

# TRANSCRIPT

## LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

### Inquiry into the Health Impacts of Air Pollution in Victoria

Melbourne—Monday, 28 June 2021

*(via videoconference)*

#### MEMBERS

Ms Sonja Terpstra—Chair

Mr Clifford Hayes—Deputy Chair

Dr Matthew Bach

Ms Melina Bath

Dr Catherine Cumming

Mr Stuart Grimley

Mr Andy Meddick

Mr Cesar Melhem

Dr Samantha Ratnam

Ms Nina Taylor

#### PARTICIPATING MEMBERS

Ms Georgie Crozier

Mr David Davis

Dr Tien Kieu

Mrs Beverley McArthur

Mr Tim Quilty

**WITNESSES**

Dr Harry Jennens, Coordinator,

Ms Geraldine McClure, Latrobe Valley Organiser, and

Ms Veronique Hamilton, Registered Nurse, Healthy Futures.

**The CHAIR:** I declare open the Legislative Council Environment and Planning Committee's public hearing for the Inquiry into the Health Impacts of Air Pollution in Victoria. Please ensure that mobile phones have been switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings. I would also like to welcome any members of the public watching these proceedings via the live broadcast as well.

At this point I would like to introduce committee members to you. My name is Sonja Terpstra. I am the Chair of the Environment and Planning Committee. Attending via Zoom we also have Dr Samantha Ratnam, Ms Nina Taylor, Dr Catherine Cumming and Mr Cesar Melhem.

All evidence that is taken today is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

Now, I know there are a few of you appearing today, and I will ask different people to go at different times so you do not all speak at once, but just for the Hansard record, if I could get you to each state your name and the organisation you are appearing on behalf of. So, Dr Jennens, perhaps start with you.

**Dr JENNENS:** Sure. My name is Henry Robert Jennens, but I go by Harry, and I represent Healthy Futures along with Geraldine and Veronique.

**The CHAIR:** Thank you. Ms McClure?

**Ms McCLURE:** Geraldine Elsbeth McClure, local organiser for Healthy Futures.

**The CHAIR:** Great. Thank you. And Ms Hamilton.

**Ms HAMILTON:** Veronique Hamilton, and I am also from Healthy Futures.

**The CHAIR:** Great. Thank you all very much for that. So, look, now I will hand over to you to give your opening remarks. If you can keep it to a maximum of 10 minutes, that would be great, and that will allow committee members plenty of time to then ask questions. So I am not sure which one of you is going to lead off, but I will hand it over to you.

**Dr JENNENS:** I will make a quick start. Thanks. My name is Harry Jennens. I am a GP, and I coordinate Healthy Futures, which is an organisation of healthcare workers and community members working to address environmental determinants of health. Geraldine and Veronique, did you want to say anything else more to intro yourselves? Maybe Geraldine.

**Ms McCLURE:** Yes. So as well as being a local organiser for Healthy Futures, I work in a community health centre, so dual role.

**Ms HAMILTON:** And I am a mental health clinician, and my main role is as a mental health promotion officer covering all of Gippsland.

**Dr JENNENS:** So thanks, Geraldine and Veronique, for joining us today. Both of them work in the Latrobe Valley, and I thought it was particularly pertinent that they be part of this call. I will just briefly summarise our submission by saying that we support action to reduce air pollution from all of its sources to improve community health, which is why our submission made reference to health impacts and recommendations to reduce pollution from wood heaters and vehicles, and concerns about the used lead-acid battery facility in the Latrobe Valley, but most of our work is advocating to reduce the health impacts of coal pollution.

So there is some information in our submission about those health impacts. We essentially think it is unacceptable that the Latrobe Valley power stations are currently permitted to put out over eight times as much particulate matter pollution as their equivalent power stations in Europe and other parts of the world. This has been estimated to cause dozens of deaths each year around Gippsland and then almost 200 deaths a year in the whole of Victoria, and many cases of low birth weight and children experiencing asthma symptoms as well. So we worked together and organised a letter to the EPA Victoria late last year, from 11 health organisations and over 200 Victorians, asking them to remedy this issue. Unfortunately the EPA, in their review of the coal-fired power station licences earlier this year, seem not to have imposed new limits to actually reduce their pollution, so now we appeal to the Victorian government to legislate to reduce the pollution to protect people's health. After our presentation of that letter to the EPA in November last year we organised another action outside Victorian Parliament this year to draw attention to the health impacts of air pollution and to encourage people to make submissions to this inquiry. I will hand over to Geraldine, who wanted to say a few more words about the health impacts of air pollution as perceived in the Latrobe Valley, and then Veronique.

