

Plan Change 13: Air Quality to the Bay of Plenty Regional Natural Resources Plan (RNRP) – Tauranga City Council Submission				
Page	Provision	Support/ Oppose	Suggested Changes	Reason
2	<p>AQ P4 Matters to consider</p> <p>When considering the acceptability of any discharge of contaminants to air, regional plan users must have particular regard to the following matters:</p> <ul style="list-style-type: none"> (a) The proximity of sensitive activities to the discharge. (b) The location of any Gazetted airsheds, or areas where the discharge may cause an exceedance or breach of the ambient air quality standards of the NESAQ or exceed the health-based values of the AAQGs. (c) Adverse effects on air quality values identified in the relevant iwi and hapū resource management plans. (d) The effect of the prevailing weather conditions, including rainfall, wind speed and wind direction. (e) The effect of the discharge on human health, cultural values, amenity values, the environment, and regionally significant infrastructure. (f) Cumulative effects. (g) The effect of new activities discharging contaminants into air near established sensitive activities. 	Support in Part	<p>AQ P4 Matters to consider – Nga take hei whiriwhiri</p> <p>When considering the appropriateness of any discharge of contaminants to air, regional plan users must have particular regard to the following matters:</p> <ul style="list-style-type: none"> (a) The proximity of sensitive activities to the discharge, <u>or in situations where the purpose of the discharge relates to the management of a site comprising a sensitive activity then particular regard must be had to (b) to (f) below.</u> (b) The location of any Gazetted airsheds, or areas where the discharge may cause an exceedance or breach of the ambient air quality standards of the NESAQ or exceed the health-based values of the AAQGs. (c) Adverse effects on air quality values identified in the relevant iwi and hapū resource management plans. (d) The effect of the prevailing weather conditions, including rainfall, wind speed and wind direction. (e) The effect of the discharge on human health, cultural values, amenity values, the environment, and regionally significant infrastructure. (f) Cumulative effects. (g) The effect of new activities discharging contaminants into air near established sensitive activities. (h) Whether the activity is associated with infrastructure and other municipal activities necessary to minimise or manage adverse effects generated by people and communities such as waste water treatment plants or crematoria. 	<p>It is important that the maintenance of public assets are not unduly restricted through AQ P4. The majority of Parks and Recreation assets constitute a 'sensitive activity'. However, these assets require ongoing maintenance in order to enable fit for purpose infrastructure. Provisions that are overly restrict the activities in public places will only increase the costs associated with maintenance.</p> <p>Policy AQ P4 rightly focuses on the adverse effects potentially generated by discharges to air. However, it is also appropriate to have regard to the role of infrastructure and other territorial authority assets which may represent beneficial environmental outcomes. Given the expanded role of discretionary activity status, policy support for such activities is appropriate.</p>
3	<p>AQ P8 Agrichemical Spraying</p> <p>Agrichemical sprayers will manage adverse effects on human health and the environment by:</p> <ul style="list-style-type: none"> (a) avoiding spray drift beyond the boundary of the subject property and into water bodies where possible (b) mitigating effects particularly on sensitive activities where avoidance of spray drift is not possible (c) using a risk management approach for agrchemical spraying activities with a higher risk of becoming noxious or dangerous, offensive or objectionable. 	Support in Part	<p>AQ P8 Agrichemical Spraying</p> <p>Agrichemical sprayers will manage adverse effects on human health and the environment by:</p> <ul style="list-style-type: none"> (a) avoiding spray drift beyond the boundary of the subject property and into water bodies where possible (b) mitigating effects particularly on sensitive activities where avoidance of spray drift is not possible, <u>or where the spray application of agrichemical relates to a site comprising a sensitive activity.</u> (c) using a risk management approach for agrchemical spraying activities with a higher risk of becoming noxious or dangerous, offensive or objectionable. <p>Risk Management means</p>	<p>The suggested changes recognise that the range of sensitive activities include sites that require agrichemical spray for maintenance purposes.</p> <p>Plan Change 13 does not include definitions of 'Risk management'. Council suggest that the Plan be amended to include a definition of this term.</p>
5	<p>AQ R3 – Miscellaneous discharges – Permitted</p> <p>The discharge of contaminants to air from:</p> <ul style="list-style-type: none"> (1) spray irrigation, soil injection, or land soakage of liquid waste (2) the ventilation and displacement of liquids in storage tanks and tankers (3) the use and application of fertiliser (4) the disturbance of land and soil carried out according to rules LM R1, LM R2, and LM R3 of this regional plan (5) contaminated land remediation permitted by DW R24 of this regional plan are permitted activities provided the discharge is not noxious or dangerous, offensive or objectionable beyond the boundary of the subject property or into any water body. 	Support in Part	<p>AQ R3 – Miscellaneous discharges – Permitted</p> <p>The discharge of contaminants to air from:</p> <ul style="list-style-type: none"> (1) spray irrigation, soil injection, or land soakage of liquid waste (2) the ventilation and displacement of liquids in storage tanks and tankers (3) the use and application of fertiliser (4) the disturbance of land and soil carried out according to rules LM R1, LM R2, and LM R3 of this regional plan (5) contaminated land remediation permitted by DW R24 of this regional plan are permitted activities provided the discharge is not noxious or dangerous, offensive or objectionable beyond the boundary of the subject property or into any water body. (6) <u>Existing crematoria established in accordance with the permitted rules of the Regional Air Plan or where an existing resource consent has been granted under the Regional</u> 	<p>Rule AQ R21 makes new crematoria installed after 27 February 2018 a discretionary activity. As noted in the s 32 report, it is only existing crematoria that are to be provided for as a permitted activity. TCC supports recognition of existing crematoria as a permitted activity.</p> <p>Crematoria are a vital function for society and it is appropriate that existing facilities are provided for under the</p>

