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annual report

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Annual Report 2009–2010

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Foreword



The Environment Protection and Heritage Council (EPHC) and the National Environment Protection Council (NEPC), on which all Australian governments are represented, play an important role in planning, developing and implementing strategies for a sustainable Australia.

As the new chair of both councils, I am pleased to report that their work throughout 2009–10 resulted in a number of major achievements.

EPHC agreed to the National Waste Policy: Less waste, more resources, a ten year vision to put Australia on a path to produce less waste and manage waste as a resource to deliver economic, environmental and social benefits. The National Waste Policy provides a framework for governments, industry and the community to work together to achieve this goal. EPHC also published Australia's first National Waste Report, the first step towards establishing a comprehensive account of resource recovery and waste management.

Through the National Waste Policy, the Australian Government with the support of EPHC continues to make progress in developing national product stewardship legislation and arrangements for end-of life computers, televisions and tyres. A new government-industry partnership 'FluoroCycle' will increase the recycling of mercury-containing lamps in the commercial and public lighting sectors in Australia. A new Australian Packaging Covenant, which has an increased focus on improving packaging design, away from home recycling and reducing litter, was endorsed by EPHC.

The Council of Australian Governments has tasked EPHC with providing for a single national decision-making system on environmental management of chemicals that is applied consistently in all jurisdictions. Work continues on the possible establishment of an independent expert body, the Environmental Chemicals Bureau, to advise environment ministers on these matters.

Water has been another top priority. EPHC is developing national guidelines for the management of acid sulfate soils, which are often triggered by drought. These guidelines build on previously endorsed national guidelines for managed aquifer recharge and stormwater harvesting and re-use. EPHC is also reviewing the national guidelines for fresh and marine water quality.

National wind farm development guidelines have been finalised with a view to being trialled for twelve months. These guidelines address community concerns about turbine noise and impacts on landscapes and threatened species.

The national policy framework for the management of air quality provided by the National Environment Protection (Ambient Air Quality) Measure (the Ambient Air Quality NEPM), is being reviewed by NEPC. The Mid-term Review of National Environment Protection (Air Toxics) Measure has been published by NEPC and found significant improvements in the information available on ambient air toxics in Australia. EPHC continued its work to reduce emissions from a range of key air pollution sources, including garden and marine engines, non-road diesel engines, wood heaters, paints and consumer products.

The National Environment Protection (Assessment of Site Contamination) Measure (Site Contamination NEPM) is being updated, in partnership with research organisations and other stakeholders. This will be finalised in 2011 to ensure that the NEPM remains the guideline for assessing contaminated sites in Australia.

EPHC has supported Australia's pursuit of the ratification of the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage. EPHC drafted the Australian World Heritage Intergovernmental Agreement, and is finalising the Australian Underwater Cultural Heritage Intergovernmental Agreement.

I thank all EPHC/NEPC members and those who have worked hard to tackle these complex issues and look forward to continuing these reforms in 2010–11.



Tony Burke

Chair

National Environment Protection Council

Members of the National Environment Protection Council

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COMMONWEALTH

The Hon. Peter Garrett MP

Minister for the Environment, Heritage and the Arts
Chairman



NEW SOUTH WALES

The Hon.

Carmel Tebbutt MP

Minister for Climate Change
and the Environment
(ceased 11 September 2009)



NEW SOUTH WALES

The Hon.

John Robertson MP

Minister for Climate Change
and the Environment
(ceased 5 March 2010)



NEW SOUTH WALES

The Hon. Frank Sartor MP

Minister for Climate Change
and the Environment
(commenced 5 March 2010)



VICTORIA

The Hon. Gavin Jennings MP

Minister for Environment
and Climate Change



QUEENSLAND

The Hon. Kate Jones MP

Minister for Climate Change
and Sustainability



WESTERN AUSTRALIA

The Hon.

Donna Faragher MLC
Minister for Environment



SOUTH AUSTRALIA

The Hon. Jay Weatherill MP

Minister for Environment
and Conservation
(ceased 21 May 2010)



SOUTH AUSTRALIA

The Hon. Paul Caica MP

Minister for Environment
and Conservation
(commenced 21 May 2010)



TASMANIA

The Hon.

Michelle O'Byrne MP

Minister for Environment,
Parks, Heritage and the Arts
(ceased 21 June 2010)



TASMANIA

The Hon. David O'Byrne MP

Minister for Environment,
Parks and Heritage
(commenced 21 June 2010)

Members of the National Environment Protection Council

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**AUSTRALIAN
CAPITAL TERRITORY**

Mr Simon Corbell MLA
Minister for the Environment,
Climate Change and Water



**NORTHERN
TERRITORY**

The Hon. Alison Anderson MLA
Minister for Natural Resources,
Environment and Heritage
(ceased 22 September 2009)



**NORTHERN
TERRITORY**

Mr Karl Hampton MLA
Minister for Natural Resources,
Environment and Heritage
(commenced 22 September 2009)

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About NEPC

The National Environment Protection Council (NEPC) stems from the Special Premiers' Conference held in October 1990, at which the Prime Minister, Premiers and Chief Ministers agreed to develop an Intergovernmental Agreement on the Environment. The Agreement came into effect on 1 May 1992.

The Agreement includes provision for the establishment of a national body with responsibility for making National Environment Protection Measures (NEPMs) with the objectives of ensuring that:

- the people of Australia enjoy the benefit of equivalent protection from air, water and soil pollution and from noise wherever they live
- decisions by businesses are not distorted and markets are not fragmented by variations between jurisdictions in relation to the adoption or implementation of major environment protection measures.

All participating jurisdictions (i.e. the Commonwealth and all state and territory governments) have complementary legislation establishing the National Environment Protection Council, which is a statutory body with law-making powers.

Members of the NEPC are ministers, although not necessarily environment ministers, appointed by the principal ministers of participating jurisdictions.

The NEPC and the NEPC Committee are assisted and supported by the NEPC Service Corporation, which is managed by the NEPC Executive Officer.

The NEPC has two primary functions:

- to make National Environment Protection Measures (NEPMs)
- to assess and report on their implementation and effectiveness in participating jurisdictions.

NEPMs are broad framework-setting statutory instruments defined in the *National Environment Protection Council Act 1994* (Commonwealth). They outline agreed national objectives for protecting or managing particular aspects of the environment. NEPMs are similar to Environmental Protection Policies at the state level. NEPMs may consist of any combination of environmental protection goals, standards, protocols and guidelines.

More information about NEPMs, the areas of environmental protection that they may address, and the process for developing them are outlined in Appendices 4 and 5.

Implementation of NEPMs is the responsibility of each participating jurisdiction, and each minister on the NEPC reports to the NEPC each year on the implementation of each NEPM in his/her jurisdiction.

Executive Officer's Report

The NEPC and the EPHC continued to devote significant resources in 2009–10 to environmental protection issues, particularly air quality, waste management, assessment of site contamination, reporting of emissions of substances to the environment, chemicals management, and water reuse and recycling.

The focus on regulatory impact assessment in relation to proposals has continued and, in order to satisfy the COAG guidelines for best practice regulation as interpreted by the Office of Best Practice Regulation, considerable time and expense have been devoted to economic modelling and regulation impact statement development.

Much work continues on projects such as the development of the variation to the Assessment of Site Contamination NEPM, a document which is central to the operations of an industry valued at several billions of dollars per annum in Australia. The work involves extensive collaboration with external agencies, including the National Health and Medical Research Council, the Cooperative Research Centre for Contamination Assessment and Remediation, CSIRO and the enHealth Committee. A particularly important contribution by EPHC has been the finalisation of draft guidance for the development of wind farms—this work has included collaboration with the Local Government and Planning Ministers' Council.

I should like to acknowledge members of NEPC and NEPC Committee (the Commonwealth, state and territory governments), as well as the other members and observers on the Environment Protection and Heritage Standing Committee for their cooperation in managing the national environmental protection and the heritage agendas throughout 2009–10.

I should also like to acknowledge the work of the NEPC/EPHC project teams and working groups who continue to deliver the Council's work program, as well as our many stakeholders for their efforts and input into NEPC/EPHC projects.

The staff of the NEPC Service Corporation has continued to provide highly regarded project management and support services to the Council, NEPC Committee, EPH Standing Committee and the project teams and working groups, as well as secretariat services to the Council and its principal committees. My staff continues to ensure the efficient organisation of meetings as well as the implementation of the Council's work program.

As 2009–10 is my last full year as NEPC Executive Officer, I should like to take this opportunity to thank NEPC and NEPC Committee for entrusting me with this national role for the past 14 years, and the Western Australian environmental agency for releasing me to undertake this function. The role has been a fulfilling one, enhanced by the professionalism of government officers and industry and conservation representatives, as well as that of Service Corporation staff. NEPC and EPHC, like other ministerial councils, are currently under review by the Council of Australian Governments, and I should hope that the national environmental protection agenda will continue to be managed under the aegis of a ministerial council whose remit includes environmental protection.



Dr Bruce Kennedy

Executive Officer

The Environment Protection and Heritage Council (EPHC) incorporates the National Environment Protection Council.

As the National Environment Protection Council is established under statute (the NEPC Acts of the Commonwealth, states and territories) and has the ability to make national regulatory instruments (National Environment Protection Measures), it retains its distinct status within EPHC. All members of NEPC are members of EPHC.

The National Environment Protection Council and the Environment Protection and Heritage Council met twice in 2009–10: in Perth on 5 November 2009 and via teleconference on 25 June 2010.

Major activities undertaken by NEPC and EPHC in 2009–10 are summarised below.

COUNCIL MEETING — PERTH, 5 NOVEMBER 2009

NEPC

Strategic issues

- Noted drafting instructions for amendment of the *National Environment Protection Council Act 1994* (Commonwealth).

Waste management

- Initiated a minor variation process in relation to the National Environment Protection (Used Packaging Materials) Measure to align it with the proposed Australian Packaging Covenant.

Air quality

- Approved a proposal for the mid-term review of the National Environment Protection (Air Toxics) Measure.

EPHC

Strategic issues

- Noted the implementation status of projects in the EPHC Action Plan and Priority Activities.

Waste management

- Endorsed the National Waste Policy, agreed to release the National Waste Policy Regulation Impact Statement, and agreed that the Chair of Council write to the Prime Minister seeking endorsement of the National Waste Policy by First Ministers through the Council of Australian Governments.

- Agreed to the public release of an Overview of the National Waste Report.
- Agreed that the Australian Government develop and implement extended producer responsibility regulatory requirements, under an overarching Commonwealth product stewardship regulatory framework, to ensure that the manufacturers and importers of televisions and computers establish an efficient and effective national scheme for collecting and recycling end-of-life televisions and computers.
- Agreed to the public release of the Televisions and Computers Decision Regulation Impact Statement.
- Supported the development of alternative industry-led schemes, more appropriate to current circumstances, that will help reduce the environmental impacts of end-of-life tyres and increase the use of tyre derived products, under the umbrella of an overarching Commonwealth product stewardship regulatory framework.
- Noted the preliminary findings of a choice modelling survey to assess community willingness-to-pay to increase the recycling of packaging and decrease packaging-related litter. This work seeks to quantify the non-market benefits that consumers place on improvements to packaging and beverage container waste management.
- Agreed in principle that the Australian Packaging Covenant should replace the National Packaging Covenant on 1 July 2010, subject to a compliant Regulation Impact Statement.

Chemicals

- Noted progress on the implementation of the environmental management of chemicals, as recommended by the Productivity Commission in its Research Report on Chemicals and Plastics Regulation and subsequently endorsed by the Council of Australian Governments.

Heritage

- Endorsed the Australian World Heritage Intergovernmental Agreement.
- Amended the Australian World Heritage Advisory Committee's (AWHAC) terms of reference and sought advice from AWHAC on a range of national heritage issues.
- Supported ratification of the UNESCO 2001 Convention for the Protection of the Underwater Cultural Heritage and agreed to consider an Australian Underwater Cultural Heritage Intergovernmental Agreement.

- Agreed to include the Historic Shipwreck National Collaborative Research Project on the Cooperative National Heritage Agenda.
- Noted a progress report on Heritage and Sustainability Projects.
- Requested the Australian Government to ask UNESCO not to progress Geoparks initiatives within Australia unless the formal agreement of the Australian Government has first been provided.

COUNCIL MEETING — TELECONFERENCE, 25 JUNE 2010

NEPC

Waste management

- Approved the minor variation to the National Environment Protection (Used Packaging Materials) Measure to align it with the Australian Packaging Covenant.

EPHC

Waste management

- Endorsed commencement of the Australian Packaging Covenant from 1 July 2010.

NEPC Committee — Major Activities

The National Environment Protection Council Committee (NEPC Committee) is incorporated within the Environment Protection and Heritage Standing Committee (EPH Standing Committee). As with the NEPC, the NEPC Committee retains its identity and statutory functions. All members of the NEPC Committee are members of the EPH Standing Committee.

The NEPC Committee met eight times in 2009–10 (September (twice), October (twice), December, April, May and June) as part of the EPH Standing Committee. Two meetings were face-to-face and six were by teleconference.

The activities of the NEPC Committee and the EPH Standing Committee included the following.

NEPC COMMITTEE

- Released a discussion paper for the review of the National Environment Protection (Movement of Controlled Waste) Measure for public consultation, and subsequently submitted a review report containing twelve recommendations to NEPC for consideration of a NEPM variation.
- Requested NEPC to initiate a minor variation process for the National Environment Protection (Used Packaging Materials) Measure in order to ensure the measure continues to provide regulatory underpinning for the Australian Packaging Covenant, and subsequently submitted a draft NEPM variation for consideration by NEPC.
- Sought NEPC approval to initiate a mid-term review of the National Environment Protection (Air Toxics) Measure, and subsequently submitted a review report with recommendations for a minor NEPM variation for consideration by NEPC.
- Prepared a discussion paper for public consultation on the health effects of air pollution, as part of the process of review of the National Environment Protection (Ambient Air Quality) Measure.
- Finalised the report, Expansion of the Multi-City Mortality and Morbidity Study.
- Noted progress on the variation to the National Environment Protection (Assessment of Site Contamination) Measure.
- Endorsed a list of Australian New Zealand Standard Industrial Classification Codes for the purposes of clause 14 of the National Environment Protection (National Pollutant Inventory) Measure.
- Made recommendations to NEPC regarding amendments to the *National Environment Protection Council Act 1994* (Commonwealth).

- Accepted the Annual Report of the Ambient Air Quality NEPM Peer Review Committee, and received reports from all jurisdictions on compliance with the Ambient Air Quality NEPM for 2008.
- Endorsed, under delegation from NEPC, the reports by the National Environment Protection Council of its overall assessments of the implementation and effectiveness of all NEPMs for the reporting year ended 30 June 2009.
- Approved, under delegation from NEPC, the 2008–09 NEPC Annual Report.
- Adopted updated statements of expectation and intent for the NEPC Service Corporation for consideration by NEPC, and noted a report on key performance indicators for the Corporation for 2008–09.

EPH STANDING COMMITTEE

Strategic issues

- Requested the NEPC Service Corporation provide a project funding approvals summary to Standing Committee in December each year and, subsequently, noted the relevant summary for 2009–10.
- Provided a status report to EPHC on each project listed in the EPHC Action Plan and Priority Activities document.
- Conducted a Strategic Planning Day in March 2010, and subsequently developed a draft Environment Protection and Heritage Council Strategic Plan 2010–14 for consideration by EPHC.
- Received presentations from the Australian Industry Group and the Plastics and Chemicals Industry Association on opportunities for national harmonisation of industry environmental regulation, and subsequently prepared a proposal for improved harmonisation of environmental regulation for consideration by EPHC.
- Noted a report on the activities of the Australasian Environmental Law Enforcement and Regulators' Network (AELERT).

Climate change

- Noted the audit of greenhouse gas emissions from EPHC/NEPC activities for 2008–09.
- Released draft National Wind Farm Development Guidelines for public comment, reviewed submissions and transmitted revised draft guidelines for consideration by EPHC.

- Received a progress report on the proposed Australian Landfill Gas Emission Reduction project for research into landfill gas emission quantification and reduction.

Air quality

- Approved the release for public consultation of a draft standard setting methodology designed to establish a risk based approach to developing air quality standards in Australia.
- Approved funding for the conduct of a cost benefit analysis of potential national actions for reducing volatile organic compound emissions from a range of product categories, and agreed to publish a surface coatings technical study on the EPHC website.
- Approved funding for a cost benefit analysis of regulatory and non-regulatory approaches to the management of emissions from non-road diesel engines, and approved the release of a non-road diesel engine technical study.
- Released the consultation regulation impact statement, Reducing Emissions from Non-Road Spark Ignition Engines and Equipment, for public comment.
- Commenced preparation of a proposal to accelerate national collaboration on air emission reduction actions for a range of priority emission sources.

Product stewardship and waste management

- Provided feedback on the structure and content of an initial draft of the National Waste Policy.
- Progressed the development of a decision regulation impact statement for the National Waste Policy.
- Finalised the National Waste Report 2010 for publication in conjunction with the National Waste Policy.
- Continued the development of the National Waste Policy Implementation Plan for consideration by EPHC.
- Ensured the decision regulation impact statement for end-of-life computers and televisions complied with COAG requirements, prior to EPHC consideration of a national product stewardship scheme for televisions and computers.
- Transmitted a progress report to EPHC on the development of national product stewardship legislation and the development of the national television and computer product stewardship scheme.
- Noted that none of the options analysed in the draft decision regulation impact statement for end-of-life tyres resulted in a net benefit to the

community, and initiated discussions with tyre industry associations and other key stakeholders regarding a revised approach.

- Approved funding for a study into the domestic and international flow of end-of-life tyres.
- Progressed the choice modelling study assessing community willingness to pay for additional national measures, such as a container deposit scheme or advance disposal fee, to manage packaging wastes such as beverage containers, and subsequently prepared a report outlining the outcomes of the willingness to pay study and options for further work for consideration by EPHC.
- Released the Revised Beverage Container Investigation Report April 2010.
- Recommended EPHC agree in principle that the Australian Packaging Covenant replace the National Packaging Covenant on 1 July 2010, and subsequently transmitted the revised Covenant to EPHC for endorsement.
- Released the consultation regulation impact statement for used packaging materials for public consultation, reviewed submissions and subsequently conveyed a decision regulation impact statement to EPHC.
- Noted the National Packaging Covenant 2009 Annual Report and the Australian Packaging Covenant Strategic Plan 2010–15.
- Reviewed membership of the Covenant Council and Covenant Management Committee under the Australian Packaging Covenant.
- Approved the FluoroCycle Guidelines 2010 and noted progress regarding the implementation of the FluoroCycle scheme.
- Reviewed the Publishers National Environment Bureau Sustainability Plan 2010–2015.

Water

- Noted a progress report on the revision of National Water Quality Management Strategy Document 4—Australian and New Zealand Guidelines for Fresh and Marine Water Quality.
- Submitted a detailed proposal to review and revise National Water Quality Management Strategy Document 8—Guidelines for Groundwater Protection in Australia, for approval by EPHC.
- Conveyed the document, National Guidance for the Management of Acid Sulfate Soils in Inland Aquatic Systems, to EPHC for approval for publication, and submitted a detailed proposal to prepare national guidelines for a further four

priority acid sulphate soils issues.

- Submitted a decision regulation impact statement and recommended that EPHC consider the introduction of minimum water efficiency standards for clothes washing machines and dishwashers and water efficiency labelling for a number of other products.
- Progressed investigations into funding arrangements for the continued operation of the Water Efficiency Labelling Scheme.

Amenity

- Approved funding to engage an acoustical consultant to recommend test procedures for verifying the accuracy of noise labels on domestic air conditioners.
- Approved funding for the preparation of a consultation regulation impact statement on options for a noise labelling and limit scheme for portable equipment.

Chemicals management

- Provided a progress report to EPHC on the implementation of plans for the environmental labelling of chemicals, a performance measurement framework for chemical monitoring and a standard setting body for managing the environmental impacts of chemicals.

Policy tools

- Reviewed the operation of the National Pollutant Inventory, the level of Commonwealth funding and the cost of reporting by states and territories, and recommended revised funding arrangements for the operation of the inventory to EPHC.

Heritage

- Agreed to the final draft of Australian World Heritage Intergovernmental Agreement.
- Considered the Australian World Heritage Advisory Committee's advice to EPHC.
- Continued the development of a draft Australian Underwater Cultural Heritage Intergovernmental Agreement for consideration by EPHC in 2010.
- Recommended the Historic Shipwrecks *in situ* preservation and reburial research project be included in the Cooperative National Heritage Agenda.
- Noted progress on the two projects, Heritage and Sustainability: Domestic Buildings and Heritage and Sustainability: Commercial Buildings.
- Continued the development of an agreed national position on the Geoparks concept, incorporating advice received from the Natural Resource Management Ministerial Council.
- Endorsed the Australian e-Heritage Project and proposed that funding for the project be sought from the Australian National Data Service.
- Noted the key achievements and continued progress on cooperative activity being undertaken by the Heritage Chairs and Officials of Australia and New Zealand, including the creation of the Australian Heritage Information Website.
- Noted completion of the Supporting Local Government Cooperative National Heritage Agenda project.
- Noted an update on the World Heritage Tentative List and periodic reporting.

Relationships with Other Bodies

NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL AND ENHEALTH COMMITTEE

The health sector continues to provide significant input into the national environmental protection agenda.

An observer from the Australian Health Ministers' Advisory Council attends EPH Standing Committee meetings in order to maintain the relationship at a very senior level. Health sector representation from both the National Health and Medical Research Council (NHMRC) and enHealth Committee continues on relevant EPHC/NEPC working groups and project teams (including joint work on the (air quality) Standards Setting Working Group).

The development of new health investigation levels for the variation to the Assessment of Site Contamination NEPM was undertaken by the NHMRC. The Executive Officer chaired the NHMRC Working Committee which managed the project.

The NHMRC is also a member of the Joint Steering Committee for the revision of National Water Quality Management Strategy Fresh and Marine Water Quality Guidelines.

NATIONAL ASSOCIATION OF TESTING AUTHORITIES

The Executive Officer continued as a member of the Reference Materials Accreditation Advisory Committee of the National Association of Testing Authorities.

OTHER AGENCIES

The National Environment Protection Council and the National Transport Commission pursue their common goals through a Memorandum of Understanding that establishes the Land Transport Environment Committee (LTEC). LTEC provides advice to Transport and Environment Ministers on transport related environmental issues.

The EPHC continued to liaise with Standards Australia on matters such as the re-invigoration of the previous draft standard for noise measurement for wind farms. The wind farm standard has since been finalised and published.

The Cooperative Research Centre for Contamination Assessment and Remediation of the Environment (CRC CARE) provides significant opportunities for research that can assist in providing information useful for the development of future policy for site contamination assessment and remediation. CRC CARE has undertaken projects that have provided information for the variation to the Assessment of Site Contamination NEPM—documentation on health screening levels, bioavailability, and asbestos management are being incorporated into the variation. CRC CARE is also undertaking work in community consultation, on-site retention and sustainable remediation, which is likely to be relevant to EPHC in the future. The Executive Officer chairs the CRC CARE Policy Advisory Committee, which links regulators, industry and research providers.

The Service Corporation continues to work with the Primary Industries Standing Committee in managing the outcomes of a consultancy on contaminants in fertilisers and industrial residues which may be applied to agricultural land, in order to underpin the development of assessment methods and guidelines.

The Natural Resource Management Ministerial Council is working with EPHC on the revision of National Water Quality Management Strategy Fresh and Marine Water Quality Guidelines.

NEPC Service Corporation — Operations Report

MAJOR ACTIVITIES

The NEPC Service Corporation provides project management and support services to the EPHC and the EPH Standing Committee in which are incorporated the NEPC and the NEPC Committee respectively.

The NEPC Service Corporation depends on the quality and stability of its team of professional and administrative people and its funding resources to ensure that effective and efficient project management and business services add value to the joint work program of the NEPC and EPHC.

The following activities were carried out in 2009–10:

- provision of executive and business services to NEPC, NEPC Committee, EPHC and EPH Standing Committee
- provision of project management services to NEPC, NEPC Committee, EPHC and EPH Standing Committee, as well as to working groups/project teams
- provision of support services for
 - Ambient Air Quality NEPM Peer Review Committee
 - Land Transport Environment Committee
- liaison with
 - National Health and Medical Research Council
 - enHealth
 - National Transport Commission
 - Standards Australia
- preparation and publication of the 2008–09 NEPC Annual Report
- preparation of preliminary budget estimates of expenditure and revenue for 2010–11
- management of the EPHC website at <http://www.ephc.gov.au>
- audit of greenhouse gas emissions for meetings of Council and EPH Standing Committee in 2009–10. Some jurisdictions offset emissions through arrangements made by individual agencies or through whole of government offset schemes or other mechanisms. A number of meetings of EPH Standing Committee were held by teleconference, thereby constraining emissions
- annual survey of stakeholder groups to measure overall satisfaction with support provided by the NEPC Service Corporation
- preparation of a response to a questionnaire in relation to the 2009 COAG review of ministerial councils

- preparation of an updated Statement of Expectation and Statement of Intent for the NEPC Service Corporation to apply for the period 2010–11/2012–13.

FINANCIAL ISSUES

Budget issues

The NEPC Service Corporation's Management Operational Financials as at 30 June 2010 indicate an operational surplus of \$145 889. The surplus is predominantly due to prudent cash management strategies, higher than projected investment rates, which increased interest revenue, and tight management of expenses.

Policies and procedures

Various policies and procedures (NEPC Service Corporation Best Practice Manual) were reviewed and updated throughout the year.

Staff meetings

Staff meetings are held on a monthly basis. Minutes and Action Items are prepared and circulated to all staff for information and/or follow-up action.

OPERATIONAL ACTIVITIES

Risk management and governance

NEPC Audit Committee

The purpose of the NEPC Audit Committee is to provide advice to the Executive Officer on matters related to prudential management, governance and risk management.

Membership of the NEPC Audit Committee for 2009–10 comprised:

Mr Tim Rogers—New South Wales (former Chair)
Mr David Papps—Australian Capital Territory (current Chair)
Mr Gerard Early—Commonwealth
Mr Malcolm Thompson—Commonwealth
Mr Warren Jones—Tasmania

The NEPC Audit Committee met twice during 2009–10.

Support for the Audit Committee is provided by the NEPC Service Corporation.

Risk management plan

The NEPC Service Corporation has had a Risk Management Plan (RMP) in place for several years and it is reviewed and updated annually by the

Business Manager in liaison with NEPC Service Corporation staff. The RMP identifies, assesses and responds to potential risk faced by the NEPC Service Corporation.

To annually review and update the RMP is one of the NEPC Service Corporation's key performance indicators, which were tabled at the October 2009 NEPC Audit Committee meeting.

Audit report

It is pleasing to report that the NEPC Service Corporation again received an unqualified audit report from the Australian National Audit Office (ANAO) for the 2009–10 financial year.

The audit found no management issues requiring attention.

Claims against the NEPC Service Corporation (breaches of duties of skill or care and statutory duties)

The NEPC Service Corporation has insurance cover for General Business, Travel, and Management Liability (formerly Directors' and Officers' Liability insurance).

There were no claims during the 2009–10 financial year.

Property loss or damage

The office and contents of the NEPC Service Corporation are appropriately insured for destruction and loss or damage (e.g. fire, theft).

There were no claims during the 2009–10 financial year.

Fraud control

Pursuant to the *Financial Management and Accountability Act 1997*, the Service Corporation has undertaken a fraud risk assessment and prepared a fraud control plan; has appropriate fraud prevention, detection, investigation and reporting procedures in place; and, annual fraud control data have been collected and reported to the Australian Institute of Criminology.

There were no cases of fraud during the 2009–10 financial year.

Banking arrangements

The NEPC Service Corporation continued to utilise the products and services of Suncorp Metway Ltd (Suncorp) for its day-to-day banking arrangements.

Investments from EPHC/NEPC project funds continue to be invested with Suncorp's Treasury Division, RaboDirect Bank, and new investment arrangements have been established with Members Equity Bank. This enables the NEPC Service Corporation to obtain very competitive investment rates.

Information technology—Spam filtering

The NEPC Service Corporation utilises a third party to provide an e-mail filtering service, isolating potential spam and other 'offensive' material before it is delivered to the NEPC Service Corporation servers. This service significantly reduces spam and undesirable e-mails through NEPC Service Corporation servers.

Occupational health, safety and welfare

Occupational health, safety and welfare (OHS&W) policies were reviewed and updated throughout the financial year.

OHS&W is a standing item at all monthly staff meetings and two OHS&W inspections were undertaken during 2009–10.

During 2009–10, the NEPC Service Corporation continued its record of not having an OHS&W claim.

Environment management system

The NEPC Service Corporation has an Environmental Management System (EMS) in place to enhance the environmental sustainability of its operations. EMS is a standing agenda item at each staff meeting.

Human resource issues

The NEPC Service Corporation has a comprehensive Human Resource Management Framework, including Performance Management and Feedback, Induction, Diversity and Code of Conduct provisions.

All staff actively participate in formal performance management sessions.

Industrial relations

No industrial disputes occurred during 2009–10.

Recruitment and retention

The following staff changes took place during 2009–10:

- Ms Monina Gilbey resigned as Project Officer, effective 30 October 2009
- Ms Susan Whitehead appointed as Project Support Officer, effective 2 November 2009

- Ms Ingrid Stranska appointed as Administration Officer, effective 11 January 2010.

In order to minimise the risk of lost corporate knowledge in the event of staff turnover, policies and procedures are documented and reviewed annually.

Annual leave strategy

The NEPC Service Corporation Terms and Conditions of Employment 2010–11 require that staff members strive to take their annual leave in the year in which it is accrued and, if this is not possible, that the approval of the Executive Officer be sought for any carry-forward. This matter is also addressed as part of the annual performance management and feedback review process.

Sick leave

The annual entitlement to paid sick leave for full time staff is 15 working days per annum. During 2009–10, sick leave taken was 11.9 days per FTE (8.5 days in 2008–09). The increase was predominantly due to a period of extended sick leave taken by one staff member.

Staff training and development

Being a small organisation, the NEPC Service Corporation attempts to recruit staff members who already possess the knowledge, skills and abilities to undertake the relevant work duties required of their position. Nevertheless, appropriate training is undertaken by staff if required.

In 2009–10, training focused primarily on maintaining skill levels in the use of the MYOB Accounting system for the Administration Officer, Finance. In addition, training in ‘Keyboarding’ was provided to an Administration Officer and, ‘Microsoft Project’ training was made available to two Project Officers.

Misconduct

There were no formal misconduct issues during the 2009–10 financial year.

FUNDING

NEPC Service Corporation—Operations

The Commonwealth (Australian Government), states and territories fund the operations of the NEPC Service Corporation according to the agreed funding formula (50% from the Australian Government and 50% from states and territories based on population).

The net budget approved by NEPC for the operations of the NEPC Service Corporation in 2009–10 (excluding Priority Projects and Peer Review Committee) was \$926 738.

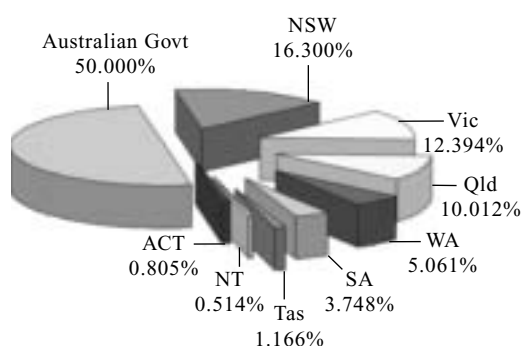
Contributions from some jurisdictions for the 2009–10 financial year were prepaid in 2008–09.

Table 1 and Figure 1 illustrate the allocation of funding by jurisdictions for the operations of the NEPC Service Corporation.

Table 1: Funding by jurisdiction for NEPC Service Corporation operations 2009–10

Jurisdiction	\$
Australian Government	463 370
New South Wales	151 058
Victoria	114 860
Queensland	92 785
Western Australia	46 902
South Australia	34 734
Tasmania	10 806
Australian Capital Territory	7 460
Northern Territory	4 763
Total	926 738

Figure 1: Funding mix NEPC Service Corporation—Operations 2009–10



NEPC AND EPHC RELATED ACTIVITIES

Funding for NEPC and EPHC related activities is provided, in most cases, by jurisdictions according to the NEPC funding formula.

During 2009–10, jurisdictions provided \$1 346 911 for NEPC and EPHC related activities and projects. The funds were distributed between major projects (\$1 317 511) and EPHC Priority Projects (\$29 400).

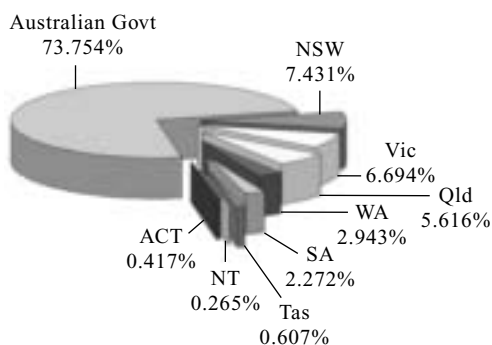
For NEPM development and variation projects, contributions by those jurisdictions providing officers to project teams are adjusted to allow for the in-kind contributions made by those jurisdictions.

Table 2 and Figure 2 illustrate the distribution of funding (including in-kind contributions) by jurisdictions for NEPC and EPHC related activities.

Table 2: Funding by jurisdiction for NEPC and EPHC related activities 2009–10

Jurisdiction	\$
Australian Government	993 404
New South Wales	100 089
Victoria	90 164
Queensland	75 648
Western Australia	39 633
South Australia	30 608
Tasmania	8 175
Australian Capital Territory	5 616
Northern Territory	3 575
Total	1 346 912

Figure 2: Funding mix NEPC and EPHC related activities 2009–10



EPHC WEBSITE

The EPHC website at <<http://www.ephc.gov.au>> incorporates information relating to both NEPC and EPHC.

The EPHC/NEPC website was comprehensively redeveloped during 2008 with the new site being launched in November 2008. The website is more streamlined than its predecessor and utilises software that enables the searching of all PDF documents within the site. This enhanced search function provides a powerful (and more user friendly) tool than previously available.

The site recorded almost 4.6 million hits for 2009–10, a 31% increase compared to the previous financial year (3.5 million).

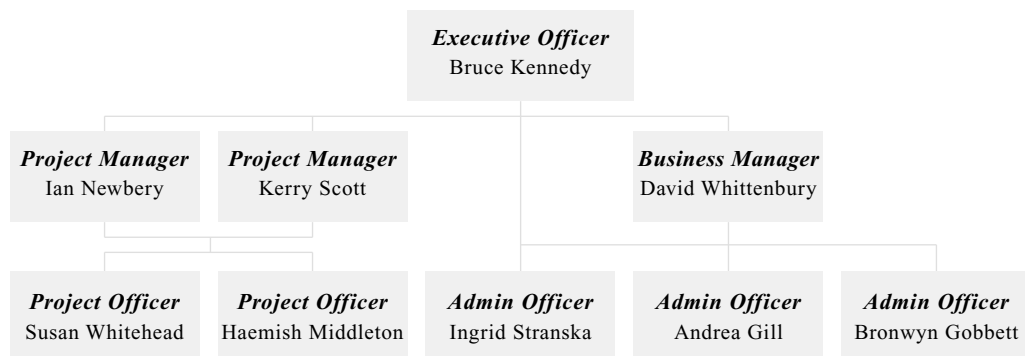
The EPHC website:

- is compliant with World Wide Web Consortium standards
- has META data for reference to documents and hyper text mark-up language (html) which are compliant with the Dublin Core specifications.

ORGANISATIONAL STRUCTURE AND STAFFING

The organisation structure of the NEPC Service Corporation is set out in Figure 3.

Figure 3: NEPC Service Corporation organisation chart as at 30 June 2010



CONFERENCES

The Executive Officer provided professional input and initiatives to the following bodies relevant to NEPC/EPHC:

- CRC CARE, Chair Policy Advisory Committee, member Policy Committee
- Banksia Environmental Awards 2010, Audit Judge
- National Association of Testing Authorities, member Reference Materials Accreditation Advisory Committee
- National Health and Medical Research Council, Chair HIL Working Committee.

The Executive Officer delivered presentations at the following workshops/conferences:

- Australasian Land and Groundwater Association, Sustainable Remediation Forum, Adelaide (Chair)
- AEBN New Environmental Laws—State of Play, Sydney
- Rail Environment Regulations Improvement Workshop, Canberra
- 5th International Workshop on Chemical Bioavailability in the Environment, Adelaide
- 3rd International Contaminated Site Remediation Conference (CleanUp '09), Adelaide
- Waste Management Conference, Sydney.

AIR

Air Toxics NEPM—Mid-term review

The purpose of the National Environment Protection (Air Toxics) Measure is to collect ambient air toxics data on benzene, formaldehyde, polycyclic aromatic hydrocarbons (PAHs), toluene and xylenes through monitoring regimes in all jurisdictions. The NEPM contains investigation levels for these pollutants.

When the NEPM was made in December 2004, there were insufficient data on the concentrations of these air toxics in Australian air sheds to be able to set standards. The NEPM requires jurisdictions to collect data where there are indications of elevated levels of these air toxics, in locations where people live, for an eight year period. At the end of that period the NEPM is to be reviewed to establish whether there is a need to set standards for these pollutants. The NEPM also contains a clause requiring a mid-term review after four years to assess its progress in data collection and any issues that may need addressing to facilitate monitoring.

The commencement of the mid-term review was delayed for one year to enable all jurisdictions to have collected sufficient data to adequately inform the review. The review commenced in 2009 and was completed in 2010.

The review found that the NEPM has been effective in increasing knowledge on air toxics in ambient air in Australia, but it required minor changes to enable greater flexibility in monitoring and assessing air toxics in Australia and to assist jurisdictions in the ongoing implementation of the NEPM. The review proposed a number of recommendations to amend the NEPM.

A proposal will be presented to NEPC in late 2010 to initiate a minor variation to the NEPM to implement the recommendations.

Ambient Air Quality NEPM—Review

The Ambient Air Quality NEPM sets national standards and goals for air quality and provides a nationally consistent framework for the monitoring and reporting of six criteria pollutants—nitrogen dioxide (NO₂), ozone (O₃), carbon monoxide (CO), sulfur dioxide (SO₂), particles (as PM₁₀) and lead (Pb). Criteria air pollutants are widely distributed in ambient air in Australian cities. They are also associated with photochemical smog and secondary particle haze formation, and with adverse health effects.

The review commenced with the preparation of an issues paper which provided the basis for a discussion paper on the policy framework, monitoring and reporting aspects of the NEPM. This first discussion paper was released for public consultation by NEPC in June 2007.

In 2010, a second discussion paper was released by NEPC for public consultation. The second paper reviewed the basis of deriving standards, the form of the standards, the selection of health outcomes on which the standards are focused and how Australian air quality standards fit in relation to trends and practices overseas.

The consultation process for the discussion paper involved a call for submissions and public meetings around Australia. The review team analysed the submissions and is preparing a review report to be presented to NEPC in early 2011.

Ambient Air Quality NEPM—Peer Review Committee

The Peer Review Committee was established to assist in the development and assessment of jurisdictional monitoring plans and reporting for the Ambient Air Quality NEPM. The Peer Review Committee comprises two nominees from industry, two from the environment movement, and one from each jurisdiction. Dr Mike Manton of the Monash University chairs the committee. Executive support is provided by the NEPC Service Corporation.

The Peer Review Committee met once during 2009–10 to consider technical reports from jurisdictions on monitoring under the Ambient Air Quality NEPM and found that there has been good progress towards national consistency in reports.

The Peer Review Committee has developed a series of technical papers to assist in interpretation of the NEPM which are available on the EPHC website.

