

Group 4 Air Quality

Whole Chapter - EC Topic number ENV-2006-304-000419 PIANZ - Point of Relief 06 Withdrawn.10/6/09. Oil Companies - Point Of Relief 01 moved to Group 1 January 2006

Air Quality Targets - EC Topic number ENV-2006-304-000420							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	21	4 Table 4.2	Delete from Table 4.2 the contaminant PM _{2.5}	RESOLVED - Consent Order 07/07/09	ACC/MW NZTA Horticulture New Zealand
ENV-2006-AKL-000053	E483/04	DB Breweries Ltd	02	4.4.4	Delete 4.4.4 and explanation to policy OR Amend 4.4.4 and explanation to provide more specific recognition that where AQ targets are being or may be compromised, actions will focus on causes of non-compliance to achieve an equitable approach re contributions to air quality deterioration.	RESOLVED - Consent Order 07/07/09	Contact Energy Ltd Ports of Auckland
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	07	4 Table 4.2	Amend Table 4.2 by deleting 'rural' from the former 'residential' area and reinstating the former 'remote' area targets and change 'remote' to 'rural'.	RESOLVED - Consent Order 07/07/09	ACC Carter Holt Harvey P.I.A.N.Z.
ENV-2006-AKL-000075	E492/04	New Zealand Transport Agency	02	4.1.4 Table 4.2	Amend Section 4.1.4, Table 4.2 (previously Table 4.1) Air Quality Targets to provide a more appropriate and soundly based regime for air quality management and control.	RESOLVED - Consent Order 07/07/09	ACC DB Breweries Air New Zealand
ENV-2006-AKL-000092	E499/04	Waste Management (NZ) Ltd	01	Table 4.2	Delete all references to PM _{2.5} from Table 4.2 - Auckland Regional Air Quality Targets.	RESOLVED - Consent Order 07/07/09	ACC/MW Waste Disposal Services NZTA Ports of Auckland Auckland District Health Board

Existing Uses - EC Topic number ENV-2006-304-000421 – All appeals RESOLVED (by consent order 18/12/06 or withdrawn 23/11/06)

Proposed Auckland Regional Plan: Air, Land and Water and Auckland Regional Plan: Coastal (Variation 1)
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Intensive Livestock Farming - EC Topic number ENV-2006-304-000422							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	15	4.2.8	Amend Issue 4.2.8 by deleting the reference to intensive livestock farming discharging potentially hazardous air pollutants.	1 meeting, 29/8/05 ARC and appellant in discussions April & May 2009	Federated Farmers Haka International Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	16	4.3.9	Amend Objective 4.3.9 by deleting reference to human health in relation to intensive livestock farming.	1 meeting, 29/8/05 ARC and appellant in discussions April & May 2009	Federated Farmers Haka International Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	11	4.5 Intensive Livestock Farming	Provide for operations exceeding 180,000 birds (in other words, greater than 4 sheds) to have a restricted discretionary activity status, bearing in mind that land use rules will dictate the location and separation distances for intensive poultry farming, and that the Regional Council is confined to considering the effects of the air discharges of the operation	Draft consent order circulated to parties for signing 12/8/08. Letter sent proposing court date in 2009. Appellant and ARC in discussions.	Haka International Horticulture New Zealand
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	10	4.5.110	Amend Controlled Activity Rule 4.5.110 to provide for intensive livestock farming operations that were lawfully established or authorised prior to 21 October 2001 or consist of 180,000 birds or less, (in other words, 4 sheds or fewer) as a controlled activity subject to the same terms and conditions, except those relating to changes in the activity, character, intensity or scale, and to complaints.	Draft consent order circulated to parties for signing 12/8/08. Letter sent proposing court date in 2009. Appellant and ARC in discussions.	Haka International Horticulture New Zealand

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Intensive Livestock Farming - EC Topic number ENV-2006-304-000422							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	14	2 4 5 12 Intensive Livestock Farming	Amend the Plan so that Intensive Livestock Farming and Production Land Activities are treated consistently throughout the Plan. <i>[Last appeared on Appeal Summary Tables – Introduction, Values and Processes in Oct 2007. Copied from there to here. NOT on any of the Feb 2008 tables.]</i> EC Topic number ENV-2006-304-410?? – See 30 June 2007 spreadsheet	Discussed with Chapter 4. Consent Order signed by Environment Court 19.10.09.	Federated Farmers Haka International Horticulture New Zealand
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	38	4.3.9	Amend Objective 4.3.9 as follows: "To avoid significant adverse effects where practicable....."	RESOLVED - Consent Order 04/08/09	

