

**BOPRC Proposed Plan Change 13 – Air Quality**

**Further Submission on Plan Change 13 (Air Quality) to the Regional Natural Resources Plan**

The Chief Executive

Bay of Plenty of Regional Council

PO Box 364

Whakatāne 3158

EMAIL: [air@boprc.govt.nz](mailto:air@boprc.govt.nz)

- 1- I wish to be heard in support of my further submission
- 2- If others make a similar submission I would be prepared to consider presenting a joint case with them at any hearing
- 3- I am a person representing a relevant aspect of public interest; that is avoiding adverse effects on public health

**Address for service:** 7 DeHavilland Way  
Tauranga 3116

**Telephone:** 021 279 1303

**Email:** [info@tonychristiansen.com](mailto:info@tonychristiansen.com)

**Contact Person:** Tony Christiansen

## BOPRC Proposed Plan Change 13 – Air Quality

Submission number	Submitter name	Section reference	Support/Oppose	Reasons
(37)	Oji Fibre Solution	1,6,7,9,13,15,16	<b>Oppose</b>	Refer below submission
(67)	Port of Tauranga	2,3,6,7,8,15,18, 20,22	<b>Oppose</b>	Refer below submission
(63)	Silver Fern Farms Management Ltd	1,2,3,4,5,6,7,8,9, 10,11	<b>Oppose</b>	Refer below submission
(69)	KiwiRail Holdings Ltd	4,8	<b>Oppose</b>	Refer below submission
(75)	Swap Stockfoods Ltd	1,3	<b>Oppose</b>	Refer below submission
(76)	Federated Farmers of New Zealand	1,3,7,8,16,23,36 37,42	<b>Oppose</b>	Refer below submission

**Submission Type:** Support with amendment

**Submitter:** Tony Christiansen, 7 De Havilland Way

**Submission:**

This submission concerns matters relevant to the public interest, which is avoiding adverse effects on public health. I own a hangar located 7 De Havilland Way Tauranga. The hangar was intended as recreational accommodation and aircraft storage and I currently live there with my partner. For more than 5 years we have been subject to adverse effects arising from discharges to air of particulate matter from a nearby bulk materials handling facility located at 101 Aerodrome Road, Mt Maunganui.

An independent investigation of these discharges commissioned for Toi Te Ora concluded that (Emission Impossible Ltd, 2018):<sup>1</sup>

*“...dust emissions from the bulk materials activities at 101 Aerodrome Road are having adverse health effects on workers and residents in de Havilland Way. These effects are intermittent and appear to coincide with dry, windy conditions and a lack of effective dust control at 101 Aerodrome Road. The effects range from minor (e.g. sore throat, itchy eyes) to serious (e.g. allergic bronchitis).”*

This report also outlined the large range of adverse health effects that can arise from exposure to particulate matter, summarised as:<sup>2</sup>

*In summary, PM<sub>10</sub> causes both acute and long-term health effects<sup>3</sup> and is carcinogenic.<sup>4</sup> It should be treated seriously and not just considered as ‘nuisance’ dust.*

I wish to submit in support of proposed AQ R1 as currently drafted. I consider that this rule is clear in providing that discharges to air should not cause adverse effects beyond the boundary of the site where any activity is being undertaken.

I also record my support for Rule AQ R1(c) which provides that any activity on industrial or trade premises that has discharges to air that have adverse effects offsite will require resource consent. Application of this rule would mean that the bulk materials handling facility at 101 Aerodrome Road would no longer be a permitted activity and would require resource consent. When there are neighbouring properties, such as a public Airport, where people and aircraft with sensitive equipment exist and frequent, I feel the resource consent should be publically notifiable.

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<sup>1</sup> Emission Impossible Ltd, (2018). *Dust Investigation: 101 Aerodrome Rd, Mt Maunganui*. Report prepared for Toi Te Ora. 10 May. Auckland. At page 39.

<sup>2</sup> *Ibid.* At page 9.

<sup>3</sup> WHO, (2006). *Air Quality Guideline. Global Update 2005*. Prepared by the WHO Regional Office for Europe. Copenhagen.

<sup>4</sup> IARC, (2016). Monographs on the Evaluation of Carcinogenic Risks to Humans. [Volume 109 \(2016\) Outdoor Air Pollution](#). International Agency for Research on Cancer.

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I am advised that to assist with enforcement of this rule, monitoring be carried out for PM<sub>10</sub> in accordance with the Resource Management (National Environmental Standards for Air Quality) Regulations 2004. (Suggested additional text in the permitted activity rule - refer below).

Kindly register my opposition to amendments sought by the following parties (submission numbers in brackets).<sup>5</sup>

- Oji Fibre Solution (37)
- Port of Tauranga (67)
- Silver Fern Farms Management Ltd (63)
- KiwiRail Holdings Ltd (69)
- Swap Stockfoods Ltd (75)
- Federated Farmers of New Zealand (76)

There has been a lack of effective regulatory action by BOPRC to date in dealing with the adverse effects caused by bulk materials handling at 101 Aerodrome Road. I am concerned the amendments sought by the above enterprises will further degrade Councils ability to respond effectively. A practical way of addressing the issue would be to make the activity causing these dust problems discretionary. This is on the basis that there is considerable evidence of adverse effects from these activities. (Suggested draft text below (new Rule AQ 21(y))).

**Decision Sought:** Retain AQ R1 as per drafting in Proposed Plan Change 13 (Air Quality) with additional amendment as follows:

### AQ R1 General activities – Permitted — Ngā mahinga noa – E whakaaehia ana

Any discharge of **contaminants** into air which is not subject to any other rule in this regional plan and excluding the discharge of dust to air associated with a plantation forestry activity, is a permitted activity provided the following conditions are complied with:

- (a) The discharge must not be noxious or dangerous, offensive or objectionable beyond the boundary of the subject property or into any water body.
- (b) The discharge of smoke or water vapour must not adversely affect the safety of any vehicle, aircraft, or ship.
- (c) The discharge is not from industrial or trade premises.

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<sup>5</sup> BOPRC, (2018). *Summary of Decisions Requested* (by Section) by persons making submissions on PROPOSED Plan Change 13 (Air Quality) to the Regional Natural Resources Plan. July. Whakatane. Available at: <https://www.boprc.govt.nz/media/764794/summary-of-decisions-requested-by-section-final-pdf2.pdf>

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- (d) The discharge does not cause an exceedance of the national environmental standard for PM<sub>10</sub>.

**Decision Sought:** Require bulk materials handling facilities be discretionary activities.

### AQ R21 Specific activities – Discretionary— Ngā mahinga tauwhāiti – Ka whiriwhirihia

The discharge of **contaminants** into air from any of the following activities is a discretionary activity:

- (a) Agrichemical manufacture.
- (b) Asphalt or bitumen manufacture or processing.
- (c) Breweries.
- ...
- (y) **Transfer, storage and transport of bulk material in excess of 30,000 tonnes per year.**