	<p>Advice Note - Discharge of liquid waste, and the use and application of fertiliser must also meet all other requirements of this regional plan (see DW Discharges to Water and Land and OSET On-site Effluent Treatment).</p>		<p><u>Air Plan prior to [insert date of operative plan change]</u> (7) <u>Replacement of existing crematoria.</u></p> <p>Advice Note - Discharge of liquid waste, and the use and application of fertiliser must also meet all other requirements of this regional plan (see DW Discharges to Water and Land and OSET On-site Effluent Treatment).</p>	<p>Plan. Furthermore, it is also appropriate to allow for replacement and maintenance (proposed paragraph 7) to incentivise upgrades that may include improvements and efficiencies that are beneficial to air quality outcomes.</p> <p>This submission point should be read alongside the submission points relating to AQ P4 and AQ R21 which also relate to crematoria.</p>
<p>6</p>	<p>AQ R6 Open Burning – Permitted Except where AQ R7 and AQ R8 apply, the discharge of contaminants to air from open burning is a permitted activity provided the fire is not located on an urban property and the following conditions are complied with:</p> <ul style="list-style-type: none"> (a) No materials either listed in AQ R10 or prohibited by the regulations of the NESAQ are burned. (b) The discharge of smoke must not adversely affect the safety of any vehicle, aircraft, or ship. (c) The discharge must not be noxious or dangerous, offensive, or objectionable beyond the boundary of the subject property. <p>Advice Note: This rule manages open burning according to the potential for adverse effects on air quality. Open burning must also be carried out according to local bylaws and the Forest and Rural Fires Act 1977.</p>	<p>Support</p>		<p>Support the open burning permitted provisions with further consideration of the definition of ‘urban property’. TCC’s concerns with this definition are set out later in this submission.</p>
<p>9</p>	<p>AQ R15 Agrichemical spraying – Permitted All discharges of contaminants to air from the use of agrchemicals under any part of this rule must comply with the following conditions:</p> <p>(1) General use of agrichemicals</p> <ul style="list-style-type: none"> (a) The discharge must not be noxious or dangerous, offensive or objectionable beyond the boundary of the subject property, in any non-target water body, or in any non-target watercourse listed in Schedule 3 of this regional plan. (b) Where the use of the agrchemical is for the prevention, eradication or management of unwanted organisms in a declared biosecurity emergency under the Biosecurity Act 1993, the agrchemical must be used under the direction of the responsible authority under the Biosecurity Act 1993. (c) Where the agrchemical is sprayed using drone application, the drone must not operate more than 5 metres above the target while agrchemicals are being distributed from the drone. If this condition cannot be complied with, the spray method is aerial application, and conditions relevant to aerial application must be complied with. <p>(2) Method of application of agrichemicals</p> <ul style="list-style-type: none"> (a) The discharge of contaminants into air from agrchemical spraying using: hand-held, non-motorised application methods is a permitted activity provided conditions 3(a), 3(c), 3(d) and 	<p>Support in Part</p>	<p>AQ R15 Agrichemical spraying – Permitted All discharges of contaminants to air from the use of agrchemicals under any part of this rule must comply with the following conditions:</p> <p>(1) General use of agrichemicals</p> <ul style="list-style-type: none"> (a) The discharge must not be noxious or dangerous, offensive or objectionable beyond the boundary of the subject property, in any non-target water body, or in any non-target watercourse listed in Schedule 3 of this regional plan. (b) Where the use of the agrchemical is for the prevention, eradication or management of unwanted organisms in a declared biosecurity emergency under the Biosecurity Act 1993, the agrchemical must be used under the direction of the responsible authority under the Biosecurity Act 1993. (c) Where the agrchemical is sprayed using drone application, the drone must not operate more than 5 metres above the target while agrchemicals are being distributed from the drone. If this condition cannot be complied with, the spray method is aerial application, and conditions relevant to aerial application must be complied with. <p>(2) Method of application Hand-held, non motorised application of agrichemicals</p> <ul style="list-style-type: none"> (a) The discharge of contaminants into air from agrchemical spraying using: hand-held, non-motorised application methods is a permitted activity provided <u>the following conditions 3(a), 3(c), 3(d) and 4(e)</u> are complied with. (b) Where agrchemicals are sprayed on public amenity areas signs must be displayed <u>where practicable</u> at every entrance where the public usually have entry to the area where the agrchemical is being sprayed, and must clearly 	<p>Support AQR15 Rule 1 on the basis of further consideration to the definition of ‘noxious and dangerous’ as set out later in this submission.</p> <p>Support the intent of AQR15 Rule 2 – 5. However, TCC suggest restructuring these Rules to reduce cross references to signage, notification and spray risk management plan requirements. These suggested changes intend to increase the usability of the Plan, and in turn, increasing environmental compliance. It is recognised that the suggested changes lead to repetition. Ease of plan use is considered a better outcome than avoiding repetition.</p> <p>It is noted that it is not always practicable to place signage at all entrances to a public amenity area. Places such as cycleways and road berms do not have specified entrance points. Consideration needs to be had to</p>

