

Issue AQL2 Ambient air quality issues ## 03-026 25 00 - 00 - 03-026 28 00

89	J. McSweeney	Supports policy AQL2.
136 (point 1)	Association For Independent Research (AIR)	Clarify word "ambient".
136 (point 2)	Association For Independent Research (AIR)	Delete the words 'Existing and'.
136 (point 3)	Association For Independent Research (AIR)	Add the word 'outdoor' before the word 'ambient' in certain places in the text.
136 (point 4)	Association For Independent Research (AIR)	Delete the words 'primarily associated with domestic heating emissions'.
300	L. Murahidy	Requests a grading of the emissions from wood, coal, diesel and gas flued units into components and a rating not specific health negative effects.
338	Transit New Zealand, Christchurch	Retain Issue AQL 2 as worded.
F136 (point 1)	Association For Independent Research (AIR)	Support submission 136 (point 1).
F136 (point 2)	Association For Independent Research (AIR)	Support submission 136 (point 2).
F136 (point 3)	Association For Independent Research (AIR)	Support submission 136 (point 4).

ConsiderationSubmissions 136 (point 1), 136 (point 3), F136 (point 1)

The substance of these submissions has been considered above (see 3.1.3 Ambient air quality issues - ## 01-010 30 00, 125, 379, F136 (points 1 and 2) and F329 (points 1 and 2); ## 03-002 27 00, 136; ## 03-000 00 00, 49, 71, 81 (points 1 and 2), 134, 136 (point 2), 162, 164, 190, 231, 423 (points 1 and 2) and 981). The considerations there made are adopted. The Commissioners do not recommend any change to Chapter 3, and recommend that the submissions are rejected.

Submissions 136 (point 2), F136 (point 2)

Submitter 136 sought that the words 'Existing and' be deleted in the opening words of Issue AQL2.

The change sought would have the effect of removing a reference to existing health and nuisance effects due to poor ambient air quality. The change sought is consistent with the submitter's view that the evidence of existing health effects is flawed. This matter has been considered above (see Chapter 3, Overview and General Submissions ## 03-

000 00 00, 49, 71, 81 (points 1 and 2), 134, 136 (point 2), 162, 164, 190, 231, 423 (points 1 and 2) and 981). That consideration is adopted. No change is recommended in response to these submissions. It is recommended that the submissions are rejected.

Submissions 136 (point 4), F136 (point 3)

Submitter 136 sought the words ‘primarily associated with domestic heating emissions’ be deleted from Issues AQL2. The change sought is consistent with the submitter’s view that Environment Canterbury’s evidence of the source of Christchurch’s ambient air quality issues is flawed.

This matter is evaluated above (see Chapter 3 - General Submissions ## 03-000 00 00, 49, 71, 81(points 1 and 2), 134, 136(point 2), 162, 164, 190, 231, 423(points 1 and 2) and 981) and is commented on in Chapter 3, Overview. The Commissioners are satisfied that the best evidence compels the conclusion that parts of Canterbury have poor air quality, and that Christchurch’s poor air quality, and that in other urban areas of Canterbury is primarily caused by domestic heating emissions. In the Commissioners’ view the wording used is appropriate. As already noted the NES has to a significant degree moved the debate on. Compliance with the NES criteria is now in a practical sense mandatory. No change is recommended in response to these submissions and it is recommended that they be rejected.

Submission 300

Submitter 300 sought a grading of emission from different sources.

It appears that the submitter is referring to the emission contributions from different domestic home heating methods. In Environment Canterbury’s 2002 Section 32 Report, the relative contributions to Christchurch’s PM₁₀ emissions were set out see Figures 33.7 (pg. 210) and 33.8 (pg. 213). The Commissioners have referred to this and other research undertaken by Ecan in their overview to Chapter 3 above. In the Commissioners’ view the level of information sought is not required in Chapter 3. No change is recommended, and it is recommended that the submission be rejected.

Submissions 89, 338

Submitters 89 and 338 support Issue AQL2. Given the Commissioners’ recommendation in relation to Issue AQL2 these submissions can be accepted.

Recommendations

Reject

Submissions 136 (points 1, 2, 3 and 4), 300, F136 (points 1, 2 and 3).

