



# TOI TE ORA PUBLIC HEALTH

Bay of Plenty + Lakes Districts



---

Toi Te Ora Public Health  
PO Box 2120  
TAURANGA 3140

31 July 2018

The Chief Executive  
Bay of Plenty Regional Council  
PO Box 364  
WHAKATANE 3158

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

### **Introduction**

This further submission has been prepared by Toi Te Ora Public Health (Toi Te Ora) which is the Public Health Unit for Bay of Plenty and Lakes District Health Boards. The key role of Toi Te Ora is to promote, protect and improve population health, prevent ill health and minimise the risk of disease and injury through population based interventions.

District Health Boards 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.

Bearing in mind the above, Toi Te Ora represents a relevant aspect of the public interest. Medical Officers of Health also have an interest in this plan change that is greater than the interest of the general public. This is because Medical Officers of Health have responsibilities to reduce conditions within their local community which are likely to cause disease. In part this is undertaken by assisting Councils with their responsibilities pursuant to the Resource Management Act to address the improvement, protection and promotion of public health.

This further submission aims to provide helpful, objective and independent input to promote the reduction of adverse effects on the environment and protect the health of people living in, and visiting, the local community. Toi Te Ora could not gain an advantage in trade competition through this submission.

Toi Te Ora on behalf of the Bay of Plenty and Lakes DHBs wishes to be heard in support of this submission. We would not be prepared to consider presenting a joint case with others who make a similar submission.

### Further Submission Points

It is not usual for Toi Te Ora to make a further submission, particularly any submission in opposition. However, on review of submissions made to the proposed plan change, the decisions requested by some submitters cause us concern. There appears to be opinion forming that harming human health, as a result of air discharges from industrial and trade premises, could in some circumstances be reasonable.

It is not acceptable to harm human health. We would be concerned should any emission from industrial or trade premises cause adverse effects on human health.

To be clear, we do not rigidly oppose any discharge of contaminants to the environment. Our concern is with discharges known to cause harm to human health. For example, we do not oppose the discharge of sulphur dioxide in principle, only where the discharge is at a level which can harm health.

The National Environmental Standards for Air Quality set a guaranteed minimum level of health protection for all New Zealand.<sup>1</sup> These standards mandate that contaminants may not be discharged at levels that result in concentrations above the concentrations (and permitted exceedances) in Schedule 1.

The National Ambient Air Quality Guidelines set concentration limits to promote sustainable management of the air resource in New Zealand.<sup>2</sup> Coupled with global ambient air quality guidelines published by the World Health Organisation,<sup>3</sup> these guidelines provide concentration limits for the protection of human health.

We would like to understand what are considered to be 'significant' adverse effects on human health as proposed by some submitters? It is our position that there is no acceptable level of harm to health.

The reasons for our position are that;

- Clean air is a basic requirement for human health.
- The quality of the air we breathe is largely beyond the control of individuals and an individual cannot avoid breathing. A person breathes thousands of litres per day at rest and a lot more when physically active.
- There is no practical way of treating or cleaning air like we can treat water for drinking and therefore discharges to air are most effectively controlled at source.
- The additive impact of multiple discharges in the same airshed need to be considered.
- Every effort must be taken to avoid the production and release of contaminants, especially when those contaminants are known to cause adverse health effects. It is not acceptable to knowingly harm the health of the public, in the same way that it is not acceptable to harm the health of people in a workplace.

---

<sup>1</sup> Resource Management (National Environmental Standards for Air Quality) Regulations 2004

