

## Section 107 – Resource Management Act 1991

### 107 Restriction on grant of certain discharge permits

- (1) Except as provided in subsection (2), a consent authority shall not grant a discharge permit or a coastal permit to do something that would otherwise contravene [section 15](#) or [section 15A](#) allowing—
  - (a) the discharge of a contaminant or water into water; or
  - (b) a discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
  - (ba) the dumping in the coastal marine area from any ship, aircraft, or offshore installation of any waste or other matter that is a contaminant,—if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:
    - (c) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
    - (d) any conspicuous change in the colour or visual clarity;
    - (e) any emission of objectionable odour;
    - (f) the rendering of fresh water unsuitable for consumption by farm animals;
    - (g) any significant adverse effects on aquatic life.
- (2) A consent authority may grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 or [section 15A](#) that may allow any of the effects described in subsection (1) if it is satisfied—
  - (a) that exceptional circumstances justify the granting of the permit; or
  - (b) that the discharge is of a temporary nature; or
  - (c) that the discharge is associated with necessary maintenance work— and that it is consistent with the purpose of this Act to do so.
- (3) In addition to any other conditions imposed under this Act, a discharge permit or coastal permit may include conditions requiring the holder of the permit to undertake such works in such stages throughout the term of the permit as will ensure that upon the expiry of the permit the holder can meet the requirements of subsection (1) and of any relevant regional rules.