PRODUCT STEWARDSHIP

Used Packaging Materials NEPM

The National Packaging Covenant and the Used Packaging Materials (UPM) NEPM comprise a co-regulatory framework which addresses the environmental impact of used consumer packaging throughout Australia. The Australian Packaging Covenant will replace the National Packaging Covenant from 1 July 2010.

In November 2009, Council initiated a minor variation to the UPM NEPM to ensure that it continues to provide regulatory underpinning for the Covenant. A draft NEPM variation and explanatory statement were released for public consultation in March 2010. The statutory public consultation period concluded on 27 April 2010. No submissions were received in relation to the proposed minor variation. Consequently, Council approved the minor variation to the NEPM on 25 June 2010. The variation to the UPM NEPM aligns it with the Australian Packaging Covenant. Changes include amended duration, revised definitions, updated background information and the inclusion of a review provision.

SITE CONTAMINATION

Assessment of Site Contamination NEPM—Variation

The Assessment of Site Contamination NEPM was made in 1999 and is the premier guidance document in Australia for the assessment of land contamination. It addresses a complex area that is particularly subject to new developments in scientific knowledge and new technologies.

In June 2007, NEPC initiated a variation to the NEPM and its schedules, which addresses the 27 recommendations made in the NEPM Review report (2006).

The variation process includes a revision of the methods for deriving Health Investigation Levels and the development of a methodology for the derivation of Ecological Investigation Levels. Significant work has been undertaken on improving guidance on a range of investigation procedures and assessment practices.

Approval to commence public consultation on the draft variation and impact statement will be sought at the September 2010 meeting of NEPC Committee. The variation is due for completion in early 2011.

WASTE MANAGEMENT

Movement of Controlled Waste

The National Environment Protection (Movement of Controlled Waste between States and Territories) Measure, referred to as the Movement of Controlled Waste NEPM, was designed to provide a national framework for developing and integrating state and territory systems for the management of the movement of controlled waste between states and territories originating from commercial, trade, industrial or business activities. These management systems include:

- tracking systems that provide information to assist agencies and emergency services, and ensure that controlled wastes are directed to and reach appropriate facilities
- prior notification systems which provide participating states and territories with access to information to assess the appropriateness of proposed movements of controlled wastes in terms of transportation and facility selection
- the licensing of transporters and regulation of producers and facilities so that tracking and notification functions are compatible with requirements of participant states and territories.

The NEPM relates to the movement of wastes between states and territories within Australia, and is not intended to have any direct or indirect bearing upon Australia's international rights or obligations with respect to the international movement of waste.

The NEPM was gazetted on 8 July 1998, underwent its first review in 2003, and a minor variation was made by NEPC in 2004.

In May 2009, the Council agreed to the terms of reference for the review that incorporate the issues referred to in clause 10(a) of the NEPM. The review commenced in June 2009 and is expected to report to Council in July 2010.

The review found that, while the NEPM was effective in meeting its objectives, there was potential for minor improvements to improve clarity, reduce burden on industry and remove obsolete sections. It is expected that a proposal for minor variation to make these improvements will be considered by Council at its July 2010 meeting.

ADMINISTRATION

NEPC Act review

The Report of the Second Review of the National Environment Protection Council Act (NEPC Act) was received by Council in June 2007 and subsequently tabled in all Australian parliaments. A response to the report was then prepared and endorsed by Council in April 2008. At that time, Council requested NEPC Committee to provide advice, including drafting instructions for the amendment of the NEPC Act. A set of proposed drafting instructions was presented for Council's consideration in November 2009. Council resolved that each participating jurisdiction use best endeavours to amend its NEPC Act generally in accordance with the drafting instructions.

As decisions on the legislative amendments will need to reflect the changes to ministerial councils proposed by the Council of Australian Governments (COAG), legislative amendments have been postponed at this stage.

The proposed amendments relate to establishment of committees to assist NEPC in any of its functions and provision for a NEPM to be made on any environmental protection matter as determined unanimously by the Council.

AIR QUALITY

Air Quality Working Group

The Air Quality Working Group reports to the Environment Protection and Heritage (EPH) Standing Committee. Its role is to advise EPH Standing Committee on projects related to the following:

- strategic and emerging air quality issues
- national and joint Australian and New Zealand air quality research priorities
- collaborative work on air quality projects, such as the development of inventories, modelling, monitoring techniques, approaches to monitoring infrastructure/equipment and options for addressing emission risks
- developing closer cooperation with sectors and agencies with an interest in air quality issues, including those responsible for health, transport, land use planning and greenhouse policy.

High priority projects undertaken by the Air Quality Working Group during 2009–10 include:

- development of an Australian approach to air quality standard setting

- a children's health and air pollution study
- emissions from surface coatings
- a multi-city mortality and morbidity study
- noise labelling test procedures development
- non-road diesel engines
- reducing emissions from non-road spark ignition engines and equipment
- wood heater emissions regulation impact statement.

Air quality standard setting

In the past, standard setting processes in Australia used a variety of frameworks and methods, each one with its own merits and disadvantages. EPHC established the standard setting working group to develop an agreed approach to setting Australian air quality standards. The working group comprised equal representation of health and environment sectors and was jointly chaired by a representative from the Environment Protection and Heritage Council and from the Australian Health Ministers Advisory Council.

Work on this project has been completed. A framework has been developed that builds on the Risk Assessment Task Force Report but extends beyond risk assessment to take into account health, social, economic and environmental impacts and exposure assessment, together with a review of international approaches to standard setting. The document was released for public consultation during 2009–10. Concurrently, EPHC is developing a nationally integrated approach to managing air quality. The final standard setting methodology paper will be presented to EPHC in early 2011, together with the national approach on air quality.

Children's health and air pollution study

EPHC, in collaboration with the University of Queensland and the Woolcock Institute of Medical Research, undertook a three-year study to determine whether current air quality standards adequately protect the health of Australian schoolchildren. The primary purpose of the study is to obtain quantitative effect estimates for the association between air pollutants and adverse health outcomes, such as increases in respiratory symptoms and decreases in lung function in school-aged children across Australia. The pollutants of concern are those for which standards are set in the Ambient Air Quality NEPM.

During 2006–08, almost 3000 children were tested from selected study sites in the Australian Capital Territory, Victoria, Queensland, South Australia, Western Australia and New South Wales. Sites were chosen for range and variability in air pollution levels and for proximity to long-term monitoring stations.

During 2008–10, statistical analysis methods were developed. In 2010, a draft report on the findings of the study was prepared and presented to the Air Quality Working Group for comment. The study report is currently being finalised and the final report will be presented to EPHC in early 2011.

Emissions from surface coatings

EPHC established a working group to investigate the need for national action to reduce emissions from surface coatings. A technical study to support this project was completed and published on the EPHC website. A preliminary cost benefit analysis of potential national actions was commissioned to determine whether further action for the Architectural and Decorative Coatings and Automotive Refinishing sectors would be cost-effective. The findings of this study are expected to be released in 2010–11.

Multi-city mortality and morbidity study

The Multicity Mortality and Morbidity Study was initiated by EPHC to inform the review of the Ambient Air Quality NEPM by providing a comprehensive study into the health effects of air pollution in Australia and New Zealand. The report was peer reviewed by three international experts who all supported the findings of the study. The final report has incorporated feedback from the peer reviewers. The final report of the study has been endorsed by EPHC and is available on the EPHC website.

The study has found that there are significant associations between increases in mortality counts and increases in concentrations of NO₂, particles and ozone. Similar results were found in all Australian and New Zealand cities. The effects were greatest in the elderly.

The effect estimates found in this study are similar to those found in Canada and are higher than those observed in US and European studies. This may reflect a steeper slope in the dose-response relationship at lower concentrations. This is a significant finding from a policy perspective as the response to air pollution in the Australian and New Zealand population may be greater than that observed in the US and Europe.

Noise labelling test procedures development

A Noise Labelling Working Group was established to scope a consistent noise labelling scheme for noisy domestic articles. Articles investigated for inclusion in the first stage of the scheme include portable and fixed articles.

The potential for setting maximum noise limits for the portable articles is also to be investigated. An acoustical consultant was engaged to recommend test procedures that could be used to verify the accuracy of noise labels on domestic air conditioners.

The Noise Labelling Working Group is endeavouring to harmonise proposals for the Australian and New Zealand (ANZ) noise labelling and limit scheme with the European Union (EU) Noise Directive.

Non-road diesel engines

EPHC has established a working group to investigate the need for national action to reduce emissions from non-road diesel engines. Non-road diesel engines are diesel powered plant and equipment such as cranes, forklifts, generators, pumps, dozers, graders, tractors, ride-on mowers, etc, used in construction, mining, industrial and agricultural applications.

Nationally, non-road diesel engines consume a similar volume of diesel fuel as the on-road diesel vehicles and reducing emissions from this sector would contribute to reducing particle, ozone and NO₂ pollution, and associated health risks, in cities and regional Australia.

EPH Standing Committee has approved the development a Cost Benefit Analysis (CBA) to determine whether national emission management options for non-road diesel engines would result in a net public benefit and could be justified. The CBA will be developed by a consultant and stakeholders will be consulted on the findings of the draft CBA prior to its completion.

Reducing emissions from non-road spark ignition engines and equipment

Emissions from non-road spark ignition engines and equipment are a significant contributor to air pollution in Australia. These products include appliances from the garden and marine sectors, such as lawnmowers, leaf blowers, inboard and outboard boat motors, and personal watercraft.

A project team was established to investigate options to reduce emissions from these products.

A consultation regulation impact statement (RIS) was released in May 2010. Submissions on the RIS are available on the EPHC website. The RIS found that establishing mandatory national emission standards in Australia, in line with those in the US, would lead to around \$3 billion in avoided health costs.

The project team is currently developing a decision RIS, to be presented to EPHC in mid-2011.

Wood heaters

Wood heaters have a significant impact on air quality in many regions of Australia during the cooler months of the year. Fine particles (PM₁₀) emitted by wood heaters contribute to a number of health risks including respiratory problems and premature death.

The Solid Fuels project team oversights the development of a regulation impact statement to investigate options for the management of wood heater emissions. During 2009–10 quotes were invited for the development of a consultation regulation impact statement and negotiations with a preferred tenderer commenced.

It is anticipated that the consultation RIS will be released for consultation in the first half of 2011.

CHEMICALS

National Chemicals Environmental Management (NChEM) Working Group

Both in Australia and internationally, the importance of improving regulations and information systems underpinning the management of chemicals is receiving attention. Scientific information continues to emerge, highlighting the widespread persistence and accumulation of some chemicals in the environment. Mounting evidence points to the potential seriousness of their adverse effects on the environment and human health.

At the same time, chemicals play an important role in our economy. They are widely used and can be found in nearly all consumer products or linked to their production. Given their pervasiveness, regulation of chemicals must be balanced.

In June 2007, EPHC agreed to implement a national framework incorporating a set of reforms for chemicals management, called the National Chemicals Environmental Management (NChEM). Progress against the NChEM Chemicals Action Plan will be

reported to EPHC in July 2010. Building upon this work, the NChEM Working Group has also developed a new Action Plan for Chemicals detailing the work planned for July 2010 to June 2012. This action plan will be considered by EPHC in July 2010.

A key component of NChEM's work is actions arising from the 2008 Productivity Commission Research Report on Chemicals and Plastics Regulation. This report included three recommendations for action to address gaps in environmental protection in relation to chemicals management. The Council of Australian Governments (COAG) considered the Productivity Commission's recommendations and directed EPHC to:

- examine the costs and benefits of mandatory environmental labelling of chemicals
- establish an independent body to manage the impacts of chemicals on the environment
- consider the feasibility of developing a performance management framework for monitoring the impact of chemicals on the environment.

The NChEM Working Group commenced work on these recommendations in early 2009. A report was commissioned on the options available for environmental chemicals labelling: This report will be considered by EPHC in July 2010. Work began to identify legislative and non-legislation options for establishing a risk management body for chemicals in the environment with NChEM commissioning a report from the Australian Government Solicitor examining the feasibility of different options. This report is expected to be finalised in early August 2010. A workshop was held in March 2010 to discuss the feasibility of developing a performance management framework, and work is continuing on this recommendation.

NChEM Advisory Group

In 2007, EPHC established an advisory group made up of industry and community/ environment representatives. This group's role was to meet regularly with the chair of NChEM Working Group and assist in the development of the national framework. There was one advisory group meeting in 2009–10, and, as the work on the development of the framework is complete, the work of this advisory group is finished. However, significant consultation is expected on the three COAG recommendations, and input from industry and community/environmental groups will be a major part of these projects.

CLIMATE CHANGE

Australian standard on wind turbine noise

EPHC contracted the services of Standards Australia to facilitate the development of the Australian Standard 'Acoustics—measurement, prediction and assessment of noise from wind generators'. This document was published in March 2010 and informed the current draft wind farm guidelines.

Methane emissions from landfill

In February 2009, EPH Standing Committee resolved to support the Australian Landfill Gas Emission Reduction (ALGER) project, a national study of landfills to test techniques for quantifying landfill gas emissions and evaluate methods for mitigating those emissions. It was agreed that the project be principally funded through a grant from the Australian Research Council (ARC), with significant financial and in-kind contributions from a consortium of researchers, Council and the waste industry. The ALGER project was submitted to the ARC in November 2009. EPHC awaits the outcome of ARC deliberations.

National wind farm development guidelines

Wind energy has the potential to deliver a significant proportion of Australia's future electricity needs and contribute to national greenhouse gas abatement objectives. In light of the expected increase in wind farm development in coming years, EPHC agreed to develop a set of National Wind Farm Development Guidelines in collaboration with the Local Government and Planning Ministers' Council.

The aim of the guidelines is to outline best practice for industry and planning authorities in areas including heritage, threatened species and turbine noise, and to address issues such as shadow flicker, noise, impacts on landscapes, impacts on birds and bats and electromagnetic interference.

Public consultation on the draft National Wind Farm Development Guidelines was completed in March 2010. In July 2010, EPHC will consider releasing revised guidelines for a period of twelve months, during which time jurisdictions will evaluate their effectiveness and assess how the guidelines could be incorporated within existing planning and development processes.

It is anticipated that the final guidelines will be released following the first meeting of EPHC in 2011.

HERITAGE

Australian Underwater Cultural Heritage Intergovernmental Agreement

The UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage (the Convention) came into force internationally in January 2009 and will guide international underwater cultural heritage management. Australia was involved with the development and final form of the Convention but has not yet ratified it. The principles of the Convention are consistent with the way that Australia currently protects and manages its historic shipwrecks. However, as the Convention will have effect on the management of underwater cultural heritage in Australia's maritime waters, it is important for all jurisdictions to agree to legislative and management arrangements prior to ratification.

In November 2009, Council agreed to support Australia pursuing ratification and instigated the development of an Australian Underwater Cultural Heritage Intergovernmental Agreement for endorsement at its next meeting. Such an agreement would clarify the roles and responsibilities of the Commonwealth, the states and the Northern Territory in relation to the management of Australia's underwater cultural heritage, as a precursor to Australia ratifying the Convention. It is anticipated Council will consider a draft agreement in July 2010.

Australian World Heritage Intergovernmental Agreement

In April 2008, Council instigated the development of an Australian World Heritage Intergovernmental Agreement (IGA). In November 2009, Council agreed to a final draft of the agreement to be signed by the Ministers responsible for world heritage properties in each jurisdiction. The IGA articulates the roles and responsibilities of governments in relation to the management, funding, nomination, monitoring and periodic reporting and promotion of Australia's world heritage properties. The IGA also articulates the specific role of world heritage advisory committees in advising Council on national and cross-cutting world heritage matters.

WASTE MANAGEMENT AND PRODUCT STEWARDSHIP

Australian Packaging Covenant

Since 1999, the National Packaging Covenant has been a key national mechanism to assist in the reduction of the environmental impacts of packaging. The Covenant was due to expire on 30 June 2010. In November 2009, Council agreed in principle that the Australian Packaging Covenant would replace the National Packaging Covenant on 1 July 2010, subject to the completion of a regulatory impact assessment process.

A consultation regulation impact statement on used packaging materials was released for public comment in April 2010. A decision regulation impact statement, taking into account submissions received, was then developed and assessed as compliant in June 2010. As a consequence, on 25 June 2010, Council endorsed commencement of the Australian Packaging Covenant from 1 July 2010.

The Australian Packaging Covenant has an increased focus on the sustainable design of packaging, away from home recycling, litter reduction programs, and an improved governance structure. It also provides a significantly reduced compliance burden on signatories.

The new Covenant is supported by the Australian Packaging Covenant Strategic Plan 2010–15. This plan sets out priority areas and strategies to deliver against the Covenant's objectives and goals. It will inform investment decisions. Performance relative to the strategic plan will be reported to Council annually.

Degradable plastics

In December 2008, Council commissioned the CSIRO to undertake a scientifically rigorous assessment of the major classes of degradable materials currently in the Australian marketplace, such as those used to produce single use items such as shopping bags.

The CSIRO is investigating the potential impact/benefit of the degradable materials on the Australian environment through the rate of degradation of such materials under different environmental conditions, using both accelerated test conditions and real time exposure, and taking into account local and international test and performance standards as necessary.

The project will deliver performance criteria and recommendations for both the rate and extent of degradation of a plastic claiming to be degradable,

for input into future Australian standards. Relevant tests have proceeded during 2009–10. It is anticipated that test results will be available in late 2010.

FluoroCycle

In May 2009, Council announced FluoroCycle, a national voluntary scheme that is based on cooperation between government and industry. The objective of FluoroCycle is to reduce the amount of mercury entering the environment from waste mercury-containing lamps by continuously increasing the recycling of these lamps. The initial focus of FluoroCycle is on the commercial and public lighting sectors as these generate the majority of waste lighting. The scheme will build on the existing commitments of the many Australian businesses and organisations that have taken early action to address this issue.

FluoroCycle is open to businesses and organisations that either promote the scheme or commit to recycling all of their waste lamps from specified sites. The scheme will have an active outreach program and publicly recognise signatories for their commitment and achievements.

Industrial residues

A consultancy jointly sponsored by EPHC and the Primary Industries Ministerial Council is designed to provide the scientific background for the development of assessment criteria for contaminants in industrial residues and fertilisers to determine whether they can be applied to agricultural land. The consultancy is expected to be completed in 2010–11, following which both Councils will develop policy approaches to the matter.

National waste policy

In November 2009, Council agreed to the National Waste Policy: Less Waste More Resources. The policy charts a ten year vision for resource recovery and waste management. The National Waste Policy aims 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 re-use is undertaken in a safe, scientific and environmentally-sound manner. It also aims to help reduce greenhouse gas emissions, improve energy conservation, raise water efficiency and enhance productivity of the land. It was informed by a nine month intensive consultation process with all levels of government, business, industry, conservation peak bodies and the community.

The National Waste Policy establishes six key directions for the period to 2020:

1. **Taking responsibility**—Shared responsibility for reducing the environmental, health and safety footprint of products and materials across the manufacture-supply-consumption chain and at end-of-life.
2. **Improving the market**—Efficient and effective Australian markets operate for waste and recovered resources, with local technology and innovation being sought after internationally.
3. **Pursuing sustainability**—Less waste and improved use of waste to achieve broader environmental, social and economic benefits.
4. **Reducing hazard and risk**—Reduction of potentially hazardous content of wastes with consistent, safe and accountable waste recovery, handling and disposal.
5. **Tailoring solutions**—Increased capacity in regional, remote and Indigenous communities to manage waste and recover and re-use resources.
6. **Providing the evidence**—Access by decision makers to meaningful, accurate and current national waste and resource recovery data and information, in order to measure progress and educate and inform the behaviour and the choices of the community.

In December 2009, the Chair of Council wrote to the then Prime Minister seeking COAG endorsement of the National Waste Policy. The Prime Minister confirmed support for the proposal and wrote to his COAG colleagues seeking their endorsement.

In November 2009, Council requested EPH Standing Committee to develop an implementation plan for the National Waste Policy, including the identification of priority initiatives and key milestones for the first five years. It is anticipated the implementation plan will be presented to Council in July 2010.

National waste report

The National Waste Report 2010 was launched by Council on 7 May 2010. This report presents key information on waste management and resource recovery and draws on a range of published sources, commissioned research and information from states and territories. It is the first step towards establishing baseline data and developing a comprehensive account of waste issues which can be used by industry, government and the community to make informed and timely decisions.

As well as presenting national, state and territory waste data, the report discusses: the costs and impacts of landfill; recycling; hazardous waste; organic waste and litter; and describes how we managed waste in the past, our current arrangements and emerging issues and trends. The report also examines the quality of our data on waste and recycling. As this report lays the groundwork for similar reports at three-yearly intervals, the next National Waste Report is due for completion in 2013.

Packaging impacts and litter

In April 2008, Council resolved to conduct an assessment of potential national measures, including container deposit legislation (CDL), to address resource efficiency, environmental impacts and reduction of litter from packaging wastes such as beverage containers. This study, received in May 2009 was revised to correct an error. The revised report which was released in June 2010, found that moving from existing systems to a national CDL scheme would result in a net cost to the community in the order of \$680 million per annum and lesser amounts for other options. The figures did not include an assessment of the non-market value that the community places on recycling packaging materials or reducing litter. Council, therefore, commissioned a choice modelling willingness-to-pay (WTP) study to see if WTP would exceed the net cost. The choice modelling study was received in June 2010.

While the results of the choice modelling study are valid and provide greater clarity around the costs and benefits of managing waste packaging, there are some issues and information gaps that require resolution in order to determine whether or not the net community benefit test can be met, enabling the preparation of a detailed cost benefit analysis and development of a compliant regulation impact statement in relation to potential national measures. A report setting out options for the next steps will be presented to Council in July 2010.

Television and computer product stewardship

Rapid take-up of electronic products by the Australian community continues to drive increasing amounts of televisions and computers going to landfill. As demonstrated by the choice modelling study presented to Council in May 2009, community desire to see these products recovered and recycled is strong. The television and computer industries have also expressed

a willingness to establish national product stewardship schemes, which will be supported by an effective regulatory arrangement to prevent free-riders gaining a competitive advantage in the market.

Council, therefore, resolved to support the establishment of a national product stewardship scheme for televisions and computers and, in May 2009, directed officials to prioritise the identification of a preferred option, taking into account community views and the imminent switch-over to digital broadcasting.

A decision regulation impact statement was prepared to allow Council to take an informed decision on an approach to product stewardship for televisions and computers. In November 2009, Council agreed that the Australian Government develop and implement extended producer responsibility regulatory requirements, under overarching Commonwealth product stewardship legislation. The regulation will require manufacturers and importers of televisions and computers to establish efficient and effective arrangements for collecting and recycling end-of-life products, which will meet the obligations placed on them.

In 2010, the Australian Government commenced the development of Commonwealth product stewardship legislation, which will include regulatory requirements for televisions and computers. Officials continue to work with the television and computer industries to finalise their proposed schemes to ensure they are ready to be implemented as soon as the Australian Parliament passes the product stewardship legislation.

Tyres product stewardship

Council has long sought to reduce the environmental impacts of end-of-life tyres by investigating potential solutions to significantly reduce the amount of tyres being put into landfill, stockpiled or illegally dumped and to increase resource recovery and the use of tyre derived products in Australia.

The Australian Tyre Industry Council (ATIC) had proposed an industry-run product stewardship scheme, underpinned by government regulation to prevent free-riders from gaining an advantage in the market. This proposal included a business plan providing cost estimates of scheme operations. In May 2009, the preparation of a decision regulation impact statement was commenced incorporating a detailed cost benefit analysis of the ATIC proposal and other options.

In November 2009, Council considered the outcomes of the cost benefit analysis which indicated there would be a net cost to the community of regulatory intervention for any of the options considered in the impact assessment, including the ATIC proposal.

Council also noted that the situation with end-of-life tyres has changed significantly since ATIC designed and proposed a product stewardship solution for end-of-life tyres. The volume of tyres being put into landfill and recycled in Australia has significantly decreased due to rapid expansion of the export market.

Nevertheless, given the high levels of commitment from the industry to product stewardship, Council resolved to support the development of alternative industry-led schemes more appropriate to current circumstances that do not require regulation. The product stewardship initiatives developed for end-of-life tyres are expected to be brought forward for accreditation under the new National Product Stewardship Framework Legislation. In 2010, negotiations with the tyre industry and other stakeholders commenced to develop a whole of life tyre management strategy and product stewardship scheme to gain more value from the 52 million tyre EPU's (Equivalent Passenger Units) that reach end-of-life in Australia each year.

Waste Working Group

The EPHC Waste Working Group was established to provide a forum for jurisdictions to gain consensus on waste issues of national priority where collaborative actions will result in the best environmental outcomes. In 2009–10, the Waste Working Group functioned as a consultative mechanism, providing feedback on the National Waste Policy; tyre, television and computer product stewardship; the beverage container investigation; and the Australian Packaging Covenant.

As implementation of the National Waste Policy will involve a combination of collective and individual action by jurisdictions, a National Waste Policy Implementation Working Group will be established to coordinate progress. This 'steering' group and other working groups established under the National Waste Policy will replace the Waste Working Group.

WATER QUALITY

Fresh and marine water quality

Environment Protection and Heritage Council and the Natural Resource Management Ministerial Council have initiated a revision of National Water Quality Management Strategy Guideline 4: Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000). It is expected that there will also need to be a revision of related sections of National Water Quality Management Strategy Guideline 7: Australian Guidelines for Water Quality Monitoring and Reporting (2000).

A Joint Steering Committee chaired by Queensland has been established to oversee the revision. It is supported by a number of Technical Working Groups and specialist consultancies as required. Project management and secretariat support for the revision is provided by the NEPC Service Corporation.

The revision will be undertaken in a phased approach, with high priority and relatively straightforward amendments to be delivered under Phase 1 within an 18 month timeframe; that is, early 2011. Phase 2 will involve the main revision task and be delivered 18 months after the completion of Phase 1; that is, late 2012. Phase 3 will develop a process for ongoing evaluation and review of the guidelines.

Regular updates on progress with this revision are available on the EPHC website.

PUBLICATIONS RELEASED IN 2009–10

All publications produced up to 30 June 2010 are listed in Appendix 3.

Assessment of the Implementation and Effectiveness of NEPMs

NEPC is required by the *National Environment Protection Council Act 1994* (section 24) to report on the overall assessment of the implementation and effectiveness of NEPMs and to have regard to reports on NEPM implementation from the Commonwealth, states and territories.

Assessments by NEPC of the implementation and effectiveness for the following NEPMs are provided below:

- Air Toxics
- Ambient Air Quality
- Assessment of Site Contamination
- Diesel Vehicle Emissions
- Movement of Controlled Waste between States and Territories
- National Pollutant Inventory
- Used Packaging Materials.



NEPC Report on the implementation of the
Air Toxics NEPM

2 0 0 9 – 2 0 1 0

***‘Based on monitoring data
submitted by jurisdictions, air toxics
levels in Australia are low compared
to levels internationally.’***

NEPC Report on the implementation of the Air Toxics NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection (Air Toxics) Measure

Made by Council: 3 December 2004

Commencement Date: 20 December 2004
(advertised in *Commonwealth of Australia Special Gazette* No. S 52904, 20 December 2004)

NEPM goal (or purpose)

The goal of the National Environment Protection (Air Toxics) Measure is set out in clause 5 of the Measure as follows:

5. National environment protection goal

The national environment protection goal of this Measure is to improve the information base regarding ambient air toxics within the Australian environment in order to facilitate the development of standards following a Review of the Measure within eight years of its making.

Desired environmental outcomes

The desired environmental outcome of the National Environment Protection (Air Toxics) Measure is set out in clause 6 of the Measure as follows:

6. Desired environmental outcome

The desired environmental outcome of this Measure is to facilitate management of air toxics in ambient air that will allow for the equivalent protection of human health and well being, by-

- (1) providing for the generation of comparable, reliable information on the levels of toxic air pollutants ('air toxics') at sites where significantly elevated concentrations of one or more of these air toxics are likely to occur ('Stage 1 sites') and where the potential for significant population exposure to air toxics exists ('Stage 2 sites').

- (2) establishing a consistent approach to the identification of such sites for use by jurisdictions.
- (3) establishing a consistent frame of reference ('monitoring investigation levels') for use by jurisdictions in assessing the likely significance of levels of air toxics measured at Stage 2 sites.
- (4) adopting a nationally consistent approach to monitoring air toxics at a range of locations (eg. near major industrial sites, major roads, areas affected by wood smoke).

Evaluation criteria

The assessment of the effectiveness of the National Environment Protection (Air Toxics) Measure is based on the following criteria:

- any issues arising that reflect on the efficiency and simplicity of NEPM administration
- in accordance with clause 13(1) of the NEPM each participating jurisdiction must submit a report to council in accordance with Schedule 4 to this Measure.

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none"> The NEPM is implemented administratively.
New South Wales	<ul style="list-style-type: none"> The NEPM is implemented under the Protection of the Environment Operations (Clean Air) Regulation 2002 and Protection of the Environment Operations (General) Regulation 2009 under the <i>Protection of the Environment Operations Act 1997</i>.
Victoria	<ul style="list-style-type: none"> The key legislative instrument is the State Environment Protection Policy (Air Quality Management).
Queensland	<ul style="list-style-type: none"> The NEPM is implemented under the <i>Environmental Protection Act 1994</i>, Environmental Protection (Air) Policy 2008 and programs under the South East Queensland Regional Plan 2009–2031.
Western Australia	<ul style="list-style-type: none"> The NEPM is implemented under the <i>National Environment Protection Council (Western Australia) Act 1996</i>, the <i>Environmental Protection Act 1986</i> and by programs in the Perth Air Quality Management Plan. The Environmental Protection Authority is finalising a draft State Environmental (Ambient Air) Policy.
South Australia	<ul style="list-style-type: none"> The NEPM operates as an Environment Protection Policy under the <i>Environment Protection Act 1993</i>.
Tasmania	<ul style="list-style-type: none"> The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i>. The management of air toxics is included in the Tasmanian Air Quality Strategy 2006. Implementation is through the Environment Protection Policy (Air Quality) 2004 and the <i>Environmental Management Pollution Control Act 1994</i>.
Australian Capital Territory	<ul style="list-style-type: none"> The NEPM is implemented under the <i>Environment Protection Act 1997</i>.
Northern Territory	<ul style="list-style-type: none"> The key legislative instruments are the <i>Waste Management and Pollution Control Act</i> and the <i>National Environment Protection Council (Northern Territory) Act 2004</i>.



Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous

reporting years). A summary of implementation issues arising can be found at Table 2. For implementation activities refer to jurisdictional reports as listed in Part 5.

Table 2: Summary of implementation issues arising

Jurisdiction	Summary of implementation issues arising
Commonwealth	<ul style="list-style-type: none"> • Nil issues reported.
New South Wales	<ul style="list-style-type: none"> • Nil issues reported.
Victoria	<ul style="list-style-type: none"> • No monitoring undertaken during the reporting period.
Queensland	<ul style="list-style-type: none"> • Due to other priorities requiring air toxics monitoring elsewhere in the state, monitoring at the Stage 2 sites identified in 2005–06 was not carried out. • Non-NEPM compliant monitoring was undertaken at other than Stage 2 sites.
Western Australia	<ul style="list-style-type: none"> • Monitoring of air toxics using methods recommended by NEPM has been limited due to cost of such methods. • Passive sampling for air toxics has been conducted at several sites in addition to NEPM compliant monitoring.
South Australia	<ul style="list-style-type: none"> • No monitoring undertaken during the reporting period.
Tasmania	<ul style="list-style-type: none"> • Nil issues reported.
Australian Capital Territory	<ul style="list-style-type: none"> • Nil issues reported.
Northern Territory	<ul style="list-style-type: none"> • Nil issues reported.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

No new sites were identified in the reporting period.

Reporting of monitoring of air toxics

All jurisdictions, with the exception of South Australia, Victoria and the Australian Capital Territory, reported monitoring of air toxics. All monitoring showed levels under the monitoring investigation levels. Refer to jurisdictional reports in Part 5.

Reporting on assessment and action if any planned or taken to manage air toxics

The results of NEPM compliant monitoring as well as the additional complementary air quality studies indicate that air toxics levels in Australia are low compared to international standards and below NEPM Monitoring Investigation Levels. Due to these findings, no specific strategies or actions have been undertaken by jurisdictions, although it is noted that many air quality improvement actions have co-benefits of reducing air toxics.

Repeat identification of Stage 1 and Stage 2 sites

South Australia was the only jurisdiction to report repeat identification of Stage 1 and Stage 2 sites.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM allows for the collection of national data on the levels of ambient air toxics, which informs subsequent government programs for abatement and management. The criteria and guidance set out in the NEPM enable jurisdictions to assess the likelihood of significant population exposure. Based on monitoring data submitted by jurisdictions, air toxics levels in Australia are low compared to levels internationally.

Some jurisdictions have indicated that they are limited by continuing resource constraints and lack of flexibility in choice of sampling methodology in undertaking the levels of monitoring required by the NEPM. Other jurisdictions continue with their existing monitoring regimes, which in some cases are not NEPM compliant.

The information base for national air toxics monitoring data requires further development before a comprehensive national picture of the state of air toxics may be formed, thus providing the opportunity to present comparable data. The lack of nationally consistent air toxics information may lead to difficulties in developing national standards, which is the goal of the NEPM.

The mid-term review of the NEPM, considering a number of these issues, was undertaken during the reporting year. The outcomes of this review are expected to be published on the EPHC website in July 2010.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 6:

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NEPC Report on the implementation of the
Ambient Air Quality NEPM

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***‘Monitoring results indicate
that the NEPM standards are
being met and that air quality
in Australia is generally good
by international standards.’***

NEPC Report on the implementation of the Ambient Air Quality NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection
(Ambient Air Quality) Measure

Made by Council: 26 June 1998

Commencement Date: 8 July 1998
(advertised in *Commonwealth of Australia Gazette*
No. GN 27, 8 July 1998, p. 2211)

NEPM goal (or purpose)

The goal of the National Environment Protection
(Ambient Air Quality) Measure is set out in clause 6
of the Measure as follows:

6. National environment protection goal

The National Environment Protection Goal
of this Measure is to achieve the National
Environment Protection Standards as assessed
in accordance with the monitoring protocol
(Part 4) within ten years from commencement
to the extent specified in Schedule 2 column 5.

Desired environmental outcomes

The desired environmental outcome of the National
Environment Protection (Ambient Air Quality) Measure
is set out in clause 5 of the Measure as follows:

5. Desired environmental outcome

The desired environmental outcome of this
Measure is ambient air quality that allows for
the adequate protection of human health and
well-being.

Evaluation criteria

The assessment of the effectiveness of the National
Environment Protection (Ambient Air Quality)
Measure is based on the following criteria:

- any issues arising that reflect on the efficiency and simplicity of NEPM administration
- in accordance with clause 17 and 18 of the NEPM, each jurisdiction must submit a report on its compliance with the Measure. A summary of this report is available as Part 3. Full reports are available on the EPHC website.



PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none">The Commonwealth implements the NEPM administratively. However, it is not required by the NEPM to undertake monitoring as it does not have authority over regions with a population of 25 000 or more.
New South Wales	<ul style="list-style-type: none">The NEPM is implemented under the <i>Protection of the Environment Operations Act 1997</i>, Protection of the Environment Operations (Clean Air) Regulation 2002, and through programs in the NSW government's 25-year Air Quality Management Plan, Action for Air.
Victoria	<ul style="list-style-type: none">The key legislative instruments are the State Environment Protection Policy (Ambient Air Quality) and the State Environment Protection Policy (Air Quality Management) made under the <i>Environment Protection Act 1970</i>.
Queensland	<ul style="list-style-type: none">The NEPM is implemented under the <i>Environmental Protection Act 1994</i>, the Environmental Protection (Air) Policy 2008 and by programs under the South East Queensland Regional Plan 2009–2031.
Western Australia	<ul style="list-style-type: none">The NEPM is implemented under the <i>National Environment Protection Council (Western Australia) Act 1996</i>, the <i>Environmental Protection Act 1986</i> and by programs under the Perth Air Quality Management Plan.
South Australia	<ul style="list-style-type: none">The transitional provisions in the <i>Environment Protection (Miscellaneous) Amendment Act 2005</i> enable the NEPM to continue to operate as an Environment Protection Policy.
Tasmania	<ul style="list-style-type: none">The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i>. The management of ambient air quality is an objective of the Tasmanian Air Quality Strategy 2006.Implementation is through the Environment Protection Policy (Air Quality) 2004 and the <i>Environmental Management Pollution Control Act 1994</i>.
Australian Capital Territory	<ul style="list-style-type: none">The NEPM is implemented by the Environment Protection Regulation 1997 under the <i>Environment Protection Act 1997</i>.
Northern Territory	<ul style="list-style-type: none">The key legislative instruments are the <i>Waste Management and Pollution Control Act</i> and the <i>National Environment Protection Council (Northern Territory) Act 2004</i>.



Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous reporting years). A summary of implementation issues

arising can be found in Table 2. For implementation activities refer to jurisdictional reports as listed in Part 5. Refer to the Diesel NEPM implementation reports for specific information on additional actions to reduce diesel emissions.

Table 2: Summary of implementation issues arising

Jurisdiction	Summary of implementation issues arising
Commonwealth	<ul style="list-style-type: none">• Nil issues reported.
New South Wales	<ul style="list-style-type: none">• Data availability criteria were not met at all locations for every pollutant, resulting in compliance with the NEPM being ‘not demonstrated’ at some sites.• Some data were invalidated due to technical issues.
Victoria	<ul style="list-style-type: none">• Nil issues reported.
Queensland	<ul style="list-style-type: none">• Other monitoring priorities have delayed implementation of monitoring in four regional centres.• The Mackay monitoring site was relocated as it was no longer representative of regional population exposure.
Western Australia	<ul style="list-style-type: none">• Nil issues reported.
South Australia	<ul style="list-style-type: none">• Nil issues reported.
Tasmania	<ul style="list-style-type: none">• Continuing delay was experienced in establishing a NEPM monitoring station at Devonport.
Australian Capital Territory	<ul style="list-style-type: none">• ACT’s population passed the threshold for a second NEPM station.
Northern Territory	<ul style="list-style-type: none">• Nil issues reported.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Detailed monitoring data are available in jurisdictional compliance reports which are available from <http://www.ephc.gov.au>.

The State of the Air Report— A national report

The State of the Air Report, produced by the Australian Government approximately every five years, describes current and historic air quality in major urban airsheds in Australia. The report uses the National Environment Protection (Ambient Air Quality) Measure standards or advisory reporting standards as yardsticks for assessing air quality.

Data provided by jurisdictions have been analysed, and NEPM-related annual statistics generated and compared against the national standards for an assessment of national air quality.

A copy of the 1991–2001 State of the Air Report can be downloaded from <http://www.environment.gov.au/atmosphere/airquality/publications/status/index>.

The 1999–2008 State of the Air Report is due for release in late 2010 to early 2011.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

Monitoring results indicate that the NEPM standards are generally being met and that air quality in Australia is generally good by international standards. Some jurisdictions have reported increases in particulate pollution. Bushfires, controlled burning, domestic wood heaters and dust due to drought, agricultural practices and construction are the major causes of these standards being exceeded. For example, there was a dramatic increase in particulate levels in eastern Australia in late September 2009, as a result of major dust storms. Managing the impact of smoke from bushfires and planned burns are expected to become a bigger challenge as a result of climate change. Other causes of particulate pollution include increasing vehicle use, localised industrial sources and fireworks.

Concerns have also been raised by some jurisdictions about increasing ozone levels. Urban expansion and the associated increase in motor vehicle use could present challenges in future compliance with the ozone standards. Higher temperatures and possible increased bushfire activity associated with climate change are expected to lead to more frequent ozone exceedences.

Jurisdictions reported that they are working collaboratively with industry, local stakeholders and research institutions to develop alternative methods to reduce emissions.

