

# Minutes of the Mount Maunganui Air Quality Working Party hui Held at Whareroa Marae Wednesday, 3 March 2021

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**Chair:** Graeme Marshall

**In attendance:** Joel and Awhina Ngatuere (Whareroa), Pia Bennett (Ngāi Te Rangi rūnanga), Emma Jones, Heidi Hughes (Clear the Air Mt Maunganui), Kiri Peita, Lindsey Webber (Western Bay Primary Health Organisation), Councillor Paula Thompson, Councillor Matemoana McDonald (BOPRC), Emily Gudsell (TCC tangata whenua), Dominic Adams, Charlie Bourne (Ballance Agri-nutrients), Hayden Henry (Ngāi Tukairangi), Julian Huteau (Ecocific), Kate Barry-Piceno (Tauranga Moana Fumigation Action Group), Cat Lochore (Toi Te Ora Public Health), Mark Hollands (Waste Management), Dan Kneebone, Joey McKenzie (Port of Tauranga), Ashley Hart, Craig Duxfield (Lawter), Des Heke (Ngāti Ranginui), Commissioner Shadrach Rolleston, Commissioner Bill Wasley (TCC), Dudley Clemens (J. Swap Contractors), Aroha Kopae (Ngāti Kuku), , Uncle Joe Briggs (Ngāi Tahu)

**Support:** Sarah Omundsen, Stephen Mellor, Reece Irving, Mel Jones, Sanjana France (BOPRC), Barbara Dempsey (TCC)

**Apologies:** Rebecca Lloyd, Samantha Lay Yee (Ministry for the Environment), Pete Chandler (DHB), Jim Miller (Toi Te Ora)

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## Welcome and Introductions

A powhiri was held to welcome members to Whareroa marae, followed by an opening Karakia from Mane Ngatai

Graeme Marshall thanked Whareroa for hosting the second Working party hui, and welcomed new members to the table. The large agenda was noted and Graeme advised that the focus would be on presentations in the first instance, and that some items may need to be postponed.

Graeme also noted that he had caught up with most members individually over the last few weeks and recorded issues and feedback to be discussed collectively in general business, if there was time.

## Haukainga korero

Joel Ngatuere gave a presentation on behalf of the Whareroa community – *Let Whareroa Breathe Again* (Appendix 1). The history of the Marae was provided, as well as an overview of the current community (papakāinga, Kaumātua village, kohanga reo, residents and te rununga).

Joel outlined the cumulative issues the community are facing following the rapid industrial development that now surrounds Taiaho Place. This includes poor air quality, poor water quality, chemical exposure, noise, and risks to hazards – all of which result in impacts on physical and mental health. The community are calling for:

- A moratorium on consents
- Integrity of action
- Cross-sector fit for purpose industrial site
- A public inquiry and RMA changes

The recent Timaru Oil resource consent process was discussed as an example of the divide between industry, the community and the councils administering the RMA, with a plea for us all to be working together on shared outcomes.

The lack of a hazard management or evacuation plan for the community was also highlighted. While surrounding industries have site specific hazard management plans – what do the people living at Whareroa do if something goes wrong?

## **Agency presentations**

At the last hui, members asked that all agencies provide an overview of their roles and responsibilities for protecting human health in relation to air quality. Unfortunately the Ministry for the Environment were unable to attend given Covid Level 3 restrictions in Auckland, but would provide their presentation at the following hui.

*Western Bay Primary Health Organisation, Bay of Plenty District Health Board and Toi te Ora (Appendix 2)*

The three health agencies provided a shared presentation on their respective roles, responsibilities and obligations:

- Bay of Plenty District Health Board - provides services to improve the health of individuals and communities, and protect the health of individuals and communities
- Toi te Ora - improves, promotes and protects public health
- Western Bay Primary Health Organisation - helps to plan, fund and coordinate services provided by health professionals

It was noted the issues facing the Whareroa community, and the wider Mount Maunganui community may not be well known by health professionals in the area, and may require increased communication to ensure accurate reporting is in place.

The agencies also advised that they do not believe any formal health assessment or study of residents is required to understand the impacts current air quality is having. Rather there is an opportunity for the community to share their stories, and they have been working directly with the Marae on this.

