Our Ref: 4.22593

20 July 2022

Honorary Phil Twyford
Associate Minister for the Environment
Private Bag 18-041
Parliament Buildings
Wellington 6160

Tēna koe Minister

Application under National Environmental Standards for Air Quality: 16A - Exceptional Circumstances causing Breach of Standard

Bay of Plenty Regional Council (BOPRC) is making an application under Regulation 16A of the National Environmental Standards for Air Quality (NESAQ). Regulation 16A allows for exceedances of the ambient air quality standards to be considered on a case-by-case basis by the Minister.

BOPRC's application is to request the exclusion of an exceedance of the PM_{10} standard recorded on 21 April 2022 at the Rata Street air quality monitoring station located within the Mount Maunganui Airshed. BOPRC's investigation indicates that the exceedance was due to an increased volume of sea salt particles originating from specific weather conditions that combined elevated wave height with onshore winds.

BOPRC has assessed the exceedance against the five criteria specified in the NESAQ User Guide for considering exceptional circumstances. BOPRC has concluded that the exceedance of the PM_{10} standard was caused by a weather event which created a situation that directly led to the exceedance. Such an event is beyond the reasonable control of BOPRC, is infrequent and is not able to be reasonably predicted or planned for. Finally, due to the cause of the exceedance, there is no evidence that it was due to poor resource management of air; consequently, BOPRC has not been inconsistent with the purpose of the Resource Management Act. Therefore, this exceedance can be considered as being caused by exceptional circumstances.

Please find BOPRC's application and supporting technical information attached. If further technical information is required, please contact Shane Iremonger, Science Team Leader at BOPRC.

Thank you for your consideration in this matter.

Ngā mihi

Mark Hamilton
Senior Policy Analyst

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