

7 August 2024

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## Submission to Application Number RM24-0198 – Ecocast Limited

### Introduction

This submission is presented on behalf of Health NZ | Te Whatu Ora National Public Health Service Te Manawa Taki (Health NZ).

Health NZ welcomes the opportunity to submit on the proposed application.

Building towards Pae Ora (Healthy Futures) for everyone includes taking a cross-sector, population health approach<sup>1</sup> to address social, commercial, and environmental determinants impacting health outcomes and inequities. Health NZ is committed to achieving health equity, guided by the principles of Te Tiriti o Waitangi, as set out in our Health NZ Plan<sup>1</sup>. We endeavor to influence the determinants of health through cross-sector collaboration, community partnerships and by applying an equity lens to plans, policies and resources of local and regional government to support our communities to lead lives of wellness.

Medical Officers of Health have a responsibility to reduce conditions within their local community which are likely to cause disease. Many of the crucial underlying factors that contribute to improving, promoting, and protecting the health of people and communities are directly influenced by the decisions and activities of Councils. In part, this is undertaken by assisting Councils with their responsibilities pursuant to the Resource Management to address the improvement, protection, and promotion of public health.

Health NZ represents a relevant aspect of the public interest in this resource consent. Medical Officers of Health, in their designated position, also have an interest that is greater than the interest of the public.

This submission relates to the entire application and consents applied for by Ecocast Limited to expand their existing vermicomposting activity (resource consent 65549) both on the existing site and on a new proposed adjoining site in the Tarawera River Catchment at 296A Tarawera Road, Kawerau.

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<sup>1</sup> Health New Zealand. Te Pae Tata Interim New Zealand Health Plan 2022[Internet].2022 Oct 28 [cited 2024 Jul 11]. Available from <https://www.tewhatuora.govt.nz/publications/te-pae-tata-interim-new-zealand-health-plan-2022/>

Health NZ will not gain an advantage in trade competition through this submission. This submission seeks to provide helpful, objective, and independent input to assist Bay of Plenty Regional Council and Kawerau District Council in protecting sensitive receiving environments<sup>2</sup> and human health<sup>3</sup>.

Health NZ representatives **wish to be heard** in support of this submission and would not be prepared to consider presenting a joint case with others who make a similar submission.

## **Submission**

Health is a state of complete physical, mental, spiritual and social well-being and is more than the absence of illness; it is the opportunity to live in an environment where populations can thrive, be connected to their communities and their environments.

Safe management of human waste is vital for the protection of public health. Although waste minimisation activities are supported in general by public health, practices involving the transportation, handling and disposal of sewage and its by-products must be carried out in a manner which does not increase the health risk or pose a nuisance to the health of the public.

Effective sewage management (will separate people from sewage (wastewater) and its by-products (effluent and sludge)) keep pathogens out of the environment, not create offensive odour and prevent contamination of food and water.

Sewage sludge is the most potentially offensive and infectious by-product of wastewater treatment. Sewage sludge will contain high concentrations of pathogens, organic material, nutrients, metals, and other chemicals.

Whilst all these pose a risk to the environment, sewage sludge will contain higher concentrations of pathogens than untreated sewage including bacteria, viruses, fungi, helminths, and eggs of parasites. Illnesses present in the community such as Salmonella, Giardia, winter viruses and tape, hook or round worm, mean that potentially pathogenic organisms enter the waste stream and remain viable, even when sewage sludge has been in the external environment for some time. This infection risk is the main concern to public health.

The application indicates that the activity receives biosolids and processes these into a soil conditioner/compost of grade Aa Biosolid for land application. However, this application involves the transport, handling, and processing of sewage sludge into biosolids.