Accept

Submissions 89, 338.

Amendment Required

None Required.

Objective AQL2 Objectives for ambient air quality in Canterbury ## 03-026 29 00

89	J. McSweeney	Support.
167	Royal Forest & Bird Protection Society Of New Zealand Inc,	Maintain air quality where it is currently good and take firm measures where that quality is not as good as it could or should be.
200	J. Ponsonby	Set sustainable air emission targets which enable and encourage innovation and technological improvements to meet standards or targets over time rather than prescribing the method of achieving such targets.
216	Hurunui District Council	Supports Objective AQL2.
338	Transit New Zealand, Christchurch	Retain Objective AQL 2 as worded.
379	Christchurch City Council, Civic Offices	Object to suggested targets. Introduce a more clearly staged approach as suggested by the Ministries of Environment and Health and other advisors.
F401	NZ Vegetable & Potato Growers Fed. Inc. and NZ Fruitgrowers' Fed Inc.	Support submission 200.

Submission ClarificationSubmission 167

This submission is not particular to Objective AQL2. The submission did not identify the Chapter 3 provision(s) it relates to; nor did it detail any specific changes sought.

ConsiderationSubmission 200, F401

Submitter 200 sought that emission targets should be set, which would enable and encourage innovation and technological improvements to meet standards or targets over time rather than prescribing the method of achieving such targets.

Objective AQL2 does not itself prescribe the methods necessary to achieve the targets detailed in Schedule 1. However, the resulting policies and methods (including the rules) do prescribe. In the Commissioners' view this is appropriate. It is the most appropriate way to control discharges to air, particularly in the short to medium term. It is the path required by the NES. No change in this regard is recommended.

In regard to new technology, provision is made for different forms of technology, providing the emission standards necessary to achieve the objective can be met. The Commissioners have recommended elsewhere that Environment Canterbury should consider a variation to provide for the development of new technology - Chapter 3, General Submissions, ##03-000-00-00, submissions 98, 136 and 277. They accepted that the plan should enable innovative and technical changes to be developed. In addition further amendments to Chapter 3 can be made through the plan change

process if in the future it becomes necessary to do so. No change is recommended, and it is recommended that the submissions are rejected in part, and accepted in part.

Submission 379

Submitter 379 sought the introduction of a more clearly staged approach as suggested by the Ministries of Environment and Health in their guidelines and by other advisors to Christchurch City Council.

No specific change to Chapter 3 was detailed in this part of the submission.

The National Ambient Air Quality Guidelines (May 2002) referred to in the submission did not contain a specific 'staged approach'. Nor directly does the NES. The Commissioners are not convinced that a staged approach is necessary or appropriate. Changes are likely to be incremental and accelerating. Further there is procedural issue relating to the lack of specificity in the submission detailing any 'staged approach'. This is a significant legal barrier to making changes in response to this submission.

In terms of Objective AQL2, the approach to ambient air quality is two-pronged. First, maintain air quality at the equivalent or better level than the 'acceptable' Regional Ambient Air Quality Targets (RAAQT) where such air quality exists at present. Secondly, where ambient air quality is less than the 'acceptable' RAAQT, improve the air quality to at least to the 'acceptable' standard. Policy AQL9 provides further detail on the application of Objective AQL2.

Ecan envisages that maintenance or improvement will occur by four separate methods. The first is through the permitted activity rules in Chapter 3 controlling emissions to air. The second is through the grant or decline of air discharge permits and the associated imposition of conditions. The third is through further investigations and any resulting variations or plan changes required in urban areas in Canterbury other than Christchurch. The fourth is through Environment Canterbury's Clean Heat Project.

It is not clear how the submitter wishes this approach to be changed, and in the round it appears to the Commissioners to be appropriate in terms of section 32, especially given the time line and target mandated by the NES.

No change is recommended. It is recommended that the submission is rejected.

Submission 167

Submitter 167 sought that air quality should be maintained where it is good and that 'firm' action be taken where it is not.

This is the fundamental approach adopted in Objective AQL 2. The Commissioners consider it to be appropriate. No change is recommended, and it is recommended that the submission be accepted in part.

Submissions 89, 216, 338

Submitters 89 and 216 support, and submitter 338 supports in part, Objective AQL2. Given the recommendations made in relation to Objective AQL2, these submissions can be accepted.