A review of the Ambient Air Quality NEPM continues. It is considering climate change as well as health impacts, NEPM monitoring standards, and actions to reduce emissions from a wider range of sources (including wood heaters, small engines, non-road diesel engines and surface coatings).

Jurisdictions continue to provide high quality data through maintaining and developing quality monitoring systems, some of which are accredited by the National Association of Testing Authorities (NATA). Jurisdictions have continued their participation in the activities of the NEPM by membership on the Review Working Group, the Peer Review Committee and the Jurisdictional Reference Network.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

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NEPC Report on the implementation of the

Assessment of Site Contamination NEPM

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‘The NEPM guidelines have raised public awareness of site contamination issues and improved standards for site contamination assessments.’

NEPC Report on the implementation of the Assessment of Site Contamination NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection (Assessment of Site Contamination) Measure

Made by Council: 10 December 1999

Commencement Date: 22 December 1999
(advertised in *Commonwealth of Australia Gazette* No GN 51, 22 December 1999, p 4246)

NEPM goal (or purpose)

The goal of the National Environment Protection (Assessment of Site Contamination) Measure is set out in clause 5 (1) of the Measure as follows:

5 (1) National environment protection goal

The purpose of the Measure is to establish a nationally consistent approach to the assessment of site contamination to ensure sound environmental management practices by the community which includes regulators, site assessors, environmental auditors, landowners, developers and industry

Desired environmental outcomes

The desired environmental outcome of the National Environment Protection (Assessment of Site Contamination) Measure is set out in clause 5 (2) of the Measure as follows:

5 (2) Desired environmental outcome

The desired environmental outcome for this Measure is to provide adequate protection of human health and the environment, where site contamination has occurred, through the development of an efficient and effective national approach to the assessment of site contamination.

Evaluation criteria

The assessment of the effectiveness of the National Environment Protection (Assessment of Site Contamination) Measure is based on the following criteria:

- any issues arising that reflect on the efficiency and simplicity of NEPM administration
- in accordance with clause 9(1) of the NEPM, each participating jurisdiction is to submit a report on the assessment of the implementation and effectiveness of this NEPM.



PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none">• The NEPM is implemented administratively.
New South Wales	<ul style="list-style-type: none">• The NEPM operates under guidelines issued under the <i>Contaminated Land Management Act 1997</i> (amendment commenced on 1 July 2009).
Victoria	<ul style="list-style-type: none">• The key legislative instruments for administering the NEPM are:<ul style="list-style-type: none">—the State Environment Protection Policy (Prevention and Management of Contamination of Land)—the State Environment Protection Policy (Groundwaters of Victoria)—the Industrial Waste Management Policy (Prescribed Industrial Waste)—the <i>Planning and Environment Act 1987</i>.• The Environmental Audit System (Contaminated Land) provides the administrative framework for assessing site contamination.
Queensland	<ul style="list-style-type: none">• The <i>Sustainable Planning Act 2009</i> and the <i>Environment Protection Act 1994</i> are the key legislative instruments.• The NEPM is applied through the Guidelines for the Assessment and Management of Contaminated Land in Queensland, May 1998.
Western Australia	<ul style="list-style-type: none">• The NEPM is implemented through the <i>Contaminated Sites Act 2003</i> and the Contaminated Sites Regulations 2006 and associated guidelines, including the revised Contaminated Sites Management Series guideline 'Assessment Levels for Soil, Sediment and Water' (2010).
South Australia	<ul style="list-style-type: none">• The <i>Environment Protection Act 1993</i> enables the NEPM to operate as an Environment Protection Policy.• Specific site contamination provisions of the <i>Environment Protection Act 1993</i> commenced in full on 1 July 2009.
Tasmania	<ul style="list-style-type: none">• The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i>.• The NEPM is implemented under the <i>Environmental Management and Pollution Control Act 1994</i>, and associated guidelines.
Australian Capital Territory	<ul style="list-style-type: none">• The NEPM is implemented by the Contaminated Sites Environment Protection Policy (reviewed in 2009) made under the <i>Environment Protection Act 1997</i>.
Northern Territory	<ul style="list-style-type: none">• The NEPM is implemented by audits of contaminated sites, the pollution control provisions of the <i>Waste Management and Pollution Control Act</i>.



Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous reporting years). No jurisdictions reported any implementation issues arising for this reporting year.

For implementation activities refer to jurisdictional reports as listed in Part 5.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Clause 9 of the NEPM sets out the information that jurisdictions are required to report. Refer to jurisdictional reports in Part 5.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM is the primary guidance document for the assessment of site contamination in Australia and has increased consistency between jurisdictions. Although the NEPM is currently undergoing a variation, it continues to be one of the most downloaded of all NEPC documents. This indicates a high awareness and use of the NEPM guidelines.

It is anticipated that the detailed and extensive proposed variation to the NEPM, which includes updating the technology and assessment methods, will improve its effectiveness. Inclusion of the principles of site management in the NEPM will strengthen the nationally consistent framework for site management.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

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NEPC Report on the implementation of the
Diesel Vehicle Emissions NEPM

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‘Jurisdictions are continuing to improve diesel vehicle emissions through better emissions testing, vocational training and awareness-raising activities.’

NEPC Report on the implementation of the Diesel Vehicle Emissions NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection (Diesel Vehicle Emissions) Measure

Made by Council: 29 June 2001

Commencement Date: 18 July 2001
(advertised in *Commonwealth of Australia Gazette* No GN 28, 18 July, 2001 p 2014)

NEPM goal (or purpose)

The goal of the National Environment Protection (Diesel Vehicle Emissions) Measure is set out in clause 10 of the Measure as follows:

10 National environment protection goal

The goal of this Measure is to reduce exhaust emissions from diesel vehicles, by facilitating compliance with in-service emissions standards for diesel vehicles.

Desired environmental outcomes

The desired environmental outcome of the National Environment Protection (Diesel Vehicle Emissions) Measure is set out in clause 11 of the Measure as follows:

11 Desired environmental outcome

The desired environmental outcome of this Measure is to reduce pollution from in-service diesel vehicles.

Evaluation criteria

The assessment of the effectiveness of the National Environment Protection (Diesel Vehicle Emissions) Measure is based on the following criteria:

- any issues arising that reflect on the efficiency and simplicity of NEPM administration

- reporting requirements set out in clause 15(1) of the Measure are as follows:

It is intended that each participating jurisdiction submit a report to the Council on the following matters:

- a) Assessment of the need to take action to manage emissions from the in-service diesel fleet, utilising the criteria specified in clause 13
- b) Description of actions taken.

A brief report of all programs implemented during the reporting year to manage emissions from in-service diesel vehicles, including any programs implemented that are not covered by the guidelines in Schedule A of this Measure.

This description should take account of:

- the scope of action required to achieve the Goal and the Desired Environmental Outcome specified in this Measure; and
- any action taken and progress made to reduce emissions from in-service diesel vehicles prior to the commencement of this Measure (relevant to the first year of reporting).

- c) Assessment of the effectiveness of any actions taken.

Participating jurisdictions must assess their progress in reducing emissions from in-service diesel vehicles identified as significant contributors to air quality problems.

This assessment should include:

- an estimation of any change in the proportion of diesel vehicles out of compliance with in-service emissions standards; and
- an estimation of the reduction in diesel vehicle emissions to ambient air.



PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none">• The NEPM is implemented administratively.• The NEPM is supported by the Australian Design Rules under the <i>Motor Vehicle Standards Act 1989</i>, <i>Fuel Quality Standards Act 2000</i> and fuel tax credit arrangements.
New South Wales	<ul style="list-style-type: none">• The key legislative instruments are the <i>Protection of the Environment Operations Act 1997</i> and the Protection of the Environment Operations (Clean Air) Regulation 2002.• The NEPM is implemented as part of the NSW government's 25-year air quality management plan, Action for Air.
Victoria	<ul style="list-style-type: none">• The primary legislative tools are the Environment Protection (Vehicle Emissions) Regulations 2003 under the <i>Environment Protection Act 1970</i>.
Queensland	<ul style="list-style-type: none">• The NEPM is implemented by the <i>National Environment Protection Council (Queensland) Act 1994</i>.
Western Australia	<ul style="list-style-type: none">• The NEPM is implemented by the <i>National Environment Protection Council (Western Australia) Act 1996</i>, the <i>Environmental Protection Act 1986</i>, the Road Traffic (Vehicle Standards) Rules 2002 and through programs under the Perth Air Quality Management Plan.
South Australia	<ul style="list-style-type: none">• The transitional provisions in the <i>Environment Protection (Miscellaneous) Amendment Act 2005</i> enable the NEPM to continue to operate as an Environment Protection Policy.
Tasmania	<ul style="list-style-type: none">• The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i>.
Australian Capital Territory	<ul style="list-style-type: none">• The key legislative instrument is the Road Transport (Vehicle Registration) Regulation 2000.
Northern Territory	<ul style="list-style-type: none">• Vehicle performance standards are enforced under the <i>Motor Vehicles Act</i> and the Australian Vehicle Standard Rules.



Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous reporting years).

Most jurisdictions reported no issues. However, Western Australia reported that a delay in reinstating the Smoky Vehicle Reporting Program (suspended due to privacy issues) resulted in limited reporting.

For implementation activities refer to jurisdictional reports as listed in Part 5.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

New South Wales, Queensland, the Australian Capital Territory, Western Australia, Victoria and the Northern Territory ran a smoky vehicle reporting program.

Diesel vehicle emission testing and repair programs

New South Wales, Victoria and Queensland ran testing and/or repair activities.

Audited maintenance programs for diesel vehicles

The Commonwealth, New South Wales, Victoria and Queensland ran audited maintenance programs for diesel vehicles. The Northern Territory reported that they check for required emission control equipment as part of their vehicle roadworthy inspections.

Diesel vehicle retrofit programs

New South Wales and Victoria ran diesel vehicle retrofit programs.

Other programs

The Commonwealth, New South Wales, Victoria, Queensland, Western Australia, South Australia and Tasmania ran other programs. These included a number of initiatives based on the US EPA SmartWay Transport Initiative. Some jurisdictions continue to implement vocational training and awareness raising activities.

Refer to jurisdictional reports as listed in Part 5 for further information.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM was introduced, in conjunction with emission standards developed by the National Transport Commission and fuel quality standards, as a set of complementary measures in order to manage and mitigate emissions from pre-2000 diesel vehicles, for which no emissions-related Australian Design Rules were applicable.

Jurisdictions noted that this year's reporting was streamlined under the varied NEPM.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 6:

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NEPC Report on the implementation of the

Movement of Controlled Waste between States and Territories NEPM

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‘The application of the NEPM ensures that controlled wastes are transported in a manner that minimises the potential for adverse impacts on the environment and human health.’

NEPC Report on the implementation of the Movement of Controlled Waste between States and Territories NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection Council (Movement of Controlled Waste between States and Territories) Measure

Made by Council: 26 June 1998

Commencement Date: 8 July 1998
(advertised in the *Commonwealth of Australia Gazette* No. GN 27, 8 July 1998, p 2212)

NEPM goal (or purpose)

The desired goal for the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure is set out in clause 11 of the Measure as follows:

11. The national environment protection goal of this Measure is to assist in achieving the desired environmental outcomes set out in clause 12 by providing a basis for ensuring that controlled wastes which are to be moved between States and Territories are properly identified, transported, and otherwise handled in ways which are consistent with environmentally sound practices for the management of these wastes.

Desired environmental outcomes

The desired environmental outcome for the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure is set out in clause 12 of the Measure as follows:

12. The desired environmental outcomes of this Measure are to minimise the potential for adverse impacts associated with the movement of controlled waste on the environment and human health.

Evaluation criteria

The assessment of the effectiveness of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure is based on the following criteria:

- issues arising that reflect on the efficiency and simplicity of NEPM administration
- clause 13(1) of the NEPM states that:

In order to facilitate reporting on the implementation and effectiveness of the NEPM, the relevant agency of each participating state and territory should provide collated summary information on the:

- (i) movement of controlled waste into each jurisdiction, indicating jurisdiction of origin, waste code and quantity of waste;
- (ii) level of discrepancies (e.g. non-arrival of a consignment) as a percentage of total authorised controlled waste movements; and
- (iii) benefits arising from the implementation of the Measure.

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none"> The NEPM is implemented administratively.
New South Wales	<ul style="list-style-type: none"> The key legislative instruments are the <i>Protection of the Environment Operations Act 1997</i> and the <i>Protection of the Environment Operations (Waste) Regulation 2005</i>.
Victoria	<ul style="list-style-type: none"> The key legislative instruments are the <i>Environment Protection Act 1970</i>, the <i>Environment Protection (Industrial Wastes Resource) Regulations 2009</i>, and the <i>Industrial Waste Management Policy (Movement of Controlled Waste between States and Territories) 2001</i>.
Queensland	<ul style="list-style-type: none"> The key legislative instruments are the <i>Environmental Protection Act 1994</i> and the <i>Environmental Protection (Waste Management) Regulation 2000</i>. Requirements for the licensing of controlled waste transporters are included in the <i>Environmental Protection Regulation 2008</i>.
Western Australia	<ul style="list-style-type: none"> The primary legislative instruments are the <i>Environmental Protection (Controlled Waste) Regulations 2004</i>.
South Australia	<ul style="list-style-type: none"> The NEPM operates as an <i>Environment Protection Policy</i> under the <i>Environment Protection Act 1993</i> and is implemented through conditions of licences.
Tasmania	<ul style="list-style-type: none"> The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i>. The NEPM is implemented under the <i>Environmental Management and Pollution Control Act 1994</i>.
Australian Capital Territory	<ul style="list-style-type: none"> The key legislative instruments are the <i>Environment Protection Act 1997</i> and the <i>Environment Protection Regulations 2005</i>.
Northern Territory	<ul style="list-style-type: none"> The key legislative instruments are the <i>Waste Management and Pollution Control Act</i> and the <i>Dangerous Goods (Road and Rail Transport) Act</i>.

Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous reporting years).

Most jurisdictions reported no issues. However, Tasmania reported that the introduction of the 'External Territories' reporting column enables the correct origin of Antarctic waste to be reported.

For implementation activities refer to jurisdictional reports as listed in Part 5.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The jurisdictional reports (listed in Part 5) provide information from each state and territory. The tables below provide a national summary of the data for quantities of each waste category transported between states and territories. The waste classes group the 73 categories of waste streams and constituents listed in Schedule A of the NEPM into 15 broader types.

*Table 2: Summary of total movements of controlled waste within Australia, imports by states and territories for the period
1 July 2009–30 June 2010*

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ex-Terr*	Total
A	Plating & heat treatment	8.15	0.00	2.76	10.00	4.34	0.00	0.00	0.00	0.00	25.25
B	Acids	9853.35	986.00	72.97	0.00	15.82	0.26	0.00	0.00	0.26	10928.66
C	Alkalis	607.17	402.00	210.70	0.00	165.08	0.00	0.00	0.00	0.00	1384.95
D	Inorganic chemicals	40839.74	25808.00	35.14	0.16	16450.20	4.57	0.00	0.00	4.57	83142.37
E	Reactive chemicals	0.02	0.00	0.00	0.00	2.60	0.00	0.00	0.00	0.00	2.62
F	Paints, resins, inks, organic sludges	636.24	3673.00	146.92	16.00	1568.97	0.00	0.00	0.00	0.00	6041.13
G	Organic solvents	585.97	3072.00	21.60	60.00	2560.38	15.25	0.00	0.00	15.25	6330.45
H	Pesticides	7.14	770.00	70.73	50.00	0.16	0.00	0.00	0.00	0.00	898.03
J	Oils	6625.75	4306.00	4039.06	336.00	3241.00	128.16	181.34	0.00	128.16	18985.47
K	Putrescible/organic waste	9104.83	3558.00	3473.18	0.00	10.00	16.02	0.00	0.00	16.02	16178.05
L	Industrial washwater	0.00	89.00	3.00	0.00	0.00	0.00	0.00	0.00	0.00	92.00
M	Organic chemicals	1814.24	289.00	961.81	17.00	20.01	0.00	516.86	0.00	0.00	3618.92
N	Soil/sludge	25209.73	432.00	730.88	0.00	250.90	168.55	1675.46	0.00	168.55	28636.07
R	Clinical & pharmaceutical	380.99	366.00	9131.58	0.00	136.97	0.00	260.86	0.00	0.00	10276.40
T	Misc.	1630.93	59.25	0.00	0.00	295.90	0.26	0.00	0.00	0.26	1986.60
Total (tonnes)		97304.25	43810.25	18900.33	489.16	24722.33	333.07	2634.52	0.00	333.07	188526.98

* Note: Information regarding External Territories (Ex-Terr*) has been provided only since the reporting year 2009–10.

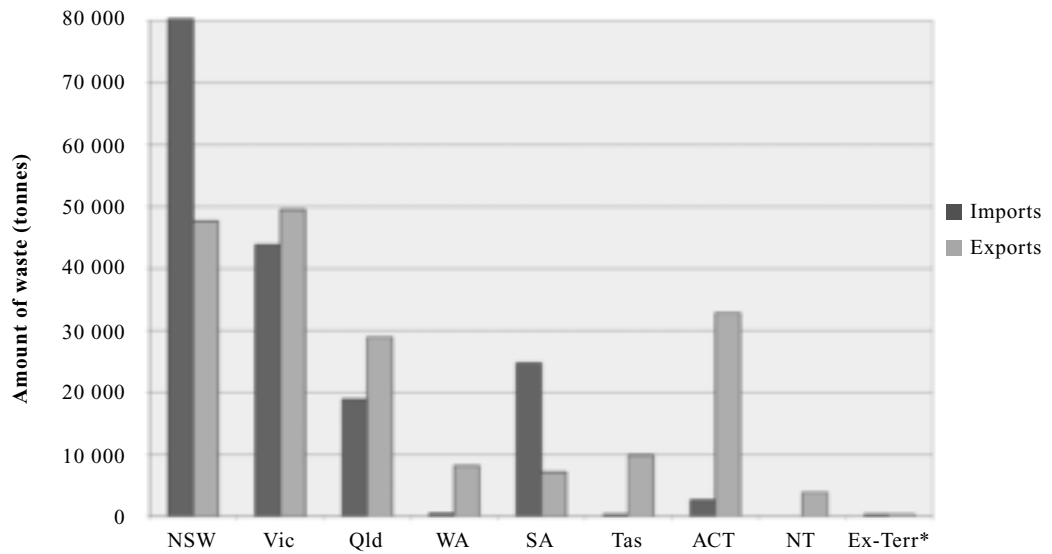
*Table 3: Summary of total movements of controlled waste within Australia,
exports by states and territories for the period
1 July 2009–30 June 2010*

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ex-Terr*	Total
A	Plating & heat treatment	2.76	10.60	11.89	0.00	0.00	0.00	0.00	0.00	0.00	25.25
B	Acids	284.56	9774.49	108.19	680.06	52.00	8.00	2.83	18.02	0.26	10928.40
C	Alkalis	550.70	609.76	0.00	0.00	0.00	0.00	4.41	220.08	0.00	1384.95
D	Inorganic chemicals	14531.13	28731.79	18794.26	5332.72	6046.59	8733.12	100.92	862.71	4.57	83137.80
E	Reactive chemicals	0.00	2.60	0.00	0.00	0.00	0.00	0.02	0.00	0.00	2.62
F	Paints, resins, inks, organic sludges	3460.63	200.91	1950.00	184.00	159.64	4.00	69.55	12.40	0.00	6041.13
G	Organic solvents	2300.90	2274.97	128.03	471.66	314.16	737.00	42.33	30.90	15.25	6315.20
H	Pesticides	93.43	86.00	650.31	18.65	39.30	4.00	0.18	6.16	0.00	898.03
J	Oils	6407.57	2355.74	5058.18	958.59	152.40	240.38	1291.58	2264.71	128.16	18857.31
K	Putrescible/organic waste	6996.18	4104.88	0.00	9.00	2.00	24.00	4999.95	10.00	16.02	16162.03
L	Industrial washwater	72.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	0.00	92.00
M	Organic chemicals	925.66	586.59	1718.75	14.92	183.52	46.48	122.99	20.01	0.00	3618.92
N	Soil/sludge	2506.14	728.11	162.86	391.79	19.10	23.00	24463.96	4.00	168.55	28467.52
R	Clinical & pharmaceutical	9487.34	13.97	260.74	86.00	147.00	53.17	110.38	117.80	0.00	10276.40
T	Misc.	2.00	0.26	46.00	31.31	0.00	11.00	1621.84	273.42	0.51	1986.34
Total (tonnes)		47621.00	49480.67	28909.21	8178.70	7115.71	9884.15	32830.94	3840.21	333.32	188193.91

* Note: Information regarding External Territories (Ex-Terr*) has been provided only since the reporting year 2009–10.



Figure 1: Tonnage of controlled waste moved within Australia 2009–10



* Note: Information regarding External Territories (Ex-Terr*) has been provided only since the reporting year 2009–10.



Figure 2: Tonnage of controlled waste moved within Australia 1999–2010

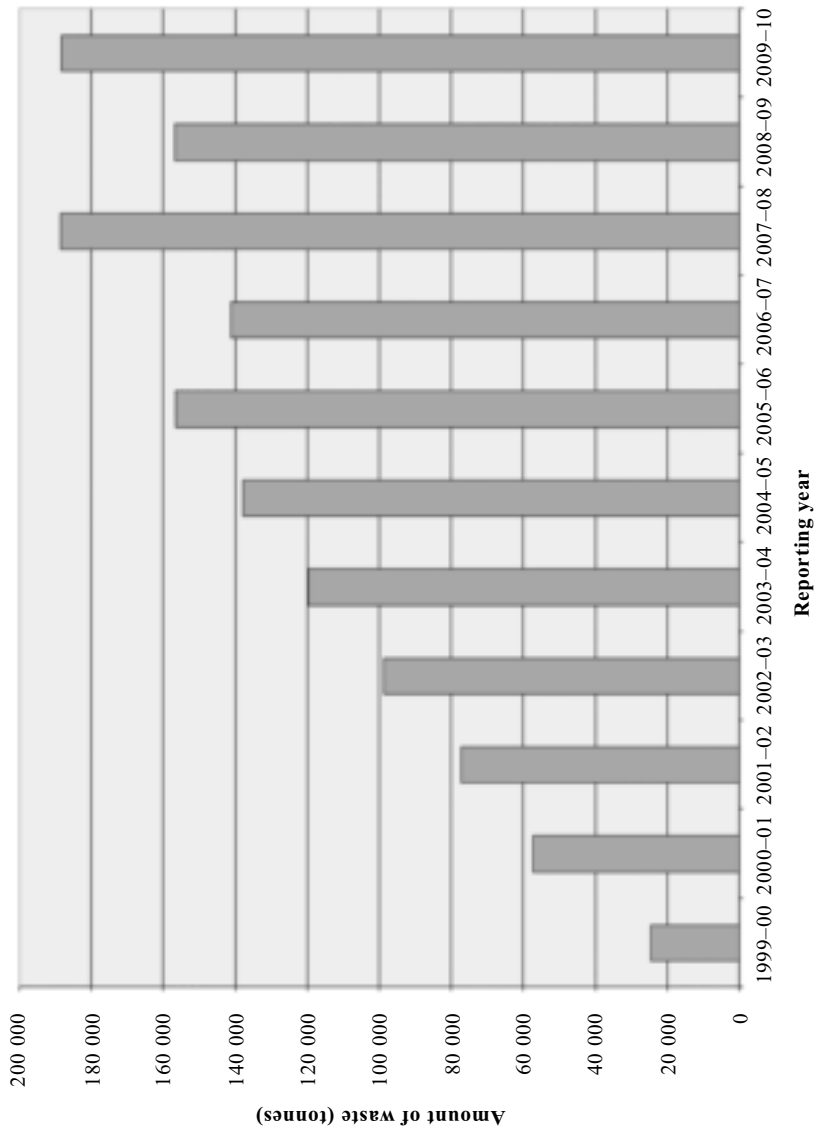
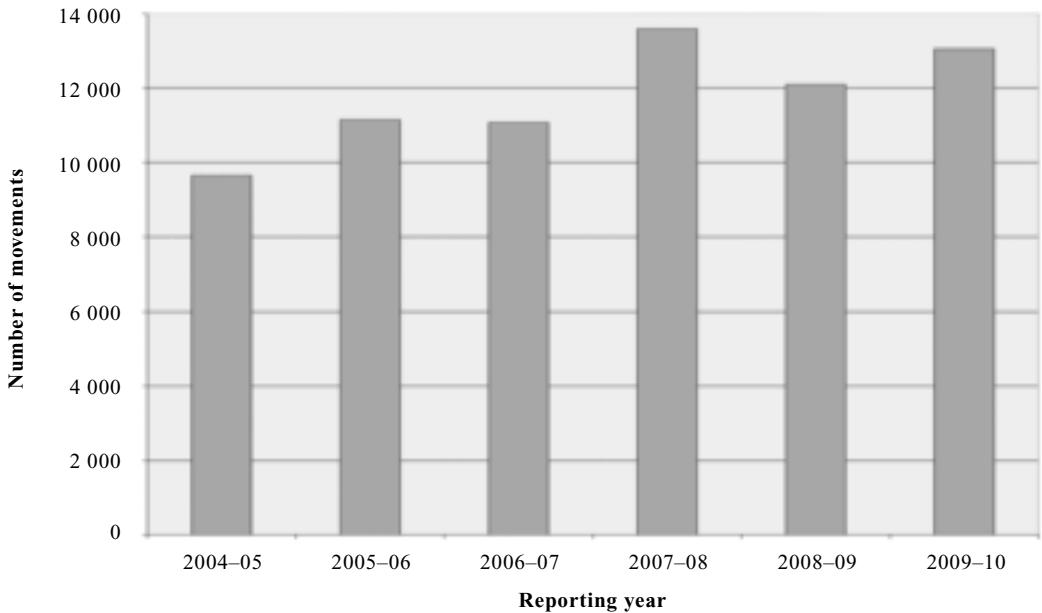


Figure 3: Number of movements of controlled waste within Australia 2004–10



Note: Information regarding number of movements has been provided only since the reporting year 2004–05.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

In May 2009, the NEPC initiated a five-yearly review of the NEPM, which was completed during this reporting period.

Jurisdictions are working collaboratively to ensure there is an efficient and consistent system for tracking controlled waste. Continued cooperation between the states and territories resolves discrepancies and illegal shipments.

A number of jurisdictions have implemented an online waste tracking system which prevents unlicensed transport as well as the use of out-of-date consignment authorisations, a major problem in the past.

The waste tracking documentation indicates that a significant proportion of waste movements across jurisdictional boundaries are for reuse, recycling or energy recovery.

Industry compliance continues to be high as the NEPM provides clear guidelines on the transport of controlled waste across state and territory borders.

The application of the NEPM ensures that controlled wastes are transported in a manner that minimises the potential for adverse impacts on the environment and human health. It also allows for wastes to be treated in a proper and satisfactory fashion, thus reducing stockpiles nationally.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

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NEPC Report on the implementation of the
National Pollutant Inventory NEPM

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‘The National Pollutant Inventory website is meeting the goal of the NEPM by providing accessible information on emissions.’

NEPC Report on the implementation of the National Pollutant Inventory NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection (National Pollutant Inventory) Measure

Made by Council: 27 February 1998

Commencement Date: Clauses 1 and 2 of the Measure commenced on the date of Gazettal 4 March 1998 (advertised in *Commonwealth of Australia Gazette* No. S89, 4 March 1998, p 1) with the remaining provisions of the Measure commencing on 1 July 1998.

NEPM goal (or purpose)

The environment protection goals are established by clause 6 of this Measure as follows:

6. The national environment protection goals established by this Measure are to:
 - (a) collect a broad base of information on emissions and transfers of substances on the reporting list, and
 - (b) disseminate the information collected to all sectors of the community in a useful, accessible and understandable form.

In summary, the NPI NEPM provides the framework for the development and establishment of the NPI which is an Internet database designed to provide publicly available information on the types and amounts of certain chemicals being emitted to the air, land and water.

Desired environmental outcomes

The desired environmental outcomes, as set out in clause 5 of the Measure, are:

- (a) the maintenance and improvement of:
 - (i) ambient air quality; and
 - (ii) ambient marine, estuarine and fresh water quality;
- (b) the minimisation of environmental impacts associated with hazardous wastes; and
- (c) an improvement in the sustainable use of resources.

Evaluation criteria

The assessment of the effectiveness of the National Environment Protection (National Pollutant Inventory) Measure is based on the following criteria:

- any issues arising that reflect on the efficiency and simplicity of NEPM administration
- longer term performance indicators relating to the effectiveness of the National Pollutant Inventory (NPI) have been listed in some Memoranda of Understanding between the Commonwealth and the states and territories. They have been included to provide jurisdictions with a guide to the type of information that could be reported. Indicators could include:
 - number of ‘visitors’ on website
 - number of facility reports on the database
 - feedback/data from industry indicates that the process of emission estimation and reporting from the NPI has led to increased consideration of waste minimisation and cleaner production initiatives
 - feedback from users of the database on its usability and on the relevance of the information for their needs
 - total number of reporters in comparison to the previous reporting year
 - range of industry sectors reporting
 - number of new reporters
 - new industry sectors reporting
 - any other indicator identified.

Jurisdictions should report on those specific criteria that are appropriate for their responsibilities under the NPI Measure.

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none"> The NEPM is implemented administratively.
New South Wales	<ul style="list-style-type: none"> The key legislative instrument is the Protection of the Environment Operations (General) Regulation 2009 under the <i>Protection of the Environment Operations Act 1997</i>.
Victoria	<ul style="list-style-type: none"> The key legislative instrument is the Industrial Waste Management Policy (National Pollutant Inventory) 1998 under the <i>Environment Protection Act 1970</i>.
Queensland	<ul style="list-style-type: none"> The NEPM is implemented under the <i>Environmental Protection Act 1994</i> and the Environmental Protection Regulation 2008.
Western Australia	<ul style="list-style-type: none"> The key legislative instrument is the Environmental Protection (NEPM – NPI) Regulations 1998 under the <i>Environmental Protection Act 1986</i>.
South Australia	<ul style="list-style-type: none"> The NEPM operates as an Environment Protection Policy under the <i>Environment Protection Act 1993</i>.
Tasmania	<ul style="list-style-type: none"> The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i> and is implemented through the <i>Environmental Management and Pollution Control Act 1993</i>.
Australian Capital Territory	<ul style="list-style-type: none"> The key legislative instrument is the <i>Environment Protection Act 1997</i>.
Northern Territory	<ul style="list-style-type: none"> The NEPM is implemented by the Environment Protection (National Pollutant Inventory) Objective established under the <i>Waste Management and Pollution Control Act</i>.



Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous

reporting years). A summary of implementation issues arising can be found in Table 2. For implementation activities refer to jurisdictional reports as listed in Part 5.

Table 2: Summary of implementation issues arising

Jurisdiction	Summary of implementation issues arising
Commonwealth	<ul style="list-style-type: none">• Nil issues reported.
New South Wales	<ul style="list-style-type: none">• The introduction of the reporting of transfers has resulted in substantial changes to the reporting requirements, increasing workloads.
Victoria	<ul style="list-style-type: none">• The introduction of the reporting of transfers has resulted in substantial changes to the reporting requirements, increasing workloads.• Transfers reporting has been widely and variously misinterpreted by industry, largely due to unclear definitions and incomplete consideration and, therefore, guidance.
Queensland	<ul style="list-style-type: none">• The introduction of the reporting of transfers has resulted in substantial changes to the reporting requirements, increasing workloads.
Western Australia	<ul style="list-style-type: none">• The introduction of the reporting of transfers has resulted in substantial changes to the reporting requirements, increasing workloads.• Manuals and electronic reporting tools need to be refined.• Commonwealth staffing levels have resulted in a slowdown of reporting material updates.
South Australia	<ul style="list-style-type: none">• Updated aggregate emissions data are required for reliable comparison with industry emissions.• There is a continued need for training of reporters using the online system.
Tasmania	<ul style="list-style-type: none">• An issue of concern is the accuracy of some emission estimation technique manuals. There is a need to effectively resource the updating of these manuals as this directly affects data quality and timelines of submission of reports.
Australian Capital Territory	<ul style="list-style-type: none">• Nil issues reported.
Northern Territory	<ul style="list-style-type: none">• Nil issues reported.

PART 3 — ASSESSMENT OF NEPM EFFECTIVENESS

Website

Reporting information is available on the NPI website at <http://www.npi.gov.au>.

In 2009–10, the NPI website had 277 838 visitors. As the methods of measurement and metrics used for reporting have been refined, the 2009–10 data cannot be compared directly to data provided in previous years.

In this reporting year, 496 teacher resource kits have been sent to 221 schools. The Freecall phone line and the public e-mail box have been used to inform the public. However, public awareness levels of the NPI still need to be raised.

Industry facility reporting

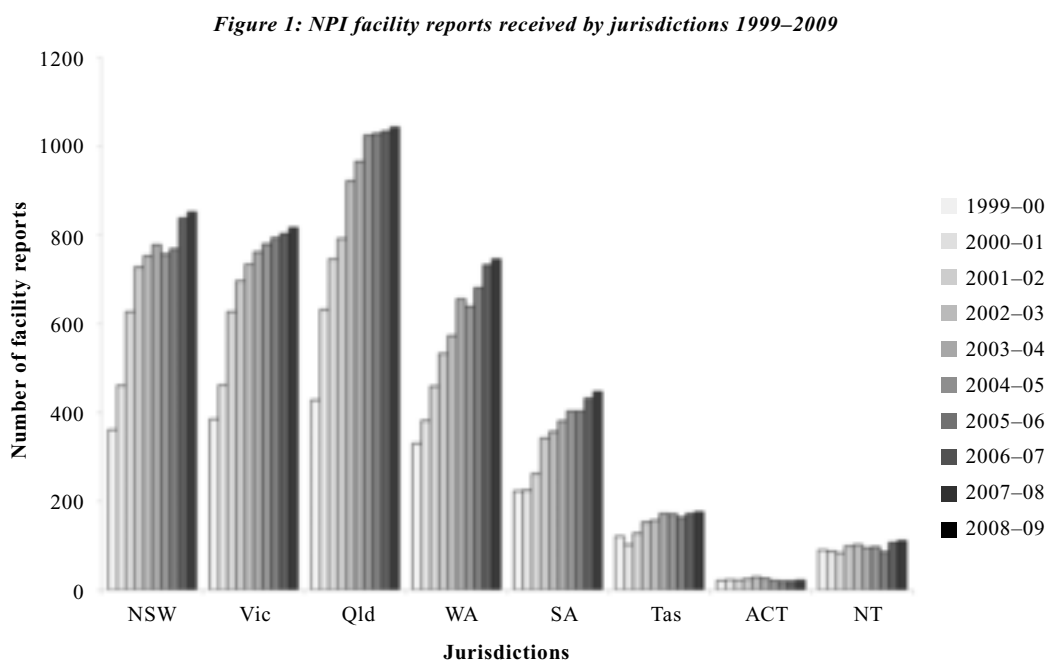
- The total number of reporting facilities for all jurisdictions was 4214, compared to 4147 in the previous year. There were 314 facilities which reported to the NPI for the first time in 2007–08. The graph below shows the number of facility reports over the last ten years.
- Industry representatives have been supportive of improving NPI reporting materials and the emission factors.

- The percentage of industry using the online reporting system is increasing.
- While the online reporting system training has been well received, it is acknowledged that further training is essential (particularly for small business).
- Reporting transfers continues to be confusing for industry.
- NPI emission estimation technique manuals need to be updated regularly to remain relevant.

PART 4 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 6:

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NEPC Report on the implementation of the
Used Packaging Materials NEPM

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‘The NEPM contributes to better environmental outcomes for packaging by encouraging the majority of brand owners to sign the Covenant. The increase in signatories indicates that the NEPM is achieving its goal.’

NEPC Report on the implementation of the Used Packaging Materials NEPM

PART 1 — GENERAL INFORMATION

Part 1 of each report annex is generic, and so is presented once here.

NEPM details

Title: National Environment Protection
(Used Packaging Materials) Measure

Made by Council: 2 July 1999

Commencement Date: 14 July 1999
(advertised *Commonwealth of Australia Gazette*
No. GN 28, 14 July 1999, p 2114)

NEPM goal (or purpose)

The environment protection goal is established by clause 6 of this Measure as follows:

6. National environment protection goal
The goal of the Measure is to reduce environmental degradation arising from the disposal of used packaging and conserve virgin materials through the encouragement of re-use and recycling of used packaging materials by supporting and complementing the voluntary strategies in the National Packaging Covenant.

Desired environmental outcomes

The desired environmental outcomes from the combination of the National Packaging Covenant and the Measure are to optimise resource use and recovery and encourage the conservation of virgin materials.

Evaluation criteria

The assessment of the effectiveness of the National Environment Protection (Used Packaging Materials) Measure is based on the following criteria:

- any issues arising that reflect on the efficiency and simplicity of NEPM administration
- criteria for assessment and performance measurement of implementation of the NEPM are set out in clause 21 of the NEPM which states that each participating jurisdiction shall provide to the Council the following information:
 - information gathered from brand owners whose records under clause 16 have been audited by the jurisdiction
 - aggregated information received from local governments under clause 17
 - information gathered through the conduct of surveys under clause 18
 - information relating to complaints received, investigations undertaken and prosecutions mounted pursuant to the Measure
 - a statement of interpretation of the information.

Note: Clause 15(3) states that a common approach to the interpretation of data gathered pursuant to these protocols and to the terms used with the data shall be adopted by participating jurisdictions. Furthermore, the terms used shall be in accordance with definitions set out in the NEPM as per clause 15(4).

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation and the Council's overall assessment of the implementation of the NEPM.

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none"> The Commonwealth's implementing legislation applies only to its jurisdictional territories and to brand owner companies with over 50% government ownership such as Australia Post.
New South Wales	<ul style="list-style-type: none"> The NEPM is implemented by the Protection of the Environment Operations (Waste) Regulation 2006.
Victoria	<ul style="list-style-type: none"> The NEPM is implemented by the Waste Management Policy (Used Packaging Materials) 2006, under the <i>Environment Protection Act 1970</i>.
Queensland	<ul style="list-style-type: none"> The NEPM is implemented by the Environmental Protection (Waste Management) Regulation 2000.
Western Australia	<ul style="list-style-type: none"> The NEPM is implemented by the Environmental Protection (NEPM Used Packaging Materials) Regulations 2007 under the <i>Environmental Protection Act 1986</i>.
South Australia	<ul style="list-style-type: none"> The NEPM operates as an Environment Protection Policy under the <i>Environment Protection Act 1993</i>.
Tasmania	<ul style="list-style-type: none"> The NEPM is a state policy under the <i>State Policies and Projects Act 1993</i>. The NEPM is implemented under the <i>Environmental Management and Pollution Control Act 1994</i>.
Australian Capital Territory	<ul style="list-style-type: none"> The NEPM is implemented by the Industry Waste Reduction Plan under the <i>Waste Minimisation Act 2001</i>.
Northern Territory	<ul style="list-style-type: none"> The NEPM is implemented by the 2007 Re-thinking Waste Disposal Behaviour and Resource Efficiency Interim Action Plan.



Implementation issues arising

For the 2009–10 reporting year, jurisdictions reported on implementation issues arising (as opposed to reporting on implementation activities, as per previous reporting years).

Clause 18 of the NEPM requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the measure in preventing free riding. Jurisdictions agreed to defer the survey pending finalisation of the Australian Packaging Covenant and NEPM arrangements. These arrangements were confirmed by the Environment Protection and Heritage Council and the National Environment Protection Council on 25 June 2010.

The Australian Packaging Covenant replaces the National Packaging Covenant which expired on 30 June 2010. Jurisdictions will continue to carry out annual surveys as per NEPM clause 18, and will use data derived from previous surveys for immediate NEPM implementation.

