

22. Lake Grassmere Salt Works Zone

Note: Vegetation, earthworks or land disturbance within, or within a 10 m setback from a natural wetland is managed under Part 3 Subpart 1 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, except where prohibited by this plan.

Note: Natural wetland has the meaning given by the National Policy Statement for Freshwater Management and includes, but is not limited to, Significant Wetlands.

Commented [1]: NES-FW s44A(5)

22.1. Permitted Activities

Unless expressly permitted by rules in Schedule 7 of Appendix 16 or limited elsewhere by a rule in the Marlborough Environment Plan (the Plan), the following activities shall be permitted without resource consent where they comply with the applicable standards in 22.2 and 22.3:

[R, D]

22.1.1. Solar production, refining, handling, packaging, storage and sale of salt and associated by-products, and the associated range of processes required.

[R, D]

22.1.2. Buildings, bunds and roads associated with the Salt Works activities.

[C]

22.1.3. Take and use of coastal water from within the Lake Grassmere Salt Works Intake and Pipeline Extension Corridor.

[C]

22.1.4. Discharge of stormwater from Lake Grassmere and surrounding catchments or diluted brine to the coastal marine area.

[R, C, D]

22.1.5. Construction and use of a temporary stormwater flood outlet channel from Lake Grassmere to the coastal marine area, including any disturbance of the foreshore and seabed.

[D]

22.1.6. Living accommodation facility for staff.

[R, D]

22.1.7. Excavation excluding where managed by the National Environmental Standards for Plantation Forestry 2017 as earthworks.

[R, D]

22.1.8. Filling of land with clean fill.

[R, D]

22.1.9. Indigenous vegetation clearance.

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ENV-2020-CHC-67
(Updated 6/7/20)

[R, D]

22.1.10. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.

[R]

22.1.11. Discharge of human effluent into or onto land.

[R]

22.1.12. Discharge of contaminants to air arising from burning in the open.

[R]

22.1.13. Discharge of contaminants to air that is not specifically provided for by any other rule, arising from:

- (a) Discharges of heat to air;
- (b) Discharges of energy to air, including release of energy from sources of electromagnetic radiation, including radio transmitter, television, or cell phones; or release of x-rays from a radioactive source;
- (c) Discharges for the purposes of ventilation or vapour displacements.

[R]

22.1.14. Discharge of contaminants to air from the combustion of fuels (i.e. external combustion).

[R]

22.1.15. Discharge of contaminants to air from combustion within a stationary internal combustion engine (i.e. internal combustion).

[R]

22.1.16. Discharge of contaminants to air from the spray application of paint or adhesive coating materials of surfaces not within a spray booth, other than a road.

[R]

22.1.17. Discharge of contaminants to air from the application of coating materials (including paints and powders) through spray application undertaken within an enclosed booth.

[R]

22.1.18. Discharge of contaminants to air from water blasting and from dry abrasive blasting.

[R]

22.1.19. Discharge of heat and water vapour from cooling towers.

[R, D]

22.1.20 Discharge of dust.

[R, C, D]

22.1.21 Specifically identified activities listed as permitted on sites contained in Schedule 7 of Appendix 16.

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ENV-2020-CHC-76
By consent order dated 25 July 2022

22.2. Standards that apply to all permitted activities

22.2.1. Construction and siting of a building or structure.

- 22.2.1.1. A building or structure constructed or sited within 500m of mean high water springs must not exceed 8m in height.
- 22.2.1.2. A building or structure constructed or sited within the Lake Grassmere Salt Works Administration, Workshops, Salt Refining and Processing Area must not exceed 15m in height.
- 22.2.1.3. Any building or structure not covered by Standards 22.2.1.1 and 22.2.1.2 must not exceed 10m in height.

