



# **19<sup>th</sup> Meeting of EPHC**

## **Communiqué**

5 November 2009

### **Historic agreement sets waste agenda to 2020 for less waste and more resources**

Australia's environment ministers have agreed to a new national policy on waste and resource management. The historic agreement took place in Perth at the biannual meeting of the Environment Protection and Heritage Council (the Council). The National Waste Policy sets the agenda for waste and resource recovery in Australia over the next 10 years.

Ministers agreed to a landmark product stewardship framework and announced that televisions and computers would be the first products to be covered by this legislative framework. Under the National Waste Policy the tyre industry is also developing a scheme to increase recycling in Australia of used tyres.

The National Waste Policy was developed based on the body of evidence obtained from a nine month public consultation process together with comprehensive research and analytical work from independent experts. Public consultation included the release of a consultation paper in April 2009 and a draft national waste policy framework in July 2008. 210 submissions were received from industry, community, local government, and other stakeholders; over 420 people participated in discussions around Australia, 499 people/organisations subscribed to the e-news service used as part of the process.

The aims of the National Waste Policy are to:

- avoid the generation of waste; reduce the amount of waste (including hazardous waste) for disposal; manage waste as a resource and ensure that waste treatment, disposal, recovery and reuse is undertaken in a safe, scientific and environmentally sound manner; and
- contribute to the reduction in greenhouse gas emissions, energy conservation and production, water efficiency and the productivity of the land.

Waste and resource recovery are matters of community concern – as evidenced by the choice modelling undertaken by Council – and many governments have been pursuing a range of innovative strategies and approaches to manage waste. Many industries also have taken the initiative in promoting whole-of-life-cycle planning for their products. Through the National Waste Policy Ministers seek to enhance, build on and complement these policies and actions at all levels of government and the community.

The National Waste Policy sets directions in six key areas: taking responsibility, improving the market, pursuing sustainability, reducing hazard and risk, tailoring solutions, and providing the evidence. The policy identifies 16 priority strategies that would benefit from a national or coordinated approach.

Activities under the 16 strategies will include: work to remove market impediments to the development of effective markets for waste and recovered resources, improve certainty, reduce costs for governments and business and facilitate investment. Strategies will be developed for organic waste that complement the Australian Government's climate change and sustainability agendas; options for enhancing the capacity of regional and remote communities to more effectively manage their waste and realise local recycling initiatives are another important part of the work program. Efforts will continue to reduce the potentially hazardous content of waste, and ensure that these wastes are recovered, handled and disposed of safely. Improved waste information will lead to better planning and evidence based decision making.

As part of its commitment to a national policy on waste and resource recovery, Council agreed to release a National Waste Overview and also agreed that a National Waste Report would be published by the end of 2009.

There is a strong focus in the policy on taking responsibility, through product stewardship, to reduce the environmental, health and safety footprint of manufactured goods through design, manufacture, supply chain, consumption and at end of life. As part of the National Waste Policy, ministers' agreement to a product stewardship framework will include the provision for the Commonwealth to support industry-run recycling schemes, where a net community benefit for intervention has been established, through legislation that prevents 'free-riding' on the voluntary efforts of responsible companies.

Following extensive industry and public consultation, and a regulation impact statement that established there is a significant net community benefit from government intervention, ministers also announced that televisions and computers would be the first products to be covered by the new national product stewardship legislative framework.

The product stewardship framework will also provide support through voluntary accreditation of community and industry run recycling schemes. The lighting industry and key stakeholders are working with government to increase the recycling of mercury containing lights and, in partnership with governments, the tyre industry is also developing a scheme to increase recycling in Australia of used tyres.

Consistent with the strong focus on product stewardship, ministers supported the strengthened Australian Packaging Covenant to replace the National Packaging Covenant due to expire on 30 June 2010. The updated covenant has a greater focus on package design, workplace recycling, public recycling, and litter reduction projects.

Council considered a progress report on implementing COAG reforms for labelling chemicals and noted the progress made on developing legislative options for a statutory body to regulate the environmental management of chemicals by the end of 2011.

At the meeting, Council also addressed a number of natural and historic heritage issues. Ministers agreed to an Australian World Heritage Intergovernmental Agreement, which sets out arrangements to manage Australia's World Heritage properties and commended the Australian World Heritage Advisory Committee in identifying high priority areas common in Australia's World Heritage properties.

