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NSW

Clean Air for NSW Consultation

To whom it may concern,
I offer my experience of trying to deal with wood smoke pollution from neighbours to show that the government laws currently in place fails duty of care to the Australian population.

I bring to your attention the ‘Clean Air for NSW’ consultation paper reports research findings that PM2.5 pollution causes 520 premature deaths and 6300 life years of life lost in Sydney alone, and that, despite only a small proportion of households using wood heating, wood smoke contributes 47% of annual PM2.5 particle pollution and up to 75% of particle emissions in July each year.

The consultation paper also cites an economic analysis that the estimated health costs of wood smoke emissions across urban, regional and rural areas of NSW will amount to $8.1 billion over 20 years (AECOM 2011) unless new policies are introduced.

It shows that health costs could be halved by requiring heaters to be removed before houses are sold, with additional savings of $2.2 billion by not allowing new wood heaters to be installed. If the public knew and understood the enormous health costs of wood smoke, and the advice of the Chief Medical Officer of NSW that wood heaters are so detrimental to health she supports banning and phasing them out in urban areas, they would support these policies.

NSW policies should be based on what an informed public would want.

The government have a duty of care to inform the public of the risks associated with wood fires by the means of a campaign equal to that concerning cigarettes. We urgently need new legislation to prevent any more wood heaters from being installed in NSW and phase out the older ones. The greatest health impacts are experienced by neighbours irrespective of whether or not the area has a recognised wood smoke problem, so the legislation should apply State-wide.

The health of the Australian population is of great concern and ill-health creates a burden in costs associated. The existing wood heater laws ‘fails duty of care’ to all Australians.

1. The current law suggesting that wood heaters comply with an efficiency standard regulating emissions is totally unacceptable;
   i. These laws do not cover wood fires that are in place and causing serious harm to the health of neighbouring residents and producing unacceptable pollution.
   ii. Wood heaters ‘complying under the current laws’ based on emissions from a wood heater also depends on how the wood heater is operated, not the apparatus itself. For example the type of firewood used and whether it is dry; the size and spacing of logs; and whether the fire is burning brightly etc. This is up to the individual user.
iii. Wood smoke consists of particulate matter (PM) and other air pollutants. There is no safe level of PM2.5 pollution irrespective of whether air quality standards are met or whether they are complying wood heaters. If you can smell smoke (or fumes) you are at risk. This is mentioned on EPA website.

My direct neighbour was burning mainly driftwood, using full logs, often wet, filling the box to the brim and didn’t know how to use the vents correctly. They regularly use Ekologs now, but it still smokes and the ‘fumes’ are still entering my home and outside environment.

With much better, cheaper and healthier ways of heating homes, the government’s primary role should be protect public health. A state and national program is required to reduce the health damage from breathing wood smoke in all urban areas. With alternate heating readily available this should be used, as there are **no alternatives to the air we breathe**.

I note that the amount of areas, such as outside near buildings, sporting arenas, parks, etc where ‘cigarette smoking’ is banned and the banned areas are increasing, but the government ignores wood fire pollution.

2. Current laws state ‘acceptable plumes of smoke’ i.e. **visible plume of smoke from a chimney for a continuous period of not less than 10 minutes, including a period of not less than 30 seconds when the plume extends at least 10 metres from the point at which the smoke is emitted from the chimney.**

i. Once smoke has been emitted from wood heaters into a neighbourhood, it’s too late, damage has been done to health and environment, whether or not it is less than 10 minutes, extends 10 meters. **DAMAGE IS DONE**

ii. It is also suggested that ‘smoke plumes are expected and accepted’ on start up and refuelling! Emission measurements should take into account light-up and refuelling.

iii. As for cigarette smoke, the law is ‘within 10 meters outdoor public places’. It is well documented that wood heaters only burning 15 kg of wood (an evening’s heat) creates more health-hazardous PAH than in 240,000 cigarettes, yet take note of the ‘acceptable’ smoke plumes from a wood heater.

iv. The NSW Asthma Foundation’s submission to the Federal Government’s Consultation RIS on wood heaters noted that “**people are concerned about allowing people to smoke cigarettes near outdoor playing fields, despite the fact that a single wood heater emits as much PM2.5 per hour as in the smoke from 500 cigarettes, with carcinogenic potency of perhaps 6,000 cigarettes per hour**”.

There are continual advertising campaigns warning that cigarettes are harmful targeting mainly ‘individuals’. But there is no campaign warning about toxic wood heater smoke to entire ‘community’.