22.2.2. Noise.

- 22.2.2.1. An activity, apart from salt harvest operations, must not cause noise that exceeds the following limits at any point beyond the zone boundary:

7.00 am to 10.00 pm Monday to Sunday	55dB L _{Aeq}
At all other times	45dB L _{Aeq} 75dB L _{AFmax}

- 22.2.2.2. Noise from salt harvest operations, when measured at any point beyond the Lake Grassmere Salt Works Noise Control Boundary, which is a distance of 500 metres from the 'outside' edges of the salt crystallising ponds, must not exceed the following standards:

7.00 am to 10.00 pm Monday to Sunday	55dB L _{Aeq}
At all other times	45dB L _{Aeq} 75dB L _{AFmax}

- 22.2.2.3. Noise must be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

- 22.2.2.4. Construction noise must not exceed the recommended limits in, and must be measured and assessed in accordance with, NZS 6803:1999 Acoustics – Construction Noise.

22.2.3. Odour.

- 22.2.3.1. There must be no objectionable or offensive odour to the extent that it causes an adverse effect at or beyond the legal boundary of the site.

Note:

For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by a Council officer. In determining whether an odour is offensive or objectionable, the "FIDOL" factors must be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location). For the purposes of this performance standard, the "site" comprises all that land owned or controlled by the entity undertaking the activity causing the odour.

22.2.4. Smoke.

- 22.2.4.1. The smoke must not be objectionable or offensive, as detected at or beyond the legal boundary of the area of land on which the permitted activity is occurring.

22.2.5. Dust.

- 22.2.5.1. There must be no objectionable or offensive discharge of dust to the extent that it causes an adverse effect (including on human health) at or beyond the legal boundary of the site.

Note 1:

For the purpose of this performance standard, an offensive or objectionable discharge of dust is one which can be detected and is considered to be offensive or objectionable by a Council officer. In determining whether dust is offensive or objectionable, the "FIDOL" factors must be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location). For the purposes of this performance standard, the "site" comprises all that land owned or controlled by the entity undertaking the activity causing the dust.

Note 2:

This performance standard shall not apply if the discharge of dust is authorised by an air discharge permit.

22.2.6. Particulate from any process vent or stack.

- 22.2.6.1. The particulate must not contain hazardous substances such that it causes an adverse effect (including on human health) at or beyond the legal boundary of the site.
- 22.2.6.2. The concentration of particulate discharged from any air pollution control equipment and dust collection system must not exceed 250mg/m³ at any time, corrected to 0°C, 1 atmosphere pressure, dry gas basis.

This standard does not apply to discharges to air which are subject to "Standards for specific permitted activities.

22.2.7. Use of external lighting

- 22.2.7.1. All outdoor lighting and exterior lighting excluding lighting required for safe navigation under the Maritime Transport Act, must be directed away from roads so as to avoid any adverse effects on traffic safety.

22.3. Standards that apply to specific permitted activities**22.3.1. Solar production, refining, handling, packaging, storage and sale of salt and associated by-products, and the associated processes required.**

- 22.3.1.1. The best practicable method must be adopted to contain the spread of brine into soil beyond the boundaries of the zone.
- 22.3.1.2. The best practicable method must be adopted to minimise the generation of salt foam within the zone and to contain the spread of wind-borne salt foam beyond the boundaries of the zone.

22.3.2. Take and use of coastal water from within the Lake Grassmere Salt Works Intake and Pipeline Extension Corridor.

- 22.3.2.1. The taking of water must not exceed 1.4m³ per second and 121,000m³ per day.
- 22.3.2.2. The activity must not change natural water quality.

22.3.3. Discharge of stormwater from Lake Grassmere and surrounding catchments or diluted brine to the coastal marine area.

- 22.3.3.1. Outside a mixing zone of 200m radius measured from the point of discharge the following must be met:
- (a) the discharge must not inhibit the gathering of shellfish for human consumption;
 - (b) the natural temperature of the receiving water must not be changed by more than 3°C;
 - (c) the concentration of dissolved oxygen in the discharge must exceed 80% of the saturation concentration;
 - (d) there must be no undesirable biological growths as a result of any discharge of a contaminant into the water.