*Tauranga City Council (Appendix 3)*

An overview of the City Council's responsibilities was provided, with the focus on the role of the City Plan and the resource consent process. Importantly, the Mount Maunganui Industrial Area is zoned industrial and the existing industrial zone rules are relatively permissive for heavy industry. The Council's consideration of the effects of heavy industry is constrained to whether the landuse is suitable within the relevant zoning.

The City Plan is currently under review and the Council are specifically looking at opportunities for how Whareroa Marae and the Mount community can feed into that planning.

#### *Bay of Plenty Regional Council (Appendix 4)*

The Regional Council's regulatory framework was outlined, with requirements to protect both human health and the environment. Regional Council is required to give effect to the National Environmental Standards for Air Quality (sets a guaranteed minimum level of health protection for all New Zealanders) which it does through the Regional Natural Resources Plan (rules to protect the mauri of air and human health from the adverse effects of anthropogenic contaminant discharges to air) as well as through conditions on resource consents.

The extensive air monitoring network throughout the Mount Maunganui Airshed was discussed, and the reasons why the Airshed has been declared polluted. It was noted that:

- A new monitoring station had been put in place at Blake Park, and another is being investigated for the residential area
- New rules specifically for the Mount Maunganui Airshed were being scoped up and this was an opportunity for the community to consider whether they were comfortable with the minimum standards set through the NES, or whether higher standards were more appropriate.

## **Closing**

Given time constraints, it was acknowledged the agenda was too ambitious and the focus for future meetings would be less items with more opportunity for discussion. The terms of reference would be key for next time.

Graeme thanked everyone who presented and asked questions, noting the robust discussions have challenged the group, and there is more kōrero to go.

Closing Karakia was given.

## **APPENDICES**



# LET WHATEVER BREATHE AGAIN

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Air Quality Working Party 03 March 2021

## Ko wai mātou?

Ngā uri whakaheke a Taiaho Hori Ngātai

## Whareroa Marae

1867 / 1873



Māori: 85    Pākehā: 5    Asian: 1

Kohanga Reo / Rūnanga: 60

**TOTAL: 151**

**At risk group:** under 12 and over 60



**HOKIA KI Ō MAUNGA KIA  
PUREA KOE I NGĀ HAU A  
TĀWHIRIMĀTEA**

**RETURN TO YOUR MOUNTAINS TO BE CLEANSED  
BY THE WINDS OF TĀWHIRIMĀTEA**

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An aerial photograph of the Mount Maunganui area in New Zealand. The image shows a coastal town with a grid of streets, a harbor, and surrounding green hills. A red dashed line outlines a large area covering the town and harbor. A yellow dashed line follows a path through the town. A solid orange line traces a route around the town and harbor. A yellow line with cross-ticks is visible in the upper part of the town. The text 'Mount Maunganui Airshed' is overlaid in the center in a bold, yellow font with a black outline. The word 'Omanu' is written in the bottom right corner in a black font with a white outline.

# Mount Maunganui Airshed

Omanu



Ballance Agri-Nutrients

Gull Hewletts Road

Papakāinga & Kaumātua Village

Papakāinga & Residents

Whareroa Marae

Te Rūnanga o Ngāi Te Rangi

Whareroa Marae & Kohanga Reo

Whareroa 2G 1A



Port of Tauranga



NZ Oil Services



Ballance Agri-Nutrients



Waste Management



Lawter Chemical Solutions



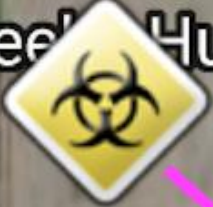
Logging



SH2



CRS Containers



Tauranga Airport



**Port of Tauranga**  
PM 10 / PM 2.5  
Methyl Bromide  
Sulphur Dioxide  
Carbon Monoxide



**Balance Agri-Nutrients**



2

**NZ Oil Services**  
PM 10 / PM 2.5  
Carbon Monoxide



**NZ Logging**  
PM 10 / PM 2.5  
Carbon Monoxide



**Hewletts Road**

**Balance Agri-Nutrients**  
PM 10 / PM 2.5  
Sulphur Dioxide  
Sulphuric Acid Mist  
Sulphur Trioxide  
Hydrogen Sulphide  
Flouride  
Burnt Lime  
Carbon Monoxide



