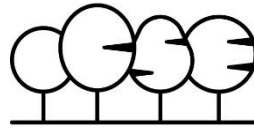


FOI 23/038126 – EPSDD response to Applicant

Item	Applicant's questions	EPSDD response
1	<i>Please provide the most up-to-date list of businesses which have undertaken to comply with the ACT Firewood Code of Practice, including the dates that each business was entered on the register.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
2	<i>Does the Government have statistics, or an estimate, of the total number of firewood merchants selling firewood to the ACT each year for the last 15 years</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
3	<i>Each year for the last 15 years, what is the total amount in tonnes of firewood sold to the ACT and (a) what percentage of this is supplied by retailers compliant with the Firewood Code of Practice and (b) what is the percentage of this that is (i) hardwood, (ii) softwood, (iii) seasoned, (iv) unseasoned and (v) boxwood.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
4	<i>By the year, what are the geographic regions for the firewood and whether the source of the timber was plantation or non-plantation.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
5	<i>What auditing does the Government do of businesses that are registered as agreeing to the ACT Firewood Code of Practice, for example, to ensure they sell seasoned wood only and when were any audits last conducted.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
6	<i>Please provide data on the results of compliance checks carried out under the Code of Practice by year from 1999 to 2023.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
7	<i>What actions has the Environment, Planning and Sustainable Development Directorate - Environment taken to avoid institutional failure where the processes and structures relating to the enforcement of laws and policies on wood heaters do not operate efficiently or effectively in other parts of the ACT Government?</i>	No information held by EPSDD
8	<i>What actions has the Commissioner for Sustainability and the Environment taken to avoid institutional failure where the processes and structures relating to the enforcement of laws and policies on wood heaters do not operate efficiently or effectively in other parts of the ACT Government?</i>	Under Section 12.1(c) of the Commissioner for Sustainability and the Environment Act 1993, the Commissioner self-initiated an investigation into wood heater policy for the ACT. This resulted in a Special Report, as described in Section 21 of the Act.
9	<i>Which ACT Government Agency and ACT Govt Minister is responsible for the enforcement and regulation of the Wood heater emissions and efficiency standards and best practice management?</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)

10	<i>Over the last 5 years, what specific actions has the ACT Government taken to address the "Difficulty with enforcement of smoke standards" which Commissioner for Sustainability and the Environment discusses in her Investigation. Specifically, interested in any information on the lack of resources or inadequate co-ordination of enforcement in a manner that best makes use of the available resources.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
11	<i>Air quality in the ACT is generally excellent compared with other Australian cities and is considered clean by world standards. Over the last 15 years, has the ACT Government agency responsible for the Burn Right Tonight ever advised a Minister that the "Burn Right Tonight" campaign is not effective in improving air quality to safe levels in winter? Has this advice been explained in the Annual Report for the Agency?</i>	No information held by EPSDD
12	<i>Has the ACT Government agency responsible for the Wood Heater Replacement Program ever advised the responsible Minister that the Wood Heater Replacement Program has not been effective?</i>	The scope of advice provided to Ministers has related to program engagement, program changes due to changes in policy settings, and outcomes of market research undertaken by the Directorate on attitudes and behaviours towards wood heaters and associated programs within the ACT.
	<i>Has this advice been explained in the Annual Report for the Agency?</i>	The annual report reports on the number of rebates paid under the program each financial year and notes any changes to the program that have come about as a result of changes to policy settings.
	<i>In what year did ACTEW AGL stop funding rebates for residents who installed gas heaters?</i>	From 1 July 2017 gas subsidies were no longer offered through the program. Applicants for gas subsidies approved prior to 1 July 2017 were able to claim rebates until 31 December 2017. ActewAGL Pty Ltd provided the funding for the gas subsidies. This was noted in 2017/18 EPSDD Annual Report on page 67: https://www.planning.act.gov.au/_data/assets/pdf_file/0005/1262786/2017-18-EPSDD-Annual-Report.pdf .
	<i>What year did the program stop funding gas heaters?</i>	2017, as specified in the 2017/18 EPSDD Annual Report page 67: https://www.planning.act.gov.au/_data/assets/pdf_file/0005/1262786/2017-18-EPSDD-Annual-Report.pdf .
	<i>Does an industry or the ACT Government fund the Wood Heater Replacement Program?</i>	The ACT Government funds the current Wood Heater Replacement Program.
13	<i>What costing have been developed that describe the estimated costs for all trades for property owners to remove of wood heaters (and remediate the damaged area) before a property in any ACT suburb (excluding rural areas) can be sold? What assumptions are built into the costings?</i>	No information held by EPSDD

