

Canterbury

District Health Board

Te Poari Hauora o Waitaha

**Submission from
Canterbury District Health Board**

May 2015

Proposed Canterbury Air Regional Plan

Details of Submitter

Person Making Submission

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We would like to be heard in support of our submission.

Introduction

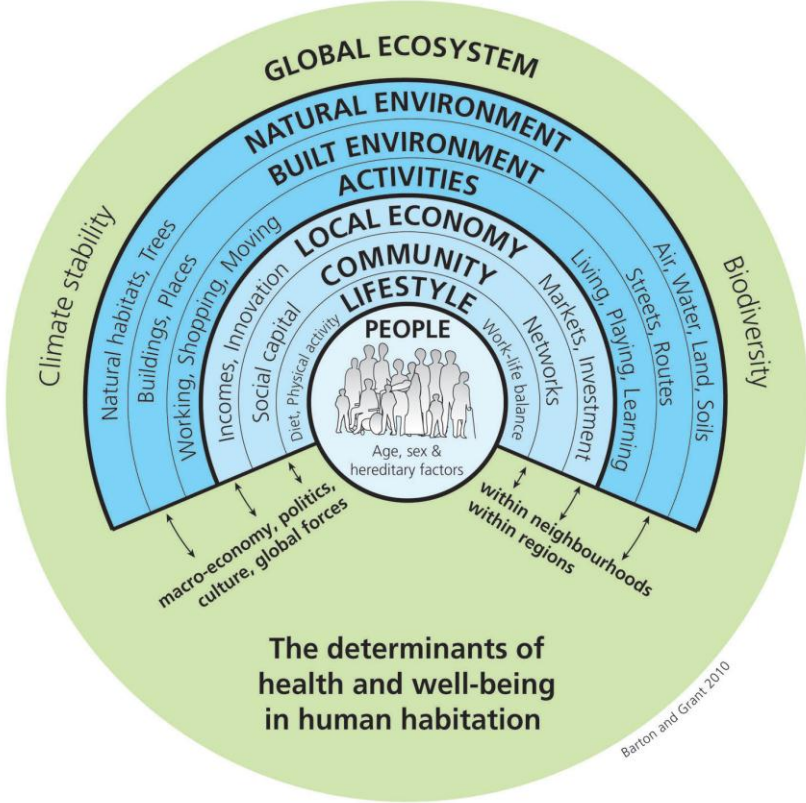
The Canterbury District Health Board (CDHB) welcomes the opportunity to comment on the Proposed Canterbury Air Regional Plan. The reasons for making this submission are to promote the reduction of adverse environmental effects on the health of people and communities and to improve, promote and protect their health pursuant to the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.

A community's health and wellbeing is primarily determined by social, cultural, economic and environmental factors which lie outside and beyond the control of the health sector. These influences are described as the conditions in which people are born, grow, live, work and age and are attributed to environmental, social and behavioural factors.¹ Sectors responsible for these factors have great scope to influence the health of a population through their policies, plans and programmes. It is therefore essential that organisations and groups beyond the health sector, such as

¹ Public Health Advisory Committee. 2004. The Health of People and Communities. A Way Forward: Public Policy and the Economic Determinants of Health. Public Health Advisory Committee: Wellington.

local government, consider how planned initiatives might (or might not) improve the health and wellbeing of populations.

This concept of public health is acknowledged by the inclusion of public health considerations in legislation such as in the Local Government Act 2012 and the Resource Management Act 1991 (RMA). The CDHB emphasise the RMA as legislation that significantly impacts on how people and communities manage their natural and physical resources to provide for their social, economic and cultural wellbeing [s5 (2)]. The CDHB recognise that public policy plays a significant role in shaping the health of populations. Policies that enable all to contribute to the social, economic and cultural life of their society will result in healthier communities than those where people face insecurity, exclusion and deprivation. The diagram² below shows how the influences on health are interlinked:



Barton, H and Grant, M. (2006) A health map for the local human habitat. The Journal of the Royal Society for the Promotion of Health 126 (6), pp 252-253. <http://www.bne.uwe.ac.uk/who/healthmap/default.asp>

CDHB staff are available to further discuss the points raised within this submission.