**Waste Management NZ**  
PM 10 / PM 2.5  
Sulphur Dioxide  
Hydrogen Sulphide  
Carbon Monoxide



**Lawter Chemical Solutions**  
PM 10 / PM 2.5  
Sulphur Dioxide  
Hydrogen Sulphide  
Nitrogen Oxide  
Nitrogen Dioxide  
Methyl Mercaptan  
Dimethyl Sulphate  
Dimethyl Disulphide  
Carbon Monoxide



**Whareroa Marae**

**CRS Containers**  
PM 10 / PM 2.5  
Carbon Monoxide



**SH2**  
PM 10 / PM 2.5  
Carbon Monoxide

**Contaminated discharge in to moana**

**Tauranga Airport**  
PM 10 / PM 2.5  
Carbon Monoxide



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# Our bodies tell the story



Respiratory difficulties  
Asthma  
Emphysema



Eyes, Nose, Throat  
Headaches, Sinuses,  
Nauseous

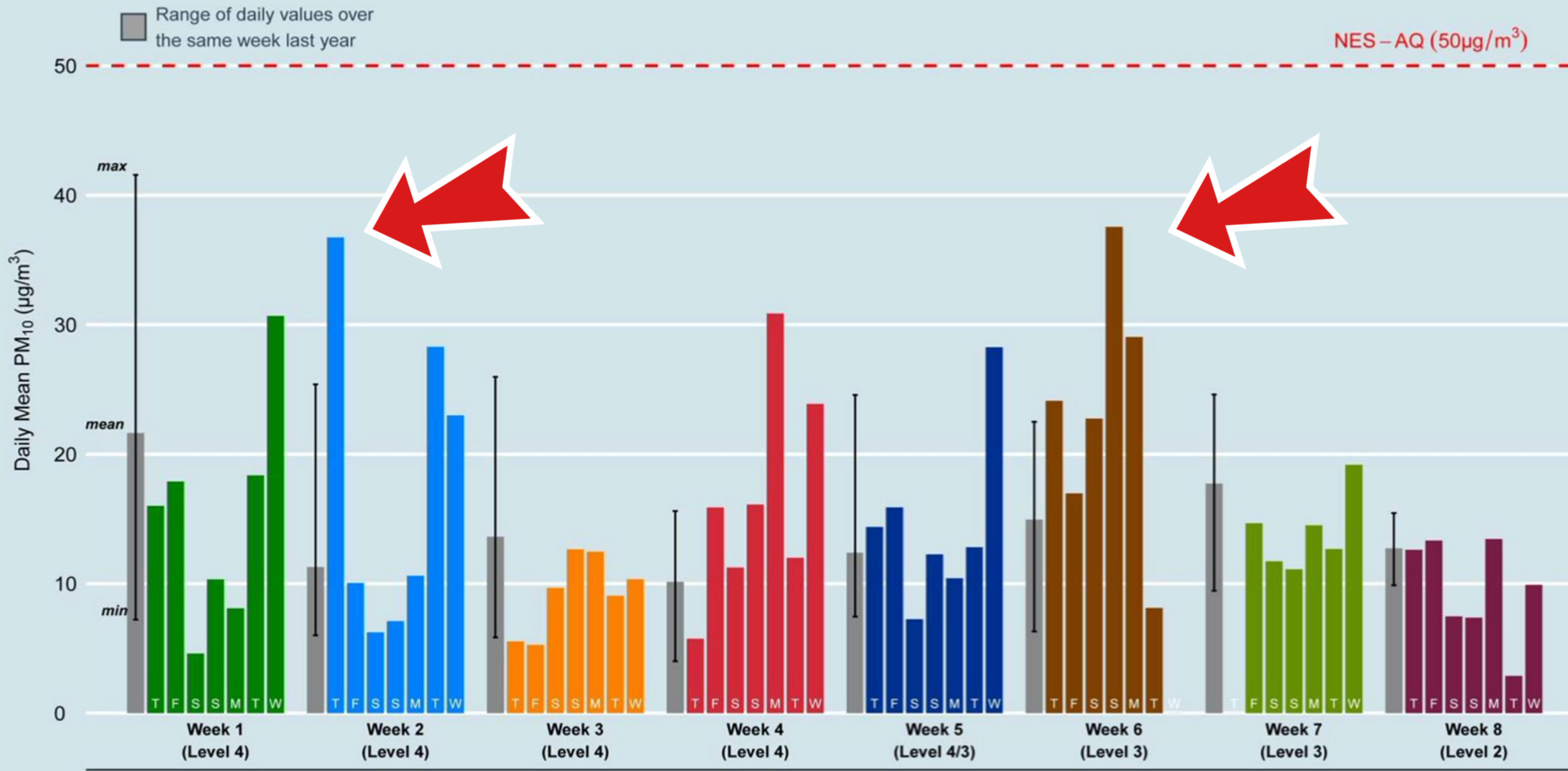


Mental Health



Premature deaths

# Whareroa Marae PM<sub>10</sub> – Daily Lockdown Values vs Historic Values



Data from Week 6 onwards is raw data directly from the Councils telemetry system and has yet to go through quality assurance processes. Caution should be applied, as raw data can be adjusted through this process based on instrument performance and calibration checks.

# Expert Voice

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## **World Health Organisation**

Air pollution affects neurodevelopment, leading to lower cognitive test outcomes, negatively affecting mental and motor development

Air pollution is damaging children's lung function, even at lower levels of exposures

## **Prof Drew Shindell – Earth Sciences Duke University**

Air pollution seems to affect almost every organ in the human body

## **Ministry for Environment / Ministry of Health**

Confirm impacts of health effects experienced at Whareroa and expectations from exposure to Sulphur Dioxide, Nitrogen Dioxide, Hydrogen Sulphide and Particulate Matter

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# Lifecycle of our babies

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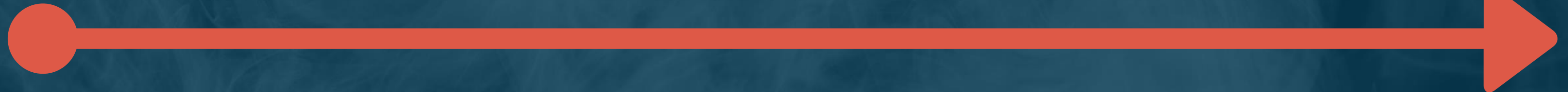
**CONCEIVED**

**KOHANGA REO**

**STAY OR GO**

0 - 5 Years

5 - 18 Years