22.3.4. Construction and use of a temporary stormwater flood outlet channel from Lake Grassmere to the coastal marine area, including any disturbance of the foreshore and seabed.

- 22.3.4.1. The temporary channel must only be constructed and used when a storm event is forecast or immediately following a storm event.
- 22.3.4.2. The construction must be confined to the position and dimension within the Lake Grassmere Salt Works Intake and Pipeline Extension Corridor.
- 22.3.4.3. The Council and the Department of Conservation must be advised as soon as a decision has been taken to construct the temporary flood stormwater outlet.
- 22.3.4.4. All excavated material must be stockpiled beside the temporary outlet cut for reinstatement following release of the stormwater.
- 22.3.4.5. The breach in the fore dunes and beach gravels must be reinstated to as close as practicable the condition of the land immediately prior to the work commencing. The reinstatement must be completed as soon as practicable following the passing of the storm event which created the need for the temporary outlet, but no later than 7 days after the event.

22.3.5. Living accommodation facility for staff.

- 22.3.5.1. The accommodation must be on-site and ancillary to the operations of the salt works.
- 22.3.5.2. The accommodation must only be provided to employees of the operator of the salt works.

22.3.6. Excavation excluding where managed by the National Environmental Standards for Plantation Forestry 2017 as earthworks.

- 22.3.6.1. Excavation in excess of 1000m³ must not occur on land with a slope greater than 20° within any 24 month period.
- 22.3.6.2. Excavation must not be in, or within 8m of a river (except an ephemeral river when not flowing), or the coastal marine area.
- 22.3.6.3. Wheeled or tracked machinery must not be operated in or within 8m of a river (except an ephemeral river or intermittently flowing river, when not flowing), Ecologically Significant Marine Site 8.3 (except within the Salt Works Lake Maintenance Area), or the coastal marine area.

Commented [4]: Dominion Salt Limited
ENV-2020-CHC-21
By consent order dated 5 October 2020

- 22.3.6.4. Batters must be designed and constructed to ensure they are stable and remain effective after completion of the excavation.
- 22.3.6.5. Water control measures and sediment control measures must be designed, constructed and maintained in an area disturbed by any excavation, such that the area is stable and the measures remain effective after completion of the excavation. The diameter of a culvert used to drain excavation must not be less than 300mm.
- 22.3.6.6. Excavation must not cause any conspicuous change in the colour or natural clarity of any flowing river, after reasonable mixing.
- 22.3.6.7. Excavation must not cause water to enter onto any adjacent land under different ownership.
- 22.3.6.8. Excavation must not occur within an Ecologically Significant Marine Site except within the Salt Works Lake Maintenance Area.
- 22.3.6.9. Excavation within 100m of the zone boundary shall not exceed 500mm in depth.
- 22.3.6.10. Excavation anywhere within the zone must not exceed 1.5m in depth.

22.3.7. Filling of land with clean fill.

- 22.3.7.1. Filling in excess of 1000m³ must not occur within any 24 month period.
- 22.3.7.2. Fill must not be placed over woody vegetation on land with a slope greater than 10°.
- 22.3.7.3. A filled area must be designed, constructed and maintained to ensure it is stable and remains effective after completion of filling.
- 22.3.7.4. Water control measures and sediment control measures must be designed, constructed and maintained in a fill area, such that the area is stable and the measures remain effective after completion of the filling. The diameter of a culvert used to drain a fill area must not be less than 300mm.
- 22.3.7.5. When the filling has been completed the filled area must be covered with at least 200mm of soil, and sown down with a suitable vegetative cover other means to achieve a rapid vegetative cover must be used.
- 22.3.7.6. Filling must not be in, or within:
 - (a) 8m of a river (except an ephemeral river when not flowing), lake or the coastal marine area;
 - (b) 8m of the landward toe of a stopbank.
- 22.3.7.7. Filling must not cause any conspicuous change in the colour or natural clarity of any flowing river after reasonable mixing.
- 22.3.7.8. Filling must not cause water to enter onto any adjacent land under different ownership.

