

NELSON CITY COUNCIL

Nelson Air Quality Plan

Proposed Plan Change A3

Annexure 3

Decision of Hearing Committee on Submissions

Date: 15 July 2016



Introduction

The following tables set out the decisions requested by individual submissions (including further submissions) and records the Hearing Committee's decision on the requested relief. There are numerous submission points addressing similar points. Therefore, the reasons for decisions made on those submission points and requested relief can be summarised in groups. In the following tables, references to reasons numbered 1 to 5 are to the following reasons:

Reason 1: PCA3, as further amended by the Hearing Committee's changes, is the most appropriate way to achieve the Plan's objective and the purpose of the Act (see paragraphs 186 to 194 of the decision).

Reason 2: The evidence did not establish a case for reducing the performance criteria for permitted burners in any airshed. The evidence does not support permitted activity provision for burners other than ultra-low emission burning appliances in Airsheds B2 and C (see paragraphs 97 to 128 of the decision).

Reason 3: Requests to expand the provision of ultra-low emission burning appliances by permitting these immediately in Airsheds A and B1 were not supported by the evidence and are beyond the scope of the PCA3 Hearing Committee's jurisdiction (see paragraphs 129 to 144 of the decision).

Reason 4: The evidence does not support the future allocation provisions for Airsheds A, B1, B2 and C proposed by Appendix AQ2B. The Hearing Committee has deleted in its entirety the future allocation provisions (see paragraphs 157 to 169 of the decision).

Reason 5: The Hearing Committee is satisfied that there is a sufficient monitoring data base available to evaluate the environmental impact of PCA3 and that PCA3 will not result in degradation of ambient air quality in urban Nelson (see paragraphs 145 to 148 of the decision).

In the following tables, summaries of submission points are included. In the interests of economy of space in a large table, some submission points and reasons have been abbreviated or summarised. However, all requested decisions are recorded as stated in submissions. The decisions and reasons relate to the requested decisions.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons	
1	Bill Brett	1.1	Support for the proposed changes, but there is still a need to eliminate dirty burners. Two near neighbours operate burners that belch dirty smoke non-stop for four to five months of the year. Air quality monitoring taken in the vicinity would certainly fail to meet standards.	Approve the plan change and improve Council's enforcement functions.	Accept in part	Reasons 1 to 5	
	Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose			
	F13, The Nelson Woodburner Group	F13.1	1.1	Oppose	Reject		
2	Thorkild Hansen	2.1	It is important to provide the ability for householders to heat their homes efficiently using renewable resources. Many Nelson households have access to wood. Given our aging population, it makes sense to enable long term and economically viable heating solutions. Low emission fire places, solar power and hot water can all work together to improve the standard of living for Nelson residents, now and for future generations.	Amend plan change to allow ultra-low emission burning appliances to be installed in all zones in Nelson, for retrofitting and in new houses.	Accept in part	The Hearing Committee agrees that explicit permitted activity provision should be included for replacement of existing authorised small-scale solid fuel burning appliances with ultra-low emission burning appliances in all parts of the urban area. Further amendments have been made to achieve this. In other respects, refer to Reasons 1 to 5.	
	Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose			
	F15, Deborah Barr	F15.1	2.1	Support	Accept in part		
3	Katharine Day	3.1	Heat pumps do not provide adequate warmth. Provide ability to reinstall a low emission burner.	Retain Plan Change.	Accept in part	Reasons 1 to 5	

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons	
4	Cole Ryan	4.1	The ability to heat homes with firewood is a right that should not have been removed even if it affects air quality.	Permit low emission wood fires.	Reject	Reasons 1 to 5	
	Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose			
	F2, Robyn Deane	F2.1	4.1	Support	Reject		
5	Brandon Freiberg	5.1	Heat pumps are not as efficient as woodburners, and cause dry/sore throats in winter.	Amend the plan change to allow for any low emission burners that can meet the (NES) requirement of less than 1.5 grams per kg of fuel burnt.	Reject	Reasons 1 to 5	
6	Alan Thornborough	6.1	Preference for woodburners to keep warm in winter.	Not specified.	Accept in part	PCA3 provides for a type of wood burner (ultra-low emission burning appliances). In other respects, see Reasons 1 to 5.	
7	Jane Murray	7.1	A broader range of fires in lower range prices should be available, so consumers can choose either a ULEB or NES burner. The cost of ULEB will be prohibitive for some, but a better option than not being able to install a woodburner at all.	Retain Plan Change.	Reject	Reasons 1 to 5	
8	Samantha Hart and Nathan Carmody	8.1	Heat pumps are expensive to run and only heat one room. Our family gets sick often in winter due to being cold.	Amend the Plan Change by deleting AQr.26A and replacing it with a rule that enables any low emission burner that falls under current emission percentages to be installed	Reject	Reasons 1 to 5	

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9	Jean Edwards	9.1	Opposed to the method of monitoring Airshed B1, which does not distinguish between readings on the Tahunanui plains versus the Tahunanui hills.	Amend AQ2B.3.4, Airshed B1, Step 1 to read: "Identify days between May and August inclusive which have nine or more hours of average hourly temperatures less than five degree Celsius. Take the average of PM10 concentrations on days that meet this criterion for each year, both in the coastal plain area and on a specified height on the Tahunanui Hills. Note that the analysis can only be undertaken if valid data for the period May - August (all meteorological conditions) exceeds 75%."	Accept in part	The Hearing Committee has deleted in its entirety the future allocation provisions for all airsheds. In other respects, see Reasons 1 to 5.	
	Further Submissions						
			Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.2	9.1	Oppose	Accept in part		
10	Graham and Jennifer St John	10.1	Heat pumps don't sufficiently heat homes and are extremely expensive to run. My children are cold.	Retain Plan Change.	Accept in part	Reasons 1 to 5	
	Further Submissions						
			Sub.Ref.	Original Submission Reference	Support/Oppose		
	F6, Aimee Storm	F6.1	10.1	Support	Accept in part		

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons	
11	Simon Hall	11.1	ULEBs are expensive and limited in design and choice. People are disadvantaged if they aren't allowed to install a woodburner, while their neighbours can still use theirs.	Amend the Plan Change to allow both ULEBs and NES compliant burners.	Reject	Reasons 1 to 5	
12	Joanna Cranness	12.1	I would like to be able to install a log burner in my rental house as the tenants say the heat pump doesn't heat the house properly in winter.	Retain Plan Change.	Accept in part	Reasons 1 to 5	
13	Tony Healey	13.1	This is a sensible approach.	Retain Plan Change.	Accept in part	Reasons 1 to 5	
14	David McNicoll	14.1	Ultra-low emission burners are too expensive for the average person interested in using a woodburner as an economic method of heating.	Amend rule AQR.26A to allow installation of NES compliant woodburners.	Reject	Reasons 1 to 5	
	Further Submissions						
			Sub.Ref.	Original Submission Reference	Support/Oppose		
	F6, Aimee Storm	F6.2	14.1	Support	Reject		
15	Juliet Westbury	15.1	Air quality has improved significantly in winter time, but it is still poor in some areas including the Brook, North Road, Washington, Toi Toi and Stoke areas. I suffer from asthma (in a minor way compared to many) and fires impact on my ability to bike to and from work, mountain bike up the Brook, or at football training in the evening. I am unable to dry my washing outside in winter because I can't get home by 4pm when the fires start. Individual residents shouldn't be allowed to have such an impact on their neighbours and others wanting to be active outdoors. A new industry wouldn't be able to have a discharge beyond the boundary of their property that had more than	Delete entire Plan Change.	Reject	Reasons 1 to 5	

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			<p>a minor impact so I don't understand why residential dwellings are permitted to do this.</p> <p>People should be encouraged to upgrade their insulation to today's standards before allowing even a ULEB, as they might find they don't need it. Instead of installing a woodburner I insulated my 1950s house and haven't regretted it.</p>			
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	13.3	15.1	Oppose	Accept in part	Reasons 1 to 5
16	Paula Nairn	16.1	<p>Old houses in Nelson do not heat well with heat pumps, and heat pumps cost too much to run in winter. Also, the colder it is the longer it takes to heat up and the more power is used. The poorer areas of Nelson are the ones who actually need the woodburners more, yet they are not allowed, and they cannot afford to heat their home with heat pumps, and most landlords do not allow gas heaters. More focus should be on burning dry wood and not rubbish, as that is what causes most of the smoke.</p>	<p>Allow more woodburners to be installed in homes, and focus on education about burning dry untreated wood. Consider employing someone to test the moisture content of people's wood, and making it easier for people to collect wood from Council areas, or easier to access wood in forestry blocks after logging.</p>	Accept in part	Reasons 1 to 5
17	Kelly Short	17.1	<p>My power bill is almost four times more in winter than in summer, and I still find the house cold and damp. A woodburner will ensure the house is warmer and drier as well as the cost of fuel being a lot cheaper than both a gas fire and heat pump.</p>	Retain Plan Change.	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons	
18	Rebecca McCulloch	18.1	Lower income areas such as Airshed A need the option of installing a woodburner first, rather than later. If this doesn't happen people will be forced to use electric or dangerous heating, which is not adequate for damp, cold households. These houses have poor heating and the people are disadvantaged, low income earners. Having unsuitable heating in these homes leads to higher health bills and unsafe homes.	Amend the plan change to enable people in Airshed A to install burners before other airsheds.	Reject	Reasons 1 to 5	
19	Joe Berkow	19.1	Keep emissions in Nelson as low as possible.	Delete Plan Change entirely.	Reject		
	Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose			
	F13, The Nelson Woodburner Group	F13.4	19.1	Oppose	Accept in part		
20	Shane L Haydon	20.1	People have a right to heat their homes from renewable energy sources that are locally sourced, and to not be reliant on electricity and gas companies for heating.	Retain Plan Change.	Accept in part	Reasons 1 to 5	
21	Felicity Watson	21.1	I've moved to a house without a woodburner. Heat pumps are ok for quick heat but not all day warmth. So many houses have changed hands, and many people would not choose a heat pump. I would be able to use a woodburner to keep my kids warm by heating my whole home, and to have heating even during a power cut. I would like to install a woodburner and pay it off through my rates.	Retain Plan Change.	Accept in part	Reasons 1 to 5	
22	Peter Taylor	22.1	The provision for only very expensive ULEBs disadvantages people who can't afford them, so potentially won't help the people who most	Amend the Plan Change to enable up to 300 new NES compliant woodburners	Reject	Reasons 1 to 5	