**BORN**

**KURA**

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**"I would like to breathe without having to taste this  
crap coming from those guys next door. And, I want my  
mokopuna to be safe"**

**Kuia – Whareroa Marae 2019**

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**"Whaea, you're getting sick because you're living at  
Whareroa"**

**Doctor – Te Akau Hauora GP Clinic 2020**

# Hazard Management

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*Where is it?*



# HOW DID WE GET HERE?

## COLONIZATION

- Land confiscations
- Institutionalised structural racism
- Alienation
- Dispossession

## LOCAL GOV'T

- Purposeful design and alienation
- Failure to act responsibly
- Supporting & Profiting economic drivers before health

## CENTRAL GOV'T

- MfE, MoH, MfEM, PM
- Failure to protect
- Supporting & Profiting economic drivers before health of citizens

## PORT & INDUSTRIES

- Profit driven regardless of human cost
- Zero understanding of kaitiakitanga (RMA)
- Failure to meet social responsibility

**Are you a good Treaty Partner?**

**Social Licence?**

# What do we want?

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If the air we breathe continues to be laced with chemicals and PM, then you are persisting to poison us.

This will result in further deaths, sicknesses and purposeful alienation of our community.



# HOW CAN WE FIX IT?

## ■ **Moratorium on Consents**

No new consents. Total stocktake of all consents and their cumulative impact on health, environment and social growth.

## ■ **Integrity of action**

Uncompromising adherence to strong moral and ethical principles and values to drive positive change.

Take ownership of the situation and your party's role in it.

## ■ **Cross sector Fit For Purpose HI Site**

Local & Central governments, Iwi, PoT, Industries and Public to investigate and develop a sustainable FFP site which can still service PoT.

## ■ **Inquiry & RMA**

Public inquiry – *how did we get here?*

Investigate opportunity cost.

Whareroa is an example of desperate need to improve RMA.

Stop the vicious cycle!

What is your  
why?