22.3.8. Indigenous vegetation clearance.**Note:**

Where indigenous vegetation clearance is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 22.3.8.1, 22.3.8.2, 22.3.8.4, 22.3.8.5 and 22.3.8.6 do not apply.

- 22.3.8.1. Indigenous vegetation clearance must comply with Standards 22.3.9.1 to 22.3.9.8 (inclusive).

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ENV-2020-CHC-67
(Updated 6/7/20)

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22.3.8.2. The clearance of indigenous vegetation can only occur in the following circumstances:

- (a) [deleted];
- (b) [deleted];
- (bi) where the clearance is of indigenous vegetation under woodlot forest or shelter belt;
- (c) where the clearance is associated with the maintenance of existing signs, roads, tracks, fence lines, cycling tracks or walking tracks;
- (ci) where the clearance is within the curtilage of a dwelling;
- (d) where the clearance is associated with operation and maintenance of the: National Grid, existing network utility operations, and existing electricity distribution activities;
- (di) where the clearance is associated with the maintenance of existing hydro-electricity generation activities connected to the National Grid or distribution network;
- (e) where the clearance is associated with the maintenance of existing fire breaks.
- (f) where the clearance is within existing crop or pasture and is for the purpose of cultivation or pasture maintenance where the indigenous vegetation has grown from a previous lawful clearance carried out under the RMA and the indigenous vegetation is less than 10 years in age;
- (g) where the clearance is associated with the maintenance of an archaeological site where authority has been obtained from Heritage New Zealand Pouhere Taonga.
- (h) where the clearance associated with the maintenance of existing:
 - (i) farm building where the clearance is no further than 2 metres from the exterior wall of the existing building; or
 - (ii) farm water supply pipelines, where the total width of clearance is no greater than 2 metres at any point.
- (i) Clearance of indigenous vegetation where it has been planted as part of a domestic or public garden; or has been planted for amenity purposes; or planted as a shelterbelt;
- (j) Clearance of indigenous vegetation that is a danger to human life;
- (k) Clearance of indigenous vegetation that is a material risk to structures or utilities;
- (l) Clearance of indigenous vegetation that cannot reasonably be avoided in the course of destroying pests required by any Regional Pest Management Plan made under the Biosecurity Act 1993, or as a result of a biosecurity response activity under the direction of an Authorised Person appointed in accordance with Section 103 of the Biosecurity Act 1993.

- 22.3.8.3. [deleted]
- 22.3.8.4. Clearance of indigenous vegetation permitted by 22.3.3.2(f) within the coastal environment must not include the following habitats/species:
- (a) duneland vegetation;
 - (b) coastal grassland;
 - (c) coastal vegetation dominated by (making up >50% of the canopy cover) *Phormium* species;
 - (d) coastal broadleaved shrubland;
 - (e) coastal small-leaved shrubland;
 - (f) coastal salt turf;
 - (g) coastal speargrass herbfield.
- 22.3.8.5. [deleted]
- 22.3.8.6. [deleted]
- (a) [deleted]
 - (b) [deleted]
 - (i) [deleted]
 - (ii) [deleted].

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22.3.9. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.

Note:

Standards 22.3.9.2, 22.3.9.4, 22.3.9.5 do not apply in the case of clearance of species listed in the Biosecurity New Zealand Register of Unwanted Organisms or the Marlborough Regional Pest Management Plan.

- 22.3.9.1. Where clearance is by mechanical means, blading or root-raking by bulldozer must not be used on slopes greater than 20°.
- 22.3.9.2. Vegetation must not be removed by fire or mechanical means within 8m of a river (except an ephemeral river, or intermittently flowing river when not flowing), lake or the coastal marine area.
- 22.3.9.3. No tree or log must be dragged through the bed of a river (except an ephemeral river or intermittently flowing river, when not flowing), lake or through the coastal marine area.
- 22.3.9.4. Wheeled or tracked machinery must not be operated in or within 8m of a river (except an ephemeral river or intermittently flowing river, when not flowing), lake or the coastal marine area.
- 22.3.9.5. On completion of a vegetation clearance, a suitable vegetative cover that will mitigate soil loss, must be restored on the site so that, within 24 months the amount of bare ground is to be no more than 20% greater than prior to the vegetation clearance taking place.
- 22.3.9.6. The depth of topsoil removed must not exceed more than 20mm over more than 15% of any vegetation clearance site.

