Part V
Methods Other Than Rules

17.1 Introduction

This part of the Plan outlines methods other than rules which will be used by the Otago Regional Council to aid in implementing the objectives and policies of this Plan.

17.2 Liaison with city and district councils

17.2.1 Land use planning

17.2.1.1 The Otago Regional Council will seek the inclusion of appropriate land use policy, rules and methods within district plans as necessary to further the objectives and policies contained in this Plan.

17.2.1.2 The Otago Regional Council will encourage Otago's city and district councils to control the adverse effects on air quality from land use activities and in particular those involving dust, agrichemical application or potentially odorous discharges through district plans, land use consents or education and information by:

(1) Achieving physical separation of incompatible land uses through buffer zones or shelter belts;
(2) Recognising existing use rights and reverse sensitivity; and
(3) Encouraging people undertaking land use activities to manage the effects of their activities through following codes of practice or environmental management systems where appropriate.

Principal reasons for adopting

Method 17.2.1.1 is adopted to promote integrated management of the effects of land use activities on air quality between the Otago Regional Council and Otago's city and district councils.

Method 17.2.1.2 recognises the importance of land use planning provisions in the management of adverse effects on air quality arising from land use activities involving agrichemical application, dust emissions or potentially odorous discharges. It indicates the Otago Regional Council's intention to support and promote the role that city and district councils can play, within their functions, to control any actual or potential effects on air quality arising from the use, development or protection of land. Furthermore the method recognises that such functions are not restricted to regulatory mechanisms and that there are a variety of non-regulatory approaches which can be used to raise public awareness of these issues.

The term "reverse sensitivity" generally refers to the development of a sensitive activity in an area where it may be adversely affected by activities that are lawfully pre-existing. The new, sensitive development then raises an expectation that those existing activities should be constrained for the benefit of the new one. Case law has established that reverse sensitivity can be recognised by land use planning mechanisms within district plans that regulate or control certain land uses because of their sensitivity to discharges of contaminants from other land uses.

17.2.2 Joint hearings

17.2.2.1 To provide for joint hearings where consents are required from both the Otago Regional Council and Otago's city and district councils.

Principal reasons for adopting

Method 17.2.2.1 is adopted because joint hearings over discharge permit applications to the Otago Regional Council and land use consents to territorial authorities provide for integrated management. Continued liaison and consultation will be needed to ensure the most efficient and effective management of the air resource of Otago.

17.2.3 Transportation planning

17.2.3.1 The Otago Regional Council will encourage city and district councils to adopt traffic management practices to manage the effects of motor vehicle emissions and the operation of the roading network on air quality.

Principal reasons for adopting

Method 17.2.3.1 recognises that city and district councils have responsibilities outside of land use planning, which are effective in managing the adverse effects of motor vehicle emissions and the operation of the roading network. The Otago Regional Council will encourage city and district councils to adopt management practices which stem from these responsibilities where such measures would help to achieve the objectives and policies of this Plan.

17.2.4 Domestic heating appliances

17.2.4.1 Otago Regional Council will liaise with Otago's city and district councils to develop mechanisms to enable Rules 16.3.1.2 to 16.3.1.6 concerning the installation of domestic heating appliances to be integrated with the city and district council's own building and land use consent processes.

Principal reasons for adopting

Method 17.2.4.1 is adopted to integrate the Resource Management Act and Building Act requirements for installing domestic heating appliances. Integration ensures that regional council and territorial authority requirements are considered at the same time. This process will reduce the time required for applicants to obtain approval and will ensure that the requirements of the Otago Regional Council and Otago's city and district councils are fully considered before new heating appliances are installed.

17.3 Liaison with other organisations

17.3.1 Liaison with government organisations

17.3.1.1 The Otago Regional Council will liaise with government organisations that control activities which discharge contaminants into air.