² Barton, H and Grant, M. (2006) A health map for the local human habitat. The Journal of the Royal Society for the Promotion of Health 126 (6), pp 252-253. <http://www.bne.uwe.ac.uk/who/healthmap/default.asp>

Draft Plan topic or reference:	Discussion:	CDHB's suggested amendments / action points:
Objectives	CDHB queries the meaning of objective 5.7. The type of infrastructure referred to here is unclear.	Recommendation: That the statement is clarified to define what regionally significant infrastructure is.
Space Heating	<p>The CDHB supports the policies and rules relating to home heating, which are reflective of the findings of the Health Impact Assessment that was jointly undertaken by Environment Canterbury and the CDHB as part of the Air Plan review.</p> <p>The CDHB supports policies 6.27–6.30, which would enable discharges to air from of ultra-low emission burners and efficient non-emitting appliances, and recognises the importance of incorporating supporting measures, such as housing improvements and heating schemes. These policies enable the protection of population health through both improved air quality and adequate warmth of homes during winter.</p> <p>The CDHB supports rules 7.75–7.93 relating to space heating. The proposed rules would support a staged reduction in the use of older-style enclosed burners and/or low emitting burners on sites less than 2ha in various Clean Air Zones in order to reduce emissions to air over time. They also allow sufficient time (15 years from date of installation of existing burners) for households to make changes, likely mitigating any adverse effects of changes on household warmth and wellbeing.</p> <p>The CDHB supports the permission of discharges to air from ultra-low emission burners in all Clean Air Zones. This would enable the continued use of wood as an effective and affordable home heating method.</p>	Recommendation: That the Canterbury Regional Council (CRC/ECan) continue to explore the opportunity of providing a consenting pathway to install more ultra-low emission burners in new dwellings, as well as existing dwellings that do not currently have a wood burner.

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<p>Industry</p>	<p>Whilst industrial emissions contribute a smaller percentage than domestic home (space) heating to pollutant levels within airsheds in Canterbury, the size and scale of many industrial activities means that they can have a significant impact on the neighbouring community.</p> <p>The effective management of discharges from industrial activities is paramount in protecting the health of the public.</p> <p>Airshed Industrial Off-Sets (Section 4 – Page 34) (Page 64 PDF)</p> <p>The analysis within the section 32 report in regard to assessing a sinking-lid policy so that new discharges in polluted airsheds must offset their additional discharges in addition to achieving an overall emission reduction outlines that it was deemed prohibitively expensive and perverse effect of driving industry into clean areas is fundamentally flawed.</p> <p>If industry were to attempt to establish within a clean area they would first have to offset their emissions, therefore negating any increase if offset provisions were not in place, at the very worst would have no impact on air quality. Additionally the expense of replacing domestic heating appliances would be dependent on the scale of the industrial operation and the intensity of emissions. A sinking lid provision would also encourage industry to seek to develop and implement less polluting practises and reward industry that use cleaner technology through reduced requirements to offset their reduced emissions.</p>	<p>Support: The prohibition of discharge of hazardous materials via the process of combustion / burning as outlined in Rule 7.4</p> <p>Recommendation: Rule 7.4 be broadened to also prohibit the discharge of hazardous contaminants from a non combustion process.</p> <p>Recommendation: Rule 7.14(1:1) be amended to allow for more than 100% off-set of the emissions within the gazetted airshed to encourage industry to lower the overall emissions within an airshed.</p>

Draft Plan topic or reference:	Discussion:	CDHB's suggested amendments / action points:
	<p>Dust/Smoke/Odour Management Plans</p> <p>The use of these dust/smoke/odour management plans is commended for its intention; however there are serious short-comings with the implementation of such plans.</p> <p>As the rules are currently written, there would be no onus on the polluting activity to do anything other than supply a dust/smoke/odour management plan with no follow up outlined from Environment Canterbury.</p> <p>The CDHB recommend that the implementation of such plans is based on the model being adopted by Environment Canterbury in regard to water management – Farm Environmental Management Plans. These plans are required to be independently audited by a third-party external agent that is suitably qualified to demonstrate that the activity/ industry that is impacting outside their boundary has an incentive to adequately manage and cease any noxious and dangerous discharges to air. Additionally, the increased requirements for providing an Independently Audited Dust/Smoke/Odour Management Plan would be an incentive for industry to avoid noxious and dangerous discharges in the first place.</p>	<p>Permitted Activities</p> <hr/> <p>Recommendation: Wording be inserted to state 'Where an activity is a permitted activity an <i>independently auditable</i> dust/smoke/odour management plan shall be provided to CRC on request'.</p> <p>Discretionary and Non-Complying Activities</p> <hr/> <p>Recommendation: Rule 7.28(1); be amended to require an independently auditable odour management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.29(1); be amended to require an independently auditable dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.47(9); be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the</p>

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		<p>environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.52(5); be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.53(5); be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.54(5) be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p>

