Wastewater Design and Management⁵ and Auckland Council's TP58 On-site Wastewater systems 2004 manual⁶. Waikato Regional Council refers to TP58 also.

In Horizons and Auckland Council, where permitted activity standards cannot be met a restricted discretionary activity status is applied, with discretion restricted to factors such as:

- site conditions
- flow rate and volume of wastewater
- design and maintenance of the treatment system
- design of the disposal system, disposal method and the rate of land application
- discharge quality and effects on surface water, groundwater, public health and amenity
- measures to avoid or mitigate adverse effects.

In Auckland Council, any discharge of untreated waste is a discretionary activity. The relevant objectives and policies specifically relate to maintaining water quality, protecting human health and preventing or minimising adverse effects of contaminants on ground/surface water quality.

Horizons, Waikato and Northland all prohibit the discharge of untreated human waste directly to water. Auckland prohibits discharge to new deep bore disposal.

It is considered that a discharge consenting framework would be a more effective and less complicated means of managing adverse effects on the environment.

Including a permitted activity status requiring investigation, design, operation and maintenance to be in accordance with TP58, or some equivalent, would ensure that the type and design of OSETS would be appropriate to site conditions. This would address concerns relating to sensitive areas such as those identified in the Maintenance Zones and the Rotorua Lakes catchments.

Decision sought

HortNZ seeks that the draft plan be restructured to provide a discharge consenting framework similar to those outlined in Horizons One Plan, Auckland Unitary Plan, Waikato Regional Plan and the Proposed Northland Regional Plan.

Standards could refer to Auckland Council's TP58 On-site Wastewater systems 2004 manual if Bay of Plenty Regional Council does not have its own manual.

2. PIT LATRINES AND OTHER OSETS THAT DO NOT REQUIRE SEPTIC TANKS

Council advises in the General Information Fact Sheet, that pit latrines are "not acceptable" on commercial orchards. This is not reflected in the draft plan change.

The rules in the proposed plan are split into different areas:

- All areas
- Reticulated zones, including Rotorua Lakes catchments

⁵ <http://www.horizons.govt.nz/HRC/media/Media/One%20Plan%20Documents/Manual-for-On-site-Wastewater-Design-and-Management-2010.pdf>

⁶ <https://www.aucklandcouncil.govt.nz/building-and-consents/building-renovation-projects/Install-alter-on-site-wastewater-treatment-disposal-system/docs/maintainwastewatersystem/tp58-on-site-wastewater-systems-2004-chapters%201-8.pdf>

- Un-reticulated Residential zones, excluding maintenance zones and Rotorua lakes catchments
- Maintenance zones, excluding Mamaku and Lake Tarawera
- All other areas outside reticulated areas, un-reticulated residential areas, Maintenance Zones, and the Rotorua Lakes catchments.

Pit latrines are prohibited in all areas, except those outside reticulated areas, un-reticulated residential areas, Maintenance Zones, and the Rotorua Lakes catchments.

Draft rule OSET R37 provides for pit latrines as permitted activities where the OSET PAC 15 standards are met. Where the standards cannot be met, pit latrines are a discretionary activity under draft rule OSET R42.

An analysis of the draft maps for the Maintenance Zones and Reticulated Zones shows there are very few horticultural operations where pit latrines would be prohibited.

HortNZ supports a permitted activity approach for pit latrines (OSET R37), composting toilets (OSET R30) and alternative toilets (OSET R31).

It is not clear why composting toilets and alternative toilets that can meet OSET PAC 13 and OSET PAC 14 are not permitted in other areas as there is obviously a clear means to managing adverse effects on the environment.

The use of pit latrines and other OSET systems that do not require a septic tank, are common on horticulture orchards. They are generally scattered across orchards to provide sanitary facilities for staff collecting or maintain produce.

These facilities are estimated to only be used between 15 to 20 days of the year. Requiring a septic tank on each orchard is overly onerous and would likely be a hinderance to the on-going operation and development of horticulture in the region.