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			<p>need better home heating. As the major factor contributing to PM10 is the moisture content of the wood being burned, it should be feasible to allow NES compliant burners (which includes ULEBs). Combine this with education around best practice for buying, storing and burning dry wood.</p> <p>Alternatively, allow a smaller number of NES compliant burners to be installed to improve people's ability to finance their installation. Take a conservative approach and review this every 1-2 years, adjusting the number upwards if PM10 levels are held at acceptable levels. The proposed rule will only assist the wealthy to keep warm and it would be better to encourage them to invest in heat pumps, not new fires.</p>	between 2016 and 2019, provided ambient PM10 levels remain within the NES Air Quality rules.		
23	Carlo Wiegand	23.1	There is much need for affordable and sustainable space heating in all of Nelson's airsheds.	Amend the Plan Change to allow small numbers of ultra-low emission burners to be installed in airsheds A, B1 and C.	Accept in part	Accepted to the extent of allowing the maximum of 600 ULEBs in Airshed C. Rejected in relation to request for ULEBs in Airsheds A and B1. See Reasons 1 to 5.
24	Jennifer Witchlow	24.1	Woodburners are now very efficient in respect of their emissions. Limiting woodburner discharge permits to five years would ensure the most efficient and lowest emission burners were the standard stock in Nelson, providing ongoing protection of air quality.	<p>1. Make woodburner permits available to people who don't currently have a woodburner permit.</p> <p>2. Limit permits for discharges from woodburners to a five year period, with a requirement to reapply. This time limit should apply to all woodburner permits, not just</p>	<p>Accept in part</p> <p>Reject</p>	<p>Accepted to the extent of allowing the maximum of 600 ULEBs in Airshed C. Rejected in relation to request as it relates to Airsheds A and B1. See Reasons 1 to 5.</p> <p>No evidence was presented in support of the proposed 5-year permission limit. A limit of 5 years would be administratively inefficient and would create uncertainty and additional cost for consent holders with no demonstrated environmental benefit.</p>

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				new ones being issued in future.		
25	Penny Adlington	25.1	Heat pumps do not always heat homes efficiently and are costly to run. Having the choice to turn on a heat pump or light a fire is preferable.	Retain Plan Change.	Accept in part	Reasons 1 to 5
26	Andrew Murray - t/a McCashin's Brewery	26.1	The company seeks assurance from NCC that any proposed changes to the Nelson Air Quality Plan as a direct result of this plan change will not adversely impinge upon the air discharge conditions granted under their approved NCC resource consent.	Retain Plan Change, subject to the points raised in this submission.	Accept in part	The Hearing Committee has made some of the changes requested by the submitter. In other respects, see Reasons 1 to 5.
27	Carol Glen	27.1	Everyone deserves the right to keep warm in winter with a wood fire.	Retain Plan Change.	Accept in part	Reasons 1 to 5
28	Tom Kennedy	28.1	The Plan Change will help households on fixed low incomes to heat their homes during the winter, now that electricity costs have increased so much over the last few years.	Retain Plan Change.	Accept in part	Reasons 1 to 5
29	Mary Sullivan	29.1	The proposals do not balance human health risks appropriately. The options available are unaffordable for the majority of homeowners who would benefit from a woodburner.	Delete Rule AQr.26A and replace it [and other parts of the plan change] as follows: Real-life testing of other affordable burners (under \$3000) that show very low emissions, eg Pyroclassic IV	Accept in part	The amended provisions include specific provision for real life testing which opens the way for new technologies to be certified. In other respects, see Reasons 1 to 5.
		29.2	The proposals do not include any other low emission burners that have very low emissions, eg Pyroclassic IV.	Allow low emission burners with emissions of 0.3g/m2 or less.	Reject	Reasons 1 to 5
		29.3	The options do not include a wetback option, which would allow for increased energy savings.	Inclusion of a wetback model	Accept in part	Reasons 1 to 5
		29.4	The proposals do not include any allowance for woodburners in Airsheds A and B1, which	Allow 1000 new burners each in airsheds B2 and C, and	Allow in part	The decision allows a maximum of 1000 ULEBs in Airshed B2 (but 600, not 1000, in

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			are often the areas where Nelson's most deprived households live.	500 new burners in airsheds A and B1.		Airshed C and none in Airsheds A and B1). See Reasons 1 to 5.
		29.5	The proposals do not balance human health risks appropriately. The options available are unaffordable for the majority of homeowners who would benefit from a woodburner.	Carry out a major education campaign on good wood use.	Accept	This is an initiative the Council proposes to continue as part of the Behaviour Change Programme.
		29.6	The proposals do not balance human health risks appropriately. The options available are unaffordable for the majority of homeowners who would benefit from a woodburner.	Review this policy every three years.	Accept in part	The imminent review of the entire Air Plan provides an opportunity for further consideration of these matters.
		29.7	The current proposal limits installation of woodburners to four very expensive options, none of which includes a wetback. This severely limits the numbers of people either able to afford one of these options, or who wish to use a wetback to achieve further energy savings. There are a number of other low emission burners that do not exceed 0.5g/kg. For example the Pyroclassic IV burns only 0.3g/kg.	If the limitation [on approving other woodburners] is that the Pyroclassic IV and other similar fires have not been tested under real life conditions, then please do this testing.	Accept in part	The provisions have been amended to provide for real life testing.
		29.8	I have worked extensively with the refugee community and struggling families and can give numerous examples of families with frequent admission to hospital or being unreasonably medicated due to living in damp and cold houses. These people have heat pumps but do not use them as they cannot afford the electricity bills. They go to bed to keep warm, but are still breathing in cold air which is often damp and containing dangerous mould spores.	Give more consideration to the health impacts on deprived households who are living in cold, damp houses, and are unable to afford the electricity costs of running heat pumps.	Accept in part	Reasons 1 to 5
30	Chris Myers	30.1	Households on low incomes should be able to heat their homes, especially with electricity being so expensive now.	Retain Plan Change.	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
31	Anne Allen	31.1	Opposed to ANY deterioration in Nelson's air quality. Even ultra low emission burners still depend upon users burning dry wood, and it has already been proven that not everybody does use dry wood.	Delete Plan Change entirely.	Reject	Reasons 1 to 5
	Further Submissions					Reasons 1 to 5
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.5	19.1	Oppose	Accept in part	
32	Thomas Koed	32.1	The Council should not change the regulations to allow increased air pollutant loading. Undermines continuing improvement of air quality; does not implement the intentions of the Air Quality Plan and the Council's obligations; is inequitable. Permitted activities must be universally permitted and banned activities must be universally banned, except where individual circumstances are exceptional (ie. not on a first-in, first-served basis). Will not address living conditions, housing and health of the less affluent members of the community. The types of approved woodburners are unaffordable for the poor. Those in rental accommodation would be unlikely to benefit; landlords unlikely to install expensive new burners. Consider other mechanisms to address the living conditions, housing and health of the less affluent.	Reject Plan Change.	Accept in part	Reasons 1 to 5
	Further Submissions					Reasons 1 to 5
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.7	32.1	Oppose	Accept in part	

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33	David James	33.1	ULEB will provide efficient and cost effective heating compared to heat pumps. A ULEB will increase our ability to adequately heat our home.	Retain Plan Change.	Accept in part	Reasons 1 to 5
34	Clare Monti	34.1	Woodburners should be accessible for all people as it is one of the best ways to thoroughly heat a house (as opposed to an air pump which only heats the air). Low income people should be able to have woodburners; firewood often collected free.	Amend AQR.26A to also allow woodburners in Victory Square.	Reject	Reasons 1 to 5
35	Dan McGuire	35.1	NES compliant burners are approved, proven and readily available. They are extremely efficient, clean burners. ULEBs are very expensive and are unproven technology. Many also require a 240V electrical connection to function. Nobody has asked for them. Only one distributor in Nelson has the rights to sell these ULEBs at present. The pellet burners were the same scenario 10 years ago.	Amend the Plan Change to enable NES compliant burners rather than exclusively allowing for ULEBs.	Reject	Reasons 1 to 5
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F9, Rene Haeberli	F9.2	35.1	Support	Reject	Reasons 1 to 5
35	Dan McGuire	35.2	Three options were evaluated in the staff report presented to Council in December 2015. Option 1 was recommended but was the most restrictive. This option was preferred by the majority of Council. However, Option 3 is the most suitable option. It allows many more homes to have woodburners installed, with more areas in Nelson allowed to have them. It also achieves the current NES air quality standards, imposed by central government. Option 3 would enable the	Amend the plan change to adopt Option 3, as considered in the staff report presented to Council at the December 2015 Council meeting. This sets the allocation of burners at the maximum allowable to achieve the NES ambient air quality limits.	Reject	Reasons 1 to 5

