

Submission on NSW Clean Air Strategy 2021-2030

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Opening

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing all NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

LGNSW welcomes the opportunity to provide feedback on the draft NSW Clean Air Strategy 2021-2030, particularly given local government's role as a regulator and planning authority which has influence on several of the actions proposed.

This submission was endorsed by the LGNSW Board in August 2021.

Background

The NSW Government released the draft Clean Air Strategy 2021-2030 (the Strategy) for consultation in March 2021. The Strategy builds on the Clean Air for NSW consultation draft in 2016 and the Clean Air Summit in 2017, and includes actions that are tied to several other policies or reviews such as the Energy from Waste Policy, Load Based Licensing review, the Net Zero Plan and Electricity Infrastructure Roadmap.

Local Government has key responsibilities as consent authority for local development, as an environmental regulator, and through strategic planning influences future development and planning decisions.

Response

An overarching comment on the Strategy is that although it identifies actions to be undertaken over its 9 year timeframe, it does not commit to an implementation schedule or target dates for completion of each action. In order for the community to understand the relative priorities of the actions it is important to provide target dates or even groupings of actions, particularly where one action relies on another as a precursor.

There is also no commitment to tracking the implementation of actions / strategies identified, only assessing changes in air quality. We understand that the emphasis should be on the outcomes achieved (air quality improvement) rather than outputs/actions. However, keeping track of how actions are progressing will be important in understanding what measures worked or did not, and where efforts may be better placed in future.

Recommendation 1: The Strategy should include timeframes and/or prioritise actions, and that monitoring and evaluation of the Strategy include tracking of the Strategy's implementation (not just air quality changes).

National Standards

The Strategy notes that air quality management in NSW is guided by national health-based standards for priority pollutants set under the National Environment Protection (Ambient Air Quality) Measure (pg 2), and that air quality is monitored against these standards to evaluate health risks in regions and keep decision-makers and communities informed.

At the 2019 LGNSW Annual Conference councils resolved to call for the NSW Government to provide the necessary resources and assistance to councils to enable them and their

community to meet national standards as soon as practicable where official monitoring shows serious breaches of the national standards contained in the NEPM.

Recommendation 2: Where there are serious breaches of the national air quality standards in an area, provide support to those councils so that the community meets the standards as soon as practicable.

Air quality modelling

In the section estimating population exposure to PM2.5 the Strategy uses airshed modelling conducted in 2013 by the NSW Government's atmospheric research group for the greater metropolitan region based on the 2013 NSW air emission inventory as part of the ongoing *Sydney Air Quality Study for the NSW Greater Metropolitan Region*. The Strategy is setting out actions for the period 2021-2030 using modelling that is already 8 years old – is there more recent modelling available?

1. Better preparedness for pollution events

Hazard reduction burn smoke management

The Strategy notes that the NSW Government is committed to carrying out hazard reduction burning, while balancing the potential impacts of smoke on the community. An interagency committee has established protocols around assessing the likely impact of smoke on communities, actions which may limit the impact of smoke where possible, and how to communicate with members of the community about preventative action to reduce the effects of smoke.

A University of Sydney report reveals bushfires and hazard burning caused 197 premature deaths and 1200 hospitalisations across the city between 2001-13. Recent hazard reduction burns across NSW have contributed to smoke haze and poor air quality for multiple days at a time. Given the serious health implications to the community, transparency around these protocols and assessment triggers for the activation of the smoke management protocols and actions taken to minimise smoke impacts is needed. It is not clear how the substantial additional health burden associated with the indirect effects of smoke from bushfires and hazard reduction burns and the protection of people and property from bushfire are balanced and if burns are postponed to more favourable meteorological conditions.

Recommendation 3: The NSW Government to publish smoke hazard protocols to support transparency and community support for hazard reduction burns.

Bushfire research

The draft Strategy outlines the work of the NSW Bushfire Risk Management Research Hub, including a key research area being to understand cultural burning in NSW and its links to community resilience and well-being. Local government supports investment in research and education materials on the value and application of ecological burns, hazard reduction burns and cultural burns, and also provides the resources to enable this knowledge and practice to be applied by public land managers.

Recommendation 4: The NSW Government should provide greater resourcing and management frameworks for fire authorities and public land managers to adopt ecological burns, hazard reduction burns and cultural burns across reserves.

2. Cleaner industry

Strengthen the clean air regulatory framework

This section of the report proposes several Government actions around strengthening the clean air regulatory framework, which are welcomed, however action on dust from licensed sites also needs to be included. While dust contributes to PM10 rather than the more problematic PM2.5, it is still often cause for community angst and was the subject of a resolution from LGNSW's 2019 Conference. The resolution, put forward by Liverpool City Council, called on the regulatory change to ensure all facilities at high risk of causing dust pollution must install air monitoring equipment and procedure to capture data on an hourly basis that is to be available to the EPA and councils upon request with statutory limits that are enforceable through stringent fines or possible closure of operation.