**Ms McCLURE:** Yes, thank you for that. I just want to second what Harry said about the impact of air pollution in Latrobe Valley—well, in all of Victoria, but particularly in Latrobe Valley, where I live. It is not acceptable that our emissions limits are so much higher than the rest of the world, and there is a lot of evidence linking that to the adverse health effects and the premature deaths. And that is not good enough. In terms of the impact that that actually has locally, I have bought a home here—I am not going to buy many homes—and I was planning to stay here. I have a wonderful community here. I love the community here. It is a real strength of Latrobe Valley. But the more I discover about the facts about the air pollution and how far behind the standards we are, it has actually made me, distressingly, look at relocating. Unfortunately I, along with many others—and this is part of the problem—cannot necessarily afford to relocate because one thing about the Latrobe Valley is it is affordable. But part of that affordability means that we have to put up with substandards that other places do not.

There is a consistent failure of the EPA to enforce standards which would protect us. As Harry said, in the recent review of the coal-fired power stations they had an opportunity to implement the same standards as the European Union enjoys in terms of emissions limits, and yet they chose not to. So I second what Harry was saying in that it needs to be the state government that steps up. The EPA have already failed, and they have failed to protect our health not just on this occasion but on many occasions. The state government needs to step up and fill that gap and mandate appropriate emissions limits and put other legislation, such as the health innovation zone, which I am sure you have heard about from other sources, in place to make sure our health is protected, because the EPA are not doing it, and it has a real impact on the lives of people who live here.

**Dr JENNENS:** Thanks, Geraldine. Did you want to add to that, Veronique?

**Ms HAMILTON:** Yes. Adding on to what Geraldine said, and I guess thinking about my background working in mental health promotion and early intervention prevention, people are torn between leaving Latrobe Valley and not, because they feel so disempowered and their health is at risk. They are really tossing up between, 'Okay, do I need to move away to protect my health and the health of my family?'—but then that is risking taking away their networks, their supports, increasing the risk of loneliness and mental health problems. I have got two friends that have recently had babies, and they are so torn between, 'Do I want to stay here with my support network to help me to be able to bond and attach with my baby appropriately and risk this young baby that is so reliant on me being exposed to this pollution, or do I move away, and what impact will that then have?'. I guess to me it just seems so unfair that people have to weigh these things up. I do not think that we should need to move away from our communities, from our families and from our friendship groups to be able to stay safe.

**The CHAIR:** Great. Thank you so much for that. Harry, did you want to add anything else before we move to questions? Anything further?

**Dr JENNENS:** No, that is fine. Thanks.

**The CHAIR:** Great. Okay, we will move to questions. Dr Ratnam.

**Dr RATNAM:** Thanks so much for your submission and presentation and all the work that you do advocating for better air quality. It is really powerful. Just following up on the presentation, you mentioned Victoria emitting eight times the pollution of European counterparts. Can I ask: have you all got any indication of why this is allowed? What is the justification given for allowing lower standards but higher pollution levels in Victoria?

**Dr JENNENS:** That is an excellent question. I think a counter argument to limiting emissions to levels that are considered acceptable overseas is that polluters might contend that pollution sources in Victoria are fewer and further apart than they might be overseas. But I think there is a lot of people living very close to the power stations in the Latrobe Valley, and the health impacts are concentrated in that area compared to the rest of Victoria. I am concerned that part of the reason action has not been taken to reduce those health impacts is that those people's livelihoods are not prioritised perhaps in the same way as people's in other parts of Victoria, to be frank. Geraldine or Veronique?

**Ms McCLURE:** I second what Harry says. I have not lived my whole life in the Latrobe Valley. As much as I, as Veronique said, have formed a community here—this is my community—there are some really big downsides. One of the downsides is—the more I have become involved in advocacy, and the more I have become involved in the local community—we are treated differently. You only have to look at the Hazelwood mine fire, and I know that is some time ago, but I will always feel abandoned and let down by the state government, because if that had happened in Melbourne, you would want to see the response. We were left out to hang. The response was not appropriate in terms of the risk that that mine fire was to our health—it was insane—and the response from the government was inadequate. The first thing that comes to mind is they handed out masks that were not even appropriate for the level of particulates that were in the air. They did not declare it an emergency situation. My personal belief is because then they would have been liable for compensation, which they did not want to have deal with. So that is only one example of how Latrobe Valley is treated differently.

