

SUMMARY OF DECISIONS REQUESTED

Canterbury Natural Resources Regional Plan

Chapter 3: (Air Quality)

Proposed Variation 15
(Outdoor burning in residential areas)

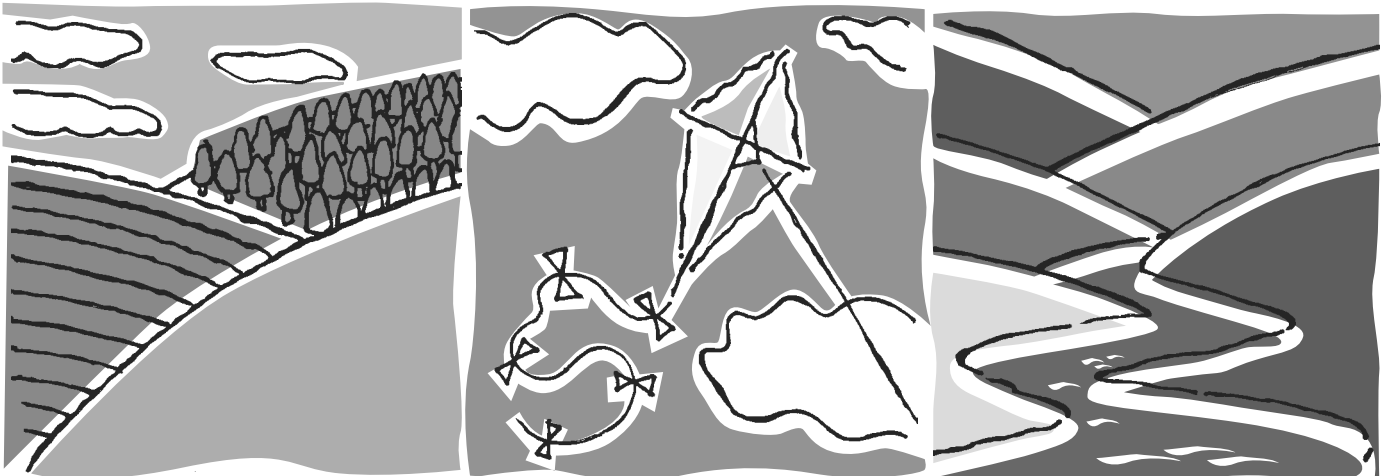
Proposed Plan Change 1
(Christchurch, Kaiapoi and
Ashburton: Emergency Provisions)

Proposed Variation 16
(Rangiora: Emergency Provisions)

**Prepared under the Resource
Management Act 1991**

Notified 17 April 2010

Open for further submissions
until 30 April 2010



R10/22

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**Environment
Canterbury**
Regional Council

Summary of Decisions Requested

Natural Resources Regional Plan Chapter 3 (air quality)

**Proposed Variation 15
Proposed Plan Change 1
Proposed Variation 16**

Notified 17 April 2010

NOTE: This is a summary of the decisions requested by submitters. Anyone making further submissions should refer to a copy of the original submission rather than rely solely on the summary of decisions requested.

Where a decision requested by a submitter was unclear, Council staff, pursuant to Section 37 of the Resource Management Act 1991, contacted submitters and sought clarification. Where clarification information has not been received, Environment Canterbury staff have interpreted these submissions to the best of their ability, to identify the decision being sought.

Refer to the following pages of the Summary of Decisions Requested for the list of **Submitters and Addresses for Service**.

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GUIDELINES ON HOW TO USE THIS DOCUMENT

This document contains a Summary of Decisions Requested (SODR).

The Summary of Decision Requested conveys what changes to the Proposed Variation or Plan change, if any, are being sought by the submitters. All submitters have been given a submission number and each decision requested is assigned a submission point number. The format of this document is arranged on a submission-by-submission basis. Accordingly, all decisions requested/submission points by the same submitter have been grouped under the same submission number.

To find the submission number for a specific submitter, refer to the list of ***“Submitters and Addresses for Service”*** later in this document (refer to Contents page).

Where new wording is sought by the submitter, this is quoted in *“italics”*. Specific changes to existing wording are highlighted “underlined” for insertions and ~~“strikethrough”~~ for deletions. Note that deletions of any words or text are not always apparent, so comparisons with Natural Resources Regional Plan, Chapter 3 (Air Quality) Proposed Variation 15, Proposed Plan Change 1, and Proposed Variation 16 may be required.

This is a summary of the decisions requested in the submissions only. For reasons, explanations and general comments given by submitters refer to the original submissions.

GUIDELINES FOR MAKING FURTHER SUBMISSIONS ON Proposed Variation 15, Proposed Plan Change 1, and Proposed Variation 16

INTRODUCTION

This is the second stage of the public submission process when the opportunity to **support** or **oppose** decisions requested in the original submissions to Proposed Variation 15, Proposed Plan Change 1, and Proposed Variation 16. These comments are called **further submissions**.

Any person who represents a relevant aspect of the public interest or has an interest greater than the public generally is can make further submissions to Proposed Variation 15, Proposed Plan Change 1, and Proposed Variation 16.

Further, these can only be made in **support of or in opposition to decisions requested in the original submissions**. **You are not able to request new decisions at this stage.**

HOW TO FILL OUT THE FORM

A further submission form has been provided on the following page for your use. Please **use a separate copy of the form for each submission** you wish to comment on. If you do not wish to use this form, please make sure that you follow the requirements of the submission form to provide the correct information.

The following guidelines are to assist you in making your further submission. They refer to each section of the form provided.

Part A

Name and address, contact phone/fax numbers etc and signature are important to validate the further submission and enable the Council to contact you. Print clearly giving full details.

Part B

After all submissions and further submissions have been analysed, the Council will hold hearings to listen to submitters who wish to speak to their submission. Tick the **first box** if you do not wish to speak at the hearings. Tick the **second box** if you would like to speak to your submission at these hearings.

If other people have made similar submissions you may be invited by the Council to contribute to a joint presentation at the hearing. Tick the **third box** if you are happy to do this.

Part C

Your further submission should be brief, concise and clearly referenced to the specific part(s) of the original submission. Steps (1)-(4) below refer to each column of the form in Part C. Follow these steps for **each** further submission you are making on Proposed Variation 15, Proposed Plan Change 1, and Proposed Variation 16.