Combustion - EC Topic number ENV-2006-304-000423							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000056	E472/04	Airways Corporation of New Zealand Ltd	03	4.5.25 4.5.26	Amend Rules 4.5.25 and 4.5.26 (previously 4.5.28 and 4.5.29) to exclude activities that will have adverse effects on aircraft stability and safety by high velocity vertical discharges generated by large-scale combustion and industrial processes. "The exclusion from [Permitted Activity] Rules 4.5.25 and 4.5.26 (previously 4.5.28 and 4.5.29) of any activities that could have adverse effects on aircraft stability and safety as proposed by the Respondent in its Decision".		Air New Zealand Auckland International Airport
ENV-2006-AKL-000056	E472/04	Airways Corporation of New Zealand Ltd	04	4.5.31	The control of high velocity vertical discharges generated by large-scale combustion and industrial processes through (Discretionary Activity) Rule 4.5.31 (formerly 4.5.34).		Air New Zealand Auckland International Airport
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	10	4 Combustion	Contact Energy Ltd reserves its right to participate in the development of any Rules or provisions relating to combustion activities.	Withdrawn. Letter to Court 19 August 2009	ACC/MW Waste Disposal Services Waste Management NZ Ltd

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Combustion - EC Topic number ENV-2006-304-000423							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
							Mighty River Power Ltd Horticulture New Zealand
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	09	4.5.25(c)	Amend 4.5.25(c) as follows: "The stack shall be designed so that, under normal operating conditions which give rise to maximum emissions, the discharge velocity from the stack is greater than 10 metres per second."	Letter sent 9 March 2009 advising that ARC has engaged a Consultant to deal with technical issues.	
ENV-2006-AKL-000053	E483/04	DB Breweries Ltd	10	4.5.25	Restore 33MW limits to Rule 4.5.25 (previously 4.5.28).	Consultant engaged Mar09 to deal with technical issues ARC sent email 10/8/09	Ports of Auckland
ENV-2006-AKL-000053	E483/04	DB Breweries Ltd	11	4.5.26	Restore 20MW limits to previous Rule 4.5.26 (previously 4.5.29)	Consultant engaged Mar09 to deal with technical issues ARC sent email 10/8/09	Ports of Auckland
ENV-2006-AKL-000802	E462/04	Mighty River Power Ltd	03	4.5.26	Include landfill gas as a fuel in Rule 4.5.26 by adding the words "landfill gas" between the word "diesel" and "or light or heavy fuel oil"		Waste Disposal Services Waste Management NZ Ltd
ENV-2006-AKL-000092	E499/04	Waste Management (NZ) Ltd	04	4.5	Amend 4.5 of the ALW Plan as sought in the primary submission of Mighty River Power and supported by WAM by providing for landfill gas combustion (either by way of flaring or burning for electricity generation) as a Permitted Activity provided certain performance standards are met, as set out in Annexure A to the appeal or to like effect. Annexure A reads as follows: Insert after Rule 4.5.28 (formerly Rule 4.5.31): Permitted Activities		ACC Waste Disposal Services Watercare Services Ports of Auckland