Recommendations

Reject

Submission 379.

Reject in part

Submissions 200, F401.

Accept

Submissions 89, 216, 338.

Accept in part

Submission 167, 200, F401.

Amendment Required

None required.

Objective AQL2 (a) ## 03-026 30 00 - 03-026 31 00

8 (point 1)	Primary Producers Co-Operative Society Ltd, Christchurch	Delete reference to the Regional Ambient Air Quality Targets and the Ministry for the Environment Ambient Air Quality Guidelines.
8 (point 2)	Primary Producers Co-Operative Society Ltd, Christchurch	As an alternative amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, and not to individual discharges.
275	Ravensdown Fertiliser Co-Operative Ltd	Supports Objective AQL 2(a) in part but add the following statement (or to like effect) to the Explanation and principal reasons: 'Percentile values obtained from at least 12 consecutive months of ambient air monitoring will be used to assess the existing air quality. The 99 percentile value will be used for one hour averages and the 98 percentile will be used for 24 hour averages'.
285 (point 1)	Alliance Group Ltd	Delete reference to the Regional Ambient Air Quality Target and the Ministry for the Environment Ambient Air Quality Guidelines.

285 (point 2)	Alliance Group Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
391 (point 1)	Carter Holt Harvey Panels MDF Ltd	Reword to show that the objective is to maintain air quality at acceptable levels, not necessarily maintain at 'that better level'.
391 (point 2)	Carter Holt Harvey Panels MDF Ltd	Amend so that the Proposed Ambient Air Quality Guidelines 2000 are not used - they should be as guidelines, not as set standards on which rules are based.
411 (point 1)	NZMP Ltd	Delete reference to the Regional Ambient Air Quality Target and the Ministry for the Environment Ambient Air Quality Guidelines.
411 (point 2)	NZMP Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
416 (point 1)	NZMP Ltd	Delete reference to the Regional Ambient Air Quality Target and the Ministry for the Environment Ambient Air Quality Guidelines.
416 (point 2)	NZMP Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
F275	Ravensdown Fertiliser Co-Operative Ltd	Support submission 391 (point 1).

Consideration

Submission 391 (point 1), Further submission F275

Submitter 391 sought that Objective 2(a) should be reworded so as to maintain air quality at acceptable levels, not necessarily maintain at 'that better level'.

Such an approach would potentially allow air quality to degrade from 'excellent' or 'good' to 'acceptable' in some locations. This submission raises a fundamental issue. In the context of Chapter 3, it pits two opposing philosophies one against the other, namely:

1. whether the potential and life-supporting capacity of the air resource is best managed by maintaining good air quality where it currently exists; or
2. whether, provided adverse health and nuisance effects are avoided or mitigated, the air resource can be degraded provided its potential and life-supporting capacity is maintained.

Objective AQL2 in summary seeks that 'good' or 'excellent' air quality is maintained at its present level and the poor air quality is improved to an acceptable level. The threshold values are set out in Schedule AQL1, p. 3-211 et seq. The schedule refers to and is

based on what were at the time the Ministry for the Environment's Proposed National Ambient Air Quality Guidelines (the NAAQG).

Environment Canterbury's rationale for and evaluation of Objective 2 is set out in its 2002 Section 32 Report (pgs 296/297). This refers to the 2000 discussion document on the draft NAAQG which led to the NAAQG 2002 (pgs. 299/300). The discussion in the section 32 Report focuses on the 66% threshold (top of the 'acceptable' range) as defining the point at which air is considered to be 'degraded'.

Policy AQL9 relies on the RAAQT threshold values and provides specific direction to achieve Objective AQL2. There is however an inconsistency. Policy AQL9(a)(i) allows the degradation of 'excellent' quality air into the 'good' category (i.e. it does not require 'maintenance'). There are conflicting statements in the NAAQG, and little guidance is found in the Regional Policy Statement.

In the Commissioners' view there is nothing inappropriate in Environment Canterbury setting an objective that seeks to maintain air quality where the air is better than 'acceptable'. Further in their view there is no inconsistency with the Canterbury Regional Policy Statement, Chapter 13 (Air), Objective 1, and Policies (a) and (b). The Commissioners consider that the approach that has been taken is consistent with Part II of the Act and that it is generally desirable. They recommend that the submissions be rejected. They do however have a minor concern. The words "that better" should be deleted and replaced with the words "its existing". This change is minor.