Council endorsed Australia pursuing ratification of the UNESCO 2001 Convention for the Protection of the Underwater Cultural Heritage, and the inclusion of the Historic Shipwrecks projects in the Cooperative National Heritage Agenda.

Council noted progress made towards completing research into heritage buildings and environmental sustainability and requested a report at the conclusion of the heritage and sustainability projects.

## **NEPC Act Review**

The National Environment Protection Council endorsed a set of drafting instructions to amend the National Environment Protection Council Acts of each jurisdiction. These amendments follow the recommendations of the Report of the Second Review of the National Environment Protection Acts undertaken by Ramsay and Associates. The amendments are designed to enable greater transparency and ease in administering processes associated with national environment protection measures and enhance the systems already in place.

## **HERITAGE**

### **World Heritage Intergovernmental Agreement**

Council agreed to an Australian World Heritage Intergovernmental Agreement which sets out arrangements between the Commonwealth and the states for the management of Australia's World Heritage properties. The Intergovernmental Agreement outlines agreed approaches to management, funding, nomination, listing, monitoring and promotion of Australia's World Heritage properties.

### **Australian World Heritage Advisory Committee**

Council commended the recently established Australian World Heritage Advisory Committee (AWHAC) for its prompt action in identifying areas of high priority common to Australia's World Heritage properties. Council requested that EPH Standing Committee report back in early 2010 with advice on AWHAC's recommendations.

### **Underwater Cultural Heritage Convention**

Council endorsed Australia pursuing ratification of the UNESCO 2001 Convention for the Protection of the Underwater Cultural Heritage, subject to Australia's normal treaty making processes. Council will consider a draft Australian Underwater Cultural Heritage Intergovernmental Agreement in early 2010. The agreement will outline agreed approaches to the identification, protection, management, conservation and interpretation of Australia's underwater cultural heritage.

### **Historic Shipwreck National Collaborative Research Project**

Council endorsed the inclusion of the Historic Shipwrecks in situ preservation and reburial research project in the Cooperative National Heritage Agenda.

### **Heritage and Sustainability Project**

Council noted the progress towards completing the ground-breaking research into heritage buildings and environmental sustainability. It commended the extension of this project to include commercial building types, and welcomed the active involvement of a number of Australasian jurisdictions in this project. Council requested a report at the conclusion of the heritage and sustainability projects.

### **Geoparks**

Environment and Heritage Ministers contributed to the development of an Australian Government national position on UNESCO Geoparks. They decided, after consultation with Resource Management Ministers, that whilst Australian governments support geological heritage, they have significant concerns with the application of the UNESCO Geoparks concept in Australia, especially without government endorsement. Existing mechanisms are considered sufficient to protect geoheritage in Australia. Council requested that the Australian Government advise UNESCO that Australia would not recognise the Kanawinka Geopark because of the deficient UNESCO process in declaring it. Council also requested the Australian Government ask UNESCO to take no further action to recognise any future proposals for Australian members of the Global Geoparks Network, or to further progress Geoparks initiatives within Australia, including that for the Kanawinka Geopark, unless the formal agreement of the Australian Government has first been provided.

## **WASTE MANAGEMENT**

### **National Waste Policy**

Council agreed to a National Waste Policy which will set a clear agenda for individual and collective national action on waste for the next 10 years, to 2020. The policy focuses on 'less waste more resources'.

Waste and resource recovery are matters of community concern – as evidenced by the choice modelling undertaken by Council – and many governments have been pursuing a range of innovative strategies and approaches to manage waste. Many industries also have taken the initiative in promoting whole-of-life-cycle planning for their products.

Through the National Waste Policy Ministers seek to enhance, build on and complement these policies and actions at all levels of government and the community.

The Policy will also ensure that waste treatment, disposal, recovery and reuse is done in a safe, scientific and environmentally sound manner, and aims to complement broader government policies for climate change and sustainable use of land, energy and water resources.

The policy contains 16 priority strategies that require a coordinated national approach and Council will consider detailed implementation plans for key priorities at its first meeting in 2010. Work will commence immediately on developing a National Product Stewardship legislative framework, for introduction into the Australian Parliament. The framework will provide for the accreditation of product stewardship schemes run by industry and community organisations. It will also provide for national co-regulatory schemes for specific products and materials, like televisions and computers, by providing 'free rider' protection to prevent those who choose not to take responsibility for stewardship of their products from gaining an advantage over those who do.

