



Weekly Update

Hon Nanaia Mahuta, Associate Minister for the Environment

For the week starting 10 August 2020

No environment weekly meeting on Monday 10 August

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1. Updates for noting

1.1. Update on wastewater sector reports

We previously updated you on two wastewater sector reports that we commissioned to support our planning to develop a new national environmental standard for wastewater discharges and overflows (wastewater NES).

These reports are intended to provide information to enhance our understanding of the issues facing the wastewater sector, and inform our conversations with partners and stakeholders regarding the scope of the wastewater NES.

Wastewater treatment plant report (WWTP)

Since our last update, we have received the final copy of the wastewater treatment plant consent conditions report (WWTP report). This report analysed the consent conditions from a representative sample of 38 wastewater treatment plants across New Zealand.

One of the key findings in the WWTP report is inconsistency with regards to monitoring parameters, reporting, and the use of compliance limits for wastewater discharges. It also found limited accommodation for Māori considerations related to cultural monitoring and reporting requirements.

The report also identified potential opportunities for integrating best practices as standard consent conditions, such as the use of management plans and cultural/iwi reporting requirements. It noted that these are matters that could potentially be addressed through a national environmental standard.

We have provided your office with a copy of the report, and we intend to share this with Local Government NZ and other key stakeholders as part of our upcoming engagement activities.

Wastewater sector report

This report will assess issues facing the wastewater sector, including climate change, treatment technologies, trade waste, and land-based disposal practices. We expect to receive a draft of the report in early August, which we intend to circulate to iwi and local government representatives for comment prior to finalisation in late September.

We will update you on the outcomes of these conversations, and on further findings as they become available.

1.2. The Impact of COVID-19 Alert Levels on New Zealand's Air Quality — Preliminary Data

As part of an environmental assessment of COVID-19, the Ministry is undertaking a national study of how air quality changed during the Alert Level response to COVID-19. The study has a focus on particulate matter and nitrogen dioxide levels, as this data is the most readily available. Particulate matter can cause significant health effects, particularly for the elderly and infants, people with asthma and other respiratory diseases, and sufferers of other chronic diseases, such as heart disease. Exposure to nitrogen dioxide can have similar health impacts. Our initial analysis of preliminary data has shown general patterns across New Zealand in relation to the COVID-19 lockdown periods for a few selected air quality monitoring sites. Regional council air quality data for the relevant period is currently undergoing quality assessment and our analyses are ongoing.

It is important to note that regional variation is not represented in the initial analysis. Air quality is significantly influenced by natural factors such as weather and geography. For instance, strong winds can disperse contaminants, or inversion layers can trap contaminants. Additionally, ambient air quality contaminants are monitored by regional councils in accordance with requirements in the Resource Management (National Environmental Standards for Air Quality) Regulations 2004. Therefore, data is generally only available for known problem areas, as monitoring is undertaken only where the national standards are likely to be exceeded.

Particulate Matter

The most common air quality contaminant monitored across NZ is PM₁₀ (particulate matter less than 10 micrometres in size). Most PM₁₀ comes from the combustion of fuels such as wood and coal (from home heating and industry), petrol (from cars), biomass burning, wind-blown dust, and natural sources such as sea salt.

Compared to the average for the same time of year over the previous 5 years, national PM₁₀ levels from residential sites dropped during lockdown level 4, then rose during levels 3 and 2:

- -13.1% - lockdown level 4
- +2.9% - lockdown level 3
- +20.6% - lockdown level 2

PM₁₀ levels were generally slightly lower during Level 4 and Level 3 than the same period in the previous 5 years. Initial decreases in PM₁₀ levels may be attributable to decreased traffic and industry during level 4. These decreases may then have been offset by increased domestic heating during later lockdown weeks due to more people at home for longer hours, and decreasing temperatures. Natural sources and weather patterns also influence fluctuations in PM₁₀ levels from year to year.

PM_{2.5} (particulate matter less than 2.5 micrometres in size) is not yet widely monitored, but in NZ PM_{2.5} levels more accurately reflect anthropogenic sources of particulate matter, including traffic exhaust and smoke from home heating. Compared to the average for the same time of year over the previous 5 years, national PM_{2.5} levels at roadside sites dropped more significantly than PM₁₀ during lockdown levels 4 and 3, then returned to 'usual' levels during level 2:

- -32.2% - lockdown level 4
- -17.7% - lockdown level 3
- +2.4% - lockdown level 2

The focus of the proposed amendments to the NESAQ is to introduce standards and monitoring requirements for PM_{2.5}. PM_{2.5} is a subset of PM₁₀ and disproportionately dominates PM₁₀ levels in NZ.