All points raised relating to a particular original submission can be listed on the same page (for example if you are commenting on a number of submission points from one submitter). However a separate copy of the form is required for each original submission you make a further submission on.

(1) The original submission my further submission relates to is:

You must provide the name and address of the person or group making the original submission, together with the submission number that is clearly displayed on both the original submission and in the summary.

(2) The particular part of the original submission I am referring to is:

You can refer to either the entire original submission or to a particular point/s in the original

submission. You may want to support some of the decisions requested and oppose others within the same original submission. Each decision requested must be itemised separately in columns (2), (3) and (4) for each decision requested raised.

(3) In this column use **S** or **O** to indicate whether you are supporting or opposing the decision requested.

(4) State concisely your reasons for support or opposition:

You must provide clear reasons why you wish to support or oppose a particular original submission. You must do this for every decision requested. You may not raise any new requests at this stage.

Part D

You are required under the Resource Management Act 1991 to send a copy of your further submission to the person or organisation whose original submission you have submitted on within **five working days** of sending the further submission to Environment Canterbury. The names and addresses of the original submitters are included in the “Schedule and Address for Service” section (pages 13-15) for this purpose.

Further Submission Forms

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Further Submissions: Proposed Variation 15 Outdoor Burning in Residential and Living Zones

A

Full Name: _____ Phone: _____

Organisation:* _____ Phone: _____

Postal Address: _____ Fax: _____

_____ Date: _____

* the organisation that this further submission is made on behalf of.

email _____

Postal address for service of person making a further submission (if different from above):

Signature: _____

(Signature of person making a further submission or person authorised to sign on behalf of person making the further submission.)
Please note:
(1) All further submissions must be in a form that is signed.
(2) All information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.



**Environment
Canterbury**
Your regional council

**Form 6: Further Submissions on a Publicly
Notified Variation of a Proposed Policy Statement
or Regional Plan under Clause 8 of the First
Schedule to the Resource Management Act 1991**

B Tick this box if you **do not** wish to be heard in support of your further submission.

Tick this box if you **do** wish to be heard in support of your further submission; and

Tick this box if you would be prepared to consider presenting your further submission in a joint case with others making a similar further submission at any hearing.

Return your further submissions by 5 p.m., **Friday 30 April 2010** to:

Natural Resources Regional Plan Chapter 3 (Air Quality)
Proposed Variation 15 – Outdoor Burning in Residential and Living Zones
Environment Canterbury
Freepost 1201
P O Box 345
Christchurch, or

Email to: mailroom@ecan.govt.nz

C (1) Name of person or group making original submission:	Postal Address of original submission:	Original Submission Number:
(2) The part of the submission I am referring to: <i>(Specify submitter number and submission point number e.g. 3.2)</i>	(3) Write support (S) or oppose (O):	(4) State concisely your reasons for supporting or opposing the submission point/decision requested:

Continue over page, as necessary

Further Submissions: Proposed Plan Change 1 (Christchurch, Kaiapoi, and Ashburton: Emergency Provisions)

A

Full Name: _____ Phone: _____

Organisation:* _____ Phone: _____

Postal Address: _____ Fax: _____

_____ Date: _____

* the organisation that this further submission is made on behalf of.

email _____

Postal address for service of person making a further submission (if different from above):


Signature: _____

(Signature of person making a further submission or person authorised to sign on behalf of person making the further submission.)

Please note:

(1) All further submissions must be in a form that is signed.

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Form 6: Further Submissions on a Publicly Notified Variation of a Proposed Policy Statement or Regional Plan under Clause 8 of the First Schedule to the Resource Management Act 1991

B

Tick this box if you **do not** wish to be heard in support of your further submission.

Tick this box if you **do** wish to be heard in support of your further submission; and

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 Proposed Plan Change 1 (Christchurch, Kaiapoi, and Ashburton: Emergency Provisions)
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 Freepost 1201
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Email to: mailroom@ecan.govt.nz

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(2) The part of the submission I am referring to: <i>(Specify submitter number and submission point number e.g. 3.2)</i>	(3) Write support (S) or oppose (O):	(4) State concisely your reasons for supporting or opposing the submission point/decision requested:

Continue over page, as necessary

Further Submissions: Proposed Variation 16 (Rangiora: Emergency Provisions)

A

Full Name: _____ Phone: _____

Organisation:* _____ Phone: _____

Postal Address: _____ Fax: _____

_____ Date: _____

* the organisation that this further submission is made on behalf of.

email _____

Postal address for service of person making a further submission (if different from above):

Signature: _____

(Signature of person making a further submission or person authorised to sign on behalf of person making the further submission.)

Please note:

(1) All further submissions must be in a form that is signed.

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Form 6: Further Submissions on a Publicly Notified Variation of a Proposed Policy Statement or Regional Plan under Clause 8 of the First Schedule to the Resource Management Act 1991

- B**
- Tick this box if you **do not** wish to be heard in support of your further submission.
- Tick this box if you **do** wish to be heard in support of your further submission; and
- Tick this box if you would be prepared to consider presenting your further submission in a joint case with others making a similar further submission at any hearing.

Return your further submissions by 5 p.m., **Friday 30 April 2010** to:

Natural Resources Regional Plan Chapter 3 (Air Quality)
 Proposed Variation 16 (Rangiora: Emergency Provisions)
 Environment Canterbury
 Freepost 1201
 P O Box 345
 Christchurch, or

Email to: mailroom@ecan.govt.nz

C (1) Name of person or group making original submission:	Postal Address of original submission:	Original Submission Number:
(2) The part of the submission I am referring to: <i>(Specify submitter number and submission point number e.g. 3.2)</i>	(3) Write support (S) or oppose (O):	(4) State concisely your reasons for supporting or opposing the submission point/decision requested:

Continue over page, as necessary

**SUBMITTERS AND ADDRESSES FOR SERVICE:
Proposed Variation 15 Outdoor Burning in Residential and Living
Zones**

Submitter ID	Submitter	Contact	Address
1	Solid Energy NZ Ltd	Maree Baker	C/O Anderson Lloyd Private Bag 1959 DUNEDIN
2	Association for Independent Research	John Hoare	76B Hackthorne Rd, Cashmere CHRISCHURCH
3	Christchurch City Council	Peter Kingsbury	Box 237 CHRISTCHURCH