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			greatest benefit to home heating by allowing the largest number of woodburners to be installed.			
		35.3	The very month when Nelson had the most restrictive home heating rules in NZ take effect, Nelson's respiratory illness by hospital admissions had deteriorated, which is a completely opposite trend to the rest of NZ's DHB figures. The NZ Parliamentary Commissioner for the Environment has recently written a report that condemns the methodology of air quality compliance used at present for exceedance levels in NZ; states it has been superseded by current international understanding of the cause and effect of carbon particulate in the air.	Amend the Plan Change to take into account Nelson hospital data, and DHB evaluations that show respiratory health has worsened since 2004, when the restrictive heating rules in the Nelson Air Quality Plan were enforced.	Reject	Reasons 1 to 5
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F14, Peter Burton and Dr Ed Kiddle, NMDHB-PHS	F14.1	Entire Submission	Oppose	Accept in part	Reasons 1 to 5
36	Bev Webster	36.1	The ability for emissions to dissipate from Tahunanui Hills is much greater than for Tahunanui plains, due to the elevated position. Being grouped together in one airshed is a disadvantage for Tahunanui Hills residents in this situation.	Amend the Plan Change to allow ultra low emission burners to be installed in residential properties in Tahunanui Hills north of Maire Street, even though Tahunanui Hills is in Airshed B1.	Reject	Reasons 1 to 5
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F12, Charmian Koed	F12.3	36.1	Oppose	Accept	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
37	Claire Newcombe	37.1	Air pollution is still a problem in Nelson. Get rid of all woodburners, instead of allowing more.	Delete Plan Change entirely.	Reject	Reasons 1 to 5
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.6	37.1	Oppose	Accept in part	Reasons 1 to 5
38	Bryan Banks	38.1	NES compliant woodburners need to be allowed as well as ULEBs, even if it means a reduced number of overall burners in Airshed C to compensate for the higher emissions from NES burners. The cost of a ULEB (\$7500 to \$12,500) is more than twice the cost of NES woodburners, and is excessive.	Amend the Plan Change to allow for NES compliant woodburners (as approved burners) in Airshed C.	Reject	Reasons 1 to 5
39	Hazel Thelin	39.1	Support ability to install a ULEB to enable installation of a back up woodburner as an option, should the current heat pump system fail in future.	Retain Plan Change.	Accept in part	Reasons 1 to 5
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F9, Rene Haerberli	F9.1	39.1	Support	Accept in part	Reasons 1 to 5
40	Albert Hutterd	40.1	This change enables ratepayers and residents to benefit from the warmth of renewable, locally available wood supplies, subject to being able to pay for the installation of a compliant woodburner.	Retain Plan Change.	Accept in part	Reasons 1 to 5

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41	Helen Parry	41.1	My tenant in Tipahi St struggles to heat the house using a heat pump. Firewood can always be come by cheaply or at a low price in this region. Heating needs to be more affordable for all.	Retain Plan Change.	Accept in part	Reasons 1 to 5
42	Floor van Lierop	42.1	As a resident of Victory I wish to have the choice to keep my family warm in winter without relying on electricity.	Retain Plan Change, but give residents the choice between NES and ULEB burners depending on their budget and personal situation.	Reject	Reasons 1 to 5
43	Elizabeth Preest	43.1	Cost effective, reliable heating should be available for all. ULEB is too expensive for most households and they require a very specific wood length, limiting what can be used.	Amend the Plan Change to allow both NES and ULEB burners for existing properties.	Reject	Reasons 1 to 5
44	Tony Karsten	44.1	Hundreds of dollars a month are currently spent in winter for power (heat pumps and column heaters). A woodburner would provide a cheaper, healthier form of heating as well as providing heat during power cuts.	Retain Plan Change.	Accept in part	Reasons 1 to 5
45	Tom and Margaret Higgins	45.1	Woodburners are the only economic alternative to electricity, and Nelson only has limited supply lines of electricity. It also ensures houses can be heated during a power cut.	Retain Plan Change.	Accept in part	Reasons 1 to 5
46	Anne Catherine Jones	46.1	Affordable heating for health of children and old people.	Retain Plan Change.	Accept in part	Reasons 1 to 5
47	Lesley Brown	47.1	ULEBs are eco-friendly (burning renewable resources) and would enhance the heating in properties not benefiting from central heating, whilst minimising emissions.	Retain Plan Change.	Accept in part	Reasons 1 to 5

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48	Adam Lloyd	48.1	The proposed Plan Change still restricts the basic right of people to have a fire. The benefits of having a fire outweigh any supposed environmental effects. The science behind atmospheric particulate analysis is deeply flawed.	Delete Plan Change and do not impose any restrictions on what type of fire people can have in their homes.	Reject	Reasons 1 to 5
49	Adrian Secker	49.1	Woodburners are an economic form of heating, providing independence from reliance on an electrical supply and from high electricity prices. The Christchurch earthquakes showed the importance of heating autonomy.	Retain Plan Change.	Accept in part	Reasons 1 to 5
50	Rob and Mary Stevenson	50.1	Support the opportunity to install a ULEB (an environmentally friendly form of heating (carbon neutral), a low cost alternative, provides extra warmth on non sunny days in winter, and ensures emergency heating if electricity is unavailable, more effective heat than other heating systems). It is a basic human right to be able to operate a fire within your own home. Now that certain fires have been proven to be low emission burners there is no reason why the Council can't grant residents permission to install these new types of fires. The clean air in Nelson over the past few years has been a great improvement.	Retain Plan Change.	Accept in part	Reasons 1 to 5
51	Godfrey Watson	51.1	It is preferable to rely less on electric heating when no new power stations are planned to be built in NZ, and electricity costs are so high. Gas is limited as well. Emissions from modern fires are much less than older burners. There is a trade-off between discharges to air and the quality heating that	Retain Plan Change.	Accept in part	Reasons 1 to 5

