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about this document

A1-1 Introduction

A1-1.1 The Nelson Regional Air Quality Plan (the Plan) promotes the sustainable management of Nelson’s air resource. It is a regional plan prepared by the Nelson City Council under its regional responsibilities in terms of section 30 of the Resource Management Act 1991 (the Act).

A1-1.2 Nelson City Council is a unitary authority, meaning it has the functions of both a district council and a regional council. The Plan has effect throughout the Nelson district/region, including those parts of the Coastal Marine Area (CMA) exposed at low tide, and structures that extend from the land over the Coastal Marine Area (see A3-6.1.iii). The Coastal Marine Area chapter of the Nelson Resource Management Plan regulates the discharge of agrichemicals to air in the CMA, as do sections 15A, 15B and 15C of the Act, and the Resource Management (Marine Pollution) Regulations 1998, (discussed further in A3-6.1.iii). The area administered by Nelson City Council is shown on Figure A1-1.

A1-1.3 The Plan contains the following material:

Chapters	Contents
A1 - A3	Explanatory material
A4	Issues
A5	Objectives, policies and methods of implementation
A6	Rules
A7	Applying for resource consent
AQ1 - AQ11	Appendices

A1-2 Background

A1-2.1 The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. The Act requires regional and district councils to carry out various resource management functions, including planning.

As a regional council, Nelson City’s main functions can be summarised as (section 30 of the Act):

- a) establishment of objectives, policies and methods to achieve integrated management of the natural and physical resources of the region

