



Submission on the POEO (Clean Air) Regulation 2022

The proposed changes do not address the major source of hazardous air pollution in NSW, domestic wood/solid fuel burning. Without urgent efforts to tackle this problem, the current trend of increasing PM2.5 pollution will continue, and NSW will have no chance of meeting the 2025 National Air Quality Standards, let alone the World Health Organisation Air Quality Guidelines.

The proposed changes do not comply with Better Regulation Principle 3 (RIS, page 53) that requires the impact of government action to be properly understood by considering the costs and benefits of a range of options. The failure to consider highly cost effective and beneficial options in the RIS should be corrected as a matter of urgency.

I urge you to consider including the following changes to improve the POEO (Clean Air) Regulation 2022:

1. A cost benefit analysis evaluating whether new wood heaters should be permitted on residential blocks smaller than 2 hectares where a connection to the electricity grid exists. Local councils need improved guidance and regulatory authority to manage the installation of new wood heaters, including requirements to consult neighbours who might be impacted by the pollution.
2. Effective provisions to assist residents who are suffering damage to their health or lifestyle because of wood smoke produced by domestic heaters. Councils should be advised that video is acceptable evidence of excessive smoke. Other evidence, including validated PM2.5 measurements from community monitoring should also be considered acceptable.
3. Empower enforcement action for the requirement that all wood heaters must be installed in accordance with the Australian Standard for installation of wood heaters AS/NZS 2918, which requires the installation of the wood heater flue in such a manner as to prevent smoke penetration through windows or other openings of neighbouring residences. Videos of smoking chimneys and measurements of increased PM2.5 pollution at the victim's property, adjacent to windows, doors or other openings that would allow the smoke to penetrate indoors should be considered sufficient evidence that the installation does not comply with AS/NZS 2019.

A nationally-representative [survey of 25,000](#) people was commissioned by Asthma Australia in November 2021. It found that people exposed to woodfire heaters are largely unable to protect themselves. Only 28% of the general population and 18% of people with asthma said they are able to protect themselves from woodfire heater smoke when it is present.

[Research shows](#) that just one additional modern wood-stove, satisfying the current Australian Standard, per hectare increased the risk children under 3 would need emergency hospital treatment for everything except accidents by 7%. This is an unacceptable increase of risk for people living in environments where domestic woodsmoke is present.

The POEO is the only regulation that empowers Councils to act on domestic wood smoke pollution but it is hopelessly ineffective.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sue Higginson', with a stylized, cursive script.

Sue Higginson
**Greens Member of the
Legislative Council**