

Minutes of the Mount Maunganui Air Quality Working Party hui held on Zoom, Thursday 9 September 2021

Chair: Graeme Marshall

In attendance: Joel Ngatuere (Whareroa), Emma Jones, Heidi Hughes (Clear the Air Mt Maunganui), Councillor Matemoana McDonald, Councillor Paula Thompson (BoPRC); Mark Hollands (Waste Management), Dan Kneebone, Joey McKenzie (Port of Tauranga), Commissioner Shadrach Rolleston, Commissioner Bill Wasley (TCC), Aroha Kopae (Ngāti Kuku); Dominic Adams (Ballance Agri-nutrients); Craig Duxfield (Lawter); Kate Barry-Piceno (TMFAG); Cashy Ball (TCC); Mark Proctor (TPT Forests); Bridget Robson (Eland)

Guest Speakers: Reuben Fraser (BoPRC); Jo Gascoigne, Katherine Lay (MfE).

Support: Sarah Omundsen, Jessica Somerville, Reece Irving, Stephen Mellor (BoPRC); Barbara Dempsey (TCC)

Apologies: Kiri Peita, Lindsey Webber (WBPHO); Pete Chandler (DHB); Jim Miller, Cat Lochore (Toi Te Ora); Dudley Clemens (J. Swap Contractors); Hayden Henry (Ngai Tukairangi)

Meeting Goals - Gather information, maintain momentum, get answers and drive actions. Get clarity and visibility on issues and actions; hold those responsible for air quality to account. Continue to seek ways to work collaboratively.

Opening Karakia – Joel Ngatuere

General Welcome – Graeme Marshall, extended a warm welcome to Jo and Katherine from MfE and Reuben Fraser, Consents Manager at BoPRC.

General Business

Introduction to new faces: Mark Proctor from TPT Forests who has joined the meeting today as an observer.

Minutes of last meeting. Were not circulated prior to this meeting so will ensure they are circulated to be taken as read prior to the next meeting.

Terms of Reference: Taken as read and adopted. During discussion it was noted that the ToR refers to one of the groups role being to “promote and pursue”. It was agreed that further discussion to canvas the scope of this is required and will be an agenda item at a future meeting.

TCC Zoning Update: Need to develop greater understanding of the connectivity of industrial areas in Tauranga, including Maleme Street, Tauriko, Judea, the Mount and others to inform a strategic view in the City Plan review and other planning documents. This will help define areas of light vs heavy industry – thinking on a city-scale as well as sub regionally.

Further discussion: How do Quayside Holdings, SmartGrowth and other economic drivers’ impact on the decisions around zoning for industry, and how are transportation and trucking being taken into consideration? A document is to be produced to identify where and how council controlled organisations are involved in this decision making, how they are aligned and identify and avoid conflict

of interest in making decisions on the spatial zoning of industry. It was noted that the TCC Commissioners are also wearing hats as Smartgrowth representatives in this Working Party.

Meeting planned with all government agencies – local government and health: To discuss and define how local government and health agencies roles and responsibilities regarding air quality impacts on human health are aligned, and integrated into their planning. It was suggested there would be value in having MfE involved in the discussion. This meeting has been arranged for 14 October, and the outcomes will be reported back to the Working Party.

Ministry for the Environment Presentation and Q&A session.

Introduced Jo Gascoigne, Director | Ringatohu, Natural & Built System and Water & Land Use Policy
Katherine Lay, Senior Policy Analyst, Urban and Infrastructure Policy (Air)

(Please refer to *Attachment 1* for the PowerPoint presentation from MfE)

MfE are a policy agency who looks at air quality at a system level within the direction of the RMA. Implementing the decisions of central government falls to local government agencies. MfE sets a framework within which local governments have to operate. Working across government agencies, including the Ministry of Health, Waka Kotahi and Ministry of Transport to understand the impacts of air pollution and administer the National Environmental Standards (NES) for Air Quality. MfE understands the difficulties of working within the RMA, which is why wider RMA reform is currently taking place. This includes the limitations on local government agencies to undertake enforcement action, and the costs to councils of undertaking a prosecution. It is hoped in the RMA reform there will be legislation to give local government more enforcement teeth.

National Environmental Standards Air Quality (NESAQ) review and update.

There were 118 submissions received, many very technical and detailed bringing up a number of new questions and proposals to be considered.

Progress has been delayed as MfE waits for the latest update to the World Health Organisation (WHO) air quality guidelines and the HAPINZ (Health and Air Pollution in New Zealand) report. The WHO report should be available by the end of September. Only after this can the NES review progress and earlier deadlines set for the review release now will not be met.

The NES has to be fit for purpose as a nation-wide standard for air pollution, it cannot take every localised situation into account. MfE acknowledge that the Whareroa community are in a unique situation. MfE can only provide a nationwide framework with specific rules having to be developed by local governments for local conditions.

Part of the NES review is looking at how the framework and rules work for local governments and communities, MfE are not setting out to put the health of people at risk, so they want to take that on board.

MfE is not in a position to provide resources to specific communities. Their role is to focus on national policy, providing the framework for local government agencies to work within to find solutions for affected communities. MfE understands that internationally having a port in close proximity to a residential area is not unique which is why the government has ratified the MARPOL agreement and are working with agencies such as Waka Kotahi and MBIE to ensure councils have the tools to adhere to the provisions.

Regional Consents overview and Q&A session

Introduced Reuben Fraser, Manager, Consents, BoPRC

Reuben gave an overview of the different types of notification decisions that are made on each consent application accepted by the Bay of Plenty Regional Council, which largely relate to the

discharge (of contaminants) to land, air and water. Under sec.95 of the RMA a notification decision could be:

- Public notification
- Limited notification or
- Non-notification

There are currently only two 35 year consents in the Mount Industrial Area, both are for built stormwater infrastructure.

As existing industrial discharge consents come up for review there are now a number of new tools which could impact a decision on consent conditions and the duration of consents, including more stringent review conditions, taking the cumulative effect of discharges into account and Regulation 17 of the NES which does not allow any new discharges of PM10 in a polluted airshed.

The Regional Council is currently working through the last appeal on Plan Change 13, Air Quality as well as working on Mount air-shed specific rules to be introduced in Plan Change 18. Consents are granted based on the best information available at the time, but can include conditions that address changes in ambient air quality limits, new technology, best practice etc.

Next meeting

The next Air Quality Working Party meeting is scheduled for 9am on Thursday 11 November with the venue to be advised.

The meeting focus will be on the EPA decision on methyl bromide, released in August as well as discussion around moving forward with the Working Party.

Closing karakia. Joel Ngatuere.

Actions:

Action	Agency	Completed
Circulate minutes of previous and current meetings	AQWP Admin	5-11-2021
Arrange a meeting between the governance of various agencies, get agreement on roles regarding the health impacts of air pollution, report back to the next Air Quality Working Party hui.	AQWP Admin	5-11-2021
Develop a report on how the economic agencies, Smartgrowth and Quayside are involved in shaping future development of industrial zones in the city and sub-regionally, including reporting on any identified conflicts of interest and progressing the Rangiuru Business Park development.	TCC & BoPRC	