Combustion - EC Topic number ENV-2006-304-000423							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
					<p><u>“4.5.xx</u> The discharge of contaminants into air from the combustion of landfill gas, not exceeding a total on-site capacity of 5 MW (megawatts), that complies with conditions (a) to (e) of Rule 4.5.28, subject to the following standard terms and conditions:</p> <p>(a) <u>Landfill gas not exceeding a total capacity of 0.5MW may be combusted in a non-enclosed flare having the following minimum specifications:</u></p> <ul style="list-style-type: none"> i) <u>flame arrester and backflow prevention devices, or similar equivalent system; and</u> ii) <u>continual automatic ignition system; and</u> iii) <u>automatic isolation system to ensure that there is no discharge of unburnt landfill gas from the flare in the event of flame loss.</u> <p>(b) <u>The combustion of landfill gas not covered by (a), above, shall be in a flare having the following minimum specifications:</u></p> <ul style="list-style-type: none"> i) <u>conditions (a)(i) to (a)(iii), above</u> ii) <u>adequate sampling ports to enable emissions testing to be undertaken;</u> iii) <u>provision for safe access to sampling ports while emissions tests are undertaken;</u> iv) <u>minimum temperature of 750^oC and retention time of 0.5 seconds; and</u> v) <u>a permanent temperature indicator at half a diameter from the top of the flare with a visual readout at ground level.</u> <p>(c) <u>The landfill gas may be combusted in purpose-built generators that comply with specifications b(i) to b(iii) above.”</u></p> <p>Insert after Rule 4.5.30 (formerly Rule 4.5.33) Restricted Discretionary Activities <u>“4.5.xx</u> The discharge of contaminants into air from the combustion of landfill gas, exceeding a total on-site capacity of 5 MW (megawatts) but not exceeding a total on-site capacity of 20MW, that complies with conditions (a) to (e) of Rule 4.5.28, subject to the following standard terms and conditions:</p> <p>(a) <u>Landfill gas not exceeding a total capacity of 0.5MW may be combusted in a non-enclosed flare having the following minimum specifications:</u></p> <ul style="list-style-type: none"> i) <u>flame arrester and backflow prevention devices, or similar equivalent system;</u> 		

Combustion - EC Topic number ENV-2006-304-000423							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
					ii) <u>continual automatic ignition system; and</u> iii) <u>automatic isolation system to ensure that there is no discharge of unburnt landfill gas from the flare in the event of flame loss.</u> (b) <u>The combustion of landfill gas not covered by (a), above, shall be in a flare having the following minimum specifications:</u> i) <u>conditions (a)(i) to (a)(iii), above</u> ii) <u>adequate sampling ports to enable emissions testing to be undertaken;</u> iii) <u>provision for safe access to sampling ports while emissions tests are undertaken;</u> iv) <u>minimum temperature of 750⁰C and retention time of 0.5 seconds; and</u> v) <u>a permanent temperature indicator at half a diameter from the top of the flare with a visual readout at ground level.</u> (c) <u>The landfill gas may be combusted in purpose-built generators that comply with specifications b(i) to b(iii) above."</u>		
ENV-2006-AKL-000092	E499/04	Waste Management (NZ) Ltd	02	4.5.31 Explanation	Delete the Explanation following Rule 4.5.31.		ACC Waste Disposal Services Watercare Services Ports of Auckland

Outdoor Burning – EC Topic ENV-2006-304-000424 All appeals RESOLVED (by Environment Court Decision A097/2007 issued 29/11/07 or withdrawn 30/10/07)

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Mobile Sources - EC Topic number ENV-2006-304-000425							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000098	E504/04	Air New Zealand Ltd	03	4.4.18	Insert a new policy after 4.4.18 (Mobile Sources) to read (or words to like effect): <u>"To not restrict the operation of transport services such as aircraft, trains and ships (etc) by recognising that emissions from such sources are permitted, even when located on industrial or trade premises."</u>		ACC Auckland International Airport Auckland District Health Board NZTA
ENV-2006-AKL-000098	E504/04	Air New Zealand Ltd	04	4.5.3	Support Rule 4.5.3 by including additional, new and appropriate explanatory text, issues, objectives and policies.		ACC NZTA Auckland International Airport Auckland District Health Board
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	06	4.4.18	Include a new policy after Policy 4.4.18: Mobile Sources as follows (or words to like effect): <u>"To not restrict the operation of transport services such as aircraft, trains and ships (etc) by recognising that emissions from such sources are permitted, even when located on industrial or trade premises."</u>		ACC/MW Oil Companies Air New Zealand Ports of Auck
ENV-2006-AKL-000099	E505/04	Auckland International Airport Ltd	07	4.5 Mobile Sources	Support Rule 4.5.3 by including additional, new and appropriate explanatory text, issues, objectives and policies.		ACC/MW NZTA Oil Companies Air New Zealand Ports of Auck

