
OPENING STATEMENT OF HANNAH LOUISE GOSLIN:

AIR – Air

- 1 This statement provides an update on my understanding of the key issues related to Chapter 7: AIR–Air since I prepared my section 42A report¹ and supplementary evidence² on this topic.
- 2 I consider the outstanding issues on this topic can be grouped into two main themes:
 - 2.1 Amendments sought to AIR–O2 to Air–P6, in particular the appropriateness of the term ‘avoid’; and
 - 2.2 Whether a new policy, method and amendments to AIR–E1 are required to address new sensitive activities near existing activities that discharge to air.
- 3 If I have not discussed an issue considered in my section 42A report, I consider that either the issues have been resolved, or the remaining issues are not significant.

Amendments to AIR–O2 to AIR–P6

AIR–O2

- 4 As currently drafted³, AIR–O2 is to enable discharges to air, where potential effects on human health, amenity values, mana whenua values and the life-supporting capacity of ecosystems are protected from the adverse effects of discharges to air. A number of submitters consider the outcome of ‘protection’ sought in the AIR–O2 to be unqualified⁴ and akin to avoid⁵, particularly when considered in conjunction with the avoidance of particular effects in AIR–P4 and AIR–P6. Submitters have provided varying iterations of AIR–O2⁶, these range from retaining the outcome of ‘protection’ with a qualifier (such as that sought by Ms Taylor to ensure values are protected from the localised effects of discharges

¹ Chapter 7: AIR–Air (27 April 2022)

² Brief of supplementary evidence of Hannah Louise Goslin: AIR–Air (11 October 2022)

³ PORPS – 31 October 2022

⁴ Steve Tuck (Silver Fern Farms) para 6.1

⁵ Susannah Tait (Fonterra) para 9.3

⁶ For example Lynette Wharfe (Horticulture New Zealand) para 37; Carmen Taylor (Ravensdown) para 5.21; Susannah Tait (Fonterra) paras 9.4; and Steve Tuck (Silver Fern Farms) Appendix C.

to air) to deleting the outcome of 'protection' and requiring adverse effects of discharges on values to be appropriately managed (such as that sought by Ms Tait).

- 5 In addition, as originally raised in submissions Ms O'Sullivan seeks human 'safety' is included as a value which must be protected.⁷ This is addressed in section 7.6.3 of my section 42A report.⁸
- 6 I understand from the presentations of Ms Tait and Ms Wharfe earlier this week that there is general consensus among the planners for Fonterra, Horticulture New Zealand, Ravensdown and Silver Fern Farms in relation to the proposed amended wording for AIR-O2 set out in the rebuttal evidence of Ms Wharfe. In my view the key consideration for the Panel is deciding whether the objective should retain the goal of 'protecting human health, amenity values and mana whenua values', whether the objective should be softened to include a qualifier to the goal of protection, or whether the objective requires redrafting so it relates to managing adverse effects.

AIR-P1

- 7 AIR-P1 currently seeks to achieve AIR-O1 and AIR-O2 by ensuring that ambient air quality is maintained where it meets or is better than limits set. The issues originally raised in submissions largely still stand. Ms Tait and Ms Taylor remain concerned about the appropriateness of the future Regional Air Plan to set 'limits' for air quality.⁹ This is addressed at paragraph [8] of my supplementary evidence.¹⁰
- 8 AIR-P1 also refers to 'no more than minor' which is opposed by Ms Tait and Ms Taylor.¹¹ Mr Place seeks the phrase 'no more than minor' is retained and the deletion of the phrase 'and any limit is not exceeded'.¹²
- 9 In my view, there is general support in the evidence for a policy to be included which requires air quality to not degrade below limits set. AIR-P1 is not intended to set a more stringent regime than that set out by the NES-AQ and on that basis the key consideration for the Panel is to ensure the wording of this policy adequately reflects its intent.

⁷ Kirsty O'Sullivan (Queenstown Airport Limited) para 7.4

⁸ Chapter 7 AIR – Air (27 April 2022)

⁹ Susannah Tait (Fonterra) para 9.9; and Carmen Taylor (Ravensdown) para 5.16

¹⁰ Brief of supplementary evidence of Hannah Louise Goslin: AIR–Air (11 October 2022)

¹¹ Susannah Tait (Fonterra) para 9.11; and Carmen Taylor (Ravensdown) para 5.8

¹² Luke Place (Queenstown Lakes District Council) para 3.5

AIR-P2

- 10 AIR-P2 applies to degraded ambient air quality and seeks its improvement. Mr Place and Ms Taylor seek further detail in AIR-P2 to determine when ambient air quality is considered degraded.
- 11 Ms Tait and Ms Taylor remain concerned that clause (2) repeats requirements from the NES-AQ. This is addressed in section 7.8.3 of my section 42A Report.¹³

