

**Senate Inquiry on the impacts on health of air quality in Australia**

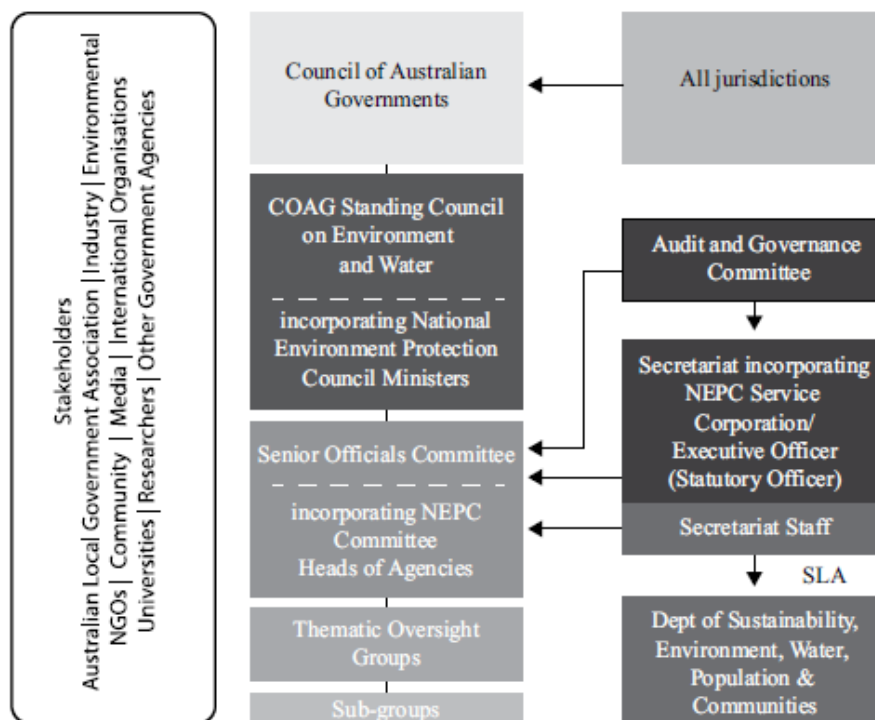
**Supplementary submission by the**

**Department of Sustainability, Environment, Water, Population and Communities**

**June 2013**

The following supplementary information is provided in response to questions taken on notice by the Department of Sustainability, Environment, Water, Population and Communities at the public hearing on 17 May 2013 of the Senate Community Affairs References Committee into the impacts on health of air quality in Australia.

***Structure of the Standing Council for Environment and Water and the National Environment Protection Council and subsidiary bodies***



National Environmental Protection Council *Annual Report 2011–2012*

The COAG Standing Council on Environment and Water is a council of ministers responsible for environment and water from the Commonwealth, all states and territories and New Zealand. The Australian Local Government Association is also represented. The Commonwealth Minister responsible for the environment chairs the Council.

Each member of the ministerial Standing Council on Environment and Water nominates a representative to the Senior Officials Committee (SOC) which, for Australian governments, is usually the head of the environment agency. The Secretary of the Commonwealth department with responsibility for the environment chairs the SOC.

The SOC creates Thematic Oversight Groups to progress work plans for COAG priorities. Membership of Thematic Oversight Groups is specific to each Group and may include

technical, policy or administrative representatives from the Commonwealth and all states and territories. The development of the National Plan for Clean Air is being progressed by the National Plan for Clean Air Thematic Oversight Group.

The National Environment Protection Council is a statutory body with law-making powers established under the *National Environment Protection Council Act 1994* (Cth), and corresponding legislation in other Australian jurisdictions. The National Environment Protection Council operates as part of the governance arrangements for the Standing Council for Environment and Water. Its membership does not include representatives from New Zealand or the Australian Local Government Association as is the case for the Standing Council on Environment and Water.

### ***Australian Standards relating to wood heaters***

Standards Australia is the peak non-government standards organisation. It leads and promotes a standards development process. Standards it develops are called Australian Standards and are not legal documents. However, governments can choose to apply them through their own legislation.

In 1992 Standards Australia introduced two Australian Standards for domestic solid fuel burning appliances governing efficiency (AS/NZS 4012) and emissions (AS/NZS 4013). These standards were revised by Standards Australia in 1999, when the emission threshold was reduced to 4 grams of particulate matter (PM10) emitted per kilogram of fuel burnt (previously 5.5g/kg). Most Australian jurisdictions require compliance with the emissions limit in accordance with this Australian Standard.

