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SUBMISSION TO THE CONSULTATION RIS FOR REDUCING EMISSIONS FROM WOOD HEATERS

Dear Council Members

Thank you for the opportunity to make a submission to the consultation. Before addressing the specific proposals in the RIS I'd like to provide information about my situation and interest in this issue.

I live in an inner suburb of Melbourne and have had an ongoing problem with wood smoke from two immediate neighbours for the past eight years. My two neighbours who live to my south, both use wood heaters as their sole source of heating. Often the smoke begins at 9am and continues through until 1am in the morning. On still winter days the smoke sits like a fog around our house.

Below is a photo of our house (left) and our closest neighbour (right) – as you can see our houses are only metres apart. When our neighbours light their wood heaters the smoke travels across their roofs and settles along the side of our house. Not only does entering and exiting our house involve breathing in considerable wood smoke, but our home is also permeated with the smell and the particles of wood smoke most of the time in winter.



I note that the RIS summarises the current research and states that 'current science suggests that the health impact of PM2.5 may be most pronounced in relation to cardiovascular illnesses and mortality, and that the elderly and children are at a greater risk of effects from particulate matter...' (page 24). I have two children, 5 years and 8 years and I can attest to the summary provided in the RIS. Both my children have developed asthma and one of my children (8 years) has had a number of respiratory problems which has resulted in five operations (grommets x 3, adenoids, tonsils). The poor night time breathing of our eldest child has been very concerning at times. It has involved countless doctors and

specialist appointments and overnight monitoring of her breathing. She has had three burst ear drums from repeat ear infections. The asthma has also restricted their participation in sport. When we tuck them in their beds at night their rooms often smell of wood smoke.

In addition I have had significant exposure to asbestos as a child (my father was a manual labourer who died from mesothelioma and I regularly accompanied him to work), and as you may know continued exposure to the organic chemical emissions and smoke particles greatly increase the risk of developing mesothelioma (for those who have been exposed to asbestos).

Below is a photo of our immediate neighbour's chimney taken a week or so ago (20/06/2013). The chimney began emitting smoke in the mid morning and continued most of the day. This photo was taken two hours after my neighbour had lit his fire. My neighbour had turned down the air to the fire and gone out for the day.



My response to the specific proposals in the consultation RIS

My feedback is limited to the sections titled:

- 4. RATIONALE FOR GOVERNMENT INTERVENTION
- 5. IDENTIFICATION OF FEASIBLE POLICY MEASURES
- 6 IDENTIFICATION OF FEASIBLE POLICY COMBINATIONS
- 7. IMPACT ANALYSIS OF FEASIBLE POLICY OPTIONS

4. RATIONALE FOR GOVERNMENT INTERVENTION

6. Do you agree that the current policy measures for the abatement of wood heater emissions are not successful in realising the policy objectives? Can you provide other evidence to support this?

In my experience the current policy measures fall a long way short of realising policy objectives. In Victoria local council enforcement officers (who also attend to such issues as noise pollution) are empowered through EPA regulations to respond to local complaints of wood heater smoke pollution. Unfortunately because the issue is not given any priority by the EPA in Victoria, the council officers are generally the least experienced, most junior staff, with little or no training in effectively dealing with neighbourhood issues. Their role is limited to educating the wood heater operator in correct operation of their wood heater. They have the power to issue abatement notices, but this has never occurred in Victoria.

One of the things I have discovered about the regulation of wood smoke emissions is that there is no written agreement or instructions from the Victorian EPA to local councils - this means local councils are not bound to deal with this issue to any particular standard. There is no evaluation of their policies, and there doesn't appear to have ever been any evaluation of the effectiveness of their current policies.