Submission 8 (points 1 and 2), 285 (points 1 and 2), 391 (point 2), 411 (points 1 and 2), 416 (points 1 and 2)

The submitters sought that reference to the Regional Ambient Air Quality Targets (RAAQT) and National Ambient Air Quality Guidelines (NAAQG) should be deleted

In the Commissioners' view deleting reference to the RAAQT in Objective AQL2 would render it incomprehensible - the central focus in Objective AQL2(a) is the RAAQT. The submitters have not suggested an alternative. They do not seek that the policy itself be deleted, and indeed if Objective AQL2 was to be deleted, Policies AQL9, AQL10, AQL11 and AQL12 and the associated methods (including rules) would also need to be deleted. This would frustrate the NRRP and in the Commissioners' view this is clearly inappropriate. No change is recommended.

The submitters also sought that NAAQG and RAAQT should only apply to urban air shed management and not to individual discharges. They consider that the RAAQT do not allow for differentiation between localised 'hotspot' impacts and more widely dispersed impacts.

Chapter 13, Issue 1, Objective 1 and Policy 1(a) of the Canterbury Regional Policy Statement (RPS) are as follows: -

"Issue 1

Existing and potential health and nuisance effects of low ambient air quality in the urban and settled areas of Canterbury, particularly in Christchurch and Timaru."

"Objective 1

Maintain or improve ambient air quality so that it is not a danger to people's health and safety, and reduce the nuisance effects of low ambient air quality."

"Policy 1

(a) Set standards to maintain minimum ambient air quality in urban areas of Canterbury on concentrations of contaminants that cause adverse health and nuisance effects.

(b) ..."

Issue 1 in the RPS and Issue AQL2 in the NRRP relate to urban and settled areas. Objective AQL2 gives effect to Policy (a) in the RPS in that it refers to minimum ambient air quality standards, but it is also broader than Policy 1(a) because the standards apply to the whole region. The Commissioners do not think that this causes any difficulty. Objective AQL2 is not inconsistent with the RPS - in particular Objective 1. The NAAQG can be used in both urban and rural situations (see for example NAAQG Section 3.2.1 Where do the guideline values apply?, pg. 29, and the last paragraph on pg. 35 of the NAAQG). The expectation in the NAAQG is that the guidelines will be transformed into air quality targets after community consultation and based on local monitoring results (see for example NAAQG 5th paragraph on page 5 and the last paragraph on page 34). That is what ECan is trying to do. Objective AQL2 puts in place objectives for ambient air quality for the Canterbury Region. It relates to Issue AQL2. Issue AQL2 focuses on 'urban and settled areas'. In the Commissioners' view this is not inappropriate. What is being referred to is ambient air - not localised "hot spots".

At the heart of the submitters' concern is their view that the RAAQT should not be applied to individual discharges that lead to 'localised', as opposed to 'ambient', air quality effects. Objective AQL2 specifically refers only to ambient air. The definition of "ambient air" recommended by the Commissioners in Chapter 1 of the NRRP is in line with the definition of 'ambient air' in the NAAQG. Contaminated air discharged from a specific source is excluded from the definition of ambient air. Contaminated air from a single source would be treated as a localised adverse effect under Objective AQL1, until it is mixed with the ambient air. It is envisaged that this will apply to many industrial discharges of contaminants, although the Commissioners accept that there will be circumstances where an industrial activity has both localised and wider ambient air effects due to the location, size and nature of the discharge.

The Commissioners note that NES generally apply irrespective of location.

The submitter seeks that reference to the NAAQG should be deleted.

Objective AQL2 seeks to maintain ambient air quality at the equivalent or better than the 'acceptable' RAAQT where the existing air is equivalent to or better than the target, and to improve ambient air quality to the 'acceptable' target where air quality is below the target. The RAAQT are set out in Schedule AQL1. Schedule 1 is derived from and refers to the NAAQG. If the Council must refer to the NAAQG, amendments are required to bring Schedule 1 in line with the revised NAAQG (May 2002). The Commissioners however consider that such reference is unnecessary and they have noted the view that the plan should avoid reference to external documents - see above; Chapter 3 - General Submissions ## 03-000 00 00, 201, F401 (point 2)). They adopt these comments.