**SUBMITTERS AND ADDRESSES FOR SERVICE:
Proposed Plan Change 1 (Christchurch, Kaiapoi, and Ashburton:
Emergency Provisions)**

Submitter ID	Submitter	Contact	Address
1	Solid Energy NZ Ltd	Maree Baker	C/O Anderson Lloyd Private Bag 1959 DUNEDIN
2	Orion NZ Ltd	Rob Jameson	Box 13869 CHRISTCHURCH
3	Association for Independent Research	John Hoare	76B Hackthorne Rd, Cashmere CHRISTCHURCH
4	Christchurch City Council	Peter Kingsbury	Box 237 CHRISTCHURCH

**SUBMITTERS AND ADDRESSES FOR SERVICE:
Proposed Variation 16 (Rangiora: Emergency Provisions)**

Submitter ID	Submitter	Contact	Address
1	Solid Energy NZ Ltd	Maree Baker	C/O Anderson Lloyd Private Bag 1959 DUNEDIN
2	Association for Independent Research	John Hoare	76B Hackthorne Rd, Cashmere CHRISTCHURCH
3	Christchurch City Council	Peter Kingsbury	Box 237 CHRISTCHURCH

SUMMARY OF DECISIONS REQUESTED BY SUBMITTERS

Proposed Variation 15 Outdoor Burning in Residential and Living Zones

Variation 15: Outdoor Burning in Residential and Living Areas

Submitter No.	Name	Organisation	Address	Submission Points	Decision Requested
1	Maree Baker	Solid Energy	C/O Anderson Lloyd, Private bag 1959 DUNEDIN	1.1	Retain proposed Variation 15
2	John Hoare	Association for Independent Research Inc	76B Hackthorne Rd, Cashmere , Christchurch	2.1	Amend Policy 4A to provide that outdoor burning in residential areas is not restricted where there is no offensive or objectionable effect beyond the property boundary
				2.2	Add a new rule to the effect of providing for outdoor burning as a permitted activity subject to a condition that the burning not have effects which are offensive or objectionable beyond the property boundary
3	Peter Kingsbury	Christchurch City Council	Box 237, Christchurch	3.1	Amend Rule AQL29A by adding "recycling,composting, or" after... is located in a township which has.... In subparagraph b) of Rule AQL 29A

SUMMARY OF DECISIONS REQUESTED BY SUBMITTERS

Proposed Plan Change 1 (Christchurch, Kaiapoi, and Ashburton: Emergency Provisions)

Plan Change 1 Christchurch, Kaiapoi and Ashburton Emergencies

Submitter No.	Name	Organisation	Address	Submission Points	Decision Requested
1	Maree Baker	Solid Energy NZ Ltd	C/O Anderson Lloyd, Private bag 1959 DUNEDIN	1.1	Retain Plan Change 1
2	Rob Jameson	Orion NZ Ltd	Box 13896, Christchurch	2.1	Insert "directly or indirectly" after electricity network utility operator to condition 1 of proposed Rule AQL 6A
3	John Hoare	Association for Independent Research Inc	76B Hackthorne Rd, Cashmere , Christchurch	3.1	Amend definition of the term 'emergency" to cover situations where electricity [or other popular, non solid sources of energy] is for some reason, in short supply or needs to be conserved leading to requests by the authorities for "savings to be made"
4	Peter Kingsbury	Christchurch City Council	Box 237, Christchurch	4.1	Retain proposed rule 6A

SUMMARY OF DECISIONS REQUESTED BY SUBMITTERS

Proposed Variation 16 (Rangiora: Emergency Provisions)

Variation 16 (Rangiora: Emergency Provisions)

Submitter No.	Name	Organisation	Address	Submission Points	Decision Requested
1	Maree Baker	Solid Energy NZ Ltd	C/o Anderson Lloyd, Private Bag 1959 DUNEDIN	1.1	Retain Variation 16
2	John Hoare	Association for Independent Research Inc	76B Hackthorne Rd, Cashmere , Christchurch	2.1	Amend definition of the term 'emergency" to cover situations where electricity [or other popular, non solid sources of energy] is for some reason, in short supply or needs to be conserved leading to requests by the authorities for "savings to be made"
3	Peter Kingsbury	Christchurch City Council	Box 237, Christchurch	3.1	Retain proposed Rule AQL 6A

APPENDICES: COPIES OF ORIGINAL SUBMISSIONS

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APPENDIX 1: COPIES OF ORIGINAL SUBMISSIONS
Proposed Variation 15 Outdoor Burning in Residential and Living
Zones

19 February 2010

Freepost 1201
Variation 15-NRRP Air Plan
Environment Canterbury
P O Box 345
CHRISTCHURCH

EC - CHCH	
FILE REF:	NRRP-2007-V15-NBT-GEN-1
DOCUMENT No.:	19471
22 FEB 2010	
	ACTION
	INFO
Glennie	

Anderson Lloyd
Level 10, Otago House
Cnr Moray Place & Princes Street
Dunedin 9016, New Zealand
Private Bag 1959, Dunedin 9054
P: 03 477 3973
F: 03 477 3184

Also in:
Christchurch
Queenstown

www.andersonlloyd.co.nz

Dear Sir/Madam

Proposed Variation 15

Please find enclosed Solid Energy New Zealand Limited's Submission on Proposed Variation 15.