<sup>2</sup> Ministry for the Environment, 2002

<sup>3</sup> WHO, 2006

Submission number	Submitters name	Section Reference	Support/Op pose	Reasons
51-2	Nga Potiki Resource Management Unit c/o Arthur Flintoff Unit 6, 34 Gravatt Road Fashion Island Papamoa	AQ01	Oppose	<p>We recognise that mauri and human health overlap and are complementary. However there are differences, particularly regarding measurement. Therefore reference to human health needs to be retained.</p> <p>We seek objective AQ01 to be retained as initially proposed.</p>
67-2	Port of Tauranga c/- Rowan Johnstone Private Bag 12504 Tauranga Mail Centre Tauranga 3143	AQ01	Oppose in part	<p>The part of the submission we oppose relates to the inclusion of the word 'significant'.</p> <p>It is not acceptable to harm to health.</p> <p>Avoiding harm will keep people healthy and improve health.</p> <p>The National Environment Standards for Air Quality set guaranteed minimum levels of health protection for all New Zealand. It is unacceptable for any contaminants to be discharged at levels resulting in downwind concentrations that can cause ill health.</p> <p>Every effort must be made to avoid the production and release of contaminants especially when adverse health effects are well known. It is not acceptable to knowingly harm the health of the public in the same way that it is not acceptable to harm the health of people in a workplace.</p> <p>The effective management of discharges from industrial activities is important in protecting the health of the public.</p>
68-2	Ngati Ranginui Iwi Society Inc Carlton Bidois c/- Postal Delivery Centre	AQ02	Support	<p>Agree that meeting the National Environmental Standard and Ambient Air Quality Guidelines set a sound approach to air quality.</p>

Submission number	Submitters name	Section Reference	Support/Op pose	Reasons
	Te Puna Tauranga			
30-4	Trustpower Private Bag 12023 Tauranga 3143	AQP3(a)	Support	Agree that discharge of contaminants to air must safeguard the life supporting capacity of the air, avoid adverse effects on human health and avoid, remedy or mitigate adverse effects on the environment.
36-7	Mercury NZ Ltd PO Box 445 Hamilton 3240	AQP3(a)	Oppose	It is not acceptable to harm to health.  Avoiding harm will keep people healthy and improve health.
45-24	Fonterra Ltd c/- Mitchell Daysh Ltd PO Box 1307 Hamilton 3240	AQOX	Oppose	The National Environment Standards for Air Quality set guaranteed minimum level of health protection for all New Zealand. It is unacceptable for any contaminants to be discharged at levels resulting in downwind concentrations that can cause ill health.
45-7	Fonterra Ltd c/- Mitchell Daysh Ltd PO Box 1307 Hamilton 3240	AQP3(a)	Oppose	Every effort to avoid exposure to contaminants must be made when the adverse health effects are well known. It is not acceptable to knowingly harm the health of the public in the same way that it is not acceptable to harm the health of people in a workplace.
67-7	Port of Tauranga c/- Rowan Johnstone Private Bag 12504 Tauranga Mail Centre Tauranga 3143	AQP3(a)	Oppose	The effective management of discharges from industrial and trade activities is important in protecting the health of the public.
37-13	Oji Fibre Solution Private Bag 6 Tokoroa 3444	AQP3(b)	Oppose	
76-42	Federated Farmers of New Zealand PO Box 447	AQP3(a)	Oppose	

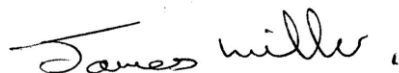
Submission number	Submitters name	Section Reference	Support/Op pose	Reasons
	Hamilton 3240			
50-9	Ravensdown c/- Planz Consultants Ltd PO Box 1845 Christchurch 8140	AQP3(a)	Oppose	
76-8	Federated Farmers of New Zealand PO Box 447 Hamilton 3240	AQP3 – whole policy	Oppose	<p>The effective management of all discharges is important in protecting the health of the public.</p> <p>Activities that discharge contaminants that may harm health need to be effectively managed.</p>
45-21	Fonterra Ltd c/- Mitchell Daysh Ltd PO Box 1307 Hamilton 3240	AQP4 – New Clause	Support in part	<p>Economic prosperity does help to improve health but the industries associated with this prosperity should not be producing discharges which are detrimental to physical health.</p> <p>The effective management of discharges from industrial activities or trade premises is important in protecting the health of the public.</p>
67-20	Port of Tauranga c/- Rowan Johnstone Private Bag 12504 Tauranga Mail Centre Tauranga 3143	AQP3(b)	Oppose	<p>The National Environment Standards for Air Quality set guaranteed minimum levels of health protection for all New Zealand. It is unacceptable for any contaminants to be discharged at levels resulting in downwind concentrations that can cause ill health.</p> <p>Economic prosperity does improve health but this should not be at known detriment of physical health</p>