This aside it is clear that in determining the appropriate RAAQT for Objective 2, Environment Canterbury has considered the NAAQG and adopted the approach there taken as a starting point. It applied the national Environmental Performance Indicators (EPI) programme categories (see Figure 3-2 in Chapter 3 p. 3-28) to the NAAQG. Following this, it focussed on the 'acceptable' category as defining the desired air quality state.

In summary, Environment Canterbury has used the NAAQG to set the RAAQT. This is supported by the NES. Both the NAAQG and the NES apply in both urban areas and at locations outside urban areas. Objective AQL2 follows this approach. It is not inconsistent with the RPS. By recommending amendments to the definition of the words "ambient air quality" a distinction is drawn between effects on ambient air and localised adverse effects. No change is recommended in response to these submissions, and it is recommended that they are rejected.

Submission 275

Submitter 275 supports Objective AQL 2(a) but considers that the following statement (or to like effect) needs to be added to the 'Explanation and principal reasons':

"Percentile values obtained from at least 12 consecutive months of ambient air monitoring will be used to assess the existing air quality. The 99 percentile value will be used for one hour averages and the 98 percentile will be used for 24 hour averages".

Of concern to the submitter is the issue of how existing air quality will be assessed against the relevant RAAQT.

In Schedule AQL1, preferred techniques of measurement are set out - see 3-212 and 213. The nature of the material and level of detail sought by the submitter relates to scientific technique. In the Commissioners' view it is neither necessary nor appropriate to include this material in the 'explanation and principal reason' for Objective AQL2. No change is recommended and it is recommended that the submission is rejected.

Recommendations

Reject

Submissions 8 (points 1 and 2), 275, 285 (points 1 and 2), 391 (points 1 and 2), 411 (points 1 and 2), 416 (points 1 and 2), F275.

Amendment Required

None.

Objective AQL 2(b) ## 03-026 33 00 - 03-026 34 00 - 03-026 37 00

8 (point 1)	Primary Producers Co-Operative Society Ltd, Christchurch	Delete reference to the Regional Ambient Air Quality Target.
8 (point 2)	Primary Producers Co-Operative Society Ltd, Christchurch	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
275	Ravensdown Fertiliser Co-Operative Ltd	Supports Objective AQL 2(b) but add the following statement (or to like effect) to the Explanation and principal reasons: 'Percentile values obtained from at least 12 consecutive months of ambient air monitoring will be used to assess the existing air quality. The 99 percentile value will be used for one hour averages and the 98 percentile will be used for 24 hour averages.'
285 (point 1)	Alliance Group Ltd	Delete reference to the Regional Ambient Air Quality Target.
285 (point 2)	Alliance Group Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
347	Federated Farmers Of New Zealand Inc, North Canterbury Branch	Delete references dealing with nuisance effects of odour, particles, smoke and dust.
411 (point 1)	NZMP Ltd	Delete reference to the Regional Ambient Air Quality Target.
411 (point 2)	NZMP Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
416 (point 1)	NZMP Ltd	Delete reference to the Regional Ambient Air Quality Target.
416 (point 2)	NZMP Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.

Submission clarificationSubmission 347

Submitter 347 sought the deletion of all objectives, policies and methods which deal with nuisance effects of odour, particles, smoke and dust. Specific objectives, policies, methods and rules were not identified. The submission was made under the heading '3.1.2 NRRP Management of Localised Nuisance Effects'. Given the reference to '3.1.2' and 'Localised' for the purposes of this evaluation it is assumed that the Objective 2(b) is not subject to this submission – Objective AQL2(b) refers to 'ambient air quality'. No recommendation is therefore made on the submission in this context.

Consideration

Submissions 8 (points 1 and 2), 285 (points 1 and 2), 411 (points 1 and 2), 416 (points 1 and 2)

The substance of these submissions is evaluated above (see Objective AQL 2(a) ## 03-026 30 00 - 03-026 31 00, 8 (points 1 and 2), 285 (points 1 and 2), 391 (point 2), 411 (points 1 and 2), and 416 (points 1 and 2)). The consideration there given to the issue is adopted. The recommendation is the same – namely that no change be made, and that the submission be rejected.