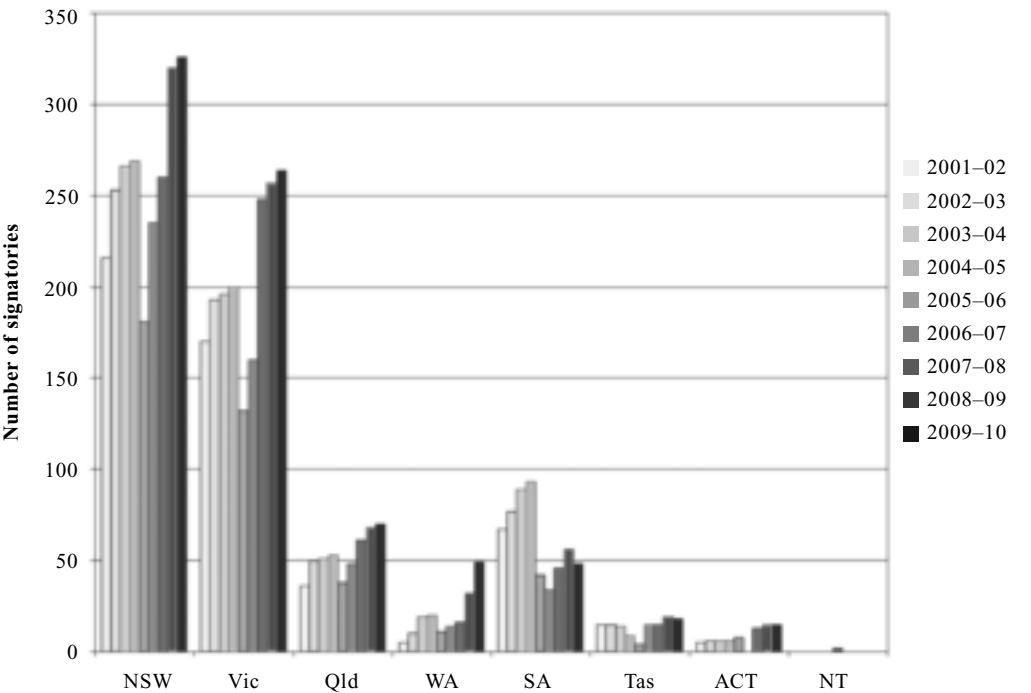
For implementation activities refer to jurisdictional reports as listed in Part 5.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Clause 17 of the NEPM sets out the information that jurisdictions are required to report on. This information has been provided by jurisdictions in their individual reports listed in Part 5.

The NEPM contributes to better environmental outcomes by providing a regulatory safety net for the Covenant. The increase in signatories indicates that the NEPM is achieving its goal.

Figure 1: National Packaging Covenant signatories 2001–10





Kerbside recycling

Local government authorities have continued to collect data on the composition of kerbside recycling waste streams. The amount and type of data collected in each jurisdiction vary and, therefore, no direct comparison between jurisdictions can be made.

Further information is available in jurisdictional reports as listed in Part 5.

Complaints, investigations and prosecutions

Western Australia issued a compliance notice to a brand owner who failed to demonstrate their exemption under the Regulations. No other jurisdictions reported any issues.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

By continuing to promote and raise awareness of the Covenant, jurisdictions have been effective in encouraging companies to sign up to the Covenant. As was intended, the covenant continues to provide a more flexible option for potential signatories than the NEPM. The Covenant also encourages companies to address environmental impacts of product packaging and associated activities.

The NEPM supports the Covenant by encouraging brand owners to sign the Covenant, thereby ensuring that signatories are not disadvantaged (compared with non-signatories) when fulfilling their obligations under the Covenant.

The NEPM, therefore, contributes to better environmental outcomes by providing a regulatory safety net for the Covenant. The increase in signatories indicates that the NEPM is achieving its goal.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 6:

Annex 1: Commonwealth	286
Annex 2: New South Wales	287
Annex 3: Victoria	291
Annex 4: Queensland	294
Annex 5: Western Australia	299
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National Environment Protection Council

Financial Statements and Appendices 1–5

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Statement by Auditor

INDEPENDENT AUDIT REPORT



INDEPENDENT AUDITOR'S REPORT

To the Minister for Sustainability, Environment, Water, Population and Communities

Scope

I have audited the accompanying financial statements of the National Environment Protection Council Service Corporation for the year ended 30 June 2010, which comprise: a Statement by Executive Officer; Statement of Comprehensive Income; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies; Schedule of Asset Additions; and Notes to and Forming Part of the Financial Statements, including a Summary of Significant Accounting Policies.

The Executive Officer's Responsibility for the Financial Statements

The Executive Officer for the National Environment Protection Council Service Corporation is responsible for the preparation and fair presentation of the financial statements in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards (which include the Australian Accounting Interpretations). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial

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statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the National Environment Protection Council Service Corporation's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the National Environment Protection Council Service Corporation's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Executive Officer, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

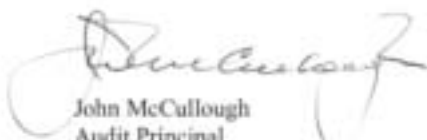
In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

Auditor's Opinion

In my opinion, the financial statements of the National Environment Protection Council Service Corporation:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the National Environment Protection Council Service Corporation's financial position as at 30 June 2010 and its financial performance and cash flows for the year then ended.

Australian National Audit Office



John McCullough
Audit Principal
Delegate of the Auditor-General

Canberra
20 September 2010

Statement by Executive Officer

In my opinion, the attached financial statements for the year ended 30 June 2010 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, as amended.

In my opinion, at the date of this statement, there are reasonable grounds to believe that the Service Corporation will be able to pay its debts as and when they become due and payable.

This statement is made in accordance with a resolution of the Executive Officer.



B.P. Kennedy

NEPC Executive Officer

15 September 2010

Financial Statements

STATEMENT OF COMPREHENSIVE INCOME – FOR THE YEAR ENDED 30 JUNE 2010

	Notes	2010 \$	2009 \$
EXPENSES			
Employee expenses	2A	854 501	818 301
Supplier expenses	2B	1 683 872	1 937 687
Depreciation and amortisation	2C	15 795	15 296
Write down and impairment of assets	2D	3 991	-
TOTAL EXPENSES		2 558 159	2 771 284
LESS:			
OWN-SOURCE INCOME			
Own-source revenue			
Sale of goods and rendering of services	4A	6 552	12 528
Interest	4B	158 547	175 459
Other revenue	4C	18 502	2 858
Total own-source revenue		183 601	190 845
Net cost of services		2 374 558	2 580 439
Revenue from Government	4D	2 237 762	3 692 955
Revenue from Government – in-kind	4D	35 888	20 272
(Deficit)/Surplus from continuing operations		(100 908)	1 132 788
(Deficit)/Surplus attributable to Government jurisdictions		(100 908)	1 132 788
OTHER COMPREHENSIVE INCOME			
Changes in asset revaluation reserves		10 196	-
Total other comprehensive income		10 196	-
Total comprehensive income attributable to Government jurisdictions		(90 712)	1 132 788

BALANCE SHEET – AS AT 30 JUNE 2010

	Notes	2010 \$	2009 \$
ASSETS			
Financial assets			
Cash and cash equivalents	5A	3 889 368	2 396 672
Trade and other receivables	5B	617 594	362 706
Investments	5C	470 000	1 663 676
Total financial assets		4 976 962	4 423 054
Non-financial assets			
Property, plant and equipment	6A	48 717	50 966
Other non-financial assets	6D	44 007	46 802
Total non-financial assets		92 724	97 768
TOTAL ASSETS		5 069 686	4 520 822
LIABILITIES			
Payables			
Supplier payables	7A	188 534	259 384
Other payables	7B	1 916 997	1 219 351
Total payables		2 105 531	1 478 735
Provisions			
Employee provisions	8A	176 171	163 391
Other provisions	8B	23 950	23 950
Total provisions		200 121	187 341
TOTAL LIABILITIES		2 305 652	1 666 076
NET ASSETS		2 764 034	2 854 746
EQUITY			
Reserves		100 754	55 558
Retained surplus		2 663 280	2 799 188
TOTAL EQUITY		2 764 034	2 854 746

STATEMENT OF CHANGES IN EQUITY – FOR THE YEAR ENDED 30 JUNE 2010

	Retained earnings		Asset revaluation reserve		Capital reinvestment reserve		Operating capital reserve		Total equity	
	2010 \$	2009 \$	2010 \$	2009 \$	2010 \$	2009 \$	2010 \$	2009 \$	2010 \$	2009 \$
Opening balance	2 799 188	1 701 400	20 558	20 558	25 000	-	10 000	-	2 854 746	1 721 958
Comprehensive income										
Surplus (Deficit) for the period	(100 908)	1 132 788	-	-	-	-	-	-	(100 908)	1 132 788
Revaluation adjustment	-	-	10 196	-	-	-	-	-	10 196	-
Total comprehensive income attributable to Australian Jurisdictions	(100 908)	1 132 788	10 196	-	-	-	-	-	(90 712)	1 132 788
Reserve appropriations	(35 000)	(35 000)	-	-	25 000	25 000	10 000	10 000	-	-
Closing balance at 30 June attributable to Australian jurisdictions	2 663 280	2 799 188	30 754	20 558	50 000	25 000	20 000	10 000	2 764 034	2 854 746

CASH FLOW STATEMENT – FOR THE YEAR ENDED 30 JUNE 2010

	Notes	2010 \$	2009 \$
OPERATING ACTIVITIES			
Cash received			
Receipts from Government		2 615 789	3 219 733
Interest		154 354	204 410
Other cash received		25 054	1 888
Net GST received		64 632	15 707
Total cash received		2 859 829	3 441 738
Cash used			
Employees		(826 008)	(759 316)
Suppliers		(1 727 462)	(1 757 839)
Total cash used		(2 553 470)	(2 517 155)
Net cash from operating activities	9B	306 359	924 583
INVESTING ACTIVITIES			
Cash received			
Investments		1 193 678	386 324
Total cash received		1 193 678	386 324
Cash used			
Purchase of plant and equipment		(7 341)	-
Investments		-	-
Total cash used		(7 341)	-
Net cash from or investing activities		1 186 337	386 324
Net increase in cash held		1 492 696	1 310 907
Cash and cash equivalents at the beginning of the reporting period		2 396 672	1 085 765
Cash and cash equivalents at the end of the reporting period		3 889 368	2 396 672

SCHEDULE OF COMMITMENTS—AS AT 30 JUNE 2010

	2010 \$	2009 \$
BY TYPE		
Commitments receivable		
GST recoverable on commitments	(19 006)	(30 740)
<i>Total commitments receivable</i>	<u>(19 006)</u>	<u>(30 740)</u>
Other commitments payable		
Operating leases [1]	209 063	338 140
<i>Total other commitments</i>	<u>209 063</u>	<u>338 140</u>
Net commitments by type	<u>190 057</u>	<u>307 400</u>
BY MATURITY		
GST recoverable on commitments		
One year or less	(12 004)	(11 734)
From one to five years	(7 002)	(19 006)
<i>Total GST recoverable on commitments</i>	<u>(19 006)</u>	<u>(30 740)</u>
Operating lease commitments		
One year or less	132 040	129 077
From one to five years	77 023	209 063
<i>Total operating lease commitments</i>	<u>209 063</u>	<u>338 140</u>
Net commitments by maturity	<u>190 057</u>	<u>307 400</u>

NB: Commitments are GST inclusive where relevant.

[1] Operating leases included are effectively non-cancellable and comprise:

Leases for office accommodation.

Lease payments are subject to periodic increases as set out in the lease schedule. The current lease term is five years and is due to expire 31 January 2012.

SCHEDULE OF CONTINGENCIES—AS AT 30 JUNE 2010

Consistent with the previous financial year, there were nil contingent assets or liabilities at or during the year ended 30 June 2010.

SCHEDULE OF ASSET ADDITIONS—FOR THE YEAR ENDED 30 JUNE 2010

The following non-financial non-current assets were added in 2009–10:

	Office furniture & equipment \$	Leasehold improvements \$	Total \$
By purchase—Government funding	7 341	-	7 341
By purchase—Donated funds	-	-	-
Total additions	7 341	-	7 341

The following non-financial non-current assets were added in 2008–09:

	Office furniture & equipment \$	Leasehold improvements \$	Total \$
By purchase—Government funding	-	-	-
By purchase—Donated funds	-	-	-
Total additions	-	-	-

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS—FOR THE YEAR ENDED 30 JUNE 2010

- Note 1: Summary of significant accounting policies
- Note 2: Expenses
- Note 3: Expenses by project
- Note 4: Income
- Note 5: Financial assets
- Note 6: Non-financial assets
- Note 7: Payables
- Note 8: Provisions
- Note 9: Cash flow reconciliation
- Note 10: Financial instruments
- Note 11: Related party disclosure
- Note 12: Executive remuneration
- Note 13: Remuneration of auditors
- Note 14: Average staffing levels
- Note 15: 2010–11 budget
- Note 16: Prior period adjustments

1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1.1 Objective of NEPC Service Corporation

The NEPC Service Corporation is a Commonwealth Statutory Authority.

The functions of the NEPC Service Corporation (under *Section 36* of the *National Environment Protection Council Act 1994*) are:

- To provide assistance and support to the NEPC, the NEPC Committee, and any other committees.
- To provide assistance and support to other Ministerial Councils as directed by the NEPC.

The object of the Act is to ensure that, by means of the establishment and operation of the National Environment Protection Council (NEPC):

1. People enjoy the benefit of equivalent protection from air, water or soil pollution and from noise, wherever they live in Australia; and
2. Decisions of the business community are not distorted, and markets are not fragmented, by variations between participating jurisdictions in relation to the adoption or implementation of major environment protection measures.

The continued existence of the Council in its present form and with its present programs is dependent on Government policy and on continuing funding by all jurisdictions for the Council's administration and programs.

1.2 Basis of preparation of the financial statements

The financial statements and notes are required by clause 1(b) of Schedule 1 to the *Commonwealth Authorities and Companies Act 1997* and are General Purpose Financial Statements.

The Financial Statements and notes have been prepared in accordance with:

- Finance Minister's Orders (FMO) for reporting periods ending on or after 1 July 2009; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The Financial Statements have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The Financial Statements are presented in Australian dollars and values are rounded to the nearest dollar unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMO, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to the entity and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under agreements equally proportionately unperformed are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the schedule of commitments or the schedule of contingencies.

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the statement of comprehensive income when, and only when, the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

1.3 Significant accounting judgements and estimates

In the process of applying the accounting policies listed in this note, the Service Corporation has made the following judgements that have the most significant impact on the amounts recorded in the financial statements:

- The fair value of plant and equipment has been taken to be the market value of similar assets as determined by an independent valuer.

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next accounting period.

1.4 New accounting standards

Adoption of new Australian accounting standard requirements

No accounting standard has been adopted earlier than the application date as stated in the standard. No new standards, revised standards, interpretations and amending standards issued prior to the signing of the statement by the Executive Officer, that were applicable to the current reporting period had a financial impact on the entity.

Future Australian accounting standard requirements

The following new standards were issued by the Australian Accounting Standards Board prior to the signing of the statement by the Executive Officer, which are expected to have a financial impact on the entity for future reporting periods:

- AASB 7 Financial Instruments: Disclosures
- AASB 101 Presentation of Financial Statements
- AASB 124 Related Party Disclosures.

1.5 Revenue

Revenue from the sale of goods is recognised when:

- The risks and rewards of ownership have been transferred to the buyer;
- The seller retains no managerial involvement nor effective control over the goods;
- The revenue and transaction costs incurred can be reliably measured; and
- It is probable that the economic benefits associated with the transaction will flow to the entity.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- The amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- It is probable that the economic benefits associated with the transaction will flow to the entity.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at balance date. Impairment allowances are made when collectability of the debt is no longer probable.

Interest revenue is recognised using the effective interest method as set out in AASB 139 Financial Instruments: Recognition and Measurement.

Resources received free of charge

Resources received free of charge are recognised as revenue when and only when a fair value can be reliably determined, the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Revenues from Government

Funding received or receivable from government agencies is recognised as Revenue from Government unless they are in the nature of an equity injection or a loan.

1.6 Gains

Resources received free of charge

Resources received free of charge are recognised as gains when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Contributions of assets at no cost of acquisition or for nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another government agency or authority as a consequence of a restructuring of administrative arrangements (refer to Note 1.7).

Sale of assets

Gains from disposal of assets is recognised when control of the asset has passed to the buyer.

1.7 Transactions with Government as owner

Equity injections

Amounts that are designed as equity injections for a year are recognised directly in contributed equity in that year.

Restructuring of administrative arrangements

Net assets received from or relinquished to a government agency or authority under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity.

Other distributions to owners

The FMO require that distributions to owners be debited to contributed equity unless in the nature of a dividend.

1.8 Employee benefits

Liabilities for 'short-term employee benefits' (as defined in AASB 119) and termination benefits due within twelve months of balance date are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

All other employee benefit liabilities are measured at the present value of the estimated future cash outflows to be made in respect of services provided by employees up to the reporting date.

Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the Service Corporation is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration, including the Service Corporation's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The estimate of the present value of the long service leave liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and redundancy

Provision is made for separation and redundancy benefit payments. The Service Corporation recognises a provision for terminations when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

Certain employees of the Service Corporation are members of the Public Sector Superannuation Scheme. The liability for their superannuation benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported by the Department of Finance and Deregulation as an administered item.

The Service Corporation makes employer contributions to employees' various complying superannuation schemes at rates determined by the actuary to be sufficient to meet the cost to the Australian Government of the superannuation entitlements of the Service Corporation's employees.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final superannuation payment period of the year.

Employees have the option of choosing a fund providing it is a 'complying superannuation fund' within the meaning of Part IX of the *Income Tax Assessment Act 1936* (Cwlth). The contributions are based on percentage of salary sufficient to meet the minimum requirements contained within the *Superannuation Guarantee (Administration) Act 1992*.

Contributions in accordance with the *Superannuation (Productivity Benefit) Act 1988* (Cwlth) are made to the Australian Government Employees Superannuation Trust under which members are entitled to benefits on retirement, resignation, death or disability.

The amount of superannuation contributions totalled \$76 077 for the year ended 30 June 2010 (\$74 259 in 2009).

1.9 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased non-current assets. An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Operating lease payments are expensed on a straight-line basis that is representative of the pattern of benefits derived from the leased assets.

1.10 Cash

Cash and cash equivalents includes notes and coins held and any deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. Cash is recognised at its nominal amount.

1.11 Financial assets

NEPC Service Corporation classifies its financial assets in the following categories:

- financial assets as at fair value through profit or loss;
- held-to-maturity investments;
- 'available-for-sale' financial assets; and
- loans and receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition.

Financial assets are recognised and derecognised upon 'trade date'.

Effective interest method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

Income is recognised on an effective interest rate basis except for financial assets that are recognised at fair value through profit or loss.

Financial assets at fair value through profit or loss

Financial assets are classified as financial assets at fair value through profit or loss where the financial assets:

- have been acquired principally for the purpose of selling in the near future;
- are a part of an identified portfolio of financial instruments that the Service Corporation manages together and has a recent actual pattern of short-term profit-taking; or
- is a derivative that is not designated and effective as a hedging instrument.

Assets in this category are classified as current assets.

Financial assets at fair value through profit or loss are stated at fair value, with any resultant gain or loss recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest earned on the financial asset.

Held-to-maturity investments

Non-derivative financial assets with fixed or determinable payments and fixed maturity dates that the group has the positive intent and ability to hold to maturity are classified as held-to-maturity investments. Held-to-maturity investments are recorded at amortised cost using the effective interest method less impairment, with revenue recognised on an effective yield basis.

Loans and receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate.

Impairment of financial assets

- Financial assets are assessed for impairment at end of each reporting periods. Financial assets held at amortised cost—if there is objective evidence that an impairment loss has been incurred for loans and receivables or held to maturity investments held at amortised cost, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the statement of comprehensive income.
- Financial assets held at cost—If there is objective evidence that an impairment loss has been incurred the amount of the impairment loss is the difference between the carrying amount of the asset and the present value of the estimated future cash flows discounted at the current market rate for similar assets.

1.12 Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities.

Financial liabilities are recognised and derecognised upon 'trade date'.

Financial liabilities at fair value through profit or loss

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

Other financial liabilities

Other financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.13 Contingent liabilities and contingent assets

Contingent Liabilities and Contingent Assets are not recognised in the balance sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset, or represent an existing liability or asset in respect of which the amount cannot be reliably measured. Contingent assets are reported when settlement is probable, but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

1.14 Financial guarantee contracts

Financial guarantee contracts are accounted for in accordance with AASB 139 Financial Instruments: Recognition and Measurement. They are not treated as a contingent liability, as they are regarded as financial instruments outside the scope of AASB 137 Provisions, Contingent Liabilities and Contingent Assets.

1.15 Acquisition of assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and revenues at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor entity's accounts immediately prior to the restructuring.

1.16 Property, plant and equipment

Asset recognition threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than \$3000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the Service Corporation where there exists an obligation to restore the property to its original condition. These costs are included in the value of Service Corporation's leasehold improvements with a corresponding provision for the 'make good' recognised.

Revaluations

Fair values for each class of asset are determined as shown below.

Asset Class:	Fair value measured at:
Leasehold improvements	Depreciated replacement cost
Office furniture and equipment	Market selling price

Following initial recognition at cost, property plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets. A revaluation was conducted as at 30 June 2010.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised through surplus and deficit. Revaluation decrements for a class of assets are recognised directly through surplus and deficit except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the Service Corporation using, in all cases, the straight-line method of depreciation. Leasehold improvements are depreciated on a straight-line basis over the lesser of the estimated useful life of the improvements or the unexpired period of the lease.

Depreciation rates (useful lives) and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2010	2009
Office Furniture and Equipment	3–8 years	3–8 years
Leasehold Improvements	Lease Term	Lease Term

Impairment

All assets were assessed for impairment at 30 June 2010. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the Service Corporation were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

1.17 Taxation

The Service Corporation is exempt from all forms of taxation except fringe benefits tax (FBT) and the goods and services tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

1.18 In-kind contributions

Each jurisdiction has the option to contribute a portion of its National Environment Protection Measure (NEPM) budget as an in-kind contribution. This is in the form of the provision of a NEPM project team member for the NEPC Service Corporation. The amount is calculated per an agreed formula using the top level of the NEPC Executive One salary range plus 15% on-costs, which amounts to \$386 per person per day (\$376 in 2009). The income and associated expense are recognised when incurred.

1.19 Reserves

At its meeting on 17 April 2008, NEPC approved the creation of two contingency funds, via a Capital Reinvestment Fund and an Operational Contingency Fund. The NEPC Audit Committee recommended the creation of both Funds (commencing in 2008–09) and an initial allocation of \$25 000 and \$10 000 respectively.

Further allocations were made to the Capital Reinvestment Fund and the Operational Contingency Fund of \$25 000 and \$10 000 respectively during the year ended 30 June 2010.

The Capital Reinvestment Fund provides for future asset replacement and the Operational Contingency Fund provides for unplanned and unbudgeted expenditures.

The operations of both Funds, and the quantum of future instalments, are subject to annual review by the NEPC Audit Committee and NEPC. Application of the Funds requires approval from NEPC Audit Committee and NEPC.

2 EXPENSES

2A—Employee expenses

	30 June 2010 \$	30 June 2009 \$
Wages and Salaries	762 460	700 791
Superannuation—defined contribution plans	71 382	69 042
Leave and other entitlements	20 659	48 468
Total employee expenses	854 501	818 301

2B—Supplier expenses

	30 June 2010 \$	30 June 2009 \$
Goods and services		
Travel and accommodation	121 869	90 008
Consultancy services	1 247 838	1 616 605
Communications	12 303	27 880
Other	177 577	89 567
<i>Total goods and services</i>	<u>1 559 587</u>	<u>1 824 060</u>
Goods and services are made up of:		
Provision of goods—external entities	169 505	76 903
Rendering of services—related entities	35 939	20 272
Rendering of services—external entities	1 354 143	1 726 885
<i>Total goods and services</i>	<u>1 559 587</u>	<u>1 824 060</u>
Other supplier expenses		
Operating lease rentals—external entities		
Minimum lease payments	124 285	113 627
<i>Total other supplier expenses</i>	<u>124 285</u>	<u>113 627</u>
Total supplier expenses	<u>1 683 872</u>	<u>1 937 687</u>

2C—Depreciation and amortisation

	30 June 2010 \$	30 June 2009 \$
Depreciation of office furniture and equipment	9 335	9 035
Amortisation on leasehold improvements	6 400	6 261
Total depreciation and amortisation	<u>15 795</u>	<u>15 296</u>

2D—Written down and impairment of leases

	30 June 2010 \$	30 June 2009 \$
Asset write-downs and impairments from:		
Plant and equipment	3 991	-
Total asset write-downs and impairments	<u>3 991</u>	<u>-</u>

3 EXPENSES BY PROJECT

	30 June 2010 \$	30 June 2009 \$
NEPCSC General operating	65	-
NEPC Service Corporation operations 2009–10	1 144 358	1 094 257
NEPC Service Corporation continuing partnership	-	276
NEPC Service Corporation NEPM Implementation WG	4 234	4 115
Other Service Corporation activities	-	276
Review NEPM Protocols and Filter Criteria	-	25 939
Ambient Air Quality NEPM—Peer Review Committee	1 444	3 034
Ambient Air Quality NEPM—Review	14 259	5 573
Air Quality Air Toxics NEPM Midterm Review	18 688	-
Air Quality NEPM—Working group	-	1 445
Air Quality working group	640	-
Diesel NEPM Minor Variation	751	12 278
Multi-City Mortality and Morbidity Study	1 542	-
Multi-City Mortality and Morbidity Study—Service Corporation costs	(182)	-
Assessment of Site Contamination NEPM Variation	161 734	90 476
Air Quality Standard Setting EPHC	-	2 729
Used Packaging Covenant Used Packaging Materials—NEPM minor variation 2010	15 426	-
Non-road small motors	26 815	-
Noise labeling test procedures development—Consultancy	20 116	-
Noise labeling test procedures development—Teleconference	48	-
National Packaging Covenant complementary review	-	215 794
Study into end-of-life tyres	-	71 395
National Pollutant Inventory NEPM Variation 2005	-	(8 957)
National Pollutant Inventory NEPM Variation 2010	-	9 424
Product stewardship	-	374 676
Tyres NEPM	1 796	-
Tyres decisions RIS	80 000	-
TV & Computer consultancy	18 628	-
Tyres decision regulatory impact statement	85 868	-
TV & Computers decision regulatory impact statement	144 350	-
TV & Computers scheme implementation working group industry liaison	3 966	-
Tyres decision regulatory impact statement industry liaison	38	-
Industry residue	-	56
Industry residue phase 2	80 713	49 226
Industry residue beneficial re-use working group	73	-
Beverage container choice modeling study	164 970	-
Beverage container consultancy	14 052	164 426
Beverage container working group	(14 052)	13 835
EPHC waste working group	-	1 971
Waste working group	756	-
Plastic bags degradable plastic materials	80 008	-

3 EXPENSES BY PROJECT (CONT.)

	30 June 2010 \$	30 June 2009 \$
Children's health & air pollution study	822	-
Review of Movement of Controlled Waste NEPM	11 821	4 403
Plastic bag finalisation of regulatory impact statement	-	-
Biodegradable plastic bags	-	-
Australian children's health & air pollution study	-	120 000
PM _{2.5} equivalence program working group	-	58 681
PM _{2.5} equivalence program consultancy	-	62
PM _{2.5} equivalence program	9	-
Volatile organic compounds	-	50 000
Volatile organic compounds working group	7	-
Volatile organic compounds cost benefit analysis	37 418	-
Wind farm working group	91	-
Wind farms national development guidelines	199 218	-
Wind farms Australian standard for wind turbine noise	25 000	-
National wind farm code working group	-	90 021
National water initiatives development of national guidelines	75 694	72 725
National water quality management system	-	762
National guidelines for water recycling phase 2	15 814	-
National guidelines for water recycling website housing	20 042	-
Water recycling guidelines phase 2	-	59 269
Commonwealth NHT contribution to phase 1 of national water initiatives	13 000	-
Methane emissions	-	1 738
Methane emissions from landfill unfunded	8	-
Stormwater phase 2 water	26	-
National water quality management strategy guideline for review	25 343	-
NChEM Working Group	1 594	-
Commonwealth NHT contribution to phase 1 water recycling guidelines	-	16 500
National litter strategy	-	(60)
NChEM	-	159 160
NEPC Act review 2006	-	(30)
NChEM Advisory Group	448	-
NChEM productivity commission report on chemical plastics consultancy 9.1	59 886	-
Compact fluorescent lamps	414	-
FluoroCycle	400	-
EPHC priority projects—Chemicals	-	378
EPHC priority projects—Chemicals working group	-	5 431
Total Expenses	2 558 159	2 771 284

4 INCOME

4A—Sale of goods and rendering of services

	30 June 2010 \$	30 June 2009 \$
Provision of goods—related entities	-	166
Rendering of services—related entities	6 552	12 362
Total sale of goods and rendering of services	6 552	12 528

4B—Interest revenue

	30 June 2010 \$	30 June 2009 \$
Cash at bank and on hand	6 852	10 030
Term deposits	151 695	165 429
Total interest revenue	158 547	175 459

4C—Other revenue

	30 June 2010 \$	30 June 2009 \$
Other revenue	18 502	2 858
Total interest revenue	18 502	2 858

4D—Revenue from Government

	2010			2009		
	Approp- riations	In-kind	Total	Approp- riations	In-kind	Total
Commonwealth	1 456 388	386	1 456 774	1 865 841	1 066	1 866 907
New South Wales	242 657	8 490	251 147	588 676	4 354	593 030
Victoria	199 236	5 788	205 024	405 375	4 344	409 719
Queensland	160 329	8 104	168 433	353 116	3 268	356 384
Western Australia	79 975	6 560	86 535	177 495	3 258	180 753
South Australia	58 782	6 560	65 342	133 269	3 982	137 251
Tasmania	18 981	-	18 981	42 473	-	42 473
Australian Capital Territory	13 076	-	13 076	28 754	-	28 754
Northern Territory	8 338	-	8 338	17 013	-	17 013
New Zealand	-	-	-	80 943	-	80 943
Total Contributions	2 237 762	35 888	2 273 650	3 692 955	20 272	3 713 227

Under the *National Environment Protection Council Act*, the National Environment Protection Council approves levels of contributions for each jurisdiction.

5 FINANCIAL ASSETS

5A—Cash and cash equivalents

	30 June 2010 \$	30 June 2009 \$
Cash at bank and on hand	1 039 368	2 396 672
Term deposits	2 850 000	-
	3 889 368	2 396 672

Cash at bank is at call and recognised at its nominal amount. Interest is credited to revenue as it accrues.

There are no interest rates applicable to the financial assets and liabilities of the Service Corporation other than cash and term deposits. Cash receives interest on the balance at a variable rate. As at 30 June 2010 the applicable rate was 2.60% (1.82% in 2009).

Term deposits are recognised at cost. Interest is accrued as it is earned. The term deposits mature between 19 July 2010 and 22 December 2010. The weighted average rate of interest is 6.04% on \$3 320 000 (3.40% on \$713 676 in 2009).

5B—Trade and other receivables

	30 June 2010 \$	30 June 2009 \$
Goods and services—related entities	522	137
Goods and services—external parties	595 948	341 460
Total receivables for goods and services	596 470	341 597
Other receivables		
GST receivable from the Australian Taxation Office	21 124	21 109
Total other receivables	21 124	21 109
Total trade other receivables	617 594	362 706
Trade and other receivables expected to be recovered in no more than 12 months	617 594	362 706

Management have assessed receivables for impairment and consider no allowance for doubtful debts necessary for the year ended 30 June 2010.

Receivables are aged as follows:

	30 June 2010 \$	30 June 2009 \$
Not overdue	21 124	21 109
Outstanding by:		
Less than 30 days	595 999	18 314
30 to 60 days	-	322 734
60 to 90 days	-	549
More than 90 days	471	-
	596 470	341 597
Total receivables	617 594	362 706

These receivables are recognised at the nominal amounts due, less any allowance for impairment. Allowances are made when the collection of debts are judged to be less rather than more likely to be collected. Management does not consider an allowance for impairment necessary as at balance date. Credit terms are net 30 days. All receivables are expected to be recovered within 12 months.

5C—Investments

	30 June 2010 \$	30 June 2009 \$
Term deposits	470 000	1 663 676
Total investments	470 000	1 663 676
Expected to be recovered in:		
Less than 12 months	470 000	1 663 676
More than 12 months	-	-
Total investments	470 000	1 663 676

6 NON-FINANCIAL ASSETS

6A—Property, plant and equipment

	30 June 2010 \$	30 June 2009 \$
Leasehold improvements—fair value	12 607	23 274
– accumulated amortisation	(740)	(7 084)
Total leasehold improvements	11 867	16 190
Office furniture and equipment—fair value	37 545	45 000
– accumulated depreciation	(695)	(10 224)
Total office furniture and equipment	36 850	34 776
Total property, plant and equipment	48 717	50 966

All revaluations are independent and are conducted in accordance with the revaluation policy stated at Note 1. Revaluations were last conducted at 26 May 2010 by an independent valuer A.J. Robertson (AAPI [P&M], Certified Practicing Valuer, MSAA Master).

Revaluation increments of \$2077 and \$8119 for leasehold improvements (2009: \$Nil) and office furniture and equipment (2009: \$Nil) respectively were allocated to the asset revaluation reserve by asset class and included in the equity section of the balance sheet. Impairment of \$3991 for office furniture and equipment (2009: \$Nil) was recognised directly in the statement of comprehensive income.

No plant and equipment is expected to be sold or disposed of in the next 12 months.

6B—Analysis of leasehold improvements

Reconciliation of the opening and closing balance of leasehold improvements

	30 June 2010 \$	30 June 2009 \$
As at 1 July—Gross book value	23 274	23 274
Accumulated depreciation/amortisation	(7 084)	(823)
Opening Net book value	16 190	22 451
Additions—by purchase	-	-
Revaluation and impairments in other comprehensive income	2 077	-
Amortisation expense	(6 400)	(6 261)
Disposals	-	-
Accumulated depreciation adjustment for disposal	-	-
Net book value 30 June	11 867	16 190
Net book value as of 30 June represented by:		
Gross book value	12 607	23 274
Less: Accumulated depreciation	(740)	(7 084)
Closing Net book value	11 867	16 190

6C—Analysis of office furniture and equipment

Reconciliation of the opening and closing balance of office furniture and equipment

	30 June 2010 \$	30 June 2009 \$
As at 1 July—fair value	45 000	45 000
Accumulated depreciation/amortisation	(10 224)	(1 189)
Opening Net book value	34 776	43 811
Additions—by purchase	7 341	-
Revaluation and impairments recognized in the other comprehensive income	4 128	-
Depreciation expense	(9 395)	(9 035)
Net book value 30 June	36 850	34 776
Net book value as of 30 June represented by:		
Gross book value	37 545	45 000
Less: Accumulated depreciation	(695)	(10 224)
Closing Net Book Value	36 850	34 776

6D—Other non-financial assets

	30 June 2010 \$	30 June 2009 \$
Prepayments	15 259	22 247
Accrued income	28 748	24 555
Total other non-financial assets	44 007	46 802
Total other non-financial assets—are expected to be recovered in:		
No more than 12 months	44 007	46 802
Total other non-financial assets	44 007	46 802

No indicators of impairment were found for other non-financial assets.

7 PAYABLES**7A—Supplier payables**

	30 June 2010 \$	30 June 2009 \$
Trade creditors	168 705	189 060
Accrued expenses	19 829	70 324
Total supplier payables	188 534	259 384
Supplier payables—are expected to be settled in:		
No more than 12 months	188 534	259 384
Total supplier payables	188 534	259 384

Creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Settlement varies with the creditors' terms, which are between 7–30 days.

7B—Other payables

	30 June 2010 \$	30 June 2009 \$
Salaries and wages	94 835	79 122
Prepaid contributions	1 704 424	1 087 139
GST payable to Australian Taxation Office	117 739	53 090
Total other payables	1 916 997	1 219 351
Other payables—are expected to be recovered in:		
No more than 12 months	1 916 997	1 219 351
Total other payables	1 916 997	1 219 351

All other payables are current.

8 PROVISIONS**8A—Employee provisions**

	30 June 2010 \$	30 June 2009 \$
Annual leave	38 384	31 075
Long service leave	137 787	132 316
Total employee provisions	176 171	163 391
Employee provisions are expected to be settled in:		
No more than 12 months	33 499	31 075
More than 12 months	142 672	132 316
Total employee provisions	176 171	163 391

8B—Other provisions

	30 June 2010 \$	30 June 2009 \$
Make-good provision	23 950	23 950
Total other provisions	23 950	23 950
Other provisions are expected to be settled in:		
More than 12 months	23 950	23 950
Total other provisions	23 950	23 950
Carrying amount at 1 July	23 950	23 950
Additional provisions made	-	-
Amounts reversed	-	-
Closing balance at 30 June	23 950	23 950

9 CASH FLOW RECONCILIATION

9A—Reconciliation of cash and cash equivalents as per balance sheet to cash flow statement

	30 June 2010 \$	30 June 2009 \$
Cash and cash equivalent as per:		
Cash flow statement	3 889 368	2 396 672
Balance sheet	3 889 368	2 396 672
Difference	<u>-</u>	<u>-</u>

9B—Reconciliation of net cost of services to net cash from operating activities

	30 June 2010 \$	30 June 2009 \$
Net cost of services	(2 374 558)	(2 580 439)
Add revenue from Government	2 273 650	3 713 227
Adjustment for non-cash items		
Depreciation/Amortisation	15 795	15 296
Write-down and impairment of assets	3 991	-
Changes in assets and liabilities		
(Increase)/Decrease in trade and other receivables	(254 889)	(25 643)
(Increase)/Decrease in other non-financial assets	2 795	26 591
Increase/(Decrease) in employee provisions	12 780	40 968
Increase/(Decrease) in supplier payables	(70 850)	156 066
Increase/(Decrease) in other payables	697 645	(421 483)
Net cash from/(used by) operating activities	<u>306 359</u>	<u>924 583</u>

10 FINANCIAL INSTRUMENTS

10A—Categories of financial instruments

	30 June 2010 \$	30 June 2009 \$
Financial assets		
Loans and receivables financial assets		
Cash on hand or on deposit	3 889 368	2 396 672
Trade and other receivables	596 470	341 597
Investments	470 000	1 663 676
Carrying amount of financial assets	4 955 837	4 401 945
Financial Liabilities		
At amortised cost		
Suppliers	188 534	259 384
Carrying amount of financial liabilities	188 534	259 384

10B—Net income and expense from financial assets

	30 June 2010 \$	30 June 2009 \$
Loans and receivables		
Interest revenue	158 547	175 459
Net gain/(loss) loans and receivables	158 547	175 459
Net gain/(loss) from financial assets	158 547	175 459

There is no interest income or expense from financial assets not at fair value through profit or loss in the years ending 2009 or 2010.

10C—Net income and expense from financial liabilities

There were nil income/expenses from financial liabilities.

10D—Fair values of financial instruments

All carrying amounts of financial instruments are a reasonable approximation to fair value due to their short term nature, and as such no separate disclosure is shown in the financial statements for fair value.

10E—Credit risk exposures

The Service Corporation is exposed to minimal credit risk as the majority of loans and receivables are cash, appropriation made under law (which guarantees fixed amounts of funding that the entity can drawdown as required) or amounts owed by the Australian Taxation Office in the form of a Goods and Services Tax refund.

The Service Corporation's maximum exposure to credit risk is equal to the carrying amount of assets. Receivable balances are monitored on an on-going basis with the result that the Service Corporation's exposure to bad debts is not significant.