### **Television and Computer Product Stewardship**

After considering a regulation impact statement that found that there is substantial community benefit from government intervention, ministers agreed that the Australian Government would, under the new product stewardship legislative framework, implement regulation to support an industry-led scheme that will collect and recycle end of life televisions and computers. The legislative framework will work to ensure non-participants in the industry-led scheme/s comply with the same standards as voluntarily participants in the scheme.

The Commonwealth will expedite the legislative framework to underpin the scheme. Both Product Stewardship Australia and the Australian Information Industry Association have committed to fast track the establishment and initial operations of "Producer Responsibility Organisations" that will manage national recycling schemes.

Industry will also roll-out relevant community information and education materials in preparation for national collection and recycling schemes.

Industry will work closely with relevant State and Territory agencies, and local government, to design specific collection and recycling programs.

In the interim the community is encouraged to access existing arrangements for recycling where they are provided, including e-waste collection days, offers by individual retailers and companies or local collection arrangements. Where these are not available, safe storage of equipment is encouraged.

Ministers again thanked the television and computer industries for their significant contribution to the process to date and their ongoing commitment to seeing a national scheme in place to effectively manage the recovery and recycling of end-of-life TVs and computers in Australia.

## **Tyre Product Stewardship**

Ministers today announced that product stewardship initiatives for handling end of life tyres are expected to come forward for accreditation in 2010 under the new National Waste Policy, adopted at the Environment Protection and Heritage Council meeting in Perth.

All jurisdictions will actively work with the tyre industry stakeholders to put in place schemes commencing in 2010 that will develop the market and gain more value from the 52 million tyre EPU's (Equivalent Passenger Units) that reach end of life in Australia each year.

Ministers thanked the tyre industry for their significant contribution to the process to date and their ongoing commitment to develop a national scheme to effectively manage the recovery and recycling of end of life tyres in Australia.

## **Beverage Container Investigation**

Today ministers heard expert advice on the preliminary findings of the modelling study which found a high level of community interest in recycling packaging, with little difference between geographic locations.

Ministers are keenly awaiting the results of the final report, to assist them to make an evidence based decision on what action to take on the community's desire to recycle more packaging and reduce litter. If a sufficient willingness to pay is demonstrated by the community, through the report findings, the next step would be to compare this against the cost of a range of options, including a Container Deposit Scheme and a range of other targeted activities.

All jurisdictions will continue to work with relevant stakeholders out of session to progress the issue.

## **National Packaging Covenant**

Ministers today supported in-principle the strengthened Australian Packaging Covenant to replace the National Packaging Covenant which is due to expire on 30 June 2010. The updated Covenant will build on the success of the model over the last decade in reducing the environmental impacts of consumer packaging. They also agreed to extend the existing arrangements by up to one year to allow a smooth transition.

The proposed Covenant will significantly streamline the requirements on signatories while providing strengthened governance and compliance procedures to ensure confidence in the delivery of outcomes. It includes a greater focus on the sustainable design of packaging, and will also provide more investment in workplace recycling, public place recycling and litter reduction projects.

Ministers welcomed the leadership shown by industry in committing to a greater role in delivery of covenant programs, and look forward to their contribution growing over the life of the Covenant.

## **AIR QUALITY**

### **Air Toxics NEPM Midterm Review**

Today ministers initiated the mid-term review of the Air Toxics NEPM. The Air Toxics NEPM is focussed on collection of monitoring data for five priority air toxics. The mid-term review will analyse data collected since the NEPM was made in 2005 and identify any changes that may be required to the NEPM to assist in its implementation. The review is due for completion in mid 2010.

## **CHEMICALS**

### **Productivity Commission Report into Chemicals and Plastics Regulation**

Council considered a progress report on the implementation of COAG reforms based on recommendations of the Productivity Commission Research Report on Chemicals and Plastics Regulation. An assessment of gaps in environment protection related to labelling of chemicals has commenced, in order to inform an analysis of the costs and benefits of alternative options for mandatory environmental labelling of chemicals. The first stage of this work is expected to be completed early in 2010. Good progress has also been made with the development of legislative options for a standard-setting body to allow for consistent application of national decisions on the environmental management of chemicals. The aim is to establish the new body by the end of 2011.

### **ABOUT THE EPHC**

The Environment Protection and Heritage Council comprises ministers from all Australian states and territories, as well as the Australian, New Zealand and Papua New Guinea governments. It aims to ensure that governments work together with communities to achieve and enhance a healthy natural and cultural environment in harmony with social and economic goals.

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