Yours faithfully
Anderson Lloyd



Blake Holgate
Solicitor
P: 03 471 5441
E: blake.holgate@andersonlloyd.co.nz

Submission on Proposed Variation 15 to the Natural Resources Regional Plan (Air Quality)

<p>A</p> <p>Full Name: <u>Solid Energy New Zealand Limited ("SENZ")</u></p> <p>Organisation: <u>*See above</u></p> <p>Phone: <u>03 477 3979</u></p> <p>Postal Address: <u>C/- Maree Baker, Anderson Lloyd,</u> <u>Private Bag 1959,</u> <u>Dunedin</u></p> <p>Fax: <u>03 477 3184</u></p> <p>Date: _____</p> <p>* the organisation that this submission is made on behalf of.</p> <p>Email: <u>maree.baker@andersonlloyd.co.nz</u></p> <p>Postal address for service of person making submission (if different from above): _____</p> <p>Signature: _____</p> <p><small>(Signature of person making submission or person authorised to sign on behalf of person making the submission)</small></p> <p><small>Please note: (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.</small></p>	<p style="text-align: center;">Environment Canterbury <small>Your regional council</small></p> <p style="text-align: center;">Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991</p> <p>B <input type="checkbox"/> Tick this box if you <u>do not</u> wish to be heard in support of your submission;</p> <p><input checked="" type="checkbox"/> Tick this box if you <u>do</u> wish to be heard in support of your submission; and,</p> <p><input checked="" type="checkbox"/> Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing.</p> <p>Return your signed submission by Friday 5pm, 26 February 2010 to:</p> <p>Freepost 1201 Variation 15 – NRRP Air Plan Environment Canterbury P O Box 345 Christchurch, or Email to: mailroom@ecan.govt.nz</p>
<p>C (1) The specific provisions of the variation that my submission relates to are: <i>(Specify page number and subsection numbering for each separate provision).</i></p> <p>SENZ is in general support of the proposed Variation 15.</p>	<p>(2) My submission is that: <i>(State concisely: the nature of your submission, and clearly indicate whether you support or oppose each separate provision being submitted on, or wish to have amendments made, giving reasons.)</i></p> <p>SENZ support proposed Variation 15 because it will control outdoor burning in residential areas, reducing total emissions into the Canterbury Airsheds.</p>
	<p>(3) I seek the following decisions from Environment Canterbury: <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i></p> <p>Accept proposed Variation 15.</p>

NRPP-2002-V15-V14
 RECEPTION
 EC CHCH
 22806
 Val

Submission on Proposed Variation 15 to the Natural Resources Regional Plan (Air Quality)

RECEPTION	EC CHCH	22806
DOCUMENT No:		
26 FEB 2010		

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991



Tick this box if you do not wish to be heard in support of your submission;

Tick this box if you do wish to be heard in support of your submission; and,

Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at an hearing.

Return your signed submission by Friday 5pm, 26 February 2010 to:

Freepost 1201
 Variation 15 – NRRP Air Plan
 Environment Canterbury
 P O Box 345
 Christchurch, or
 Email to: mailroom@ecan.govt.nz

A
 Full Name: John Leonard Hoare Phone: (03)332-6707
 Organisation: AIR (Inc.) Phone: —
 Postal Address: C/- J.L. HOARE Fax: —
768 Northshore Rd, Date: 26/2/2010
Christchurch 8022

* the organisation that this submission is made on behalf of.
 email

Postal address for service of person making submission (if different from above):

Signature: J. L. Hoare

(Signature of person making submission or person authorised to sign on behalf of person making the submission)
 Please note:
 (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

<p>C (1) The specific provisions of the variation that my submission relates to are: (Specify page number and subsection numbering for each separate provision).</p>	<p>(2) My submission is that: (State concisely: the nature of your submission, and clearly indicate whether you support or oppose each separate provision being submitted on, or wish to have amendments made, giving reasons.)</p>	<p>(3) I seek the following decisions from Environment Canterbury: (Please give precise details for each provision. The more specific you can be the easier it be for the Council to understand your concerns.)</p>
<p>Please see attached document</p>	<p>see attached document</p>	

Submission on Proposed Variation 15 to the Canterbury Natural Resources Regional Plan: Chapters 1 [Overview] and 3 [Air Quality] - Outdoor Burning in Residential and Living Zones.

1. General Comment. AIR is opposed to the new policies and rules. AIR supports the position that outdoor burning in residential areas should be permitted subject to conditions. Outdoor burning in residential areas can occur without any adverse effects on nuisance and it is appropriate that a permitted activity rule be included in the plan to reflect this. This permitted activity rule would have conditions that the discharge not have offensive or objectionable effects beyond the property boundary.

AIR considers that reference in the variation to without prejudice discussions between AIR and ECan aimed at resolving the earlier appeal on outdoor burning was inappropriate. The settlement discussions between AIR and ECan were without prejudice and the content of those discussions should not have been referred to in a public document. The reference is prejudicial to AIR because it refers to a position that it took during negotiations without providing any context to that position.

AIR is opposed to the severe, unequivocal, “no burning in residential/living areas of e.g. Christchurch”, outcome. This seems unreasonable given that:

- i] Christchurch City Council’s new [2007] by-law basically supported the burning of waste vegetable matter including prunings, paper, etc. provided there was no fire risk. At that time and earlier the nuisance aspect was considered manageable given that suburban neighbours actively develop, one with the other, “understandings” in respect of all sorts of petty annoyances which CCC mostly appears to be happy to handle reasonably light-handedly in the event of disputes escalating. But in recent years ECan has, via a concerted campaign of advertising, surveys, etc. of dubious scientific value, manipulated public opinion to suit its policies related to this, and other, air quality issues mostly centred on the allegedly serious harm caused by contemporary urban air pollution.
 - ii] The 2002 Proposed Air Plan can be described as a ‘health effects dominated’ document extending as far as the alleged significant harm caused by outdoor burning. Although AIR contested, via the various hearing processes, the particular viewpoints adopted therein opportunities to properly resolve or debate important questions surrounding health effects were denied by the authorities. Now ECan, shifting its aim somewhat, has singled out nuisance effects as the main problem. However, the former aspect is still raised [under 3.3 Resource overview, 3rd and 4th paragraphs, on page 25] without any credible evidence being produced by ECan to warrant “outdoor burning” being considered especially worthy of attention from the perspective of adverse health effects. AIR considers that this tactic amounts to scaremongering.
2. Page 12. Definitions. AIR does not object to the definitions provided here under this heading.
 3. Pages 13 and 14. Policy AQL4 [amended] and Policy AQL4A. AIR is opposed to these. For many residential properties located e.g. on hills accessed up or down steep or awkward driveways, on the outskirts of urban areas and/or with large trees, shelter belts, etc., occasional burning of their [vegetative] waste stream ‘on-site’ provides the most convenient and economical disposal option. Meanwhile, even while this option is denied at least temporarily,

the new rubbish collection/recycling operation taken as a whole appears not to be an unconditional success technically or financially – not if various reports in “The Press” are to be believed. Also, large quantities of material are being trucked to the landfill at Kate Valley or otherwise disposed of at least some of which may well be more effectively/efficiently dealt with by burning near, or nearer, to where they are being generated.