The Service Corporation has no significant exposures to any concentrations of credit risk.

The Service Corporation holds no collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired

	30 June 2010 \$	30 June 2009 \$
Not past due nor impaired		
Cash at bank or on deposit	3 889 368	2 396 672
Trade and other receivables	595 999	18 313
Total	4 485 367	2 414 985
Past due or impaired		
Trade and other receivables	471	323 283
Total	471	323 283
Ageing of financial assets that are past due but not impaired		
Trade and other receivables		
31 to 60 days	-	322 735
61 to 90 days	-	548
90+ days	471	-
Total	471	323 283

10F—Liquidity risk

The Services Corporation's financial liabilities consist mainly of payables to suppliers. The exposure to liquidity risk is based on the notion that the Service Corporation will encounter difficulty in meeting its obligations associated with financial liabilities. This is highly unlikely due to appropriation funding and mechanisms available to the entity.

Maturities for non-derivative financial liabilities:

2010					
	On demand \$	Within 1 year \$	1 to 5 yrs \$	>5 yrs \$	Total \$
Suppliers	-	188 534	-	-	188 534
Total	-	188 534	-	-	188 534
2009					
	On demand \$	Within 1 year \$	1 to 5 yrs \$	>5 yrs \$	Total \$
Suppliers	-	259 384	-	-	259 384
Total	-	259 384	-	-	259 384

The Service Corporation has no derivative financial liabilities in both the current and prior year.

The Service Corporation manages its budgeted funds to ensure it has adequate funds to meet payments as they fall due. In addition, the Service Corporation has policies in place to ensure timely payment is made when due and has no past experience of default.

10G—Market risk

The Service Corporation holds basic financial instruments that do not expose it to significant market risks. The Service Corporation is not exposed to 'currency risk' or 'other price risk'.

11 RELATED PARTY DISCLOSURE

11.1 Members of the National Environment Protection Council

The Council Members during the year were:

The Hon Peter Garrett MP, Commonwealth
 The Hon Carmel Tebbutt MP, New South Wales (ceased 11 September 2009)
 The Hon John Robertson MLC, New South Wales (ceased 5 March 2010)
 The Hon Frank Sartor MP, New South Wales (commenced 5 March 2010)
 The Hon Gavin Jennings MP, Victoria
 The Hon Kate Jones MP, Queensland
 The Hon Donna Faragher MLC, Western Australia
 The Hon Jay Weatherill MP, South Australia (ceased 21 May 2010)
 The Hon Paul Caica MP, South Australia (commenced 21 May 2010)
 The Hon Michelle O'Byrne MP, Tasmania (ceased 21 June 2010)
 The Hon David O'Byrne MP, Tasmania (commenced 21 June 2010)
 Mr Simon Corbell MLA, Australian Capital Territory
 The Hon Alison Anderson MLA, NT (ceased 22 September 2009)
 The Hon Karl Hampton MLA, NT (commenced 22 September 2009)

The Council Members received no remuneration from the NEPC Service Corporation.

There were no related party transactions during the year.

12 EXECUTIVE REMUNERATION

12A—Actual remuneration paid to senior executives

	30 June 2010	30 June 2009
\$220 000 to \$234 999	1	1
Total	1	1
Total expense recognised in relation to senior executive employment		
Short-term benefits:		
Salary (including leave taken)	188 735	170 455
Changes in annual leave provision	5 525	12 801
Performance bonus	13 077	12 540
Other	4 720	3 750
Total short-term employee benefits	212 057	199 546
Superannuation (post-employment benefits)	18 121	16 365
Changes in long-service leave provision	(927)	6 771
Total	229 251	222 682

Other includes reunion allowance and associated fringe benefits tax cost.

The comparative amount differs from the aggregate amount shown for the year ended 30 June 2009 due to disclosures of movement in leave provisions and allowances. These disclosures were not required at the time the financial statements for the year ended 30 June 2009 were prepared.

12B—Salary packages for senior executives

Average annualised remuneration packages for substantive Senior Executives

30 June 2010 \$				30 June 2009 \$		
	No. SES	Base salary (including AL)	Total remuneration package ¹	No. SES \$	Base salary (including AL)	Total remuneration package ¹ \$
Total remuneration:						
\$190 000 to \$204 999	-	-	-	1	199 932	203 932
\$220 000 to \$234 999	1	203 253	225 374	-	-	-
Total	1			1		

Notes

1. Non-Salary elements available to Senior Executives include:

- (a) Performance Bonus
- (b) Motor vehicle allowance
- (c) Superannuation
- (d) Reunion allowance

13 REMUNERATION OF AUDITORS

	30 June 2010	30 June 2009
Remuneration to the Auditor-General for auditing the financial statements for the reporting period	\$17 200	\$17 000

No other services are provided by the Auditor-General.

14 AVERAGE STAFFING LEVELS

	30 June 2010	30 June 2009
The average staffing levels for the Service Corporation during the year were (FTE):	8	7.8

The actual number of staff members employed during the year was 9 (2009: 9).

15 2010–11 BUDGET

The National Environment Protection Council has approved the budget for the Service Corporation 2010–11 of \$1 197 823 (\$1 112 590 in 2009–10).

16 PRIOR PERIOD ADJUSTMENTS

During preparation of the Service Corporation's financial statements for the year ended 30 June 2010, it was discovered that some term deposits with an original maturity greater than 3 months were disclosed as cash, rather than investments for year ended 30 June 2009 and prior.

The effect on the financial statement line items are as follows:

	Pre \$	2009 Adjustment \$	Post \$
Balance Sheet			
ASSETS			
Financial Assets			
Cash and cash equivalents	3 110 348	(713 676)	2 396 672
Investments	950 000	713 676	1 663 676
Cash Flow Statement			
INVESTING ACTIVITIES			
Cash received			
Investments	-	386 324	386 324
Total cash received	-	386 324	386 324
Cash used			
Investments	(950 000)	950 000	-
Total cash used	(950 000)	950 000	-
Net cash from or (used by) investing activities	(950 000)	1 336 324	386 324
Net increase or decrease in cash held	(25 417)	1 336 324	1 310 907
Cash and cash equivalents at the beginning of reporting period	3 135 765	(2 050 000)	1 085 765
Cash and cash equivalents at the end of reporting period	3 110 348	(713 676)	2 396 672

Appendix 1: NEPC Committee — Membership

MEMBER

ALTERNATE

Commonwealth

Ms Robyn Kruk
Secretary
Department of the Environment, Water, Heritage
and the Arts

Mr Gerard Early
Deputy Secretary
Department of the Environment, Water, Heritage and
the Arts

Mr Malcolm Thompson
Deputy Secretary
Department of the Environment, Water, Heritage and
the Arts

New South Wales

Ms Lisa Corbyn
Director General
Department of Environment, Climate Change
and Water

Mr Tim Rogers
Executive Director
Department of Environment, Climate Change
and Water

Ms Zoe de Saram
Acting Executive Director
Department of Environment, Climate Change
and Water

Victoria

Ms Cheryl Batagol
Chairman
Environment Protection Authority

Mr John Merritt
Chairman
Environment Protection Authority

Mr Stuart O'Connell
Director
Future Focus
Environment Protection Authority

Queensland

Mr John Bradley
Director-General
Department of Environment and Resource
Management

Mr Tony Roberts
Executive Director
Strategy and Policy Division
Environment Protection Agency

Western Australia

Mr Keiran McNamara
Director General
Department of Environment and Conservation

Mr Robert Atkins
Director
Environmental Management Division
Department of Environment and Conservation

South Australia

Ms Helen Fulcher
Chief Executive
Environment Protection Authority

Ms Susan Churchman
Director People, Policy and Systems
Environment Protection Authority

MEMBER**ALTERNATE****Tasmania**

Mr Warren Jones
General Manager
Environment Division
Department of Environment, Parks, Heritage
and the Arts

Mr John Mollison
Deputy General Manager
Environment Division
Department of Environment, Parks, Heritage
and the Arts

Australian Capital Territory

Mr David Papps
Chief Executive
Department of the Environment, Climate Change,
Energy and Water

Mr Robert Neil
Director
Department of the Environment, Climate Change,
Energy and Water

Northern Territory

Mr Jim Grant
Chief Executive
Department of Natural Resources, Environment
and the Arts

Ms Lyn Allen
Executive Director
Environment and Heritage
Department of Infrastructure, Planning
and Environment

Mr Matt Darcey
Executive Director
Department of Natural Resources, Environment,
the Arts and Sport

NEPC Service Corporation

Dr Bruce Kennedy
Executive Officer

Observer

Mr John Pritchard
National Policy Coordinator
Australian Local Government Association

Appendix 2: Project Teams and Working Groups — Membership

Membership of project teams and working groups supported by the NEPC Service Corporation.

NATIONAL ENVIRONMENT PROTECTION COUNCIL

Ambient Air Quality NEPM — Review

Chair

Mr Stuart McConnell/Mr Wayne Robins Victoria

Review Team

Dr Lyn Denison Victoria

Mr Drew Farrar Western Australia

Ms Robyn Gatehouse/Mr Robin Seeley Commonwealth

Mr Bob Hyde Tasmania

Ms Vikki Lynch Department of Health Victoria

Mr Kelvyn Steer South Australia

Project Manager

Ms Kerry Scott NEPC Service Corporation

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Air Toxics NEPM — Review

Chair

Mr Stuart McConnell/Mr Wayne Robins Victoria

Review Team

Mr Nick Agapides New South Wales

Dr Lyn Denison Victoria

Mr Rob Mitchell South Australia

Project Manager

Ms Kerry Scott NEPC Service Corporation

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Assessment of Site Contamination NEPM — Variation

Chair

Mr Keiran McNamara Western Australia

Variation Team

Ms Wendy Boyce South Australia

Mr Jack Dempsey Commonwealth Department of Health and Ageing

Mr Chris McAuley/Ms Laura-lee Innes Victoria

Dr Janet Macmillan Western Australia

Mr Greg O'Brien Queensland

Mr Elvin Wong New South Wales

Project Manager

Ms Kerry Scott NEPC Service Corporation

Project Officer

Ms Monina Gilbey/Ms Susan Whitehead NEPC Service Corporation

Jurisdictional Reference Network

Ms Kim Barry	Queensland
Ms Liz Canning	Tasmania
Mr Peter Ferber	Commonwealth
Mr Mark Heckenberg	Australian Capital Territory
Mr Greg Hill	South Australia
Ms Kerry Laszig/Mr Andrew Miller	Western Australia
Mr Michael Lawton/Ms Helen Davies	Northern Territory
Ms Jean Meaklin	Victoria
Mr Brett Stevenson/Ms Rachel Peacock	New South Wales

Land Transport Environment Committee**Chair**

Mr Nick Dimopoulos (2010)	National Transport Commission
Dr Bruce Kennedy (2009)	NEPC Service Corporation

Members

Mr Michael Bushby	Roads and Traffic Authority NSW
Mr Peter Dolan	South Australia
Mr Gerard Early	Commonwealth
Mr John Glaister	Queensland Transport
Mr Stewart Jones	Department of Transport and Regional Services
Mr Wayne Robins	Victoria

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Movement of Controlled Waste NEPM — Review/Variation**Chair**

Mr John Bradley Queensland

Review/Variation Team

Mr Garrett Hall/Ms Laura-lee Innes	Victoria
Mr Tony Hodgson	New South Wales
Mr Gary O'Connor	Queensland

Project Manager

Ms Kerry Scott NEPC Service Corporation

Project Officer

Mr Haemish Middleton NEPC Service Corporation

NEPM Implementation Reporting Working Group

Members

Ms Michelle Marron/Mr Steven Mudge	South Australia
Ms Naomi Nicholson	Commonwealth
Mr Stephen Quiterio	Western Australia
Ms Fiona Rae	Victoria

Project Officers

Ms Monina Gilbey	NEPC Service Corporation
Ms Bronwyn Gobbett	NEPC Service Corporation

Peer Review Committee

Chair

Dr Mike Manton	Monash University
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Members

Mr Will Duiker/Mr Paul Purdon	Northern Territory
Mr Chris Eiser	New South Wales
Mr Adrian Heggie	Australian Institute of Petroleum
Dr Bob Hyde	Tasmania
Mr Bob Joynt/Mr Paul Torre	Victoria
Mr Robert Kleinfelder	Western Australia
Dr Graeme Lorimer	National Environment Consultative Forum
Mr Rob Mitchell	South Australia
Mr David Power	Australian Capital Territory
Dr Bro Sheffield–Brotherton	National Environment Consultative Forum
Mr Aleks Todoroski	Minerals Council Australia
Mr David Wainwright	Queensland

Executive Officer

Mr Haemish Middleton	NEPC Service Corporation
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Used Packaging Materials NEPM — Minor Variation

Chair

Mr Stuart McConnell	Victoria
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Members

Ms Roz Hall/Mr Andrew Simmons	New South Wales
Mr Scott McKenzie/Mr Stephen Gatford	Victoria
Ms Kelly Pearce/Mr Greg Manning/	Commonwealth
Ms Jo Townsend	

Project Manager

Mr Ian Newbery	NEPC Service Corporation
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Project Officer

Ms Susan Whitehead	NEPC Service Corporation
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ENVIRONMENT PROTECTION AND HERITAGE COUNCIL

Members of Working Groups are officers nominated by EPHC member agencies unless indicated otherwise.

Air Quality Standard Setting Working Group

Chair

Mr Wayne Robins/Dr Roscoe Taylor Victoria and AHMAC

Members

Mr Jack Dempsey	Commonwealth Department of Health and Ageing
Dr Lyn Denison	Victoria
Mr Drew Farrar	Western Australia
Dr Monika Nitschke	South Australia Department of Human Services
Mr Robin Seeley	Commonwealth
Dr David Simon	enHealth

Project Manager

Ms Kerry Scott NEPC Service Corporation

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Air Quality Working Group

Chair

Mr Joe Woodward/Mr Simon Smith New South Wales

Members

Mr Jim Dodds	WA Department of Health
Dr Melita Keywood	CSIRO
Ms Kelly Pearce/Mr Paul Kesby	Commonwealth
Ms Sue Powell	New Zealand Ministry for the Environment
Mr Wayne Robins	Victoria
Dr Neville Smith	Bureau of Meteorology
Dr Roscoe Taylor	National Public Health Partnership/Australian Health Ministers' Advisory Council
Dr Christine Williams	Queensland

Project Manager

Ms Kerry Scott NEPC Service Corporation

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Beverage Container Investigation Working Group

Chair

Mr Tim Rogers	New South Wales
Mr Tony Roberts	Queensland

Members

Ms Jenny Brown/Mr Alex Young	New South Wales
Mr Stefan Gabrynowicz	South Australia
Ms Kylie Hughes	Queensland
Ms Amanda Jobson/Mr Paul Purdon	Northern Territory
Mr Greg Manning/Ms Kelly Pearce	Commonwealth
Mr Philip Roberts	Tasmania
Mr Bernard Ryan	Western Australia
Mr Steve Watson	Victoria

Project Manager

Mr Ian Newbery	NEPC Service Corporation
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Stakeholder Reference Group

Mr Jeff Angel/Mr Dave West	Boomerang Alliance
Ms Rebecca Brown/Mr Robert Verhey	Australian Local Government Association
Mr Trevor Hockley	Recyclers of South Australia
Mr Tony Mahar/Ms Jenny Pickles	Australian Food and Grocery Council
Mr John Phillips OAM	KESAB
Mr Malcolm Roberts	Australian National Retailers Association
Mr Heimo Schober	Keep Australia Beautiful NT
Mr Jeff Smith	Environmental Defenders Office NSW
Mr Gerard von Rijswijk	National Association of Retail Grocers of Australia
Mr Alec Wagstaff	National Packaging Covenant Industry Association
Mr Rod Welford	Australian Council of Recyclers

Children’s Health and Air Pollution Study

Chair

Mr Wayne Robins	South Australia
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Members

Dr Lyn Denison	Victoria
Prof Bin Jalaludin	University of Sydney
Dr Guy Marks	Woolcock Institute
Prof Gail Williams	University of Queensland

Project Manager

Ms Kerry Scott	NEPC Service Corporation
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Degradable Plastics Technical Review Committee**Chair**

Mr Greg Manning	Commonwealth
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Members

Mr Peter Bury	Plastics and Chemicals Industry Association
Mr Ian Eskdale	Queensland
Prof Graeme George	Standards Australia
Mr Peter Marshall	Commonwealth
Mr Phillip Molyneux	New South Wales
Ms Monica Stasiak	South Australia

Support

Mr Ian Newbery	NEPC Service Corporation
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FluoroCycle Administrative Committee**Chair**

Mr Paul Kesby	Commonwealth
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Members

Ms Tawni Jones/Mr Kerry Suthern	South Australia
Mr Greg Manning/Ms Sue May	Commonwealth
Mr Ian Newbery	NEPC Service Corporation
Ms Sharon Owens/Ms Kathy Giunta	New South Wales

Methane Emissions Jurisdictional Reference Group**Chair**

Mr Michael Reid	Western Australia
Mr Colin McIntosh	Victoria

Members

Mr John Acheson/Mr Bill Gara	New South Wales
Mr Peter Collins	Queensland
Mr Mark Cretney	Tasmania
Mr Greg Manning	Commonwealth
Mr Bernard Ryan	Western Australia

Support

Mr Ian Newbery	NEPC Service Corporation
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Multi-city Mortality and Morbidity Study Steering Committee**Chair**

Mr Joe Woodward	New South Wales
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Members

Mr Jim Dodds	WA Department of Health
Dr Melita Keywood	CSIRO
Ms Kelly Pearce	Commonwealth
Ms Sue Powell	New Zealand Ministry for the Environment

Mr Wayne Robins	Victoria
Dr Neville Smith	Bureau of Meteorology
Dr Roscoe Taylor	National Public Health Partnership/Australian Health Ministers' Advisory Council

Project Manager

Ms Kerry Scott	NEPC Service Corporation
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National Wind Farm Working Group

Chair

Mr Stephen Oxley/Mr Aaron Hughes/ Mr David Smith	Commonwealth
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Members

Mr Diwaker Basnet	Victoria
Ms Tara Cherrie	Western Australia
Mr Simon Howes	South Australia
Mr Scott Jeffries	New South Wales
Mr John Lane/Mr Julian Chan	Queensland
Ms I-Lyn Loo	Western Australia
Ms Sarah McDonald/ Ms Georgina Cann/ Mr Craig Wilson	Local Government and Planning Ministers' Council Joint Committee
Mr John McPherson	Western Australia
Ms Georgia Presutti/Ms Julia Bowett/ Mr Nigel Evans/Mr John Dickie	Commonwealth
Mr John Russell	Commonwealth
Mr Nicholas Sawyer	Tasmania
Mr Anthony Stuart	Western Australia
Mr Dave Tonna	Commonwealth

Project Officer

Ms Monina Gilbey/Ms Susan Whitehead	NEPC Service Corporation
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Stakeholder Reference Group

Mr Damien Bell	Indigenous Advisory Committee
Mr David Clarke	Victorian Central Highlands Area Consultative Committee Inc
Mr Steve Johnston	Planning Institute of Australia
Ms Liz Johnstone	Municipal Association of Victoria
Mr Tim Le Roy (Mr Randall Bell representing)	Tarwin Valley Coastal Guardians
Mr Paul Meiklejohn	Australian Council of National Trusts
Mr James O'Connor	Birds Australia
Mr Tom Perrigo	National Trust of Australia (WA)
Mr Andrew Richards	Pacific Hydro/Clean Energy Council
Mr Andrew Thompson	Acciona Energy
Ms Yvonne Wenham	Friends of Future Generations Spokesperson

NChEM Working Group**Chair**

Ms Helen Fulcher	South Australia
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Members

Ms Lejla Buza	Commonwealth
Mr Lee Eeles	Commonwealth
Mr Doug Hide	Western Australia
Mr Tobias Hills/Dr Shaun Thomas	South Australia
Dr Faiz Khan	Queensland
Mr Peter Lawson	New South Wales
Ms Therese Manning	New South Wales
Mr John Mollison	Tasmania
Mr David Power	Australian Capital Territory
Dr Barry Reville	Commonwealth
Ms Cathy Waldron/Ms Helen Davies	Northern Territory
Mr Barry Warwick/Ms Laura-lee Innes	Victoria

Project Manager

Ms Kerry Scott	NEPC Service Corporation
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Project Officer

Ms Monina Gilbey/Ms Susan Whitehead	NEPC Service Corporation
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Noise Labelling Working Group**Chair**

Ms Lorraine Phillips	New South Wales
----------------------	-----------------

Members

Mr Grant Harper	New South Wales
Mr Valerie Lenchine	South Australia
Mr John MacPherson	Western Australia
Mr Peter Poppoff-Asotoff	Western Australia
Mr Daniel Walters	Australian Capital Territory

Project Officer

Ms Susan Whitehead	NEPC Service Corporation
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Non-road Diesel Engines Working Group**Chair**

Mr Roger Bluett	New South Wales
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Members

Dr Victoria Agranovski	Queensland
Mr Karl Carrabotta	Western Australia
Mr Tony Richards	Commonwealth
Mr Declan O'Connor-Cox	Commonwealth
Ms Aleksandra Young	New South Wales

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Non-road Spark Ignition Engines Working Group

Chair

Mr Khokan Bagchi/Mr Declan O'Connor-Cox Commonwealth

Members

Dr Victoria Agranovski	Queensland
Mr Khokan Bagchi	Commonwealth
Mr Roger Bluett	New South Wales
Mr Karl Carrabotta	Western Australia
Ms Melanie Middleton	Victoria
Mr David Power	Australian Capital Territory
Mr Paul Purdon	Northern Territory
Mr Tony Richards	Commonwealth
Mr Kelvyn Steer	South Australia

Project Officer

Mr Haemish Middleton NEPC Service Corporation

Revision of NWQMS Document 4 Fresh and Marine Water Quality Guidelines Review

Joint Steering Committee

Chair

Mr Graeme Milligan Queensland

Members

Ms Michelle Bald	South Australia
Mr John Bennett	Queensland
Dr John Chapman	New South Wales
Mr Greg Dowson	Tasmania
Mr Will Fargher	National Water Commission
Ms Julia Fortune/Mr Ewan Gunn	Northern Territory
Prof Barry Hart	Monash University
Mr Todd Kriebble	New Zealand
Mr Roku Mihinui	Te Arawa Lakes Trust
Mr Brad Moggridge	CSIRO Land and Water
Dr Clive Morris	National Health and Medical Research Council
Mr Bob Neil	Australian Capital Territory
Mr Malcolm Robb	Western Australia
Dr Ian Rutherford	Victoria
Ms Christine Schweizer/Ms Tanja Cvijanovic	Commonwealth
Mr Andrew Solomon	South Australia
Dr Victor Talbot	Western Australia
Ms Cathy Waldron/Mr Michael Lawton	Northern Territory

Ms Ebony Coote	Commonwealth
Prof David Fox	University of Melbourne
Dr Scott Larned	National Institute of Water and Atmospheric Research
Mr Andrew Moss	Queensland
Dr Ton Snelder	National Institute of Water and Atmospheric Research
Dr Shaun Thomas	South Australia

Project Officer

Mr Haemish Middleton	NEPC Service Corporation
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Working Group 4 — Toxicants and sediment quality

Chair

Dr Graeme Batley	CSIRO Land and Water
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Members

Dr Olga Braga	Commonwealth
Dr John Chapman	New South Wales
Prof David Fox	University of Melbourne
Dr Chris Hickey	National Institute of Water and Atmospheric Research
Dr Jenny Stauber	CSIRO Land and Water
Dr Rick van Dam	Commonwealth
Dr Michael Warne	CSIRO Land and Water
Ms Emma Warren	Commonwealth

Project Officer

Mr Haemish Middleton	NEPC Service Corporation
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Working Group 5 — Revisions to NWQMS Guideline 7, Monitoring and reporting

Chair

Prof David Fox	University of Melbourne
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Members

Dr Leon Barmuta	University of Tasmania
Mr Bruce Gray	Commonwealth
Dr Chris Humphrey	Commonwealth
Dr Clive Jenkins	South Australia
Mr Greg Long	Queensland
Prof Bill Maher	University of Canberra
Mr John Phillips	New Zealand

Project Officer

Mr Haemish Middleton	NEPC Service Corporation
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Working Group 6 — Revisions to NWQMS Guideline 7, Monitoring and reporting***Chair***

Dr Margaret Leonard	Institute of Environmental Science and Research Ltd
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Members

Dr Chris Arbuckle	New Zealand
Mr Greg Dowson	Tasmania
Mr James Hill	Commonwealth
Dr Daryl Stevens	Atura

Project Officer

Mr Haemish Middleton	NEPC Service Corporation
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Solid Fuel Heaters Working Group***Chair***

Mr Khokan Bagchi/Mr Declan O'Connor-Cox	Commonwealth
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Members

Dr Victoria Agranovski	Queensland
Dr Lyn Denison	Victoria
Ms Nadia Kanhoush	New South Wales
Ms Joanne O'Connor	Western Australia
Mr David Power	Australian Capital Territory
Mr Tony Richards	Commonwealth
Mr Kelvyn Steer	South Australia
Dr Derek Walter	Tasmania
Ms Louise Whickam	New Zealand

Project Officer

Mr Haemish Middleton	NEPC Service Corporation
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Strategic Planning Committee***Chair***

Mr Gerard Early/Mr Malcolm Thompson	Commonwealth
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Members

Ms Cheryl Batagol/Mr Stuart McConnell	Victoria
Ms Zoe de Saram/Mr Tim Rogers	New South Wales
Ms Helen Fulcher	South Australia
Dr Bruce Kennedy	NEPC Service Corporation

Support

Mr Ian Newbery	NEPC Service Corporation
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Televisions and Computers Product Stewardship Working Group**Chair**

Mr Gerard Early/Mr Tim Rogers	Commonwealth/New South Wales
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Members

Ms Kathy Giunta/Mr Alex Young	New South Wales
Ms Debbie Lawrence/Ms Kelly Pearce	Commonwealth
Mr Scott McKenzie	Victoria

Support

Mr Ian Newbery	NEPC Service Corporation
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Tyres Product Stewardship Working Group**Chair**

Mr Gerard Early	Commonwealth
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Members

Mr Stephen Gatford/Mr Steve Watson	Victoria
Ms Kathy Giunta/Mr Alex Young	New South Wales
Ms Kylie Hughes	Queensland
Ms Tawni Jones/Mr Rob Middlin	South Australia
Ms Debbie Lawrence/Mr Greg Manning/ Ms Kelly Pearce	Commonwealth
Ms Jill Lethlean	Western Australia

Support

Mr Ian Newbery	NEPC Service Corporation
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Waste Working Group**Chair**

Dr Diana Wright	Commonwealth
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Members

Mr David Butt	Australian Capital Territory
Mr Tony Circelli	South Australia
Mr Stuart Cowie	Western Australia
Ms Kylie Hughes/Ms Tamara O'Shea	Queensland
Mr Craig Mallett/Ms Fleur Francois	New Zealand
Mr Stuart McConnell	Victoria
Mr John Mollison	Tasmania
Ms Kelly Pearce	Commonwealth
Ms Cathy Waldron	Northern Territory
Mr Alex Young	New South Wales

Project Manager

Mr Ian Newbery	NEPC Service Corporation
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Project Officer

Ms Monina Gilbey/Ms Susan Whitehead	NEPC Service Corporation
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Appendix 3: Publications (since 1996)

NEPC AND EPHC GENERAL

<i>EPHC Strategic Plan 2009–11</i>	November 2008
<i>EPHC/NEPC filter criteria for national environment and heritage issues</i>	May 2008
<i>Statement of Expectation for the NEPC Service Corporation—2007–08</i>	May 2008
<i>Statement of Intent for the NEPC Service Corporation—2007–08</i>	May 2008
<i>Report of the second review of the National Environment Protection Council Acts (Commonwealth, state and territory)</i>	June 2007
<i>Report of the review of the National Environment Protection Council Acts (Commonwealth, state and territory)</i>	June 2001
<i>NEPC revised protocol for the development of impact statements</i>	July 2000
<i>Scoping protocol for National Environment Protection Measures</i>	July 1999
<i>NEPC consultation protocol (revised) (bulletin)</i>	May 1999
<i>Introducing the National Environment Protection Council (pamphlet)</i>	December 1997

Annual Reports

<i>NEPC annual report 2008–09</i>
<i>NEPC annual report 2007–08</i>
<i>NEPC annual report 2006–07</i>
<i>NEPC annual report 2005–06</i>
<i>NEPC annual report 2004–05</i>
<i>NEPC annual report 2003–04</i>
<i>NEPC annual report 2002–03</i>
<i>NEPC annual report 2001–02</i>
<i>NEPC annual report 2000–01</i>
<i>NEPC annual report 1999–2000</i>
<i>NEPC annual report 1998–99</i>
<i>NEPC annual report 1997–98</i>
<i>NEPC annual report 1996–97</i>
<i>NEPC annual report 1995–96</i>

AIR QUALITY

Air Toxics NEPM

<i>National Environment Protection (Air Toxics) Measure—Mid-term review report</i>	May 2010
<i>NEPM: Air toxics</i>	December 2004
<i>Benzene health review</i>	May 2003
<i>Formaldehyde health review</i>	May 2003
<i>Impact statement: Air toxics NEPM</i>	May 2003
<i>Polycyclic aromatic hydrocarbons (PAHs) health review</i>	May 2003
<i>Toluene health review</i>	May 2003
<i>Xylenes health review</i>	May 2003

Tier 2

<i>Tier 2—Prioritisation methodology</i>	June 2006
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Ambient Air Quality NEPM

<i>An Australian approach to setting air quality standards: Consultation draft</i>	November 2009
<i>Discussion paper: Review of the National Environment Protection (Ambient Air Quality) Measure</i>	June 2007

<i>Ozone: Report on the preliminary work for the review of the ozone standard</i>	October 2005
<i>Summary of submissions: Ozone—Issues paper—Review of the ozone standard</i>	October 2005
<i>Issues scoping paper: Review of the National Environment Protection (Ambient Air Quality) Measure</i>	October 2005
<i>Issues paper: Ozone—Preliminary work on ozone for the review of the AAQ NEPM</i>	May 2005
<i>SO₂: Report on the review of the practicability of a 10 minute sulfur dioxide standard</i>	April 2005
<i>Ozone: Additional analysis of durations for ozone data analysis</i>	September 2004
<i>Ozone: Ozone data analysis</i>	September 2004
<i>Ozone: Summary of outcomes—Review of the AAQ NEPM ozone standard—workshop</i>	May 2004
<i>Summary of Submissions: SO₂—Issues Paper—Review of the practicability of a 10 minute sulfur dioxide standard</i>	March 2004
<i>Issues Paper: SO₂—Review of the practicability of a 10 minute sulfur dioxide standard</i>	March 2004
<i>Issues Paper: SO₂—Review of the practicability of a 10 minute sulfur dioxide standard—Technical background paper</i>	March 2004
<i>NEPM: Ambient Air Quality (as varied)</i>	August 2003
<i>NEPM: Variation to the Ambient Air Quality NEPM</i>	July 2003
<i>Summary of submissions—draft variation to the AAQ NEPM (PM_{2.5})</i>	June 2003
<i>Technical paper on monitoring for particles as PM_{2.5}</i>	March 2003
<i>Impact statement: Draft variation to the Ambient Air Quality NEPM (PM_{2.5})</i>	October 2002
<i>Exposure assessment and risk characterisation for the development of a PM_{2.5} Standard</i>	September 2002
<i>Summary of submissions: draft Ambient Air Quality NEPM and impact statement</i>	June 1998
<i>Ambient Air Quality NEPM—Revised impact statement</i>	June 1998
<i>A review of existing health data on six pollutants</i>	May 1997
PRC technical papers	
<i>PRC—Technical paper 01—Checklist for monitoring plans</i>	May 2001
<i>PRC—Technical paper 02—Selection of regions</i>	May 2001
<i>PRC—Technical paper 03—Monitoring strategy</i>	May 2001
<i>PRC—Technical paper 04—Screening procedures</i>	January 2007
<i>PRC—Technical paper 05—Data collection and handling</i>	May 2001
<i>PRC—Technical paper 06—Meteorological measurements</i>	May 2001
<i>PRC—Technical paper 07—Accreditation of performance monitoring</i>	May 2001
<i>PRC—Technical paper 08—Annual reports</i>	October 2002
<i>PRC—Technical paper 09—Lead monitoring</i>	May 2001
<i>PRC—Technical paper 10—Collection and reporting of TEOM PM₁₀ data</i>	May 2001
<i>PRC—Terms of reference</i>	August 1999
<i>The Air Pollution Model (TAPM) phase 2 report</i>	October 2002
Air quality research and planning	
<i>Co-Op studies: Priority research areas</i>	December 2003
<i>Co-Op studies: Identifying research priorities for policy development</i>	July 2003
<i>Co-Op studies: Report on air pollution and asthma workshop held EPA Vic</i>	January 2003
<i>Co-Op studies: Asthma research—A background paper</i>	December 2002
Time activity study	
<i>Time activity study—Data description</i>	May 2004
<i>Time activity study—Stage 2—Summer survey February 2003</i>	May 2004
<i>Time activity study—Summary of findings</i>	May 2004
<i>Time activity study—Stage 1—Winter survey September 2002</i>	April 2004

VOC emissions from surface coatings

<i>VOCs from surface coatings—Assessment of the categorisation, VOC content and sales volumes of coating products sold in Australia</i>	March 2009
<i>Risk assessment and standard setting</i>	
<i>AAQ standards setting—An approach to health-based hazard assessment</i>	Nov 2006
<i>Report of the RAWG</i>	March 2001
<i>Report of the RATF: App 1—Terms of reference and membership of the Risk Assessment Taskforce</i>	November 2000
<i>Report of the RATF: App 3—Epidemiological study design and data requirements</i>	November 2000
<i>Report of the RATF: App 4—Health effects of criteria pollutants</i>	November 2000
<i>Report of the RATF: App 5—Ambient air monitoring programs around Australia</i>	November 2000
<i>Report of the RATF: App 6—Possible use of health risk assessment in the review of NEPM pollutants specified in 'Future Actions'</i>	November 2000
<i>Report of the RATF: App 7—Issues raised in the consultation program</i>	November 2000
<i>Report of the RATF</i>	October 2000
<i>Report of the RATF: App 2—Review of risk assessment methodologies applicable to AAQ</i>	October 1999

Non-road engine emissions

Diesel

<i>Cleaner non-road diesel engine project—Identification and recommendation of measures to support the uptake in Australia</i>	May 2010
<i>Cleaner non-road diesel engine project—Identification and recommendation of measures to support the uptake in Australia—Appendices</i>	May 2010

Spark ignition

<i>Reducing emissions from non-road spark ignition engines and equipment—Consultation regulatory impact statement</i>	May 2010
<i>Non-road spark ignition engines consultation regulation impact statement—Appendix 3</i>	May 2010
<i>Non-road spark ignition engines consultation regulation impact statement—Appendix 4</i>	May 2010
<i>Cost benefit analysis of options to manage emissions from selected non-road engines</i>	December 2008

CHEMICALS

<i>Chemicals—VOCs from surface coatings—Assessment of the categorisation, VOC content and sales volumes of coating products sold in Australia—Consultant's brief</i>	November 2008
--	---------------

A national approach to the management of chemicals

<i>Environmental risk assessment manual for agricultural and veterinary chemicals</i>	February 2009
<i>Environmental risk assessment manual for industrial chemicals</i>	February 2009
<i>NChEM—First year progress report</i>	November 2008
<i>Principles for better environmental management of chemicals—Ministerial agreement</i>	June 2007
<i>NChEM roundtable—Environmental regulation and management</i>	May 2007
<i>NChEM—Summary of discussion paper submissions</i>	May 2007
<i>NChEM roundtable—Priority and emerging chemical issues thought starter paper</i>	December 2006
<i>A national framework for chemicals management in Australia—Discussion paper</i>	July 2006
<i>NChEM—Questions and answers—A framework for sustainable use of chemicals in Australia</i>	July 2006

Working group on the environmental risk management of chemicals—Report to stakeholders April 2004

National dioxins program

National action plan for addressing dioxins in Australia October 2005
National action plan for addressing dioxins in Australia July 2005
OCPs and PBDEs in the Australian population: Levels in human milk January 2005
Final report of the national ChemCollect program April 2004
Polychlorinated biphenyls management plan revised edition April 2003
Report of the review of the ANZECC polychlorinated biphenyls management plan September 2002

CLIMATE CHANGE

Climate change—Environmental guidelines for carbon dioxide capture and geological storage May 2009
Report on impediments to environmentally and socially responsible wind farm development November 2008

HERITAGE

A guide to heritage listing in Australia January 2009
Filter criteria for national environment and heritage issues May 2008

Integrated national heritage policy

Heritage incentives and innovative policy tools

Revolving funds for historic heritage: An information paper April 2005
Making heritage happen: Incentives and policy tools for conserving our historic heritage April 2004
Making heritage happen: Incentives and policy tools for conserving our historic heritage—Summary report April 2004

National tourism heritage strategy

Heritage: Going places—Developing natural and cultural heritage tourism in Australia—Issues paper May 2003
Heritage: Going places—Key opportunities for natural and cultural heritage tourism in Australia January 2003

Action plan to advance reconciliation

Action plan to advance reconciliation November 2002

LAND TRANSPORT

Diesel Vehicle Emissions NEPM

NEPM: Diesel Vehicle Emissions (as varied) May 2009
NEPM: Variation to Diesel Vehicle Emissions Measure May 2009
Draft diesel minor variation—Explanatory statement September 2008
Draft minor variation to the Diesel NEPM schedule update September 2008
Draft minor variation of the Diesel NEPM September 2008
Review report: National Environment Protection (Diesel Vehicle Emissions) Measure April 2007
Discussion paper—Review of the National Environment Protection (Diesel Vehicle Emissions) Measure October 2006
NEPM: Diesel Vehicle Emissions June 2001

Summary of submissions received by the NEPC in relation to the draft DVE NEPM and Impact Statement and NEPC's responses to those submissions June 2001

Preparatory work

Project 4—Correlation studies April 2001

Project 7—Pilot study, fault identification and effect of maintenance April 2001

Project 7—Pilot study, fault identification and effect of maintenance—Appendices April 2001

Project 2—Phase 2: Attachment 1: Appendix C—Representative microtrips for each vehicle November 2000

Project 2—Phase 2: Vehicle testing November 2000

Project 2—Phase 2: Vehicle testing—Appendices November 2000

Project 2—Phase 1: Attachment 1—Appendix A and B October 2000

Project 2—Phase 1: Attachment 1—Appendix C—Part B October 2000

Project 2—Phase 1: Attachment 1—Appendix C—Part C October 2000

Project 2—Phase 1: Attachment 1—Appendix D October 2000

Project 2—Phase 1: Attachment 1—Appendix E-H October 2000

Project 2—Phase 1: Attachment 1—Appendix I and J October 2000

Project 2—Phase 1: Diesel Complex CUEDC October 2000

Project 2—Phase 1: Diesel complex simp CUEDC October 2000

Project 5 and 6—A review of dynamometer correlations, in-service strategies and engine deterioration March 2000

Project 1—The Australian diesel fleet—Existing vehicle characteristics and the modelling of transport demand, vehicle populations and emissions November 1999

Project 1—The Australian diesel fleet—Existing vehicle characteristics and the modelling of transport demand, vehicle populations and emissions—Appendices November 1999

Project 2—In-service emissions performance—Drive cycles—Volume 1 March 1999

Project 2—Phase 1: Volume 2: Drive cycles March 1999

Project 2—Phase 2: Volume 2: Attachment 2—Society of automotive engineers March 1999

Land Transport Environment Committee

MoU: Memorandum of Understanding between NEPC and National Transport Commission April 2004