Draft Plan topic or reference:	Discussion:	CDHB's suggested amendments / action points:
		<p>Recommendation: Rule 7.55(6) be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.56(3) be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Recommendation: Rule 7.57(4) be amended to require an independently auditable odour/dust management plan to be implemented to demonstrate that adverse affects on human health and the environment are being effectively avoided, remedied or mitigated. This plan shall be supplied to CRC at the time of consent application and audited at the discretion of CRC.</p> <p>Support: The use of the terms noxious and dangerous in regard to industrial discharges; as these terms imply a materially harmful impact as supported</p>

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	<p>Rule 7.17 and 7.18 are unclear as to their intent and appear to make the establishment of new industry or the road to compliance for existing industry, difficult. While it is proper that the plan should control industrial emissions, it should not do it in such a way as to unduly inhibit the establishment of new industry and provide a pathway to compliance for existing industry. Rule 7.17 refers to a "large scale burning device" and Rule 7.18 refers to a "large scale fuel burning device" These terms should be the same to ensure consistency.</p>	<p>by the definition in the 'Definitions and Interpretation' section 'Noxious or Dangerous Effect; means an effect that is materially harmful to people and the environment'.</p> <p>Recommendation: Rule 7.17 replace the term "non complying activity" with the term "discretionary activity"</p> <p>Recommendation: Rule 7.18 replace the term "prohibited activity" with the term "discretionary activity"</p> <p>Recommendation: That a policy be developed and included in the plan, to inform the consideration and granting of a discretionary activity consent.</p>
<p>Dust/Smoke/Odour</p>	<p>Smoke</p> <p>The CDHB commends Environment Canterbury for including reference to offensive and objectionable discharges to air.</p> <p>PM2.5</p> <p>CDHB commends the inclusion of a policy seeking the reduction of PM2.5 while providing for industrial growth. This decision reflects the international trend to better manage smaller particulate matter</p> <p>CDHB commends the inclusion of a smoke management plan where there are planned burn offs or events. We note there is no smoke management (mitigation of effects) plan for unplanned events such as the Owaka pit fire or the Oxford compost fire.</p> <p>Dust</p>	<p>Recommendation: that ECan in conjunction with fire authorities, Territorial local authorities and CDHB, prepare a management of smoke effects plan, to better manage the effects of non-toxic smoke from unplanned fires where the Fire commander decides for operational and safety reasons to let the fire burn and this is likely to exceed three days. The plan should include provision to ensure that the property owner or occupier on becoming aware of the fire, and if they are aware that toxic materials may be present, immediately advise the Fire commander, ECAN, Territorial Local Authority and the Medical Officer of Health to that effect.</p>

Draft Plan topic or reference:	Discussion:	CDHB's suggested amendments / action points:
	<p>The CDHB commends Environment Canterbury for including reference to dust as a nuisance discharge to air.</p> <p>The CDHB recommend that the implementation of such plans is based on the model being adopted by Environment Canterbury in regard to water management – Farm Environmental Management Plans. These plans are required to be independently audited by a third-party external agent that is suitably qualified to demonstrate that the activity/ industry that is impacting outside their boundary has an incentive to adequately manage and cease any noxious and dangerous discharges to air. Additionally, the increased requirements for providing an Independently Audited Dust/Smoke/Odour Management Plan would be an incentive for industry to avoid noxious and dangerous discharges in the first place.</p>	<p>Recommendation: all references to dust/smoke/odour management plans be amended to require an independent, third-party, externally audited odour management plan to be implemented</p>
Transport	<p>Environment Canterbury is commended for including reference to Transport as a source of air pollution within the Canterbury Region. The CDHB concur with Environment Canterbury's assessment that transport emissions are primarily driven by landuse and transport infrastructure provision patterns established by Territorial Local Authorities, National Regulation in regard to emissions standards and the choices made by individuals in regard to their transport mode choice.</p> <p>Furthermore, industrial and domestic home heating emissions occur from static point sources; transport related emissions occur from spatially dispersed non-static point sources that cannot be adequately managed through the Air Plan.</p> <p>The CDHB agree that many of the factors influencing transport related emissions sit outside of the legislative and regulatory function of the Air Plan administered by Environment Canterbury.</p>	
Technical	<p>Definitions and Interpretation</p> <p>The CDHB note that terms 'Toxicity and Volatility', 'Offensive and Objectionable' and 'Noxious and Dangerous' appear to be used interchangeably throughout the Air Plan.</p> <p>It is noted that only the terms 'Noxious and Dangerous' are defined in</p>	<p>Recommendation: The CDHB recommend that Environment Canterbury either standardise the use of terminology to describe the impacts from air pollution on human health and/or state the definitions for 'Toxicity and Volatility' and also for 'Offensive and Objectionable' in addition to the definition for 'Noxious</p>

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	the 'Definitions and Interpretation' section as meaning 'an effect that is materially harmful to people or the environment'.	and Dangerous'.