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The Environment and Planning Committee
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Dear Sir or Madam

Inquiry into actions to minimise the health impacts of air pollution in Victoria

I refer to the invitation made by the Environment and Planning Committee for Banyule City Councils views as a key stakeholder in the Inquiry into Health Impacts of Air Pollution in Victoria. Please find below our submission related to the inquiry actions.

Overview of Banyule

Banyule is located between 7 and 21 kilometres northeast of central Melbourne and is made up of 21 suburbs. The City covers an area of approximately 63 square kilometres. The Yarra River runs along the City's south border while the west is defined by Darebin Creek. Banyule is located on the lands of the Wurundjeri Woi-wurrung peoples and Council recognises the Wurundjeri Woi-wurrung as the traditional custodians of the lands and waters upon which Banyule is located.

Banyule is renowned for its open spaces and plentiful parklands, especially along the Yarra and Plenty River valleys. There are 466 hectares of council-owned open space in Banyule, as well as substantial areas of parkland managed by Parks Victoria.

Banyule has a diverse community of more than 131,600 residents from over 140 countries. A significant number of residents have European ancestry, and there is an increasing population of people from Asia. This diverse population brings a cultural richness to our community. Although the number of people living in Banyule is expected to increase in the next decade, our population is expected to age, with the greatest growth occurring in the 75 years and over age group.

History of Health impacts of Air Pollution in Banyule

Each year Banyule Council receives many requests around potential health and environmental problems relating to the impacts of smoke on residences near homes with wood fired heaters, open fires and/or burning off. There has been no formal Council resolution regarding the use of wood heaters within the municipality, however prior request for advocacy of the issue and concerns at a State level has been discussed and requested by residents and Councillors over the years. Council is cognisant that the EPA has reported that in Melbourne about 27% of air pollution in winter is from emissions from wood heaters and open fires.

Council's role regarding the management of health impacts from air pollution focuses predominately on the usage of wood heaters or open fires and is aimed on providing education about their usage to

mitigate potential health or safety risks. Council also has a role in the management of burning off and has the ability to issue permits to burn (under local law provisions) and also infringements for illegal burning offs.

Wood heaters are used throughout the municipality to provide household heating. In the past 5 years Banyule Council have investigated approximately 143 complaints of smoke pollution caused by wood heaters, woodfired pizza ovens or chimneys (in addition to 65 calls on smoke complaints that did not require further investigation). Council's Public Health Protection Unit investigates complaints regarding smoke from these units and provides education to the occupants promoting the types of fuel that can be used which can minimise smoke and reduce impact on public health. The officers also focus on educating around wood heaters about their requirements regarding their installation and the need to be installed by a licensed plumber and whether the flue height is compliant with the relevant Australian Standards. Several complaints are also due to a number of wood heaters located in the same area with the combined smoke being an issue as opposed to a single chimney or the complainant has an underlying medical condition (e.g. asthma).

The EPA Victoria website states that *'Smoke from wood heaters can have an impact on health and quality of life'*. The website provides information that if the public have concerns about smoke from a neighbour's wood heater to try and talk to them or that concerns with woodsmoke pollution can be reported to the local council. The website also indicates that Council has powers under the nuisance provisions of the Public Health and Wellbeing Act 2008 and that under these provisions, the owner of a property or the person causing the nuisance must take all reasonable steps to eliminate the nuisance and that it is council's role to investigate when a complaint is made about wood smoke.

The practicality of utilising the nuisance provisions for smoke complaints is difficult. Of the complaints investigated the vast majority did not fit the nuisance provisions of the Act. Many complaints are based around people not wanting to smell the smoke as opposed to there being excessive smoke. There are wood heater emissions and efficiency standards, however these standards are equally not easily enforceable and apply to new wood heaters under manufacture as opposed to existing wood heaters in homes.

Burning off a major source of air pollution type complaints received by Banyule Council. In the past 5 years Banyule Council have responded to approximately 431 complaints relating to property owners burning off (in addition to 100 calls on burning off complaints that did not require further investigation). These complaints varied between concerns about what is being burned, fire safety, smoke pollution, odour and amenity issues. In the past 5 years Banyule Council has issued 43 permits to burn, with associated permit conditions including notifying ESTA with details of the burn. Properties less than 2500 square metres are unlikely to be granted permits to burn.