NATIONAL POLLUTANT INVENTORY

National Pollutant Inventory NEPM

NEPM: National Pollutant Inventory (as varied) November 2008

NEPM: Variation to the National Pollutant Inventory NEPM November 2008

Explanatory statement—Variation to the NPI NEPM June 2008

Summary of submissions: Draft Variation to the NPI NEPM April 2007

Report: Cost analysis of reporting National Pollutant Inventory transfers: Case studies using the amended NPI NEPM variation March 2007

Impact statement: Draft National Pollutant Inventory NEPM variation June 2006

TAP: Final report to the NEPC—NPI NEPM June 2006

Report: Analysis of the financial costs of including transfers in the NPI May 2006

Draft NPI NEPM variation—Impact statement December 1999

Summary of submissions: Draft National Pollutant Inventory NEPM and impact statement February 1998

Impact statement: Draft National Pollutant Inventory NEPM June 1997

NOISE

Noise labelling of domestic air conditioners—Technical advice—Day Design report May 2010

PRODUCT STEWARDSHIP

Co-regulatory frameworks for product stewardship analysis of submissions to discussion paper July 2005

Industry discussion paper on co-regulatory frameworks for product stewardship December 2004

Australian Packaging Covenant and Used Packaging Materials NEPM

Used packaging materials decision regulation impact statement June 2010

Consultation regulation impact statement—Used Packaging Materials April 2010

Draft—variation to the Used Packaging Materials NEPM March 2010

Explanatory statement variation to the Used Packaging Materials NEPM 2010 (No. 1) March 2010

Peer review of MMA/BDA report on complementary economic mechanisms January 2008

National Packaging Covenant complementary economic mechanisms investigation December 2007

Communiqué: Used Packaging Materials NEPM—Application thresholds August 2006

NEPM: Used Packaging Materials—As varied July 2005

NEPM: Variation to the Used Packaging Materials NEPM July 2005

NPC: A commitment to the sustainable manufacture, use and recovery of packaging 15 July 2005—30 June 2010 July 2005

Summary of submissions—Draft National Packaging Covenant and regulation impact statement July 2005

Summary of submissions: Draft variation to the Used Packaging Materials NEPM June 2005

Consultation Regulation Impact Statement (RIS) on revised National Packaging Covenant April 2005

Impact statement: Draft variation to the Used Packaging Materials NEPM March 2005

Summary of submissions: Draft NEPM and impact statement for Used Packaging Materials May 1999

Impact statement: Draft NEPM—Appendix A—Overseas experiences in management of Used Packaging Materials January 1999

Impact statement: Draft Used Packaging Materials NEPM January 1999

Beverage containers

ABARE review of the PricewaterhouseCoopers estimating consumers' willingness to pay for improvements to packaging and beverage container waste management—Final draft report—Australian Bureau of Agricultural and Resource Economics June 2010

Beverage Container investigation—Revised report June 2010

Verification review of revised beverage container investigation report June 2010

Estimating consumers' willingness to pay for improvements to packaging and beverage container waste management—PricewaterhouseCoopers June 2010

Beverage container investigation peer review report May 2009

Beverage container investigation—Final report May 2009

Beverage container working group—Covering statement May 2009

Response to the peer review of the beverage container investigation final report May 2009

Plastic bags

Report of the steering committee on the trial of a charge on plastic bags October 2008

Trial of a Government and industry charge on plastic bags October 2008

Decision RIS—Investigation of options to reduce the impacts of plastic bags April 2008

Hyder Consulting report—Plastic retail carry bag use—2006 and 2007 consumption February 2008

Plastic retail carry bag use—2006 and 2007 consumption—Final report February 2008

<i>Consultation—RIS—Investigation of options to reduce the environmental impact of plastic bags</i>	January 2007
<i>Options for reducing the environmental impact of plastic shopping bags—Cost benefit analysis—Explanatory note</i>	August 2006
<i>The ANRA proposal on plastic bag management—Supplementary economic analysis to the EPHC Report</i>	June 2006
<i>ACG—Phasing out light-weight plastic bags—Costs and benefits of alternative approaches</i>	May 2006
<i>ANRA—Working towards continuous environmental improvement—Report to the Chairman EPHC</i>	May 2006
<i>Letter—Australian National Retailers Association Ltd letter</i>	May 2006
<i>ARA code of practice for the management of plastic bags 2005 end of year report</i>	December 2005
<i>Guidelines for management of plastic bag litter at landfill sites</i>	June 2005
<i>Guidelines for management of plastic bag litter in public places</i>	June 2005
<i>Nolan ITU—Plastic Retail carry bag use 2002—2004 consumption—Interim report</i>	March 2005
<i>ARA Code of practice for the management of plastic bags 2004 end of year report</i>	December 2004
<i>ARA Code of practice for the management of plastic bags mid-2004 interim progress report</i>	June 2004
<i>Plastic shopping bags in Australia—National plastic bags working group report to the National Packaging Covenant Council</i>	December 2002

Televisions and computers

<i>Decision regulation impact statement: Televisions and computers</i>	November 2009
<i>PowerPoint presentation—Consultation RIS—Televisions and computers</i>	August 2009
<i>Code of practice for managing end-of-life televisions</i>	July 2009
<i>Consultation regulation impact statement: Televisions and computers</i>	July 2009
<i>Willingness to pay for e-waste recycling</i>	July 2009
<i>Statement on end-of-life televisions and computers</i>	November 2008

Tyres agreement and Tyres NEPM

<i>ATIC—End-of-life tyres: From wasted resource to opportunity—(Brochure)</i>	May 2008
<i>Draft Tyres NEPM</i>	May 2008
<i>Draft Tyres Product Stewardship agreement</i>	May 2008
<i>Impact statement: Draft Tyres NEPM</i>	May 2008
<i>Regulation impact statement for end-of-life tyres management—Consultation</i>	April 2008
<i>Threshold study—Report to NEPC</i>	November 2007

SITE CONTAMINATION

<i>Guideline for assessment of on-site containment of contaminated soil</i>	September 1999
<i>Guidelines for the assessment and management of contaminated sites</i>	January 1992

Assessment of Site Contamination NEPM

<i>Report of the review of the Assessment of Site Contamination NEPM</i>	September 2006
<i>Discussion paper: Review of the Assessment of Site Contamination NEPM</i>	April 2006
<i>Summary and response document: Review of the Assessment of Site Contamination NEPM issues paper</i>	April 2006
<i>Issues paper: Review of the Assessment of Site Contamination NEPM</i>	May 2005
<i>NEPM: Assessment of Site Contamination</i>	December 1999
<i>Schedule B(01): Investigation levels for soil and groundwater</i>	December 1999
<i>Schedule B(02): Data collection, sample design and reporting of data</i>	December 1999

<i>Schedule B(03): Laboratory analysis of potentially contaminated soils</i>	<i>December 1999</i>
<i>Schedule B(04): Health risk assessment methodology</i>	<i>December 1999</i>
<i>Schedule B(05): Ecological risk assessment</i>	<i>December 1999</i>
<i>Schedule B(06): Risk-based assessment of groundwater contamination</i>	<i>December 1999</i>
<i>Schedule B(07a): Health-based investigation levels</i>	<i>December 1999</i>
<i>Schedule B(07b): Exposure scenarios and exposure settings</i>	<i>December 1999</i>
<i>Schedule B(08): Community consultation and risk communication</i>	<i>December 1999</i>
<i>Schedule B(09): Protection of health and the environment during the assessment of site contamination</i>	<i>December 1999</i>
<i>Schedule B(10): Competencies and acceptance of contaminated land auditors and related professionals</i>	<i>December 1999</i>
<i>Summary of submissions: Draft Assessment of Site Contamination NEPM</i>	<i>December 1999</i>
<i>Impact statement: Assessment of Site Contamination NEPM</i>	<i>March 1999</i>

Workshop papers—Proceedings of the fifth national workshop on the assessment of site contamination

<i>Workshop paper: 01—Benzene, benzene poisoning and lymphohaemopoietic malignancy</i>	<i>January 2003</i>
<i>Workshop paper: 02—A health guideline value for benzene in contaminated soil</i>	<i>January 2003</i>
<i>Workshop paper: 03—Modelling the fate of petroleum hydrocarbons in groundwater</i>	<i>January 2003</i>
<i>Workshop paper: 04—Modelling the migration of VOCs from soils to dwelling interiors</i>	<i>January 2003</i>
<i>Workshop paper: 05—Establishing health-based Investigation Levels for benzene, toluene, ethyl benzene, xylenes, naphthalene, and aromatic and aliphatic <EC16 TPH fractions</i>	<i>January 2003</i>
<i>Workshop paper: 06-07—Ecological considerations in setting soil criteria for total petroleum hydrocarbons (<C15) and naphthalene</i>	<i>January 2003</i>
<i>Workshop paper: 08—Assessment of underground storage systems</i>	<i>January 2003</i>
<i>Workshop paper: 09—Analytical methods for the determination of total petroleum hydrocarbons in soil</i>	<i>January 2003</i>
<i>Workshop paper: 10—Uptake of copper (Cu), Lead (Pb), cadmium (Cd), arsenic (As) and dichlorodiphenyltrichloroethane (DDT) by vegetables grown in urban environments</i>	<i>January 2003</i>
<i>Workshop paper: 11—Bioavailability of metals and arsenic at contaminated sites from cattle dips, mined land and naturally occurring mineralisation origins</i>	<i>January 2003</i>
<i>Workshop paper: 12—Estimation of human availability of arsenic in contaminated soils</i>	<i>January 2003</i>
<i>Workshop paper: 13a—Health-based investigation level for bifenthrin in soil</i>	<i>January 2003</i>
<i>Workshop paper: 13—Health-based investigation level for chlorpyrifos</i>	<i>January 2003</i>
<i>Workshop paper: 14—Health-based investigation level for imidacloprid in soil</i>	<i>January 2003</i>
<i>Workshop paper: 15—Health-based investigation level for endosulfan in soil</i>	<i>January 2003</i>
<i>Workshop paper: 16—Assessment of aberrant levels</i>	<i>January 2003</i>
<i>Workshop paper: 17—Heavy metal phytotoxicity in soils</i>	<i>January 2003</i>
<i>Workshop paper: 18—Asbestos—Recent developments and implications for health policy</i>	<i>January 2003</i>
<i>Workshop paper: 19—A review of the ecotoxicity of mixtures, approaches to, and recommendations for, their management</i>	<i>January 2003</i>
<i>Workshop paper: 20—Use of toxic equivalency factors to establish health-based soil criteria for dioxins</i>	<i>January 2003</i>

WASTE MANAGEMENT

<i>Litter management in Australia</i>	<i>November 2008</i>
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Industrial residues

Guidance for assessing the beneficial reuse of industrial residues to land management applications—A national approach September 2006

Movement of Controlled Waste NEPM

Discussion paper—Review of the National Environment Protection (Movement of Controlled Waste) Measure September 2009

Addendum to the impact statement—Movement of Controlled Waste February 2006

NEPM: Movement of Controlled Waste between States and Territories (as varied) December 2004

Summary of submissions—Draft NEPM and impact statement for the Movement of Controlled Waste between States and Territories June 1998

Impact statement: Draft Movement of Controlled Waste NEPM January 1998

National waste policy

National waste overview 2009 November 2009

National waste policy: Less waste, more resources November 2009

Draft—National waste policy framework: Less waste more resources—Discussion paper July 2009

National waste report 2010

National waste report 2010 (full report) May 2010

WATER

Australian guidelines for water recycling

NWQMS Australian guidelines for water recycling: Augmentation of drinking water supplies—Erratum November 2008

NWQMS Australian guidelines for water recycling: Augmentation of drinking water supplies May 2008

Recycled water quality: A guide to determining, monitoring and achieving safe concentrations of chemicals in recycled water—Uniquist May 2008

Overview document—Australian guidelines for water recycling: Managing health and environmental risks—Phase 1 March 2008

NWQMS Australian guidelines for water recycling—Erratum December 2006

NWQMS Australian guidelines for water recycling—Managing health and environmental risks November 2006

NWQMS Australian guidelines for water recycling—Managing health and environmental risks—Impact assessment September 2005

National guidelines for residential customers' water accounts—2006

National guidelines for residential customers' water accounts January 2006

All publications are available for downloading from the EPHC website at <<http://www.ephc.gov.au>>.

Appendix 4: NEPM Development—How NEPMs Are Made

NATIONAL ENVIRONMENT PROTECTION MEASURES

National Environment Protection Measures (NEPMs) are broad framework-setting statutory instruments defined in NEPC legislation. They outline agreed national objectives for protecting particular aspects of the environment. NEPMs may consist of any combination of goals, standards, protocols and guidelines.

A two-thirds majority of members is required for the NEPC to make a NEPM. Implementation of NEPMs is the responsibility of each participating jurisdiction. NEPMs take effect in participating jurisdictions when they are registered on the Federal Register of Legislative Instruments—although NEPMs are subject to disallowance by either House of the Commonwealth Parliament.

The NEPC legislation prescribes that NEPMs may relate to any one or more of the following (section 14 (1)):

- ambient air quality
- ambient marine, estuarine and freshwater quality
- the protection of amenity in relation to noise (but only if differences in environmental requirements relating to noise would have an adverse effect on national markets for goods and services)
- general guidelines for the assessment of site contamination
- environmental impacts associated with hazardous wastes
- the reuse and recycling of used materials.

NEPMs may also relate to motor vehicle noise and emissions and are developed by the NEPC in conjunction with the National Road Transport Commission, now known as the National Transport Commission (sections 14 (1) (g) and 14 (2)).

In making NEPMs, the NEPC must have regard to the considerations detailed in section 15 of the NEPC legislation. These considerations include:

- consistency with the Intergovernmental Agreement on the Environment
- environmental, economic and social impacts
- relevant international agreements
- any regional environmental differences.

IMPACT STATEMENTS

Prior to making a NEPM, the NEPC must prepare a draft of the NEPM and an impact statement (section 17 of the NEPC Act). The impact statement must include the following:

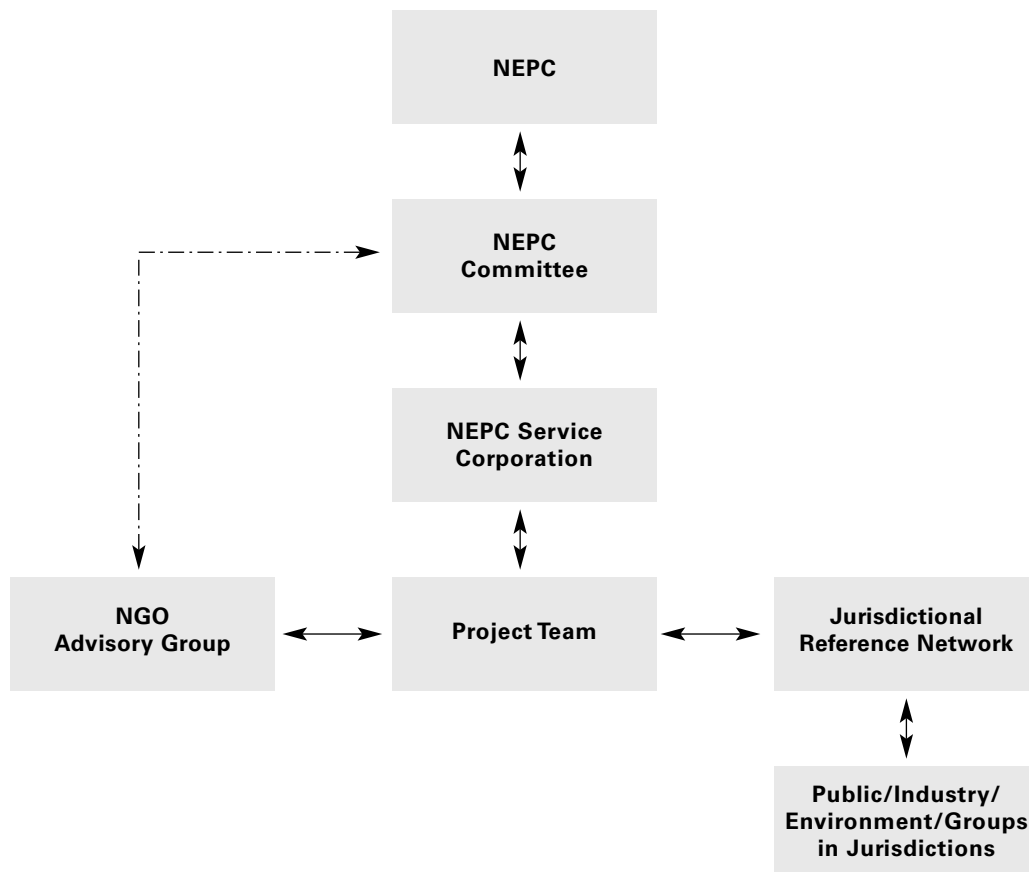
- the desired environmental outcomes
- the reason for the proposed NEPM and the environmental impact of not making the NEPM
- a statement of the alternative methods of achieving the desired environmental outcomes and the reasons why those alternatives have not been adopted
- an identification and assessment of the economic and social impact on the community (including industry) of making the proposed NEPM
- a statement of the manner in which any regional environmental differences in Australia have been addressed in the development of the proposed NEPM
- the intended date for making the proposed NEPM
- the timetable (if any) in relation to the proposed NEPM
- the transitional arrangements (if any) in relation to the proposed NEPM.

These impact statement requirements are set out in the legislation. Impact statements are developed in keeping with the requirements of the Council of Australian Governments as outlined in the Principles and Guidelines for National Standard Setting and Regulatory Action by Ministerial Councils and Standard Setting Bodies.

The NEPC legislation requires that both the draft NEPM and the impact statement are made available for public consultation for a period of at least two months. The NEPC must have regard to the impact statement and submissions received during public consultation in deciding whether to make a NEPM.

NEPM REPORTING AND CONSULTATION ARRANGEMENTS

In the development of each National Environment Protection Measure, a working structure is established as displayed in the following diagram.



The roles of these groups in NEPM development can be characterised in the following manner.

NEPC:

- initiates the development of the NEPM
- approves the release of the draft NEPM and impact statement for public consultation
- makes the NEPM.

NEPC Committee:

- appoints a NEPM Project Chair (from NEPC Committee)
- develops the proposal for the NEPM
- appoints project team experts from jurisdictions
- members are responsible for consultation in their jurisdiction.

Project Chair:

- provides policy direction for the project team
- has general oversight of the development of the draft NEPM and impact statement
- reports to the NEPC Committee on progress and issues arising during development of the draft NEPM and the impact statement.

Project team:

- develops draft NEPM and impact statement under the guidance of the Project Chair and Project Manager.

NEPC Service Corporation:

- provides Project Manager and support structures for NEPM development.

Project Manager:

- is responsible for development of a detailed NEPM proposal
- manages the project (including the project team, finances, timelines)
- acts as Executive Officer for the Non-government Organisation Advisory Group and the Jurisdictional Reference Network
- reports to the Project Chair and the NEPC Executive Officer.

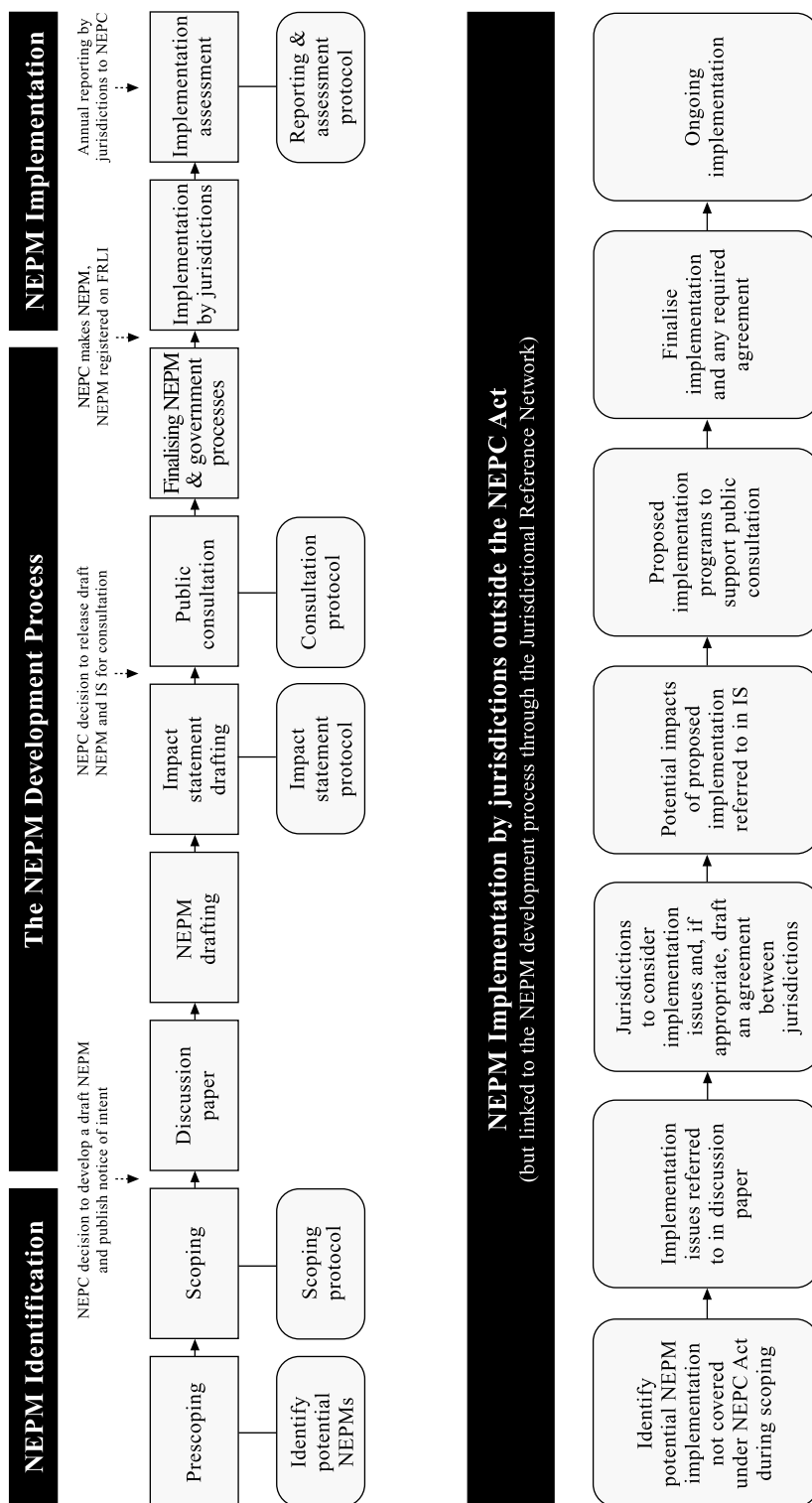
Non-government Organisation Advisory Group:

- comprises senior executives from national non-government organisations (conservation, industry and professional groups)
- is chaired by the Project Chair
- provides policy advice to the NEPC Committee through the Project Chair
- provides feedback to the project team.

Jurisdictional Reference Network:

- comprises one officer from each jurisdiction, who:
 - conducts whole-of-government consultation under the direction of the NEPC Committee member for the jurisdiction
 - may organise and/or conduct public consultation in his/her jurisdiction
 - provides feedback to the project team on jurisdictional issues
 - supplies appropriate data and information to the project team to assist NEPM development.

Appendix 5: NEPM Development Model – Flow Chart





Appendix 6:

Implementation and Effectiveness of NEPMs

R e p o r t s b y N E P C M e m b e r s



NEPC Report on the implementation of the
Air Toxics NEPM

2 0 0 9 – 2 0 1 0

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Commonwealth implements the NEPM administratively and ensures that its obligations under the *National Environment Protection Act 1994* are met.

Implementation issues arising

The Commonwealth has undertaken a range of activities in the reporting year to assist with the implementation and further development of the NEPM.

The Commonwealth is currently leading EPHC work on key sources of air pollutants, including air toxics from wood heaters and petrol driven non-road engines. In 2009–10, a Regulatory Impact Statement process was commenced to assess options for reducing emissions from domestic wood heaters. A consultation Regulatory Impact Statement was completed and a public consultation process was commenced for petrol driven non-road engines. The Regulatory Impact Statement considered options for managing emissions from lawnmowers and other garden equipment, and outboard marine motors.

The Department of Defence has established the Pollution Prevention Strategy which identifies ‘priority pollutants’ and associated activities that need to be managed at Defence sites. These priority pollutants include the relevant air toxics. Defence assesses and manages the environmental risks of activities at its sites, including emissions of air toxics, through the Defence Environmental Management System and the various Occupational Health and Safety programs within Defence.

Implementation summary and evaluation

The Commonwealth has fulfilled its obligations to date under the NEPM and will continue to undertake activities in support of NEPM implementation, such as the commissioning of research, and the development of tools to inform future management strategies on air toxics.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Reporting of monitoring of air toxics

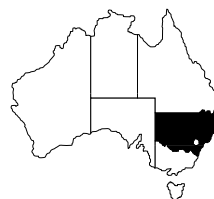
The Commonwealth has previously reported on its desktop analysis, which identified no Commonwealth sites on which there was potential for significant population exposure to elevated levels of air toxics.

No reassessment of the information on air toxics levels and population exposure was undertaken in the reporting year, as no Commonwealth agency has reported that activities at their sites have varied significantly from the previous reporting year.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The Air Toxics NEPM provides a nationally consistent framework for the Commonwealth to assess the impacts of its activities on ambient air toxics levels and exposure to air toxics in the Australian environment.

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The implementation of the Air Toxics NEPM in NSW is coordinated by the Department of Environment, Climate Change and Water (DECCW). NSW has fulfilled its obligations to date under the NEPM and continues to progress its implementation.

Under Part 3, Clause 8 of the NEPM, the identification of ‘stage 1’ and ‘stage 2’ sites for monitoring of air toxics was required within 12 months of commencement of the NEPM. NSW completed the desktop analysis and reported the results in the implementation report for the reporting year ended 30 June 2005.

Under Part 3, Clause 9 of the NEPM, monitoring of air toxics is required at ‘stage 2’ sites. NSW has conducted ambient monitoring for the five NEPM air toxics at two ‘stage 2’ sites in the Sydney metropolitan area using a 1-day-in-6 cycle for a full year.

In order to control air emissions, including managing air toxics, NSW has comprehensive legislation administered by the NSW Environment Protection Authority (EPA), which is part of DECCW. These are outlined below.

National Environment Protection Council (New South Wales) Act 1995

This Act provides for the establishment of a National Environment Protection Council (NEPC) that has power to make national environment protection measures. The NSW Government will implement national environment protection measures (NEPMs) in NSW in a variety of ways, including via legislation.

Protection of the Environment Administration Act 1991

This Act sets up the NSW Environment Protection Authority (EPA) with objectives to protect, restore and enhance the quality of the environment in NSW having regard to the need to maintain ecologically sustainable development and to reduce the risks to human health and prevent the degradation of the environment.

Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations Act 1997* (POEO Act) is the key piece of environment protection legislation administered by the EPA. The POEO Act provides a single licensing arrangement to regulate air pollution, water pollution, noise pollution and waste management.

Protection of the Environment Operations (Clean Air) Regulation 2010

Part 2 of the Regulation deals with the sale of domestic solid fuel heaters and requires the heaters to be certified as complying with emission limits set out in the relevant Australian Standard. It also prohibits tampering with such heaters.

Part 3 of the Regulation:

- controls burning in the open or in incinerators in local government areas
- allows the EPA or local councils to grant approvals for burning in the open or in an incinerator in certain circumstances
- prohibits the burning of certain articles (including tyres, paint and solvent containers, and certain treated timbers)
- imposes a general duty on persons to prevent or minimise air pollution when burning in the open or in an incinerator.

Part 4 of the Regulation relates to motor vehicles and deals with the following matters:

- the emission of air impurities, including excessive smoke from motor vehicles

- the compulsory fitting and maintenance of anti-pollution devices, and exemptions from these requirements
- the limits on summer petrol vapour pressure (from 15 November to 15 March)
- the reporting on the benzene concentration in petrol prior to the introduction of a 1% benzene limit in petrol nationally from 1 January 2006.

Part 5 of the Regulation applies to air emissions from industrial and commercial activities and deals with the following:

- setting maximum emission standards from stationary sources for a number of air impurities, including chlorine, volatile organic compounds, dioxins and furans, hazardous substances (including heavy metals and other toxics), smoke, solid particles and sulfur
- establishing a framework for review of emission standards applicable to pre-1979 premises
- requirements for afterburners and vapour recovery units treating materials containing ‘principal toxic air pollutants’
- ground-level concentration criteria for a wide range of air toxics, including; benzene, benzo(α)pyrene, formaldehyde, toluene and xylene, in Approved Methods for Modelling and Assessment of Air Pollutants in NSW.

Part 6 deals with the transport and storage of volatile organic liquids, including stage 1 and stage 2 vapour recovery at service stations.

Protection of the Environment Operations (General) Regulation 1998

Some functions of this Regulation are to:

- set out how to calculate fees in relation to environment protection licences, and makes provision for adjustment or refunds of those fees
- set out fees for environment protection notices
- make provisions for load reduction agreements (load reduction agreements allow for fee rebates in return for measures taken to reduce pollution in the future)
- establish a Review Panel to advise the EPA on licensing matters, including load calculation protocols
- set out the matters to be included by the EPA in its statement of reasons for the grant or refusal of a licence application
- make it an offence to provide information that is false or misleading in relation to a licence application

- require licensees to retain records used to calculate licence fees
- give effect to the National Environment Protection (National Pollutant Inventory) Measure by requiring occupiers of certain facilities to submit data to the EPA relating to the emission of certain substances
- prohibit the burning of certain bio-material from Australian native trees in certain electricity generating works, and requires records and reports to be made in accordance with EPA guidelines.

Implementation issues arising

No issues noted.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Reporting of monitoring of air toxics

NSW has conducted ambient monitoring for the five NEPM air toxics at two ‘stage 2’ sites in the Sydney metropolitan area using a 1-day-in-6 cycle for a full year. Data collection commenced in October 2008 and concluded in October 2009.

The Turella site collected data on: formaldehyde and acetaldehyde; nineteen polycyclic aromatic hydrocarbons including benzo(α)pyrene; and forty one volatile organic compounds including benzene, toluene and xylenes.

The Rozelle site collected data on: formaldehyde and acetaldehyde; and forty one volatile organic compounds including benzene, toluene and xylenes.

NEPM-compliant sampling and analysis methods have been used.

Tables 1 to 5 summarise the monitoring results for the five air toxics: benzene, benzo(α)pyrene as a marker for polycyclic aromatic hydrocarbons, formaldehyde, toluene and xylenes.

These results clearly show levels of air toxics are below the monitoring investigation levels (MILs). There were no occasions on which any of the air toxics monitored exceeded the monitoring investigation levels at any location.

Table 1: Monitoring results—Benzene

	Rozelle	Turrella
Air Toxic	Benzene	Benzene
Monitoring method	USEPA TO-15	USEPA TO-15
Period of monitoring	2/10/08 to 8/10/09	2/10/08 to 29/9/09
Number of valid results	32	36
Maximum 24-hour average concentration	0.90 ppb	2.00 ppb
Annual average concentration (as arithmetic mean)	0.26 ppb	0.38 ppb
Arithmetic Standard Deviation of 24-hour average concentrations	0.17 ppb	0.34 ppb
Number of times monitoring investigation level exceeded*	0	0

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 2: Monitoring results—Benzo(α)pyrene as a marker for Polycyclic Aromatic Hydrocarbons

	Turrella
Air Toxic	Benzo(α)pyrene
Monitoring method	USEPA TO-13
Period of monitoring	2/10/08 to 27/9/09
Number of valid results	16
Maximum 24-hour average concentration	0.40 ng/m ³
Annual average concentration (as arithmetic mean)	0.21 ng/m ³
Arithmetic Standard Deviation of 24-hour average concentrations	0.10 ng/m ³
Number of times monitoring investigation level exceeded*	0

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 3: Monitoring results—Formaldehyde

	Rozelle	Turrella
Air Toxic	Formaldehyde	Formaldehyde
Monitoring method	USEPA TO-11	USEPA TO-11
Period of monitoring	2/10/08 to 27/9/09	2/1008 to 27/9/09
Number of valid results	50	53
Maximum 24-hour average concentration	3.2 ppb	4.4 ppb
Annual average concentration (as arithmetic mean)	1.6 ppb	1.6 ppb
Arithmetic Standard Deviation of 24-hour average concentrations	0.65 ppb	0.66 ppb
Number of times monitoring investigation level exceeded*	0	0

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 4: Monitoring results—Toluene

	Rozelle	Turrella
Air Toxic	Toluene	Toluene
Monitoring method	USEPA TO-15	USEPA TO-15
Period of monitoring	2/10/08 to 8/10/09	2/10/08 to 29/9/09
Number of valid results	54	53
Maximum 24-hour average concentration	3.8 ppb	6.4 ppb
Annual average concentration (as arithmetic mean)	0.9 ppb	1.8 ppb
Arithmetic Standard Deviation of 24-hour average concentrations	0.69 ppb	1.35 ppb
Number of times monitoring investigation level exceeded*	0	0

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 3: Monitoring results—Formaldehyde

	Rozelle	Turrella
Air Toxic	Xylenes	Xylenes
Monitoring method	USEPA TO-15	USEPA TO-15
Period of monitoring	2/10/08 to 8/10/09	2/10/08 to 29/9/09
Number of valid results	26	30
Maximum 24-hour average concentration	2.60 ppb	4.90 ppb
Annual average concentration (as arithmetic mean)	0.73 ppb	1.2 ppb
Arithmetic Standard Deviation of 24-hour average concentrations	0.53 ppb	0.95 ppb
Number of times monitoring investigation level exceeded*	0	0

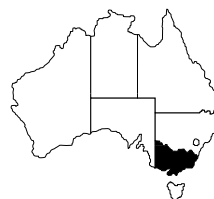
* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

NSW has achieved the goal of the NEPM, which is to estimate human exposure to the five NEPM air toxics using a consistent national framework, by conducting ambient monitoring for the five NEPM air toxics at two tier-2 monitoring sites in the Sydney metropolitan area using a 1-day-in-6 cycle for a full year.

The monitoring carried out under the NEPM demonstrated that the five NEPM air toxics are within monitoring investigation levels at all the NSW monitoring sites.

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The State Environment Protection Policy (Air Quality Management) [SEPP (AQM)] provides the statutory framework for the management of emissions of air toxics to the air environment in Victoria. The five air toxics in the Air Toxics NEPM are included as indicators in the SEPP (AQM). Toluene, Xylenes and Formaldehyde are Classified as Class 2 indicators requiring control of emissions by the application of best practice. Benzene and PAHs (as BaP) are classified as Class 3 indicators. Class 3 indicators are highly toxic pollutants that require control to the maximum extent achievable (MEA). Both MEA and best practice require consideration of the wastes hierarchy in the management of emissions with avoidance being the primary aim. Technology is only one aspect of the management requirements.

The SEPP (AQM) contains two types of criteria to assess the potential health risks posed by exposure to air toxics:

- **Design Criteria**—these are modelling tools that are applied in the design stage of a facility or expansion of a facility. They are based on either toxicity or if more stringent the odour threshold of a pollutant. They apply to individual industrial emissions and are therefore conservative in nature.
- **Intervention Levels**—these are local air quality objectives that apply to cumulative sources of emissions. If exceeded further investigation of the cause is required and a neighbourhood environment improvement plan may be triggered.

The design criteria established in the SEPP (AQM) for benzene, formaldehyde and PAHs are based on toxicity. For toluene and xylenes the design criteria are based on the odour threshold. The SEPP (AQM) contains intervention levels for all pollutants included

in the Air Toxics NEPM and these are based on the protection of human health.

Implementation issues arising

- No monitoring of air toxics was conducted during 2009–10.
- Victoria Chaired the mid-term review of the NEPM which evaluated the progress toward meeting the goal of the NEPM ‘to collect sufficient data to enable setting standards for air toxics’. The review was completed in June 2010.
- During 2009–10 EPA Victoria has continued to review emissions of Class 3 indicators to ensure that industries emitting these pollutants are implementing the approved action plans and minimising emissions to the maximum extent achievable in accordance with the plans.
- During 2009–10 EPA Victoria has conducted modelling of the air toxics to assess the impact of climate change on future levels of these pollutants. This work will assist in identifying future Stage 2 sites for monitoring under the NEPM.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

No Stage 2 sites were identified in 2009–10 and no monitoring is proposed at this time.

Reporting of monitoring of air toxics

No monitoring was undertaken during 2009–10.

Reporting on assessment and action if any planned or taken to manage air toxics

Modelling being undertaken on the air toxics will inform selection of any Stage 2 sites for monitoring. Compliance with the Monitoring Investigation Levels has not been demonstrated.

Repeat identification of stage 1 and stage 2 sites

Victoria did not undertake this assessment during 2009–10.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

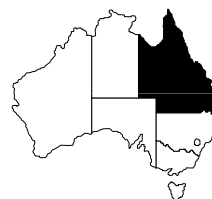
During 2009–10 Victoria did not monitor air toxics under this NEPM.

No revaluation of Stage 1 or 2 sites was undertaken.

Modelling being undertaken as part of the Future Air project will inform the identification of potential Stage 2 sites for monitoring in the future.

NATA accreditation was relinquished by EPA Victoria for the sampling of the air toxics included in the NEPM and for the analysis of benzene, toluene and xylenes. Any future sampling and analysis will be outsourced to NATA accredited laboratories.

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for Queensland by the Hon. Kate Jones MP, Minister for Climate Change and Sustainability for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Queensland, the Air Toxics NEPM was implemented by the Department of Environment and Resource Management (DERM) under the *Environmental Protection Act 1994* (EP Act), the *Environmental Protection Regulation 1998*, and the *Environmental Protection (Air) Policy 1998*. As part of the revision that took place in 2008 resulting in the *Environmental Protection Regulation 2008* and the *Environmental Protection (Air) Policy 2008* (EPP Air), the Air Toxics NEPM monitoring investigation levels were incorporated as air quality objectives in the new policy.

Air toxics emissions are also managed through effective land use planning. The Queensland Government released the *South East Queensland Regional Plan 2009–2031* in July 2009 to provide a sustainable growth management strategy for South East Queensland to the year 2031. The plan notes that air is a vital natural asset which plays a key role in ensuring the health of the community, protecting the environment and fostering economic development. A key policy principle is managing urban settlement and the use of transport, industry, energy and natural resources to minimise adverse impacts on the atmosphere.

Key features of the plan include:

- developing an urban form that minimises the demand for transport by ensuring that residents have easy access by walking or cycling to employment, retail centres, government services, medical facilities and leisure opportunities
- improving transport efficiency by improving facilities for public transport, cycling and walking, and by upgrading the road network

- encouraging the use of more efficient and lower emitting modes of transport through education, information and economic incentives.

The regional plan is supported by the *South East Queensland Natural Resources Management Plan 2009–2031* and the *South East Queensland Infrastructure Plan and Program 2010–2031*. The *Natural Resource Management Plan* is designed to coordinate the management and use of natural resources to enhance community, economic and environmental values. It establishes measurable regional targets for air and atmosphere resources. The *Infrastructure plan* identifies specific projects to improve the availability, efficiency and effectiveness of public transport, cycling and walking facilities; and to reduce traffic congestion. When completed these projects will increase the number of trips taken by public transport, cycling and walking, and reduce motor vehicle emissions by eliminating congestion and stop–start traffic conditions. Taken collectively, these projects will significantly reduce transport-related air emissions in South East Queensland.

Implementation issues arising

Due to other priorities requiring air toxics monitoring elsewhere in the state, monitoring at the Stage 2 sites identified in 2005–06 was not carried out during 2009–10. Subject to the availability of resources, it is proposed to commence monitoring at the Stage 2 sites in 2011.