Nitrogen Dioxide levels

Nitrogen dioxide (NO₂) levels are monitored at roadsides, predominantly in larger urban areas, as motor-vehicle emissions are the major source of the contaminant. Compared to the average for the same time of year over the previous 5 years, national NO₂ levels dropped significantly during lockdown levels 4, 3 and 2:

- -45.3% - lockdown level 4
- -30.3% - lockdown level 3
- -30.7% - lockdown level 2

The significant decreases are likely due an overall decrease in traffic, or from changed traffic patterns where lockdown requirements diverted traffic away from normal peak areas (ie, from central cities to suburban areas). Levels of NO₂ started to rise again as restrictions were lifted while moving down alert levels.

We note that Queen Street results may be skewing the national data. Due to recent street reconfiguration (temporary reduction from four lanes to two), NO₂ levels at Queen Street were still 48% below the average over the previous 5 years at the start of Alert Level 1. Meanwhile, NO₂ levels returned to near-normal at Willis St (Wellington) and Riccarton St (Christchurch) during Alert Level 2.

Next steps for the study

Over the next three months, we intend to validate the data that has been received from regional councils for the period from March to July 2020; and clarify the extent to which changes in meteorology (for example, temperature and wind direction) may have influenced the findings.

1.3. Consultation on proposed amendments to the National Environmental Standards for Air Quality (NESAQ) has closed

Consultation on the NESAQ closed on 31 July 2020. We received 115 submissions and have granted a short extension for a further five significant stakeholders to 10 August 2020, including the New Zealand Home Heating Association and several public health units.

We received 55 submissions through our consultation web tool, the majority of which indicated support for the proposals. The remaining 60 submissions received were technical and will require a significant amount of time and work to analyse.

The submissions we received from iwi were largely supportive of the proposals. Through our engagement with iwi on the proposals, we have advised that we will remain open to receiving their feedback over the next few months.

The Whareroa Marae community have submitted on the proposals. An overview of this submission will be included in the briefing for your 26 August hui with Whareroa Marae, due to your office by 7 August.

Submissions analysis will continue through August and September. We expect to be in a position to advise on the consultation outcomes and are likely to seek Ministerial direction from any in-coming Government later in the year. This is in line with previously advised timeframes enabling gazettal of the amendments by mid-2021 [2020-B-06663 refers].

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2. Briefing notes

August 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06926 Talking points for hui with Whareroa marae community	MfE	Information and talking points to support your attendance at Whareroa Marae to discuss air quality associated with from port and industrial activities in Mt Maunganui with the Whareroa marae community	7 August

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3. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Updating the legislative framework to strengthen New Zealand's response to emergencies - tranche one	National Emergency Management Agency	Cabinet Social Wellbeing Committee – TBC	<p>This paper seeks agreement to the first of two planned tranches of amendments to the Civil Defence Emergency Management Act 2002 (CDEM Act) to improve New Zealand's future response to natural disasters and other emergencies.</p> <p>The amendments are to implement changes in response to recommendations made by a Technical Advisory Group that provided advice to the Government in 2018.</p>	<p>The Ministry supports the intent of the Cabinet paper and the proposed first tranche of changes to the CDEM Act.</p> <p>The Ministry has requested continued involvement and consultation on tranche two changes. This is due to interactions with the CDEM Act and legislation we administer, in particular the Resource Management Act 1991.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR TBC	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>We agree the state sector must draw on evidence of what works for Māori and whānau, and at the same time be prepared to innovate, and partner with Māori.</p>
Substantial Alterations: Amendments to Earthquake-prone Buildings Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	The Ministry is comfortable with the proposal and had no comments on this paper.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
New form for determination applications under new building emergency management powers, and updated form to modernise current determination applications	MBIE	LEG TBC	The Building Amendment Act 2019 will implement a new system to improve the management of buildings that are damaged or at risk of damage after an emergency event. This paper seeks authorisation to give effect to policy decisions made in that Act regarding applications for determinations, and also makes minor and technical updates to the Building (Forms) Regulations 2004.	The Ministry is comfortable with the proposal and had no comments on this paper.
Report back on proactive release of Cabinet material policy	SSC	GOV TBC	The paper notes that the policy is still embedding, but already producing results with regard to the number of papers released. s 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.
Building Consent Exemptions in Schedule 1 of the Building Act 2004	MBIE	DEV TBC	This paper proposes amendments to Schedule 1 of the Building Act 2004 to include 12 additional exemptions for minor and low risk building work from the Building Consent process. The exemptions include short span bridges, carports, single storey detached pole sheds and hay barns, solar array panels, veranda, awnings, single storey detached buildings, pipe support structures and flexible water bladders. Guidance to TA's would also be updated.	The Ministry is comfortable with this paper and has provided comments to the MBIE.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
<p>Data and Statistics Legislation: Paper 1 – Overview of policy decisions</p> <p>Paper 2 - Official statistics system</p> <p>Paper 3 – Research and Analysis</p> <p>Paper 4 – Obligations and sanctions</p>	Statistics NZ	GOV TBC	<p>New data and statistics legislation will:</p> <ul style="list-style-type: none"> modernise roles and responsibilities for the Minister and Government Statistician recognise the Māori-Crown relationship and what this means for Māori data and statistics acknowledge the role and responsibilities other agencies play in collecting and sharing data for production of official statistics recognise the variety of data sources for official statistics (surveys, administrative data, other data sources) enable Statistics NZ to continue sharing data collected for official statistics with other government agencies for specific purposes (e.g. joint collections) expand provisions that enable data access for research and analysis (e.g., reflecting tikanga framework developed by Statistics NZ in partnership with Māori) <p>modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches.</p>	<p>The Ministry is generally comfortable with this paper and provided comments to Statistics NZ. We are discussing with Statistics NZ the operational implications proposed changes might have for data reuse (e.g. for Environmental Reporting or our policy work) and continuing the strength of the independence of the Government Statistician.</p>
<p>Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(j)</p>	Te Arawhiti	MCR TBC	<p>s 9(2)(j)</p>	<p>The Ministry does not have any comments on this paper at this stage.</p>