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AQ Management Framework - EC Topic number ENV-2006-304-000426							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000056	E472/04	Airways Corporation of New Zealand Ltd	02	4.4.14	Amend Policy 4.4.14 to include the following provision: “(e) <u>The effect on aircraft stability and/or safety</u> ”.		Air New Zealand Auckland International Airport
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	20	4.3.1	Delete Objective 4.3.1 and substitute Objective 10.3.1 of the RPS as follows “To avoid, remedy or mitigate deterioration of air quality in the Region”.	RESOLVED - Consent order 07/07/09 Dealt with as part of Air Quality Targets	ACC/MW NZTA Horticulture New Zealand
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	06	4.4.6 Explanation to 4.5.1	Withdraw Policy 4.4.6 and the Explanation following Rule 4.5.1 relating to the application of FIDOL and notify by way of Variation.	Review impact of outcomes of Chapter 4A Agrichemicals	ACC NZTA Oil Companies
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	08	4.5 4A.5 12 Air Quality Discharges	Amend the Rules and Definitions to provide greater clarification of where the discharges are measured. These should be at the boundary of the site.	1 meeting, 29/8/05 ARC considering new wording proposed by appellant 8/9/05	Oil Companies Horticulture New Zealand

Policy 4.4.5 & Rule 4.5.1 - EC Topic number ENV-2006-304-000427							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	07	4.4.5 4.5.1(b)	Amend Policy 4.4.5 and Rule 4.5.1(b) to include a reference point or measuring point which should be beyond the boundary of the premises. Any noxious, dangerous or offensive or objectionable emissions within the boundary of the premises are a health and safety matter and not a resource management issue.	1 meeting, 29/8/05 ARC considering new wording proposed by appellant 8/9/05 Appellant and ARC in discussions.	Haka International Oil Companies Horticulture New Zealand

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Policy 4.4.5 & Rule 4.5.1 - EC Topic number ENV-2006-304-000427							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000056	E472/04	Airways Corporation of New Zealand Ltd	01	4.4.5	Amend Policy 4.4.5 to include the following provision: "(e) It is likely to have an adverse affect on aircraft stability and/or safety".		Air New Zealand Auckland International Airport <i>Not s274 party – No s274 Notice lodged.</i> Oil Companies
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	05	4.4.5	Delete "or is likely to cause" in Policy 4.4.5 a), b), c) and d).	Review impact of outcomes of Chapter 4A Agrichemicals	ACC NZTA Contact Energy Ltd
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	27	4.5.1	Delete Rule 4.5.1(c).	Review impact of outcomes of Chapter 4A Agrichemicals	ACC/MW Watercare Services Horticulture New Zealand
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	29	4.5.1	Amend Rule 4.5.1 by providing guidance as to appropriate FIDOL facts in the rural context that will result in an adverse effect beyond the boundary of premises	Review impact of outcomes of Chapter 4A Agrichemicals	ACC/MW Watercare Services Horticulture New Zealand
ENV-2006-AKL-000052	E470/04	Haka International NZ Ltd	28	4.5.1(a)	Amend Rule 4.5.1(a) by deleting the words "or ash" and replace with " <u>ash or hazardous air pollutants</u> "	Review impact of outcomes of Chapter 4A Agrichemicals	ACC/MW Watercare Services Horticulture New Zealand

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Policy 4.4.5 & Rule 4.5.1 - EC Topic number ENV-2006-304-000427							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000071	E478/04	Manukau City Council	01	4.5.1	Amend General Permitted Activity Rule 4.5.1 to provide more clarity and certainty, and remove the discretionary elements in the rule.	Review impact of outcomes of Chapter 4A Agrichemicals	ACC/MW NZTA Oil Companies Transpower Stevensons Mighty River Power Ltd Ports of Auckland Auckland International Airport Horticulture New Zealand Papakura District Council
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	40	4.5.1(b)	Amend Rule 4.5.1 (b) as follows: That there shall be no noxious, dangerous, offensive or objectionable visible emissions <u>(excluding smoke used for investigative purposes in pipe networks)</u> .	RESOLVED - Consent Order 04/08/09	ACC/MW