Principal reasons for adopting

Method 17.3.1.1 recognises that government organisations have responsibilities for managing adverse effects of discharges into air. For example, the Ministry of Health has responsibilities for adverse effects on the health of people, and the Ministry of Agriculture has responsibilities for agrichemical spray drift. In order to achieve integrated management it is important that there is liaison between the Otago Regional Council and other agencies with responsibilities for managing the effects of discharges into air.

17.4 Environmental education and promotion

17.4.1 Community understanding of air quality

17.4.1.1 The Otago Regional Council will use environmental education to help the community and industry understand the types of effects that can occur as a result of discharges of contaminants into air and the overall effects of such discharges on ambient air quality.

Principal reasons for adopting

Method 17.4.1.1 is adopted to ensure that the adverse effects associated with discharges of contaminants into air are well understood by both the community and industry. It recognises that awareness about effects can lead to people adopting practices which can bring about changes in the quality of the air resource, and that environmental education can be an effective alternative to enforcement as a means of changing people's behaviour.

17.4.2 Domestic and outdoor burning discharges

17.4.2.1 To encourage and support the use of practices which assist in reducing the adverse effects associated with discharges from domestic heating appliances. Such practices include, but are not limited to:

(a) Following manufacturers' instructions and good burning practices for the type of fuel and the appliance being used;
(b) Avoiding the burning of waste or materials that are likely to result in hazardous air contaminants in domestic heating appliances;
(c) Burning wood only when it is dry;
(d) Burning other fuels such as good quality coal, wood pellets, gas or oil;
(e) Replacing existing domestic heating appliances that do not comply with the particulate emission rates set in the permitted activity rules for discharges from domestic heating appliances;
(f) Finding an alternative to the use of any domestic heating appliance during conditions that are likely to result in high PM_{10}

concentrations, unless electricity or gas or oil supply has failed; and

(g) Installing domestic heating appliances that are efficient, minimise operator control and are designed to produce low particulate emissions both in laboratory testing and real life situations.

Education and promotion programmes will be among the methods the Council will employ to ensure good practices are followed.

17.4.2.2 To use education and promotion to encourage practices which assist in reducing the adverse effects associated with outdoor burning. Such practices include, but are not limited to:

(a) Ensuring that the burning method being used is appropriate to the type of material being burnt;
(b) Adopting good burning practices to reduce the volume of smoke discharged;
(c) Utilising alternative methods of disposal wherever practicable; and
(d) Promoting voluntary codes of practice for the supply, sale and use of solid fuel.

17.4.2.3 To support and promote the management of new areas of housing to avoid adverse effects of discharges to air from solid fuel heating and outdoor burning.

Principal reasons for adopting

Method 17.4.2.1 is adopted to raise community and industry awareness of practices that can be implemented to reduce the effects that discharges from domestic heating can have on both ambient air quality and the surrounding local environment.

Method 17.4.2.2 is adopted to raise community awareness of practices that can reduce the effects of discharges from outdoor burning on the surrounding local environment.

Method 17.4.2.3 is adopted to assist in avoiding adverse effects on local air quality or on any airshed. In some new subdivision developments in Otago, developers have set additional limits on discharges to air from solid fuel heating in order to ensure good quality air and high amenity values. Such voluntarily measures are supported as they contribute towards achieving higher quality ambient air.

17.5 Advocacy and information transfer

17.5.1 Methods to avoid, remedy or mitigate adverse effects

17.5.1.1 To provide information and advice on appropriate methods of avoiding, remedying or mitigating any adverse effects of discharges of contaminants into air.

17.5.1.2 To provide information and advice, as appropriate, to roading and earthworks contractors, roading authorities, pastoral farmers, horticulturists and other persons whose activities may generate dust or smoke, on ways of avoiding or minimising the discharge of dust or smoke to air.

Principal reasons for adopting

Methods 17.5.1.1 and 17.5.1.2 recognise that the provision of information and advice provides a further means of avoiding or mitigating adverse effects of discharges of contaminants into air, particularly when used in conjunction with regional rules.