- 22.3.9.7. Woody material greater than 100mm in diameter and soil debris must:
- (a) not be left within 8m of, or deposited in, a river (except an ephemeral river or intermittently flowing river, when not flowing), lake or the coastal marine area;
 - (b) not be left in a position where it can enter, or be carried into, a river (except an ephemeral river), lake or the coastal marine area;
 - (c) be stored on stable ground;
 - (d) be managed to avoid accumulation to levels that could cause erosion or instability of the land.
- 22.3.9.8. Vegetation clearance must not cause any conspicuous change in the colour or natural clarity of a flowing river after reasonable mixing.

22.3.10. Discharge of human effluent into or onto land through an on-site wastewater management system.

- 22.3.10.1. The human effluent must be treated via an on-site wastewater management system must be maintained in an efficient operating condition at all times.
- 22.3.10.2. There must be no increase in the rate of discharge due to an increased occupancy of the building(s).
- 22.3.10.3. There must be:
- (a) no ponding of effluent;
 - (b) no run-off or infiltration of effluent beyond the property boundary or into a river, lake, groundwater or coastal water.
- 22.3.10.4. The discharge rate must not exceed 2000 litres per day, averaged over any 7 day period.
- 22.3.10.5. Effluent must be able to:
- (a) infiltrate through at least 600mm of unsaturated soil following primary treatment; or
 - (b) infiltrate through at least 300mm of unsaturated soil following secondary treatment.

22.3.11. Discharge of contaminants to air arising from burning in the open.

- 22.3.11.1. Only material generated on the same property or a property under the same ownership can be burned.

22.3.12. Discharge of contaminants to air from the combustion of fuels (i.e. external combustion).

- 22.3.12.1. The net energy output capacity of the fuel burning device must not exceed:
- (a) 10MW for natural or liquefied petroleum gas;
 - (b) 40kW for untreated wood;
 - (c) 200kW for coal;
 - (d) 200kW for light fuel oil or re-refined oil;
 - (e) 1.0MW for pellet fuel when burnt in a custom designed pellet boiler;
 - (f) 400kW for pellet fuel when burnt in a standard boiler converted for pellet fuel use;

- (g) 10MW for diesel (external combustion);
- (h) 2 MW for kerosene.

- 22.3.12.2. The limits in 22.3.12.1 for any fuel type apply to the combined net energy output capacity from all the devices burning fuel on the site.
- 22.3.12.3. The fuel must be burned using fuel burning equipment, and the discharge must be from a chimney or exhaust structure designed so that the emission is effectively dispersed upwards.
- 22.3.12.4. The opacity of the discharge when measured at the point of entry to the atmosphere must not exceed 20%, except that a discharge in excess of this is allowed for a period of not more than 2 minutes continuously, or for an aggregate of 4 minutes, in any 60 minute period.
- 22.3.12.5. The fuel burning equipment must be maintained in accordance with the manufacturer's specifications at least once every year by a person competent in the maintenance of that equipment. A log recording all maintenance must be made available to the Council on request.
- 22.3.12.6. For external combustion sources the stack height must comply with the higher of:
 - (a) the requirements in Appendix 8 – Schedule 5; or
 - (b) 2.5m higher than the apex of any building, tree, slope or structure within a horizontal radius of 2.5 times the stack height.
- 22.3.12.7. The rate of sulphur dioxide emission from the stack must not exceed 4.82kg per MW installed capacity per hour.

22.3.13. Discharge of contaminants to air from combustion within a stationary internal combustion engine (i.e. internal combustion).