## **Cultural Assessment**

From the information provided by the applicant, there are some concerns at this point about the adequacy of the cultural assessment and it is not clear that meaningful consultation has transpired with mana whenua by the applicant.<sup>4</sup>

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<sup>2</sup> Bay of Plenty Regional Natural Resources Plan, Purpose

<sup>3</sup> Bay of Plenty Regional Air Plan Objective

<sup>4</sup> [Engaging Māori \(boprc.govt.nz\)](https://www.boprc.govt.nz)

## **Product Quality and Land Application Process**

The Guidelines for the Safe Application of Biosolids to Land in New Zealand (the Guidelines) contain information and recommendations to manage the discharge of biosolids to land. The Guidelines include an explanation of what biosolids are. The Guidelines also explain that should biosolid not meet the process and production standards for one of the four biosolid grades, the biosolid should be considered a sludge.

Unless the consenting authority incorporates these guidelines into resource consent conditions or regional plan rules, they are voluntary for industry. While currently under review, I and Health NZ consider these to be best practice and the most appropriate guidance available to us currently to assess sewage sludge treatment processes and biosolid grade produced by this activity and associated land application.

I and Health NZ have been involved in many municipal wastewater treatment plant resource consents and onsite wastewater system policy reviews in the region which involve a variety of sewage sludge production methods and systems.

Depending on the sewage treatment plant flow rate and retention time, sewage treatment results in almost all the heavier pathogens settling in the sludge. These must be made non-viable by further treatment if sludge or sludge products are then used on land. Defining the products permitted to be received at and leaving the site are important controls to ensure that process and product requirements for stabilisation Grade 'A' and contaminant Grade 'a' can be achieved.

I need to be confident that the process will achieve a Grade Aa biosolid and the application to land will be in accordance with the current Guidelines. I also need to be confident that the verification of Grade Aa status and the result of routine sampling complies with section 7.5 of the Guidelines before any product is applied to land. All routine sampling and monitoring data must be available to the consenting authorities upon request and be included in annual compliance reporting to the consenting authorities.

## **Odour**

Odour will be generated from this activity and sewage and its byproducts such as sludge and biosolids by their very nature will be deemed offensive. There will be a low acceptance threshold by the public for odour. This means, odour from this activity needs to be managed at source and not discharged beyond the site boundary. It therefore concerns me that the management of odour is mostly reliant on separation distances that the applicant has no control over.

The proximity to people is noted and Health NZ is aware of this activity causing odour nuisances. For the reasons given above, people are unlikely to be tolerant of odours from this activity, including what may be considered low intensity and low frequency exposure. Sensitive environments in relation to sewage sludge will be where the public are located, including people working and visiting industrial or rural zones. This is why the applicant has an obligation to effectively manage odour at source.

Health NZ needs certainty that odour will be managed well all the time and throughout the entire lifetime of the consent period. Therefore, site operations need to include robust procedures to manage and prevent the discharge of odour from this activity leaving the site. Should consent be granted conditions of consent must manage odour in such a way that there is no detectable odour beyond the site boundary. It is recommended that the odour management plan be developed by the applicant in consultation with the Medical Officer of Health. Health NZ recommends that a review clause be included.

The applicant is encouraged to make every effort to provide as much buffer area as possible by distancing their operation as much as possible from the community. Planning early to prevent reverse sensitivity issues going forward will prevent nuisances in the future. I would also like to see the site boundary include additional physical barriers to enhance site separation.

### **Sanitary Services and Offensive Trades**

Human waste is offensive and infectious material. This activity collects and disposes human waste which is a sanitary work under the Health Act<sup>5</sup>. The purpose of sanitary works is to protect individuals and the wider public from disease.

The disposal of sludge activities are considered offensive trades<sup>6</sup> under the [Health Act](#). Offensive trades require prior consent of the local authority and medical officer of health. Conditions of consent may also be imposed and while resource consent or registration by local authorities exempts the need for a duplication of consent under the Health Act, approval subject to any conditions from the Medical Officer of Health is still required.

The significant risk to public health from improperly managed human waste is reflected by the requirement for local authorities<sup>7</sup> to provide sanitary works and to register offensive trades in their district that do not require resource consent.

The discharge of contaminants and the use of land for this activity has the potential to impact public health and wellbeing of the local community. However, this activity also has the potential to impact public health of the wider community, at the location and in the vicinity of the sites that human waste is applied to land.