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Te Korowai O Wainuiārua: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry supports the proposed changes in this paper.
s 9(2)(f)(iv)				
Modifying the current appointment term to Te Pou Tupua	Te Arawhiti	Cabinet Environment Committee TBC	This paper seeks Cabinet approval to modify the restriction on the term for persons currently appointed to Te Pou Tupua specified in Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 using the immediate modification order mechanism (IMO) in section 15 of the Epidemic Preparedness Act 2006 (Epidemic Act).	Given discussions with Te Arawhiti and Ngā Tangata Tiaki to date on options to prevent Te Pou Tupua, MfE supports the proposed use of an immediate modification order.

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Release of the Government Policy Statement on land transport 2021	MoT	DEV TBC	<p>This paper seeks Cabinet agreement to release the final Government Policy Statement on land transport 2021/22-30/31 (GPS 2021). It attaches the final draft GPS 2021.</p> <p>The GPS is the government's main statutory lever to ensure investment in land transport reflects Government priorities over ten years. It provides guidance on how more than \$4 billion is spent on land transport activities through the National Land Transport Fund (NLTF) each year.</p> <p>The Ministry provided comment on a draft GPS in February 2021, before it was released for public consultation in March 2021. The final draft GPS incorporates public feedback. It provides for land transport investment in accordance with four strategic priorities: safety, better travel options, improving freight connections and climate change.</p>	<p>The Ministry supports climate change as a strategic priority in the GPS 2021, however the Ministry is concerned that impacts of land transport on aspects of environmental sustainability such as air quality, biodiversity and water quality are not adequately addressed.</p> <p>Environmental issues, including the health impacts of air pollution from transport, were a focus of the GPS 2018. Excluding environmental sustainability from the strategic priorities in the GPS 2021 could enable investment decisions that do not consider consequences of transport activities such as:</p> <ul style="list-style-type: none"> • copper leaching from brake pads into waterways, affecting water quality • human exposure to air pollutants from tailpipe exhaust (including nitrogen dioxide, particulate matter, carbon monoxide, volatile organic compounds and ozone). <p>The climate change strategic priority in the GPS 2021 appears to confuse the climate impacts and health impacts of transport emissions. The climate impacts of national greenhouse gas emissions to the atmosphere from transport are quite different from the human health impacts of exposure to localised ambient air pollution from transport at ground level.</p>

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Urban Growth Partnerships, Joint Spatial Plans and Urban Growth Programmes	MHUD	DEV TBC	This paper updates Cabinet on the progress made on the Urban Growth Partnerships and seeks endorsement of: the Crown formally joining the existing Smart Growth partnership for Tauranga-Western Bay of Plenty; key elements and strategic directions for joint spatial plans for the Hamilton-Waikato, Tauranga-Western Bay of Plenty and Queenstown Lakes; and the updated joint work programme for Auckland.	The Ministry is comfortable with the paper and provided minor comments only.

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