In addition

- People with wood heaters are not informed about the health harms associated with wood smoke. This means that it is left to the effected neighbour to explain why they are concerned about wood smoke.
- There is no pressure on councils as to how they deal with this issue and there is no scrutiny of the adequacy of their response.
- The council officer who visits the neighbour does not have to have any expertise in wood heater design or mechanics. This means that he or she cannot assess if the wood heater or the flue is faulty, or even if it has ever been serviced. It means they cannot assess as to why the heater may be producing excessive smoke. Instead all they do is provide a small brochure to neighbours on correct operation which includes advice such as only using dry wood.
- The council officers do not view the wood that the neighbour has for burning, how it is stored or whether it is damp etc.
- Councils do not follow up on complaints to find out if the neighbour has complied with their instructions – instead they leave it to the complaining neighbour to make another complaint.
- There is no system or strategy for how council officers should deal with situations where their attempts to reduce wood smoke emissions fails – there is no stepped up response, or warning system, instead the officer can only continue to offer the same response – instruction in correct operation.
- The option of dispute resolution is promoted on the Victorian EPA's website as a way to deal with this issue. My neighbours refused to go to dispute resolution. Unfortunately without the back up of any laws, authority or standards to pressure my neighbour to do the right thing – any negotiations in the end have no real weight.
- I am also aware that there is nuisance legislation that could be enacted under the Health Act. I was advised by my local council that because my neighbour made attempts to comply with council instructions and showed some willingness to change how he uses his wood heater – it is unlikely a magistrate would find him guilty of nuisance and instead would instruct us to go to mediation.
- There are also very limited resources in terms of council staffing, strategies and expertise to address the issue, and addressing it adequately would require more resources than the government has so far appeared willing to commit.

7. Which policy delivery method do you believe should be adopted by government and why?

I would like to argue for a wider education campaign on the health effects of wood smoke. The current education approach is limited to information on government websites in the form of pamphlets. I think most people know that changing people's behaviour requires informing them of the reason or why they should change their behaviour. This

understanding is reflected in many areas of public health such as drink driving, using seat belts and tobacco smoking. If the public are not informed about the health risks of wood smoke, any measures to address wood smoke emissions are unlikely to receive adequate levels of compliance. The lack of public awareness of the health impacts of wood smoke will undermine the effectiveness of government initiatives in this area.

If the government is committed to developing an effective response to wood smoke emissions then it cannot continue to support an education 'strategy' that consists entirely of a couple pamphlets on a few websites. This seems to me to be a no brainer. In addition without broader public knowledge of the harmful effects of wood smoke there is no social or cultural pressure on wood heater operators to change their behaviour and do the right thing in terms of their operation of their wood heater.

5. IDENTIFICATION OF FEASIBLE POLICY MEASURES

8. Do you agree that the policy measures listed for the abatement of wood heater emissions will be successful in realising the objectives? If not, please provide your reasons including supporting evidence.

I have limited my feedback in this section specifically to the *in-service measures*.

Common definition of excessive smoke

I support the proposal for a common definition of excessive smoke that is shared across jurisdictions. Such as definition would empower local councils to act in cases of excessive smoke, currently to my knowledge there is no such standard or definition in Victoria.

Targeted education

The RIS notes that targeted education initiatives have had some success in some areas such as in Launceston and note that it can be 'highly effective'. I wish to argue against this view of education programs. As noted in the RIS they rely on voluntary compliance.

Currently a large part of the government policy and action in the area of wood smoke emissions is focused on education initiatives. For example local council officers educate wood heater owners in correct operation and include educational materials on government websites (i.e. a pamphlet or two). However education alone has been shown to be ineffective particularly with those people who refuse to believe that wood smoke is harmful and see no reason to change their behaviour.

Education without other supports is frustratingly ineffective. I want to argue strongly against education if it is only to focus on correct operation, without informing people who use wood heaters of the health risks associated with wood smoke, and if it continues to be conducted without powers of enforcement.

I would also argue strongly in favour of *proactive* education and interventions – which would include things such as smoke patrols and a smoke pollution hotline. A smoke pollution hotline could help to not only provide an easy to access mechanism for dealing with smoke pollution for the public, but it would also provide an avenue to collect data on the problem. A proactive approach to education could also shift the focus away from

viewing wood smoke pollution as ‘a dispute’ between neighbours and towards seeing it for what it is – that is a community health issue to be addressed by the community.

9. Do you believe that the “nudge” programs will be helpful in reducing wood heater emissions?

In my view programs that provide an incentive or a ‘nudge’ for behaviour change are likely only to work with people who are already more likely to change their behaviour, and even then should not be done without other measures, such as tighter emission controls, common definition of excessive smoke etc.

The reality is that there are people who use wood heaters who need a ‘shove’ rather than a ‘nudge’. For example my neighbours have been ‘nudged’ to change their behaviour in a number of ways over the past eight years (my visits to them, council visits, information I have provided them with etc). And yet as recently as last night my neighbour turned down the air to his wood heater, emitting excessive smoke overnight so that our bedrooms all smelled of smoke. There is no pressure on my neighbours to change their behaviour, no authority provides any monitoring of their operation of their wood heater and they suffer no penalties for continued incorrect operation of their wood heaters.