# **Mahi Tahī**

**(Bay of Plenty District Health Board, Western Bay of Plenty Primary Health Organisation, Toi te Ora Public Health)**

# Bay of Plenty District Health Board



# Bay of Plenty District Health Board

Established under the New Zealand Health and Disability Act 2000.

Primary objectives:

“to provide services to improve the health of individuals and communities”  
and  
protect the health of individuals and communities.”

Air quality impacts on both objectives

# Toi te Ora Public Health

# Toi Te Ora Public Health: air quality roles & responsibilities

- Public health unit for Bay of Plenty and Lakes District
- Focus on health protection & promotion and illness prevention at community/population level
- “improve, promote and protect public health”  
– contractual, statutory, moral



# Who is involved

- **Medical Officer of Health:**
  - Statutory officer under the Health Act 1956
  - Appointed by, accountable to, and subject to direction from the Director–General of Health
  - DHB senior medical officer with an independent voice
  - Health Act: receive notifications of ill health; require TA\* to provide reports; take action on public health nuisances if TA reluctant
- **Health protection officers, policy analysts, health promotion advisors**



*\*territorial authority*

*Lifelong health + wellbeing for all*

# How fulfil obligations

- Input into policy, planning, regulatory processes and documents – national, regional, & district level
- Identify issues & advise the regulators of concerns
- Consider: level of evidence, science, and regulatory protection
- Access expert advice
- Provide advice to the relevant regulatory agency(s)

● Advocate on behalf of affected communities

# **Western Bay of Plenty Primary Health Organisation**



Western Bay of Plenty  
Primary Health Organisation

TONGIA TE URURUA KIA TUPU  
WHAKARITOKITO TE TUPU  
O TE HARAKEKE

# Overview of Western Bay of Plenty Primary Health Organisation (WBoP PHO)





WBoP PHO priorities  
are:

Whai Mana–Equity

Whai Ora–Quality

Whai Rangatiratanga–  
Sustainability







# Whai Rangatiratanga Sustainability





# Mount Air Quality Working Party meeting

Wednesday 3<sup>rd</sup> March 2021



*Tauranga City*

# Section 31 of the RMA – our functions

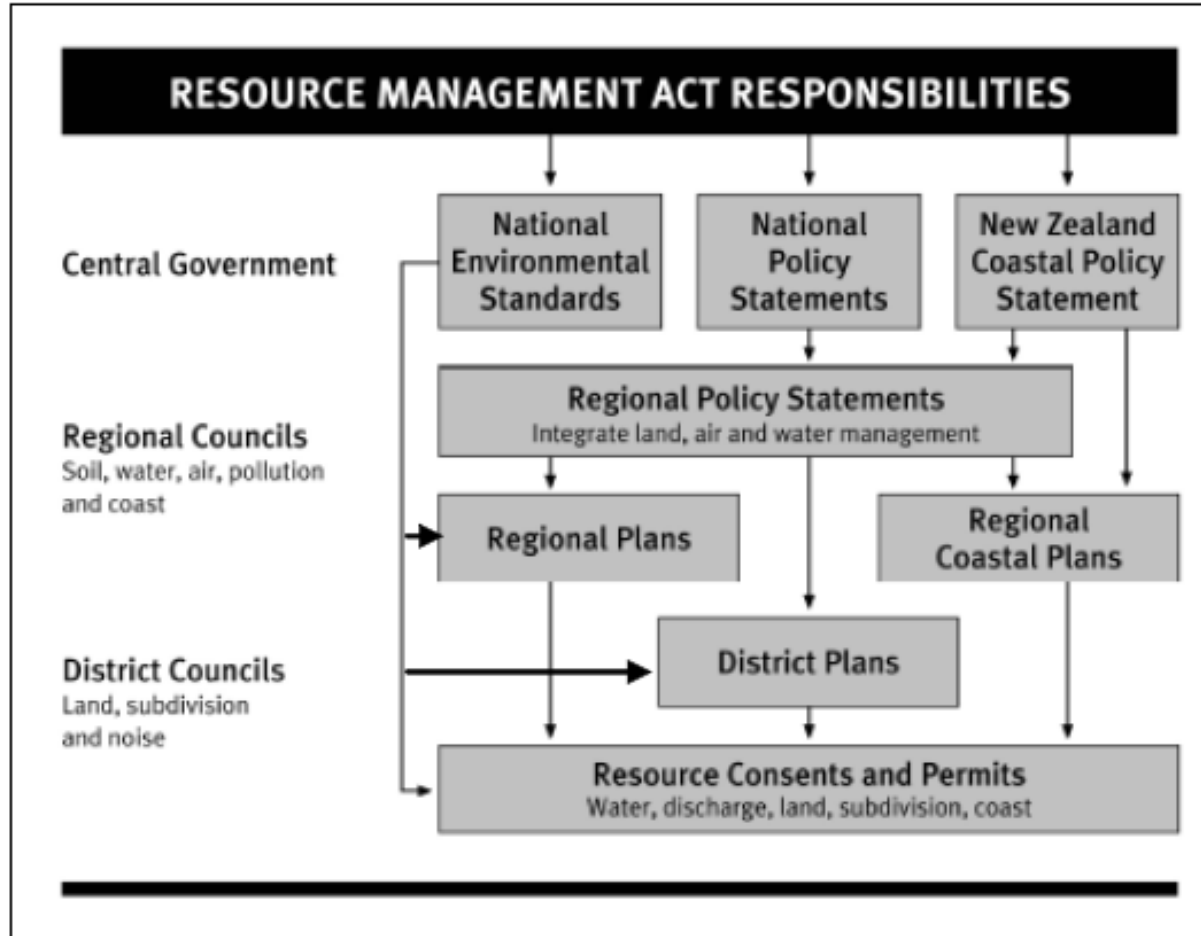
## 31 Functions of territorial authorities under this Act