Another more recent example, as Harry has mentioned and as I am sure you have heard about from many others, is this used lead acid recycling facility. It is 1.5 kilometres upwind of a primary school, and it is a well-known fact that with lead poisoning children are the most vulnerable group—and it is 1.5 k's upwind. There is research from Quemetco in California or the Exide one—I can double check that in a second if you would like—where they have increased pollution controls compared to the proposed plant here, and yet even with better pollution controls than the local plant is going to have, they have still been mandated to clean up a contaminated area with a 2-kilometre radius. So within 2 kilometres we have the primary school, we have agricultural land, we have people's homes, we have the transfer station, we have some other businesses and we almost have our shopping centre within 2 k's. Considering a large portion of the community have said no, considering our council after a year and a half of deliberation said no, there is no way you would get away with that in other areas of Victoria. If you tried to put that in some of the richer suburbs, it just would not happen. It would not happen—not that close to a primary school, not with such poor pollution controls. There is no way it would get through. With the backlash from the community and the thoroughly thought-through rejection from the local council it would not happen in other places. And yet it has happened to us.

Then, as Harry has said as well, the power stations emit such higher levels than the rest of the world. Yet whenever this is brought up—one big thing in the Latrobe Valley and another answer to, 'Well, why would they get away with that?' is partly that people in this area are scared. It is linked to our economic sustainability. There are ways to make Latrobe Valley economically sustainable without the power stations, but since the privatisation the power stations have just been handed over to foreign companies, who frankly could not care less about us, and have been left in the hands of private companies. So I feel the state government has abdicated its responsibility and has not taken any responsibility for looking at an overall transition plan. These power stations are reaching the ends of their lives, and a proper transition, a full transition which is not just affecting the power stations but benefiting the entire area, needs to be looked at. Obviously private companies are never going to do that. Their priority is profit. No-one expects them to care. The state government, however, should be involved and should be invested in the health and the future of their citizens, yet they have not taken the initiative to step up and form a better transition plan.

So in every way you look at it there are absolutely a different set of standards that apply to the Latrobe Valley than to, frankly, richer areas, votes that matter. Our votes, our voices, do not count. When it comes down to practical outcomes, even things like after the mine fire, the health innovation zone was implemented, which was from the state government a bit of an acknowledgement of the massive impacts of that and an acknowledgement of the impact not just of the power stations but of all the others. There are so many heavy industries and the other heavy industries may be smaller, but places like APM can get under the radar quite a lot and put out significant amounts of pollution despite their smaller size.

When you put a combination of all those things together, there was meant to be an acknowledgement of that and something put in place to in the future protect our health, yet it was found recently that that actually was never—I do not know the correct terms—gazetted properly or legislated properly. So frankly it is a useless piece of paper, and it is just yet another example of how the state government has said, ‘Yes, your lives are important. You matter. We’ll do something about protecting your long-term health and interests’. But when it comes down to it, because we tried to use that as obviously an argument around protecting our community and our children around the lead smelter, we were told very, very plainly, from Minister Wynne’s office and Minister Lily D’Ambrosio’s office as well, were told very bluntly, ‘We do not have to consider it. We do not have to take into consideration this document because it doesn’t have any legal weight’.

Once again even the thing that was meant to be an acknowledgement of the conditions under which we live and so do something useful to improve that in the future was found, when push came to shove, to be a useless piece of paper because it does not have any legal weight, so even the things that are meant to be positive are still useless. And I know I sound very angry—

**Dr RATNAM:** Understandable.

**Ms McCLURE:** But this is a story that is repeated over and over and over again, and I think the people in the Latrobe Valley, sadly, are really used to it. I think that is another reason ‘Why do we get away with it?’. Because the people in Latrobe Valley do not make a fuss about it, because they are so used to this. I have a friend whose aunty lived in Yallourn in the 70s with the power stations, and she used to wake up—she could not even have outside furniture—every morning with a blanket of white ash covering the outside of her house.

So from people’s standards, one, it is a generational thing and they are used to it; two, they are scared and it is linked to the only job they can get; and, three, compared to the standards in the 70s—Lord knows how anyone survived—things, sure, are better for them. But that is another reason: people will be like, ‘Well, it has improved. Still not actually good enough standards for our health, but yeah, it is a lot better than being blanketed in white ash every morning’. They have a false sense of security of, ‘Oh, things have improved’, but when you actually get down to it, no, they have not improved enough. So that is another reason why.

