

Communiqué

11 April 2013

The Standing Council on Environment and Water held its 4th meeting today in Wellington, New Zealand. Environment Ministers from across Australia and New Zealand along with a representative from the Australian Local Government Association affirmed their commitment to environment and water issues of national significance. Ministers agreed to a work plan for 2013-14 focusing on progressing national water reform, national waste policy and air quality improvements.

The meeting was preceded by a presentation from New Zealand on the new conservation model it is building with business to increase resources to protect biodiversity. Ministers expressed interest in the partnerships New Zealand has forged with the private sector and the environmental returns they are delivering.

New Zealand's natural resources, like those in other countries, are under pressure. The increasing competition for scarce natural resources, combined with changing consumer values, now means that business is more directly connected to the economics of biodiversity conservation. Business is beginning to understand that the country's natural capital needs to be maintained for business to be sustainable. As a result, New Zealand is developing a new conservation model that works with business to provide a positive impact on the environment.

Council agreed to release for public consultation three Consultation Regulation Impact Statements (on the management of chemical environmental risks, reduction of emissions from wood heaters, and potential regulation of water market intermediaries). The three Consultation Regulation Impact Statements will shortly be released at <http://www.scew.gov.au/>

Ministers received a progress report on the development of a packaging waste and litter Decision Regulation Impact Statement. Once finalised and considered by Ministers, the Statement is expected to be released later in the year.

Council agreements that could involve regulatory change typically undergo a two-stage process of analysis. A Consultation Regulation Impact Statement considers the relative costs and benefits of different regulatory options and seeks the views of stakeholders. All members of the public are invited to make submissions and all submissions are considered equally. A Decision Regulation Impact Statement provides analysis on whether regulation is beneficial and, if so, what the most efficient and effective regulatory approach might be, taking into account the outcomes of the consultation process.

National Waste Policy

Council has previously recognised the strong support from industry, the community and local governments for further action to address the environmental impacts of packaging waste and litter.

Today, Council considered a progress report on the development of a Decision Regulation Impact Statement and noted the progress that has been achieved to date, particularly the focus

on consultation with key stakeholders on the options. Ministers requested that work on the Statement and its modelling be completed as soon as possible to enable a facts-based approach on this issue.

Council agreed on the need to include end-of-life handheld batteries and waste paint on the Council's work plan. More than 264 million handheld batteries reach the end of their useful life each year and the equivalent of 18,000 tonnes of paint require disposal each year. There could be significant environmental and community benefits to be gained from working with industry to find better management solutions for these products. Ministers asked officials to develop a work program and examine funding arrangements to progress these issues.

Based on the outcomes of a review commenced in 2005, Council approved an amendment to the National Environment Protection (Assessment of Site Contamination) Measure. The Measure establishes a nationally consistent approach to the assessment of site contamination to ensure sound environmental management practices by the community. The amendment ensures it will remain the premier document for the assessment of site contamination in Australia, used by regulators, site assessors, consultants, environmental auditors, landowners, developers and industry. The measure incorporates updated methodologies for assessing human and ecological risks and site assessment methods now in line with advances in Australia and overseas. Ministers recognised the contributions from all stakeholders, including the National Health and Medical Research Council, in the development of the updated measure.

Environmental Investment and Biodiversity Banking

New South Wales provided an update on the review of its Biodiversity Banking Scheme. Ministers requested officials to investigate a possible national approach to biobanking as part of the work being undertaken on private investment in the environment.

Ministers agreed that further work be undertaken, led by Victoria, to identify principles of good practice in encouraging private investment in the environment, which could be adopted by jurisdictions on an opt-in basis.

National Harmonisation of Environmental Regulation

Council adopted a set of regulatory practice principles to guide environmental regulators. These principles will assist agencies to develop and apply regulation in an effective and accountable way and provide certainty to agencies across Australia applying similar regulatory approaches. Council noted the status of six pilot projects, begun in 2011, to help achieve consistent implementation and administration of environmental regulation across jurisdictions.

Review of the National Environment Protection Council Acts

The Council considered the report of the review of the National Environment Protection Acts. The review recognises the ongoing value of the Acts and associated National Environment Protection Measures and opportunities to streamline the administrative and decision making provisions of the Acts. The potential benefits in expanding the scope of the Acts to encompass a broader range of mechanisms for environment protection, such as setting environment performance standards for products and equipment, was noted by Ministers.

COAG Chemical Reform Agenda

Ministers agreed to the release of the Council of Australian Governments (COAG) Consultation Regulation Impact Statement on the management of chemical environmental risks. The Consultation Regulation Impact Statement outlines options for the development of a national standard-setting body to better manage the environmental risks from chemicals.

This is a major step towards implementing COAG's response to the Productivity Commission's 2008 research report on chemicals and plastics regulation. When implemented, these reforms will close a significant gap in the current arrangements for the environmental management of chemicals.

Air

Air quality in Australia is generally good, however a number of significant air quality challenges remain. Wood smoke emissions are a significant contributor to air pollution in a number of jurisdictions.

Ministers agreed to the release of a Consultation Regulation Impact Statement on reducing emissions from wood heaters. This Consultation Regulation Impact Statement explores options for a national policy and/or regulatory framework for reducing emissions from wood heaters and is an important element of the work program in the development of a National Plan for Clean Air.

Water

Council also agreed to release a Consultation Regulation Impact Statement on the potential regulation of water market intermediaries. The water market Consultation Regulation Impact Statement reviews options to manage the risk of any misconduct by intermediaries to the integrity of Australian water markets. The Consultation Regulation Impact Statement provides an opportunity for public input to the options under consideration. Ministers emphasised that a preferred approach has not yet been identified, but that a phased approach may be preferable and that stakeholder input is vital in testing the range of possible approaches. Comments are sought by 7 June 2013.

Council agreed to submit to COAG an enhanced water reform agenda, including a work plan for the next five years.

Record of Appreciation

Council expressed deep regret at the passing of Keiran McNamara, who recently stepped down as Director General of Western Australia's Department of Environment and Conservation. Mr McNamara contributed to environment and conservation ministerial council matters for more than two decades, making a real and positive difference to conservation in his home state and across the nation. Ministers extended their sincerest condolences to his family, friends and colleagues and were pleased to note the naming of a recently discovered Western Australian plant, *Cochlospermum macnamarae*, in acknowledgement of Mr McNamara's outstanding legacy.

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