<p>4(e) are complied with.</p> <p>(b) Hand-held, motorised application methods or application methods using a low pressure boom is a permitted activity provided conditions 3(a), 3(c), 3(d), 3(e), 4(c), 4(d), 4(e) are complied with.</p> <p>(c) Any other application method (including drone application complying with condition 1(c)) is a permitted activity provided conditions 3(a), 3(b), 4(a), 4(b), 4(c), 5(a), 5(b), 5(c) and 5(e) are complied with.</p> <p>(3) Signage Where specified by condition (2), the following conditions apply:</p> <p>(a) Where agrichemicals are sprayed on public amenity areas signs must be displayed at every entrance where the public usually have entry to the area where the agrichemical is being sprayed, and must clearly state:</p> <p>(i) "CAUTION – SPRAYING IN PROGRESS" or similar wording (ii) the name and type of agrichemical used (iii) a start and end date for spray operations (iv) the name and phone number of the applicator (v) that while signs are in place, it is not safe to enter.</p> <p>(b) Where agrichemicals are sprayed within 50 metres of any public amenity area (ground-based application or drone application) complying with condition 1(c) or 200 metres (aerial application), signs must be prominently displayed on the boundary of the public amenity area and must clearly state "caution – spraying in progress" or similar wording.</p> <p>(c) Where agrichemicals are sprayed within 10 metres of any public amenity area, signs must be prominently displayed on the boundary of the public amenity area and must clearly state "caution – spraying in progress" or similar wording.</p> <p>(d) Signs required by 3(a), 3(b) or 3(c) should remain in place until all airborne spray has settled and the agrichemical has dried on its target surface.</p> <p>(e) Any vehicles associated with agrichemical spraying must display prominent signs front and back that clearly state "CAUTION – SPRAYING IN PROGRESS" or similar wording.</p> <p>(4) Notification Where specified by condition (2), the following conditions apply:</p> <p>(a) The owner/occupier or agent must notify the occupier of any properties within 50 metres (ground-based application or drone application complying with condition 1(c)) and 200 metres (aerial application) of where the agrichemical is being sprayed:</p> <p>EITHER</p> <p>(i) by notification, required no earlier than 72 hours and no later than 24 hours before the agrichemical spraying. Notification must include the following:</p> <ul style="list-style-type: none"> • the address and location of proposed application • the date/s of proposed application 	<p>state:</p> <p>(i) "CAUTION – SPRAYING IN PROGRESS" or similar wording (ii) the name and type of agrichemical used (iii) <u>a description of the location of the spray applied</u> (iv) a start and end date for spray operations (v) the name and phone number of the applicator (vi) that while signs are in place, it is not safe to enter <u>the sprayed area</u>.</p> <p>(c) Where agrichemicals are sprayed within 10 metres of any public amenity area, signs must be prominently displayed on the boundary of the public amenity area and must clearly state "caution – spraying in progress" or similar wording.</p> <p>(d) Signs required by 3(a), 2(b) or 3(e) should remain in place until all airborne spray has settled and the agrichemical has dried on its target surface.</p> <p>(e) Where agrichemicals are sprayed on public amenity areas, the owner/occupier or agent must publicly notify the agrichemical spraying using an appropriate method, <u>required no earlier than one week and no later than from at least 24 hours prior, up to one week prior</u> to the agrichemical use. Notification must include the following information:</p> <p>(i) <u>The address and location of proposed application;</u> (ii) <u>The date/s of proposed application;</u> (iii) Name and type of agrichemical used to be applied; and (iv) A start and end date for spray operations. (v) <u>Name and phone number of the applicator.</u></p> <p>(3) Hand-held, motorised application, or low pressure boom application of agrichemicals</p> <p>(a) The discharge of contaminants into air from agrichemical spraying using: hand-held, motorised application or a low pressure boom is a permitted activity provided the following conditions are complied with.</p> <p>(b) Where agrichemicals are sprayed on public amenity areas signs must be displayed <u>where practicable</u> at every entrance where the public usually have entry to the area where the agrichemical is being sprayed, and must clearly state:</p> <p>(i) "CAUTION – SPRAYING IN PROGRESS" or similar wording (ii) the name and type of agrichemical used (iii) <u>a description of the location of the spray applied</u> (iv) a start and end date for spray operations (v) the name and phone number of the applicator (vi) that while signs are in place, it is not safe to enter <u>the sprayed area</u>.</p> <p>(c) Where agrichemicals are sprayed within 10 metres of any public amenity area, signs must be prominently displayed on the boundary of the public amenity area and must clearly state "caution – spraying in progress" or similar wording.