Submission 275

The substance of this submission is evaluated above (see Objective AQL 2(a) ## 03-026 30 00 - 03-026 31 00, 275). The consideration there given to the issue is adopted. The recommendation is the same – namely that no change be made, and that the submission be rejected.

Recommendations

Reject

Submissions 8 (points 1 and 2), 275, 285 (points 1 and 2), 411 (points 1 and 2), 416 (points 1 and 2).

No recommendation made

Submission 347.

Amendment Required

None required.

Explanation and principal reasons ## 03-027 01 00

903	Sir David Hay	Regarding the assumption that poor air quality is a danger to people’s health and safety, the submitter contends that this fundamental premise is not scientifically proven and that the numerous proposed methods to implement Policy 1 of the RPS do not have a sound basis. No decision requested.
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Consideration

Submission 903

The substance of this submission has been considered above (see Chapter 3, Overview, and - General Submissions ## 03-000 00 00, 49, 71, 81(points 1 and 2), 134, 136(point 2), 162, 164, 190, 231, 423(points 1 and 2) and 891). As there noted the accuracy or otherwise of the science has been largely overtaken by the NES. The consideration there made is adopted. The Commissioners do not recommend that any change be made at this time, and they recommend that the submission is rejected. In their view ECan's response is appropriate given the current state of knowledge.

Recommendation

Reject

Submission 903.

Amendment Required

None required.

Explanation and principal reasons - Paragraph 5 ## 03-027 11 00

8 (point 1)	Primary Producers Co-Operative Society Ltd, Christchurch	Delete reference to the Regional Ambient Air Quality Target.
8 (point 2)	Primary Producers Co-Operative Society Ltd, Christchurch	Delete reference to the Ministry for the Environment Ambient Air Quality Guidelines.
8 (point 3)	Primary Producers Co-Operative Society Ltd, Christchurch	As an alternative, amend reference to the Ministry for the Environment Ambient Air Quality Guidelines to only apply to urban airshed management, not to individual discharges.
8 (point 4)	Primary Producers Co-Operative Society Ltd, Christchurch	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
201	Ministry For The Environment	Amend Chapter 3 to refer to the revised 2002 Ambient Air Quality Guidelines.
285 (point 1)	Alliance Group Ltd	Delete reference to the Regional Ambient Air Quality Target.
285 (point 2)	Alliance Group Ltd	Delete reference to the Ministry for the Environment Ambient Air Quality Guidelines.
285 (point 3)	Alliance Group Ltd	As an alternative, amend reference to the Ministry for the Environment Ambient Air Quality Guidelines to only apply to urban airshed management, not to individual discharges.

285 (point 4)	Alliance Group Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
411 (point 1)	NZMP Ltd	Delete reference to the Regional Ambient Air Quality Target.
411 (point 2)	NZMP Ltd	Delete reference to the Ministry for the Environment Ambient Air Quality Guidelines.
411 (point 3)	NZMP Ltd	As an alternative, amend reference to the Ministry for the Environment Ambient Air Quality Guidelines to only apply to urban airshed management, not to individual discharges.
411 (point 4)	NZMP Ltd	As an alternative, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
416 (point 1)	NZMP Ltd	Delete reference to the Regional Ambient Air Quality Target.
416 (point 2)	NZMP Ltd	Delete reference to the Ministry for the Environment Ambient Air Quality Guidelines.
416 (point 3)	NZMP Ltd	As an alternative, amend reference to the Ministry for the Environment Ambient Air Quality Guidelines to only apply to urban airshed management, not to individual discharges.
416 (point 4)	NZMP Ltd	As an, amend reference to the Regional Ambient Air Quality Target to only apply to urban airshed management, but not to individual discharges.
F401	NZ Vegetable & Potato Growers Fed. Inc. and NZ Fruitgrowers' Fed Inc.	Support in part submission 201.

