

Summary – Proposed Canterbury Air Regional Plan

Rule ¹7.27 identifies the proposal as a **Discretionary Activity** resulting from the discharge to air from the combustion of diesel in a mobile generator for a period exceeding 5 days duration (**Rule 7.26**).

Rule 7.29 identifies the proposal as a **Restricted Discretionary Activity** resulting from the discharging of dust beyond the boundaries of the site during the construction period.

Rule 7.59 identifies the proposal as a **Discretionary Activity** resulting from the handling of bulk materials (**Rule 7.37**) and storing of bulk materials (**Rule 7.38**) on a site that is unable to meet the permitted activity standards.

¹ Grey highlight indicates provision not operative.

Section 7 – Region-Wide Rules		
All activities		
Rule	Compliance	Comment
7.3	Does Not Contravene	<i>The discharge of odour, dust or smoke into air that is offensive or objectionable beyond the boundary of the property of origin when assessed in accordance with Schedule 2 is a non-complying activity.</i>
		Comments Complies. The rule is relevant to the construction activities on site that may result in the discharge of dust and smoke produced from the burning of existing vegetation on site prior to the earthworks commencing. The location of the site, mitigation measures proposed and distance to adjoining neighbouring properties will ensure that no objectionable or offensive discharge is generated. Refer to the Construction Methodology Report and the Smoke Management Plan.
7.4	Does Not Contravene	<p><i>Except where undertaken within the property of an industrial or trade premise and specifically authorised by resource consent granted pursuant to rule 7.31, the discharge of contaminants into air from the burning of any of the following materials is a prohibited activity:</i></p> <ul style="list-style-type: none"> . <i>Wood treated or processed with preservatives, gluing agents, or impregnated with chemicals; and</i> . <i>Wood which is painted, stained or oiled; and</i> . <i>Metals and materials containing metals, other than as provided for by Regulation 9 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004; and</i> . <i>Materials containing asbestos; and</i> . <i>All rubber; and</i> . <i>All plastic; and</i> . <i>Medical waste, pathological wastes, quarantine waste, and animal waste, other than in a high temperature incinerator identified in Regulation 12 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004; and</i> . <i>Synthetic material, including but not limited to, motor vehicle parts, foams, fibreglass, batteries, chemicals, paint and other surface coating materials; and</i> . <i>Tar or bitumen; and</i> . <i>Used and waste oil, excluding re-refined oil; and</i> . <i>Sludge from industrial processes; and</i> . <i>Any container that has been used for the purpose of storing hazardous substances; and</i> . <i>Any materials within a landfill or waste transfer station or waste recovery area, but excluding gas emissions; and</i>

		<ul style="list-style-type: none"> . Any fuel with a sulphur content of greater than 1% by weight.
		<p>Comments</p> <p>Does not contravene. The burning of materials prior to earthworks is set out in the Smoke Management Plan. The material will be sorted and separated prior to burning. No material from the identified list will be burnt.</p>
7.10	Complies	<p><i>In rural areas, the discharge of contaminants into air from outdoor burning of vegetation, paper, cardboard and untreated wood is a permitted activity provided the following conditions are met:</i></p> <ul style="list-style-type: none"> . The material to be burnt is not standing crop residue subject to rule 7.9 above; and . The material to be burnt is located at least 100m upwind or 50m in any direction of any sensitive activity that is not located on the property where burning occurs; and . The material to be burnt has been left to dry for at least 6 weeks prior to burning or is located at least 200m in any direction of any sensitive activity that is not located on the property where burning occurs; and . If within 5km of any urban area, burning only occurs when a windspeed of between 1 and 15km per hour has been forecast by a reputable weather service. . Burning is only of material sourced from no more than 2 adjoining properties where that material has been derived or used, and burning is undertaken on one of those properties; and . If the discharge is likely to continue for 3 days or more, a smoke management plan has been prepared in accordance with Schedule 3 and the discharge is managed in accordance with that smoke management plan; and . Any smoke management plan required under condition 6 above is supplied to the CRC on request; and . Within a Clean Air Zone, burning does not take place during May, June, July or August; and . The discharge does not cause an objectionable or offensive effect beyond the boundary the property of origin, when assessed in accordance with Schedule 2. <p>Comments</p> <p>Complies. The burning of materials prior to earthworks is set out in the Smoke Management Plan. The material will be sorted and separated prior to burning. Only appropriate organic material in accordance with the Permitted Activity conditions will be burnt.</p>
7.26	Does Not Comply	<p><i>The discharge of contaminants into air from the combustion of diesel, petrol, liquefied petroleum gas or compressed natural gas in any mobile large scale internal combustion device with a net energy output of up to 500kW is a permitted activity provided the following conditions are met:</i></p> <ol style="list-style-type: none"> 1. The discharge occurs for no more than 48 hours if within 50m of a sensitive activity; and 2. The discharge occurs for no more than 5 days if at least 50m from a sensitive activity; and 3. The sulphur content of the fuel burnt does not exceed 0.001% by weight; and 4. Except for a period not exceeding two minutes in each hour of operation, the opacity of the discharge is not darker than Ringelmann Shade No. 1, as described in Schedule 5; and