- (1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:
- (a) the establishment, implementation, and review of **objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:**
  - (aa) the establishment, implementation, and review of **objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land** to meet the expected demands of the district:
  - (b) the **control of any actual or potential effects of the use, development,** or protection of land, including for the purpose of—
    - (i) the avoidance or mitigation of natural hazards; and
    - (ii) *[Repealed]*
    - (ia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:
    - (iii) the maintenance of indigenous biological diversity:
  - (c) *[Repealed]*
  - (d) the control of the **emission of noise and the mitigation of the effects of noise:**
  - (e) the control of any actual or potential effects of activities in relation to the **surface of water in rivers and lakes:**

# How do we deliver on our responsibilities

- Develop, consult and adopt a City Plan
- Amend as required (selected plan changes)
- Undertake a full review of the Plan every ten Year (working on 2024 review)
- Consider and grant Resource Consents in accordance with the City Plan and other planning documents

# Hierocrazy of Planning Documents



# Air Quality issues/City and District Plans

With regards to managing discharges to air, this sits with the Regional Council under s30(1)(f) of the RMA.

When considering truck movements, it is in terms of the design standards for road classification and strategic function. Impact of air emissions is out of scope.

Our existing Industrial zone rules are relatively permissive for heavy industry. Our consideration of the effects of heavy industry is constrained to whether the landuse is suitable within the relevant zoning. Our plan does acknowledge potential offsite impacts as a result of a significant event (e.g. chemical fire).

# Environmental Monitoring

Tauranga City Council's Environmental Monitoring Team is responsible for monitoring the City Plan and conditions of landuse and subdivision resource consents issued by Tauranga City Council.

# Health Act

Tauranga City Council's Environmental Health Team have some responsibilities under the Health Act Section 29 (h).

- In relation to the Health Act, an Environmental Health Officer (EHO) would only be required to respond to nuisance complaints, example would be nuisances from residential fires creating smoke issues.
- The Environmental Health team would refer any larger scale complaints to the relevant authority such as:
  - Regional Council
  - Ministry of Health