Load Based Licensing

Local government supports the proposed action to finalise the review of the Load Based Licensing Scheme, which was commenced in 2016. The review is well overdue, although we acknowledge resource constraints within the EPA given a number of critical issues requiring re-direction of resources. LGNSW has been advocating for the EPA to be adequately funded to undertake its core responsibilities (such as LBL review) as well as address unexpected issues.

Energy from Waste

LGNSW's submission to the recent revision of the Energy from Waste Policy Statement did not comment on specific emission standards as we do not have the technical expertise. However we recommended that, for transparency, the policy statement reflect:

- Improvements to Table 1 to make it clearer what the minimum emission standards are.
- The review's recommendation that air quality limits to be reviewed within three years and thereafter at five yearly intervals; and that data will be made publicly available through an online portal.
- That the operating conditions in any Environment Protection Licence for approved facilities will be updated to include any revisions to air quality limits identified by any review of the policy statement.
- Where the emissions monitoring should be undertaken (e.g. direction on appropriate selection of suitable sampling locations or monitoring sites) or make clear this information will be provided at approval stage.
- That higher value resource recovery outcomes are maximised prior to the separated waste streams detailed in Table 5 being used at an energy recovery facility.

LGNSW has also been calling for, and continues to recommend, a full public review of the policy statement.

Local Government Air Quality Toolkit

LGNSW welcomes the Local Government Air Quality Toolkit being modernised and expanded, including information and guidance to assist with the regulation of vapour recovery as suggested in the consultation document. Please also see the 'Wood smoke' section below which includes recommendations on improved guidance for regulating wood smoke.

Develop and implement the Emissions Intensity Reduction Program

LGNSW supports carbon emission intensity reduction program measures that applies across all sectors of the economy including energy generation, mining, transport, waste, construction, buildings and agriculture.

3. Cleaner transport, engines and fuels

Progress policies and incentives to increase uptake of zero and low exhaust emission vehicles

The transport sector contributes some 18% of Australia's total greenhouse gas pollution and Australia is ranked second worst in an international scorecard for transport energy efficiency. EVs provide a viable move away from fossil fuels and contribute to emission reduction goals. Local government plays a key role in enabling EV uptake by:

- Procuring EVs as part of their fleets e.g. Wagga Wagga City Council
- Using the landuse planning system to encourage EV charging infrastructure in high density residential, commercial and industrial developments e.g. City of Sydney.
- Development of policies that encourage third parties to install EV charging including incentivising through the use of public land e.g. Hornsby Shire Council,
- Installing public EV charging infrastructure e.g. City of Newcastle, Willoughby City Council, Waverley, Woollahra and Randwick Councils, Byron and Tweed Shire Councils.

These actions both encourage the market for EVs and address the two main barriers to EV uptake of access to charging infrastructure and drivers' range anxieties. The NSW Government's incentives for electric vehicle uptake, support for charging infrastructure and improved consumer information needs to be aimed at reducing these barriers. Councils also consider the introduction of tax initiatives to encourage the uptake of electric powered vehicles is necessary in order to phase out reliance on fossil fuels. Federal and State governments also should ensure that all vehicles imported into Australia meet the highest EU standard.

LGNSW notes that proposed amendments to the Apartment Design Guide will incentivise EV charging infrastructure through the development application process. However, incentives for existing development are also a priority.

Recommendation 5: The NSW Government to provide support for charging infrastructure, improved consumer information and tax incentives to encourage EV uptake.

4. Healthier households

Wood smoke

Councils have regulatory responsibility for managing excessive smoke or complaints about smoke from wood heaters as well as other fires for recreational and cooking purposes eg outdoor ovens, chimineas. The latter can create localised air pollution and trigger neighbour disputes in the same way as wood heaters.

Figures in the Strategy indicate that wood smoke is a significant and increasing contributor to poor air quality. Although the Australian Standard for wood heaters has been updated, we still have a large existing stock of heaters that do not meet the standard. Even where these older wood heaters are being used appropriately the cumulative impacts in a community can be significant. Residents may not have the financial capacity to upgrade or in rural/regional areas they may be unable to switch to another heat source as they do not have access to the electricity grid or gas.

Many councils run woodsmoke educational and engagement programs in their community during winter months and make use of information and pamphlets based on EPA materials to educate individuals. The EPA used to provide grants to councils to assist with education and behaviour change, however this ceased a couple of years ago. A return of this program would be welcomed.

Taking regulatory action for excessive smoke is often difficult for councils due to the time and resources required eg staff time to inspect emissions from individual houses in the evenings (often in the dark) or at weekends when problems are more likely to occur. Councils would like clearer and easier to use powers for regulating wood smoke, both from flued appliances such as wood heaters and for outdoor residential sources.

Recommendation 6: Provide councils with clearer and easier to use powers for regulating wood smoke.