In 2007–08, the Queensland Government commenced a new program called ‘Clean and Healthy Air for Gladstone’ to address community concerns regarding industrial emissions in Gladstone. As part of this program, NEPM compliant monitoring of benzene, toluene, xylenes, formaldehyde and polycyclic aromatic hydrocarbons commenced in November 2008 and concluded in June 2010 using a 1-day-in-6 sampling cycle. The monitoring was carried out at five locations in and around Gladstone. Monitoring of benzene, toluene, xylene and formaldehyde on a continuous basis commenced in July 2009 at a sixth location in central Gladstone using the Differential Optical Absorption Spectroscopy (DOAS) methodology.

The results from the 2009 monitoring program are presented in this report.

In addition to the requirements of the NEPM, DERM monitored selected air toxics during the 2009–10 reporting period, using open path DOAS instrumentation at Springwood in south-east Queensland.

The DOAS monitoring methodology is not in accordance with the protocols set out in the NEPM, and the monitoring sites are not identified as Stage 2 sites. The data collected improves our knowledge of ambient concentrations of the majority of the toxic pollutants in Schedule 1 of the NEPM.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

Table 1: Stage 2 sites and proposed monitoring program

Location of stage 2 sites	Air toxics with possible elevated levels	Air toxics to be monitored	Proposed timeframe for monitoring	Estimate of size of population likely to be exposed and identification of susceptible groups
Woolloongabba	Benzene, toluene, xylene, formaldehyde, Benzo(α)pyrene	Benzene, toluene, xylene, formaldehyde, benzo(α)pyrene	2011	Residential pop. of 4 000; employed pop. of 10 000; inner city close to major roads and SE freeway
Wynnum	Benzene, toluene, xylene, formaldehyde, Benzo(α)pyrene	Benzene, toluene, xylene, formaldehyde, benzo(α)pyrene	2012	Residential pop. of 10 000; close to major petrol-chemical industries

The analysis for identification and prioritisation of Stage 1 and Stage 2 sites, as required by the NEPM, was limited to the populous areas of south-east Queensland. Two types of locations were identified as having the most potential for significant population exposure to air toxics—built up residential areas close to heavily trafficked roads with significant congestion problems (e.g. Woolloongabba); and built up residential areas close to major petro-chemical industries (e.g. Wynnum).

Reporting of monitoring of air toxics

Jurisdictions are required to submit a report, in accordance with clause 13, of the reporting year ending 31 December 2009. This includes results of desktop analysis identifying sites, any monitoring that has taken place, and assessment and action taken to manage air toxics (where exceedences have been reported).

Although DERM did not conduct any air toxics monitoring at Stage 2 sites in south-east Queensland, NEPM compliant monitoring of benzene, toluene, xylenes, formaldehyde and polycyclic aromatic hydrocarbons was conducted at five locations in Gladstone using a 1-day- in-6 sampling cycle. Levels of benzene, toluene and p-xylene were also monitored using an alternative differential optical absorption spectroscopy (DOAS) technique at an ambient air quality monitoring network site at Springwood in south-east Queensland. The primary air toxics emission source at the Springwood site was motor vehicles. Results from this monitoring are provided below. Data collected (Table 1 to 5) indicate that levels in Gladstone and Springwood are well below the Air Toxic NEPM investigation levels.

Table 2: Monitoring results for benzene

Sites	SE QLD		Gladstone			
	Springwood	Boat Creek	Boyne Island	Clinton	South Gladstone	Targinie
Monitoring method	DOAS	TO-15	TO-15	TO-15	TO-15	TO-15
Period of monitoring	01/01/09–26/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09
Number of valid results	289	49	47	47	49	47
Maximum 24-hour average concentration	0.0016ppm	0.0016ppm	0.001ppm	0.0015ppm	0.0016ppm	0.0008ppm
Annual average concentration (as arithmetic mean)	0.0005ppm	0.0006ppm	0.0005ppm	0.0005ppm	0.0005ppm	0.0005ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0003ppm	0.0003ppm	0.0003ppm	0.0003ppm	0.0003ppm	0.0002ppm
Number of times monitoring investigation level exceeded	0	0	0	0	0	0

Table 3: Monitoring results for toluene

Sites	SE QLD		Gladstone			
	Springwood	Boat Creek	Boyne Island	Clinton	South Gladstone	Targinie
Monitoring method	DOAS	TO-15	TO-15	TO-15	TO-15	TO-15
Period of monitoring	01/01/09–26/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09
Number of valid results	284	55	53	54	56	54
Maximum 24-hour average concentration	0.0023ppm	0.0013ppm	0.0025ppm	0.0028ppm	0.0012ppm	0.0008ppm
Annual average concentration (as arithmetic mean)	0.0009ppm	0.0007ppm	0.0015ppm	0.0020ppm	0.0005ppm	0.0005ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0003ppm	0.0002ppm	0.0005ppm	0.0003ppm	0.0002ppm	0.0002ppm
Number of times monitoring investigation level exceeded	0	0	0	0	0	0

Table 4: Monitoring results for xylene

Sites	SE QLD		Gladstone			
	Springwood	Boat Creek	Boyne Island	Clinton	South Gladstone	Targinie
Monitoring method	DOAS	TO-15	TO-15	TO-15	TO-15	TO-15
Period of monitoring	01/01/09–26/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09	12/01/09–18/12/09
Number of valid results	288	55	55	54	56	54
Maximum 24-hour average concentration	0.0035ppm	0.001ppm	0.001ppm	0.001ppm	0.0021ppm	0.0009ppm
Annual average concentration (as arithmetic mean)	0.0007ppm	0.0006ppm	0.0006ppm	0.0005ppm	0.0006ppm	0.0005ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0002ppm	0.0003ppm	0.0003ppm	0.0002ppm	0.0003ppm	0.0002ppm
Number of times monitoring investigation level exceeded	0	0	0	0	0	0

Table 5: Monitoring results for formaldehyde

Sites	Gladstone				Targinie
	Boat Creek	Boyne Island	Clinton	South Gladstone	
Monitoring method	TO-11	TO-11	TO-11	TO-11	TO-11
Period of monitoring	01/01/09–18/12/09	01/01/09–18/12/09	01/01/09–18/12/09	01/01/09–18/12/09	01/01/09–18/12/09
Number of valid results	37	50	50	47	49
Maximum 24-hour average concentration	0.0036ppm	0.0039ppm	ND	ND	ND
Annual average concentration (as arithmetic mean)	0.0018ppm	0.0018ppm	ND	ND	ND
Arithmetic Standard Deviation of 24-hour average concentrations	0.0005ppm	0.0007ppm	ND	ND	ND
Number of times monitoring investigation level exceeded	0	0	0	0	0

Table 6: Monitoring results for benzo (α) pyrene

Sites	Gladstone				
	Boat Creek	Boyne Island	Clinton	South Gladstone	Targinie
Monitoring method	TO-13	TO-13	TO-13	TO-13	TO-13
Period of monitoring	06/01/09–18/12/09	06/01/09–18/12/09	06/01/09–18/12/09	06/01/09–18/12/09	06/01/09–18/12/09
Number of valid results	52	55	56	58	57
Maximum 24-hour average concentration	1.2 ng/m ³	0.52 ng/m ³	ND	1.2 ng/m ³	0.4 ng/m ³
Annual average concentration (as arithmetic mean)	0.15 ng/m ³	0.12 ng/m ³	ND	0.14 ng/m ³	0.12 ng/m ³
Arithmetic Standard Deviation of 24-hour average concentrations	0.16 ng/m ³	0.06 ng/m ³	ND	0.15 ng/m ³	0.04 ng/m ³
Number of times monitoring investigation level exceeded	0	0	0	0	0

Reporting on assessment and action if any planned or taken to manage air toxics

Progress toward improving the information base regarding ambient air toxics within the Queensland environment has occurred by way of the desktop analysis, identifying sites likely to have the highest population exposure to air toxics, and ambient monitoring of benzene, toluene, xylene and formaldehyde and benzo(α)pyrene in Brisbane and Gladstone. Current monitoring does not suggest a problem with air toxics at the sites monitored.

Repeat identification of stage 1 and stage 2 sites

The analysis for identification and prioritisation of Stage 1 and Stage 2 sites, as required by the NEPM was limited to the populous areas of south-east Queensland. The following sites were identified as Stage 2 sites representative of locations with the most potential for significant population exposure to air toxics:

- Ipswich Road, Woolloongabba—representative of a medium density residential area with potential for significant population exposure to air toxics in motor vehicle emissions
- Wynnum North Road, Wynnum North—representative of a low-medium density residential area with potential for significant population exposure to air toxics in industrial emissions.

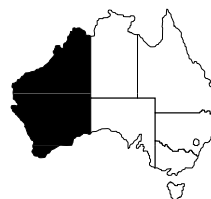
PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The Air Toxics NEPM has been effective in providing an impetus to investigate available data, such as the National Pollutant Inventory and the Air Emissions Inventory for the south-east Queensland region, to identify the locations most likely to experience significant population exposure to elevated ambient concentrations of air toxics.

Investigations in the 2005–06 reporting period have identified two types of locations in Queensland, being proximity to major roads and industrial sites, as having the most potential for significant population exposure to air toxics, and from which Stage 2 representative sites have been identified.

Western Australia

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 26)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Western Australia, the Air Toxics NEPM is implemented by the Department of Environment and Conservation (DEC) under the *National Environment Protection Council (WA) Act 1996* and the *Environmental Protection Act 1986*.

The Environmental Protection Authority has finalised a draft Ambient Air State Environment Policy (SEP), utilising targeted consultation with their reference panel members. This process was initially commenced to provide policy context to the Ambient Air Quality NEPM, but has been expanded to also incorporate the environmental protection goals of the Air Toxics NEPM. The draft Ambient Air SEP has been considered by the Minister for the Environment and was released for public comment on 15 June 2009. Comments received during this consultation process will be considered when finalising the SEP.

Air Toxics emissions are also managed through the Perth Air Quality Management Plan (AQMP), a non-statutory mechanism established by the West Australian Government. The objective of the AQMP is to ensure that clean air is achieved and maintained throughout the Perth metropolitan region. The AQMP identifies that to achieve an overall improvement in Perth's air quality, further studies are required to determine major sources and concentrations of air toxics in the Perth metropolitan region. The initiatives within the Perth AQMP are complementary to the Air Toxics NEPM.

Implementation issues arising

In Western Australia, the monitoring of air toxics using methods recommended by the NEPM has been limited due to the cost of such methods. The cost of alternative methods, such as passive sampling, is significantly less. Passive sampling for air toxics in Western Australia has been conducted at several sites, in addition to NEPM compliant monitoring. Although this passive sampling does not meet the NEPM requirements, the results provide useful information on background levels in urban areas.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

Table 1: Stage 2 sites and proposed monitoring program

Location of stage 2 sites	Air toxics with possible elevated levels	Air toxics to be monitored	Proposed timeframe for monitoring	Estimate of size of population likely to be exposed and identification of susceptible groups
Perth CBD (Queens Building)	Formaldehyde PAHs	Formaldehyde PAHs	Completed in 2005–06	96 622
Perth's northern suburbs (Duncraig)	Formaldehyde PAHs	Formaldehyde PAHs	Completed in 2005–06	16 281

In accordance with Schedule 2 of the NEPM, a desktop analysis was completed with Stage 1 and Stage 2 sites identified for WA. Two Stage 2 sites were selected for formaldehyde and PAHs. This analysis was summarised in the 2005–06 annual report. No further desktop analysis has been conducted.

Reporting of monitoring of air toxics

The 2006–07 annual report summarised the monitoring results from the two Stage 2 sites. Additional monitoring was conducted at Hope Valley. A full 12 months of monitoring data had been obtained for formaldehyde and benzo(α)pyrene (Tables 2 and 3). Approximately six months of monitoring data had also been collected and reported for toluene, xylene and benzene (Tables 4, 5, and 6).

Table 2: Monitoring results (Formaldehyde)

	Queens Building	Duncraig	Hope Valley
Formaldehyde			
Monitoring method	TO—11A	TO—11A	TO—11A
Period of monitoring	27 July 2005 to 28 July 2006	27 July 2005 to 28 July 2006	27 July 2005 to 28 July 2006
Number of valid results	62	62	62
Maximum 24-hour average concentration	0.004ppm	0.003ppm	0.003ppm
Annual average concentration (as arithmetic mean)	0.002ppm	0.001ppm	0.001ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0008ppm	0.00073ppm	0.00073ppm
Number of times monitoring investigation level exceeded*	No exceedences	No exceedences	No exceedences

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 3: Monitoring results (Benzo-a-pyrene)

	Queens Building	Duncraig	Hope Valley
Benzo-a-pyrene			
Monitoring method	TO—13A	TO—13A	TO—13A
Period of monitoring	27 July 2005 to 28 July 2006	27 July 2005 to 28 July 2006	27 July 2005 to 28 July 2006
Number of valid results	61	61	61
Maximum 24-hour average concentration	0.65 ng/m ³	1.31 ng/m ³	0.23 ng/m ³
Annual average concentration (as arithmetic mean)	0.14 ng/m ³	0.16 ng/m ³	0.05 ng/m ³
Arithmetic Standard Deviation of 24-hour average concentrations	0.13 ng/m ³	0.30 ng/m ³	0.04 ng/m ³
Number of times monitoring investigation level exceeded*	No exceedences	No exceedences	No exceedences

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 4: Monitoring results (Toluene)

	Queens Building	Duncraig	Hope Valley
Toluene			
Monitoring method	TO—14A	TO—14A	TO—14A
Period of monitoring	6 November 2005 to 29 May 2006	6 November 2005 to 29 May 2006	6 November 2005 to 29 May 2006
Number of valid results	38	35	37
Maximum 24-hour average concentration	0.0037 ppm	0.0025 ppm	0.0006 ppm
Annual average concentration (as arithmetic mean)	Not available	Not available	Not available
Arithmetic Standard Deviation of 24-hour average concentrations	0.0007 ppm	0.0008 ppm	0.0001 ppm
Number of times monitoring investigation level exceeded*	Not demonstrated	Not demonstrated	Not demonstrated

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 5: Monitoring results (Xylene)

	Queens Building	Duncraig	Hope Valley
Xylene			
Monitoring method	TO—14A	TO—14A	TO—14A
Period of monitoring	6 November 2005 to 29 May 2006	6 November 2005 to 29 May 2006	6 November 2005 to 29 May 2006
Number of valid results	38	35	37
Maximum 24-hour average concentration	0.0017 ppm	0.0026 ppm	0.0010 ppm
Annual average concentration (as arithmetic mean)	Not available	Not available	Not available
Arithmetic Standard Deviation of 24-hour average concentrations	0.0005 ppm	0.0006 ppm	0.0002 ppm
Number of times monitoring investigation level exceeded*	Not demonstrated	Not demonstrated	Not demonstrated

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

Table 6: Monitoring results (Benzene)

	Queens Building	Duncraig	Hope Valley
Benzene			
Monitoring method	TO—14A	TO—14A	TO—14A
Period of monitoring	6 November 2005 to 29 May 2006	6 November 2005 to 29 May 2006	6 November 2005 to 29 May 2006
Number of valid results	38	35	37
Maximum 24-hour average concentration	0.0012 ppm	0.0014 ppm	0.0004 ppm
Annual average concentration (as arithmetic mean)	Not available	Not available	Not available
Arithmetic Standard Deviation of 24-hour average concentrations	0.0001 ppm	0.0003 ppm	0.0001 ppm
Number of times monitoring investigation level exceeded*	Not demonstrated	Not demonstrated	Not demonstrated

* must be evaluated as “not demonstrated” if no monitoring or assessment has taken place.

As the measured formaldehyde and benzo(α)pyrene concentrations were below the Monitoring Investigation Levels specified, the decision was made to re-allocate the monitoring equipment and staff resources to successfully implement another priority air quality investigation. No additional air toxics monitoring has been conducted that strictly meets the NEPM monitoring protocol.

However, DEC has completed or continues to progress a number of air toxics investigations. These studies further the national environment protection goal of the NEPM to improve the information base regarding ambient air toxics within the Australian environment. They also facilitate the long term management of ambient air toxics in Western Australia, which is consistent with the desired environmental outcome of the NEPM.

Air toxics monitoring was undertaken as part of the Wagerup 2009 Air Quality Study in Yarloop from 1 May to 2 October 2009. Monitoring for a wide range of VOCs, was undertaken including Air Toxics NEPM pollutants using a Proton Transfer Reaction—Mass Spectrometry Instrument (PTRMS). The PTRMS is a sophisticated instrument that measures a wide range of VOCs simultaneously in ambient air in real time. Additional sampling for VOCs was also taken for a wide range of VOCs (including air toxics) during the study period using adsorbent tubes and air sampling canisters. Monitoring data is currently being analysed and a technical report is expected to be released in the near future.

DEC has also purchased a Fourier Transform Infra Red (FTIR) Spectrometer for the continuous monitoring of hydrogen fluoride (HF) and hydrogen chloride (HCl). This instrument was deployed at the WA Police Operations Support Centre for a field trial from November 2009 to April 2010. An analysis of the data obtained from the FTIR over this period is underway, and as part of this analysis the data will be put through a quality assurance process to assess its validity. Parallel testing or other methods of instrument validation are also currently being considered to provide confidence in the data.

Reporting on assessment and action if any planned or taken to manage air toxics

The results of NEPM compliant monitoring as well as the additional complementary air quality studies (outlined above) indicate that air toxics levels in Perth are low compared to international standards and below NEPM Monitoring Investigation Levels. Due to these findings, no specific strategies or actions have been undertaken.

Repeat identification of stage 1 and stage 2 sites

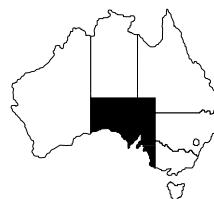
No repeat identification of Stage 1 and Stage 2 sites is currently planned. The initial desktop analysis identified 13 Stage 1 sites for formaldehyde, of which three met the ranking criteria for PAH Stage 1 sites. No Stage 1 sites were identified for benzene, toluene or xylene. Two priority categories (traffic volume and wood heater density) were used to identify two Stage 2 sites. The results of the air toxics monitoring at these two Stage 2 sites showed that the annual average concentrations for formaldehyde and benzo(α)pyrene were below NEPM Monitoring Investigation Levels. As these two sites are representative of the Stage 1 sites initially identified, repeat identification of Stage 1 and Stage 2 sites is not needed at this time.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has been effective in highlighting the need to investigate air toxics concentrations and providing monitoring investigation levels to which the results can be compared. The monitoring investigation levels provide a nationally consistent benchmark for assessing and comparing the concentrations of ambient air toxics from diverse monitoring sites and are an effective tool to inform government policy and programs on appropriate abatement actions.

Monitoring for air toxics in Western Australia has primarily been undertaken as part of specific studies. This has meant there are often a number of objectives to be satisfied when developing and implementing the monitoring programs. As a consequence, the NEPM monitoring protocol has not always been followed. The monitoring results from these studies however, are invaluable when assessing ambient air toxic concentrations across Western Australia.

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for South Australia by the Hon. Paul Caica MP, Minister for Environment and Conservation for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

Section 4 of the transitional provisions in the *Environment Protection (Miscellaneous) Amendment Act 2005*, Sch 1 enables the continued operation of the National Environment Protection (Air Toxics) Measure (NEPM), as an Environment Protection Policy.

Administration of the NEPM is undertaken by the South Australian Environment Protection Authority (SA EPA) to ensure the obligations under the NEPM are met.

Implementation issues arising

The SA EPA is currently reviewing the Environment Protection (Air Quality) Policy [the Air Policy], the Environment Protection (Burning) Policy [the Burning Policy] and the Environment Protection (Motor Vehicle Fuel Quality) Policy, the three sets of subordinate legislation dealing with air pollution from specific sources. The purpose of the review is to replace these three policies with a single comprehensive policy that identifies the air environmental values to be protected and the appropriate management of all sources of pollution, and will embody the content of relevant NEPM's. It is envisaged this policy will embody the essential content of the current Environment Protection Policies and NEPMs.

South Australia has continued to provide technical support to local government to administer the Burning Policy and to resolve complaints relating to domestic solid fuel heaters. The SA EPA released a draft Code of Practice for Environmentally Responsible Wood Heater Use to enable all sectors to deal with wood heater issues.

Odour complaints from bitumen plants

There have been several incidents of odour complaints from residents associated with two bitumen plants in the Port Adelaide area in the last year. The SA EPA has been working with industry to improve their emissions especially during transfer of the bitumen from transport vehicles to storage tanks and from storage tanks to the batching sheds. Although air toxics are not being measured directly, by working with industry to reduce emissions the SA EPA will thereby contribute to reducing community exposure to the many air toxics associated with this activity.

Domestic wood smoke emissions

The SmokeWatch program in Mount Gambier commenced in March 2009, continued into the winter months of 2009, with phase two of the program commencing in April 2010. The program's aim is to encourage households to engage in efficient wood heater practices to minimise wood smoke, and is a collaboration between the SA EPA, the City of Mount Gambier, the Australian Home Heating Association, the Firewood Association of Australia, and from 2010, the Department of Health. SmokeWatch combines behaviour change and air monitoring campaigns so that the two components reinforce the messages about air quality and what the community can do to improve it. Again, although air toxics are not being measured directly, the program has the aim of reducing wood smoke, and thereby contributing in a very real way to reducing community exposure both to fine particles and to the many air toxics associated with these particles.

Review of air quality monitoring

When the Air Toxics NEPM review is completed then, along with internal reviews, future directions for air monitoring in South Australia can be determined relative to any changes in the NEPM.

Petrol vapour recovery

South Australia is continuing with a staged approach to petrol vapour recovery. The BP and Caltex

facilities have been upgraded to incorporate vapour recovery equipment with the Mobil facilities in the process of being upgraded. Upgrading petrol stations to allow transport vehicles to recover their vapours is the next stage the SA EPA is looking into. In turn this will reduce emissions of volatile organic compounds to atmosphere, including benzene, toluene and xylenes, designated as air toxics in the NEPM.

Management plan

South Australia is looking at commencing a program to develop and implement a long term Air Quality strategy. It is intended that the preliminary stages will be a pilot project based around the LeFevre Peninsula area. The pilot project will critically assess the impacts of all aspects of air quality, including Air Toxics, with the aim of establishing clear targets, management plans, and where appropriate, monitoring programs for criteria pollutants in the selected airshed over the next three decades.

South Australia does not propose to commit resources at this time to a formal monitoring program under the NEPM at the identified level 2 sites shown in Table 2. However, pending outcomes of the current review of the NEPM, and particularly, proposed investigations into alternative measurement methodologies due to commence 2010–11, South Australia may revisit formal monitoring of Air Toxics in the future. It is also possible that approaches other than direct monitoring of Air Toxics may be appropriate in some instances. For example in locations where emissions are dominated by wood smoke, such as Mt Gambier and parts of the Adelaide Hills, resources would be best directed towards the management of PM_{2.5}, which will in effect control those Air Toxics that are related to wood combustion.

Air toxics reporting

South Australia did not conduct any compliant monitoring of air toxics during the 2009–10 reporting period.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

South Australia has previously conducted a Desktop study as required under the NEPM. The results of this study have been provided previously.

Reporting of monitoring of air toxics

As already mentioned, South Australia did not conduct any compliant monitoring of air toxics during the 2009–10 reporting period. A desktop study and a later review have been completed, effectively complying with stage 1 requirements of the NEPM protocol. Some monitoring of the air toxics has been undertaken as part of other programs, but commencement of formal monitoring programs under the NEPM has not been possible to date, and given other priorities, is unlikely to be in the foreseeable future.

Repeat identification of stage 1 and stage 2 sites

The review of the desktop analysis resulted in changes to a number of stage 1 sites identified in the first study for the Adelaide airshed as shown:

- Benzene reduced from 4 to 0
- Formaldehyde reduced from 264 to 0
- PAH increased from 4 to 2200
- Toluene reduced from 4 to 0
- Xylenes remained at 0.

Consequently, the number of Stage 2 sites identified in the Adelaide airshed is as listed:

- Benzene reduced from 2 to 0
- Formaldehyde reduced from 10 to 0
- PAH increased from 1 to 2200
- Toluene reduced from 4 to 0
- Xylenes remained at 0.

The large increase in the number of Stage 1 and Stage 2 sites for PAH in the Adelaide airshed is believed to be due to problems with the methodology for preparing PAH emissions data input files for modelling. The assessments are not considered reliable, due to their sensitivity to the estimation methodology. Additional modelling based on emissions inventory estimates did not indicate issues with any of the NEPM air toxics in the Adelaide airshed, apart from PAH. The SA EPA will review this modelling with planned improvements to emissions inventories and model updates, and where appropriate, will investigate further targeted monitoring campaigns.

The report titled ‘Review of Air Toxics Desktop Analysis for the National Environment Protection (Air Toxics) Measure 2008’, was submitted to NEPC and can be used for reference.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

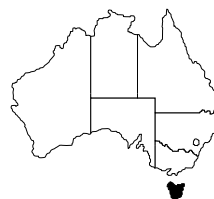
The NEPM has been effective in highlighting the issues around Air Toxics and the need for monitoring, given the uncertainty in making estimates of impacts and predictions of ground level concentration using emission inventory and modelling. The issues it highlights are the need for improved emissions inventory and targeted monitoring.

At this stage insufficient data have been gathered to allow broad scale assessments of the impact of air toxics in South Australia. However, the limited data available indicates that levels of benzene and polycyclic aromatic hydrocarbons may be significant at some sites.

As noted previously, South Australia is embarking on programs to develop strategic air quality management plans for Adelaide and regional centres. Among expected outcomes may be some clearer indication of potential community risks from air toxics and consequently point to additional monitoring that may be required to provide a basis for long term management programs.

Tasmania

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 26)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Tasmanian Air Toxics NEPM is implemented primarily through the EPA Division of the Department of Primary Industries, Parks, Water and Environment (DPIPWE). The enabling legislation is the *Environmental Management and Pollution Control Act 1994* (EMPCA).

National Environment Protection Measures are adopted as State Policies under the *State Policies and Projects Act 1993*. The Air Toxics NEPM was gazetted on 20 December 2004.

The Tasmanian Air Quality Strategy was adopted in 2006 as a requirement of the Environment Protection Policy (Air Quality) 2004.

Implementation issues arising

Tasmania has adopted a staged approach to the monitoring of Air Toxics. Preliminary screening monitoring will be undertaken initially. If levels approaching the Air Toxics NEPM Monitoring Investigation Level (MIL) are detected using the screening techniques then additional monitoring using the NEPM reference method will be conducted to confirm the findings. Otherwise the program will progress to other sites that have not yet been monitored.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

Table 1: Stage 2 sites and proposed monitoring program

Location of stage 2 sites MGA Easting (km) MGA Northing (km)	Air toxics monitored	Monitoring period	Estimate of size of population likely to be exposed and identification of susceptible groups
Rowella 493 438 5 441 388	Benzo[a]pyrene	01/01/09 – 31/12/09	20
Ti Tree Bend 510 440 5 414 887	Benzene, Toluene, Xylenes, Formaldehyde	09/01/09 – 23/12/09	3119 St Finn Barr's Catholic Primary School, Invermay Primary School
New Town 525 762 5 255 281	Benzene, Toluene, Xylenes, Formaldehyde	9/01/09 – 13/11/09	2406 Bowen Rd Primary School Uniting Aged Care – New Town Independent Living Units:
South Launceston 514 357 5 411 928	Benzene, Toluene, Xylenes, Formaldehyde	22/06/09 – 23/12/09	2345 East Launceston Primary School, Launceston General Hospital, Pedder Patter Child Care Centre
Glenorchy 523 957 5 258 315	Benzene, Toluene, Xylenes, Formaldehyde	24/04/09 – 13/11/09	2418 Timsbury Rd Primary School Glenview Community Services
Warrane 536 784 5 254 216	Benzene, Toluene, Xylenes, Formaldehyde	24/04/09 – 13/11/09	2140 Cambridge Rd Play and Learn (childcare) Centre

Reporting of monitoring of air toxics

Fourteen sites were identified in a Desktop Analysis in 2005 that was conducted according to the Air Toxics NEPM Desktop Analysis protocol. Monitoring at five of the fourteen sites was undertaken in the period 2008 to 2009.

Table 2: Monitoring results

Site:	New Town	New Town	New Town	New Town
Air Toxic:	Benzene	Toluene	Xylenes	Formaldehyde
¹ Monitoring method	RAD130	RAD130	RAD130	RAD165
Period of monitoring	9/01/09 – 13/11/09	9/01/09 – 13/11/09	9/01/09 – 13/11/09	9/01/09 – 13/11/09
Number of valid results	42	42	42	44
² Averaging period, days	7	7	7	7
² Average concentration during monitoring period, ppm	0.00026	0.00042	0.00032	0.0016
² Maximum concentration during monitoring period, ppm	0.00068	0.00091	0.00072	0.0038
² Maximum 24-hour average concentration				
² Annual average concentration (as arithmetic mean)				
² Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	not demonstrated
Site:	New Town	New Town	New Town	
Air Toxic:	Benzene	Toluene	Xylenes	
¹ Monitoring method	RAD145	RAD145	RAD145	
Period of monitoring	31/07/09 – 08/10/09	31/07/09 – 08/10/09	31/07/09 – 08/10/09	
Number of valid results	5	5	5	
² Averaging period, days	14	14	14	
² Average concentration during monitoring period, ppm	0.00019	0.00065	0.00038	
² Maximum concentration during monitoring period, ppm	0.00020	0.00079	0.00053	
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	

Site:	New Town	New Town	New Town	
Air Toxic:	Benzene	Toluene	Xylenes	
Monitoring method	USEPA TO-14A	USEPA TO-14A	USEPA TO-14A	
Period of monitoring	12/5/09 - 1/7/09	12/5/09 - 1/7/09	12/5/09 - 1/7/09	
Number of valid results	7	7	7	
Average concentration during monitoring period, ppm	0.00065	0.0013	0.0013	
Maximum 24-hour average concentration, ppm	0.00065	0.0013	0.0013	
⁴ Annual average concentration (as arithmetic mean)				
⁴ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	
Site:	Ti Tree Bend	Ti Tree Bend	Ti Tree Bend	Ti Tree Bend
Air Toxic:	Benzene	Toluene	Xylenes	Formaldehyde
¹ Monitoring method	RAD130	RAD130	RAD130	RAD165
Period of monitoring	14/1/09 – 23/12/09	14/1/09 – 23/12/09	14/1/09 – 23/12/09	9/01/09 – 23/12/09
Number of valid results	48	48	48	50
² Averaging period, days	7	7	7	7
² Average concentration during monitoring period, ppm	0.00030	.000045	0.00034	0.0014
² Maximum concentration during monitoring period, ppm	0.00088	0.0009	0.00079	0.0028
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	not demonstrated

Site:	Ti Tree Bend	Ti Tree Bend	Ti Tree Bend	
Air Toxic:	Benzene	Toluene	Xylenes	
¹ Monitoring method	RAD145	RAD145	RAD145	
Period of monitoring	05/08/09 – 28/10/09	05/08/09 – 28/10/09	05/08/09 – 28/10/09	
Number of valid results	4	4	4	
² Averaging period, days	14	14	14	
² Average concentration during monitoring period, ppm	0.00010	0.00078	0.00041	
² Maximum concentration during monitoring period, ppm	0.00017	0.0015	0.00090	
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	
Site:	Glenorchy	Glenorchy	Glenorchy	Glenorchy
Air Toxic:	Benzene	Toluene	Xylenes	Formaldehyde
¹ Monitoring method	RAD130	RAD130	RAD130	RAD165
Period of monitoring	24/04/09 – 13/11/09	24/04/09 – 13/11/09	24/04/09 – 13/11/09	24/04/09 – 13/11/09
Number of valid results	29	29	29	30
² Averaging period, days	7	7	7	7
² Average concentration during monitoring period, ppm	0.00019	0.00047	0.00029	0.0015
² Maximum concentration during monitoring period, ppm	0.00051	0.0015	0.00087	0.0027
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	not demonstrated

Site:	Glenorchy	Glenorchy	Glenorchy	
Air Toxic:	Benzene	Toluene	Xylenes	
¹ Monitoring method	RAD145	RAD145	RAD145	
Period of monitoring	31/07/09 – 10/07/09	31/07/09 – 10/07/09	31/07/09 – 10/07/09	
Number of valid results	5	5	5	
² Averaging period, days	14	14	14	
² Average concentration during monitoring period, ppm	0.00014	0.00064	0.00033	
² Maximum concentration during monitoring period, ppm	0.00020	0.00086	0.00047	
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	
Site:	Warrane	Warrane	Warrane	Warrane
Air Toxic:	Benzene	Toluene	Xylenes	Formaldehyde
¹ Monitoring method	RAD130	RAD130	RAD130	RAD165
Period of monitoring	24/04/09 – 13/11/09	24/04/09 – 13/11/09	24/04/09 – 13/11/09	24/04/09 – 13/11/09
Number of valid results	28	28	28	30
² Averaging period, days	7	7	7	7
² Average concentration during monitoring period, ppm	0.00027	0.00038	0.00027	0.0021
² Maximum concentration during monitoring period, ppm	0.00062	0.00079	0.00048	0.0033
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	not demonstrated

Site:	Warrane	Warrane	Warrane	
Air Toxic:	Benzene	Toluene	Xylenes	
¹ Monitoring method	RAD145	RAD145	RAD145	
Period of monitoring	27/05/09 – 10/07/09	27/05/09 – 10/07/09	27/05/09 – 10/07/09	
Number of valid results	5	5	5	
² Averaging period, days	14	14	14	
² Average concentration during monitoring period, ppm	0.00030	0.00085	0.00051	
² Maximum concentration during monitoring period, ppm	0.00032	0.0011	0.00070	
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	
Site:	South Launceston	South Launceston	South Launceston	South Launceston
Air Toxic:	Benzene	Toluene	Xylenes	Formaldehyde
¹ Monitoring method	RAD130	RAD130	RAD130	RAD165
Period of monitoring	22/6/09 – 23/12/09	22/6/09 – 23/12/09	22/6/09 – 23/12/09	22/6/09 – 23/12/09
Number of valid results	28	28	28	28
² Averaging period, days	7	7	7	7
² Average concentration during monitoring period, ppm	0.00055	0.00077	0.00050	0.002
² Maximum concentration during monitoring period, ppm	0.00094	0.0018	0.0010	0.0046
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	not demonstrated

Site:	South Launceston	South Launceston	South Launceston	
Air Toxic:	Benzene	Toluene	Xylenes	
¹ Monitoring method	RAD145	RAD145	RAD145	
Period of monitoring	05/08/09 – 28/10/09	05/08/09 – 28/10/09	05/08/09 – 28/10/09	
Number of valid results	5	5	5	
² Averaging period, days	14	14	14	
² Average concentration during monitoring period, ppm	0.00016	0.00090	0.00048	
² Maximum concentration during monitoring period, ppm	0.00026	0.0016	0.0096	
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	
Site:	South Launceston	South Launceston	South Launceston	
Air Toxic:	Benzene	Toluene	Xylenes	
Monitoring method	USEPA TO-14A	USEPA TO-14A	USEPA TO-14A	
Period of monitoring	23/7/09 – 29/8/09	23/7/09 – 29/8/09	23/7/09 – 29/8/09	
Number of valid results	7	7	7	
Average concentration during monitoring period, ppm	0.00055	0.0009	0.0003	
Maximum 24-hour average concentration, ppm	0.0009	0.0017	0.0003	
⁴ Annual average concentration (as arithmetic mean)				
⁴ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated	not demonstrated	not demonstrated	

Site:	Rowella			
Air Toxic:	Benzene			
¹ Monitoring method	Based on USEPA TO-13A			
Period of monitoring	01/01/09 – 31/12/09			
Number of valid results	12			
² Averaging period, days	28			
² Average concentration during monitoring period, ppm	0.03			
² Maximum concentration during monitoring period, ppm	0.10			
³ Maximum 24-hour average concentration				
³ Annual average concentration (as arithmetic mean)				
³ Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	not demonstrated			

Notes

- Monitoring methods summary
 RAD130: Radiello Passive Sampler RAD130: Benzene, Toluene and Xylenes
 RAD145: Radiello Passive Sampler RAD145: Benzene, Toluene and Xylenes
 RAD165: Radiello Passive Sampler RAD165: Formaldehyde
 USEPA TO-14A: NEPM Schedule 3 method: Benzene, Toluene and Xylenes
 USEPA TO-13A: NEPM Schedule 3 method modified to sample for 28 days continuously: Polycyclic Aromatic Hydrocarbons
- The following rows were inserted for samples that were integrated over a number of days:
 Averaging period, days
 Average concentration during monitoring period, ppm
 Maximum concentration during monitoring period, ppm
- The following rows are empty where samples were integrated over a number of days
 Maximum 24-hour average concentration
 Annual average concentration (as arithmetic mean)
 Arithmetic Standard Deviation of 24-hour average concentrations
- The following rows are empty where samples were not monitored according to the NEPM regime
 Annual average concentration (as arithmetic mean)
 Arithmetic Standard Deviation of 24-hour average concentrations

Reporting on assessment and action if any planned or taken to manage air toxics

The monitoring undertaken has been for screening purposes and to assess the requirements for the ongoing monitoring program. The preliminary screening monitoring was conducted predominantly using passive samplers. As there is no evidence to indicate that NEPM Monitoring Investigation Levels would be exceeded at any of the monitored sites, no action was required to reduce concentrations of air toxics.

Repeat identification of stage 1 and stage 2 sites

Repeat identification has not been conducted.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Lack of flexibility in choice of sampling methodology was seen to be an impediment in achieving goal of the NEPM. In order to make effective use of the relatively limited resources available, Tasmania’s ongoing Air Toxics Monitoring Program employed more cost effective and less personnel intensive monitoring approaches than those currently specified in the Air Toxics NEPM. Also, the majority of sampling was conducted in the colder months when the impact of wood smoke is greatest.

Although the air toxics monitoring conducted to date has not been in strict accordance with the Air Toxics NEPM, the data collected furthers the goal of the NEPM to improve the information base regarding ambient air toxics within the Australian environment.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of the Environment, Climate Change, Energy and Water (DECCEW) has the responsibility for the implementation and administration of the NEPM.

Implementation issues arising

In accordance with clause 8 of the NEPM the ACT has undertaken its desktop analysis for the identification of Stage 1 and 2 sites. This assessment was undertaken in accordance with the nationally agreed 'Desktop Analysis' procedure. Only one Stage 1 site was identified which was not subsequently identified as a Stage 2 site requiring monitoring.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

The ACT has not identified any Stage 2 sites.

Reporting on assessment and action if any planned or taken to manage air toxics

The previous desktop analysis has shown that air toxics are not an issue for the ACT.

Repeat identification of stage 1 and stage 2 sites

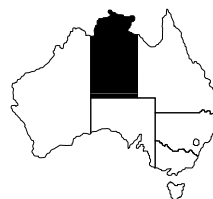
The ACT has not repeated the desktop analysis exercise because a preliminary analysis of the ACT's emission profile has not identified any significant change since the first desktop analysis.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

As previous analysis has indicated air toxics are not an issue in the ACT, DECCEW has no plans for implementation activities in the immediate future.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (Air Toxics) Measure for the Northern Territory by Mr Karl Hampton MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 26)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of Natural Resources, Environment, the Arts and Sport is responsible for implementation of the NEPM in the Northern Territory through provisions of the *Waste Management and Pollution Control Act* and the *National Environment Protection Council (Northern Territory) Act 2004*.

Implementation issues arising

The Northern Territory undertook a desktop study in 2005 to identify Stage 1 and Stage 2 sites for the purposes of meeting obligations under the NEPM. No Stage 2 sites were identified and a long-term monitoring program has not been implemented.

A nine month monitoring program was completed in February 2006 to establish baseline conditions for Darwin. The results indicated that there are very low concentrations of benzene, toluene and xylenes (ortho, meta and para), well below the investigation levels set by the NEPM.