4. Page 14. The nuisance effects of smoke listed here appear to be exaggerated and/or are already covered by Condition 4 of the existing Rule AQL29 and/or the relevant Appendices. Also, they do not take into account the type, location, etc. of some of the residential/living zone areas ‘caught’ by the tighter restrictions proposed. The fact that more liberal arrangements are proposed for the smaller towns in Canterbury [the outskirts and more rural parts of Christchurch, say, are broadly equivalent to these as regards type of vegetation, need for shelter belts, prevailing standard of air quality, etc.] suggest that Variation 15 has been devised mainly to support the elaborate new rubbish collection and recycling facilities established with scant regard to the true cost/benefits affecting many ordinary citizens, ratepayers, taxpayers, etc. Neglected accumulations of vegetative ‘rubbish’ are in themselves a fire risk and also provide a refuge for vermin whilst encouraging other types of environmental ‘unhealthiness’. Such undesirable risks the occasional garden fire is able to effectively remove, simultaneously encouraging general property tidiness as a secondary benefit. Living in reasonably close proximity to others may indeed generate several ‘nuisances’ but many of these can be managed effectively by a little give and take without the need for restrictions of the kind elaborated upon in the Proposed V15. Why, for example, should the occasional, relatively quiet, satisfying, burn-up of reasonably dry twigs, leaves, etc. be prevented when someone else is at liberty to operate a very noisy, expensive, mulching machine to achieve a similar end result?
5. Page 16. Rule AQL29A and Rule AQL29B. AIR opposes Rule AQL29A and supports Rule AQL29B - Explanation.
6. Page 18. AIR opposes Rule AQL 29A.
7. Page 19. Permitted situation Rule AQL29B: AIR is in broad agreement with the conditions listed here [see, however, the comments made under point 8 below] provided they apply to residential/living areas generally.
8. Page 21. Appendix AQL2. AIR considers the information provided here mostly helpful/constructive. Regarding condition 1 [a], AIR considers that the ‘six weeks’ requirement here possibly is redundant/excessive. Instead the material to be burned should be reasonably dry and not ‘wet’, or ‘green’ [c.f. the 25% moisture and rainfall requirements provided in condition 4 of Rule AQL29B].
9. Pages 22-33. Part 3 Section 32 Report. AIR considers the cost-benefit analysis provided here [section 3.7 on pages 29 – 33], as justification for the changes proposed in Variation 15, highly contestable and/or inadequate [see point 3 above]. Also, the reference to Policy AQL29 on page 30 appears to be mistaken [original Rule AQL29 meant?].
10. Page 35. Comments from individual bodies. Most didn’t respond! This suggests that the issues raised in Variation 15 are not considered particularly important/crucial in Canterbury. **Hurunui DC** expresses its concern about the release of a variation as a ‘solution’ when the matter is subject to appeal. ECan maintains the law is on their side in this respect. AIR agrees with HDC here. **CCC** agrees with the variation approach given that V15 recognizes and

APPENDIX 3: COPIES OF ORIGINAL SUBMISSIONS
Proposed Variation 16 (Rangiora: Emergency Provisions)

supports their 'recent' recycling initiatives and because it helps create a "healthy environment". NB Notwithstanding these comments, AIR notes that CCC nevertheless saw fit, resulting from numerous submissions received from the public, ratepayers etc., to revoke its more restrictive 2006 Fires By-law in favour of a less restrictive, new, 2007 Urban Fire Safety By-law which basically permits, ordinarily, the outdoor burning of vegetative-type matter in residential/living zones during Spring and Autumn. **Waitaki DC** requests that it be excluded from the variation stating that its existing bylaws could allow the issue to be managed [satisfactorily]. AIR is supportive of this latter viewpoint.

11. AIR therefore seeks the following relief:

- i] Amendments to Policy AQL4A to provide that outdoor burning in residential areas is not restricted where there is no offensive or objectionable effect beyond the property boundary.
- ii] A new rule be added providing that outdoor burning is a permitted activity subject to a condition that the burning not have effects which are offensive or objectionable beyond the property boundary.

Signed:



J.L. Hoare [Secretary, Association for Independent Research {AIR} Incorporated]

Dated: 26/2/2010

Submission on Proposed Variation 15 and Proposed Plan Change 1/Variation 16, Proposed Natural Resources Regional Plan

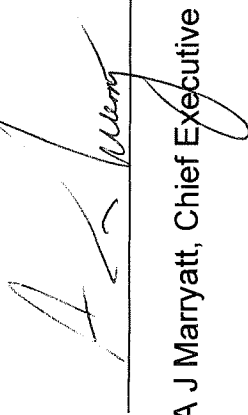
A:

Submission of: Christchurch City Council

Address: P O Box 237
Christchurch
Attention: Peter Kingsbury

Telephone: 03 941 8487 or 027 599 4615
Email: peter.kingsbury@ccc.govt.nz

Signature:



A J Marrayatt, Chief Executive Officer, Christchurch City Council

Date: 25 February 2010

B:

Christchurch City Council **does** wish to be heard in support of this submission

RECEPTION	
EC - CHCH	INFO
FILE REF: NRRP-2002-V15-NR1-SUB-1	ACTION
DOCUMENT No: 21682	
25 FEB 2010	
John Glennie	

Christchurch City Council Submission on Proposed Plan Change 1, Proposed Variation 15 and 16, Proposed Natural Resources Regional Plan

<p>C.</p> <p>(1) The specific provisions of the variation that the Christchurch City Council (the Council) submission relates to are:</p>	<p>(2) The Council submission is that:</p>	<p>(3) The Council seeks the following decisions from Environment Canterbury:</p>
<p>Variation 15: Outdoor burning in residential and living zones</p>		
<p>Page 18: Rule AQL29A</p>	<p>The Council supports the principle that waste should not be burnt where alternatives are available and readily accessible to the property. Alternatives may include, for example, drop-off facilities or mobile shredding services. The Council acknowledges that in some remote locations these services may (still) be distant or expensive.</p> <p>The restrictions on burning should not apply to Christchurch City Council rural areas, and particularly in the Banks Peninsula area.</p> <p>A minor rewording of Rule AQL29A is suggested to better define the types of systems/facilities that are available for recycling, composting and disposing of various materials.</p> <p>The Council also believes that the most cost effective solution would be an extension of the mobile green waste shredding service, currently operated by a private mulching service in the Banks Peninsula area.</p>	
<p>Suggested amendment to Rule AQL29A (underlined and bold):</p> <p>... b). Is located in a township which has a <u>recycling, composting, or refuse</u> handling system ...</p>		

Proposed Plan Change 1 (Christchurch, Kaiapoi, Ashburton: Emergency provisions)/Proposed Variation 16 (Rangiora: Emergency Provisions)

Page 16: Rule AQL6A

The Council supports the principle that Christchurch residents should be allowed to use non-complying small scale solid fuel burning devices during an emergency and when power is cut off for an extended time.