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			woodburners provide. Generating electricity has environmental impacts as well, just not within Nelson - we also have a wider responsibility for the environment.			
52	Turhan Djemal	52.1	This plan change is a step in the right direction. More burners should be allowed in the Atawhai area (never been any air quality issues). Preference for ULEBs rather than the less efficient NES burners - ULEBs are expensive but the price will come down as demand increases. Support for moving away from the term wood burner to 'ultra low burning device' as it allows for any kind of future technology and concentrates on the issue (emissions) rather than named appliances.	Retain Plan Change.	Accept in part	Reasons 1 to 5
53	Gregory West	53.1	The Plan Change denies people in Nelson the option of installing NES approved burners whereas these are allowed in all other areas in NZ. The Plan Change is based on PM10 monitoring, but the Government is about to review the NES with a total change in focus.	Amend the Plan Change to allow existing homes to replace with NES approved burners. In new homes allow ULEB and NES compliant burners in Airshed A/other airsheds.	Accept in part	The Hearing Committee has included explicit permitted activity provision for replacing existing authorised small-scale solid fuel burning appliances with ULEBs (but not with NES compliant burners). In other respects, see Reasons 1 to 5.
		53.2	The Plan Change fails to refer to PM2.5 and to WHO studies and recommendations; fails to refer to emerging technology; fails to differentiate between benign PM10 (eg sea salt) and other forms; fails to identify and differentiate between industrial/traffic/other toxic PM10 particulate. Does not provide details of behaviour change initiatives.	Allow a limited number of NES compliant burners in all airsheds. Allow ULEB in new houses (and accepted/approved new technology). Carry out clear, uncomplicated and proactive	Reject Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
				monitoring of burning practices.		Continued monitoring of burning practices is one of the initiatives proposed for the Behaviour Change Programme.
54	David and Robin Hall	54.1	Support for the installation of approved, affordable low emission woodburners. This is an efficient, economical home heating method which has many health benefits. Seniors are more mobile in a warm environment. Chest conditions are less - saving on the health budget. It eases financial pressure from the electricity bills and could mean more money is available for food. Well fed children learn better.	Not stated	Accept in part	Reasons 1 to 5
55	Margot Souness	55.1	As a family with young children living in a home built in the 1920s (in Airshed C), a woodburner would be a reliable and efficient source of heat. It has the added advantage of providing heat in a power cut or emergency situation. We would be eager to put our names on a waiting list for permission to install a ULEB in our area. The major downside for us would be the cost of purchasing and installing a ULEB. Our only option would be to borrow money - I'm sure others are in a similar situation.	Retain AQR.26A.	Accept in part	Reasons 1 to 5
56	Lily Lo	56.1	Significant ratepayer money was spent on removing woodburners. This money, and the gains made, look to be lost to a large extent by revisiting this issue. The measure of low emission woodburners is currently based on PM10 concentrations. However, best practice internationally considers a range of particulate sizes as they have differing effects	Delete the Plan Change entirely. Alternatively, more thoroughly consider whether woodburners provide the greatest community benefit for the level of air pollution induced, and provide air	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			<p>on health and the environment. Furthermore, allowance of woodburners condones an agreed or acceptable level of air pollution. While not fully opposed to this notion, it seems short-sighted to consider that this 'accepted level of pollution' should be consumed solely through the effect of woodburner use. Based on Council's published documentation, consideration only appears to have taken into account woodburner use for achieving the acceptable level of pollution. For example, the greatest net-benefit from allowing an increase in air pollution may be best derived through relaxation of industry emission requirements, or through allowing an increase in industrial activity.</p>	quality measures based on international best practice.		
57	Kate Russell	57.1	Allow people to install lower cost woodburners. Consider offering a discount on pellet burners for Victory residents because they are not allowed to install woodburners.	Amend the Plan Change to allow lower cost woodburners to be installed. Provide Victory residents with a discount on pellet burners.	Reject	Reasons 1 to 5
58	Peter Wood	58.1	<p>Woodburner restrictions appear to be unnecessary at the top of Orsman Crescent given the altitude of this area.</p> <p>The smog issues occur in an inversion layer between 50 and 80 metres which traps smoke, fuel and other emissions until the inversion breaks down. The woodburner emissions of residences above this level contribute less to this smog and would have minimal effects on Nelson's air quality.</p>	<p>Amend the Plan Change to allow NES compliant woodburners to be installed in areas which are 50 metres (or more) above sea level.</p> <p>Allow ULEB burners elsewhere, except in the odd location where katabatic wind flows meet, causing polluted air to be trapped for extended periods.</p>	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
59	Emily Bolton	59.1	Our home lacks a woodburner and the home temperature falls well below world health standards in winter. It is only a matter of time before this affects our health. It is essential that this change is made. Homeowners should be allowed to take up the offer of installing a clean air wood fuelled fire in the proposed areas if the original deadlines were missed.	Retain Plan Change.	Accept in part	Reasons 1 to 5
60	Paul Young	60.1	I have scrim walls and am getting elderly (as are my tenants) so a woodburner keeps the house warm, and is beneficial for health reasons.	Retain the Plan Change, and approve a woodburner for my home.	Accept in part	Reasons 1 to 5
61	Annabel Norman	61.1	People should have the choice to buy a NES or ULEB burner. The present cost of a ULEB burner is expensive, and affordable options should be allowed. There should be requirements to clean flues annually, and penalties should apply to any wood merchants selling green wood.	Amend the Plan Change to allow both NES or ULEB burners, with a strong recommendation to consider the ULEB. Require woodburner owners to clean burner flues annually (at least). Some requirement should be included about the purchase of wood - that wood sales are dry wood only and some penalties may apply to any wood merchants selling green wood.	Reject Accept in part	Reasons 1 to 5 The evidence confirmed that the Council intends to continue the 'Good Wood' scheme to promote the supply of dry wood fuel.
62	Judith Honeybone	62.1	We wish to install a woodburner.	Not specified.	Accept in part	PCA3 provides for the installation of ULEBs in Airsheds B2 and C. See Reasons 1 to 5.
63	Charmian Koed	63.1	Concern that ULEBs are permitted activities. Council should follow a similar system to Christchurch, where approval is granted through the resource consent process. The	Specify how ULEBs will be tested and what they must achieve.	Accept	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			Canterbury Air Quality Plan sets out what ULEBs must achieve, and this is missing from Nelson's Plan Change. Also missing is information about how ULEBs will be tested. Emissions could be higher than modelled; definition for 'real-life' is needed.	Provide a definition of 'real life'.		
		63.2	The Council is giving itself <i>carte blanche</i> to make decisions under Appendix AQ2B. The Council intends to make decisions about this without the public having any input or right to object. It would not be possible for a member of the public to know when or if ULEBs will be allowed into Airsheds A and B1 (where I live), and if so, how many. This is wrong, against the expressed aims of the Council and probably against the law.	Amend the Plan Change by deleting all aspects related to Airsheds A and B1.	Accept	Reasons 1 to 5
		63.3	<p>ULEBs need to be tested according to a specified system and the number that can safely be accommodated in an airshed needs to be decided on a case by case basis. They should therefore be allowed by resource consent, not as a permitted activity.</p> <p>The ULEBs in Airshed B2 and C are being permitted before the air quality improvements from the behaviour change programme is established, before it is known if the programme will work, and before it is shown by monitoring to have worked. ULEBs should only be allowed after the gains have been proved to have occurred. Allowing ULEBs before air quality improvements occur would worsen air quality and would be contrary to RMA, the Air Plan. Behaviour change is both difficult and slow to achieve, and public</p>	<p>Amend rule AQR.26A so that, for Airsheds B2 and C:</p> <p>i. The 1000 and 600 ULEBs can only be installed by a public resource consent, and</p> <p>ii. The consent requires proof that the air quality improvement from natural attrition and behavioural management has occurred, and</p> <p>iii. The consent enables the number of ULEBs to be installed over any given period to match the improvement in air quality, and</p> <p>iv. The consent requires proof of the likely 'real life'</p>	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			education needs to be backed by rules and enforcement. Another point to consider is the likely change at an international and national level to focus on PM2.5. The Plan Change and section 32 report don't mention this. Compliance with this standard is likely to be harder to meet, so it doesn't seem prudent to install extra burners.	emissions of the ULEBs to be installed.		
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	13.8	Entire Submission	Oppose	Accept in part	Reasons 1 to 5
64	Leigh Stevens	64.1	There are obvious environmental and health benefits in enabling the installation of new ULEBs, as well as the ongoing replacement of existing fireplaces with LEBs and ULEBs. Compelling social reasons for allowing home owners to heat their houses with woodburners. Support Council using air quality improvements as one means of determining if additional woodburners can be consented. Other causes of air quality degradation, such as vehicle emissions, also need to be considered when tackling air quality issues. The risk from woodburners is overstated.	Retain Plan Change.	Accept in part	Reasons 1 to 5
64	Leigh Stevens	64.2	The current plan limits are overly restrictive in many instances. Council should be able to exercise discretion, particularly with regard to houses located in the upper reaches of the defined airsheds (above the inversion layer) and where the contribution to localised air	Amend Plan Change to allow for the discretionary consenting of more ULEBs, in addition to the limited number of additional woodburners proposed in the Plan Change.	Allow in part	The amended rules provide for applications for ULEBs in excess of the maximum number specified in Appendix AQ2B as a non-complying activity. See Reasons 1 to 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			quality degradation from ULEBs is likely to be negligible.			
65	Eurocell Wood Products Ltd	65.1	The rule makes installation of ULEBs a permitted activity subject to a number of conditions, including compliance with the requirements of Appendix AQ2B. Council could make that assessment and "open up" available capacity for additional burners in Airshed A without going through a public process. Council may not reserve to itself a discretion to finally decide whether any activity is a <i>Permitted Activity</i> (or not). There is no certainty, the situation is at best "fluid" and therefore the rule is ultra vires. Even if not ultra vires, the rule provides in effect a priority for "spare capacity" to ULEBs as distinct (or better put, in preference to) industry already existing in the Zone - thereby constraining the resource. Council has adopted a "short cut" process with a priority given to residential users. All applications for ULEBs should be as for industrial uses. The Section 32 Analysis is inadequate and the requirements of the Act in that regard are not met.	Withdraw the Plan Change.	Accept in part	Accepted to the extent of deleting the future allocation provisions for all airsheds. See Reasons 1 to 5.
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F1, Fulton Hogan	F1.2	65.1	Support	Accept in part	Reasons 1 to 5
	F13, The Nelson Woodburner Group	F13.9	65.1	Oppose	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
66	Southpine Limited	66.1	The rule makes installation of ULEBs a permitted activity subject to a number of conditions, including compliance with the requirements of Appendix AQ2B. Council could make that assessment and "open up" available capacity for additional burners in Airshed A without going through a public process. Council may not reserve to itself a discretion to finally decide whether any activity is a <i>Permitted Activity</i> (or not). There is no certainty, the situation is at best "fluid" and therefore the rule is ultra vires. Even if not ultra vires, the rule provides in effect a priority for "spare capacity" to ULEBs as distinct (or better put, in preference to) industry already existing in the Zone - thereby constraining the resource. Council has adopted a "short cut" process with a priority given to residential users. All applications for ULEBs should be as for industrial uses. The Section 32 Analysis is inadequate and the requirements of the Act in that regard are not met.	Withdraw the Plan Change.	Accept in part	Accepted to the extent of deleting the future allocation provisions for all airsheds (Reason 4). See also Reasons 1, 2, 3 and 5.
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F1, Fulton Hogan	F1.1	66.1	Support	Accept in part	Reasons 1 to 5
	F13, The Nelson Woodburner Group	F13.10	66.1	Oppose	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
67	John (Brent) Higgins	67.1	Hot flues on free-standing appliances come into close contact with combustible materials. In order to prevent heat impinging on combustible surfaces (causing a house fire) shielding arrangements which require cooling air are installed to protect the combustible surfaces. A standard shielding arrangement sources its cooling air from <u>inside</u> the room being heated. It takes the hottest air in the room immediately beneath the ceiling and vents this air outside the house. Submission recommends adoption of flue shield kits that source the cooling air from either the attic space (or outside air - if no attic space exists).	Amend the Plan Change by changing Appendix AQ3 (Stack Requirements) by adding (after d): <i>"e) For free-standing fires, only flue shielding systems that source the cooling air from either the attic space or outside of the building envelope are permitted. Flue shielding systems that source cooling air from inside the room are not permitted."</i> Alternatively (if it is not possible to make this change within the scope of this Plan Change), then the fall back option requested is to amend AQR.26A.1.ii a) by inserting AQR.26A.1.ii a) (iii) <i>"For free-standing fires, only flue shielding systems that source the cooling air from either the attic space or outside of the building envelope are permitted. Flue shielding systems that source cooling air from inside the room are not permitted."</i> <i>(Then renumber the current AQR.26A.1 (ii) (a) (iii) and (iv) to be (iv) and (v).</i>	Reject	Reasons 1 to 5
						Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.11	67.1	Support	Reject	Reasons 1 to 5
68	Deborah Baxter	68.1	<p>Replacement of a woodburner to comply with the Air Quality Plan rules cost \$5000. There is an issue of equity if people are allowed to get away with something that should have been done years ago. Equally, people buy or rent a house knowing they can't have a fire. The Air Plan should not be allowed to be reduced.</p> <p>However, the cost of heat pumps is an issue, and new owners could possibly be allowed to do that.</p>	Supports in part.	Accept in part	Reasons 1 to 5
69	Pam and Rob Colee	69.1	Too many people have older log burners and missed out on the Warm Homes Scheme or were unaware of it. Warmth is required for health reasons. Avoid reliance on electricity in case of power outages.	Retain the Plan Change and allow all homeowners in Stoke to install a woodburner.	Accept in part	The proposed rules provide for the installation of ULEBs in parts of Stoke and for the replacement of existing authorised small-scale solid fuel burning appliances with ULEBs. See Reasons 1 to 5.
70	Ross Haverfield	70.1	Support for more use of woodburners. They use renewable fuel and heat homes more thoroughly than other forms of heating, eg heat pumps. Council should encourage central government to fund research and development of more efficient woodburners on a larger scale than individuals and producers are able to. Central government and councils should promote the use of cost-efficient, high heat energy producing devices, and actively encourage industrial scientists	Retain Plan Change.	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			and researchers to invent cleaner burning units.			
71	Ruth Thomas	71.1	I live in a newly built home in Atawhai and would like the opportunity to install a ULEB. Our home is a passive solar design, and in winter time a back up heat source needs to be a radiant heater, so that it can heat the concrete slab. Therefore, heat pumps are not suitable. If we are not allowed to install a fire, we are only left with the option of an oil column heater. Whereas our neighbours have the ability to install fires. In Airshed C the smoke from all the neighbouring fires seems to dissipate in the breeze so adding additional fires in this neighbourhood (especially ultra low emission burners) would not cause environmental problems and would significantly increase the enjoyment of our home over winter.	Retain Plan Change.	Accept in part	Reasons 1 to 5
72	Dave Loose	72.1	Provide for the installation and reasonable use of woodburners that are environmentally friendly, with careful monitoring, in appropriately 'ventilated' airsheds.	Retain Plan Change.	Accept in part	Reasons 1 to 5
73	Braydon Blance	73.1	For reasons of health and a source of heating that doesn't require power or gas in case of power outage.	Retain Plan Change.	Accept in part	Reasons 1 to 5
		73.2	The change should not be limited to a certain number of households. Every household should have the option, not just those who get a permit in a first in first served scenario. When we originally bought our property we felt that the amount of time we had to replace our current burner, and find the money for it,	Amend the Plan Change to remove limits on the number of households permitted to install a burner.	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			was too short. We would like to be able to use our current burner while we await news on when and how we go about replacing it with an approved burner.			
74	Albert Field	74.1	You can't get warm sitting around a heat pump. Heat pumps are no good in winter power outages. Everyone should have a woodburner.	Retain Plan Change.	Accept in part	Reasons 1 to 5
75	David Cogger	75.1	Air quality issues could be mitigated with better enforcement/compliance checks. Less than 5% of woodburners put out 75% of the visible smoke emissions. If these 5% of wet wood burners, plastic burners and potentially illegal non-clean air burners were policed then the air quality would increase dramatically. Illegal or non-compliant burners could be a major issue, and if the rules remain so strict then illegal installations are likely to increase.	Amend the Plan Change to allow clean air approved wood burners in all airsheds.	Reject	Reasons 1 to 5
76	Leanne Cross	76.1	Consider rezoning some of the areas as the current airsheds do not represent the geographic area well.	Amend the Plan Change to allow ULEBs in all airsheds, or change air shed boundaries to better reflect geographic areas.	Reject	Reasons 1 to 5
77	Jeanette Aspin	77.1	Low emission burning appliances are a very efficient way to heat a home.	Amend the Plan Change to allow homeowners the choice to install a low emission burning appliance.	Reject	Reasons 1 to 5

