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Submission – Proposed Plan Change 13 Air Quality

To: Bay of Plenty Regional Council

Name of submitter: Hancock Forest Management (NZ) limited (“HFM”)

1. This is a submission on Proposed Plan Change 13 Air Quality
2. The submitter could not gain an advantage in trade competition through this submission pursuant to s308C of the Act.
3. Introduction and Background
HFM manages just over 37,800 ha of plantation forests in the Bay of Plenty Region, on behalf of two investor clients – Taumata Plantations Ltd and Tiaki Plantations company. HFM manages harvesting, engineering and forestry operations including the distribution and export of logs, on behalf of our clients. A number of the rules in the proposed plan will affect the management of our operations.
4. Submissions and relief sought:
HFM’s submissions and relief sought are detailed in the attached table.
5. The submitter wishes to be heard in support of its submission.
6. If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.



Sally Strang
Hancock Forest Management (NZ) Ltd

Dated this the 18th day of April 2018

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Section	Provision	Support or Oppose	Submission	Relief Sought
Policies	Policy AQ P1	Support	The proposed policy supports an effects based and balanced approach to managing discharges of contaminants to air.	Retain Policy AQ P1
Policies	Policy AQ P8	Support	The proposed policy supports an effects based approach to the management of agricultural use while ensuring adverse effects of agricultural application are controlled.	Retain Policy AQ P9
Policies	Policy AQ P9	Oppose in part	While we support the intent of the policy, the policy can only be practically achieved with a workable definition of recapture. As currently worded it cannot be achieved.	Refer submission on the definition of 'recapture'.
Rules	Rule AQ R3	Support	HFM supports discharge of contaminants to air from the application of fertiliser as a permitted activity, subject to permitted activity conditions. Fertiliser application is a common and essential activity for many rural activities in the region and permitted activity status with conditions is appropriate.	Retain rule AQ R3
Rules	Rule AQ R8	Support	HFM supports the use of open burning for fire fighting training as a permitted activity.	Retain rule AQ R8
Rules	Rule AQ R15	Support in part	HFM generally supports rule AQ R15 with the exception of the following clauses: Condition 1c appears to contradict condition 2c (and the definition of aerial application) which is confusing. Condition 1c states that the drone must be operated less than 5m above the target species or if this is not complied with it will be considered 'aerial application' – the inference is that below this height it will be considered as not being aerial spraying. By contrast clause 2(c) which covers aerial	Retain Rule AQ R15 with the following amendments: Clarify the status of drone spraying to ensure condition 1(c) and 2(c) are consistent. Amend condition 3(e) to apply only to spraying being carried out on public roads or in public spaces.

			<p>application says that it includes drone application <u>complying</u> with condition 1(c) which is somewhat contradictory.</p> <p>Condition 3(e) requires any vehicles associated with agrichemical application to carry front and back signage. This is appropriate on public roads and in public places, but is not practical or necessary on private land such as within plantation forests and on farms.</p> <p>Clause 4(a)(i) requiring notification between 72 and 24 hours ahead effectively stipulates a 48 hour window within which notification must be given, which is impractical. The detail of the information to be provided requires that the notification is in writing and therefore must either be delivered by hand, email or letter. The reality is that aerial spraying is heavily influenced by weather conditions and therefore while it may be planned to take place on a given day, it is often delayed due to unsuitable weather. Should this occur this rule would require further written notifications to ensure the notification falls within the specified 48 hour period prior to commencement of spraying. The existing rule allowing for notification to be given with greater notice (20 days) is far more pragmatic. Such notifications can then indicate the planned date of application (as required by condition (i), but note the possibility of delays due to weather without the need for further written notices to be provided.</p>	<p>Amend condition 4(a)(i) to allow written notification to be given up to 20 days ahead of the operation as per the current air plan.</p>
Rules	Rule AQ 20	Oppose in part	<p>Whilst we can support the intent of rule AQ 20, the current definition of 'recapture' means that it cannot practically be achieved and therefore the use of methyl bromide will become a non-complying activity.</p>	<p>Refer submission on the definition of recapture.</p>
Definitions	Definition of 'recapture'	Oppose	<p>The current definition of recapture requires that the discharge of any methyl bromide to the atmosphere must be 'eliminated'. With present recapture technology this</p>	<p>Amend the definition of recapture to require a practically achievable alternative to complete elimination, which cannot practically be</p>

			<p>definition cannot be practically achieved. The definition should refer to the use of current best practice technology for the recapture of fumigants, rather than complete elimination.</p>	<p>achieved. A suggested alternative is to replace the word elimination with a requirement to recapture to current best practice and in accordance with EPA approvals.</p>
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