AIR-P3

- 12 AIR-P3 allows discharges to air provided they do not adversely affect human health, amenity values, mana whenua values and the life-supporting capacity of ecosystems. Ms Wharfe considers AIR-P3 appropriately gives effect to amendments sought to AIR-O2 in evidence.¹⁴ Mr Tuck¹⁵ considers AIR-P3 appropriately gives effect to AIR-O2 as per his amendments. Ms Tait seeks the term 'allow' is replaced with 'enable'.¹⁶
- 13 Ms Taylor seeks 'allow' in AIR-P3 is replaced with 'provide and manage'. I have addressed this in section 7.9.3 of my section S42A Report.¹⁷

AIR-P4

- 14 AIR-P4 seeks to avoid discharges to air that cause noxious or dangerous effects and to avoid, as a first priority, discharges to air that cause offensive or objectionable effects. The issues originally raised in submissions on AIR-P4 largely still stand. Some submitters prefer outright deletion of the policy as a whole¹⁸. Some submitters agree that noxious and dangerous effects should be avoided and seek less stringent direction for offensive or objectionable effects (such as to avoid, remedy or mitigate such effects or deletion of the terms offensive and objectionable).¹⁹ Primarily this is cited as being due to subjectivity associated with determining offensive and objectionable effects. Ms McIntyre considers AIR-P4 does not provide sufficient clarity of the approach to be taken in the event avoidance as a first priority cannot be achieved.²⁰ Ms Taylor

¹³ Chapter 7 AIR – Air (27 April 2022)

¹⁴ Lynette Wharfe (Horticulture New Zealand) para 42

¹⁵ Steve Tuck (Silver Fern Farms) para Appendix C

¹⁶ Susannah Tait (Fonterra) paras 9.16

¹⁷ Chapter 7 AIR – Air (27 April 2022)

¹⁸ For example James Taylor (Dunedin City Council) para 16; Kieth Frenz (Dunedin City Council) para 6.8; Lynette Wharfe (Horticulture New Zealand) paras 49

¹⁹ For example Claire Hunter (Oceana Gold) para 9.3; Steve Tuck (Silver Fern Farms) para 6.7; Susannah Tait (Fonterra) para 9.17

²⁰ Sandra McIntyre (Kai Tahu Ki Otago) para 89

considers AIR–P4 can be redrafted to retain the intent of the policy whilst ensuring the potential issues associated with the term ‘avoid’ do not occur.²¹

- 15 In my view, there is some general agreement in the evidence that discharges to air that cause noxious or dangerous effects are to be avoided. However, there are differing views as to how offensive or objectionable effects should be managed, or not, at an RPS-level.

AIR–P5

- 16 AIR–P5 requires the effects of discharges to air from a range of activities to be managed beyond the boundary of the property of origin. Ms Taylor seeks deletion of the phrase ‘beyond the boundary of the property of origin’.²²

AIR–P6

- 17 AIR–P6 requires avoidance of discharges to air that adversely affect mana whenua values, by having regard to values and areas of significance to mana whenua. Ms Wharfe seeks deletion of AIR–P6.²³ Ms Tait is concerned with the unqualified use of ‘avoid’ and seeks the threshold of adverse effects are revised to ‘significant’ if the direction to avoid is retained.²⁴ Ms Taylor considers AIR–P6 can be redrafted to retain the intent of the policy whilst ensuring the potential issues associated with the term ‘avoid’ do not occur.²⁵

New sensitive activities near existing activities that discharge to air

- 18 Ms Wharfe seeks an additional policy that avoids locating new sensitive activities near existing activities which are permitted or consented to discharge to air.²⁶ This addition is supported by Ms Tait.²⁷
- 19 Mr Tuck considers that unqualified avoidance sought by Ms Wharf is unduly restrictive. Mr Tuck proposes a new policy is inserted that requires the establishment of new non-rural activities near existing activities which are permitted or consented to discharge to air to be managed.²⁸

²¹ Carmen Taylor (Ravensdown) para 5.21

²² Carmen Taylor (Ravensdown) para 5.21

²³ Lynette Wharfe (Horticulture New Zealand) para 58

²⁴ Susannah Tait (Fonterra) para 9.25

²⁵ Carmen Taylor (Ravensdown) paras 5.21

²⁶ Lynette Wharfe (Horticulture New Zealand) para 59

²⁷ Susannah Tait (Fonterra) para 9.28

²⁸ Steve Tuck (Silver Fern Farms) para 6.9

Other amendments

Acknowledgement of lifeline utilities and regionally significant infrastructure in AIR-P3 and AIR-P5

- 20 Mr Taylor is concerned that discharges from lifeline utilities and infrastructure are not provided for in AIR-P3 or acknowledged in AIR-P5.²⁹ This is supported in the rebuttal evidence of Mr Place who prefers acknowledgement of lifeline utilities and infrastructure in AIR-P5.³⁰

Reference to Future Development Strategy in AIR-M3

- 21 Mr Freeland seeks reference to district plans in AIR-M3 should be amended to refer to 'Future Development Strategy under the NPS-UD'.³¹ This is opposed in rebuttal evidence of Mr Place.³²

Hannah Louise Goslin

10 February 2023

²⁹ James Taylor (Dunedin City Council) para 18

³⁰ Luke Place (Queenstown Lakes District Council) para 4.7

³¹ Paul Freeland (Dunedin City Council) para 18

³² Luke Place (Queenstown Lakes District Council) para 3.4