The opportunity to use non-complying burning devices for heating and in some cases cooking during an emergency when electrical power is unavailable is a sensible and pragmatic emergency management initiative. The proposed new rule will allow some individuals and communities to better respond to and, in some events, recover from an emergency. Furthermore, the new rule will allow people to better prepare themselves for an event where electrical power may be unavailable and will give people a degree of safety and security should an event occur.

The proposed new rule is consistent with the provisions of the Civil Defence Emergency Management Act 2002, and specifically Part 1(3)(a)(b) and (c).

The proposed change to Rule AQL6A is accepted.

APPENDIX 2: COPIES OF ORIGINAL SUBMISSIONS
Proposed Plan Change 1 (Christchurch, Kaiapoi, and Ashburton:
Emergency Provisions)

19 February 2010

Freepost 1201
Plan Change 1/Variation 16-NRRP Air Plan
Environment Canterbury
P O Box 345
CHRISTCHURCH

EC - CHCH	
FILE REF: NRRP-2002-V16-NOT - GENU	
DOCUMENT No.: 19467	
22 FEB 2010	
ACTION	INFO
J Glennie	

Anderson Lloyd
Level 10, Otago House
Cnr Moray Place & Princes Street
Dunedin 9016, New Zealand
Private Bag 959, Dunedin 9054
P: 03 477 3973
F: 03 477 3184

Also in:
Christchurch
Queenstown
www.andersonlloyd.co.nz

Dear Sir/Madam

Proposed Plan Change 1/Variation 16


Please find enclosed Solid Energy New Zealand Limited's Submission on Proposed Plan Change 1/Variation 16.

Yours faithfully
Anderson Lloyd



Blake Holgate
Solicitor
P: 03 471 5441
E: blake.holgate@andersonlloyd.co.nz

Submission on Proposed Plan Change 1 or Proposed Variation 16 (Christchurch, Kaiapoi, Ashburton or Rangiora: Emergency provisions) to NRRP Chapter 3 (Air Quality)

<p>A</p> <p>Full Name: <u>Solid Energy New Zealand Limited ("SENZ")</u></p> <p>Organisation: *See above</p> <p>Phone: <u>03 477 3979</u></p> <p>Postal Address: <u>C/- Maree Baker, Anderson Lloyd,</u> <u>Private Bag 1959,</u> <u>Dunedin</u></p> <p>Fax: <u>03 477 3184</u></p> <p>Date: _____</p> <p>* the organisation that this submission is made on behalf of.</p> <p>Email: <u>maree.baker@andersonlloyd.co.nz</u></p> <p>Postal address for service of person making submission (if different from above): _____ _____ _____</p> <p>Signature: _____</p> <p><small>(Signature of person making submission or person authorised to sign on behalf of person making the submission) Please note: (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.</small></p>	<p style="text-align: center;">Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991</p> <div style="text-align: center;">  <p>Environment Canterbury <small>Your regional council</small></p> </div> <p>B <input type="checkbox"/> Tick this box if you <u>do not</u> wish to be heard in support of your submission;</p> <p><input checked="" type="checkbox"/> Tick this box if you <u>do</u> wish to be heard in support of your submission; and,</p> <p><input checked="" type="checkbox"/> Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing.</p> <p>Return your signed submission by Friday 5pm, 26 February 2010 to: Freepost 1201 Plan Change 1 / Variation 16 – NRRP Air Plan Environment Canterbury P O Box 345 Christchurch Or email to: mailroom@ecan.govt.nz</p>
<p>C (1) The specific provisions of the plan change that my submission relates to are: <i>(Specify page number and subsection numbering for each separate provision).</i></p> <p>SENZ is in general support of the proposed Plan Change 1 and proposed Variation 16 ("Plan Change 1/Variation 16").</p>	<p>(2) My submission is that: <i>(State concisely: the nature of your submission, and clearly indicate whether you support or oppose each separate provision being submitted on, or wish to have amendments made, giving reasons.)</i></p> <p>SENZ support Plan Change 1/Variation 16 because it clarifies that small scale solid fuel burning devices (including open fires and enclosed burners) are exempt from the PM10</p>
<p>(3) I seek the following decisions from Environment Canterbury: <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i></p> <p>Accept Plan Change 1/Variation 16.</p>	<p>(3) I seek the following decisions from Environment Canterbury: <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i></p> <p>Accept Plan Change 1/Variation 16.</p>

	discharge rule when the supply of electricity is terminated due to an emergency, or planned maintenance.	
	SENZ is of the view that the benefit of permitting the discharge (heat) outweighs the temporary adverse effects on ambient air quality.	

Add further pages as required.

Direct dial: 03-363-9793
Email: rob.jamieson@oriongroup.co.nz

25 February 2010

Freepost 1201
Plan Change 1/Variation 16 – NRRP Air Plan
Environment Canterbury
PO Box 345
Christchurch

EC - CHCH		
FILE REF: NRRP-8002-V16-NOT-SUB-1		
DOCUMENT No. 23521		
- 1 MAR 2010		ACTION
Glennie		INFO

Dear Sir/Madam

Plan Change 1

Orion New Zealand Limited supports the intent of the proposed plan change 1 to the NRRP Chapter 3. However we wish to suggest a change in the wording to Rule AQL6A.