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Waste Management - EC Topic number ENV-2006-304-000428							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000070	E529/04	Auckland City Council	02	4.5.83	Amend the activity described in [Discretionary Activity] Rule 4.5.83 [the discharge of contaminants into air from landfills] to be a controlled activity.		
ENV-2006-AKL-000092	E499/04	Waste Management (NZ) Ltd	06	4.5.68 Explanation	Delete the 'Explanation' before Rule 4.5.68 relating to Other Activities That Discharge Contaminants To Air – Waste Processes as follows: "Explanation: Waste processes can result in the emission of offensive odours therefore separation distances between dwellings, roads, sensitive land uses, etc are recommended in order to minimise effects beyond the boundary of the property where the waste process is being undertaken."		ACC Waste Disposal Services Watercare Services
ENV-2006-AKL-000092	E499/04	Waste Management (NZ) Ltd	05	4.5.84(a) 4.5.84(b)	Amend Rules 4.5.84(a) and (b) by deleting references to a minimum separation distance and minimal notional odour boundary between a landfill footprint and the nearest residential property boundary by rewording Rule 4.5.84 to read as follows: "The discharge of contaminants into air from any premises that includes the disposal of waste materials to landfill (including domestic and industrial wastes)."	1 meeting with Waste Disposal Services (s274)	ACC Waste Disposal Services Watercare Services
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	39	4.4.28 Biosolids	Amend Policy 4.4.28 by including a new paragraph (d) as follows (or words to like effect): "(d) or, notwithstanding (a) to (c) above, within an existing designated odour boundary:"	RESOLVED - Consent Order 04/08/09	
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	41	4.5.70	Amend Rule 4.5.70 by deleting 4.5.70(b) or increasing the capacity limit to 10,000m ³ .	RESOLVED - Consent Order 04/08/09	ACC/MW
ENV-2006-AKL-000103	E509/04	Watercare Services Ltd	42	4.5 Biosolids	Make appropriate provision for discharges to air from the application of treated biosolids and from processing/treatment as a permitted activity, subject to performance standards, or as a controlled activity.	Being included with Chapter 5 Sewage Solids appeals.	ACC/MW Horticulture New Zealand

Domestic Fires - All appeals RESOLVED (by Consent Order 30 June 2008) EC Topic number ENV-2006-304-000429

Other Discharges Miscellaneous - EC Topic number ENV-2006-304-000432							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	08	4.5.23(c)	Amend 4.5.23(c) as follows: "The methods to minimise the discharge and to avoid, remedy or mitigate any adverse effects of the discharge including the adequacy of the control measures for the collection, containment, management and treatment of the discharge, as well as the type and adequacy of control equipment and preparation of management plans".	ARC sent letter 9 March 2009 with offer of resolution.	ACC/MW NZTA Mighty River Power Ltd
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	11	4.5.91	Amend Rule 4.5.91 as follows: "The discharge of contaminants into air from chemical processes including: any of the following....."	ARC sent letter 9 March 2009	
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	21 HNZ 12.3	4.5.46	Delete requirement to meet Rule 4.5.1(a) and (c) from Rule 4.5.46.	Settled 30/10/06 CO, acc. to Oct 2007 Appeal Summaries, but not on Memo. NOT Resolved acc to email from Chris 1/10/09 of HortNZ.	ACC
ENV-2006-AKL-000066	E477/04	Poultry Industry Association of New Zealand	12	4.5.88	Change Rule 4.5.88 from a discretionary activity to a controlled activity, requiring compliance with Rule 4.5.1		

Air Quality Management Areas – Chapter 4 – EC Topic number ENV-2006-304-000433							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000098	E504/04	Air New Zealand Ltd	02	4 Industrial Air Quality Management Areas	Amend the Proposed Plan so that discharges within the Industrial Air Quality Management Areas have less stringent rules and policy "tests" to meet than other areas. This should at least be recognised in the acceptance of lower standards for ambient air quality across all contaminants listed in Table 4.1 for the Industrial Air Quality Management Areas	RESOLVED - Consent order 07/07/09 Dealt with as part of Air Quality Targets	ACC NZTA Auckland International Airport
ENV-2006-AKL-	E505/04	Auckland International Airport Ltd	04	4 Industrial AQMA	Amend the Plan to ensure that discharges within the Industrial Air Quality Management Areas have less stringent rules and policy "tests" to meet than other areas. This should at least be recognised in the acceptance of lower	RESOLVED - Consent order 07/07/09	ACC/MW Air New Zealand