And people are so used to it/do not have good information. There are many people we have had during advocacy who have said and genuinely believe only steam comes out the power stations. No, there are a lot of heavy metals, there are a lot of toxins and there are a lot of other things coming out of these power stations. But genuinely a large section of the population are just not aware of that, so there is a lack of information as well. Then the generational poverty in this area does not help, because when people are busy surviving, they do not have the headspace to engage in these bigger issues either.

Then that is another reason: one, they do not know; two, they are overwhelmed by surviving. Yes, there are lots of reasons why there is not a larger voice from Latrobe Valley, but then there is the fact that they are just used to it as well and so used to being downtrodden that they have given up speaking up. So there are so many reasons why you do not get the voice from here, but it does not mean it is not a big issue and it is not a real issue and it does not seriously impact people’s lives. It is just the message does not always get through, and even when it does it is often treated with less value than areas that matter.

**Dr RATNAM:** Thank you so much, Harry and Geraldine. I have got some more questions but I will come back after everyone has a go. Thank you so much. I hear you.

**The CHAIR:** Sure. I might just ask a question of you, Ms McClure, as well. We have heard from prior witnesses earlier today that there is a lot of support generally in the Latrobe Valley for heavy industry, but notwithstanding what you are saying about the effects on air quality and the like, do you think that there is more that can be done to monitor air pollution? I think you have been really good at articulating all the problems, but

what do you think government should do moving forward to say there is a better way that we could monitor the quality of air? Because we have actually talked about planning, for example. Planning has been one thing that has popped up throughout the course of the hearing. And I am just a bit concerned, because it seems that your evidence would be that you do not trust anything government does. So I am just wondering, is that true? Is it game over for you? Are you saying, 'It doesn't matter what the government does, we do not trust'? Is that your position or—

**Ms McCLURE:** It is not so much a matter of trusting. In terms of monitoring, yes, we can always improve monitoring but there is monitoring in the area. It is not the monitoring that is the issue; it is the standards that are set.

**The CHAIR:** So what needs to happen, then? What should we do to change things?

**Ms McCLURE:** The government needs to actually legislate world's best standards, and once that is done industry will implement them. There will be time frames. The actual technology—what are better pollution control technologies—that is not so much the issue. If the standards were set, industry would figure out a way and companies would figure out a way to implement that technology. The problem is that the EPA has failed to set the bar and the state government, who I think—

**The CHAIR:** Sorry, so then what you are saying is not only are there standards, but then what you are actually talking about is compliance with those things and monitoring, so—

**Ms McCLURE:** I do not think the compliance is the issue. No-one has legislated that we have world's best standards in terms of emissions controls. If that was done, if the state government stepped up and legislated that, then the compliance from the companies would work itself out. That would follow through. I do not think that is the issue. It is that the state government has not put its foot down, it has not prioritised our health and it has left it up to the EPA, which has failed to do its job, and it has not stepped up and filled that gap and said, 'Okay, so we will legislate—

**The CHAIR:** But how have they failed to do their job, though, the EPA? I am just confused. What I am trying to tease out from you is, you are saying on the one hand government has not legislated so we need to have standards—

**Ms McCLURE:** I have not said that.

**The CHAIR:** but then you are saying the EPA has failed, but the EPA is the organisation that ensures people are complying with the standards, so I am just trying to understand where you say more needs to be done.

**Ms McCLURE:** Okay, so as Harry mentioned, in the recent licence review the EPA could have set emissions standards which were in line with the emissions standards that power stations in the European Union have. They did not do that. They had an opportunity to do that and they failed to do so, and I could give you many more examples of where the EPA have failed to protect the community in terms of environmental disasters. But I think the point is that—and I can give you those examples if you want, but I think probably a better use of time is to focus on the fact that they have already shown consistently through their actions that they have failed to protect the community on a number of occasions, and in the end it should sit with the state government anyway. There has been a gap left and I think that the state government has a moral obligation to step in and take the initiative to fill that gap. We are the ones who pay taxes. We are the citizens they are meant to be serving, and I think they have the initiative to—

**The CHAIR:** I understand.

**Ms McCLURE:** step in.

**The CHAIR:** But you have got the opportunity now to say to this committee what you would recommend we look at in terms of improving things. You have articulated the problem really well, but what I am asking you is what should we improve on. You have said, 'You should legislate standards'. Okay, but what else could we do? What else do you think we should do?