</p> <p>(d) Signs required by 3(a), 3(b) or 3(e) should remain in place until all airborne spray has settled and the agrichemical has dried on its target surface.</p> <p>(e) Any vehicles associated with agrichemical spraying must display prominent signs front and back that clearly state "CAUTION – SPRAYING IN PROGRESS" or similar wording.</p> <p>(4) Application of agrichemicals by other method</p>	<p>the range of public amenity areas that exist and their differences in form. Amending the rule to include 'where practicable' recognises that in some cases it will not be possible to place signage at all entrance points to a public amenity area.</p> <p>Further, TCC suggest amending the signage information requirements to include a description of the location of the spray applied. This will help users identify the locations within a public amenity area they should avoid. It is also suggested that the signage state that it is not safe to enter the 'sprayed area' rather than the whole public amenity area. It is noted that the wording 'not safe' could be viewed as excessive when considering the agrichemicals used by TCC in public amenity areas.</p> <p>TCC question is whether it is appropriate to require agrichemical users (other than TCC staff or its contractors) to display signage on public amenity areas stating that spraying is in progress. Council is concerned that requiring signage to be displayed on public amenity areas when the spray activity is being undertaken some distance from the site will result in a proliferation of spray signage on public amenity areas and, in turn, create a perception that public amenity areas are frequently sprayed with agrichemicals when that is not the case. As an example, Council have spray free reserves. If an independent person were to be required to place a sign on the reserve stating that spray was in progress, this would likely cause contention and confusion amongst the public. It is noted that Rule 4 requires notification of spray activities within a certain distance of a spray location. Awareness can be raised this way, rather than through locating signage on public amenity areas that have not been sprayed.</p> <p>It is also noted that when referring to</p>
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<p>OR</p> <ul style="list-style-type: none"> • name and type of agrchemical to be applied • name and phone number of applicator. <p>(ii) according to a notification agreement with the occupier. The notification agreement must:</p> <ul style="list-style-type: none"> • contain (as a minimum) method of notification and minimum time for notification prior to spraying • be recorded in writing and signed by all parties be reviewed and re-signed annually. <p>(b) Details of notification (including but not limited to date and time of notification, parties notified, method of notification) must be recorded.</p> <p>(c) Where agrchemical spraying is being carried out by any person other than the owner/occupier or agent responsible for notification, the person carrying out the spraying must confirm that notification requirements have been met before spraying takes place.</p> <p>(d) The owner/occupier or agent must notify the occupier of any properties within 10 metres of agrchemical spraying according to 4(a)(i) or 4(a)(ii), 4(b) and 4(c), except where agrchemicals are sprayed on land under management by the Regional Council for maintenance of rivers and drainage schemes, land used for road or rail purposes, or land designated as an esplanade strip or esplanade reserve.</p> <p>(e) Where agrchemicals are sprayed on public amenity areas, the owner/occupier or agent must publicly notify the agrchemical spraying using an appropriate method from at least 24 hours prior, up to one week prior to the agrichemical use. Notification must include the following information:</p> <ol style="list-style-type: none"> (i) The name and type of agrchemical used. (ii) A start and end date for spray operations. (iii) Contact details of the authority responsible for the spraying. <p>(5) Spray Risk Management Plan Where specified by condition (2), the following conditions apply:</p> <p>(a) Prior to the agrchemical spraying, a spray risk management plan must be prepared and implemented by the owner/occupier or agent.</p> <p>(b) The spray risk management plan must contain the following information:</p> <ol style="list-style-type: none"> (i) A plan or map identifying the location of any sensitive activities within 50 metres of the land being sprayed by ground based application or drone application (complying with condition 1(c)), or within 200 metres of the land being sprayed by aerial application. (ii) Areas to be sprayed, type of agrchemical likely to be used during the year and the times of year that spraying is likely to occur. (iii) Strategies used to avoid contamination of sensitive activities. 	<p>(a) Any method of agrichemical application other than those methods in (2) and (3) are a permitted activity provided the following conditions are complied with.</p> <p>(b) Where agrchemicals are sprayed on public amenity areas signs must be displayed <u>where practicable</u> at every entrance where the public usually have entry to the area where the agrchemical is being sprayed, and must clearly state:</p> <ol style="list-style-type: none"> (i) "CAUTION – SPRAYING IN PROGRESS" or similar wording (ii) the name and type of agrchemical used (iii) a description of the location of the spray applied (iv) a start and end date for spray operations (v) the name and phone number of the applicator (vi) that while signs are in place, it is not safe to enter <u>the sprayed area</u>. <p>(c) Where agrchemicals are sprayed within 50 metres of any public amenity area (ground based application or drone application complying with condition 1(c)) or 200 metres (aerial application), signs must be prominently displayed on the boundary of the public amenity area and must clearly state "caution – spraying in progress" or similar wording.