- 22.3.13.1. The fuel used in the engine must be gas, LPG, petrol, diesel, vegetable oils or alcohol.
- 22.3.13.2. Fuel containing sulphur at levels greater than 10ppm (or 0.001%) by weight must not be burned.
- 22.3.13.3. The net energy output of the engine must not exceed 400kW, this limit applies to the total heat output from a site.
- 22.3.13.4. If the net energy output of the engine is between 30kW and 400kW –
 - (a) the engine must not be operated for a total of greater than 5 hours in any 24-hour period;
 - (b) if the engine is in a fixed location, the stack must comply with the requirements of Appendix 8 – Schedule 5.

Exception: The above standards 22.3.13.3 and 22.3.13.4 do not apply to combustion to provide emergency power generation provided for within the General Rules in Volume 2, Chapter 2.

22.3.14. Discharge of contaminants to air from the spray application of paint or adhesive coating materials of surfaces not within a spray booth, other than a road.

- 22.3.14.1. There must not be more than 5 litres of coating material applied per hour and not more than 20 litres of coating material applied per month.

- 22.3.14.2. Where there is a sensitive receptor on another property within 100m of where the spray coating is to occur, there must not be more than 0.5 litre of coating material applied per hour and not more than 5 litres of coating material applied per month.
- 22.3.14.3. Spray coating must not occur on surfaces of fixed structures that can be dismantled and transported to a spray booth.
- 22.3.14.4. The coating material must not contain di-isocyanates or organic plasticisers.
- 22.3.14.5. The discharge must occur at least 10m from any sensitive receptor beyond the boundary of the property where spray coating is undertaken.
- 22.3.14.6. There must be no dispersal or deposition of contaminants beyond the boundary of the property where the discharge originates.
- 22.3.15. Discharge of contaminants to air from the application of coating materials (including paints and powders) through spray application undertaken within an enclosed booth.**
- 22.3.15.1. The coating material must not that contain any di-isocyanates.
- 22.3.15.2. The total amount of coating material sprayed on the property must not exceed 10 litres per hour.
- 22.3.15.3. The spray booth must be fitted with an air extraction system which vertically discharges all contaminants and exhaust air through an emission stack.
- 22.3.15.4. The emission stack must be a height of at least 2m above the ridgeline of the roof of any building, land or other substantial structure within a radius, from the stack, of 35m.
- 22.3.15.5. The discharge must be directed vertically into the air and must not be impeded by any obstruction above the stack which decreases the vertical efflux velocity, below that which would occur in the absence of such obstruction.
- 22.3.15.6. The discharge must be through a filtration system that removes at least 95% of particulate matter from the discharge.
- 22.3.16. Discharge of contaminants to air from water blasting and from dry abrasive blasting.**
- 22.3.16.1. There must be no discharge of water spray, dust or other contaminant beyond the boundary of the property.
- 22.3.16.2. Where the discharge occurs from public land there must be no discharge of water spray, dust or other contaminant beyond 50m from the discharge point or beyond the boundary of the public land, whichever is the lesser.
- 22.3.16.3. There must be no discharge of water spray, dust or other contaminant into the coastal marine area.
- 22.3.16.4. The surface to be blasted must not contain lead, zinc, arsenic, chromium, copper, mercury, asbestos, tributyl tin, thorium-based compounds, and other heavy metals including anti foul paint containing these substances.
- 22.3.16.5. For dry abrasive blasting all items must be blasted within an abrasive blasting enclosure and the discharge must be via a filtered extraction system that removes at least 95% of particulate matter from the discharge.
- 22.3.16.6. For dry abrasive blasting the free silica content of a representative sample of the blast material must be less than 5% by weight.

22.3.17. Discharge of heat and water vapour from cooling towers.

- 22.3.17.1. No more than 5MW of heat per hour must be discharged.
- 22.3.17.2 A discharge velocity that exceeds 4.3m/s through an obstacle limitation surface of an aerodrome, or at a height over 60m above ground level, must be advised to the Director of Civil Aviation Authority in accordance with Civil Aviation Authority Rule 77.13.

