

SOLID FUEL BURNERS AND OPEN FIRES

Q. What are the burner and open fire phase out dates?

A. The following phase out dates only apply to properties less than 2 hectares in area, located in Napier or Hastings Airsheds:

(on properties less than 2 hectares in area)	Airzone 1	Airzone 2
Open fire installed before 10 Dec 2008	1 Jan 2012	no phase-out date
Open fire installed on or after 10 Dec 2008	1 Jan 2012	1 Jan 2012
Burner installed before 31 December 1995	1 Jan 2014	no phase-out date
Burner installed between 1 January 1996 and 31 August 2005	1 Jan 2016	no phase-out date
Burner installed after 1 September 2005	1 Jan 2018 (Hastings) 1 Jan 2020 (Napier)	no phase-out date

NOTE: Burner phase out dates only apply to non-complying burners. If the burner was installed prior to a burner phase out date, but has an emission limit of 1.5 g/kg or less, the burner will not be subject to the phase out dates.

Q. My property is located in Airzone 2, can I continue using my burner?

A. Yes. The burner phase out dates do not apply within Airzone 2.

Q. My property is located in Airzone 2, can I continue using my open fire?

A. Yes, unless your open fire was installed after 10 December 2008.

Q. My property is greater than 2 hectares in area and located within Airzone 1. Can I continue using my burner or open fire?

A. Yes. The burner and open fire phase out dates do not apply to properties greater than 2 hectares in area.

Q. Can I install and use a new open fire in the airzones?

A. No, from 1 January 2012 using a new open fire in airzones 1 and 2 will be prohibited.

Q. Can I install a new solid fuel burner?

A. Yes. However, the burner must be listed on the Ministry for the Environment's approved list of burners. This list can be found on Ministry for the Environment's website (www.mfe.govt.nz).

Q. What are new burner emission limits?

A. Woodburner emission limits vary depending on the property location and type of burner. Emission limits are as follows:

Airshed / Airzone / property size	Burner emission limit	Space heating thermal efficiency ²
Hastings Airshed - Airzone 1 (properties < 2ha in area)	1.0 g/kg for all freestanding fires (with or without a wetback); and insert burners without a wetback. 1.5 g/kg for insert burners with a wetback.	65% or greater
Hastings Airshed – Airzone 1 (properties > 2ha in area)	1.5 g/kg for all burners.	65% or greater
Hastings Airshed – Airzone 2 (all properties)	1.5 g/kg for all burners.	65% or greater
Napier Airshed – Airzones 1 and 2 (all properties)	1.5 g/kg for all burners.	65% or greater
Beyond Napier Airshed and Hastings Airshed (properties < 2ha in area) (properties > 2ha in area)	1.5 g/kg for all burners. ¹ n/a	65% or greater n/a

NOTE 1: Burner emission limit of 1.5g/kg applies to all properties less than 2ha regardless of whether property is within or beyond an Airshed. This limit is specified in the *Resource Management (National Environmental Standards Relating to Certain Air Pollutants, Dioxins, and Other Toxics) Regulations 2004*.

NOTE 2: thermal efficiency, for space heating only, as described in AS/NZS4013:1999.

Q. Are new solid fuel cooking stoves subject to the same requirements as solid fuel burners?

A. Yes. A new cooking stove that is heated by solid fuel must comply with the emission limits and thermal efficiency requirements etc applicable to solid fuel burners.

Q. Are existing solid fuel cooking stoves subject to the same requirements as solid fuel burners?

A. No, provided your cooking stove meets the following criteria:

i. was installed prior to 10 December 2008;

ii. meets the definition of wood fired cooker in the Regional Resource Management Plan;

Wood fired cooker: means a wood fuelled cooking appliance containing an oven of not less than 20 L capacity and a hot plate and is specifically included on an approved wood fired cooker list¹. A 'wood fire cooker' does not include a pot belly, chip heater or a wood burner; and

iii. is on the Council's 'approved wood fired cooker list.'

Q. Is there an authorised burner list?

A. Yes. Ministry for the Environment maintains an approved list of woodburners that have been tested by a laboratory. This list can be found on the Ministry for the Environment's website (www.mfe.govt.nz). Also, approved burner lists can be found on Nelson City Council's website (www.nelsoncitycouncil.co.nz) and Environment Canterbury's website (www.ecan.govt.nz).

Q. Can I install a solid fuel burner that is not on the 'approved' list, but advertised as meeting the standards?

A. No, unless your property is greater than 2ha in area and outside of the Napier Airshed and Hastings Airshed. For properties less than 2ha in area or within the Napier or Hastings Airsheds, the burner must be on the approved list. These 'compliant' burners have been through a rigorous checking process to assess compliance. A national review of performance of burners in 2006 revealed poor compliance overall, so if a brand model has not been through the authorisation process, there is less certainty that it is compliant with the standards.

Q. What does the term 'solid fuel' burner cover?

A. Cooking stoves, wetbacks, multifuel burners and woodburners and other solid fuel wood burners are covered by this definition.

Q. Are 'wetbacks' still allowed?

A. Yes, provided they comply with the emission requirements and thermal efficiency requirements etc stated in Schedule XII of the Regional Resource Management Plan. Check the list of approved appliances.

Q. Are 'multi-fuel burners' still allowed?

A. Yes, provided they comply with the emission requirements and thermal efficiency requirements etc stated in Schedule XII of the Regional Resource Management Plan. Check the list of approved appliances.

Q. Do I need to apply for building consent to replace my open fire or woodburner, with a NES compliant solid fuel burner?

A. Yes. Regardless of any regional rules, you will still need to obtain a building consent from your city or district council prior to installing a new solid fuel burner.

Q. What does the 'change of ownership' rule mean for me?

A. If your property is less than 2 hectares in size and located within Airzone 1 of either Napier Airshed or Hastings Airshed, then any non-compliant woodburner or open fire is prohibited from use after ownership of the property is transferred.

NOTE: A transfer of ownership includes the sale of a house, or transfer of a property into a trust. However, the rule does not apply in the event of death of a partner, or when the surviving partner continues to occupy the property.

OUTDOOR BURNING

Q. Can I undertake outdoor burning during the months of May – August (inclusive)?

A. Maybe. A resource consent must be obtained from the Regional Council prior to burning occurring. An exception to this is if the outdoor burning is on horticultural production land for the purposes of disease control or orchard/vineyard redevelopment, in which case, no resource consent is required.

NOTE 1: This rule only applies in the Napier and Hastings Airsheds.

NOTE 2: Napier City Council has an existing outdoor burning bylaw which prohibits outdoor burning in residential areas. Outdoor burning rules do not override territorial local authority bylaws.

¹ A list of approved wood fired cookers (i.e. those appliances that comply with the definition of 'wood fired cooker'); is available from the Hawke's Bay Regional Council on request.