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78	Sue Alsop, Nelson Asthma Society	78.1	Nelson Asthma Society would be concerned if air quality deteriorated and caused more hospital admissions.	Strictly monitor air quality to ensure air quality is not affected by this planned proposal.	Accept in part	Reasons 1 to 5
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.12	78.1	Oppose	Accept in part	Reasons 1 to 5
79	Vicky Hawkey	79.1	A free standing or built-in woodburner with a wetback should be allowed to be installed.	Retain Plan Change.	Accept in part	Reasons 1 to 5
80	Alistair Rollinson	80.1	<p>Support adding ULEBs to the Nelson Air Quality Plan. However, NES woodburners should also be provided for in this Plan change in areas that are categorised as 'acceptable' such as Airshed B2.</p> <p>ULEB are still very limited, they generally heat only small homes (ie under 150m2), and they need constant refuelling which makes them very impractical versus the cost of them. NES woodburners will heat homes up to 280m2 and require less frequent refuelling. Some NES woodburners, when loaded correctly, can also burn through the night.</p>	Amend the Plan Change to allow NES burners in areas categorised as having "acceptable or higher" air quality.	Reject	Reasons 1 to 5
81	Emma McCashin	81.1	There is a need for low cost heating options.	Retain Plan Change.	Accept in part	Reasons 1 to 5
81	Emma McCashin	81.2	The lower cost models (NES compliant woodburners) are a preferable option as a \$2000 purchase cost + installation is obtainable for most people, whereas \$5000 - \$8000 isn't, so doesn't help solve any heating issues, particularly for the elderly and low income earners.	Amend the Plan Change to allow NES compliant woodburners to be installed.	Reject	Reasons 1 to 5

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82	Jill Harris	82.1	With continuing advancements in low emission technology it makes sense to be more flexible. Allowing woodburners gives people access to warmth which can be free or low cost. Woodburners also have a positive effect on wellbeing, creating a cheerful atmosphere unattainable through other heating methods. From a civil emergency perspective, access to heat that is not electricity or gas dependent is also sensible.	Retain Plan Change.	Accept in part	Reasons 1 to 5
83	Franciscus Rooth	83.1	I have no form of heating, only an open fire which is not in use. I would like to be able to use a clean air burner.	Retain Plan Change to allow use of clean air burners.	Accept in part	Reasons 1 to 5
84	Sam Gavin	84.1	<p>I have raised a child in two cold, drafty Nelson houses which were built around the turn of the century. In both cases it has been very cold in winter despite installation of a heat pump and insulation where feasible. This has badly affected my child's health.</p> <p>I would like clarity about how the 1600 ULEB (or 350 NES burners) will be allocated. I suggest that older, colder houses with higher studs and sash windows be given preference or be allowed bigger NES burners. I would prefer to install a NES burner for reasons of cost and capacity. Only the NES burners come with a wetback and the max 15KW capacity of ULEBs is insufficient for the size of our house (180m²). Only a NES burner (max of around 24kW) will put out enough heat for this type of older house.</p>	Amend the Plan Change to allow NES burners to be installed, with priority for allocation to older houses.	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
85	Inga Schmidt	85.1	<p>Air quality is poor in the colder months of the year where we are living. We cannot open the windows to get fresh air and being outside is very unpleasant, especially at the time when people are lighting their fires. The biggest problem is likely to be what is being burned (wood that is not entirely dry, treated wood, coloured paper, rubbish etc).</p> <p>Questions:</p> <ol style="list-style-type: none"> 1. Could what gets burned be controlled? 2. What steps implemented if more wood burners are allowed and air quality goes down? Could you change it back? 3. How would households be affected that have received a heat pump and insulation in exchange for not having a wood burner? If these households installed a wood burner again, what incentive to uninstall if the air quality went down? 4. Would the Council send out a person at the time when fires are lit and find out which household produces the smelling smoke and stop that? <p>More woodburners might compound this air quality issue. These questions should be answered before more woodburners are allowed.</p>	Do not allow more woodburners until there is more control over what is burnt, steps are in place to reverse the situation if air quality gets worse, and active steps are taken in response to poor quality discharges from specific burners.	Accept in part	Reasons 1 to 5
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.14	75.1	Oppose	Accept in part	Reasons 1 to 5
86	Linda Cunningham	86.1	Strong preference for the heat provided by woodburners (over heat pumps).	Retain Plan Change.	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
87	Peter Burton and Ed Kiddle, NMDHB Public Health Service	87.1	The NMDHB-PHS supports the proposed approach of allowing a specified number of ULEBs in certain areas, and not allowing ULEBs in Airsheds A and B1 given their poorer winter air quality.	Retain rule AQR.26A, permitting a specific number of ULEBs in Airsheds B2 and C, and not permitting ULEBs in Airsheds A and B1.	Accept in part	Reasons 1 to 5
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F5, Gregory West	F5.1	87.1	Oppose	Reject	
	F13, The Nelson Woodburner Group	F13.14	87.1	Oppose	Reject	
87	Peter Burton and Ed Kiddle, NMDHB Public Health Service	87.2	The NMDHB-PHS considers it is important that the behaviour change and monitoring programme is amended to detail how the programme itself will be routinely monitored, evaluated and reviewed to ensure that it achieves at least a 10% reduction in PM10 and also to detail the ongoing operational costs for implementing the programme over the life of the Nelson Air Quality Plan (further to the initial set up costs already set out in the programme). It is also important that NCC commits long-term funding to the behaviour change programme to ensure it continues.	<p>1. Set out how the behaviour change and monitoring programme itself will be routinely monitored, evaluated and reviewed to ensure that a 10% reduction in PM10 is achieved as a minimum.</p> <p>2. Set out in the behaviour change and monitoring programme the ongoing operational costs of implementing the programme over the life of the (reviewed) Nelson Air Quality Plan. NCC must commit long-term funding to ensure the programme's continuation.</p> <p>3. Incorporate PM2.5 monitoring in the behaviour change and monitoring programme to better inform the evaluation of the programme parallel to new rule AQR.26A.</p>	<p>Accept in part</p> <p>Accept in part</p> <p>Reject</p>	<p>Reasons 1 to 5</p> <p>Directing the scope of monitoring to include PM_{2.5} is a matter that is expected to be addressed in the forthcoming review of the NESAQ but is beyond the immediate scope of PCA3.</p>

