



14 October 2016

Official Information Request No. 814000524  
(Please quote this in any correspondence)

John Walker

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Dear John

**Local Government Official Information and Meetings Act 1987**

**Re: passenger and vehicular ferries on the harbour**

I refer to your email, which we received on 03 October 2016 requesting information about passenger and vehicular ferries on the harbour

***Are the ferries that ply the Hauraki Gulf subject to exhaust particulate standards. If so what level are they set at and how is compliance ensured?***

Discharges of contaminants into air from mobile sources, including ferries, are a permitted activity under the rules of the Auckland Council Regional Plan (Air, Land and Water) (ACRP:ALW) and Proposed Auckland Unitary Plan: Decisions Version (PAUP:DV).

Rule 4.5.3 of the ACRP:ALW states:

*The discharge of contaminants into air created by motor vehicle, aircraft, train, vessel and lawnmower engines including those located on industrial or trade premises is a Permitted Activity.*

Rule E14.4.1(A114) of the PAUP:DV states:

*Discharges to air from motor vehicles, aircraft, trains, vessels (including boats) and mobile sources not otherwise specified (such as lawnmowers), including those on industrial or trade premises (excluding tunnels) (permitted standards do not apply) [Permitted in all zones].*

Further, Regulation 15 of the Resource Management (Marine Pollution) Regulations 1998 provides that:

*Any person may discharge, in the coastal marine area, a contaminant that is incidental to, or derived from, or generated during, the operations listed in Schedule 4 as the normal operations of a ship or offshore installation.*

This regulation means that air discharges from ship exhausts are permitted under the Resource Management Act 1991 and regional plans cannot make rules which restrict these discharges.

The Ministry of Transport oversees some rules relating to particulate emission standards for vehicles and the Engine Fuel Specifications Regulations 2011. We suggest contacting the Ministry of Transport if you seek further information on these standards and regulations.

Should you believe Auckland Council has not responded appropriately to your request, you have the right by way of complaint, under section 27(3) of the LGOIMA, to apply to the Ombudsmen to seek an investigation and review of the decision.

If you have any further queries please contact me on 09 301 0101 quoting Official Information Request No. 8140000524

Yours sincerely

A handwritten signature in blue ink, consisting of several overlapping loops and a trailing line that ends in a small peak.

Grace Heinemann  
Privacy & LGOIMA Business Partner  
Democracy Services