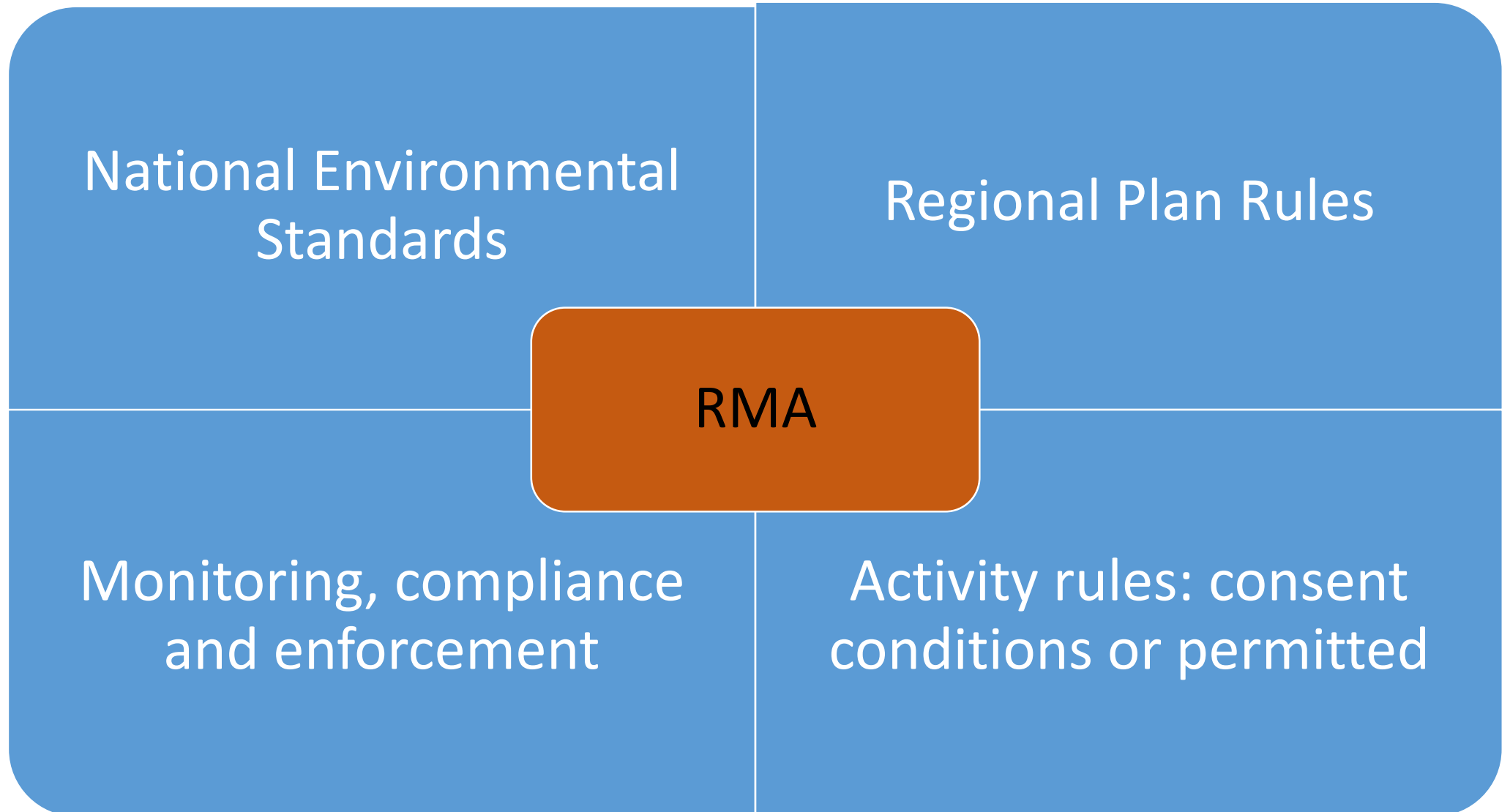


# Regional Council

**Air Quality roles & responsibilities for  
protecting human health and the environment.**



# Regional Council's Regulatory Framework



# Legislation

**RMA Part 2, 5(2)** “...enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety...”

**NES (Air Quality)** “...introduced in 2004 to set a guaranteed minimum level of health protection for all New Zealanders.”