**Ms McCLURE:** I think that is the main thing. One of the terms of reference for this inquiry was how do we reach world's best standards in terms of pollution, and the whole point with air pollution is it is managed by

setting emissions limits. Reducing the impacts of air pollution means reducing the amount of air pollution, and you do that by setting emissions limits. That is the thing that has not been done. There is a big, fat gap where that should have been done, and I think that it is that simple. How do we reduce air pollution and therefore improve our health? Somebody—and I think the somebody should be the state government—needs to stand up and take the initiative and just set the world's best standards. And once they set those standards, then the companies will comply. That is not the issue. If that is mandated and that is the bar, the companies will comply. That will sort itself out. The problem is that no-one has set the bar at the position which is acceptable for our health. They have set the bar at a place which is acceptable for profit, which is easy for big business. It has not been set based on what is the best practice and the best outcome for citizens' health.

**The CHAIR:** Okay, great. Thanks so much for that. All right. We will move on to other questions from committee members. Dr Cumming.

**Dr CUMMING:** Thank you, Chair, and thank you for your passionate submission. It is great to actually hear from residents or constituents. I guess my question is this: do you think that all government departments should consider air pollution in everything that they do, such as transport, health, planning and environment? Because currently a lot of these controls sit under environment, but they are not mutually exclusive. And I guess my other question is—and it touches on some of the submission that you have just given—which recommendations of *The People's Clean Air Action Plan for Victoria* are most urgent and why? Or do you feel that there could be improvement? And if you were the minister for a day, what would the three priority actions be to address the health impacts of air pollution? Do not feel pressured to answer them all now. You might want to put in a more fulsome submission after today's close.

**Dr JENNENS:** Thanks, Dr Cumming. That is a multiple-pronged question, and I will just lead off by saying that *The People's Clean Air Action Plan* was created in consultation with a number of community groups concerned about a number of different sources of pollution, all of which are important. I think if we were to pick one source and say, 'Oh, let's just prioritise this and not worry about the others', that would be kind of a disservice to the community members who are legitimately concerned about the health impacts of other sources of pollution—the sources in the western suburbs of Melbourne are very different to the sources in the Latrobe Valley, and they are very different to the sources in other parts of Victoria—so I think all of them need to be addressed. I do not think we should make comparisons about the urgency of those. I suppose if I was the minister for a day, then I would suggest endorsing and adopting the recommendations of *The People's Clean Air Action Plan*, which was designed for that purpose.

There was an initial part of your question which I have now forgotten, but you could repeat it or I could hand over to Geraldine or Veronique if they want to add anything.

**Dr CUMMING:** Do you think all government departments should consider air pollution in everything that they do?

**Dr JENNENS:** Thank you. That would make sense to me, because I have never worked in government but I would imagine that if one department has a set of principles that they operate by and there is no communication with, say, the Department of Transport, who are making all these long-term plans and then realise too late that they actually have to comply with certain limits in order to protect people's health, it would have saved a lot of time and energy if those departments had communicated prior. So yes, I would imagine so. I guess if policies to minimise air pollution and optimise people's health were embedded in the operations of all departments, I think that would be the most sensible way to operate.

Geraldine or Veronique, did you want to add anything to those kinds of—

**Ms HAMILTON:** For me it just makes common sense for everyone, yes, to be working together. I guess a prime example is having policies and procedures around car pollution, wood-fire pollution. It does not just sit under one little heading. It is like an umbrella, and you need to be spreading these policies and procedures across all the areas.

**The CHAIR:** Great, thank you. Ms Taylor, a question from you?

**Ms TAYLOR:** Just on that note about all government areas, when you are looking at areas such as multicultural affairs et cetera, I am thinking perhaps really what it is more about is government buildings. You

have talked about the Latrobe Valley and all that. I have taken that all on board. But you are saying across all departments, and I am thinking of all the government departments how they can take it onboard. And where they are not, say, directly in the Latrobe Valley or whatever, like, say, looking at things like multicultural affairs, how could they take it on? Because you are saying all government departments. Well, I know that we have certainly got the—

**Dr CUMMING:** I guess, Ms Taylor, we all breathe air.

**Ms TAYLOR:** That is not very helpful, Catherine. So I am looking at 100 per cent offset with government buildings is a way that all—I am just thinking different ways that all departments can contribute, and I am trying to think of a productive way that all departments can contribute relative to where they are, that is all.

