

15 April 2009

Robyn Harrison
One Plan Hearings Administrator
Horizons Regional Council
Private Bag 11025
Palmerston North 4442



Dear Robyn

Proposed One Plan – Evidence for the General Hearing from the Ministry of Education

The Ministry of Education wishes to table the following evidence to the Hearings Panel at the Administration and Finance; and Air Hearings:

Policy 11-4 Common catchment expiry or review date

In our further submission we expressed support for submission point 426/121 by Federated Farmers of New Zealand Inc, which sought to amend Policy 11-4 to provide for flexibility in terms of duration of consents to ensure that the term reflects the effects of the activity, not the requirements of a common expiry date.

Horizons Senior Consultant Planner has recommended that the submission by Federated Farmers be accepted in part (ITR 9), considering that flexibility in consent duration has already been provided for in Policy 11A-5(c), which recognises that common catchment expiry dates can be extended in 10 year increments where this is appropriate. Council's Officer has recommended that Policy 11A-5 (Consent durations) be reworded to make this clearer.

Requested amendments:

- The Ministry of Education is satisfied with and supports the comments and proposed amendments to Policy 11A-5 of the Officers Report. No further amendments to this policy are sought.

Policies 14-1 and 14-2 Consent decision making for agrichemicals and other discharges into air

In our submission we sought to have education facilities added as a sensitive area within Policy 14-1(e), in respect to the discharge of agrichemicals. The Officers Report recommends that our submission be accepted (AIR 24), and has recommended that Policy 14-1 be amended as per our request.

In our submission we also sought to have education facilities added as a sensitive area within Policy 14-2(d) in respect to other discharges to air. The Officers Report recommends that this submission point be accepted (AIR 25), and has amended Policy 14-2 as per our request.

Requested amendments:

- The Ministry of Education wishes to express their support for the inclusion of "education facilities" as a sensitive area in Policies 14-1 and 14-2, as per the track changes version of Chapter 14 (Discharges to Air) dated 9 March 2009.

Rule 14-2

In our submission the Ministry requested that Condition 14-2(c) be retained as written in the Proposed One Plan. Rule 14-2 provides for the widespread application of agrichemicals as a permitted activity. Condition (c) of this Rule states that "*The discharge shall not be located within*

50 metres of a school.” The Officers Report recommends that our request to retain this condition as currently worded be accepted (AIR 29).

Requested amendments:

- The Ministry of Education wishes to express their support for Rule 14-2 as worded in the Track Changes version of Chapter 14 (dated 9 March 2009), and requests that Rule 14-2 be adopted as recommended in the Officers Recommendation Report – Air.

Rule 14-5

In our submission we requested that Rule 14-5 (Open Burning) be retained as written in the Proposed One Plan. Proposed new wording for Rule 14-5 was circulated following our pre-hearing meeting on 9 May 2008. We supported the amended Rule 14-5, particularly as it no longer restricts the burning of vegetable matter, paper and cardboard to the land on which it was sourced, and removes the requirement for open burning to be undertaken on production land.

Council’s Officer has recommended that our submission on Rule 14-5 be accepted in part (AIR 32), to the extent the rule is to be modified. The only further modification we have identified from the draft wording that was circulated to us in May 2008 is the addition of a new permitted activity condition requiring the discharge to not cause a reduction in visibility on any designated commercial or military flight path. The Ministry has no issues with this proposed change to Rule 14-5.

Requested amendments:

- The Ministry of Education wishes to express their support for Rule 14-5 as worded in the Track Changes version of Chapter 14 (dated 9 March 2009) and requests no further changes to this Rule.

Should the Hearings Panel have any further questions, or seek further clarification on any of the matters raised in this letter, please feel free to contact me on (06) 350 3271, or my colleague Andrea Harris on (06) 350 2504.

Yours sincerely



Lisa Hooker
Opus International Consultants Ltd
On behalf of the Ministry of Education