



**TOI TE ORA**  
**PUBLIC HEALTH**  
 Bay of Plenty • Lakes Districts



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12 April 2018

Proposed Plan Change 13 (Air Quality)  
 The Chief Executive  
 Bay of Plenty Regional Council  
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**Proposed Plan Change 13 (Air Quality)**

**Introduction**

The Bay of Plenty District Health Board (Bay of Plenty DHB) and the Lakes District Health Board (Lakes DHB) are required by the Public Health and Disability Act 2000 to improve, promote, and protect the health of people and communities; to promote the inclusion and participation in society and independence of people with disabilities; and to reduce health disparities by improving health outcomes for Māori and other population groups.

Health is a state of complete physical, mental, and social wellbeing and not merely the absence of disease or infirmity (World Health Organization, 1946). Whilst health care services are important health interventions, their primary purpose is to manage disease, ill-health and trauma at an individual level. The health and wellbeing of a community is more strongly influenced by a wide range of factors beyond the health sector. These factors are referred to as the ‘determinants of health’. Many determinants of health are directly influenced by the decisions and activities of councils.

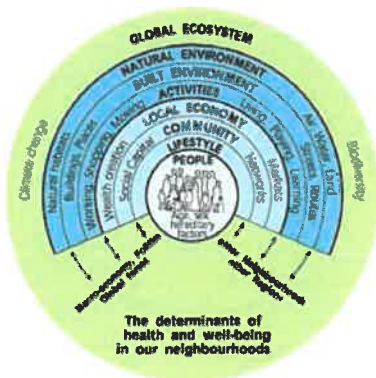


Figure 1: A model of the determinants of health (Barton & Grant, 2006)

For these reasons, the Bay of Plenty DHB and Lakes DHB are committed to working collaboratively with Councils and welcome the opportunity to comment on the Proposed Plan Change 13 (Air Quality) which manages discharges of contaminants to air from human activities.. Dr Jim Miller, Medical Officer of Health previously made comment on the Draft New Bay of Plenty Regional Air Plan.

This submission has been prepared by Toi Te Ora Public Health (Toi Te Ora) which is the Public Health Unit for both Bay of Plenty DHB and Lakes DHB.

### ***Submission***

Public health emphasises keeping people healthy and improving the health of populations. This submission aims to assist in reducing contaminants to air and protect the health of people living in, and visiting, the local community. Exposure to air pollutants is largely beyond the control of individuals and requires action by public authorities at all levels.

Clean air is a basic requirement for human health and wellbeing. Environments should improve not harm our health.

### ***Policy 3 Management of discharges and Policy 4 Matters to consider***

The objectives and policies are generally supported and in particular, we support the clear recognition of the importance of avoiding adverse effects on human health and safeguarding the life supporting capacity of the air outlined in 3(a), (b) and (e).

The approach of first avoiding, then eliminating the discharge of a contaminant, then minimising contaminants where they may cause adverse effects on human health is appropriate. However, when considering the effects on human health consideration needs to be wider than stated in 3(b).

We would like to see consideration given to the number of people potentially exposed, the degree of harm or burden to health likely to result from any exposure and the control that people may have on exposure when assessing the potential or actual effects on human health.

**Decision sought:** That when considering the avoidance or minimisation of effects of a discharge of contaminants on human health the plan in addition considers:

- The number of people potentially exposed
- The degree of harm to health likely to result from any exposure
- The ability of the population to take steps to avoid the exposure.

### ***Policy 9(b) – Fumigation for quarantine application or pre-shipment application***

Thank you for considering our previous comments and we support the inclusion of policy 9(b) to ensure fumigation complies with exposure levels and management regimes set by the New Zealand Environmental Protection Authority.

**Rule 1**

We support the general permitted activity rules however rule 1(c) may exclude not for profit organisations or local government agency activities when these too may present a similar risk to discharges from industrial or trade premises.

