



Wood Smoke Information Guide

Council understands the importance of managing and regulating air pollution and smoke nuisance from wood fire heaters as it can affect both the environment and public health. If you can see or smell smoke from your wood fire heater, then you may be adversely impacting on your wellbeing as well as the surrounding elements and the community. As such, Council does not recommend the installation and use of wood fire heaters, however encourages other methods of home heating. See [EPA Website](#) for more information.

If you are planning to install, or have an existing wood fire heater you must ensure that it has been legally installed and operates efficiently to avoid unnecessary air pollution and smoke nuisance.

Current Wood Smoke Heater Controls

A Council approval or development consent is required to install and operate a wood fire heater.

Council approval is required under Section 68 of the *Local Government Act 1993* for the installation and operation of a domestic oil or solid fuel heating appliance. An *Application for a Domestic Heater under Section 68 of the Local Government Act 1993* is available on Council's website www.northernbeaches.nsw.gov.au

If Council approval has not been sought for the installation and operation of the heating appliance, then Council requests that you stop using it until the required approval has been gained.

In the event that you are planning to carry out other building works and lodging a Development Application (DA), you may wish to include your wood fire heater in your DA under the provisions of the *Environmental Planning & Assessment Act 1979*.

All wood fire heaters must be made to comply with the Australian Standards (AS) for wood fire heater emissions under AS4013. It is illegal to install a wood fire heater that does not comply with this Australian Standard.

From 1 November 2016 all new solid fuel home heaters sold in NSW (locally and imported) must have at least 55% efficiency and less than 2.5g of particle emissions per kilogram of fuel burnt (g/kg). From 1 September 2019 all new solid fuel home heaters sold in NSW (locally and imported) must have at least 60% efficiency and less than 1.5 g/kg. This is to ensure the heating appliances are clean burning and environmentally responsible.

Approval Assessment

As part of the approval process, Council undertakes a thorough assessment including, but not limited to following considerations:

- Current Council Policies and Development Control Plans



- National Construction Code, Standards and guidance documents, design, manufacture, adaptation, installation, operation, certificate of compliance and maintenance of heating appliances.
- Type of heating appliance, location – topography, neighbouring buildings/uses, height of flue/exhaust, submissions received following neighbourhood notification of DA
- AS/NZS 4012:2014 *Domestic solid fuel burning appliances—Method for determination of power output and efficiency*
- AS/NZS 4013:2014, *Domestic solid fuel burning appliances—Method for determination of flue gas emission*
- AS/NZS 2918-2001 *Domestic Solid Fuel Burning Appliances - Installation*

Tips on Correct Operation

Excessive smoke from a domestic oil or solid fuel heating appliance is a pollutant that can cause health problems for yourself, your family and your neighbours. Accordingly, you must take all practicable measures to prevent the likelihood of causing smoke and/or odour nuisances. Measures include, but are not limited to:

- Using dry seasoned hardwood only
- Storing wood in a dry well ventilated place
- Using an approved Australian Standard solid fuel heater
- Having a hot well oxygenated fire
- Ensuring that the chimney flue is clean and regularly serviced
- Checking the chimney at different stages of the fire to see if there is any smoke
- Consulting your neighbours to find a mutually agreeable time to operate the heater
- Don't let your fire smoulder overnight
- Check your wood is dry by tapping it with a coin. You should hear a loud, hollow sound.
- Use a number of small logs in your heater
- Rely on your home's insulation to hold in enough heat for the night

Investigation of Complaints

A preliminary assessment of all matters will be made to determine whether investigation or other actions are required. Council will prioritise matters on the basis of risk to public safety, human health and the environment.

Council officers are to investigate air pollution incidents consistently and without bias ensuring transparency, procedural fairness and natural justice principles.

An initial enquiry to Council regarding alleged unlawful installation or pollution from a wood fire heater may result in an Advisory letter with helpful tips on obtaining an approval or best practice when operating the heater.

Further enquires to Council may result in inspections and Warning letters if there is evidence of non-compliance, such as minor air pollution (short duration), or nuisance caused by unforeseen circumstances or genuine misunderstanding of requirements.



Clear breaches of the *Protection of the Environment Operations Act 1997* in regards to excessive smoke or creation of an *offensive odour* may result in a Prevention Notice or Smoke Abatement Direction. Penalty Infringement Notices (PIN's) and/or administration fees may apply.

Council will have due regards to the *Compliance and Enforcement Policy* and the *Compliance and Enforcement Guidelines* when making determinations relating to investigation of complaints and enforcement action taken, including where no action will be taken.

Link: <https://www.northernbeaches.nsw.gov.au/council/publications/policies-and-codes>

Protection of the Environment Operations Act 1997 definitions

offensive odour means an odour:

(a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances:

(i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted,

or

(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or

(b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.

Excessive smoke means the emission of a 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.”

Link: <https://www.legislation.nsw.gov.au/#!/view/act/1997/156/dict1>

Further Information and Forms

Please visit Council's website www.northernbeaches.nsw.gov.au for relevant forms and detailed information.

Should you require additional information about this matter, please contact Council's customer service on 1300 434 434 or email to council@northernbeaches.nsw.gov.au