		<p>5. <i>The discharge does not cause a noxious or dangerous effect.</i></p> <p>Comments As identified in the Construction Methodology Report, the use of diesel generators may be required for some construction activities away from the depot sites, such as concrete works for the sluice channel and fish bypass return construction.</p> <ol style="list-style-type: none"> 1. Complies. The construction activities will be located in excess of 50 metres from a sensitive activity. 2. Will not comply. Construction activities requiring a generator to run associated machinery will operate for a period of greater than 5 days. 3. Complies. The machinery and fuel used will ensure compliance with the above standard. 4. Complies. The machinery and fuel used will ensure compliance with the above standard. 5. Complies. The machinery and fuel used will ensure compliance with the above standard.
7.27	Discretionary Activity	<p><i>Any discharge of contaminants into air from any large scale fuel burning device that does not comply with the appropriate permitted activity rule and conditions, and is not prohibited, and is not otherwise provided for by rules 7.3, 7.4 or rules 7.19-7.26 is a discretionary activity.</i></p> <p>Comments The proposal is unable to comply with Rule 7.26.</p>
<i>Other industrial and trade discharges of contaminants into air</i>		
Rule	Compliance	Comment
7.29	Restricted Discretionary Activity	<p><i>Except where otherwise permitted or prohibited by rules 7.30 to 7.59 below, the discharge of dust, beyond the boundary of the property of origin, including from unsealed or unconsolidated surfaces, from an industrial or trade premise, including a construction, subdivision or development property is a restricted discretionary activity.</i></p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <ol style="list-style-type: none"> 1. <i>The contents of the dust management plan to be implemented; and</i> 2. <i>The frequency of the discharge; and</i> 3. <i>The intensity of the discharge; and</i> 4. <i>The duration of the discharge; and</i> 5. <i>The offensiveness of the discharge; and</i> 6. <i>The location of the of the discharge; and</i> 7. <i>The matters set out in Rule 7.2.</i>

		<p>Comments</p> <p>The proposal will result in the discharge of dust beyond the boundaries of the site during construction.</p>
7.37	Does Not Comply	<p><i>The discharge of contaminants into air from the handling of bulk solid materials is a Permitted Activity provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <i>1. The rate of handling does not exceed 100t per hour; or</i> <i>2. Where handling occurs on less than 21 days per calendar year, the rate of handling does not exceed 250t per hour; and</i> <i>3. The discharge does not cause a noxious or dangerous effect; and</i> <i>4. Where the rate of handling exceeds 20t per hour, a dust management plan prepared in accordance with Schedule 2 must be held and implemented by the persons responsible for the discharge into air; and</i> <i>5. The dust management plan is supplied to the CRC on request; and</i> <i>6. The discharge does not occur within 200m of a sensitive activity, wāhi tapu, wāhi taonga or site of significance to Ngāi Tahu.</i> <p>Comments</p> <p>This rule is relevant in relation to the bulk earthworks associated with the Pond, canal works, sluice channel and white water course.</p> <ol style="list-style-type: none"> Will not comply. The schedule of works is unable to be finalised at this stage in the process, however it is likely that the rate of handling will exceed 100t per hour for periods of time. Will not comply. The handling of bulk solids will exceed 21 days per calendar year. Complies. The Construction Management Plan will ensure that works are undertaken in a manner to ensure a noxious or dangerous discharge does not occur. Complies. A Dust Management Plan will form part of the wider Construction Management Plan to be provided to Council. Complies. The Dust Management Plan will be made available to Council. Complies. There are no identified sensitive sites, wāhi tapu, wāhi taonga or site of significance to Ngāi Tahu in the vicinity of the proposed works and as such a separation distance in excess of 200m is able to be maintained.
7.38	Does Not Comply	<p><i>The discharge of contaminants into air from the outdoor storage of bulk solid materials is a Permitted Activity provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <i>1. The amount of material stored does not exceed 1000t when it has an average particle size of less than 3.5mm; and</i> <i>2. The discharge does not cause a noxious or dangerous effect; and</i> <i>3. Where the storage exceeds 200t, a dust management plan prepared in accordance with Schedule 2 must be held and</i>

		<p><i>implemented by the persons responsible for the discharge into air; and</i></p> <p>4. <i>The dust management plan is supplied to the CRC on request; and</i></p> <p>5. <i>The discharge does not occur within 100m of a sensitive activity, wāhi tapu, wāhi taonga or site of significance to Ngāi Tahu.</i></p>
		<p>Comments</p> <p>This rule is relevant to the bulk earthworks associated with the construction activities.</p> <ol style="list-style-type: none"> 1. Does not comply. The volume of material moved will result in more than 1000t (with a particle size of less than 3.5mm) stored at any one time. 2. Complies. The Construction Management Plan will ensure that works are undertaken in a manner that does not result in a noxious or dangerous discharge. 3. Complies. A Dust Management Plan will form part of the Construction Management Plan to be provided to Council. 4. Complies. The Dust Management Plan will be made available to Council. 5. Complies. A separation distance of in excess of 200m from a sensitive site, wāhi tapu, wāhi taonga or site of significance to Ngāi Tahu is able to be maintained.
7.59	Discretionary Activity	<p><i>Any discharge of contaminants into air from an industrial or trade premise or process that does not comply with the appropriate permitted activity rule and conditions, and is not prohibited, and is not otherwise provided for by rules 7.3, 7.4 or 7.28 - 7.58 is a discretionary activity.</i></p>
		<p>Comments</p> <p>The handling and storage of bulk materials is unable to comply with the Permitted Activity rates in Rules 7.37 and 7.38 and as such requires resource consent as a Discretionary Activity.</p>