**Decision sought:** That Council review the intention of permitted rule 1(c) to ensure that all permitted discharges will be managed appropriately irrespective of the premises generating the discharge.

**Rule 4 – Vehicles and rods – Permitted**

We recognise that vehicle emissions are important for air quality locally however, the intention of rule 4 to permit vehicle emissions and movements on unsealed roads is considered ambiguous. It is recommended that rule 4(a) be reworded to clarify whether a vehicle is not permitted to emit visible smoke for more than a period of 5 seconds, at any time or only at idle. Although we understand that the issue of vehicle emission standards may be best addressed elsewhere.

While we recognise that vehicles moving on unsealed roads needs to be permitted, vehicle movements on unsealed roads can create a health nuisance as a result of dust. We recommend clarification be included in rule 4(b) to address situations where vehicle movement may need to be managed for example, during significant road upgrading, during logging operations or during periods of dry weather causing frequent and continuous periods of dust from vehicle movement from an unsealed road.

**Decision sought:** That Council review the intention of permitted rule 4 (a) and (b) and clarify

- the permitted provisions for visible smoke from any internal combustion engine used to power vehicles and aircraft (but not ships) and;
- when vehicle movements on unsealed roads are not considered a permitted activity.

**Rule 9 – Open burning in urban areas – non-complying and Definition of Terms**

Rule 9 permits open burning when the fire is for recreational and/or cultural purposes. While recreational purposes are well defined with examples in the proposed plan, cultural purposes are not. We recommend what constitutes activities of cultural purpose be clarified in the definition section to assist compliance and enforcement by the public and Council.

**Decision sought:** That the definition of terms for ‘recreational and cultural purpose fires’, be expanded to clarify with examples, fires of cultural purpose. Would bonfires on 5<sup>th</sup> November be considered a cultural activity, for example?

**Rule 12 - Rotorua domestic burners**

We wish to reiterate Dr Miller’s support for the need to regulate burners in private homes and support Council’s multi-pronged approach, to reducing pollution in this airshed to

acceptable levels. We would also like to see public and sector education continue alongside the new regulations.

***Rule 21 – Specific activities - discretionary***

We support all new crematoria being discretionary activities to ensure that a new operation or location is unlikely to cause an adverse effect.

**Decision sought:** that new crematoria are listed as a discretionary activity under rule 21 – specific activities.

***Definition of terms - sensitive activities***

We fully support this helpful definition because the definition captures all occupied dwellings and buildings, public water supply catchments and intakes, and especially because it covers private/individual household water supplies sourced from rooves. This is because roof based drinking water supplies present a very direct exposure pathway for people.

**Decision sought:** That the definition for sensitive activity be accepted as proposed.

***Definition of terms – urban property***

The evidence provided by Council clearly indicates that open fires are an environmental health problem affecting everyone in the built environment. The approach to prohibit open burning in urban areas is reasonable and necessary for the protection of public health.

The ‘urban’ property definition proposed is supported in part. We support the proposal for open burning to be prohibited on a property less than 2 hectares. However, we do not support that it necessarily includes properties connected to a wastewater scheme. This is because wastewater schemes are often not provided in areas where there is a sizable population, and wherever there is a sizable population burning will occur more frequently, have the potential to expose a number of people and cause cumulative discharge effects. The plan as proposed would, for example, enable the communities of Matata and Matapihi to continue to open burn when we consider these communities to be of sufficient density that open fires are likely to cause a nuisance to health and therefore an adverse effect on human health. We recommend that the definition for an urban property be determined by land size only irrespective of any infrastructure provided.

**Decision sought:** That the definition for urban property, be amended to read ‘in relation to open burning means any property that is less than 2 hectares’.

Toi Te Ora on behalf of the Bay of Plenty and Lakes DHBs wish to be heard in support of this submission.

Yours sincerely



**Sally Webb**  
Chairperson  
Bay of Plenty District Health Board



**Ron Dunham**  
Chief Executive  
Lakes District Health Board

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