



Parliamentary Commissioner for the Environment

Te Kaitiaki Taiao a Te Whare Pāremata

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Hon Penny Simmonds
Minister for the Environment
WELLINGTON

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Tēnā koe Minister

Air quality issues

Thank you for your predecessor's response dated 22 August to my letter of 22 May on air quality issues. While it is good to see a stated commitment to improving air quality, I was disappointed to see the actions referred to in the response are, in my view, wholly inadequate to address the suite of air quality issues that are affecting our communities.

Your predecessor acknowledged that the NES-AQ is both out-of-date and no longer in line with the World Health Organisation (WHO) global air quality guidelines. Your predecessor also acknowledged that other ambient air quality standards (e.g., CO, NO₂, O₃, SO₂) in the NES-AQ are also out of date. I was surprised and disappointed that rather than committing to updating the NES-AQ as soon as possible, your predecessor stated that further analysis is needed. I first raised these issues with Ministers in December 2021. There has been ample time for analysis. We should now be ready to act. I see this as evidence of the point I made in my letter about inadequate resourcing by Ministry for the Environment (MfE) and that MfE "does not view air quality as an important issue".

I agree that poor air quality, in terms of fine particulate matter (PM_{2.5}), is a primary health concern and that the MfE and the Ministry of Health should be working closely on that. This point was reinforced by a recent Newsroom investigation that highlighted the human and economic cost of air pollution¹. It reported that an estimated 3300 New Zealanders die prematurely every year due to air pollution and that the overall social cost of air pollution in 2016 was estimated at \$15.6 billion or more than \$3000 per person.

Particulate matter is not the only air quality concern that affects people. Odour, including from volatile organic compounds (VOCs), pose both a potential health risk and a nuisance for residents. It was this nuisance in Fairlie that prompted my letter of 22 May to you. Since then, I have also been made aware of more serious issues in Mt Maunganui² that indicate that poor air quality is a national issue.

It is likely beyond the resources of most people to challenge these issues by pursuing legal proceedings. The health and nuisance impacts make it far more appropriate for the resource

¹ <https://newsroom.shorthandstories.com/the-invisible-killer>

² <https://www.rnz.co.nz/programmes/in-depth-special-projects/story/2018909038/mount-maunganui-life-in-a-polluted-air-shed>

management system to adequately address air quality. As your predecessor noted, MfE has two guidance documents (both dated 2016) to assist councils assess discharges to air. Formal national direction, not voluntary 'guidance' documents, is required. While this could be done through an expedited update to the NES-AQ, the issues might be better addressed through a National Policy Statement on air quality (and incorporated into the National Planning Framework).

Some planning documents, such as Auckland Council's, "require adequate separation distance between use and development which discharges dust and odour to air and activities that are sensitive to adverse effects of dust and odour discharges, or both of the above". It would be useful if all councils had similar provisions. I am conscious this would work best for managing nuisance around new developments, but that many air discharge issues will relate to clashes between existing uses. For those situations, national direction should require councils to actively monitor air quality nuisance issues and work with communities to mitigate any issues, finding ways to achieve "adequate separation".

In addition, I would like to reiterate my recommendation in my letter "that MfE and the Environmental Protection Authority work with regional councils to identify solutions to [the] challenges" regional councils face in monitoring and compliance of air issues given the sporadic nature of many discharges to air.

I can assure you, based on the public concerns I receive, that air quality (particulate and odour) is an issue for the public at large. I know resources within departments are tight, but one or two people in MfE, for what is one of the five key environmental domains, seems wholly insufficient.

I trust this is an issue that the new Government will take more seriously than the governments that preceded it. I hope that you will prioritise updating the NES-AQ, providing better national direction to councils on how to manage particulate matter, VOCs, and odour nuisance, and ensuring the health of our communities is protected.

With kind regards

A handwritten signature in black ink, appearing to be 'Simon Upton', written in a cursive style.

Simon Upton
Parliamentary Commissioner for the Environment
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