</p> <p>(d) Signs required by 4(b) should remain in place until all airborne spray has settled and the agrichemical has dried on its target surface.</p> <p>(e) Any vehicles associated with agrchemical spraying must display prominent signs front and back that clearly state "CAUTION – SPRAYING IN PROGRESS" or similar wording.</p> <p>(f) For ground based applications or drone applications that comply with Rule AQ R15(1)(c), the owner/occupier or agent must notify the occupier of any property within 50 metres (ground based application or drone application complying with condition 1(c)) and 200 metres (aerial application) of where the agrchemical is being sprayed.</p> <p>(g) For aerial applications, excluding drone applications that comply with Rule AQ R15(1)(c), the owner/occupier or agent must notify the occupier of any property within 200 metres of where the agrichemical is being sprayed.</p> <p>(h) <u>Notification required under (d) or (e) must be made in accordance with either of the following:</u></p> <ol style="list-style-type: none"> (i) no earlier than 72 hours and no later than 24 hours before the agrchemical spraying and include the following: <ul style="list-style-type: none"> • the address and location of proposed application • the date/s of proposed application • name and type of agrchemical to be applied • name and phone number of applicator. <p>OR</p> <ol style="list-style-type: none"> (ii) according to a notification agreement with the occupier. The notification agreement must: <ul style="list-style-type: none"> • contain (as a minimum) method of notification and minimum time for notification prior to spraying • be recorded in writing and signed by all parties be reviewed and re-signed annually. <p>(i) Details of notification required under (f) (including but not limited to date and time of notification, parties notified, method of notification) must be recorded.</p> <p>(j) Where agrichemical spraying is being carried out by any person other than the</p>	<p>aerial applications, it will be important to consider whether the rule is intended to capture drone applications that comply with Rule 1(c). If not, then this will need to be specifically excluded.</p> <p>In regard to spray risk management plans, TCC suggest removing the requirement to provide this to any 'potentially affected parties' upon request. An affected person is a term under the RMA that may easily be confused with 'affected parties'. It is assumed that this rule aims to require an applicator to make s spray risk management plan available when requested. To whom is not relevant. Deleting the words 'potentially affected parties' will help reduce any such confusion.</p> <p>Further, the notification requirements refer to an 'applicator'. A definition of whom an 'applicator' is, would provide additional clarity as to the roles and responsibility under this rule.</p>
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<p>11</p>	<p>AQ R16 Spraypainting – Permitted</p> <p>The discharge of contaminants to air from the spray application of surface coatings containing di-isocyanates, organic plasticisers, or spray on anti-fouling paint (excluding the application of protective coatings to transmission line support structures) is a permitted activity provided the following conditions are complied with:</p> <ul style="list-style-type: none"> a. The spraying is carried out in a spray booth, room, or enclosure fitted with an air extraction system that discharges all contaminants and exhaust air to an emission stack. b. The discharge must be an unimpeded vertical discharge from the emission stack at least 3 metres above the ridge height of the building and 3 metres above the highest ridgeline of any roof within 30 metres. 	<p>Support in Part</p>	<p>AQ R16 Spraypainting – Permitted</p> <p>The discharge of contaminants to air from the spray application of surface coatings containing di-isocyanates, organic plasticisers, or spray on anti-fouling paint (excluding the application of protective coatings to transmission line support structures, public art, road markings, and sports field markings) is a permitted activity provided the following conditions are complied with:</p> <ul style="list-style-type: none"> a. The spraying is carried out in a spray booth, room, or enclosure fitted with an air extraction system that discharges all contaminants and exhaust air to an emission stack. b. The discharge must be an unimpeded vertical discharge from the emission stack at least 3 metres above the ridge height of the building and 3 metres above the highest ridgeline of any roof within 30 metres. c. The discharge must not be noxious or dangerous, offensive or objectionable 	<p>It is noted that almost all paints contain an organic plasticiser (as advised from Dulux pain specialist). TCC applies surface coatings by way of spray application for public art, road marking and sports field marking. It would be impracticable and would impose significant cost for these activities to comply with the proposed conditions. The suggested amendments aim to exclude these activities from this Rule.</p>

	<p>c. The discharge must not be noxious or dangerous, offensive or objectionable beyond the boundary of the subject property.</p> <p>Advice Note: The discharge of contaminants to air from blasting and applying protective coatings to a transmission line support structure is managed by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</p>		<p>beyond the boundary of the subject property.</p> <p>Advice Note: The discharge of contaminants to air from blasting and applying protective coatings to a transmission line support structure is managed by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</p>	
14	<p>AQ R20 Fumigation for quarantine application or pre-shipment application – non Discretionary or Non-complying.</p>	Support		Support for AQ R20 as it intends to protect human health and the environment from adverse effects from the use of fumigants for quarantine application or pre-shipment application.