Consideration

Submissions 201, F401

These submissions have been evaluated above (see Chapter 3 - General Submissions ## 03-000 00 00, 201, F401 (point 2)). The Commissioners there recommended that the Regional Council needs to consider a variation to Chapter 3 to deal with the conflicting references to the NAAQG and the NES. They also noted that in their view ideally the NRRP should avoid reference to external documents which can change with time. The same recommendation is made in the present context. In the interim continued reference will have to be made to the NAAQG; amendments need to be made to clearly state which version is being referred to. It is recommended that the submissions be accepted.

Submissions 8 (points 1, 2, 3, and 4), 285 (points 1, 2, 3, and 4), 411 (points 1, 2, 3, and 4), 416 (points 1, 2, 3, and 4)

The substance of these submissions was considered above (see Objective AQL 2(a) ## 03-026 30 00 - 03-026 31 00, 8(points 1 and 2), 285 (points 1 and 2), 391(point 2), 411

(points 1 and 2), and 416 (points 1 and 2)). The consideration there given to the issue is adopted. The recommendation is the same – namely that no change be made, and that the submissions be rejected.

Recommendations

Reject

Submissions 8 (points 1, 2, 3, and 4), 285 (points 1, 2, 3, and 4), 411 (points 1, 2, 3, and 4), 416 (points 1, 2, 3, and 4).

Accept

Submissions 201, F401.

Amendment Required

1. Amend Objective AQL2, 'Explanation and principal reasons', paragraph 5, p. 3-27 as follows:
"The Ministry for the Environment has established National Ambient Air Quality Guidelines 2002 (the "NAAQG"). The NAAQG identify guideline values for primary air contaminants and priority hazardous air pollutants. They provide the basis for protecting public health from adverse effects of air pollutants and for eliminating, or reducing to a minimum, those contaminants of air that are known or likely to be hazardous to human health and well being."
2. Amend Objective AQL2, 'Explanation and principal reasons', paragraph 7, p. 3-27 as follows:
In the NAAQG, the Ministry for the Environment adopts Environmental Performance Indicators Programme (Environmental Performance Indicators: Proposals for air, fresh water and land, 1997. These provide a basis for establishing the RAAQT. Table 3.1 identifies the five categories of ambient air quality developed under the Environmental Performance Indicators Programme."
3. Amend Chapter 1, section 1.2.1, "Abbreviations and symbols", p. 1-9 as follows:
"NAAQG National Ambient Air Quality Guideline 2002".
4. Amend Schedule AQL1 "Regional ambient air quality targets (RAAQT), p. 3-211 by:
 - (a) deleting the word "Proposed" in line 5; and
 - (b) by adding the figure "2002" after the word Guidelines in line 6.

Explanation and principal reasons - Paragraph 6 ## 03-027 17 00

391	Carter Holt Harvey Panels MDF Ltd	Amend so that the Proposed Ambient Air Quality Guidelines 2000 are not used - they should be as guidelines, not as set standards on which rules are based.
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Consideration

Submission 391

The substance of this submission was considered above (see Objective AQL 2(a) ## 03-026 30 00 - 03-026 31 00, 8 (points 1 and 2), 285 (points 1 and 2), 391 (point 2), 411 (points 1 and 2), and 416 (points 1 and 2)). The evaluation there made is adopted. The recommendation is the same – namely that no change be made, and that the submission is rejected.

Recommendation

Reject

Submission 391.

Amendment Required

None required.

Table 3-1 Ministry for the Environment National Ambient Air Quality Guideline (NAAQG) categories ## 03-027 24 00 - 03-027 26c05

103	I. Town	Redefine Table 3-1 to include Alert > 33%.
125	Waimakariri District Council	Reword to read: "This may be a warning level. If this level is the result of an upward trend in emissions, these could continue to increase to exceedence."

Consideration

Submission 103

Submitter 103 sought that the 'alert level' be redefined to be greater than 33% in 'Table 3-1, Ministry for the Environment National Ambient Air Quality Guideline (NAAQG) categories'. The submitter does not consider that the NAAQG provides a safe threshold.

As the submitter identifies, Table 3-1 is derived from the NAAQG. It is necessarily a generalisation. For contaminants like PM₁₀, there may be no 'safe' threshold. In any policy development and determination process judgments as to risk and appropriate responses are made. In this case, such a judgment was made in the NAAQG. The judgment was that the alert level should be between 66% and 100% of the guideline value. The Commissioners were not given any evidence to suggest that that is inappropriate. Nor was there any evidence to support the change proposed. In the absence of any evidential material no change is recommended, and it is recommended that the submission is rejected.

