

Before the Canterbury Regional Council Hearings Panel

IN THE MATTER of the Proposed Canterbury Air Regional Plan
BETWEEN Environment Canterbury
AND Bupa Care Services NZ Ltd

STATEMENT OF EVIDENCE OF MARY HELEN MCCONNELL

Dated: 25 September 2015

(PLANNING)

INTRODUCTION

1. My full name is Mary Helen McConnell
 2. I hold a Bachelor and Masters of Planning, obtained from the University of Auckland in 2009 and 2010. I am an associate member of the Resource Management Law Association and the New Zealand Institute of Primary Industry Management.
 3. I am a Resource Management Planner with 5 years' experience currently employed by AECOM New Zealand. I have been employed by the company for approximately two months. Prior to starting with AECOM I was employed by Ashburton District Council for approximately 1 and a half years as a consents planner.
 4. I have worked throughout the North and South Islands assisting private and public sector clients with obtaining statutory approvals and undertaking assessments of environmental effects. Many of these projects have included assessing the effects of the proposal beyond the boundaries of the site.
 5. I have been asked by BUPA Care Services NZ Limited (**BUPA**) to provide evidence in relation to its submission to the proposed Canterbury Air Regional Plan (**Air Plan**). I was not involved in the preparation of the submission.
 6. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. I agree to comply with this Code of Conduct. This evidence is within my expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
 7. In preparing my evidence I have reviewed:
 - 7.1. the submission prepared by BUPA to the Air Plan;
 - 7.2. the s32 Evaluation;
 - 7.3. the s42A report;
 - 7.4. the evidence of Mr van Kekem;
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7.5. the National Environmental Standard for Air Quality (**NES**);

7.6. the Canterbury Regional Policy Statement (**RPS**); and

7.7. the proposed Canterbury Air Regional Plan (**Air Plan**).

SCOPE OF EVIDENCE

8. I have been asked to present planning evidence on behalf of BUPA. My evidence focuses on:

8.1. The Air Plan's reliance on the definition of industrial or trade premises as a consent trigger;

8.2. How the Air Plan recognises laundry facilities through the region;

DISCHARGES FROM INDUSTRIAL OR TRADE PREMISES

9. Rule 7.28 provides for the discharge of odour from industrial and trade premises, not otherwise permitted by rules 7.29-7.59 as a restricted discretionary activity. It is my understanding from the S42A report that the definition of industrial and trade premises and industrial and trade process has been derived from Part 1(2) of the RMA.

10. Rule 7.59 lists the industrial and trade premises that are envisioned by the Plan to be captured by Rule 7.28. While the Plan discloses that this list is not all inclusive, the activities are all considered 'typical' industrial processes, such as manufacturing and making improvements to a primary product.

11. The Plan's definition of industrial or trade premises is very broad and is a 'catch all' rule which, based on Mr. van Kekem's evidence, captures a number of activities that have little or no odour effects, such as a plant garden/nursery and activities carried out by BUPA such as operating a commercial laundry.

12. My opinion, based on Mr. van Kekem's evidence is that the intention of Rule 7.28, is to control industrial or trade processes that are likely to result in unknown or adverse odour effects, which implement Policy 6.14 of the plan. On this basis, I consider that the definition is overly restrictive and captures activities that are likely to have no or less than minor odour effects.

13. Refining the activities that will be captured by Rule 7.28 will achieve clarity as to what air discharge requires consent. This will achieve Objective 5.4, through

maintaining the amenity values of the existing environment and implement Policy 6.1 through ensuring that offensive and objectionable effects are properly identified and managed.

14. My opinion is that the best outcome will be through amending the range of categories of premises that are captured by Rule 7.28 through creating a definitive list, which excludes laundry operations, as we consider it an overly restrictive definition controlling any discharge of odour from the boundary of the site.

DRY CLEANING AIR DISCHARGE PROVISIONS

15. Rule 7.35 permits the discharge of contaminants into air from dry cleaning units providing the set conditions are met. The evidence of Mr. van Kekem proposes a similar permitted activity rule to 7.35 for commercial laundry facilities utilising ozone.
16. Including commercial laundry facilities as an additional permitted activity rule will support Objective 5.4 through maintaining the amenity of the existing environment, and Policy 6.1 through ensuring that offensive and objectionable effects are properly identified and managed.

CONCLUSION

17. Refining the list of activities to be included as an industrial or trade premises will achieve the purpose of the RMA through ensuring these activities are monitored and managed through the appropriate consenting process to mitigate adverse environmental effects, while enabling BUPA to continue their operations in an efficient and not overly restrictive manner.

Mary McConnell



25 September 2015