15	<p>AQ R21 Specific Activities – Discretionary</p> <p>The discharge of contaminants into air from any of the following activities is a discretionary activity:</p> <ul style="list-style-type: none"> a. Agrichemical manufacture. b. Asphalt or bitumen manufacture or processing. c. Breweries. d. Cement manufacture. e. Chemical manufacture or mixing. f. Composting (including mushroom based processes). g. Crematoria installed after 27 February 2018. h. Distilling operations including but not limited to petroleum refining. i. Enclosed incinerators where any of the materials listed in AQ R10 are burned. j. Free-range farming and intensive farming not controlled by AQ R19. k. Glass making. l. Industrial resin or glue manufacture. m. Kraft and chemical pulping or reconstituted wood panel manufacture. n. Metal processing including (but not limited to) aluminium smelters, commercial foundries and metallurgical processing, steel galvanising and steel mills. o. Milk powder or milk based powder manufacture. p. Paint manufacture. q. Pesticide manufacture. r. Pet food manufacture by the application of heat. s. Processing of animal products including (but not limited to) animal rendering and by-product processing plants, commercial fellmongering, woolscourers, and dag crushing plants. t. Processing of radioactive substances. u. Pulp, paper, or paper board manufacturing v. Pyrolysis or gasification of carbonaceous material. w. Synthetic fertiliser manufacture x. Waste processing activities as follows: <ul style="list-style-type: none"> (i) municipal sewage treatment plants (excluding pump stations) i. waste facilities including refuse transfer stations, resource recovery, recycling centres, baling stations landfills 	Support in Part	<p>AQ R21 Specific Activities – Discretionary</p> <p>The discharge of contaminants into air from any of the following activities is a discretionary activity:</p> <ul style="list-style-type: none"> a. Agrichemical manufacture. b. Asphalt or bitumen manufacture or processing. c. Breweries. d. Cement manufacture. e. Chemical manufacture or mixing. f. Composting (including mushroom based processes). g. New crematoria facilities built after 27 February 2018 <u>[insert date when Plan Change made operative]</u> (excluding replacement crematoria that complies with Rule AQ R1). h. Distilling operations including but not limited to petroleum refining. i. Enclosed incinerators where any of the materials listed in AQ R10 are burned. j. Free-range farming and intensive farming not controlled by AQ R19. k. Glass making. l. Industrial resin or glue manufacture. m. Kraft and chemical pulping or reconstituted wood panel manufacture. n. Metal processing including (but not limited to) aluminium smelters, commercial foundries and metallurgical processing, steel galvanising and steel mills. o. Milk powder or milk based powder manufacture. p. Paint manufacture. q. Pesticide manufacture. r. Pet food manufacture by the application of heat. s. Processing of animal products including (but not limited to) animal rendering and by-product processing plants, commercial fellmongering, woolscourers, and dag crushing plants. t. Processing of radioactive substances. u. Pulp, paper, or paper board manufacturing v. Pyrolysis or gasification of carbonaceous material. w. Synthetic fertiliser manufacture x. Waste processing activities as follows: <ul style="list-style-type: none"> (j) municipal sewage treatment plants (excluding pump stations and odour beds) ii. waste facilities including refuse transfer stations, resource recovery, recycling centres, baling stations landfills (excluding untreated wood waste and cleanfill). <p>Advice Note: The operation of an incinerator at a school or healthcare institution is prohibited under the NESAQ, unless a resource consent was granted before 30 October 2006.</p>	<p>See the submission points and reasons above on Policy AQ P4 and Rule AQ R3. While TCC’s preference would be to retain the status quo (permitted activity status), it recognises that this issue is of significance to tangata whenua. The limitation of this rule to new crematoria is therefore an appropriate response. The changes are to clarify that the rule applies to new crematoria facilities, as opposed to replacement of the actual cremator plant within an existing crematorium.</p> <p>TCC maintains and operates several odour beds above pipe infrastructure, which are not all located within municipal sewage treatment plant sites. TCC would like certainty that they are not to be covered by (i). e.g. rewritten as suggested, or certainty that they would be a permitted activity under rule AQ R3.</p> <p>Definitions for “Resource recovery”, “baling stations” and landfills should be defined, as different activities could be argued to be included.</p>

	(excluding untreated wood waste and cleanfill). Advice Note: The operation of an incinerator at a school or healthcare institution is prohibited under the NESAQ, unless a resource consent was granted before 30 October 2006.			