Submission 125

Submitter 125 sought that the comments in Table 3-1 in relation to alert levels should be amended. The amendment is sought to clarify that the trends of concern are 'upward' trends in emissions.

The Commissioners were told that the wording in Table 3-1 is derived from the NAAQG. Nevertheless in their view the submitter's concern is valid. They note that the concern is addressed in the paragraph immediately following Table 3-1. In this paragraph, specific reference to 'upward trends' is made. The Commissioners recommend that the notation in Table 3-1 be amended to refer to "upward" trends, and that the submission be accepted in part.

Recommendation

Reject

Submissions 103.

Accept in part

Submission 125.

Amendment Required

1. Amend the comment in the alert category in Table 3-1, p. 3-27, to read ". . . if upward trends are not curbed".

Explanation and principal reasons - Paragraph 12 ## 03-028 16 00

125	Waimakariri District Council	Amend sentence to read "...regimes will be proposed, if these are warranted."
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Consideration

Submission 125

Submitter 125 sought amendment to the second to last sentence in the final paragraph on p. 3-28. The purpose of the amendment is to ensure that the sentence carries no predetermination of the need for future variation or changes to Chapter 3.

Paragraph 12 is as follows:

"Monitoring undertaken by Environment Canterbury indicates there are areas where the acceptable or even alert target of the RAAQT cannot be met. To date (2001), monitoring has identified these areas of poor or degraded air quality as being: Rangiora, Kaiapoi, Christchurch, Ashburton and Timaru. Policy AQL9(b) identifies that where this occurs a specific management regime is required, for

example, as is proposed for Christchurch under Objective AQL3. As knowledge of the air quality in other urban areas is obtained, then specific management regimes will be proposed. This will entail the development of new objectives, policies and methods to be included in this chapter of the Proposed NRRP.”

The sentence presumes that management regimes will be required. That may not necessarily be the case. The change sought is a more accurate reflection of the decision-making process required. It is recommended that the change be made, and that the submission be accepted.

Recommendation

Accept

Submission 125.

Amendment Required

1. Amend Objective AQL2, ‘explanation and principal reasons’, p. 3-28 paragraph 13 as follows:

“Monitoring undertaken by Environment Canterbury indicates there are areas where the acceptable or even alert target of the RAAQT cannot be met. To date (2001), monitoring has identified these areas of poor or degraded air quality as being: Rangiora, Kaiapoi, Christchurch, Ashburton and Timaru. Policy AQL9(b) identifies that where this occurs a specific management regime is required, for example, as is proposed for Christchurch under Objective AQL3. As knowledge of the air quality in other urban areas is obtained, then specific management regimes will be proposed, if these are warranted. This will entail the development of new objectives, policies and methods to be included in this chapter of the Proposed NRRP.”

Explanation and principal reasons - Paragraph 13 ## 03-028 20 00

201	Minister For The Environment	Amend the last paragraph to provide that specific means to address areas of poor or degraded air quality in Rangiora, Kaiapoi, Christchurch, Ashburton and Timaru within a specified timeframe will be implemented through Policy AQL9.
F125	Waimakariri District Council	Oppose submission 201.

Consideration

Submissions 201, F125

Submitter 201, opposed by submitter F125, sought that time-frames should be added to the ‘Explanation and principal reasons’ to commit Environment Canterbury to a deadline with which to implement specific management regimes for a number of urban areas of Canterbury.

The Commissioners were told that investigations of the issues, and potential management options (if any), are ongoing in these areas. They accept that it is not possible to specify timeframes for the completion of this work and the introduction of any variation or change (if necessary) to Chapter 3. The speed of the work will be dictated by the resource made available through Environment Canterbury's Long Term Council Community Plan and Annual Plan processes. They also note that an ultimate timeframe has now been imposed by the NES. Ecan will have to progress matters promptly. No change is recommended, and it is recommended that submission 201 be rejected, and further submission F125 be accepted.

Recommendation

Reject

Submission 201.

Accept

Submission F125.

Amendment Required

None required.