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In favor of 4a?	No
Reason/s	The additional costs to industry to implement the offset would potentially make the industry non compliant when compared to a similar industry that is not in a gazetted airshed. In addition industry is generally not the main contributor to the ambient concentrations of PM10, as has been determined as one of the reasons for undertaking this review and the comments made by the Auckland Regional Council. Therefore it should not be penalised for the contribution to poor air quality from other non regulated sources such as motor vehicles or home heating.
Any changes?	Yes
Suggested changes	The issue of implementation of offsets needs to be included in the NES if this option is chosen. If offsets were introduced due to option 4a being implemented the administration of the offset process should be defined. It would be best for the Regional Council to implement the process of arranging offsets as private individuals would generally not like to deal with industry on a one to one level, and may be suspicious of it. District/City Councils are likely to have information on the sources in their area which may be able to be offset, and are likely to be the ones implementing emission reductions with the Regional Councils through other programmes. It would seem more suitable for industry to provide financial contributions to the authority to implement the offset process.
In favor of 4b?	Yes
Reason/s	All industry will be under the same regulatory regime under this option regardless of the quality of the airshed and therefore there is no competitive disadvantage from being in a non complying airshed. This is appropriate as the additional costs to industry to implement an offset due to it being located in a non compliant airshed would mean that an industry that is not in a gazetted airshed would have a competitive advantage. In addition, as industry is not the main contributor to the ambient concentrations of PM10, as has been determined as one of the reasons for undertaking this review and the comments made by the Auckland Regional Council, industry should not be penalised for the contribution to poor air quality from other non regulated sources such as motor vehicles or home heating emissions.
Any changes?	No
Suggested changes	None, the review of the NES as a whole is supported by Golden Bay Cement.
CB accurately reflected?	0
How can estimates be improved?	No comment
Any overlooked costs?	No comment
Information you'd like included	No comment
Increase from 1 to 3	Yes
Exclude exc events	Yes
Mandatory offsets	0
No industry restrictions	Yes
Extend to 2018	Yes
Mandatory reporting	Yes
\$ 27	Yes
AQCS	Yes
Funding links	Yes
Other suggested amendments	Definitions Several terms are used in the proposed changes which aren't well defined such as a new consent and a significance reference to a new consent not being what some have called a renewal in the past is quite different to the current RMA approach which has been that an existing activity should not be seen in any different light to a new activity seeking consent. Therefore this term needs to be appropriately defined. If option 4a was introduced then the term a significant emission will need to be defined to prevent arguments with regulatory authorities over whether a proposed discharge was

significant or not. In a draft discussion paper, NES Implementation and Good Practice Guides, Concept Development and Discussion, March 2006 by Gavin Fisher, it was considered that a three tier approach to significance could be implemented however this approach has not been finalised yet. The NES changes should provide guidance on this matter.

Airshed Boundary Emissions Discharges in a compliant airshed that are near a non compliant airshed may have some impact on the non compliant airshed. There should be some clarity as to whether these activities would be required to provide offsets in the event that the emissions were deemed significant in the non compliant airshed. The discussion document infers that discussions with the Regional Council over effects, significance and offsets should occur however there is not a lot of certainty that a practical solution to these issues would be achieved through discussions.

Review of Regional Plans As this review of the NES changes the focus of industry regulation it is appropriate that Regional Air Plans are also reviewed to maintain consistency with the new approach. There may be rules or policies in the plan which promote the current NES regulatory regime which will no longer be appropriate following the review of the NES. The review of the air plans should be undertaken under the same timeframe as the offsets i.e. by 2018.

Banking Reductions Even though emissions from industry will continue to be regulated and emission reductions will be continue to be encouraged by the Regional Councils via the consent process, any reductions that are made by industry should be recorded as a potential offset for the airshed, i.e. essentially banked. This would also apply to industry voluntary reductions or where a single company has several sites in a single airshed and internal offsets within the company are possible.