The present wording of Rule AQL6A reads:

....when either

1. Any person operating a small scale solid fuel burning device is notified by the electricity network utility network operator that electricity supply shall be interrupted for a period of not less than 3 hours for maintenance or upgrading purposes, or
2. The electricity network supply is disrupted through weather, accidents, or any unforeseen circumstances;

the discharge of PM10 from any small scale solid fuel burning device is a permitted activity, for the duration of the power outage.

We suggest changing the wording to:

....when either

1. Any person operating a small scale solid fuel burning device is notified by the electricity network utility network operator, directly or indirectly, that electricity supply shall be interrupted for a period of not less than 3 hours for maintenance or upgrading purposes, or
2. The electricity network supply is disrupted through weather, accidents, or any unforeseen circumstances;

the discharge of PM10 from any small scale solid fuel burning device is a permitted activity, for the duration of the power outage.

The reason for this change is that in the majority of maintenance or upgrading instances on the electricity network, notification to home owners or businesses is made by Orion via contractors undertaking the work or through electricity retailers. Rarely does Orion have direct contact with the customer.

Also in the case of emergency maintenance over a large area Orion may resort to media to inform the public of an imminent outage. For instance radio or newspapers may advise the public.

The insertion of 'directly or indirectly' clarifies the allowance for these forms of contact with electricity users.

Thank you

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rob Jamieson', written in a cursive style.

Rob Jamieson
Commercial Manager

Submission on Proposed Plan Change 1 or Proposed Variation 16 (Christchurch, Kaiapoi, Ashburton or Rangiora: Emergency provisions) to NRRP Chapter 3 (Air Quality)


REGISTRATION
FILE REF: 22744
DOCUMENT No: 1353
20 FEB 2010
1353
clean

A

Full Name: John Leonard Hoare Phone: (03) 332-6707
 Organisation: AIR Inc. Phone: -
 Postal Address: 476B Fax: -
Hackthorne Rd, Date: 26/2/2010
Christchurch 8022.

* the organisation that this submission is made on behalf of.
 email _____
 Postal address for service of person making submission (if different from above): _____

 Signature: J. L. Hoare
 (Signature of person making submission or person authorised to sign on behalf of person making the submission)
 Please note:
 (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.



Environment Canterbury
Your regional council

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

B Tick this box if you do not wish to be heard in support of your submission;

Tick this box if you do wish to be heard in support of your submission; and,

Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at an hearing.

Return your signed submission by **Friday 5pm, 26 February 2010** to:

Freepost 1201
 Plan Change 1 / Variation 16 – NRRP Air Plan
 Environment Canterbury
 P O Box 345
 Christchurch

Or email to: mailroom@ecan.govt.nz

C

(1) The specific provisions of the plan change that my submission relates to are: (Specify page number and subsection numbering for each separate provision).

(2) My submission is that: (State concisely: the nature of your submission, and clearly indicate whether you support or oppose each separate provision being submitted on, or wish to have amendments made, giving reasons.)

(3) I seek the following decisions from Environment Canterbury: (Please give precise details for each provision. The more specific you can be the easier it be for the Council to understand your concerns.)

Please see attached document

Submission on Proposed Plan Change 1 and Proposed Variation 16 to the Canterbury Natural Resources Regional Plan: Chapter 3 [Air Quality] - Proposed Plan Change 1 [Christchurch, Kaiapoi and Ashburton: Emergency Provisions]; Proposed Variation 16 [Rangiora: Emergency Provisions]

AIR is broadly supportive of the changes described under the above headings. However, we would like to see the term "Emergency" expanded to cover situations where electricity [or other popular, non-solid, sources of energy] is, for some reason, in short supply or needs to be conserved leading to requests by the authorities for 'savings' to be made.

Signed:

J.L. Hoare [Secretary, Association for Independent Research {AIR} Incorporated]

Dated: /2/2010

Submission on Proposed Variation 15 and Proposed Plan Change 1/Variation 16, Proposed Natural Resources Regional Plan

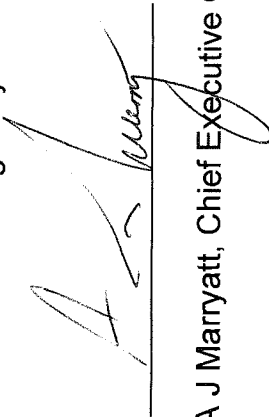
A:

Submission of: Christchurch City Council

Address: P O Box 237
Christchurch
Attention: Peter Kingsbury

Telephone: 03 941 8487 or 027 599 4615
Email: peter.kingsbury@ccc.govt.nz

Signature:



A J Marrayatt, Chief Executive Officer, Christchurch City Council

Date: 25 February 2010

RECEPTION	
EC - CHCH	INFO
FILE REF: NRRP-2002-V15 - Not - Sub-1	ACTION
DOCUMENT No: Q1682	
25 FEB 2010	
John Glennie	

B:

Christchurch City Council **does** wish to be heard in support of this submission

Christchurch City Council Submission on Proposed Plan Change 1, Proposed Variation 15 and 16, Proposed Natural Resources Regional Plan

<p>C.</p> <p>(1) The specific provisions of the variation that the Christchurch City Council (the Council) submission relates to are:</p>	<p>(2) The Council submission is that:</p>	<p>(3) The Council seeks the following decisions from Environment Canterbury:</p>
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<p>Page 18: Rule AQL29A</p>	<p>The Council supports the principle that waste should not be burnt where alternatives are available and readily accessible to the property. Alternatives may include, for example, drop-off facilities or mobile shredding services. The Council acknowledges that in some remote locations these services may (still) be distant or expensive.</p> <p>The restrictions on burning should not apply to Christchurch City Council rural areas, and particularly in the Banks Peninsula area.</p> <p>A minor rewording of Rule AQL29A is suggested to better define the types of systems/facilities that are available for recycling, composting and disposing of various materials.</p> <p>The Council also believes that the most cost effective solution would be an extension of the mobile green waste shredding service, currently operated by a private mulching service in the Banks Peninsula area.</p>	<p>Suggested amendment to Rule AQL29A (underlined and bold):</p> <p>... b). Is located in a township which has a <u>recycling, composting, or refuse</u> handling system ...</p>

Proposed Plan Change 1 (Christchurch, Kaiapoi, Ashburton: Emergency provisions)/Proposed Variation 16 (Rangiora: Emergency Provisions)

Page 16: Rule AQL6A

The Council supports the principle that Christchurch residents should be allowed to use non-complying small scale solid fuel burning devices during an emergency and when power is cut off for an extended time.