**Ms McCLURE:** One suggestion—it may not be answering what you are after. I get what you are saying: not all departments are going to have such a direct impact as, you know, power stations or whatever.

**Ms TAYLOR:** Yes. I am just trying to be practical.

**Ms McCLURE:** But I suppose every department, regardless of maybe other air emissions inputs, they are all going to have some kind of fleet car. So, you know, one thing that applies to all departments is having hybrid cars, which will then be reducing some of those emissions. So it is only a small thing, but if all government departments did that, then that is maybe one small way in which they are all contributing.

**Ms TAYLOR:** Well, we do have a policy to upgrade them to electric vehicles. So you are right on the money there, so that is good. There we go. All right. That is all. Thank you.

**The CHAIR:** Yes. And there are lots of things, and I think we have learned throughout this inquiry perhaps people are not necessarily aware of some of the things government is doing. So, as Ms Taylor was suggesting, one of the other reasons why government is going to be changing its vehicle fleets over is not only to reduce emissions but it means that we will also help to kickstart a second-hand electric vehicle market, because, let us face it, electric vehicles are very, very expensive. Until that changes, then the uptake will not be as great as perhaps you might like to see.

**Ms HAMILTON:** Can I just say—sorry. Given the degree of the issues, I think that it is important that we do not just focus on these small changes that we can make. I completely agree that we need, you know, to switch over to electric vehicles. We need to put solar on buildings. We need to do all of that, but that is not enough. Like, we need to be putting in these air pollution controls. We need to be going at this really hard. The evidence is there: our health is being impacted. That is irreversible. We cannot get that back. We cannot get those years off of our lives back. We cannot get those premature deaths back. You know, low birth rates—we cannot get that back. So we need to be doing absolutely everything. So I agree, Ms Taylor, that there are things that we can do in all organisations, but we have to do it all.

**Ms TAYLOR:** Yes. I am not disagreeing with you, and I would hate you to think that that was all I cared about. The whole state—all emissions, all matter, all the particulates, all the poisons. I was just thinking we had already canvassed all the other issues, and I did not want to repeat it all and I was trying to find an element that might actually put some meaning on top of all that has already been transacted, so just to be really clear out of respect for you and the concerns you are raising.

**The CHAIR:** Great. All right. I might go to a second round of questions because we have got about another 27 minutes left. Dr Ratnam, any further questions from you?

**Dr RATNAM:** Certainly. Just following on from a couple of lines of inquiry that we have already canvassed, just in terms of the EPA's recent licence renewal. Well, they have renewed the licence conditions, and you have expressed strong disappointment both in your submission here but also in your written submission about the failure to require power stations to adopt new technologies to reduce pollution. Can you speak to that in a bit more detail in terms of what you think that could have done if the EPA had actually set some licence conditions for technology that could reduce that pollution?

**Dr JENNENS:** I might just begin briefly. In the past 20 minutes or so I had also thought of another response to your first question, Dr Ratnam, about how this has come about that the Latrobe Valley power stations are currently able to produce more than eight times as much particulate matter pollution as their equivalents in Europe. And I just wanted to add on that point that I think—and other groups can probably speak to this with a

little more insight than Healthy Futures can, because we work on a lot of different things and our engagement with the EPA has not been as extensive as some of the other groups—perhaps with EPA Victoria there is some perception that their role is to facilitate industry when actually their role should be to protect the environment and people's health, and I think there is maybe a confusion about that which has led to weakened standards in Victoria compared to other parts of the world.

To answer your current question about what they should have done and what would have been useful, we had asked them to adopt standards in keeping with international best practice as exemplified by the European Union, but other jurisdictions also have superior standards to Victoria in terms of reducing emissions from coal-fired power stations, including the United States, South Korea and China off the top of my head. I mean, I think, as Geraldine has alluded to, setting standards that we know are achievable and then letting the industry figure out how to best achieve that is the way to go. They might choose to use sort of fabric bag filters or selective catalytic reduction, those technologies, to reduce their emissions, but all the EPA would need to do is set the standards that are technically achievable and which we know are achievable, as has been demonstrated by expert reviews by engineers outside of these industries and outside the EPA itself. That would have been sufficient, I think, to minimise pollution. Geraldine or Veronique, did you want to add anything to that? I feel like we have sort of answered this question already, but—

**Dr RATNAM:** Great. Thank you very much for that. Harry, did you want to speak about the first question—go back to the first one again? You said something about the question of the 'why'.