14	<i>What is the estimated cost to establish and maintain each year a register of wood heaters in the ACT to determine the number and age of wood heaters?</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
15	<i>What is the estimated cost to develop and apply empirical criteria for determining environmental harm or nuisance from wood heater smoke, such as assessment of smoke composition and air quality monitoring at the affected sites, as part of EPA investigations.</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
16	<i>What is the estimated cost urgently undertake an assessment of air pollutant emissions from diffuse sources to update the National Pollutant Inventory data (1999)</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)
17	<i>When will the Regulatory Impact Statement for the proposed rules mandating removal of wooden heaters be available publicly?</i>	No information held by EPSDD
18	<i>Which policy options to reduce the impact on wooden heaters were be eliminated as not feasible?</i>	No information held by EPSDD
19	<i>What is the estimated reduction in wood heater particulate emissions over the last 15 years in the ACT?</i>	See CMTEDD response at Freedom of Information 2023-105 (act.gov.au)



OFFICE OF THE COMMISSIONER
FOR SUSTAINABILITY AND
THE ENVIRONMENT

Ms Rebecca Vassarotti, MLA
Minister for the Environment
GPO Box 1020
CANBERRA ACT 2601
Email: Vassarotti@act.gov.au

Dear Minister Vassarotti

Re: New Investigation by the Commissioner for Sustainability and the Environment

I am writing to inform you of my intent to conduct an investigation into woodfire heater use in the ACT. This is an investigation under Section 12.1(c) of the *Commissioner for Sustainability and the Environment Act 1993* (the Act). It will result in the preparation of a Special Report as described in Section 21 of the Act.

A number of factors have contributed to my decision to investigate this matter, including:

- a number of enquiries to my Office from members of the public regarding domestic woodfire heater smoke and its effects on their health, amenity and the environment.
- a growing body of evidence about the harms to environmental and human health resulting from woodfire heater use.
- anecdotal accounts of an increase in woodfire heater installation in both renovations and new builds in the ACT.
- a lack of evidence regarding the success of the ACT Government's efforts to reduce woodfire heater use in the ACT, including its Wood Heater Replacement Program and public education campaigns.
- a lack of evidence that the ACT Government has considered the impacts of continued woodfire heater use in the Territory in the context of more frequent, extended and severe bushfires predicted (and already in evidence) as a result of climate change in its policy settings.

As part of this investigation, my staff will consult extensively with EPSDD staff regarding the policy and programs that are in place in relation to woodfire heater use. Technical experts will be consulted if needed. It is anticipated that this investigation will take under three months depending on how quickly the requested information is provided.

Commissioner: Dr Sophie Lewis
GPO Box 158 Canberra ACT 2601

ABN: 66 893 463 785

T: (02) 6207 2626 E: envcomm@act.gov.au W: www.envcomm.act.gov.au



This Office is independent of, but funded by, the ACT Government.

A written report on my findings will be provided to you following the investigation for tabling at the Legislative Assembly.

If you wish you meet to discuss this investigation further, please contact my Executive Assistant, Megan Reichstein, on 6207 2626 or by email, Megan.Reichstein@act.gov.au

If you have any questions or concerns, or if you wish you provide further information in relation to this complaint, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Lewis', with a long horizontal flourish extending to the right.

Dr Sophie Lewis
Commissioner for Sustainability and
the Environment

30 September 2022