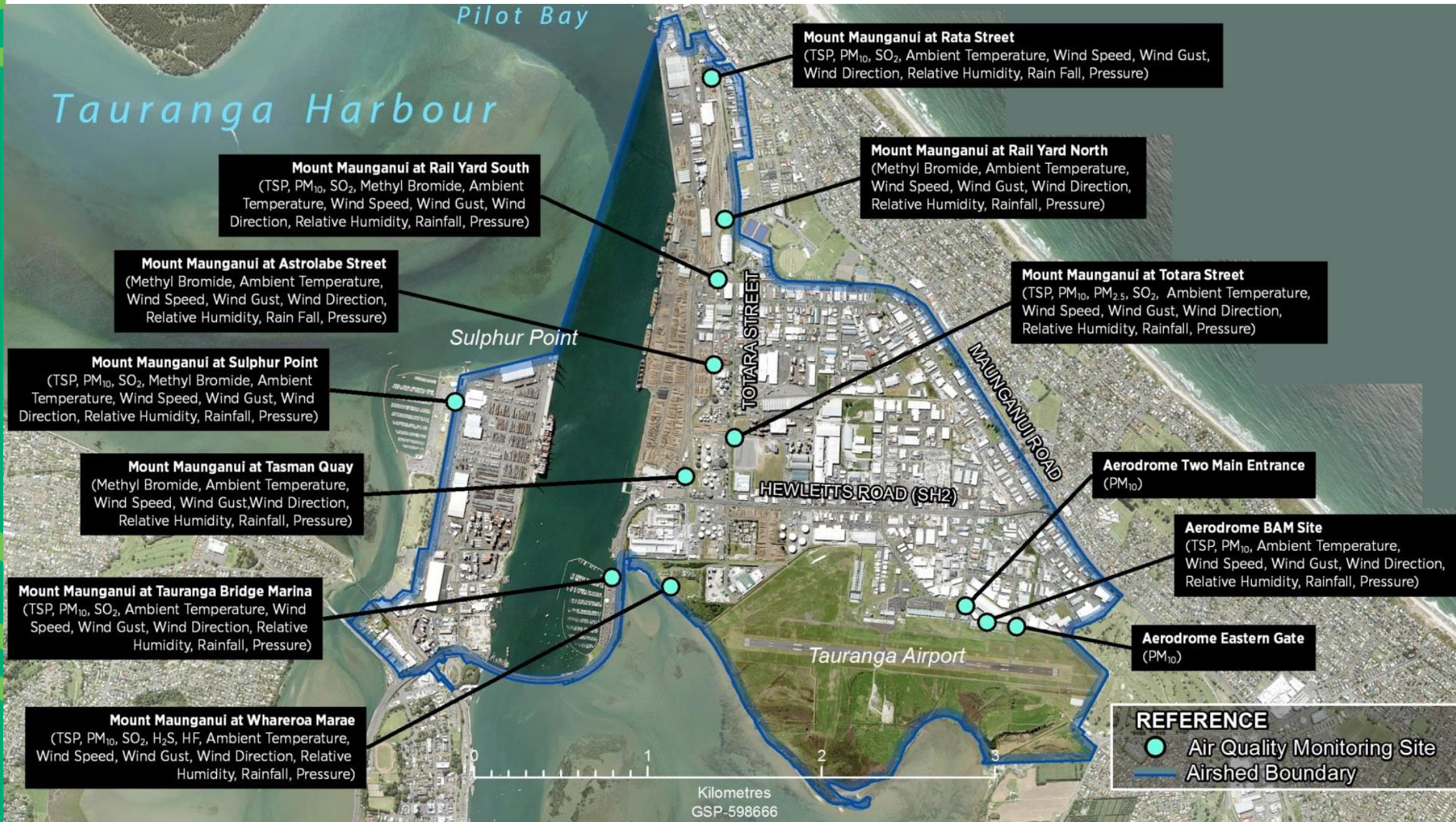
**Regional Natural Resources Plan** “...Protection of the mauri of air and human health from the adverse effects of anthropogenic contaminant discharges to air.”



# Implementing the regulatory framework

- Central government legislation directs regional councils to develop Regional Plan rules for protecting the environment and human health
- Central government's NES also imposes specific limits on ambient air quality and requires regional councils to monitor and comply
- Regional rules and resource consent conditions give effect to NES limits as well as additional regional and local requirements
- Where limits are breached, regional councils take action through enforcement
- Breaches of limits are notified to iwi, the community, Territorial Authorities, the DHB and the Ministry for the Environment

# Mount monitoring network



# Example of a breach response



Dust alarm notification direct to Pollution Officers cell phone at 4:01am – security camera view.

Same location, one minute later (4:02am) with the security camera obscured by a dust storm blowing through. Investigation found source of dust was heavy machinery working on Tauranga Airport, directly down-wind of the air quality monitor.