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F12, Charmian Koed	F12.4	87.2	Support	Accept in part	Reasons 1 to 5
	F13, The Nelson Woodburner Group	F13.15	87.2	Oppose	Accept in part	Reasons 1 to 5
87	Peter Burton and Ed Kiddle, NMDHB Public Health Service	87.3	<p>The NMDHB-PHS supports in part the Plan Change's future provision for additional Ultra Low Emission Burners. NCC should be cautious in considering the "capacity" of an airshed to accommodate increased numbers of ULEBs. Nelson City has made very good progress in decreasing winter air pollution which primarily arises from the use of wood burners and it is important that this progress is not compromised.</p> <p>The National Environmental Standard (NES) for PM10 should not be seen as a level to pollute up to. For these reasons, the methodology for determining any future capacity as set out in proposed Appendix AQ2B.3.4 should be amended. Instead, the proposed criteria for determining whether additional ULEBs can be accommodated needs to ensure an environmental outcome - that there will be no degradation in air quality and a continuation of projected downward trends in PM10 can be achieved.</p>	Amend Appendix AQ2B.3.4 by changing the criteria for determining future capacity for additional ULEBs. Change the criteria to ensure an environmental outcome whereby there will be no degradation in air quality and a continuation of projected downward trends can be achieved.	Accept in part	Appendix AQ2B is to be deleted, not amended.
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F5, Gregory West	F5.2	87.3	Oppose	Reject	Reasons 1 to 5
	F13, The Nelson Woodburner Group	F13.16	87.3	Oppose	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons	
87	Peter Burton and Ed Kiddle, NMDHB Public Health Service	87.4	Airsheds A and B1, which have poorer winter air quality, also contain some of Nelson's most socially deprived areas. In addition, a greater proportion of the cities' cold homes are located within these areas. It is unlikely that the Wood Burner Plan Change will have an impact on addressing cold homes in Airsheds A and B1. The cost of ULEBs is also likely to be prohibitive to many of these households if they were allowed in the future. Cold homes also have health effects, and it is important that this issue is addressed alongside improving air quality. However, good air quality should not be compromised at the expense of heating cold homes and therefore other initiatives, such as improving thermal efficiency of homes, are important. For these reasons, it is very important that NCC continues to support initiatives to address cold homes and associated health effects alongside improving air pollution.	Continue to support the Warmer Healthier Homes programme and/or other initiatives aimed at improving thermal efficiency and home heating.	Accept in part	Reasons 1 to 5 NCC has committed funding to continuing to assist with home insulation.	
Further Submissions							
		Sub.Ref.	Original Submission Reference	Support/Oppose			
	F5, Gregory West	F5.3	87.4	Oppose	Reject		
	F12, Charmian Koed	F12.5	87.4	Support in part	Reject		
88	Rene Haerberli, EnviroSolve Ltd	88.1	The Ultra Low Emission Burner appliances permitted to be installed has to be limited to burners with a fully automatically operated down draft (no manuals) or other fully automatic ultra low emission burning appliances. The ULEB must be capable of operating the down draft fully automatically without a	State that the ULEB must be capable of operating the down draft fully automatically without any manual interaction by human beings.	Reject	In addition to Reasons 1 to 5, the Panel is satisfied that ULEB appliances fitted with manual downdraft are capable of achieving the emissions performance assumed by the Plan change. Whilst the potential for operator error is acknowledged, there is no cause to further limit the range of ULEB appliances available to the market for Airsheds B2 and C.	

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			manual interaction by human beings. Manual down drafts do not pay attention to the fact of human error so the emissions will be dramatically increased, especially in the start-up phase or in the end phase (putting the down draft to right time and temperature in and out).			
89	Harold Pearson	89.1	<p>Affordable NES compliant woodburners should be allowed to be installed in Airsheds B1, B2 and C, as the woodburner PM10 emissions from these airsheds do not breach NES regulations. There is a lot more capacity in these airsheds for NES compliant woodburners than Council staff and consultants have suggested.</p> <p>Allowing NES compliant woodburners in these airsheds is essential to ensure that people have an affordable choice in how they heat their homes, and for continual improvement in people's health, comfort and wellbeing. Warmer homes will also have a massive effect on respiratory illnesses, the prevalence of which is increasing in Nelson despite a national average decrease.</p>	Amend the Plan Change to allow the installation of NES compliant woodburners, to replace both compliant and non-compliant wood burners that are currently installed, in all airsheds except Airshed A. (This will enable older wood burners to be affordably replaced and this will reduce PM10 emissions.)	Reject	Reasons 1 to 5
		89.2	It is not practical or efficient to fully insulate homes that were built before the home insulation regulations came into force. Therefore, it is essential that people living in older homes are given an affordable and efficient means to heat their homes, to ensure their mental and physical wellbeing.	Amend the Plan Change to remove the limit on the number of approved woodburners that can be installed in homes built prior to when the Government's home insulation requirements came into force.	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
		89.3	Substantial improvements in local air quality can be achieved solely by having someone research and investigate the sources of PM10 during periods of peak PM10 levels (eg 6pm to midnight), which so far has NOT been done. This, combined with education and enforcement based on the results, will ensure that everyone will have a choice as to how they heat their homes.	Employ at least one NCC staff member between 6pm and midnight between May and August inclusive (which is the period of peak PM10 emissions) to investigate sources of PM10 emissions, and to provide education and enforcement in order to reduce these emissions.	Accept in part	This is one of the initiatives proposed for the Behaviour Change Programme.
		89.4	When assessing the 'capacity' for additional woodburners, ambient PM10 levels have not been fully taken into account. Capacity must be based on actual woodburner emissions relative to the number of woodburners, which has not been the case so far.	All PM10 reporting must take into account ambient PM10 levels, so that only PM10 emissions from woodburners are taken into account when assessing capacity for additional woodburner installations.	Accept in part	The capacity for additional burners will be considered on a case-by-case basis as a non-complying activity. The requirement for real-life testing ensures that the relevant emissions are assessed.
90	Anthony Radley	90.1	Older homes require substantial energy input during winter to be comfortable and healthy to live in. Upgrading such houses to modern levels of air tightness and insulation is only partly practicable and is expensive. Heating by electricity has proven to be expensive and has not kept the home at a comfortable temperature. Pellet burners are noisy, expensive, have limited output and depend on electricity and special fuel. Allowing homeowners more choice would hopefully allow installation of burners with a suitably high output, thereby allowing people to live in a comfortable, healthy home at reasonable cost. There is not a domestic woodburner air quality problem affecting my area. Because I do not have an existing burner I must use	Retain Plan Change.	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			electricity or install a pellet fire and therefore must endure the cost of electricity and discomfort which arises from insufficient heating. At the same time I must witness many households nearby enjoying the comfort of a logburner. This means I am effectively subsidising their air quality while being penalised in comfort. Allowing more households to install woodburners would provide a means to address this disparity.			
91	Keta Everett	91.1	I have a large home with no heating. I would need at least two large heat pumps which I cannot afford to buy or run in an old house. It gets freezing in winter and it's not good for me or the children. A woodburner would be more cost effective and heat the home sufficiently.	Allow all people in Atawhai to be able to have the heating of their choice and sufficient heating (ie. a new woodburner installed with Council consent).	Allow in part	PCA3 provides for the installation of a limited number of ULEBs in this part of the City. See Reasons 1 to 5.
92	Ministry of Education	92.1	The Ministry of Education supports the proposal to allow a fixed number of ULEBs to be installed in Airsheds B2 and C. However, the Proposed Plan Change states there is insufficient ambient monitoring data available to determine the trends in air quality in these airsheds at present. It is therefore not possible to be able to accurately determine the number of ULEBs that can be accommodated without creating a risk that air quality in the airsheds may deteriorate as a result.	Amend AQr.26A.1 in order to delay introduction of ULEBs into the airsheds until 2018, when another two years of ambient monitoring data will be available. Requested wording: <i>Within the Urban Area, the discharge of any contaminants into air from the burning of wood in any small-scale ultra-low emission burning device installed after the date of notification of this plan 1 January 2018</i>	Reject	See paragraphs 149 to 154 of the decision and Reasons 1 to 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.17	92.1	Oppose	Accept	See paragraphs 149 to 154 of the decision and Reasons 1 to 5.
92	Ministry of Education	92.2	<p>The Ministry of Education supports in principle the certification process for determining the number of ULEBs that can be permitted in the Nelson airsheds. However, the Ministry submits that it should be noted in the Context section of the Proposed Plan Change that it is possible that the anticipated improvements in air quality may not eventuate as a result of the installation of ULEBs or some other factor, and that this will be rectified by reducing the emissions from the domestic sector rather than requiring reductions from schools and industries.</p>	<p>Amend AQ2A.3.1 to identify that there is a risk that the anticipated improvements may not eventuate and to clarify the steps that will be taken if this situation arises.</p> <p>Requested wording (of the first paragraph): <i>The Plan proposes to permit 1600 small scale ultra-low emission burning appliances in Airsheds B2 and C (collectively). This The allocation of appliances is will be based on monitoring and modelling undertaken in 2015 and 2017, which illustrated that ambient air quality levels in these airsheds was approaching "acceptable" levels (as described in Policy A5.1.3).</i></p> <p>Requested wording of b): <i>Through a certification process associated with updated monitoring and modelling after 2015 2017. This future certification approach recognises that the</i></p>	Reject	See paragraphs 149 to 154 of the decision and Reasons 1 to 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
				<p><i>initial permitted allocation is based on a single "snapshot" of the Urban Area's air quality levels, and that future assessments may indicate that additional appliances can <u>may or may not be accommodated ...</u></i></p> <p><i><u>In the event that air quality in the airsheds does not improve to an "Acceptable" level, measures will be taken to reduce domestic heating discharges including reviewing:</u></i></p> <ul style="list-style-type: none"> <i><u>- the number of ULEBs permitted</u></i> <i><u>- the Behaviour Change Programme</u></i> <i><u>- The replacement programme for older non-compliant burners.</u></i> 		
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.19	92.2	Oppose	Accept	See paragraphs 149 to 154 of the decision and Reasons 1 to 5.
92	Ministry of Education	92.3	The Ministry supports the certification process for determining the number of ULEBs that will be allowed in Airsheds B2 and C but submits that at present there is insufficient ambient air quality information available. The number of ULEBs permitted should be determined after another two years	Amend AQ2B.3.3 to allow for the determination of the number of ULEBs to be permitted in Airsheds B2 and C to be delayed until 1 January 2018.	Reject	Appendix AQ2B is to be deleted in its entirety (Reason 4). See also Reasons 1, 2, 3 and 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			of ambient monitoring data has been collected.	Requested wording: <i>The Council will issue a BAC provided that the appliance is located on a site in Airshed B2 or Airshed C, and the following limits are not exceeded (from the date that Plan Change A3 was made operative). a) In Airshed B2, no more than 1000 appliances shall be certified; or b) In Airshed C, no more than 600 appliances shall be certified. and the limits determined using the methodology prescribed in AQ2B.3.4 (from 1 January 2018).</i>		
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.20	92.3	Oppose	Accept	Reasons 1 to 5
93	Melissa Short	93.1	People should have the option of NES or ULE burners. Parts of Nelson have never had a pollution problem and are being regulated more strictly than airsheds or clean air zones in NZ with poor air quality that have not yet met national standards. Nelson is the only council in NZ to ban wood burners. All other councils deem keeping warm is as important as cleaning the air. Airsheds which have recently met national standards should also be allowed burners. Nelson City Council	Delete Plan Change and replace it with provisions stating that: - in areas where there has been no history of pollution exceeding the NES, then approved NES burners are allowed (numbers uncapped) - in areas where pollution levels have recently met national standards, a mixture	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			should implement a plan change that works to meet national standards. The Council should desist continuing to overreach the set limit by continuing to decrease PM10 well below what our Government requires - which is 300% stricter than what the World Health Organisation recommends.	of NES and ULE technology is allowed.		
		93.2	Concern that what has been proposed does nothing to address the idiosyncrasies in the Air Plan which are often seen as unfair. One household can be using their burner, whilst their neighbour across the street is banned from using theirs. One household can run their burner until it dies, whilst again in the same neighbourhood a home owner cannot upgrade to the cleanest technology in the burner market.	Amend the Plan Change to allow a mixture of ULE and NES burners and do not cap numbers.	Reject	Reasons 1 to 5
94	Peter Olorenshaw and others, Nelson Woodburner Group	94.1	<p>The Plan Change doesn't appear to set any conditions on installation of ULEBs in new houses. However, new houses with their very good insulation levels, their level of air tightness and their double glazing, are the last ones that actually need log burners if we are going to restrict them.</p> <p>Log burners (NES compliant burners - not ULEBs) should be prioritised for older houses first, as these are the cold and damp, drafty houses where our sick people are. Very few people in new houses with their good insulation and draft proofing are in fuel poverty, and very few people in new houses are getting sicker.</p> <p>Meeting the NES for Air Quality should be</p>	<p>Delete AQR.26A.1 (i) and replace with "NES compliant burners be allowed in any pre 1976 (or whenever the original insulation standards came in) houses in all airsheds</p> <p>Let that run for a year and see how much capacity there is before allowing new houses to put in burners. If there is headspace for more burners, then allow newer houses to install burners, but they must be ULEBs. We suggest this be done in decades - so initially pre-insulation standard houses have them,</p>	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			<p>done by policing smoke rather than restricting burner numbers.</p> <p>The real issue is fuel poverty and avoiding people living in cold damp houses; people in new houses are most likely to be able to afford the cost of electrically heating their houses. The fact that their houses are new and up to current insulation standards means they should be much easier to heat.</p>	then (if there is still headspace) pre 1980 houses, and if there is still some headspace then 1990 houses and so on.		
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F8, Erin Dunlop	F8.1	94.1	Support	Reject	Reasons 1 to 5
	F10, Rosemary Adams	F10.1	94.1	Support	Reject	
	F11, Richard Adams	F11.1	94.1	Support	Reject	
94	Peter Olorenshaw and others, Nelson Woodburner Group	94.2	A major flaw with the Plan Change is that the portion of Airshed C which is north of Wakapuaka Cemetery has never had an air pollution problem and should never have been part of Airshed C. No other 'clean' airshed in the country has a ban on log burners.	Divide Airshed C into two parts, and call the northern part Airshed D. Allow NES compliant burners to be installed in any house in the new Airshed D.	Reject	Reasons 1 to 5
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F7, Alonzo Kelly	F7.1	94.2	Support	Reject	
94	Peter Olorenshaw and others, Nelson Woodburner Group	94.3	Airshed B1 actually has 62% higher pollution levels than Airshed A, when looked at on an annual basis. It is this total annual pollution that the Parliamentary Commissioner for the Environment is concerned about and says we should be moving towards regulating.	In Airshed B1: - only allow pre-insulation standard houses to install log burners (NES compliant burners). - look at restricting industrial	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			The people who need log burners most (those in fuel poverty) and the most unlikely to be able to afford the extra \$3000 for a ULEB. The Council should not be instituting policies that exacerbate fuel poverty inequality. Those in fuel poverty often have a way of obtaining free firewood.	emissions in this air shed on an annual basis.		
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F4, John and Helen Dunlop	F4.1	Entire Submission	Support	Reject	Reasons 1 to 5
95	J C Ironside	95.1	The wording of the rule should be made clear to ensure that clauses (a) and (b) apply to AQR.26A.1(i) as well as AQR.26A.1(ii).	Requested change to AQR.26A.1: <i>Within the Urban Area, the discharge of any contaminant into air from the burning of wood in any small-scale ultra-low emission burning appliance installed after the date of notification of this Plan into any new building, or any existing building that does not have an operable open fire or any small-scale solid fuel burning appliance, is permitted if:</i> <i>(a) the appliance at all times:</i> <i>(i) complies with the requirements of Appendix AQ2B, and</i> <i>(ii) complies with the stack requirements in Appendix AQ3, and</i> <i>(iii) burns no fuels in Rule</i>	Accept in part	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
				<p>AQr.20 (Prohibited Activities), and (iv) is operated so that there is no discharge of excessive smoke (excluding a 15 minute start-up period), and</p> <p>(b) where any appliance installed in accordance with this rule is successively replaced, the replacement small-scale ultra-low burning appliance complies with clause (a).</p> <p>(Note: Compliance with Rule AQr.22 (General Conditions) is also required.)</p>		
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.13	96.1	Oppose	Accept in part	Reasons 1 to 5
96	Hubert Altenburg	96.1	It's nice and healthy to breathe fresh air! People who live in near new houses and are perfectly fine with using their heat pumps for heating would apply for a permit for a woodburner right away just because they like the feel of a wood fire. Also, electricity prices are forecast not to rise in the foreseeable future. Houses need to be properly insulated and then a strong heat pump is perfectly sufficient. We don't need to go back to polluting our backyards for people with access to free or cheap wood which is often not seasoned properly. Who knows what	Delete Plan Change entirely.	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			people put in their burners in the middle of the night.			
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.18	96.1	Oppose	Accept in part	
97	Tim Skinner	97.1	<p>Support the removal of the current prohibited status for new burners, as achieved in this proposed Plan Change. Oppose limiting this option to ULEBs. NES compliant burners are extremely clean burning and efficient, simple to operate and proven.</p> <p>In contrast, ULEBs (which may be similar or slightly better in efficiency) are a lot more expensive to buy and install. They are only very recently created and in their infancy in product development, thus yet to be proven effective or reliable in real life use. Only very few models are available and there are even fewer suppliers in Nelson. There is a need to correct the inequity of the current situation of one home able to use their burner, whilst their neighbour is not able to have a burner. There is a very unnecessary and measured impact on the health and wellbeing of many families.</p> <p>Three options were considered by Council in December 2015. I do not support Option 1 as outlined and proposed in the plan change report. I strongly prefer Option 3, with the amendment that NES burners be allowed rather than solely allowing ULEBs.</p>	Amend the Plan Change to implement Option 3 of the December 2015 report to Council, and allow installation of NES approved woodburners as part of that option.	Reject	Reasons 1 to 5