**Dr JENNENS:** Yes. I am concerned that there may be or may have been a perception within EPA Victoria that their role is to facilitate industry and its functions rather than protect people's health and the environment and that the standards were set and have been set on that basis.

**Dr RATNAM:** Thank you so much. Sorry, I missed that connection at the start, but I really appreciate that. And just to also respond, Geraldine, to your previous really comprehensive answer to my earlier set of questions, just to reflect back, it really does sound like there are layers of inequality. The Latrobe Valley is asked to accept a standard that is lower than the rest of Victoria. Victoria is asked to accept a standard that is lower than the rest of the world. So there are these cycles of inequality, and the people of the west, as we have just heard from previous presenters today, are expected to accept a lower standard of air quality than other parts of Melbourne. So it is happening and, very concerningly, in some pockets more than others. There are issues of inequity that you brought up, which are really important, so thank you once again for your work, and we will certainly use the evidence you have provided to investigate these matters further.

**The CHAIR:** Thanks for that. Harry, perhaps if I could just have another question. I mean, we were talking about standards and the EPA, but there are different standards for different things. For example, the EU might have better vehicle emissions standards, but these are also influenced by federal policies. I note there is a lot of anger and hostility directed towards the Victorian government—and I have talked about this with other witnesses as well—but the federal government allows other jurisdictions to dump combustion vehicles into our market as well. That is a federal matter. There are things that we can control locally, you know, from a Victorian government perspective.

But I am just interested as to why you think that the EPA is not doing enough, because the EPA monitor in line with national standards which are set nationally, and the EPA has done a lot of good work recently. The state government increased their funding, for example, and particularly wants to see more work done—and they have been doing a lot more—around prosecutions where government has become aware of people who are polluting and doing that not in line with the standards. So I am just wondering where you get the impression from that you think the EPA are kind of allowing—I think your words were, 'Oh, you know, they are sort of pro business'. But like I said, they do not set the standards; that is at arm's length to them. They just enforce the standards set by federal regulators. I am just wondering, and it might go to the point I was trying to make with Geraldine before about a lack of trust by people in the local community, and perhaps there is a history of poor engagement with government agencies. I do not know. So perhaps you might be able to unpack that a bit more for us so we can understand why there is that perception that the EPA is not doing enough.

**Dr JENNENS:** Yes, I can give it a crack. I think the question is: who has power to make the positive change, and whose responsibility is it? I was of the understanding that EPA Victoria does set the licence conditions for Victoria's coal-fired power stations, and it is those licence conditions that allow levels of

pollution that would not be considered acceptable, and are illegal, overseas. Our interpretation is that EPA Victoria does have power to set appropriate standards to protect people's health from that form of pollution at least. In terms of private vehicles and other matters like wood heater pollution and other forms of pollution, I appreciate that the situation and the policy framework might be very different and complex. But in terms of coal-fired power stations at least, I understand that it is well within the EPA's power to restrict pollution to protect people's health and in fact that is their job, and it is our concern that they have not done that job. I hope that answers the question as to the performance of the EPA in this regard.

**The CHAIR:** I just wanted to clarify because I am just trying to tease out where you think there needs to be more improvement but why you think that as well. We have talked about a lot of things. We have talked about vehicles, for example. We have talked about a whole bunch of stuff, so I just wanted to clarify exactly why you think that. Like you were saying, you think that the EPA is the one that sets the licence standards, so that is why you think that that is not good enough. But again federally the EPA monitor things in line with national standards.

**Dr JENNENS:** Yes. Some of those national standards are not sort of world-class standards either. We were consulted regarding a federal review of NO<sub>x</sub> and SO<sub>x</sub> standards, and I think a paper was put together by Doctors for the Environment Australia and a number of other groups recommending much lower limits than were federally acceptable. Obviously those are separate issues from particulate matter itself. Federal legislation may not be as protective of people's health as it could be in other parts of the world as well, but irrespective of that, I think we have reports estimating the number of deaths attributable directly to pollution from the coal-fired power stations, and it is within EPA Victoria's power and responsibility to reduce that pollution and that is what they should do. I do not think we need to sort of pass the buck onto federal institutions when it is the EPA's power to do this. As Geraldine has pointed out, given the EPA has failed to protect people's health in their most recent review of the licence conditions, now we are appealing for state-based legislation that will restrict coal pollution along with other sources of pollution.