The opportunity to use non-complying burning devices for heating and in some cases cooking during an emergency when electrical power is unavailable is a sensible and pragmatic emergency management initiative. The proposed new rule will allow some individuals and communities to better respond to and, in some events, recover from an emergency. Furthermore, the new rule will allow people to better prepare themselves for an event where electrical power may be unavailable and will give people a degree of safety and security should an event occur.

The proposed new rule is consistent with the provisions of the Civil Defence Emergency Management Act 2002, and specifically Part 1(3)(a)(b) and (c).

The proposed change to Rule AQL6A is accepted.

APPENDIX 3: COPIES OF ORIGINAL SUBMISSIONS
Proposed Variation 16 (Rangiora: Emergency Provisions)

19 February 2010

Freeport 1201
Plan Change 1/Variation 16-NRRP Air Plan
Environment Canterbury
P O Box 345
CHRISTCHURCH

EC - CHCH	
FILE REF: NRRP-2002-V16-NCT	ACTION INFO
DOCUMENT No.: 19467	
22 FEB 2010	
J Glennie	

Anderson Lloyd
Level 10, Otago House
Cnr Moray Place & Princes Street
Dunedin 9016, New Zealand
Private Bag 950, Dunedin 9054
P: 03 477 3973
F: 03 477 3184
Also in:
Christchurch
Queenstown
www.andersonlloyd.co.nz

Dear Sir/Madam

Proposed Plan Change 1/Variation 16

Please find enclosed Solid Energy New Zealand Limited's Submission on Proposed Plan Change 1/Variation 16.

Yours faithfully
Anderson Lloyd



Blake Holgate
Solicitor
P: 03 471 5441
E: blake.holgate@andersonlloyd.co.nz

Submission on Proposed Plan Change 1 or Proposed Variation 16 (Christchurch, Kaiapoi, Ashburton or Rangiora: Emergency provisions) to NRRP Chapter 3 (Air Quality)

<p>A</p> <p>Full Name: <u>Solid Energy New Zealand Limited ("SENZ")</u></p> <p>Organisation: *See above</p> <p>Phone: <u>03 477 3979</u></p> <p>Postal Address: <u>C/- Maree Baker, Anderson Lloyd,</u> <u>Private Bag 1959,</u> <u>Dunedin</u></p> <p>Fax: <u>03 477 3184</u></p> <p>Date: _____</p> <p>* the organisation that this submission is made on behalf of.</p> <p>Email: <u>maree.baker@andersonlloyd.co.nz</u></p> <p>Postal address for service of person making submission (if different from above):</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Signature: _____</p> <p><small>(Signature of person making submission or person authorised to sign on behalf of person making the submission)</small></p> <p><small>Please note: (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.</small></p>	<p style="text-align: center;">Environment Canterbury <small>Your regional council</small></p> <p style="text-align: center;">Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991</p> <p>B <input type="checkbox"/> Tick this box if you do <u>not</u> wish to be heard in support of your submission;</p> <p><input checked="" type="checkbox"/> Tick this box if you <u>do</u> wish to be heard in support of your submission; and,</p> <p><input checked="" type="checkbox"/> Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing.</p> <p>Return your signed submission by Friday 5pm, 26 February 2010 to:</p> <p>Freepost 1201 Plan Change 1 / Variation 16 – NRRP Air Plan Environment Canterbury P O Box 345 Christchurch</p> <p>Or email to: mailroom@ecan.govt.nz</p>
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	discharge rule when the supply of electricity is terminated
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	SENZ is of the view that the benefit of permitting the
	discharge (heat) outweighs the temporary adverse effects
	on ambient air quality.

Add further pages as required.

Submission on Proposed Plan Change 1 or Proposed Variation 16 (Christchurch, Kaiapoi, Ashburton or Rangiora: Emergency provisions) to NRRP Chapter 3 (Air Quality)

REGISTRATION
EL 22744
DOCUMENT No. ~~8008~~
26 FEB 2010
353
V6 L

A

Full Name: John Leonard Heare Phone: (03) 332-6207
 Organisation: DIP Inc. Phone: -
 Postal Address: 476B Fax: -
Hacketts Lane Rd, Date: 26/2/2010
Christchurch 8022.

* the organisation that this submission is made on behalf of:
 email _____
 Postal address for service of person making submission (if different from above):

 Signature: J. L. Heare
 (Signature of person making submission or person authorised to sign on behalf of person making the submission)
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Environment Canterbury
Your regional council

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

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Submission on Proposed Plan Change 1 and Proposed Variation 16 to the Canterbury Natural Resources Regional Plan: Chapter 3 [Air Quality] - Proposed Plan Change 1 [Christchurch, Kaiapoi and Ashburton: Emergency Provisions]; Proposed Variation 16 [Rangiora: Emergency Provisions]

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Dated: /2/2010

Submission on Proposed Variation 15 and Proposed Plan Change 1/Variation 16, Proposed Natural Resources Regional Plan

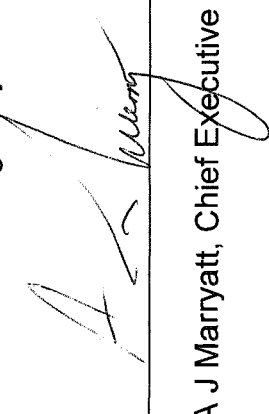
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Submission of: Christchurch City Council

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Attention: Peter Kingsbury

Telephone: 03 941 8487 or 027 599 4615
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Signature:



A J Marrayatt, Chief Executive Officer, Christchurch City Council

Date: 25 February 2010

B:

Christchurch City Council **does** wish to be heard in support of this submission

RECEPTION	
EC - CHCH	INFO
FILE REF: NRRP-2002-V15	ACTION
DOCUMENT No: 01682	
25 FEB 2010	
John Glennie	

VI5 - NOT - SUB-1

Christchurch City Council Submission on Proposed Plan Change 1, Proposed Variation 15 and 16, Proposed Natural Resources Regional Plan

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Proposed Plan Change 1 (Christchurch, Kaiapoi, Ashburton: Emergency provisions)/Proposed Variation 16 (Rangiora: Emergency Provisions)

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