

16 April 2018

File Ref: 01-63-107-6

Doc No: RDC-815010

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Dear Mary-Anne

SUBMISSION ON DRAFT REGIONAL AIR PLAN APRIL 2016_20160601 FEBRUARY 2018

Thank you for the opportunity to submit on the above Proposed Plan Change 13. Rotorua Lakes Council wishes to be heard in support of this submission.

General comments:

Rotorua Lakes Council (Council) welcomes the opportunity to continue to work with Bay of Plenty Regional Council (BOPRC) through the Rotorua Air Quality Working Party.

In principle, Council supports efforts to improve the air quality of the Rotorua air shed contributing to improved health of our population. We do however note that there is potential for policies which aim to improve air quality to have unintended consequences which exacerbate fuel poverty, which also has negative impact on our population's health, particularly in relation to children and the elderly who are more susceptible to the effect of cold housing.

Particular points which we wish to discuss further include:

- The immediate effect of the Rules is difficult timing for the heating industry. Being their peak sales period, it is difficult for them to respond to changes impacting their customers. Due to the rules being released in the lead up to the winter months, where people are actively purchasing and installing heating, there needs to be priority placed in educating the public/ installers/ retailers/ real estate agents and conveyancing lawyers on the rule changes that have immediate legal effect. These rules are the responsibility of the Bay of Plenty Regional Council and as such should be leading the education/ informing users about the change in standards affecting the installation and use of wood burners. This is important to ensure that everyone is aware of the rules and what this means for properties in Rotorua. The rules need to be clearly worded to ensure they are clearly understood by all users. There is general confusion around the plan change and the rules.
- The introduction of offsets (AQ R13) for the installation of solid fuel burners within the Rotorua air shed and how the implementation will be resourced, recorded, managed and administered needs further consideration.
- The potential for unintended consequences of the offsets policy in relation to fuel poverty.
- Immediate effect of some provisions not allowing reasonable notice for households to have planned ahead for changes now impacting at the start of winter season.
- The need to manage areas of conflict between the Regional Rules and the Rotorua Air Quality Control Bylaw to enable clear public understanding.

- How the requirement for all pre-2005 burners to no longer be used from February 2020 will be implemented, given the removal of burners does not require consent and so there is no reliable record, and no method outlined as to how this will be achieved.
- What methods does BOPRC intend to use to assist homeowners to upgrade their burners to improve air quality in future?
- The focus of the Rules are very specific to air quality standards, however a closely related matter is climate change. Council is interested in working with BOPRC in relation to opportunities for mitigation of community carbon footprint through encouraging cleaner and more efficient energy for both heating and cooling homes.

SUBMISSION POINTS:

| Page | Reference | Support/ Oppose | Decision sought | Reasons |
|------|---------------|--------------------|--|--|
| 1 | AQ 01, 02, 03 | Support | | |
| 1 | AQ P1, P2 | Support | | |
| 2 | AQ P3 | Oppose | (a) That the methods of management must also safeguard human health and not incur untoward health effects | Although Council supports the management of discharges, we are concerned that some methods of doing so may result in unintended adverse consequences for human health, in particular for those at risk of fuel poverty. Air quality cannot be considered in isolation from impact on complex issues impacting on wellbeing. |
| 2 | AQ P3 | Oppose | (b) Add to matters to consider: The impact of the management method itself on human wellbeing. | Matters taken into consideration should include wider potential impacts of the management methods. I.e. if the application of the management method would incur significant fuel poverty for the occupants of a dwelling this should be balanced against the impact of the method to improve air quality. |
| 2 | AQ P5 | Support | | Council supports reduction of open burning due to its impact on air quality but also in relation to ensuring more appropriate methods of waste management. We note your referencing of the need to comply with local bylaws. |
| 3 | AQ P6 | Support | | |
| 3 | AQ P7 | Support | | The policy is supported in principle, however further comment on the rules and methods also form part of this submission. |
| 3 | AQ P8, P9 | Support | | |
| 3-4 | AQ P10 | Oppose | Reconsider potential unintended consequences of offsets and remove if a suitable method of implementing is not agreed. | It is recognised that the intent of offsets is to enable an overall reduction in emissions while providing for some new burners, however there is concern that lower socio-economic area rental properties may be used to offset new burners in higher socio-economic area properties with a potential result of increased fuel poverty. There is also concern about the implementation of how the |