10. Are there other measures that are not listed in the document that should be considered?

The option to phase out wood heating is given minimal attention in the RIS. The RIS states that this option is not feasible as part of a national program.

Argument for phasing out wood heaters over the long term

I would like to argue for the Standing Council’s further consideration of this option as I believe there is merit in phasing out wood heating in high density areas and areas where the topography contributes to temperature inversions.

As was noted in the RIS other areas have begun phasing out wood heaters (such as Dublin, Montreal and regions of New Zealand). Many years ago London banned wood heating, along with soft coal fires with their *Clean Air Act 1956*. Phasing out wood heating was an option considered in Western Australia and advocated by Victoria’s Commissioner for Environmental Sustainability in its 2008 *State of the Environment report* in which it recommended that the government should investigate the option to restrict or phase out the sale and use of wood heaters and encourage householders to switch to alternative and more sustainable heating options (rec: A3.8). The report also found that 24% of all wood commercially harvested from Victorian forests is for fuel wood (i.e. wood heaters and open fires). Fuel wood removal from Victorian forests is at a rate of 1.5 to 2.5 million tonnes per annum, compared to wood chipping at 1 million tonnes per annum. The report also concluded that wood heaters are not carbon neutral.

I note that one of the barriers to phasing out wood heating that is mentioned in the RIS would be poor acceptance from wood heater users. However I believe this could be addressed in a number of ways. The phasing out could be done over many years, allowing people considerable time to change over their heating, and the industry to adjust their manufacturing and production.

A phasing out program could include incentives and education about the health impacts of wood smoke pollution to the community. There have been many public health initiative precedents. Moves to improve public health will always be met with opposition from some quarters however this should not be *the reason* for not implementing such measures. If governments went with this logic, we would still have backyard burning, we would not wear bicycle helmets and people would not have fences around their swimming pools. All of these measures have been met with opposition in the past.

The option to phase out wood heating would have considerable advantages over other measures including:

- It would far outweigh any other measures in terms of the potential magnitude of emissions reduction.
- The cost effectiveness in reducing admissions would also outweigh other options as it would over the long term reduce the need for enforcement, cut down administrative requirements, reduce the health and medical costs to government and so on.
- Once wood heaters were phased out there would be very low administrative requirements. There would not be the need for continual review of legislation and regulations, standards, audits, testing, compliance activities and staff of government departments to interpret and enforce the legislation.
- Phasing out would outweigh other options in terms of being simple to explain and understand.

Inherent difficulty in regulating wood heater use

From my experience I believe that the nature of wood heater use makes regulating and enforcing proper operation of a wood heater inherently difficult. Unlike backyard burning, wood heater use by its nature is concealed. There is no practical way to assess exactly what a person is burning (unless the council officer is able to peer through the person's window), and it can be quite difficult to catch someone in the act of generating excessive smoke – this is because it often occurs after hours, or on the weekends. In addition by the time a council officer is alerted and is able to attend the smoke may be considerably reduced.

My neighbours sometimes use their wood heaters properly and sometimes not. One of my neighbours has a disability that unfortunately contributes to the poor use of his wood heater. In addition both my neighbours use railway sleepers to burn in their wood heaters (they get them free or cheap from railway government contractors who drop them off once or twice a year). Most of the sleepers are stored outside - however they have told the council official that they use clean, dry wood. The council officer has no way of verifying this one way or the other. All these issues make it very difficult for a council officer to engage my neighbours to change their behaviour.

General comments about the options put forward

I do not believe the options put forward in the RIS will stop people like my neighbours from polluting their neighbours, their suburbs and their towns. In addition even in the highly unlikely event that my neighbours began consistently operating their wood heaters correctly, if they agreed to upgrade to newer heaters with tighter standards and lower emissions, my family, including my two children, will still be in the position of two to three

times a day in winter being subjected to high levels of particulate pollution for no other reason than my neighbours prefer wood heaters over other forms of heating. If we weigh up the rights of neighbours in this situation – surely shouldn't the right to breathe clean air take precedence over the 'right' to choose whatever form of heating you prefer even if it pollutes your neighbourhood? As I understand from a number of government reports there is no 'safe' level of wood smoke. Clean heating that doesn't pollute the air, or adversely affect people's health, is widely available in the urban areas in the form of gas heating.