**Ms HAMILTON:** Can I just also add on to that? You mentioned about the distrust. I guess I am reflecting back. I have always grown up in this area, and as a young child I remember my brother as we would drive past the power stations joking, 'Hold your breath. Hold your breath', teasing me. And my mum would say, 'Don't be silly. It's just steam'. And that is what a lot of people do think. We believe that the government or whoever it is that is meant to be protecting us actually would be protecting us and would not let us breathe in pollution that could actually harm us and kill us. And then to find out that actually I have lived my 33 years breathing in these toxins does lead to mistrust. It is like, 'Wow, I just found out that Santa Claus isn't real'. And so that is where that mistrust does come into it. People are not being informed about the impacts of the pollution. Everyday people are not being informed. And that is not fair.

**The CHAIR:** Do you think then with the changes, like you were saying that the licences have just been renewed for the power stations—and some of the changes I think included more reporting or more monitoring of emissions for the power stations—so do you think any of those changes are going to be beneficial? There have been some—perhaps, Harry, you might be the best person to answer this, I do not know; it is up to you how you want to respond—improvements to say that they must report more about these things. Is any of that of any value or not?

**Ms HAMILTON:** But I think putting it in language that everyday people understand. These are numbers to people. What does that mean? How does that correlate to the health impacts that is going to have on me? And then you would have people really saying, 'Hey, this isn't good enough'. People have not got a chance to stand up for themselves because they are not being informed. If people understood the health impacts, you would have people protesting the way that they are about the lead smelter. But people do not understand the impacts, and because they have always been around it, they just do not think, 'Okay. This actually is having these negative health impacts on me'.

**The CHAIR:** That is a slightly different point though. You are saying—

**Ms HAMILTON:** But, no. If they are—okay, so yes, let us say what the numbers are.

**The CHAIR:** Sorry, can I just finish. I think what you are saying is we need information but we also need it to be easily understood by people so they can digest it. That is a slightly different point to what I was just asking Harry about. Do I understand you correctly?

**Ms HAMILTON:** Yes.

**The CHAIR:** Thank you.

**Ms HAMILTON:** No problem.

**The CHAIR:** All right. Dr Cumming.

**Dr CUMMING:** Thank you, Chair. I am guessing that you would support a community education campaign about air pollution. I take it the same. I do not like the language of ‘air quality’ because we talk about pollution, and there is no such thing as a good standard of pollution. Even from what I have heard today, we can set standards but there is no such thing as a good standard of pollution. I am wondering if you would support state-based legislation, seeing as, as we have heard before, there are obviously federal standards but they are not benchmarked against international standards. Maybe we need Victorian standards that are even higher. Part of what I understand is that you are right—maybe there need to be recommendations around what the planning minister or VCAT or the like can and cannot do when it comes to making recommendations against what is known to be a practice that is not in the best health interests. It might be a great planning application but it might not be in the best health interests, and health needs to be taken into consideration when VCAT or planning ministers make decisions.

I just want to ask one other question. The Latrobe council actually made a submission this morning, if you are not aware, and one of the things that they were wanting is the environmental impact statement that they had not seen. I am wondering if you would like to see that, and would you like that to be made available?

**The CHAIR:** Sorry, there was not one, Catherine. I think that was the thing for that—

**Dr CUMMING:** And I guess that there should be one.

**The CHAIR:** No. I just want to clarify for the witnesses that there was not one. I think the question is: ‘Should do be done?’, not, ‘Would you like to see it?’.

**Dr CUMMING:** Should the planning minister or VCAT or EPA or anyone make—

**The CHAIR:** ‘Should there be one?’

**Ms HAMILTON:** Yes.

**The CHAIR:** That is the question, because currently one does not exist. All right. I am just watching the time. We will just go and see if there are any more questions. Ms Taylor, any other questions from you?

**Ms TAYLOR:** I will go last. I am going to have a bit more of a think. I am just reflecting on what everyone said.

**The CHAIR:** Dr Ratnam.

**Dr RATNAM:** No. I am all good. Thanks so much again.

**The CHAIR:** Okay. Dr Cumming, anything else from you? No. Ms Taylor, anything?

**Ms TAYLOR:** No. I think that is good. I appreciate you being candid and sharing your personal experiences.

**The CHAIR:** Great. All right. Well, thank you all very much for coming in and giving your evidence to the inquiry via Zoom. With that, all broadcast and Hansard equipment must now be turned off. Thank you.

**Committee adjourned.**