### **Decision Sought**

Should the Commissioners grant consent, I and Health NZ would like to see conditions that proactively and effectively control the safe transport, handling, and processing of sewage sludge which address the following:

- Evidence of compliance to the
  - permitted activity provisions in the Bay of Plenty Regional Natural Resources Plan
  - Ministry for the Environment and New Zealand Water and Wastes Association Guidelines for the safe application of Biosolids to land in New Zealand or its successor. Including: sampling and monitoring of critical process and stabilisation controls
  - Health Act offensive trade registration and Medical Officer of Health approval requirements
- The scope of the activities allowed on site including the sewage treatment method that produced the sewage sludge solid.
- Implementation of an environmental management system that complies with ISO 14001 that is independently audited on an annual basis.
- Annual reporting to consent authorities and the local Medical Officer of Health of the activity's compliance to consent conditions.

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<sup>5</sup> Sanitary services are detailed in section 25 of the Health Act 1956.

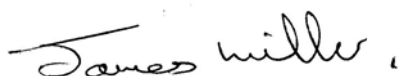
<sup>6</sup> [Health Act 1956 No 65 \(as at 30 June 2024\), Public Act Schedule 3 Offensive trades – New Zealand Legislation](#)

<sup>7</sup> Section 25, Health Act 1956

- Monitoring and discharge limits of the discharges to land and stormwater to prevent contamination of surface and groundwater.
- An environmental protection buffer that is effective, controllable, and optimal to separate people to this activity.
- Appropriate site signage to prevent unauthorised access and to ensure people who are permitted to access the site have sufficient information to protect their health.
- No detectable odour beyond the boundary of the site and
  - the preparation and maintenance of an odour management plan in consultation with the Medical Officer of Health and for the Medical Officer of Health comments be fed back to the consenting authority before the odour plan is accepted by the consent authorities
  - the odour management plan be required to include best practicable options for management and operational requirements necessary to comply with the conditions of the consent.
- Notification to the Medical Officer of Health and Whakatāne District Council of an abatement notice served on the applicant within five working days.
- Robust and proactive complaints procedures which triggers a review of consent conditions by the consenting authorities.
- Regular reviews by the consent authorities throughout the duration of consent, including a requirement for the consent authorities to undertake a review when the Medical Officer of Health raises concerns that public health may not be protected.

The information provided by the applicant does not provide our service with the assurance that public health will be protected, however we do support waste minimisation practices including the beneficial use of appropriately treated sewage sludge. On this basis, we neither support nor oppose the activity, provided Council imposes conditions of consent that will satisfy my concerns.

I wish thank Council for the opportunity to submit on this application for resource consent. I am willing to participate in formal prehearings with the consent authority and applicant to discuss this submission.



### **Dr James Miller**

Medical Officer of Health  
National Public Health Service | Te Manawa Taki

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## Appendix 1

### **About Health New Zealand | Te Whatu Ora**

Health New Zealand | Te Whatu Ora (Health NZ) leads the day-to-day running of the health system across Aotearoa New Zealand, and either provides or commissions services at local, regional and national levels. Under the Pae Ora (Healthy Futures) Act 2022, one of the key objectives of Health NZ is “to promote health and prevent, reduce, and delay ill-health, including by collaborating with other agencies, organisations, and individuals to address the determinants of health.”

### **About National Public Health Service**

The National Public Health Service (NPHS) is a division of Health NZ and leads the delivery of Health Protection, Health Promotion and Prevention services, as well as working with the Public Health Agency in the Ministry of Health - Manatū Hauora on intelligence, population health and policy.

As a Te Tiriti o Waitangi partner, National Public Health Service advocates for equitable health outcomes, by striving to eliminate health differences, particularly for Māori, and build towards Pae Ora (healthy futures) for everyone.

### **About Te Manawa Taki**

Te Manawa Taki represents communities within Taranaki, Waikato, Bay of Plenty, Lakes District, Tairāwhiti.