

BOPRC Proposed Plan Change 13 – Air Quality

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

The Chief Executive
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- 1- I **do** 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 who has an interest in the proposal that is greater than the interest the general public has (refer below submission)

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Contact Person: Gregory Misson

Submission Type: Support with amendment

Submitter: Gregory Charles Misson, 8 De Havilland Way

Submission:

This submission concerns matters relevant to the public interest, namely avoiding adverse effects on public health. My premises is located 8 De Havilland Way. For the past 6 years I have been subject to adverse effects arising from discharges to air of particulate matter from a 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):¹

“...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:²

In summary, PM₁₀ causes both acute and long-term health effects³ and is carcinogenic.⁴ 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 particularly wish to register my strong 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 (i.e. it is no longer a permitted activity). I understand a straightforward application of this rule means that the bulk materials handling facility at 101 Aerodrome Road (which have caused adverse effects at mine and adjacent properties) would no longer be a permitted activity and would require resource consent.

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

² *Ibid*. At page 9.

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

⁴ 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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To assist with enforcement of this rule, I propose that monitoring be carried out for PM₁₀ in accordance with the Resource Management (National Environmental Standards for Air Quality) Regulations 2004. I have therefore suggested additional text in the permitted activity rule (refer below).

Please further register my opposition to amendments sought by the following parties (submission numbers in brackets):⁵

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

As an aside, I am neutral on the technical amendment to AQ R1 requested by BOPRC (Submitter 74) regarding the roasting of coffee beans (BOPRC, 2018).⁶

Notwithstanding the above, I note the lack of regulatory action by BOPRC to date in dealing with the adverse effects caused by bulk materials handling at 101 Aerodrome Road. A more straightforward 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. I have 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.

⁵ 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>

⁶ *Ibid.*

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- (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.
- (d) The discharge does not cause an exceedance of the national environmental standard for PM₁₀.

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 cargo in excess of 30,000 tonnes per year.

Submission no:	Submitter name	Section reference	Support/Oppose	Reasons
(37)	Oji Fibre Solution	1,6,7,9,13,15,16	Oppose	Refer FS10
(67)	Port of Tauranga	2,3,6,7,8,15,18, 20,22	Oppose	Refer FS10
(63)	Silver Fern Farms Management Ltd	1,2,3,4,5,6,7,8,9, 10,11	Oppose	Refer FS10
(69)	KiwiRail Holdings Ltd	4,8	Oppose	Refer FS10
(75)	Swap Stockfoods Ltd	1,3	Oppose	Refer FS10
(76)	Federated Farmers of New Zealand	1,3,7,8,16,23,36 37,42	Oppose	Refer FS10