

Proposed Marlborough Environment Plan

Minute of the Hearing Panel

Minute 57

To: David Jackson, Section 42A Report Writer – Resource Quality (Air)

Paul Whyte, Section 42A Report Writer – Nuisance Effects

1. This Minute addresses a request made by GBC Winstone to have provision made for a permitted activity status in the Port Zone for:

“The discharges (sic) of contaminants into air from particular industrial or trade premises used for the storage , blending and distribution of concrete processing materials.”

(That submission point was numbered submission point 749.1(ii) in the Marlborough District Council’s database.)

2. In the original Section 42A Report dated 4 October, 2018 on the Resource Quality (Air) topic Dr Jackson did not address this particular submission point. Nor was the submission point addressed in the original Section 42A Report on Topic 18: Nuisance Effects prepared by Mr Paul Whyte.
3. In his addendum report dated 16 October, 2018 Dr Jackson drew the attention of the Hearing Panel to the omission of any of the previous Section 42A reports to address this particular submission point.
4. He also pointed out, however, that the submission by GBC Winstone had not advanced any particular standards to apply to such a permitted activity. The addendum report suggested such standards would be necessary if the Hearing Panel was minded to accept the request for permitted activity status for the discharge, because the discharge would be derived from an existing activity of cement storage and handling in the Port Zone.
5. That addendum report continued to draw attention to the fact that Mr Whyte’s report on Topic 12 as to Nuisance Effects did address some similar standards which might be relevant. It was suggested, therefore, that the final Section 42A reporting on this issue of possible permitted activity standards might be most conveniently addressed by Mr Whyte during the Nuisance Effects topic hearings process.
6. It seems that that recommendation has been overlooked, and the Hearing Panel now seeks that Dr Jackson and Mr Whyte reach agreement on the most appropriate Section 42A response advice to be provided to this submission point request, and in

particular possible related standards, and that one or other of those Section 42A report writers provide that further response to the Hearing Panel.

7. The evidence of Mark St Clair for the submitter at his Appendix C on the Air Quality topic should be of assistance.
8. The Hearing Panel wishes to have your comments as to possible recommended amendments available to it for its consideration during the week commencing 8 April, 2019, if that was at all possible for you given other commitments you may have.
9. If that date is not possible, the Panel requests you liaise with Mr Pere Hawes to fix on another suitable date which can fit into the Hearing Panel's increasingly compressed deliberation meetings schedule as it seeks to conclude its deliberation process.

Dated 9 April 2019

A handwritten signature in black ink, appearing to read 'T Hook', with a small dot at the end.

Councillor Trevor Hook

Chair of the MEP Hearing Panel