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Air Quality Management Areas – Chapter 4 – EC Topic number ENV-2006-304-000433							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
000099					standards for ambient air quality across all contaminants listed in Table 4.2 for the Industrial Air Quality Management Areas.	Dealt with as part of Air Quality Targets	Contact Energy Ltd NZTA Ports of Auckland
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	03	4.4.8	Amend Policy 4.4.8 as follows: "Potential conflicts between incompatible land uses along the boundaries of AQMAs shall be minimised. <u>Setback from boundaries will not be required from those undertaking legally established activities adjacent to the boundaries of an adjacent AQMA. Those people undertaking activities and land uses adjacent to the boundary of an AQMA must recognise that there is the potential for effects from activities that are legally established in the adjacent AQMA.</u> "		ACC Federated Farmers Poultry Industry Association of New Zealand Waste Disposal Services Waste Management NZ Ltd NZTA Oil Companies
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	07	4.4.24	Amend Policy 4.4.24 by deleting 'reduced amenity', and substituting 'material reductions in amenity', and by clarifying that the listed discharges are only inappropriate if they affect human health or cause a material reduction in amenity. To read: "Significant adverse effects, in particular effects on human health, and/or reduced <u>material reductions in amenity</u> ".	Agreement reached in principle. ARC sent letter 9 March 2009 seeking clarification of "agreement in principle".	NZTA

**Chapter 3.10 Industrial Air Quality Management Areas – All appeals RESOLVED (by consent order 18/12/06, 8/1/07, 18/5/07, withdrawn 23/11/06, 13/10/06, or court minute)
 EC Topic number ? = Unlisted on 30 June 2007 spreadsheet**

Chapter 3.11 Urban Air Quality Management Areas - EC Topic number ENV-2006-304-000435

Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	02	3.11 3.12 Map 4.5 5.5	Amend the boundaries of the Urban and Rural AQMA to align with rural and urban zones in District Plans OR Amend the Plan to exempt those with production land operations within the Urban AQMA from rules relating to discharges associated with outdoor burning, agrichemical applications, application of fertiliser and cultivation, and enable the activities to be undertaken under the rules pertaining to Rural AQMA.	RESOLVED IN PART – Consent Order approved by Env't Court 30/10/06. Aerial application of agrichemicals included with appeals on SETTLED. Chapter 4A Consent Order signed by Environment Court 19.10.09.	ACG Carter Holt Harvey Federated Farmers

Chapter 3.12 Rural Air Quality Management Areas - EC Topic number ENV-2006-304-000436 Appeal RESOLVED (by consent order Rural Character 4/3/09.)

Miscellaneous - EC Topic number ENV-2006-304-000437							
Env. Court Case No.	Env. Court (Prior No.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000081	E479/04	Contact Energy Ltd	52	4.5	Amend Chapter 4.5 by inserting a new PA rule as follows: " <u>The discharge of clean steam is a permitted activity.</u> "	ARC sent letter 9 March 2009	
ENV-2006-AKL-000094	E501/04	Federated Farmers of New Zealand (Inc)	28	4.1.11	Delete Section 4.1.11 (previously 4.1.12) relating to Global Air Quality from the Plan	1 meeting, Appellant waiting for outcome of Court of Appeal - Marsden Pt case. Respondent and appellant in discussions May/June 2009 Letter sent by email with proposed new wording 14/10/09.	ACC Mighty River Power Ltd Horticulture New Zealand Auckland District Health Board

Schedule 7 Hazardous Air Pollutants - EC Topic number ENV-2006-304-000438							
Env. Court CaseNo.	Env. Court (PriorNo.)	Appellant Name	Point of Relief	Provision # (2004 Plan)	Relief Sought	Status	Section 274 Party Name
ENV-2006-AKL-000080	E536/04	Horticulture New Zealand	08	Schedule 7	Include the list from MfE 2002 Ambient AQ Guidelines as hazardous air pollutants (HAPs) in the Plan. Delete the list of hazardous air pollutants in Schedule 7 and undertake investigations as to which have regional or local significant effects which need to be addressed through the Plan and amend by way of Plan Variation.	ARC sent letter 26/8/09 Follow up email sent 12/10/09	ACC