

15 February 2019



Ministry of Transport
MARPOL Annex VI Submission
PO Box 3175
Wellington 6140

Email: maritime@transport.govt.nz

Dear Sir/Madam

Bay of Plenty Regional Council's submission on; Consultation on MARPOL Annex VI: Treaty to reduce air pollution in ports and harbours.

Thank you for the opportunity to comment on the Treaty to reduce air pollution in ports and harbours. The Bay of Plenty Regional Council does wish to be heard on this matter.

For matters relating to this submission, please contact Stephen Lamb at:
stephen.lamb@boprc.govt.nz or 0800 884 881 ext. 9327.

Our Organisation

The Bay of Plenty Regional Council is responsible for the sustainable management of resources within the Bay of Plenty region. Our role is determined by Central Government through statutes such as the Local Government Act and the Resource Management Act, and is different from that of territorial authorities (district and city councils). Some of our key roles are:

- Regional planning for land, water quality and air quality;
- Setting environmental management policies for the region;
- Allocation of natural resources;
- Flood control;
- Natural hazard response;
- Soil conservation;
- Pest control / biosecurity;
- Public transport;
- Strategic transport planning;
- Regional economic development; and
- Strategic integration of land use and infrastructure.

Summary

Please find our detailed comments attached. We trust you find them constructive.

Yours sincerely

Stephen Lamb
Environmental Strategy Manager

BOPRC ID: A3104646

On behalf of:

Namouta Poutasi

General Manager Strategy & Science

**Bay of Plenty Regional Council – Submission on: Consultation on MARPOL Annex VI:
Treaty to reduce air pollution in ports and harbours.**

Shipping emissions

Bay of Plenty Regional Council (the Regional Council) strongly supports New Zealand's accession to MARPOL Annex VI. This document sets out our reasons for this support.

Although we have several ports in the Bay of Plenty region, our principal concern is with the adverse effect on human health from shipping emissions at the Port of Tauranga (the Port), located in Mount Maunganui. The Port is located close to both residential and recreational areas, and located upwind when blowing from the predominantly south-west direction.

Sulphur dioxide (SO₂) and particulates (PM₁₀) are the contaminants of most concern in this area. There are a number of sources of these contaminants and Regional Council has a programme in place to identify and address them. This includes a substantial increase in monitoring of the area.

Based on the data available, shipping emissions are a significant contributor of airborne contaminants. Modelling indicates that shipping emissions alone may cause an exceedance of the ambient standard of the National Environmental Standards (NES) for SO₂. One of the Regional Council's recently installed monitors is already recording elevated levels of SO₂. This includes one exceedance of the 1 hour mean of 350 µg/m³ standard, recorded on 22 January 2019 (363 µg/m³), and one breach of the 1 hour mean of 570 µg/m³ recorded on 24 January 2019 (574 µg/m³). At this early stage, the levels are associated with ships in port at the time of the event.

Shipping emissions also affect the amenity value of the area (see photo below).

The Port of Tauranga handles more than 20 million tonnes of cargo annually, including over 40% of the country's exports and the number of cruise and container ships using the Port continues to increase year on year, with 113 cruise ship visits scheduled for summer 2018/19. In addition, the Port has spent over \$350 million to prepare for bigger ships, including dredging the shipping channels deeper. The Regional Council has granted consents to allow dredging for larger ships and for replacement of the Mt Maunganui Wharfs for this purpose. This increased traffic is likely to result in shipping emissions increasing even further, leading to a corresponding increase in air discharges and potential adverse effects on human health.

The Regional Council's mandated role under section 30(d)(iv) of the Resource Management Act is to control the discharge of contaminants into air in the Coastal Marine Area (CMA). This, under normal circumstances would lead to policies and rules in a regional coastal plan to manage shipping emissions. However, due to Regulation 16 of the Resource Management (Marine Pollution) Regulations 1998, regional councils are unable to include rules in any regional coastal plan to manage these discharges.

This creates a tension between our mandated role and our ability to set regulations. Breaches of the ambient standard for SO₂ are treated seriously under the National Environmental Standards for Air Quality (NESAQ) with regional councils required to decline consents for these activities. Without the ability to have rules targeting shipping emissions, a substantial source of SO₂ is effectively unable to be managed by the Regional Council, while all other sources must comply with the rules to the extent that they may need to significantly reduce emissions.

If New Zealand were to accede to Annex VI, the regulations of the Resource Management (Marine Pollution) Regulations 1998 could then be re-examined to allow for the introduction of rules to manage shipping emissions.

Our experience is that no commercial operator will change their behaviour until regulations require them to do so. Therefore a regulatory approach is necessary to manage shipping emissions and this will not be possible until New Zealand accedes to Annex VI and corresponding amendments are made to Resource Management (Marine Pollution) Regulations 1998.

