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# FAQs - Draft Auckland Council Air Quality Bylaw

**To see a full copy of the Draft Air Quality Bylaw, visit aucklandcouncil.govt.nz/bylaws**

1. **Why is Auckland Council required to do an Air Quality Bylaw?**

In October 2004, the Government introduced air quality standards in the Resource Management (National Environmental Standards for Air Quality or AQNES). AQNES includes ambient standards which are what we need to meet to guarantee a set level of protection for human health and the environment.

All regional councils are required to monitor air pollution levels to ensure particle concentrations are within AQNES requirements and that we identify any areas - airsheds - where air quality may exceed standards. The Ministry of the Environment now requires all councils to meet the AQNES standards with no more than one exceedance per year in a region by 2016.

Auckland Council is proposing to introduce an Air Quality Bylaw which will focus on the management of indoor fires to reduce the emissions of fine particles into our air. By concentrating on the air pollution culprit in winter - indoor fires - we will not only achieve cleaner air, we will be well on our way to meeting national air quality standards.

1. **Do we have an air pollution problem in Auckland?**

Auckland Council has a legal responsibility to manage air quality to protect human health and the environment. In recent years, air quality in Auckland has exceeded national environmental standards for particulate emissions\*. The particulates of concern are those smaller than 10 and 2.5 micrometres in diameter, known as PM10 and PM2.5.

Although New Zealand’s air is relatively clean on an international scale, activities that release pollution into the air rapidly degrade the quality of air. In the summer, the main cause of air pollution in Auckland is transport\*\*, while in the winter it is domestic fires and it does affect people’s health.

In winter months, fine particulate emissions (PM10) from indoor fires are the primary cause of air pollution in Auckland:

* 75 per cent of PM10 air pollution came from domestic fires
* 18 per cent from vehicles
* 7 per cent from industry

\*Resource management (National Environmental Standards for Air Quality) Regulations 2004

**\*\***Transport pollutes the air at a similar rate in summer and winter in terms of tonnes

1. **How do particulate emissions affect people?**

Fine particle emissions – known as PM10 - from indoor fires are of particular concern as a health risk during the winter months. Indoor fires emit tiny particles (PM10) into the air through combustion and PM10 can easily be inhaled and can become trapped in people’s lungs. People with respiratory problems, the elderly and young people are most vulnerable to health impacts from PM10.

1. **How does the bylaw propose to manage emissions from indoor home heating fires?**

The proposal aims to reduce emissions in the Auckland Urban Air Shed in order to improve public health and meet national environmental standards. To reach these standards, it is proposed that the use of coal, indoor open fires and non-compliant (pre-2005) wood burners are phased out of use in the Auckland region. These fires produce approximately 85% of the total amount of PM10 emissions from all indoor home heating fires.

1. **How many open fires and older wood burners are there, and how many are removed each year?**

Information from the 2013 census and a 2012 Auckland Council survey indicates that there are approximately 17,000 open fires and 64,000 old wood burners being used for heating in the Auckland region. The census data indicate that the number of households using wood in the Auckland region for heating has reduced by 15% since 2001. In the Auckland region, from to 2001 to 2013, about 1500 dwellings per year moved away from using wood to provide home heating.

1. **When can non-compliant fires no longer be used?**

The bylaw proposes a phased in approach to allow time for owners of open fires and older wood burners to plan and consider alternative types of heating. For most people this will mean several more winters of an open fire. Auckland Council is proposing the following timeline:

**Air Quality Bylaw in effect – phase 1 (1 May 2015)**

* **Point of Sale comes into effect**
* **Ban burning of coal in open fires,** clean wood only in urban areas

**Phase 2 (1 October 2018)**

* **Ban on open fires comes into effect (17,000)**
* **Pre 2005 wood burners to be removed/replaced by this date (64,000)**

***Point of Sale rule:*** imposes an obligation on any vendor selling a property containing a non-compliant indoor fire to remove or replace it at the point of sale. The standard sale and purchase agreement includes a vendor warranty that he/she has notified the purchaser of any outstanding requirements that were notified by the local authority.

Old Wood Burners - The owner of an old wood burner must replace or remove it before transferring ownership of the property.

* Open Fires - The owner of an open fire must permanently block the fireplace or remove it before transferring ownership of the property.

***Use of open fires:***prohibition on the use of open fires in the urban airshed after 2018. The council can issue a notice to an owner of an operational open fire requiring it to be permanently blocked or removed after 1 October 2018.

***Use of non-compliant wood burners*:** prohibition on the use of old wood burners in the urban airshed after 1 October 2018. The council can issue a notice to require removal of the old wood burner after this time.

1. **Where would the new rules apply?**

The new rules will only apply to the Auckland Urban Airshed i.e. the main urban areas of Auckland excluding the rural and coastal towns. (See map attached)

1. **Will enclosed wood burners still be able to be used and installed?**

Yes, new and existing wood burners installed from 2005 onwards that meet the emission and efficiency standards will still be able to be used after the bylaw comes into effect. Installation of any new indoor home heating fire will require a building consent (this is already required under the New Zealand Building Code).

The bylaw proposes that wood burners installed before 2005 would be required to be removed or replaced by 1 October 2018 OR once the house is sold (known as the “Point of Sale Rule”) prior to this date.