17	Aerial application means any application of agrichemicals where the product is applied from an aircraft including but not limited to planes, helicopters and drones .	Support	NA	
17	Agrichemical any substance, whether organic or inorganic, manufactured or naturally occurring, modified or in its original state, that is used in any agricultural, pastoral, horticultural or related activity, to eradicate, modify or control undesirable flora and fauna. For the purposes of this regional plan, it <u>this definition</u> includes agricultural compounds, and <u>but</u> excludes fertiliser, <u>vertebrate pest control products and oral nutrition compounds</u> .	Support	NA	
17	Ambient air means the air outside buildings and structures. This does not include indoor air, air in the workplace, or contaminated air discharged from a source.	Support in Part	Ambient air means the air outside buildings and structures. This does not include indoor air, air in the workplace , or contaminated air discharged from a source.	TCC is aware that this definition is consistent with the definition provided by the Ministry for the Environment in the 'User Guide to the Revised national Environmental Standards for Air Quality Updated 2014'. However, the inclusion of 'air in the workplace' creates confusion as to whether this includes air in the workplace that is outside buildings and structures. Clarity is required.
17	Contaminant <i>includes any substance (including gases, <u>odorous compounds</u>, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that by itself or in combination with the same, similar, or other substances, energy, or heat:</i> (a) <i>when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</i> (b) <i>when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.</i>	Support	NA	
17	Drone application means aerial application of agrichemicals using a drone .	Support	NA	
18	Ground-based application means any application of agrichemicals from a source located on the ground.	Support	NA	
18	Hand-held non-motorised application means an application method of agrichemicals where the applicator is held, and the agrichemicals applied, by hand, and where no part of the application method involves motorised pumping.	Support	NA	
18	Hand-held motorised application means an application method of agrichemicals where the applicator is held, and the agrichemicals applied, by hand, and where some part of the application method involves motorised pumping.	Support	NA	
18	Low pressure boom means any boom with the following design conditions: (a) the liquid pressure through the boom is less than 3 bar (b) the height of the discharge point on the boom is less than 1 metre from the ground	Support	NA	

	(c) the nozzles point down (d) the nozzles are designed to create coarse droplets of greater than 250 microns in diameter.			
19	Noxious or dangerous means an activity or discharge of contaminants to air that causes, or is likely to cause, an adverse effect on property and/or the environment. This may include, but is not limited to, the following: (a) Human health effects from acute exposure or chronic exposure. These include allergic reactions, toxic poisoning or exposure to carcinogens. (b) Contamination of potable water supplies where the concentration of contaminant in the water supply is at a level that exceeds the safe level for human consumption. (c) Exceedance of a maximum residue limit for an agricultural on, or in, food or stock feed at harvest or slaughter. (d) Adverse effects on ecosystems including water bodies. This includes exotic and indigenous flora and fauna. (e) Damage to crops or plants where contaminants have affected the growth or quality of the crop such that levels exceed safe levels for human consumption and/or the market value of the crop is reduced. (f) A discharge of fertiliser or agricultural spray that compromises the organic status of another property. (g) Damage to paintwork, windows or surfaces from deposition of airborne contaminants . (h) Reduced visibility that endangers the passage of any vehicle, aircraft, or ship.	Support in Part	Noxious or dangerous means an activity or discharge of contaminants , to air that causes, or is likely to cause, an adverse effect on property and/or the environment. This may include, but is not limited to, the following: (a) Human health effects from acute exposure or chronic exposure. These include allergic reactions, toxic poisoning or exposure to carcinogens. (b) Contamination of potable water supplies where the concentration of contaminant in the water supply is at a level that exceeds the safe level for human consumption. (c) Exceedance of a maximum residue limit for an agricultural on, or in, food or stock feed at harvest or slaughter. (d) Adverse effects on ecosystems including water bodies. This includes exotic and indigenous flora and fauna. (e) Damage to crops or plants where contaminants have affected the growth or quality of the crop such that levels exceed safe levels for human consumption and/or the market value of the crop is reduced. (f) A discharge of fertiliser or agricultural spray that compromises the organic status of another property. (g) Damage to paintwork, windows or surfaces from deposition of airborne contaminants . (h) Reduced visibility that endangers the passage of any vehicle, aircraft, or ship.	TCC is concerned with the measure of human health effects. It is often difficult to ascertain the cause of a human health effect. It is noted that most substances will cause an allergic reaction in at least one individual, and that different health organisations define substances as carcinogens in different ways. Further, there are some substances that are carcinogenic where exposure is common but not necessarily noxious or dangerous. Cigarette smoke, for example, is a carcinogen, making exposure to this noxious or dangerous. Further consideration is required to the way human health effects are measured as a determination as noxious or dangerous as its current form in this definition is all encompassing.
