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Committee Environment Committee
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Submission on proposals for National Environment Standards for Air Quality

1. Purpose

To seek the Committee's endorsement of the Greater Wellington Regional Council's submissions on the proposed National Environmental Standards for Air Quality.

2. Background

In November 2003, the Minister for the Environment publicly notified her intention to develop National Environment Standards for air quality. The public notice did not contain draft standards but was accompanied by a report *Proposed National Environmental Standards for Air Quality – Air Quality Report No. 46* that described the proposals." Our submission is based on the information contained in Report No. 46.

In the period prior to public notification, the Ministry for the Environment held a series of workshops on national air quality standards with councils, industry groups, and businesses across the country. The Ministry also prepared a series of reports that provided information about air quality contaminants.

Submissions on the proposed standards closed on 5 December 2003. As this date was after the last Environment Committee meeting of last year, Greater Wellington's submissions have not yet been endorsed by Council.

3. What are the National Environmental Standards for Air Quality all about?

The report accompanying the public notice states that the National Environmental Standards for Air Quality aim to:

- Create a level playing field across New Zealand;
- Provide certainty and consistency;

- Guarantee a level of protection for the health of all New Zealanders; and
- Drive effective regional and national policies to improve air quality.

The proposals for national standards were presented in a package consisting of:

- **Ambient Standards** for carbon monoxide (CO), particles (PM₁₀), nitrogen dioxide (NO₂), sulphur dioxide (SO₂), and ozone (O₃) that limit the concentrations of these contaminants in “airsheds”.
- **Prohibitive Standards** that prohibit new high-temperature hazardous waste incineration and discharges to air from the open burning of tyres, road seal, coated wire, and oil. Waste incinerators in schools and hospitals that do not have a resource consent will also be prohibited.
- **An Emission Standard** for the design of small domestic solid-fuel-burning appliances.
- **A Proposed Landfill Gas Collection and Destruction Standard** that is designed to ensure that best practice for landfill gas management occurs throughout the country.

The National Environmental Standards for Air Quality will be regulations under the Resource Management Act 1991. Regional councils are responsible for managing emissions to air under this regulation. Greater Wellington’s role will be to implement and enforce the national standards, for example, through resource consents. The policies and rules in our Regional Air Quality Management Plan will also need to be consistent with the national standards.

4. **Submission on the National Environmental Standards for Air Quality**

The Greater Wellington submission supports the introduction of air quality standards along the lines proposed, but opposes the current proposals because of significant practical and technical issues that need to be resolved before the standards have the force of law. A full copy of Greater Wellington’s submission is attached to this report.

Our primary concern is that there has been no opportunity to comment on the draft wording of standards, although it is not a requirement within the Act that draft standards must be produced for public consultation.

However, as the organisation responsible for implementing these national standards, it is important that they work in practice and are enforceable. Greater Wellington requested that the proposed National Environmental Standards for Air Quality be re-notified once the technical and practical (implementation) issues identified in our submission have been resolved. Subsequent discussion with MfE about these issues has resulted in an understanding to ‘workshop’ the form and wording of the regulations with regional council air quality practitioners.

Some of the major issues identified in the submission are summarised as follows:

- There are unanswered questions about how the standards will be implemented, for example, the two most commonly occurring discharges to air in Greater Wellington that could cause breaches to the ambient air quality standards are vehicle emissions and domestic fires, which are not controlled by resource consents at present;
- There is uncertainty about how the standards will be enforced – in some circumstances Greater Wellington could be liable for breaches of national air quality standards because we are the agency that allows air discharges, such as domestic fires, that could cause breaches of the standards; and
- The proposed national standards will place additional costs on Greater Wellington and resource consent applicants because of an increased emphasis on monitoring and compliance.

5. Strategic Context

Implementation of National Environmental Standards for Air Quality will form part of our work on “Air” in Greater Wellington’s Take 10 – quality for life.

6. Communication

The submission was compiled by Greater Wellington staff from the divisions that will be most effected by National Environment Standards for Air Quality – the Environment, Wairarapa, and Transport Divisions.

7. Recommendation

It is recommended that the Committee:

1. **Endorse** the attached submissions on the National Environmental Standards for Air Quality.

Report prepared by:

Report approved by:

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Attachment 1: Submission on National Environment Standard 1 for Air Quality