1. **What are fine particulates?**

Fine particulates are tiny particles that are suspended in the air but are invisible to the human eye. They can be produced from natural sources such as pollen and sea spray, as well as by human sources such as vehicle emissions, industrial activities and indoor home heating fires. PM10 particulates are less than 10 micrometres in diameter, about one fifth the width of a human hair. PM10 particulates can stay suspended in the air for over a month and can affect visibility by creating a haze over large areas.

There are national environmental standards for PM10 that the council is required to meet and Auckland regional targets for PM2.5. It is anticipated that a national environmental standard will be set for PM2.5 sometime in the future, that council will also be required to meet.

1. **What are the health effects from particulate emissions?**

Fine particulates (such as PM10) can be inhaled easily and penetrate deeply into respiratory system where they can lodge in the lungs and adversely affect human health especially for people who are asthmatic or have heart or lung disease. These fine particles can reduce lung function leading to premature deaths and contribute to heart attacks, strokes and respiratory diseases. This can also lead to increased levels of medication, and days off work or school. PM10 particulates can also carry carcinogenic materials into the lungs. There is widespread scientific consensus that particulate matter causes adverse health effects.

For Auckland, the social costs caused by emissions from indoor home heating fires are estimated to be at least $624 million per year. The impacts range from 190,000 reduced activity days, where people may not able to work or take part in recreational activities because they have difficulty in breathing on those days, through to 110 premature deaths per annum because of the side effects of breathing in these fine particulates over time.

1. **What current regulation exists for indoor home heating fires?**

The current regulation requires new wood burners to meet emission and efficiency standards that have been set by central government in the Resource management (National Environmental Standard for Air Quality) Regulations 2004. All wood burners installed in urban areas after September 2005 were required to meet the performance (efficiency and emission) standards specified in the legislation.

1. **What other options have been considered to reduce emissions from indoor home heating fires?**

The technical work undertaken by the council considered a number of possible approaches that would reduce the number of older indoor home heating fires which make up the majority (75%) of wood burners and open fires used in the Auckland urban area. The proposed option – point of sale rule and a phased in approach to prohibiting open fires and older wood burners - has good health benefits without excessive costs.

As part of any regulatory approach that is progressed, other mechanisms such as education are an important factor in encouraging behaviour change, compliance and improving air quality. Information around home heating alternatives, insulation and cost effective options will be available to residents in the coming months.

1. **Will there be any dispensations or exemptions from the bylaw?**

The bylaw may allow applications to be made to obtain and temporary exemption from some or all of the requirements of the bylaw. If dispensation applications are provided; for they may be made on the grounds that use would be reasonably necessary for an event of particular cultural, historical or national significance . A temporary exemption may, at the discretion of the council, be granted for periods of up to three months.

1. **What have other councils done?**

Other councils have addressed air pollution from indoor home heating fires, notably Environment Canterbury in Christchurch and Nelson City Council. These councils have halved their concentrations over a period of 6-8 years using rules to control existing and new indoor home heating fires. Any regulation is considered to be more effective if it is well supported by education and financial incentives. A good lead in time is also necessary to give people enough time to prepare for change.

The Rotorua District Council introduced a similar bylaw in 2010 to manage indoor home heating fire emissions which included a point of sale rule and open fire ban.

**FUNDING HEATING ALTERNATIVES**

**What about financial incentives?**

The Auckland Council “Retrofit your Home” scheme complements this proposed bylaw, by providing a loan of up to $5000 for insulation and clean heating alternatives. The Governments “Healthy Homes” provides free ceiling and under-floor insulation for low income households. Home owners or tenants may be eligible for this funding if they are in a pre-2000 house and have a community service card. Priority is given to households with children under 17 and adults over 65.

The council will consider this matter more as part of the development of the bylaw package. However financial incentives will not be adequate on their own and will need to be supported by rules and education as part of a balanced policy package to reduce indoor home heating emissions.

**OTHER POLLUTION ISSUES**

**Why does the bylaw focus on indoor home heating fires and not vehicles or industry?**

Emissions from home heating fires are the largest proportion of wintertime particulate emissions in Auckland and currently, are only lightly regulated. Industrial sources have been regulated since 1972 and are controlled by rules in the Auckland Council Regional Plan: Air Land and Water (and by the proposed Auckland Unitary Plan). Transport emissions are managed by central government which has regulations to address fuel quality and emissions standards for vehicles. Increased regulation of indoor home heating fires is considered the most appropriate emission source to manage, in order to reduce emissions and improve Auckland’s air quality.

For more information please visit www.aucklandcouncil.govt.nz/environment

**PROCESS**

1. **What is the timing of the bylaw?**

The draft bylaw will be presented to council’s Governing Body on 30 October 2014 for approval for public consultation.

1. **Can I see the proposed Air Quality Bylaw and how can I make a submission?**

Go to shapeauckland.co.nz to view the proposed Air Quality Bylaw and to download a submission form.

Public consultation will start on 10 November 2014 and will close at 4pm on 10 December 2014.

1. **When will the Air Quality Bylaw come into effect?**

Once the submission period closes in December, a hearings process will commence which allows an opportunity for submitters to speak about their submission to Councillors. This is expected to be in early 2015.

The bylaw is expected to come into effect 1 May 2015.