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F3, Owen Tasker	F3.1	97.1	Support	Reject	Reasons 1 to 5
	F14, Peter Burton and Dr Ed Kiddle, NMDHB-PHS	F14.2	97.1	Oppose	Accept in part	
98	McCashin's Brewery	98.1	McCashin's Brewery supports the increase in choices available to residential and commercial premises for utilising a solid fuel burning appliance. However, an amendment is needed to the rule because as it currently stands it would exclude the McCashin's premises, because the 'Item' column of the rule only refers to new buildings and to existing buildings not using solid fuel. The McCashin's Brewery site comprises existing buildings which do use solid fuel in their large scale commercial boiler which is fired by coal.	Amend AQR.26A as follows: <i>AQR.26A Item</i> <i>Existing buildings not using solid fuel within a small scale burning appliance</i>	Accept	Reasons 1 to 5
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.19	98.1	Oppose	Reject	Reasons 1 to 5
98	McCashin's Brewery	98.2	McCashin's Brewery is supportive of a review of the rules around woodburners, allowing opportunity for additional woodburners to be permitted provided they can meet the lower emission standards, which still enable Nelson to meet the NES requirements. However, the lack of distinction between the domestic household situation and commercial	The submitter accepts that Council cannot address this issue through its current Plan Change but seeks that Council direct staff to address the issue of the lack of distinction between the domestic household situation and commercial hospitality	Reject	The submitter's planning expert accepted, in evidence to the hearing, that this is a matter beyond the scope of PCA3 that is better addressed in the forthcoming review of the Air Plan.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			hospitality premises is an issue that requires addressing. Given the importance of this sector to the regional economy, these provisions are too restrictive and Council needs to address this as part of the wider review of the Air Quality Plan. The Council needs to provide a better balance of provisions for the hospitality sector, and this must certainly be addressed under the forthcoming full review of the Air Quality Plan.	premises as part of the overall review process of the Air Quality Plan.		
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.20	98.2	Support in part	Accept	The submitter's planning expert accepted, in evidence to the hearing, that this is a matter beyond the scope of PCA3 that is better addressed in the forthcoming review of the Air Plan
99	Neville Male	99.1	Ultra Low Emission Burners are not necessary when the more affordable NES burner will meet the standard of emission levels required. To continue to suggest emissions from woodburners are the major cause is now totally outdated and unsubstantiated by both monitoring data and health statistics. The monitoring of wood smoke emissions over the past three years has shown there is now capacity to allow the NES woodburner to be installed.	Delete the ULEB rule and replace it with a rule allowing NES compliant burners.	Reject	Reasons 1 to 5.
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F14, Peter Burton and Dr Ed Kiddle, NMDHB-PHS	F14.3	99.1	Oppose	Accept in part	