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ENV-2020-CHC-76
By consent order dated 25 July 2022

22.4. Controlled Activities

Application must be made for a Controlled Activity for the following:

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22.4.1. Discharge of contaminants to air, of the products of combustion from fuel burning equipment used for generating heat or electric power using:

- (a) untreated wood, coal or oil, except waste oil, for the purposes of generating heat or electric power at a rate not exceeding 10MW;
- (b) methane or natural or liquefied petroleum gas for the purposes of generating heat or electric power at a rate not exceeding 50MW;

where the limits specified in (a) or (b) above apply to the cumulative generated heat or electric power produced by the specified fuel within the same premises.

Standards and terms:

- 22.4.1.1. The discharge must be from a chimney.
- 22.4.1.2. The chimney must be designed so that the minimum efflux velocity is 20m/s at the chimney exit at full load for sources less than 10MW capacity, and 15m/s for sources equal to or greater than 10MW capacity.
- 22.4.1.3. The chimney must be designed so that the discharge is vertically upwards and unimpeded by cowls or any other fixtures on the top of the stack coning may be used to increase the velocity discharge.
- 22.4.1.4. The chimney height must comply with the requirements of Appendix 8 – Schedule 5.

Matters over which the Council has reserved control:

- 22.4.1.5. The location of the point of discharge.
- 22.4.1.6. The carrying out of measurements, samples, analyses, surveys, investigations or inspections.
- 22.4.1.7. The provision of information to the Council at specified times.
- 22.4.1.8. Compliance with monitoring, sampling and analysis conditions at the consent holder's expense.

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22.4.2. Excavation of land exceeding 500mm in depth and within 100m of the zone boundary.

Note:

Where earthworks are managed under the National Environmental Standards for Plantation Forestry 2017, Rule 22.4.2 does not apply.

Standards and terms:

22.4.2.1. The excavation must not exceed a depth of 1.5m.

Matters over which the Council has reserved control:

22.4.2.2. The excavation of test pits;

22.4.2.3. The protection of adjoining land from contamination by brine/saline water;

22.4.2.4. Transmissiveness of the soils media between the site of excavation and the zone boundary;

22.4.2.5. The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

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22.4.3. Water Control Activities in Lake Grassmere and Cattle Creek as follows:

- (a) maintenance of a structure between 10m and 100m below the Cattle Creek rail bridge (No 174) or from 10 metres above the Cattle Creek rail bridge (No 174), to prevent or limit the extent of salt water intrusion into the channels and streams above the rail bridge;
- (b) maintenance dredging of the bed of Cattle Creek above and below the rail bridge No. 174;
- (c) works necessary to control and impound stormwater outside storm events, to provide maximum protection for Lake Grassmere from fresh water during storm events.

Standards and terms:

22.4.3.1. Maintenance dredging of the bed of Cattle Creek must not cause the bed of Cattle Creek to be either raised or deepened above or below its natural depth.

22.4.3.2. The works necessary to control and impound stormwater must be contained within a distance from 10m immediately above Cattle Creek rail bridge (No 174).

22.4.3.3. Works must not cause impounded water (either saltwater or freshwater) to flood beyond the banks of any creek or drain above its entrance into Lake Grassmere or beyond the banks of Lake Grassmere.

Matters over which the Council has reserved control:

22.4.3.4. The structural integrity of the rail bridge.

22.4.3.5. Use of freshwater for stock drinking purposes upstream of the upper physical barrier.

22.4.3.6. Preventing flooding of neighbouring land.

22.4.3.7. Extent of maintenance dredging of the bed of Cattle Creek.

22.5. Discretionary Activities

Application must be made for a Discretionary Activity for the following:

[C, R, D]

22.5.1. Any activity provided for as a Permitted Activity or Controlled Activity that does not meet the applicable standards.

[D]

22.5.2. Land based aquaculture.

[D]

22.5.3. Seawater intake and discharge pipes pipelines and associated structures within the Lake Grassmere Salt Works Intake and Pipeline Extension Corridor.

