



ROTORUA AIR QUALITY CONTROL BYLAW

POINT OF SALE RULE COMPLIANCE FORM

(Clauses 3.1, 3.1.1, 3.1.2 of the Bylaw)

3.1 Solid Fuel Burner Change Required at Point of Sale

3.1.1 Any indoor open fire not permitted under 4.1.1ⁱ must be rendered inoperable and any other non-complying solid fuel burner situated in a dwelling house or building must be replaced or removed by the vendor, before a registered transfer of ownership of the dwelling house in which the non-complying solid fuel burner is located takes place.

3.1.2 Vendors affected by 3.1.1 must provide the Council with written/photographic evidence of compliance with 3.1.1.

This form must be completed by the vendor and submitted to Bay of Plenty Regional Council prior to the registered transfer of ownership. This form advises that all non-compliant solid fuel burners have been replaced or removed from the property address stated below prior to a registered transfer of ownership.

Vendor Details	
Name	
Daytime contact number	
Property address	
Email address	

Purchaser Details	
Purchaser Name	
Daytime contact number	
Email address	

Appliances removed	
Appliance type(s) <i>Please circle as applicable</i>	Wood burner Indoor Open Fire Chip Heater Multi-fuel burner Coal burner Outdoor Open Fire Other (please specify)
Appliance description/make/model	
Date Burner(s) removed	
Name of company who undertook work	
How/where disposed of	
Invoice for work and scrap metal receipt	To be attached to this form
Before & after removal photos, including flue(s) of any non-compliant burner(s)	To be attached to this form

Wood burner(s) installed as replacement (if any)	
Wood burner make/model	
Photo of burner installed	
Code of Compliance (date must be on or before transfer of ownership date)	To be attached to this form.

Purchase sale details	
Date property sold	
Settlement date	
Real Estate agency used	

Declaration	
I have removed all non-compliant solid fuel heating appliances from the property at the above address. Any wood burner(s) that has/have been installed as replacement(s), have been installed prior to the transfer of ownership date of / /	
Print Name _____	Sign _____

Please send completed form and attachments to:

Bay of Plenty Regional Council
 PO Box 364
 Whakatāne 3158, or
 Email: info@boprc.govt.nz

Attachments to include:

- Before and after removal photos (including flue) of any non-compliant burners
- Copy of Sales and Purchase Agreement
- Copy of invoice for removal/scrap metal receipt
- Installed photo and Code of Compliance for any replacement wood burner installed

IMPORTANT NOTES

If not complied with, the above matters may prove problematic for any new owner of your property and could have implications for parties for due diligence obligations under the Sale & Purchase Agreement. If so, it is recommended you seek legal advice.

Please be aware that you are voluntarily binding yourself to the contents of this Owners Declaration and that making a false declaration may result or contribute towards enforcement action(s) or conflict with the Oaths & Declarations Act 1957.

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- 4.1.1 *No person shall discharge contaminants into the air from any indoor open fire except:*
- (a) *from industrial or trade premises where the open fire is used exclusively for the smoking and cooking of food for wholesale or retail sale, or*
 - (b) *where the indoor open fire is located within a building which has been entered onto the Heritage List by Heritage NZ*