Given the facts about the health impact of wood smoke, allowing people to pollute their neighbourhood, and exposing young children unnecessarily to high levels of PM2.5 and PM10 pollution makes for negligent public policy. If I were to smoke cigarettes in my home with my children I would rightly be judged for putting my children's health at risk. Can the Standing Council members assure me that wood smoke exposure is qualitatively less harmful to my children than exposure to tobacco smoke? The government encourages increasing rates of physical activity, such as cycling and walking to work and promotes a whole range of disease prevention activities and programs, and yet on the other hand is doing little to effectively reduce a significant contribution to population ill health.

The simplest and most effective solution is to phase out wood heating in high density areas, and in critical air sheds over the long term. While there will likely be some short term pain in terms of opposition from some quarters, based on the scientific evidence, it is the right thing to do to protect population health.

6. IDENTIFICATION OF FEASIBLE POLICY COMBINATIONS

11. Which of the listed policy combinations do you favour in addressing a reduction in wood heater emissions? Why do you favour these measures?

I support an approach that provides national consistency in standards, and legislation etc. However as noted previously I would argue strongly against the so called education programs put forward as they will not be any different to the status quo.

12. Are there policy combinations that you would not support? Please provide reasons.

I would be very concerned to see a voluntary approach of Option 1 supported. This would essentially be endorsing the status quo, which has allowed excessive levels of particulate pollution to continue. I am concerned that these measures even combined represent a 'tinkering' with the problem, rather than a solution.

7. IMPACT ANALYSIS OF FEASIBLE POLICY OPTIONS

14. Have all health, environmental, economic and social impacts been identified? If not, please suggest others that need to be included. Has sufficient weight been given to these impacts within their relationship to the policy options being proposed?

Given that this consultation concerns the development of a public health policy it seems to me that public health is not at the forefront of the options presented.

While I understand the consultation document concerns broad policy change, I think a few case studies and an example of how the options will address the case studies (such as the average person in Armidale, or a person like me with neighbouring wood smoke) would have been useful in understanding the benefits and limitations of the options.

15. Have all key assumptions been correctly identified and included in the analysis? If not, please suggest others that need to be included.

The analysis provided in the RIS does not discuss or identify the inherent difficulty of intervening to address serial wood smoke offenders. The consultation paper does not reflect an appreciation of the processes involved, and what is required to address the problematic use of wood heaters. In my experience councils do not have the time, resources, skills or legislative backing to deal with the issue effectively.

In summary

The groups most affected by wood smoke are also those least able to communicate to those in power about the impact on their health – such as the elderly, those people with chronic illness and young children. Their voices are unlikely to be included in the number or sources of the submissions to the consultation RIS. In addition there is a large swathe of the population completely uninformed about the health harms associated with wood smoke. They too will not be making submissions to this consultation.

The recent consultation held in Melbourne was very poorly attended. There were two members of the public, two industry representatives and three staff from the EPA. We were almost outnumbered by the federal public servants in attendance. The advertising of the RIS consultation session was extremely poor. Nothing appeared on any local council websites, there were no articles in local papers. I don't see how the average person affected by wood smoke would even know the first place to go to address the issue. I implore the Standing Council members not to equate the number of submissions with the extent of the concern about this issue in the community. I speak to many people who are concerned about wood smoke pollution.

Attempting to deal with the smoke from our neighbour's wood heater has caused us a great deal of stress. Worst of all wood smoke has had a harmful effect on our children's health. I find it very difficult to feel that I cannot properly protect my children's health. Children in particular should have the right to clean air in their own home. We cannot ever open our windows and our kids cannot play in their own backyard in winter. At our kids school I have noticed a house close by with a wood heater that blows smoke over the playground where the children run around and play.

The decisions that the Standing Council and its individuals members take with regards to the RIS options will have a direct impact on people like me. I ask the Council members to consider how its decisions will affect not only national levels of PM pollution, but on also on individuals. I am concerned that the proposals put forward in the consultation document will not improve the situation for people like myself who live next door to wood heaters and have to live with high levels of PM pollution. I hope that the members of the Standing Council can stand up to pressure from industry bodies and people who are deniers of the health impact of wood smoke, and to act on the science and put public health first.

Thank you for the opportunity to comment.
Melbourne, Victoria.