Other potential air pollution complaints that Council responds to are categorised under odour complaints and over the past 5 years Council has investigated approximately 220 odour Complaints from a variety of categories including refuse, sewage, faecal matter, stagnant water, oil waste and chemical type fumes.

Climate Emergency

Banyule Council declared a climate emergency in 2019 with 2 overarching goals of being a carbon neutral organisation without relying on offsets by 2028; and to have a carbon neutral community by 2040.

Banyule Council since declaring a climate emergency has released two associated plans (Corporate Emissions Reduction Plan & the Banyule Community Climate Action Plan) to help reach those goals and rise to the challenges of a climate emergency, reducing emissions and adapting to climate impacts.

The 'Banyule Community Climate Action Plan - Working in partnership for a zero net emissions and resilient Banyule by 2040' identifies 8 priority themes including 'Electrification and energy efficiency' where to support uptake Council will: -

- examining a range of economic levers to support the uptake of electrification and energy efficiency measures for resident and business owners (2.1).
- Establish a community focused electrification and energy efficiency program to promote financial and energy efficiency, providing clear information campaigns that promote financial savings, payback periods and environmental benefits (2.2).

The Plan also encourages residents to take initial steps towards becoming a low carbon household including moving to 100% electric by replacing ageing and inefficient gas or wood burning appliances with highly efficient electrical ones, including induction cooking; and considering replacing your gas heating with heat pumps for heating and hot water needs.

Suggested Actions

In 2013, recommendation 13 of the 2013 Australian Government Senate Inquiry into 'The impacts on health of air quality in Australia' recommended that local councils continue to manage the use of wood heaters in their own jurisdictions through the use of bans, buy-backs, minimum efficiency standards, and other mechanisms as appropriate to protect the health of their local communities. Even though local environmental conditions can have a significant effect on wood smoke it is not ideal that local restrictions such as bans be implemented. The ability to undertake this at a State level is important as if individual councils set their own requirements e.g. local bans or emission levels will result in inconsistency across the state with the potential of one side of a street having wood heaters banned by being subjected to smoke from the other side of the street which in the neighbouring municipality does not have the same restrictions.

Subsequently in 2018, the EPA released a Policy Impact Assessment for a proposed variation to the Waste Management Policy (Solid Fuel Heating) which incorporated the efficiency standard into the policy and give practical effect in Victoria to measures agreed as part of the National Clean Air Agreement. The EPA acknowledged from the public submissions it received that the impacts of wood smoke are experienced differently and at different scales and that the incorporation of the efficiency standard will lead to an incremental improvement in air quality, but it would not address all impacts from wood heaters. The ability to provide economic incentives through an intervention method such as a wood stove buyback or subsidy scheme which has previously had the support of the Victorian branch of the Australian Medical Association. This could include providing grants to local governments to take non punitive measures to minimise issues associated with wood smoke from domestic heaters, such as a wood smoke reduction programs including education initiatives and rebates to remove wood heaters.

The ability to issue penalty infringements notices where continual visible smoke is present, under State legislation may also be another complementary option. In NSW the *Protection of the Environment Operations Act 1997* allows councils to issue a smoke abatement order to an occupier of a residence from which excessive smoke is emitted from wood heaters. A similar legislative provision maybe worth consideration and further investigation under current State Legislation along with implementation

measures for enforcement agencies such as guidelines and additional funding support to assist enforcement or education activities.

Conclusion

Air pollution from smoke associated with chimneys, wood heaters, burning off etc can be annoying for vulnerable people and potentially dangerous. We would be in support of State-wide initiatives that address concerns related to health impacts from air pollution from the use of wood. Consideration could be given to include a State-wide ban on wood heaters with a buy back scheme and associated public education campaign in municipalities with built up areas and with extra consideration given to households that may be experiencing financial hardship that use wood heaters as the sole household heating source.

Many of the smoke issues that Council responds to each year from wood heaters and chimneys can be avoided by following some basic guidelines including: - ensuring the height of the flue or chimney exceeds the highest point of the roof by at least half a metre; regularly cleaning the flue or chimney every year; removing the cap on top flues or chimneys; and using the correct fuel type. However, these are only guidelines and requires voluntary action to be undertaken by the occupier (sometimes at cost) which may not be practical due to financial challenges or simply because the occupier choose not to follow the guidelines therefore leaving the issue of smoke still present. The opportunity to have these concerns addressed at a State level would be welcomed.

I look forward to seeing the inquiry's recommendations.

Yours faithfully



ALLISON BECKWITH
Chief Executive Officer