Even with clearer regulatory powers, the cumulative impact of heaters that pre-date the latest Standard and other smoke emissions can only really be addressed through education and behaviour change. There is a need for a community education campaign on smoke-generating activities more broadly, coupled with training and incentives for compliance and upgrading of heaters (either to meet the Standard or to a different heating method). For replacements in areas without grid power or gas, incentives for alternative fuel supply (eg solar panels, batteries) should also be included.

Recommendation 7: The Strategy must drive behaviour change by incentivising voluntary compliance (for heaters that meet the Standard) and wood heater upgrades or changed heating methods. Upgrades / changed heating methods should include incentives for securing alternative (and cleaner) fuel sources.

Understanding the impact of education / behaviour change programs and incentives programs can be difficult without good data. The Upper Hunter Fine Particulate Characterisation Study quantified the wood smoke component of PM_{2.5} in the atmosphere during the winter months of 2012. Repeating this or similar studies to quantify wood smoke contribution to air pollution would be useful to councils undertaking wood smoke reduction programs in the future.

Recommendation 8: Air quality monitoring should include / facilitate more detailed studies (eg fine particulate characterisation), to support decisions around future actions and investment of time/resources at local and state scale.

Integrate air quality protections in the planning system

The Strategy will review planning instruments and guidance, including the Building Sustainability Index (BASIX), to support reduced energy/heating demand by households.

Local Government has concerns that BASIX favours natural gas systems for water heating and cooking rather than electric alternatives, such as heat pumps and induction cooking. This is inconsistent with the NSW Government's net zero emissions target and this Strategy.

Indoor air pollution from gas appliances has been strongly linked with respiratory problems, most notably asthma. Exposure to carbon monoxide from gas appliances can have lasting adverse effects, including trouble with memory and concentration, and other neurological problems. Modern, efficient rangehoods and flues that vent outdoors will reduce, but not eliminate, the risk of respiratory illness.

Recommendation 9: BASIX must take into account the health risks associated with using natural gas in households when supporting low emissions technologies to assist in meeting net zero emissions by 2050.

5. Better places

The Strategy identifies the importance of integrated planning for enabling cleaner transport options and minimising car use, minimising exposure to air pollution sources, using vegetation to improve air quality and build resilience. It also states that “Land-use planning will be complemented by strong regulation to minimise air impacts” (pg 49). Is this referring to (new) planning regulation or to other regulatory changes already foreshadowed in the document?

Local government relies on the NSW government to be able to meet the goal of increasing the use of public transport. In order to reduce reliance on private vehicles, it is vital that the NSW Government consider increasing supply of public transport including train services in regional areas. The Strategy currently focuses on the greater metropolitan region in discussing integrated planning and transport but there is also a need for increased public transport options in regional areas.

Recommendation 10: The Strategy should include actions for integrated planning and transport in regional areas.

LGNSW administers the NSW Government’s Greening our City grant program, which supports councils and their partners to enhance urban tree canopy and green cover by co-funding tree planting and demonstration projects across Greater Sydney. Sydney councils have embraced the program with over \$10M awarded in the 2020 round, and a similar figure available in the 2021 round. Regional councils are also sorely in need of support to improve their urban tree canopy and benefit from improved air quality and heat resilience.

Recommendation 11: The NSW Government provide financial support to regional councils to increase their urban tree canopy.

Conclusion

Local Government NSW welcomes the opportunity to provide input to the draft NSW Clean Air Strategy 2021-2030. Our submission includes several recommendations to enhance the Strategy, including recommendations to improve air quality in regional NSW.

In summary our recommendations are:

Recommendation 1: The Strategy should include timeframes and/or prioritise actions, and that monitoring and evaluation of the Strategy include tracking of the Strategy’s implementation (not just air quality changes).

Recommendation 2: Where there are serious breaches of the national air quality standards in an area, provide support to those councils so that the community meets the standards as soon as practicable.

Recommendation 3: The NSW Government to publish smoke hazard protocols to support transparency and community support for hazard reduction burns.

Recommendation 4: The NSW Government should provide greater resourcing and management frameworks for fire authorities and public land managers to adopt ecological burns, hazard reduction burns and cultural burns across reserves.

Recommendation 5: The NSW Government to provide support for charging infrastructure, improved consumer information and tax incentives to encourage EV uptake.

Recommendation 6: Provide councils with clearer and easier to use powers for regulating wood smoke.

Recommendation 7: The Strategy must drive behaviour change by incentivising voluntary compliance (for heaters that meet the Standard) and wood heater upgrades or changed heating methods. Upgrades / changed heating methods should include incentives for securing alternative (and cleaner) fuel sources.

Recommendation 8: Air quality monitoring should include / facilitate more detailed studies (eg fine particulate characterisation), to support decisions around future actions and investment of time/resources at local and state scale.

Recommendation 9: BASIX must take into account the health risks associated with using natural gas in households when supporting low emissions technologies to assist in meeting net zero emissions by 2050.

Recommendation 10: The Strategy should include actions for integrated planning and transport in regional areas.

Recommendation 11: The NSW Government provide financial support to regional councils to increase their urban tree canopy.

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