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100	Colin McBright	100.1	<p>Support allowing woodburners to be installed in some houses which don't currently have woodburners.</p> <p>I have my own supply of firewood but I am unable to use it as I am not permitted to install a new woodburner. This means it costs me a lot of money to heat my house and it is not environmentally friendly, as I am reliant on electricity and gas. I live in Todd Valley and it is unlikely that an extra woodburner or two will cause a significant increase in air pollution here due to the low density of housing.</p>	Allow installation of woodburners in Todd Valley.	Accept in part	Reasons 1 to 5.
101	Mary Wilson	101.1	I moved to central Nelson in 2000. For six months of the year I could barely breathe, even inside my old villa. We could only go outside to breathe clear air at midday on some days. We can't return Nelson to even a fraction of that state, especially if Nelson is to implement inner city living to create year-long vibrancy.	Amend the Plan Change to only allow replacement of 'legal' woodburners, and only allow this replacement to be with ultra low emission burners.	Reject	Reasons 1 to 5.
	Further Submissions					
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.21	101.1	Oppose	Accept	Reasons 1 to 5.
102	Kathleen Cohn	102.1		Retain Plan Change.	Accept in part	Reasons 1 to 5.
103	Derek Shaw, Nelson Environment Centre	103.1	<p>Support the objective and policies of the Nelson Air Quality Plan and note that the proposed plan change does not propose any changes to these.</p> <p>Believes this proposed plan change is a good</p>	1. Do not make changes to the objective and policies of the Nelson Air Quality Plan through the proposed Plan Change A3 process.	Accept	Reasons 1 to 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			<p>example of where the precautionary approach should be applied.</p> <p>There are many aspects in the modelling studies and background reports related to the proposed Plan Change that contain assumptions, uncertainties and limited information that contribute to the need to be cautious with respect to this proposed Plan Change.</p>	2. Apply the precautionary approach to all aspects of the proposed Plan Change A3.	Accept	Reasons 1 to 5.
Further Submissions						
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F5, Gregory West	F5.4	103.1	Oppose	Reject	
	F12, Charmian Koed	F12.1	103.1	Support	Accept	
	F13, The Nelson Woodburner Group	F13.22	103.1	Oppose	Reject	
103	Derek Shaw, Nelson Environment Centre	103.2	<p>Nelson Environment Centre supports provisions in proposed Plan Change A3 that only allow ULEBs to be installed in two airsheds, ie. no additional NES woodburners in any airsheds. Rather than allowing ULEBs in Airsheds B2 and C now, taking a more cautious approach is preferable - allowing for them to be introduced only when monitoring clearly indicates an ongoing improvement in air quality. Providing this occurs, we suggest that ULEBs be phased in over 5 years, ie 200 per year in Airshed B2 and 125 per year in Airshed C.</p> <p>Support developing an approach which gives priority to allowing the installation of ULEBs in the homes of those with the highest needs.</p> <p>Oppose ULEBs being able to be installed in new homes or those built since the current</p>	<p>1. Give consideration to the phasing out of pre 2004 burners in order to help create capacity for ULEBs, especially if there is a clearly demonstrated demand for additional woodburners, and reductions in PM10 emissions through other means (natural attrition, replacement of old burners with ULEBs behaviour change and enforcement) are not able to provide the prerequisite capacity and buffer.</p> <p>2. Require a public resource consent process for the</p>	Accept in part	Reasons 1 to 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			insulation and double-glazing standards became operative.	<p>staged introduction of 1000 and 600 ULEBs in Airsheds B2 and C respectively over five years, provided that ongoing monitoring clearly demonstrates the PM10 levels are consistently improving and below the NES standards (including an adequate buffer) and that there are no adverse impacts on the air quality in any other airsheds.</p> <p>3. Amend the Plan Change to delete references to Airsheds A and B1.</p> <p>4. Develop a priority system that allows the installation of ULEBs in houses in Airsheds B2 and C on a 'high needs' basis that includes criteria such as current level of insulation, occupants' health including presence of respiratory diseases, household income with preference for low income, and current heating methods including unflued gas.</p> <p>5. Give consideration to ways of assisting those for whom the financial cost of purchasing and installing a</p>	<p>Reject</p> <p>Accept</p> <p>Reject</p> <p>Accept in part</p>	

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
				<p>ULEB and improving home insulation is a barrier through facilitating loan schemes with banks or similar lending organisations and/or through a loan scheme tied to the rates on the property.</p> <p>6. Do not permit ULEBs to be installed in new houses or retrospectively in houses built since the current insulation and double-glazing standards in the NZ Building Code became operative.</p> <p>7. Undertake further work on the definition of ULEBs to determine how 'real life' emissions will be defined and measured. Give consideration to additional requirements such as those specified by ECAN (Environet Ltd, November 2015 report, p41) namely:</p> <ul style="list-style-type: none"> - A burner cannot be operated in such a way as to bypass the technology that results in ultra-low emissions. - The burner cannot be reasonably tampered with in such a way as to affect its performance. This generally means that it is unable to be tampered with using hand 	<p>Reject</p> <p>Accept</p>	

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
				<p>tools available in a home such as screwdrivers, spanners and files.</p> <p>- If maintenance (such as cleaning and filter changing) is required for the technology to be effective in reducing emissions there must be a process in place that ensures this happens (such as condition of a resource consent).</p> <p>- The technology for reducing PM10 emissions must be designed to be effective for the duration of the burner's life.</p>		
	Further Submissions					Reasons 1 to 5.
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F12, Charmian Koed	F12.2	103.2	Support	Accept in part	
	F13, The Nelson Woodburner Group	F13.23	103.2	Oppose	Accept in part	
103	Derek Shaw, Nelson Environment Centre	103.3	<p>It is difficult to judge whether it will be possible to achieve the target of a 10% reduction in domestic PM10 emissions through the proposed behaviour change programme. There is very little information in the section 32 report on the success of past and existing public education, behaviour change and enforcement on emission levels.</p> <p>The behaviour change programme was regarded as the most cost effective method</p>	<p>1. Set a lower target initially, such as 5%, for the reductions in PM10 emissions to be achieved through the behaviour change programme.</p> <p>2. Make a long term commitment to the behaviour change programme. If necessary, be prepared to</p>	<p>Reject</p> <p>Accept</p>	

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
			to achieve reductions in PM10 emissions but it will very likely require an ongoing commitment of funding and staff time and an ongoing commitment to take enforcement actions against repeat offenders to be successful.	step up the programme and enforcement action to ensure there is a clearly demonstrated improvement in air quality and reductions in PM10 to 'acceptable' levels before allowing the installation of ULEBs in Airsheds B2 and C.		
	Further Submissions					Reasons 1 to 5.
		Sub.Ref.	Original Submission Reference	Support/Oppose		
	F13, The Nelson Woodburner Group	F13.24	103.3	Oppose in part	Accept in part	
103	Derek Shaw, Nelson Environment Centre	103.4	<p>Council should also consider various other non regulatory approaches, in addition to the eco building design advisor and the behaviour change programme. This could include subsidising the cost of ULEBs, and retrofitting insulation and double glazing in old homes.</p> <p>We acknowledge that Council is contributing financially to the Warmer Healthier Homes Nelson Tasman project to improve the insulation of homes of residents with high needs in terms of health issues, low incomes and lack of insulation. We support this targeting of the needy and would like to see consideration given to increasing this contribution to enable more people to benefit from warmer and healthier homes.</p>	<p>1. Continue the eco building design advisor position for at least another 10 years.</p> <p>2. Give consideration to Council providing assistance for home owners and landlords to obtain finance through banks or other financial institutions and/or a similar scheme to the former Clean Heat Warm Homes Programme to help cover the costs of purchasing and installing ULEBs and associated insulation and/or double glazing.</p> <p>3. Continue Council's financial contribution, and consider increasing this contribution, to the Warmer</p>	<p>Accept in part</p> <p>Accept in part</p> <p>Accept in part</p>	

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
				Healthier Homes Nelson Tasman project.		
104	Brendan Santorini	104.1	I suffer from arthritic pain in my right leg, which is more intense in winter. I want to heat my whole home and heat hot water. I have access to wood, whereas heat pumps are expensive and not very warm. As I have a disability my income is low and I live in the perfect situation for using a woodburner.	Amend the Plan Change to allow woodburners to be installed.	Reject	Reasons 1 to 5.
105	Debbie Beard	105.1	I am not warm enough in winter and need a fire to fully heat my home.	Retain Plan Change.	Accept in part	Reasons 1 to 5.
106	Glenn Mackay	106.1	Woodburners are the cheapest source of heating. There are good resources of wood in Nelson. It would create employment for supplying wood and burners, maintenance of burners, chimney sweeping etc.	1. Amend the plan change to give people the choice of installing NES burners or ULEBs. 2. Amend the plan change to make burner ownership transferable from one property to another.	Reject Reject	PCA3 does not prevent such transfer, provided the records of the location of actual ULEBs track those inserted and those removed.
107	Nita Knight	107.1	Allow NES burners in areas that have capacity. Put in place an education programme on how to use woodburners effectively and the effect of burning of wet wood on air quality, together with active policing of this. The education programme should include schools to provide air quality education from an early age.	Amend the Plan Change to allow NES burners in areas that have capacity. Put in place an education programme on how to use woodburners effectively and the effect of burning of wet wood on air quality, together with active policing of this. The education programme should include schools to provide air quality education from an early age.	Reject Accept in part	Reasons 1 to 5.

Submission number	Submitter name	Submission point number	Summary of submission points	Summary of decision requested	Hearing Committee Decision	Reasons
108	Darryl and Sandra Ware	108.1	<p>As we live in Moana Avenue (Airshed B1) and are in our seventies, we are really “too old” to wait for ‘further improvements in air quality over the next few years’ (as the Council expresses it). Our need is now. We have a heat pump but it is 15 years old and it is not enough, though it is still operating as it was designed to, and has been recently checked and pronounced healthy. However we feel winter more keenly now. Yet Airshed B1 is required to wait.</p> <p>We’d all far prefer to use properly stored dry wood (than heat pumps or pellet burners).</p>	Not specified.	Reject	In evidence to the hearing, Mr Ware clarified that his request relates to NES-type burners which PCA3 does not provide for.

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