[R, D]

22.5.4. Any use of land not provided for as a Permitted Activity or Controlled Activity, or limited as a Prohibited Activity.

[C]

22.5.5. Any use of the coastal marine area not provided for as a Permitted Activity or limited as a Prohibited Activity.

[C]

22.5.6. Any taking, use, damming or diversion of open coastal water not provided for as a Permitted Activity or limited as a Prohibited Activity.

[C]

22.5.7. Any discharge of water or contaminants into coastal water not provided for as a Permitted Activity or limited as a Prohibited Activity.

[R]

22.5.8. Any discharge of contaminants into or onto land, or to air not provided for as a Permitted Activity or Controlled Activity, or limited as a Prohibited Activity.

22.6. Prohibited Activities

The following are Prohibited Activities for which no application can be made:

[R]

22.6.1. Discharge of contaminants to air arising from the burning in any small scale solid fuel burning appliance of any of the following materials from any industrial or trade premise:

- (a) wood having a moisture content of more than 25% dry weight;
- (b) wood which is painted, stained, oiled or coated;
- (c) wood treated with preservatives or impregnated with chemicals, including but not limited to, wood treated with Copper-Chrome-Arsenic, except that

Commented [11]: Waka Kotahi NZ Transport Agency
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New restricted discretionary rule and standards in relation to noise sensitive activities (See appendix B of appeal)

woodfuel burnt in a fuel burning device (external combustion) may contain incidental amounts of anti-sapstain chemicals;

- (d) pellets containing greater than 10mg/kg (dry) of copper and 0.02w-% (dry) of chlorine;
- (e) composite wood boards containing formaldehyde or similar adhesives, including but not limited to, chip board, fibreboard, particle board and laminated boards;
- (f) metals and materials containing metals, including but not limited to cables;
- (g) materials containing asbestos;
- (h) material containing tar or bitumen;
- (i) all rubber, including but not limited to, rubber tyres;
- (j) synthetic material, including, but not limited to, motor vehicle parts, foams, fibreglass, batteries, chemicals, paint and other surface-coating materials, or type of plastics;
- (k) waste oil (excluding re-refined oil);
- (l) peat;
- (m) sludge from industrial processes;
- (n) animal waste (except animal waste generated on production land), medical waste, pacemakers, biomechanical devices or chemical waste.

[R]

22.6.2. Discharge of contaminants to air arising from the deliberate burning in the open of any of the materials in the following list, except where material is present in minor quantities and cannot be separated from the principal material being burnt, or where the discharge arises from the burning of material for training people to put out fires as provided for as a Permitted Activity or authorised by a resource consent;

- (a) wood which is painted, stained, oiled or coated;
- (b) wood treated with preservatives or impregnated with chemicals, including but not limited to, wood treated with Copper-Chrome-Arsenic, except that woodfuel burnt in a fuel burning device (external combustion) may contain incidental amounts of anti-sapstain chemicals;
- (c) pellets containing greater than 10mg/kg (dry) of copper and 0.02 w-% (dry) of chlorine;
- (d) composite wood boards containing formaldehyde or similar adhesives, including but not limited to chip board, fibreboard, particle board and laminated boards;
- (e) metals and materials containing metals including but not limited to cables;
- (f) materials containing asbestos;
- (g) material containing tar or bitumen;
- (h) all rubber, including but not limited to, rubber tyres;
- (i) synthetic material, including, but not limited to motor vehicle parts, foams, fibreglass, batteries, chemicals, paint and other surface-coating materials, or any type of plastics;
- (j) waste oil (excluding re-refined oil);

- (k) peat;
- (l) sludge from industrial processes;
- (m) animal waste (except animal waste generated on production land), medical waste, pacemakers, biomechanical devices or chemical waste.

[R, D]

22.6.2. Disposal of hazardous waste into or onto land other than discharges from salt production processes.

[R, D]

22.6.3. Discharge of human effluent into or onto land through a soak pit established after 9 June 2016.

Appeals Version