19	Open burning means the combustion of any material in the open air, other than in purpose built equipment designed to control the combustion process. Includes bonfires, incinerators and recreational/cultural outdoor burning but excludes, enclosed incinerators, solid fuel burners, and fuel burning equipment , smokers, fireworks, candles, lamps, and outdoor patio gas heaters.	Support in Part	NA	Fireworks appear to be a permitted activity as the definition of open burning excludes fireworks. However, AW R1 (which makes activities not covered elsewhere permitted) has strict limits including not being offensive beyond property boundaries. This is subjective and uncertain and in all likelihood would mean a discretionary consent is needed for fireworks. TCC suggest further clarification is provided.
19	Public amenity area means a public area where members of the public are likely to congregate for extended periods of time, including (but not limited to): backcountry huts, barbeques, changing facilities, cycleways, outdoor sports facilities, parks and reserves, playgrounds and playground equipment, public toilets, seating and picnic tables, shelters, squares, and walkways.	Support in Part	Council suggest further consideration of this definition as to the inclusion or exclusion of road berms.	TCC suggest further consideration of this definition as to include or exclude road berms. This relates to our submission point above relating to Page 9 -AQR15 Rule 2 – 5.
20	Recreational/cultural in relation to open burning means any open burning for the purposes of cooking or amenity (eg. hangi, umu, barbeque, braziers, pizza ovens), or recognised cultural practices, but excluding incinerators .	Support in Part	NA	Refer to our Submission Point on Open Burning definition above. We interpret 'recognised cultural practices' to include bonfires and fireworks displays on or around 5 th November (Guy Fawkes) celebrations.

				<p>There is also a suggestion at p62 of the s 32 report that this could be a recognized cultural practice.</p> <p>TCC suggest further clarification is provided</p>
20	<p>Sensitive activity means an activity that may be adversely affected by contaminants and includes:</p> <ul style="list-style-type: none"> (i) residential buildings and areas (including marae) (j) childcare centres, schools, educational facilities (k) hospitals, nursing homes, aged care facilities (l) offices, consulting rooms, gymnasiums, community centres (m) hotels, motels, caravan parks, camping areas, tourist accommodation (n) correctional facilities (o) public amenity areas (p) manufacturing or storage of food or beverages (q) manufacturing or storage of electronics (r) public water supply catchments and intakes. (s) water bodies, watercourses (as listed in Schedule 3) and associated riparian vegetation (t) incompatible crops or farming systems (e.g. organic farms, greenhouses) (u) wetlands, indigenous vegetation habitat areas and reserves (v) household water supplies (including roofs from which a water supply is obtained). 	Support	NA	
21	<p>Urban property in relation to open burning means any property that is less than 2 hectares and is connected to a municipal wastewater system.</p>	Support in Part	<p>Urban property in relation to open burning means any property that is less than 2 hectares and is connected to a municipal wastewater system.</p>	<p>TCC consider that any property over 2 hectares is of sufficient size to accommodate open burning. The reference to a wastewater system and trigger of an urban property requiring such a connection, means that properties less than 2 hectares in size that are not connected to the wastewater system will not be captured under this definition.</p> <p>TCC have approximately 1,800 properties within its jurisdiction which are not connected to the municipal wastewater system.</p> <p>It is suggested that the definition be amended to include reference only to the size of the property for the purposes of consistency and clarity.</p>
	S32 Report	Support		TCC support the approach to investigating air quality and emissions

				sources in the Mount Industrial Area.
	General Submission Point			In addition to the relief set out in the submission points above, TCC seeks: any similar relief with like effect; any consequential amendments to the plan change which arise from the reasons for the submission or the relief sought; and such other relief as is appropriate.