Submission number	Submitters name	Section Reference	Support/Op pose	Reasons
30-15	Trustpower Private Bag 12023 Tauranga 3143	AQP3(b)	Support	<p>Agree that no discharge should exceed national standards or guidelines.</p> <p>The National Environment Standards for Air Quality set guaranteed minimum level of health protection for all New Zealand. It is unacceptable for any contaminants to be discharged at levels resulting in downwind concentrations that can cause ill health.</p>
45-18	Fonterra Ltd c/- Mitchell Daysh Ltd PO Box 1307 Hamilton 3240	Definitions – Regionally Significant Industry	Oppose in part	<p>We do not oppose the suggestion to include a definition of regionally significant industry as we recognise that successful businesses may contribute to improving health. However, the social, economic or cultural benefits should not be at the known detriment of physical health.</p>
45-8	Fonterra Ltd c/- Mitchell Daysh Ltd PO Box 1307 Hamilton 3240	AQP4(e)	Oppose in part	<p>We do not oppose the submitter seeking a definition of regionally significant industry; however we wish to emphasise that when considering the acceptability of a discharge, the effect on human health must be of paramount consideration.</p> <p>To highlight this point, we recommend that consideration of the effect on human health should be considered initially before having particular regard to other matters listed (a) to (g).</p>
37-9	Oji Fibre Solution Private Bag 6 Tokoroa 3444	AQR1	Oppose	<p>The effective management of discharges is important in protecting the health of the public. The proposed plan change enables better management of air discharges through resource consenting and more efficient enforcement.</p> <p>The Section 32 Report states that <i>'the National Environmental Standard for Air Quality relies on the policies and rules in a regional plan to be effective'</i>.</p>
36-9	Mercury NZ Ltd PO Box 445 Hamilton 3240	AQR1	Oppose	
33-9	Balance Agri-Nutrients Ltd Private Bag 12 503 Tauranga Mail Centre	AQR1	Oppose	

Submission number	Submitters name	Section Reference	Support/Op pose	Reasons
	Tauranga 3143			
30-7	Trustpower Private Bag 12023 Tauranga 3143	AQR1	Oppose	
50-12	Ravensdown Ltd c/- Planz Consultants Ltd PO Box 1845 Christchurch 8140	AQR1	Oppose	
67-8	Port of Tauranga c/- Rowan Johnstone Private Bag 12504 Tauranga Mail Centre Tauranga 3143	AQR1(c)	Oppose	
75-1	Swap Stockfoods Ltd c/o AECOM PO Box 13161 Tauranga 3141	AQR1(c)	Oppose	
19-8	Z Energy Ltd, BP Oil NZ and Mobil Oil NZ Ltd c/o Burton Planning Consultants Ltd PO Box 33-817 Takapuna Auckland 0740	AQR1	Support in part	Agree, the discharges must not result in downwind concentrations that cause adverse effects on human health.  For clarity we do not support the removal of industrial or trade premises from AQR(c)
11-17	Waikato Regional Council Private Bag 3038 Waikato Mail Centre Hamilton 3240	AQR1(g)	Support	Discharges to air from existing crematoria can result in adverse effects on health if not managed and controlled property. Therefore we support the inclusion of existing crematoria to be a discretionary activity after a certain date. An extension, replacement or furnace upgrade of an existing

Submission number	Submitters name	Section Reference	Support/Op pose	Reasons
74-10	Bay of Plenty Regional Council PO Box 364 Whakatane 3158	AQR1(g)	Support in part	crematorium should be a controlled activity.
76-22	Federated Farmers of New Zealand PO Box 447 Hamilton 3240	AQR10	Oppose	Burning of non-organic material will discharge contaminants that may harm health.  Everyone deserves the same level of protection from harm no matter where they live, play or work.  Good waste management practices safeguard the health of existing and future populations.

Yours sincerely



**Dr Jim Miller**  
Medical Officer of Health

**Contact details**

Annaka Davis  
Toi Te Ora Public Health  
PO Box 2120  
TAURANGA 3140  
0800 221 555  
[enquiries@toiteora.govt.nz](mailto:enquiries@toiteora.govt.nz)