3. The current law that allows councils ‘options’ to include or exempt DA approval for the installation of wood heaters is appalling.

i. All councils should be made to include wood heaters through a development application. This could ensure the proper installation of a fireplace and flu. And give
the neighbouring properties the right to comment on this proposed application. As is noted in Protection of the Environment Operations (Clean Air) Regulation 2010: 

_To minimise the likelihood of future nuisance and disputes, councils should consider requesting comments from neighbours when an application for approval is received, as is done for other developments._

It is then noted that;

ii. _Where councils wish to exempt the installation of solid fuel heaters from the need for an approval, they should encourage those wishing to install heaters to consult with their neighbours._

How would councils encourage those to consult with their neighbours? Our new neighbours did not consult me. Even when the topic arose during a conversation, I pleaded with them not to install a wood heater as it would seriously affect our property. They were even aware that my mother was suffering with bronchiectasis and on full time oxygen in the home. People do not care - it is up to the government to enforce the councils to make it mandatory to include wood heaters in their DA’s or encourage shires to totally ban them all together.

4. It is recommended (Clean Air) Regulation 2010 that: 

_councils and installers should consider carefully the window positions of nearby houses and adjust chimney heights and if, after adjusting the proposed chimney design, problems are still likely, consideration should be given to not permitting the installation._ And states that: 

_the impacts of wood smoke on local air quality vary from area to area due to differences in topography, weather conditions, housing density, and the number of wood heaters in use and how they are operated. Wood smoke controls, therefore, need to be tailored to specific locations._

i. How can this happen if councils allow the installation of wood heaters without permission through the DA process?

ii. _To allow the ‘industry’ to decide where, if and how wood heaters are installed, is a blatant conflict of interest._

If they need to be tailored to locations how can this happen if councils do not make it compulsory for a DA? I am sure I would not be inflicted with toxic smoke if some of the above recommendations were taken into account.

I note there is also consideration with houses on steep hills and home owners should consider alternatives to solid fuel heating. I live in such an area and if my council included wood heaters in the DA process, I might have been breathing clean air.

Do you think private installers and the wood heater industry would ever recommend a customer not to install a fire in their area? Relying on private installers to install these heaters is again grossly negligent.

5. _The EPA recommends that the minimum discharge height of the chimney be 1 metre above any structure within a 15-metre horizontal radius._
i. How is this adequate? And how is this policed when no application to council is necessary?

Our home is seriously affected by wood smoke from several homes in the area well outside of this recommended distance.

It is almost impossible for me to gauge the distant between our immediate neighbour’s chimney, but I am sure that we would be borderline with the recommendations and my home is engulfed by smoke and fumes. 15 metres is totally inadequate.

6. It is totally ludicrous that the current law relies on council officers to police and enforce wood smoke law when they receive a complaint.
    i. How many officers are available to do so?

I have been told that they are too busy to investigate. I agree, they do not have the resources, given the current laws they have to; time and measure how high the smoke plumes, how long for etc. etc. Can an officer come to my home, stay a day and night to see what I go through?

The council officer I contacted said to me that smoke is normal on start up (my argument is that this ‘start up’ occurs several times a day, because they continually load the fire) adding to that, subjected just once a day is enough to seriously affect one’s health. Once smoke has been emitted it is too late. I have witnessed school children waiting for the bus outside my neighbour’s home in a cloud of smoke.

I engaged a specialist to rectify the air quality and air borne mould within my house where it cost over $7000. These specialists recommended that all home owners should properly ventilate a home daily with open windows and doors, as does a government website ‘Yourhome’ steps to better air quality; if too little fresh air enters a home, pollutants can accumulate to levels that can pose health and comfort problems. All the above was to no avail, I cannot properly ventilate my home, the money I spent to rectify air quality has been destroyed by neighbouring wood heaters.

There is justification to totally ban the installation of all wood heaters and necessary to phase out existing fire places.

I am a victim of wood heater users. My problems include:

i. no council application was necessary in my shire;
ii. consultation with neighbours to no avail;
iii. fire is lit continually over a eight month period: anytime the temperature drops below and including 26 degrees my neighbours light their fire;
iv. I have no control over what they burn i.e. driftwood, treated timber;
v. I cannot enjoy my outside environment;
vi. I cannot wash and dry my clothes outside;
 vii. I have disengaged my smoke alarms as I am tired of them going off;
viii. my sister and I now suffer from migraines and are continually depressed;
ix. I have to close all my windows and doors over a 8 month period;
x. I cannot properly ventilate my home for the long periods of time they light their fire;
xi. I cannot have my bedroom window opened at night, as I am accustomed, because the smell of smoke wakes me with a start.

I would like to see the government ban wood heaters altogether in NSW, particularly in areas with high and/or growing population. If I am forced to move out because of my neighbours wood smoke, whoever purchases my home will be inflicted. If my neighbours move out, the person who buys their home will use the fire place. Residents of NSW (and Australia) are in a no win situation.

Who is liable if it is proved one’s ill health or premature death has been caused by wood heaters currently in place?

I quote Australian Lung Foundation spokesman Dr James Markos “There is no safe level of wood fire smoke in urban areas,”

I urge you to reject the current flawed "standards" set by the wood heating industry and change the current legislation. I urge you to listen to the experts in the medical profession and base policy on their recommendations.

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