The standards do not specify an efficiency criterion. To comply with AS/NZS 4012 the efficiency result must be reported on a label permanently attached to the appliance.

A further revision exercise of the wood heater Australian Standards was initiated in 2004 to

- introduce a minimum operating efficiency
- again reduce allowable emissions thresholds
- adopt a new test protocol to better simulate real-world operations.

The process stalled in 2007 and no action was taken on revising these Australian Standards at that time.

Standards Australia reconstituted the standards committee following the Australian Home Heating Association lodging a new proposal with Standards Australia in September 2011. This proposal, which was accepted by Standards Australia in May 2012, is to reduce the emissions limit to 2.5g/kg and introduce a 55 per cent efficiency threshold. The reconstituted committee has met three times, the last being on 18 April 2013.

Additional information on these standards development processes would need to be obtained from Standards Australia.

### ***Non-road spark ignition engines and equipment***

Non-road spark ignition engines and equipment (NRSIEE) comprise marine spark ignition engines, including outboard, inboard, and stern-drive engines for recreational watercraft, including jet-skis, and small spark ignition utility engines (< 19kW) that are mostly associated with powered garden equipment.

A cost benefit analysis of options to reduce emissions from NRSIEE was released in November 2008 by the Environment Protection and Heritage Council as a part of the development of a regulation impact statement for consultation on options to manage air pollutant emissions from NRSIEE.

The public release of the consultation Regulation Impact Statement (RIS) occurred in May 2010. A period of public consultation then followed from May to July 2010.

A review of the Ministerial Councils was commenced by COAG in November 2010 that included the Environment Protection and Heritage Council. The COAG Standing Council of Environment and Water, was subsequently formed in September 2011 and replaced the Environment Protection and Heritage Council. Under the new Council, work commenced on the development of a National Plan for Clean Air. A public statement on the development of the National Plan for Clean Air was released on 31 May 2012.

The development of the National Plan for Clean Air includes progressing the work already underway considering options to manage emissions from NRSIEE. In the latter half of 2012 additional consultation was undertaken with key NRSIEE stakeholders and clarification was sought on issues that were raised during the original consultation. A consultation summary report, which provides an overview of the main matters that were raised in submissions regarding the consultation RIS, was released in November 2012.

The preparation of a decision RIS for options to reduce emissions from NRSIEE was commenced in 2013.

### ***Recommendation 11 from the review of the National Environment Protection (Ambient Air Quality) Measure***

On 16 September 2011, the Standing Council on Environment and Water agreed to release the review of the National Environment Protection (Ambient Air Quality) Measure (Air NEPM). Based on the evidence assessed through the review, 23 recommendations were made. Overall these recommendations support a shift in the focus of the Air NEPM to an integrated, risk-based approach, with improvements in exposure assessment and reduction and monitoring approaches.

The current Air NEPM has a formula<sup>1</sup> for determining the number of monitoring stations for gathering data for the NEPM. The formula includes the application of a regional population base of 25 000 people.

Recommendation 11 of the review proposes to “remove the population threshold and formula to enable monitoring on potential population risk rather than on population size”.

The review concluded that the population formula and population threshold should be removed and a more risk-based approach to monitoring be adopted across regional populations rather than population centres. The review considered the population formula as an impediment to effective monitoring and therefore to adequate protection of populations, particularly those in small regional centres that characterise populations in several jurisdictions.

The Standing Council on Environment and Water has noted that the review’s recommendations are being prioritised and responded to in the context of the development of the National Plan for Clean Air.

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<sup>1</sup> **National Environment Protection (Ambient Air Quality) Measure** as amended, made under section 20 of the *National Environment Protection Council Act 1994* (Cth) and complementary state and territory legislation

#### **Part 4 : 14 Number of performance monitoring stations**

(1) Subject to subclauses (2) and (3) below, the number of performance monitoring stations for a region with a population of 25,000 people or more must be the next whole number above the number calculated in accordance with the formula:

$$1.5P + 0.5$$

where **P** is the population of the region (in millions).

(2) Additional performance monitoring stations may be needed where pollutant levels are influenced by local characteristics such as topography, weather or emission sources.

(3) Fewer performance monitoring stations may be needed where it can be demonstrated that pollutant levels are reasonably expected to be consistently lower than the standards mentioned in this Measure.