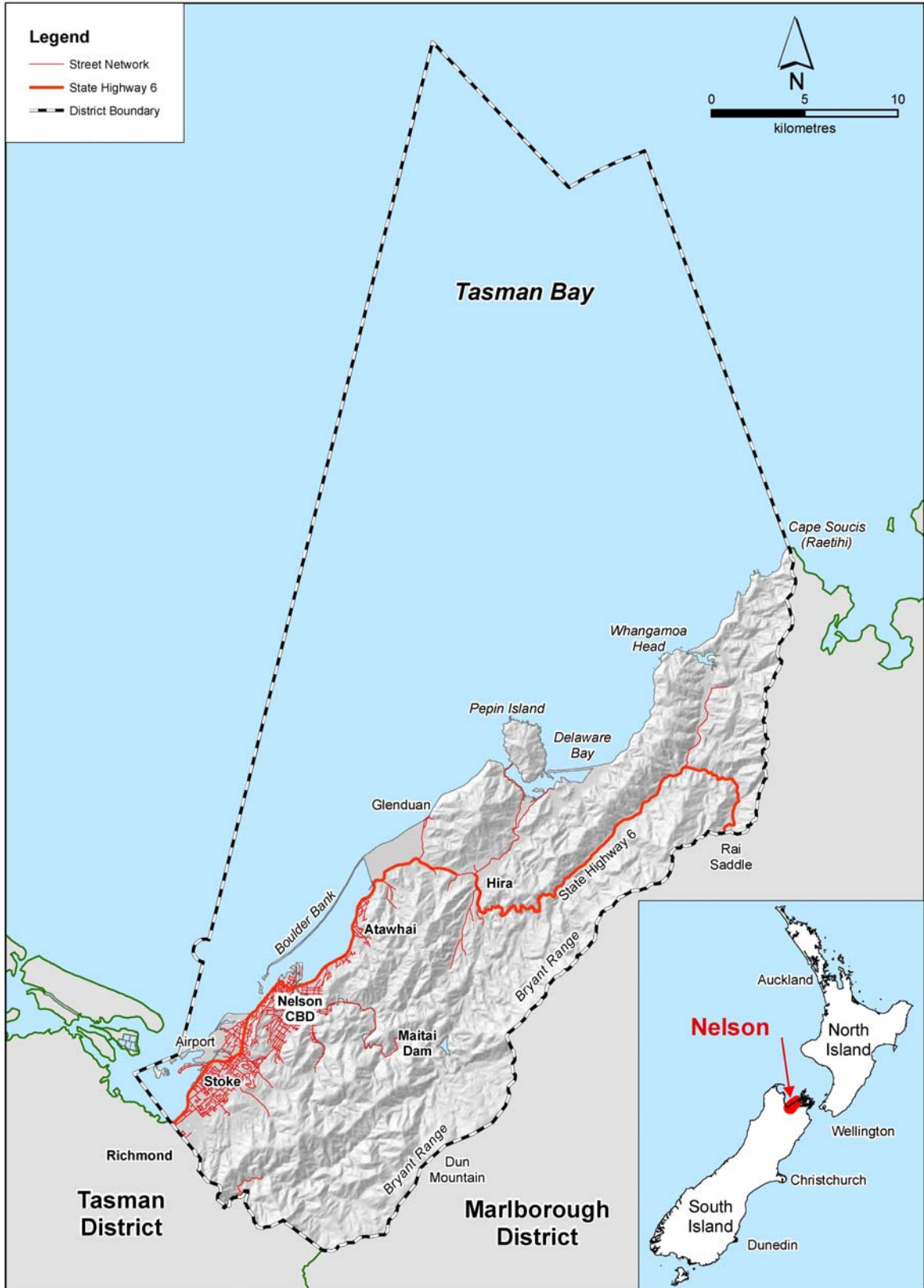


Figure A1-1: Area under the responsibility of the Nelson City Council

- b) control of land use in regard to soil conservation, water quality, natural hazards and hazardous substances
- c) control of activities (except fishing) in the Coastal Marine Area
- d) control of taking, using, damming and diversion of water
- e) control of discharges of contaminants
- f) maintaining indigenous biodiversity.

A1-2.2 The Council can carry out its functions through plans, and in other ways, such as enforcement of some provisions of the Act through the Courts. Other legislation, such as the Local Government Act, overlaps in some respects with the Resource Management Act and powers under other legislation may be used to attain resource management outcomes.

A1-2.3 Please refer to the Nelson Regional Policy Statement for additional information about the Resource Management Act and Nelson City Council's responsibilities under it.

A1-3 Other resource management documents

A1-3.1 The Council has in place an operative Regional Policy Statement, which is the overarching statement of resource management policy for the district.

A1-3.2 A regional plan cannot be inconsistent with any national policy statement, including the New Zealand Coastal Policy Statement, any water conservation order, or the Regional Policy Statement. At the date of notification of this Plan, there were no national policy statements other than the New Zealand Coastal Policy Statement and there were no water conservation orders in force in the District.

A1-3.3 The Council has also produced the Nelson Resource Management Plan (NRMP). This is a combined district and regional plan, which means that it deals with district and regional issues. The NRMP includes planning material on:

- a) all district council functions
- b) some regional council functions relating to the Coastal Marine Area, soil erosion and sedimentation, and freshwater.

There are strong interrelationships between the Nelson Regional Air Quality Plan, and the NRMP, particularly with respect to where activities can be located. The NRMP is the predominant document with respect to the physical location, or zones, in which activities are allowed to establish (see A3-6.2).

This Air Quality Plan does not deal with radiofrequency fields from cell phone towers and other 'radio' transmitters, or with extremely low frequency fields (ELF) from power transmission lines (or with the energy or low level discharge of heat arising from such activities). The 'National Guidelines for managing the effects of radiofrequency transmitters', by the Ministry for the Environment and Ministry of Health, advise that radiofrequency fields are not a 'contaminant' and therefore do not require consideration in regional plans and should be addressed in district plans only. The Nelson Resource Management Plan is the document that controls land use activities that may emit radiofrequency and ELF fields.

A1-3.4

At a future date, the provisions of this Air Quality Plan may be integrated within the combined Nelson Resource Management Plan.