Many of the problems associated with dust from area sources occur as a consequence of land management practices that leave soils exposed to wind. Similarly, problems associated with vegetation burning often relate to when and how burning is carried out. The Council considers that the adoption of sustainable land management practices is a key method in avoiding or mitigating adverse effects from dust and smoke and this method is directed at providing information and advice to assist in this process.

17.5.2 Codes of practice and self-regulation

17.5.2.1 Encourage and assist the development and use of industry codes of practice and environmental management systems that seek to achieve or implement the objectives or policies in this Plan.

17.5.2.2 Liaise with industry and other relevant organisations to ensure they have sufficient information and understanding of this Plan to develop appropriate means of self-regulation.

Principal reasons for adopting

Methods 17.5.2.1 and 17.5.2.2 cover a range of actions the Otago Regional Council will undertake to enable and support industrial groups and individuals to develop and implement voluntary actions that demonstrate the best practice in relation to that activity or effect.

Method 17.5.2.1 recognises that adherence to codes of practice, environmental management systems and other voluntary actions can be particularly effective in controlling the effects of small scale activities that produce minor adverse effects. For example, Schedule 4 of this Plan, which is based on the *Code of Practice for the Management of Agrichemicals* (NZS 8409:1999), recommends practices which may assist in achieving agrichemical discharge rule conditions. Where

adverse effects do occur, the Otago Regional Council has a number of regulatory actions it can follow.

Method 17.5.2.2 recognises that the Otago Regional Council can assist in providing information to industries so that they can develop voluntary actions which are consistent with the objectives and policies contained within this Plan.

17.5.3 Central government initiatives

17.5.3.1 Advocate the need for more comprehensive nation-wide initiatives to reduce the:

(a) Discharge of contaminants into air from motor vehicles; and

(b) Release of greenhouse gases and ozone layer depleting substances into the atmosphere.

17.5.3.2 Support national programmes that provide funds for the implementation of clean heating within areas of highest need, especially Otago's Air Zone 1.

Principal reasons for adopting

Methods 17.5.3.1 and 17.5.3.2 recognise that there is a role for the Otago Regional Council to continue advocating for continuing attention to these issues at a national level.

17.5.4 Testing procedures for domestic heating appliances

17.5.4.1 In determining whether a given model of a domestic heating appliance meets the particulate emission rates and thermal efficiency standards set in the permitted activity rules for discharges from domestic heating appliances, the Council will require evidence that an appliance has been tested according to the relevant testing procedures specified below:

(i) AS/NZS 4013:1999, *Domestic solid fuel burning appliances – Method for determination of flue gas emissions;*

(ii) AS/NZS 4012:1999, *Domestic solid fuel burning appliances – Method for determination of power output and efficiency;*

(iii) AS/NZS 5078:2007, *Domestic solid fuel burning appliances – Pellet heaters – Method for determination of power output and efficiency;*

(iv) AS/NZS 4886:2007, *Domestic solid fuel burning appliances – Pellet heaters –Determination of flue gas emissions;*

A domestic heating appliance will be considered to meet the emission standard for a particular fuel or mix of fuels, only when the particulate emissions meet the rates set in the permitted activity rules for discharges from domestic heating appliances when tested with each of those fuels, or a specified mixture of fuels. If the emission standard is exceeded when using a particular fuel or mix, the appliance is not approved under the permitted activity rules for discharges from domestic heating appliances for use with that fuel or mix of fuels.

The Council is supportive in principle of innovation and new technologies for achieving cleaner discharges from solid fuel heating, and will initiate a change to this Plan when any new testing procedure for domestic heating appliances, suitable for use in the Otago region, is recognised by the Ministry for the Environment and is provided for by the NESAQ.

The Otago Regional Council will hold a publicly-available list of those domestic heating appliance models that meet the emission standards set in the permitted activity rules for discharges from domestic heating appliances.

Principal reasons for adopting

Method 17.5.4.1 is adopted to set the procedures used to determine compliance with permitted activity rules for discharges from domestic heating appliances.