



FACT SHEET 7: REGULATION AND CONSENTING

NATIONAL AND REGIONAL PLANNING PROVISIONS

There are various regulatory instruments that must be considered when planning biosolids re-use or disposal. These include:

- The Resource Management Act;
- National Policy Statements and National Environmental Standards; and
- Regional Plans.

In general, the application of wastes to land including sludge and biosolids is controlled by the Resource Management Act 1991 (RMA) and regulated by Regional Councils via discharge consents triggered by their Regional Plan rules. These rules determine what is applied, how it is applied and where it is applied. Many regional plans reference the “Guidelines for the Safe Application of Biosolids to Land in New Zealand” (NZWWA, 2003) as their criteria for discharge^{1,2}.

THE RESOURCE MANAGEMENT ACT

Under the RMA, Regional Councils have functions to control the use of land for the purposes of maintaining and enhancing water quality (section 30(1)(c)(ii)) and aquatic ecosystems (section 30(1)(c)(iii)), and to control discharges of contaminants onto land or into water or air (section 30(1)(f) of the RMA).

The application of wastes to land generally requires a resource consent (for discharges of contaminants to land in accordance with section 15 of the RMA), unless the waste poses minimal risks to the environment and is expressly allowed to be applied in accordance with a Regional Plan.

WHAT IS A RESOURCE CONSENT?

A resource consent is the authorisation required under the RMA given to activities or uses of natural and physical resources. Any activities that are not permitted by the RMA, or by a rule in a plan, require a resource consent before they are carried out.



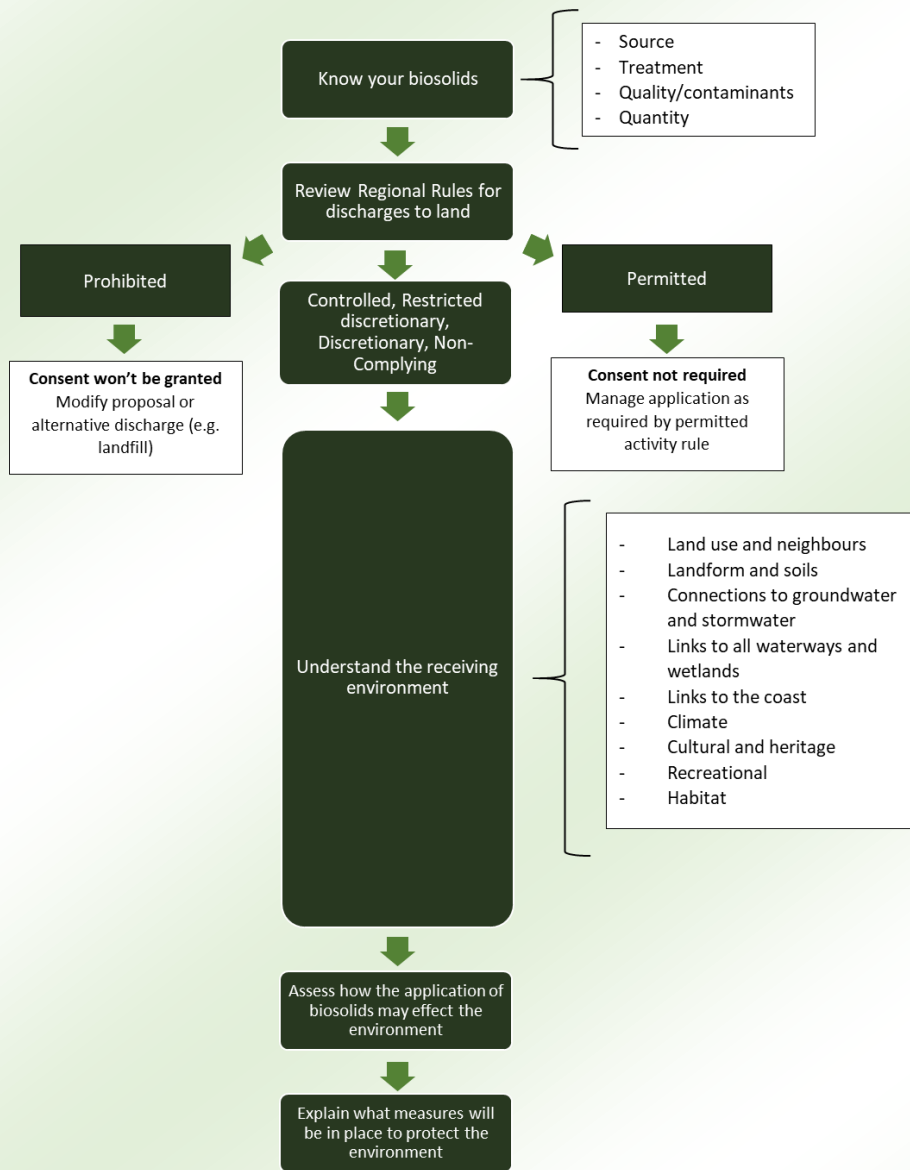
APPLYING FOR RESOURCE CONSENT

If you plan to apply biosolids to land you are likely to need a resource consent, with the exception of discharges deemed a permitted activity under relevant Regional Plans. Detailed information on applying for resource consents can be found on the MfE website³. The diagram overleaf briefly outlines what you will need to consider for an application to apply biosolids to land.

The Regional Council will consider the resource consent application and may ask for further information to help make their decision.

When a resource consent is issued it will come with several conditions that must be met in order to comply with the consent. These might include:

- Minimum quality standards for the biosolids;
- How much biosolids can be applied and where;
- How far away from other activities and people the biosolids must be kept; and
- Monitoring of the soil and/or water near the application area.



BACKGROUND

The Regional Biosolids Strategy – Lower North Island is a collaborative project funded by the Waste Minimisation Fund. Ten lower North Island Councils have worked in partnership with Lowe Environmental Impact and research partners to develop a biosolids strategy that includes the potential collective management of sludge, focussing on beneficial use.



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1. Fact Sheet 8 of the Regional Biosolids Strategy: Biosolids Guidelines
2. NZWWA. (2003). Guidelines for the safe application of biosolids to land in New Zealand. Ministry for the Environment (New Zealand Water and Wastes Association).
3. <https://www.mfe.govt.nz/publications/fresh-water/everyday-guide-applying-resource-consent/everyday-guide-applying-resource>