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| | | | | offsets will be managed and recorded. It is likely to fall to Council consents team to respond to queries and undertake recording. A practicable method of administering this issue has not been determined. |
| 4 | AQ R1, R2, R3, R4, R5 | Support | | |
| 5-7 | AQ R6, R7, R8, R9, R10 | Support in principle | Consider R10 listing those materials which are suitable for burning, rather than listing those which aren't. | There is potential that the list omits some materials not appropriate for burning and may need to be amended in future. E.g. aerosol cans or potentially explosive items. We note the reference to local bylaws and Forest and Rural Fires Act in R6. |
| 7 | AQ R11 | Support | Burning of coal be banned | The use of coal as a fuel source should be discouraged because of its carbon/ climate change impact. Although the impact from domestic coal use is small, a signal to further reduce use of coal is supported. |
| 8 | AQ R12, | Support a, b, d, e Oppose c | | <ul style="list-style-type: none"> (a) Support and acknowledge this is a very small component (b) Support pellet burner use, however note that both the purchase and cost of pellet fuel is more expensive than woodburners. (c) Concern at the immediate effect of the Rules and that households have only one winter season to continue to use existing pre-2005 burners. This may not be enough notice to householders to replace. There is also concern at how this will be implemented and enforced. Although installing burners requires a consent, their removal does not, so there is no reliable record of which properties will have non-compliant burners. Support the removal of multi-fuel or coal burners as a priority due to the |

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| | | | | <p>relatively greater negative air quality impact of burning coal. This is in conflict with the Council's Air Quality Control Bylaw.</p> <p>(d) This is congruent with the Council's Air Quality Control Bylaw</p> <p>(e) Support effective operation of burners</p> |
| 8-9 | AQ R13 | Oppose a | Reconsider impacts of offset rule | <p>Allowing offsets of removed burners effectively introduces emissions into the air shed unnecessarily. We can see that it results in a net reduction and is a method to potentially enable some new burners other than pellet burners, however it also prevents a home from 'replacing' with a more efficient burner if another property uses their burner removal as an offset. There is concern that this may drive unintended consequences. E.g. a landlord might remove a burner from a rental property in order to enable him to install a new burner in his own home. This may drive greater fuel poverty, particularly if it leaves the rental property with no affordable heating system. It is also unclear how this rule may be implemented with regards recording the removal and offset.</p> |
| 9 | AQ R14 | Oppose | Review timeframes of 1 February 2020 | <p>Concern that this is giving little notice to householders.</p> |
| 12-14 | AQ R18 (3, d) | Oppose | Review the relative impact of new cleaner-burning boilers with the impact of existing coal or oil burners in the Rotorua air shed. Consider whether a requirement for existing burners to meet higher standards in relation to discharges would be a more effective mechanism to improve air quality. | <p>We recognise that domestic burners are the predominant contribution to exceedances of winter-time air quality standards in the Rotorua air shed. With immediate effect new boilers are unable to discharge any amount of particulates in to the Rotorua air shed. However there is no move to improve the type of fuel burned by existing boilers in the air shed such that burning coal and oil are still permitted activities in the air shed.</p> |
| 17 | Definition | Oppose | Review the definition of | <p>The definition is based on the</p> |

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| | of terms "existing" in relation to solid fuel burners | | 'existing' to recognise all actual legally-installed existing burners | assumption that all existing legally- installed burners have permit or consent documentation held by Rotorua Lakes Council. This is not the case as records are sometimes incomplete or dwellings were owned by Government agencies that had their own property records until they came under the jurisdiction of the Building Act in July 1992. Evidence of an existing burner may require an inspection to confirm, and this activity would require resourcing. Alternatively BOPRC might choose to accept the word of wood burner suppliers removing to replace a burner. |

Thank you again for the opportunity to submit on Proposed Plan Change 13.

Yours sincerely



Rosemary Viskovic
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