No further implementation activities were conducted in 2009–10. Reassessment of Stage 1 and Stage 2 sites may be required in the future, taking into account industrial development in the Darwin region. According to NEPM guidance, reassessment was required by 2009. Previous studies indicate that concentrations of air toxics are at very low levels, well below the monitoring investigation levels of the NEPM. No monitoring or further investigation has been undertaken in 2009–10.

A comprehensive air quality monitoring system in the Darwin region will commence operation during 2010–11.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

No sites were monitored during the reporting period.

Reporting of monitoring of air toxics

No testing or analyses were performed during the reporting period.

Reporting on assessment and action if any planned or taken to manage air toxics

During the tests performed in 2006 the levels were all low and no action was considered necessary.

Repeat identification of stage 1 and stage 2 sites

No additional Stage 1 or Stage 2 sites were identified in the reporting period.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has provided the impetus and methodology for identifying sites most at risk of air toxics in the NT. Associated monitoring in past years has provided baseline data for further consideration.



NEPC Report on the implementation of the
Ambient Air Quality NEPM

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Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Commonwealth implements the NEPM administratively and ensures that its obligations under the *National Environment Protection Act 1994* are met.

Implementation issues arising

As the Commonwealth does not have exclusive legislative powers for any region with a population of 25 000 or more, there is no requirement for the Commonwealth to conduct monitoring under the NEPM.

During the reporting year, the Commonwealth undertook a range of NEPM implementation activities, which included supporting NEPM development and the achievement of NEPM air quality standards.

NEPM support activities

The Commonwealth's representative chaired and supported the Peer Review Committee (PRC). The Committee reviewed the annual jurisdictional compliance reports for national consistency and met during the year to address various technical and practical issues associated with NEPM monitoring.

The Commonwealth was represented on the Project Team for the full review of the NEPM which commenced in April 2005 and the EPHC Standard Setting Working Group which developed a nationally agreed method for setting air quality standards. It also participated in the EPHC Air Quality Working Group.

The Commonwealth continued work on the national air quality database, with the main focus being on acquiring and updating jurisdiction's monitoring data

for analysis in the State of the Air Report 1999–2008. Significant progress was made during 2009–10 on the State of the Air Report, which is providing an analysis of ambient air quality from a national perspective using NEPM monitoring data collected by jurisdictions.

Activities to achieve NEPM requirements

The Commonwealth undertook a range of activities in 2009–10 to assist with meeting the goal of the NEPM. These activities focused primarily on motor vehicles, wood heaters and garden equipment and marine engines.

The Commonwealth monitors for fuel quality at fuel terminals, depots and service stations to ensure it complies with the *Fuel Quality Standards Act 2000*. In 2009–10, 4438 samples were taken by inspectors. Amendments to the Act were also made in 2009–10 to strengthen monitoring and enforcement. As part of compliance action under the Act, investigations led to civil proceedings against two fuel suppliers, which resulted in the Federal Court granting injunctions to stop the supply of non-compliant diesel by these suppliers.

To inform future transport policy direction, the Commonwealth commissioned economic modelling of different transport scenarios, and their potential impact on emissions of various criteria air pollutants and greenhouse gases, for input into a Transport Energy Road Map. The scenarios included the impact of alternative oil price projections, carbon price regimes, accelerated deployment of alternative fuels and vehicles, and alternative policy measures in the road transport sector.

The Commonwealth continued work in 2009–10 to progress a package of national actions through the Environment Protection and Heritage Council to reduce emissions from nationally significant sources. This work aims to support compliance in all jurisdictions with the NEPM standards. Currently the department is leading initiatives focused on: wood heaters, which are a significant source of particle pollution (PM₁₀); and petrol driven non-road engines,

such as lawnmowers and outboard engines, which emit high levels of PM₁₀, nitrogen dioxide and chemicals that lead to ozone formation.

In 2009–10, a Regulation Impact Statement process was commenced to assess options for reducing emissions from domestic wood heaters.

A consultation Regulation Impact Statement was completed and a public consultation process was commenced for petrol driven non-road engines. The Regulation Impact Statement considered options for managing emissions from lawnmowers and other garden equipment, and outboard motors.

Implementation summary and evaluation

The Commonwealth supports the implementation of NEPM initiatives aimed at reducing the impacts of air pollution, particularly in urban areas. These initiatives include the following:

- implementing new vehicle emission and fuel quality standards, including compliance and enforcement activities. Regulation by the Commonwealth of fuel and vehicle emission standards has significantly improved air quality and improvements are expected to continue as older vehicles are replaced by newer ones
- taking a leading role in developing new measures aimed at reducing emissions from other priority national sources
- undertaking research on key air quality issues to develop targeted management strategies and actions
- developing tools to assist future decisions on standard setting and management strategies such as the Transport Energy Road Map, national state of the air reporting and the national air quality database.

Further information is available at the Department of the Environment, Water, Heritage and the Arts website: <http://www.environment.gov.au/atmosphere/airquality>

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

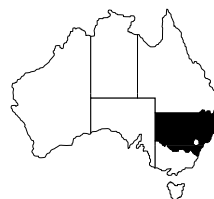
The monitoring plan for the Commonwealth is available from

<http://www.environment.gov.au/atmosphere/airquality/publications/cmp.html>

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

As a result of the above initiatives, air quality continues to be maintained and improved, in spite of increasing urbanisation in Australia.

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

Air quality is addressed as a priority under the NSW State Plan, released in 2006 and revised in 2009. The State Plan target for improving air quality is to meet the national air quality goals as identified in the Ambient Air Quality NEPM. The Department of Environment, Climate Change and Water (DECCW) leads implementation of the State Plan air target.

The NSW 25-year air quality management plan, Action for Air, was released in 1998 and most recently updated in 2009. It is available at 'Action for Air: 2009 Update' <<http://www.environment.nsw.gov.au/air/actionforair/index.htm>>. Action for Air is a whole-of-government strategy covering the range of sources that contribute to air pollution, from planning of cities, roads and public transport, to cleaner vehicles and fuels, and industrial and household emissions.

Over 2007–10 a number of initiatives to reduce emissions of particles and ozone precursors, as well as greenhouse gases are being supported by the NSW Government's \$5 million Clean Air, Healthy Communities program, funded through the NSW Environmental Trust.

NSW has comprehensive legislation administered by the NSW Environment Protection Authority (EPA), which is part of DECCW, to control air emissions.

The Clean Air Regulation 2002 under the *Protection of the Environment Operations Act 1997* is the key instrument for controlling air emissions in NSW. The various parts of the Regulation:

- require domestic solid fuel heaters sold in NSW to be certified as complying with emission limits set out in the relevant Australian Standard and prohibit tampering with such heaters
- control open burning

- deal with motor vehicles and motor vehicle fuels, including excessive smoke emissions, requirements for anti-pollution devices, limits on summer petrol volatility and requirements for vapour recovery at petrol service stations
- control air emissions from industrial and commercial activities, including:
 - setting maximum emission standards from stationary sources
 - establishing a framework for review of emission standards applicable to pre-1979 premises.

Implementation issues arising

Data availability criteria were not met at all locations for every pollutant. Technical issues occurred at the following NSW sites: Albion Park South (sulfur dioxide), Bringelly (nitrogen dioxide), Liverpool (nitrogen dioxide), Newcastle (carbon monoxide, ozone and sulfur dioxide), Oakdale (particles as PM₁₀), Rozelle (nitrogen dioxide), Wagga Wagga (particles as PM₁₀), Wallsend (nitrogen dioxide, ozone and sulfur dioxide) and Wollongong (carbon monoxide, nitrogen dioxide and sulfur dioxide).

Data was invalidated due to faulty air conditioners at Liverpool, Wollongong and Wagga Wagga and calibration issues and equipment failures at Newcastle, Wallsend, Bringelly, Rozelle and Albion Park South. The Oakdale station was temporarily closed while the temporary enclosure was replaced with a permanent one. As a result of these technical problems, nine stations did not meet the 75% data availability criterion required in every quarter, resulting in compliance with the NEPM being 'Not demonstrated' at these sites. Generally, sites were non-compliant for only one quarter, with data availability of greater than 60%.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with

accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail at <http://www.environment.nsw.gov.au/AQMS/search.htm>

Quarterly air quality data reports from 1998 to 2007 can be accessed at <http://www.environment.nsw.gov.au/aqms/datareports.htm>

The monitoring plan for NSW is available from <http://www.environment.nsw.gov.au/air/nepm/index.htm>

All data included in this year's report, except for the PM_{2.5} FRM data, have been extracted from DECCW's new air quality database. Metrics based on daily calculations now use hours of the day from 1–24 instead of 0–23. As such, the data presented in this report may be slightly different from those presented in previous annual reports.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Sydney		
Chullora	0	Met
Liverpool	0	Met
Macarthur	0	Met
Prospect	0	Met
Rozelle	0	Met
Illawarra		
Wollongong	0	Not demonstrated
Lower Hunter		
Newcastle	0	Not demonstrated

Data availability criteria were not demonstrated at Wollongong and Newcastle due to technical issues.

NO₂ Nitrogen dioxide

(NEPM standard: 1 hour = 0.12ppm, 1 year = 0.03ppm)

Station	1 Hour		1 Year	
	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Sydney				
Bringelly	0	Not demonstrated	0.004	Not demonstrated
Chullora	0	Met	0.013	Met
Liverpool	0	Not demonstrated	0.010	Not demonstrated
Macarthur	0	Met	0.009	Met
Prospect	0	Met	0.011	Met
Richmond	0	Met	0.005	Met
Rozelle	0	Not demonstrated	0.003	Not demonstrated
Illawarra				
Albion Park Sth	0	Met	0.003	Met
Wollongong	0	Not demonstrated	0.010	Not demonstrated
Lower Hunter				
Newcastle	0	Met	0.008	Met
Wallsend	0	Not demonstrated	0.008	Not demonstrated

Data availability criteria were not demonstrated at Bringelly, Liverpool, Rozelle, Wollongong and Wallsend due to technical issues.

O₃ Ozone

(NEPM standard: 1 hour = 0.10ppm, 4 hours = 0.08ppm)

Station	1 Hour		4 Hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
Sydney				
Bringelly	4	Not met	5	Not met
Chullora	2	Not met	2	Not met
Liverpool	2	Not met	4	Not met
Macarthur	7	Not met	9	Not met
Oakdale	6	Not met	6	Not met
Prospect	3	Not met	6	Not met
Richmond	1	Met	3	Not met
Rozelle	0	Met	0	Met
St Marys	5	Not met	5	Not met
Illawarra				
Albion Park South	1	Met	1	Met
Kembla Grange	1	Met	2	Not met
Wollongong	0	Met	0	Met
Lower Hunter				
Newcastle	0	Not demonstrated	0	Not demonstrated
Wallsend	0	Not demonstrated	0	Not demonstrated

Data availability criteria were not demonstrated at Bringelly, Liverpool, Rozelle, Wollongong and Wallsend due to technical issues.

SO₂ Sulfur dioxide

(NEPM standard: 1 hour = 0.20ppm, 1 day = 0.08ppm, 1 year = 0.02ppm)

Station	1 Hour		1 Day		1 Year	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Sydney						
Bringelly	0	Met	0	Met	0.000	Met
Chullora	0	Met	0	Met	0.001	Met
Macarthur	0	Met	0	Met	0.001	Met
Prospect	0	Met	0	Met	0.000	Met
Richmond	0	Met	0	Met	0.000	Met
Illawarra						
Albion Park South	0	Not demonstrated	0	Not demonstrated	0.001	Not demonstrated
Wollongong	0	Not demonstrated	0	Not demonstrated	0.000	Not demonstrated
Lower Hunter						
Newcastle	0	Not demonstrated	0	Not demonstrated	0.001	Not demonstrated
Wallsend	0	Not demonstrated	0	Not demonstrated	0.001	Not demonstrated

Data availability criteria were not demonstrated at Albion Park South, Wollongong, Newcastle and Wallsend due to technical issues.

Pb Lead

(NEPM standard 1 year = 0.50µg/m³)

NSW began phasing out ambient lead monitoring for the AAQ NEPM during 2004. All lead monitoring ceased from 1 January 2005. All regions do not require monitoring on the basis of screening arguments that lead levels are reasonably expected to be consistently below the AAQ NEPM standard and are assessed as complying with the standard and goal.

PM₁₀ Particles as PM₁₀

(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Sydney		
Bringelly	6	Not met
Chullora	9	Not met
Liverpool	8	Not met
Macarthur	7	Not met
Oakdale	6	Not met
Prospect	11	Not met
Richmond	6	Not met
Rozelle	8	Not met
Illawarra		
Albion Park South	9	Not met
Kembla Grange	14	Not met
Wollongong	6	Not met
Lower Hunter		
Beresfield	15	Not met
Newcastle	13	Not met
Regional		
Albury	15	Not met
Bathurst	12	Not met
Tamworth	17	Not met
Wagga Wagga	21	Not met

Data has not been adjusted for temperature.

PM_{2.5} Particles as PM_{2.5} – continuous TEOM method

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Sydney		
Chullora	3	7.1
Earlwood	1	6.8
Liverpool	3	8.2
Richmond	3	5.8
Illawarra		
Wollongong	3	7.0
Lower Hunter		
Beresfield	5	8.4
Wallsend	5	8.0

The TEOM PM_{2.5} data included in this year's report have not been adjusted for temperature but have been adjusted to remove the USEPA PM₁₀ equivalency factors of B=1.03 and A=3 and replace them with factors of B=1.00 and A=0 (where y = A + Bx). All sites operating TEOM PM_{2.5} instruments have been included.

PM_{2.5} Particles as PM_{2.5} – FRM method

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Sydney Chullora	2	6.7

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The data presented in Part 3 of this report demonstrates that NSW achieved compliance with the AAQ NEPM goals for all pollutants except ozone and particles. Levels of carbon monoxide, nitrogen dioxide and sulfur dioxide continue to be well below AAQ NEPM standards. Monitoring for lead as a regional pollutant ceased in NSW from 1 January 2005 in response to the extremely low concentrations of lead found in ambient air.

The goals for ozone were not met in the Sydney and Illawarra regions, with the AAQ NEPM network recording exceedences of the 1-hour standard on eleven days in the Sydney region and on two days in the Illawarra region. The four-hour standard was exceeded on fourteen days in the Sydney region and on three days in the Illawarra region. Smoke from bushfires was identified as having a significant influence on the ozone exceedences on five days for both the 1-hour and 4-hour standards.

Compliance with the goals and standards were not demonstrated in the lower Hunter region due to the data availability criteria not being met in the second quarter of 2009 at the Newcastle and Wallsend monitoring stations.

Each site in the NSW regions recorded more PM₁₀ exceedences than the five allowed by the AAQ NEPM goal. Up to twelve exceedence days were recorded at stations within the Sydney region, up to sixteen exceedence days at stations within the Illawarra region, up to eighteen exceedence days at stations within the lower Hunter region and forty-four exceedence days at regional stations. Dust storms and bushfire smoke contributed to a number of these events. Extreme PM₁₀ levels were recorded at most sites across the NSW monitoring network on 23 September 2009 as a large dust storm moved east from the Lake Eyre–far western NSW region to the coast.

The annual reporting standard for PM_{2.5} was not met at the Liverpool and Beresfield monitoring stations within the Sydney and Lower Hunter regions respectively. The 24-hour advisory reporting standard for PM_{2.5} was also exceeded on three days within the Sydney region, on three days within the Illawarra region and on six days within the Lower Hunter region. Dust storms were identified as having a significant influence on the PM_{2.5} exceedences on four of these days in the Sydney, Illawarra and Lower Hunter regions.

Meeting the AAQ NEPM standards for ozone is a significant challenge for Sydney given pressures from a growing population, urban expansion and the associated increase in motor vehicle use. The particle (as PM₁₀ and as PM_{2.5}) goals present a similar challenge in NSW, particularly in rural population centres where agricultural activities and a combination of topography, climate and relatively high use of solid fuel heaters produce elevated levels of particles in autumn and winter. The AAQ NEPM goals provide an additional impetus for the implementation of strategies and a benchmark against which programs to manage the air environment can be assessed.

NSW is addressing the main sources of ozone and particle pollution through a range of programs, provided for under the State Plan, Action for Air and the Clean Air, Healthy Communities Program. Actions target the primary emission sources, based on NSW's comprehensive air emissions inventory.

NSW cleaner vehicles and fuels strategy

Released in August 2008, the Strategy outlines an expanded set of NSW Government actions for cleaner fuels and a cleaner fleet. The ten initiatives under the Strategy include vapour recovery at service stations and the NSW diesel retrofit program (see below), as well as lower summer petrol volatility, alternative fuels, improved national standards for fuels and motor vehicles, benchmarking the fleet, a heavy vehicle rating scheme, an awareness and behaviour change component, a 'FleetWise' partnership and government leading by example.

Vapour recovery at service stations

In November 2009, the Protection of the Environment Operations (Clean Air) Regulation 2002 was amended to expand Stage 1 vapour recovery (VR1) and to introduce Stage 2 vapour recovery (VR2) at petrol service stations. The Regulation came into force on 1 July 2010. VR2 technology will reduce ozone-forming VOC emissions in the Greater Metropolitan Region by 5000 tonnes per year by 2020.

VR1, which captures volatile organic compound (VOC) emissions from underground storage tanks as they are filled by road tankers, is now required in all parts of Sydney and the Wollongong, Newcastle and Central Coast metropolitan areas by 2014. VR2, which captures VOC emissions from vehicle petrol tanks during refuelling at petrol bowlers, is being introduced in stages, with equipment to be installed at the largest service stations in Sydney, Newcastle, Wollongong and the Central Coast by 2014 and all but the smallest service stations in Sydney by 2017. At June 2010, five Sydney service stations had already installed VR2 technology.

Reduction of VOC emissions from the printing industry

DECCW has negotiated substantial emission reductions with significant industry emitters who have progressed installation of new pollution control equipment in 2009–10. Reductions in VOC emissions of 1400 tonnes per year are expected by 2014.

Diesel retrofit program

DECCW and the NSW Roads and Traffic Authority continued the Diesel Retrofit Program for older diesel trucks and commercial vehicles, retrofitting around 30 vehicles during the year. DECCW also supported the formation of a national transport emission group to develop a national program to promote uptake of fuel saving and emission reduction devices in heavy vehicles.

Woodsmoke reduction program

As part of its ongoing work to help reduce woodsmoke, DECCW in May 2010 commenced an audit of woodheaters at point of sale to assess compliance with the Protection of the Environment (Clean Air) Operations Regulation 2002. The Regulation requires that woodheaters sold in NSW have compliance plates which specify that the particular model has been tested in accordance with the relevant Australian Standard (AS/NZS4013:1999). The Regulation also requires that a certificate of compliance be in force

in respect of the particular heater model. This audit work complements the previous rebate programs and education campaigns for local council officers that have been part of DECCW's woodsmoke reduction program. The audit is not yet completed and no findings have been made.

The NSW Government is also working with the Commonwealth, and the States and Territories to improve standards relating to the design, manufacture and installation of woodheaters.

Policy development on nitrogen oxide emissions from co-generation activities

Gas fired cogeneration, which uses otherwise wasted energy from electricity production to provide heating and cooling, can be a greenhouse friendly form of electricity generation but can also emit significant amounts of nitrogen oxides (NO_x), contributing to ozone-formation. In November 2009, DECCW published a NO_x emission standard constituting best available techniques for new natural gas-fired cogeneration plant in Sydney and the Illawarra for reference by proponents and approval bodies.

Improving emission standards for products and equipment

NSW is also working with the Commonwealth and other jurisdictions through the Air Quality Working Group of the EPHC on national approaches to reduce particle and ozone precursor emissions from the product and equipment sectors, including from woodheaters, small engines, surface coatings and non-road engines (as used for example in construction and mining). In 2009–10, NSW led a study that assessed the costs and benefits of limiting the VOC content of surface coatings, finalised a scoping study on potential emission reductions from non-road engines and initiated a cost benefit study of the identified options to reduce emissions from non-road engines, and initiated a scoping study on emissions and emissions reduction potential in the consumer aerosols and solvents sector.

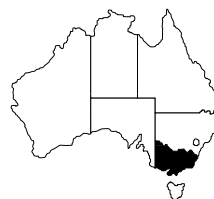
Rural particles

Regional particle emissions are a significant contributor to NSW exceedences of the Air NEPM particle goal. Wagga Wagga was chosen for a pilot project to address air quality in rural areas as it has the highest number of exceedences of the national particle (PM₁₀) standard in rural NSW, even after the exclusion of bushfires and dust storm events. The Wagga Wagga project is a collaborative alliance

between DECCW, Industry and Investment NSW and Charles Sturt University. The objective of the project is to establish reasons for seasonal high levels of air pollution and identify opportunities for cost-effective rural particle emissions reduction.

As part of the project a community Air Quality Workshop was held in Wagga Wagga in April 2010. The workshop highlighted the need for future and resilient collaboration between all stakeholders, the need to identify the sources of pollution in Wagga Wagga, and the need to increase the awareness of the health effects of air pollution and actions which local communities can take to manage the pollution and reduce their exposure. DECCW, for example, is working with Charles Sturt University to promote sustainable land use practices as an alternative to stubble burning.

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The State Environment Protection Policy (Ambient Air Quality) [SEPP (AAQ)] and State Environment Protection Policy (Air Quality Management) [SEPP (AQM)] provide the statutory framework for the management of emissions the air environment in Victoria. SEPP (AAQ) incorporates the Ambient Air Quality NEPM into a statutory framework in Victoria. In addition to the standards and goals in the AAQ NEPM, the SEPP (AAQ) also includes ambient air quality objectives for visibility reducing particles.

The SEPP (AQM) was revised in 2001 and provides a modern statutory policy framework to ensure that the environmental quality objectives of SEPP (AAQ) (and hence the AAQ NEPM) are met; to drive continuous improvement in air quality; and to achieve the cleanest air possible having regard to the social and economic development of Victoria. It also aims to support Victorian and national measures to address the enhanced greenhouse effect and depletion of the ozone layer.

PM₁₀, sulfur dioxide, carbon monoxide, nitrogen dioxide and lead are classified as Class 1 indicators in SEPP (AQM). PM_{2.5} is currently classified as a Class 2 indicator. Emissions of all these pollutants must be controlled by application of best practice. In determining what constitutes best practice the wastes hierarchy must be taken into consideration in the management of emissions with avoidance being the primary aim. Technology is only one aspect of the management requirements.

The SEPP (AQM) contains two types of criteria to assess the potential health risks posed by exposure to air pollutants:

- Design criteria—these are modelling tools that are applied in the design stage of a facility or expansion of a facility. They are based on either toxicity or if more stringent the odour threshold of a pollutant. They apply to individual industrial emissions and are therefore conservative in nature.
- Intervention levels—these are local air quality objectives that apply to cumulative sources of emissions. If exceeded further investigation of the cause is required and a neighbourhood environment improvement plan may be triggered.

The design criteria established in the SEPP (AQM) for the pollutants covered by the AAQ NEPM are based on toxicity. Design criteria exist for many of the precursors of ozone formation.

Victoria also has a Waste Management Policy (Solid Fuel Burning) that requires domestic wood heaters to comply with Australian Standards for emissions. This policy aims at reducing emissions of particles from domestic home heating to assist in the meeting of the standards for PM₁₀ and PM_{2.5}.

The Environment Protection (Vehicle Emissions) Regulations 2003 are the primary legislative tool under the *Environment Protection Act 1970* that addresses the in-service performance of the motor vehicle fleet in Victoria. These Regulations were reviewed in 2002 and remade in February 2003.

EPA Victoria's Works Approval and Licensing system requires industry to demonstrate that the requirements of SEPP (AQM) are met and that the beneficial uses of the environment in Victoria are protected. In assessing this, the impacts on local and regional air quality are considered.

Implementation issues arising

- The implementation activities undertaken in 2009–10 are in accordance with expected progress in fulfilling commitments in Victoria's monitoring plan. To monitor compliance with the standards, EPA will continue to employ the available resources to best meet the requirements outlined in the monitoring plan.
- Smoke from bushfires and planned burns conducted for fire management purposes can impact significantly on air quality in Victoria. Managing the impact of smoke from these fires will become a bigger challenge with the influence of climate change predicted to lead to a greater risk of more frequent and severe bushfires for the State.
- Victoria is chairing the review of the Ambient Air Quality NEPM that commenced in 2005. As an input to the review Victoria continues to co-chair (with AHPC) the EPHC Standard Setting Working Group that is tasked with developing a nationally agreed methodology to setting air quality standards. This work is a critical input to the review of the NEPM. Victoria is also on the project management committee for the EPHC Air Pollution and Children's Health study that is an important input to the review of the AAQ NEPM.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail in www.epa.vic.gov.au/publications.

The monitoring plan for Victoria is available from www.epa.vic.gov.au/publications.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Port Phillip		
Alphington	0	Met
Geelong South	0	Met
Richmond	0	Met

Regions which do not require monitoring on the basis that screening shows pollutant levels are reasonably expected to be consistently below the relevant AAQ NEPM standard: Latrobe Valley, Ballarat, Bendigo, Shepparton, Warrnambool, Wodonga, Mildura.

NO₂ Nitrogen dioxide

(NEPM standard: 1 hour = 0.12ppm, 1 year = 0.03ppm)

Station	1 Hour		1 Year	
	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Port Phillip				
Alphington	0	Met	0.010	Met
Brighton	0	Met	0.009	Met
Footscray	0	Met	0.012	Met
Geelong South	0	Met	0.006	Met
Point Cook	0	Met	0.006	Met
Latrobe Valley				
Moe	0	ND	0.006	ND
Traralgon	0	Met	0.007	Met

Regions that do not require monitoring on the basis of screening arguments that pollutant levels are reasonably expected to be consistently below the relevant AAQ NEPM standard: Ballarat, Bendigo, Mildura, Shepparton, Warrnambool, Wodonga.

Compliance was not demonstrated (ND) at Moe, due to closure of the station during Q4.

O₃ Ozone

(NEPM standard: 1 hour = 0.10ppm, 4 hours = 0.08ppm)

Station	1 Hour		4 Hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
Port Phillip				
Alphington	0	Met	0	Met
Brighton	0	Met	0	Met
Dandenong	0	Met	0	Met
Footscray	0	Met	0	Met
Geelong South	0	Met	0	Met
Melton	0	Met	0	Met
Mooroolbark	0	Met	0	Met
Point Cook	2	Not met	2	Not met
Point Henry	0	Met	1	Met
Latrobe Valley				
Moe	0	ND	0	ND
Traralgon	1	Met	0	Met

Regions that do not require monitoring on the basis of screening arguments that pollutant levels are reasonably expected to be consistently below the relevant AAQ NEPM standard: Bendigo, Mildura, Shepparton, Warrnambool, Wodonga.

During 2009, the one-hour ozone standard was exceeded on two days at Point Cook and one day at Traralgon. The four-hour ozone standard was exceeded on two days at Point Cook and one day at Point Henry. Each of the recorded exceedences occurred on typical days conducive to formation of photochemical oxidants. At Traralgon bushfires contributed precursor emissions to the formation of photochemical oxidants and the exceedence.

Compliance was not demonstrated (ND) at Moe, due to closure of the station during Q4.

At all other stations, except at Point Cook, operating during 2009, the goal for the one and four-hour levels were met.

SO₂ Sulfur dioxide

(NEPM standard: 1 hour = 0.20ppm, 1 day = 0.08ppm, 1 year = 0.02ppm)

Station	1 Hour		1 Day		1 Year	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Port Phillip						
Alphington	0	Met	0	Met	0.001	Met
Altona North	0	Met	0	Met	0.002	Met
Geelong South	0	Met	0	Met	0.001	Met
Latrobe Valley						
Moe	0	ND	0	ND	0.002	ND
Traralgon	0	Met	0	Met	0.002	Met

Regions which do not require monitoring on the basis of screening arguments that pollutant levels are reasonably expected to be consistently below the relevant AAQ NEPM standard: Ballarat, Bendigo, Shepparton, Warrnambool, Wodonga, Mildura.

Compliance was not demonstrated (ND) at Moe, due to closure of the station during Q4.

At all other stations operating during 2009, the sulfur dioxide standards were not exceeded and compliance was demonstrated. Annual mean values are close to the limits of detection.

Pb Lead

(NEPM standard 1 year = 0.50µg/m³)

Victoria ceased monitoring lead in Melbourne at the end of 2004. No regions require monitoring on the basis of screening arguments that pollutant levels are reasonably expected to be consistently below the relevant NEPM standard and are assessed as complying with the standard and goal.

PM₁₀ Particles as PM₁₀

(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Port Phillip		
Alphington	7	Not met
Brighton	6	Not met
Dandenong	12	Not met
Footscray	13	Not met
Geelong South	12	Not met
Mooroolbark	20	Not met
Richmond	8	Not met
Latrobe Valley		
Moe	7	ND
Traralgon	5	Met

Monitoring was by TEOM.

Screening arguments that PM₁₀ levels are reasonably expected to be consistently below the relevant AAQ NEPM standard have not been satisfied for other regions (i.e. Ballarat, Bendigo, Shepparton, Wodonga and Mildura). These are assessed as 'not demonstrated'.

Compliance was not demonstrated (ND) at Moe, due to closure of the station during Q4.

The PM₁₀ standard was exceeded at all stations and the NEPM goal was only met at Traralgon. These exceedences were the result of bushfires, planned burning, windborne dust and urban sources, as detailed in Section C.

During Q3 at Geelong South only 67.4% data capture was achieved for PM₁₀ due to a temperature sensor failure in the TEOM.

PM_{2.5} Particles as PM_{2.5}

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Port Phillip		
Alphington	2	8.1
Footscray	1	7.2

Monitoring by reference method (one day in three).

Exceedences of the 24 hour PM_{2.5} reporting standard were caused by planned burning and the accumulation of urban emissions.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

In an international context, Melbourne's air quality (compared to similar urban centres) remains relatively good. There has been little change in air quality over the past decade despite increasing pressures such as population growth.

A number of activities have been undertaken to ensure that Victoria continues to meet the standards set out in the Ambient Air Quality NEPM and improves regional air quality. Performance monitoring stations operated continuously throughout the year and campaign monitoring was conducted to fulfil commitments in Victoria's monitoring plan.

PM_{2.5} has been monitored by the reference method (on a one day in three basis) at two stations (Alphington and Footscray). Victoria also participates in the PM_{2.5} Equivalence Program, with TEOM monitors co-located with reference samplers at Alphington and Footscray. Analysis of the data has commenced to inform the review of the AAQ NEPM currently underway.

In 2009, the goal of the AAQ NEPM, to achieve by 2008 the standards to the extent specified, was met for CO, NO₂ and SO₂ at all monitoring stations where there was sufficient data capture to assess compliance. Exceedences of the particle (both PM₁₀ and PM_{2.5}) standards were observed at some stations. Ozone was exceeded at Point Cook on 2 occasions, Point Henry and Traralgon on 1 occasion. The closure of the monitoring site at Moe in Q4 meant that compliance with the NEPM was not demonstrated.

The major impacts on Victoria's air quality in 2009 came from the planned burns conducted for fire management purposes, windblown dust and accumulation of urban air pollution on days with calm, highly stable air that resulted in days when the particle and ozone standards were not met.

The data capture targets were achieved at all stations that operated for the full year. Where stations operated for less than the full 12 months, data capture for the

period they did operate was consistent with the targets. While reduced data capture limited the number of stations at which compliance could be demonstrated for each pollutant, information available from such reduced monitoring periods was generally consistent with that reported above.

EPA is working closely with other Government agencies, including the Department of Health (DH) and Department of Sustainability and Environment (DSE), to provide warnings to communities about the impact of smoke on their health and provide advice on what they can do to reduce their exposure to smoke. EPA and DH have also developed a tool whereby communities can assess their own air quality so that informed decisions can be made about what they can do to avoid potential health impacts associated with exposure to smoke. EPA will continue to work with DSE on using predictive tools to minimise the impact of smoke from planned burns on regional communities as well as the Port Phillip airshed.

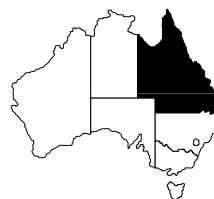
Programs to reduce pollution arising from the use of motor vehicles continued to be a focus. Many of the actions were also related to the implementation of the diesel NEPM and included:

- smoky vehicle programs
- heavy vehicle maintenance training program for diesel mechanics
- in-service diesel vehicle emissions testing.

EPA Victoria continued its smoky vehicle programs with 6177 public reports received in the 2009–10 financial year. EPA also operates a smoky vehicle enforcement program where EPA or police officers can report vehicles identified as continuously emitting smoke for longer than 10 seconds. The fines issued for operating a smoky vehicle are \$500 for an individual and \$1000 for a company. In 2009–10, 445 warning letters were issued under this program. Fines are issued only to repeat offenders.

Victoria continues to participate in Land Transport Environment Committee (LTEC) and the Fuel Standards Consultative Committee.

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Queensland by the Hon. Kate Jones MP, Minister for Climate Change and Sustainability for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Queensland, the Ambient Air Quality (AAQ) NEPM was implemented by the Department of Environment and Resource Management (DERM), under the *Environmental Protection Act 1994* (EP Act), the *Environmental Protection Regulation 1998*, and the *Environmental Protection (Air) Policy 1998*. As part of the revisions that took place in 2008 resulting in the *Environmental Protection Regulation 2008* and the *Environmental Protection (Air) Policy 2008* (EPP Air), the AAQ NEPM standards were incorporated as air quality objectives in the new policy.

With respect to regional management of air quality in South East Queensland, the Queensland Government released the South East Queensland Regional Plan 2009–2031 in July 2009 to provide a sustainable growth management strategy for South East Queensland to the year 2031. The plan notes that air is a vital natural asset which plays a key role in ensuring the health of the community, protecting the environment and fostering economic development. A key policy principle is managing urban settlement and the use of transport, industry, energy and natural resources to minimise adverse impacts on the atmosphere.

Key features of the plan include:

- developing an urban form that minimises the demand for transport by ensuring that residents have easy access by walking or cycling to employment, retail centres, government services, medical facilities and leisure opportunities
- improving transport efficiency by improving facilities for public transport, cycling and walking, and by upgrading the road network

- encouraging the use of more efficient and lower emitting modes of transport through education, information and economic incentives.

The regional plan is supported by the South East Queensland Natural Resource Management Plan 2009–2031 and the South East Queensland Infrastructure Plan and Program 2010–2031. The Natural Resource Management Plan is designed to coordinate the management and use of natural resources to enhance community, economic and environmental values. It establishes measurable regional targets for air and atmosphere resources. The Infrastructure plan identifies specific projects to improve the availability, efficiency and effectiveness of public transport, cycling and walking facilities; and to reduce traffic congestion. When completed, these projects will increase the number of trips taken by public transport, cycling and walking, and reduce motor vehicle emissions by eliminating congestion and stop-start traffic conditions. Taken collectively, these projects will significantly reduce transport-related air emissions in South East Queensland.

In relation to ambient air quality in Mount Isa, the Queensland Government passed legislation in May 2008 which will cause all Special Agreement Act mine operations, including smelter operations in Mount Isa, to come under contemporary environmental controls under the EP Act. The legislation provides for a three-year transition to the EP Act. The smelter operator is implementing programs to improve its emissions capture. DERM is closely monitoring and auditing the smelter operator's progress.

The Queensland Ambient Air Quality Monitoring Plan (the Monitoring Plan) details how Queensland proposes to monitor air quality for the purpose of the NEPM as required under Part 4 (10). The Monitoring Plan was prepared by DERM and approved by a national Peer Review Committee, reporting to the National Environment Protection Council Committee, which is tasked with reviewing jurisdictions' monitoring plans.

Implementation issues arising

Implementation issues arising during the 2009–10 reporting period included:

- monitoring was conducted in six of the ten regions identified in the Monitoring Plan. Thirteen of the nineteen sites nominated in the monitoring plan were operational in 2009–10. Monitoring at two of the six remaining sites concluded prior to 2009–10 due to completion of campaign monitoring or site closure following termination of the monitoring site lease by the property owner. Other monitoring priorities have delayed implementation of monitoring in four regional centres
- for the first time, this report contains lead data for Townsville, and PM₁₀ and lead data for Mount Isa, following establishment of new monitoring sites in the second half of 2008–09
- the Mackay monitoring site was relocated to a new site on the western outskirts of Mackay in May 2010. Changes in activities at a commercial premises adjacent to the original monitoring site in recent years meant that PM₁₀ concentrations at this site were no longer representative of regional population exposure. The new location will provide a better indication of PM₁₀ levels experienced by Mackay residents from regional sources such as agricultural burning
- collection of PM_{2.5} data using Tapered Element Oscillating Microbalance (TEOM) instrumentation

continued during 2009 at one site in South East Queensland (Rocklea) and one site in Gladstone (South Gladstone). PM_{2.5} monitoring using a reference sampler was also conducted at Rocklea for the entire year to gather data for the PM_{2.5} Equivalence Program.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail in http://www.derm.qld.gov.au/services_resources/item_list.php?series_id=203747.

The monitoring plan for Queensland is available from <http://www.derm.qld.gov.au/register/p00579aa.pdf>.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
South-east Queensland		
<i>Brisbane sub-region</i>		
Woolloongabba	0	Met
Toowoomba		
North Toowoomba	0	Met

NO₂ Nitrogen dioxide

(NEPM standard: 1 hour = 0.12ppm, 1 year = 0.03ppm)

Station	1 Hour		1 Year	
	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
South-east Queensland				
<i>North Coast sub-region</i>				
Mountain Creek	0	Met	0.004	Met
<i>Brisbane sub-region</i>				
Deception Bay	0	Met	0.005	Met
Rocklea	0	Met	0.007	Met
Springwood	0	Not demonstrated ^a	0.008	Not demonstrated ^a
<i>Ipswich sub-region</i>				
Flinders View	0	Met	0.008	Met
Toowoomba				
North Toowoomba	0	Met	0.006	Met
Gladstone				
South Gladstone	0	Met	0.006	Met
Townsville				
Pimlico	0	Met	0.005	Met

^a not demonstrated due to less than 75% of data in one or more quarters.

O₃ Ozone

(NEPM standard: 1 hour = 0.10ppm, 4 hours = 0.08ppm)

Station	1 Hour		4 Hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
South-east Queensland				
<i>North Coast sub-region</i>				
Mountain Creek	0	Met	0	Met
<i>Brisbane sub-region</i>				
Deception Bay	0	Met	0	Met
Rocklea	0	Met	0	Met
Springwood	0	Not demonstrated ^a	0	Not demonstrated ^a
<i>Ipswich sub-region</i>				
Flinders View	0	Met	0	Met
Toowoomba				
North Toowoomba	0	Met	0	Met
Gladstone				
Central Gladstone	0	Not demonstrated ^a	0	Not demonstrated ^a
Townsville				
Pimlico	0	Met	0	Met

^a not demonstrated due to less than 75% of data in one or more quarters.

SO₂

Sulfur dioxide

(NEPM standard: 1 hour = 0.20ppm, 1 day = 0.08ppm, 1 year = 0.02ppm)

Station	1 Hour		1 Day		1 Year	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
South-east Queensland						
<i>Brisbane sub-region</i>						
Springwood	0	Not demonstrated ^a	0	Not demonstrated ^a	0.001	Not demonstrated ^a
<i>Ipswich sub-region</i>						
Flinders View	0	Met	0	Met	0.001	Met
Gladstone						
South Gladstone	0	Met	0	Met	0.002	Met
Townsville						
Pimlico	0	Met	0	Met	0.000	Met
Stuart	0	Met	0	Met	0.000	Met
Mount Isa						
Menzies	41	Not met	2	Not met	0.006	Met
The Gap	17	Not met	0	Not demonstrated ^a	0.004	Not demonstrated ^a

^a not demonstrated due to less than 75% of data in one or more quarters.

Pb

Lead

(NEPM standard 1 year = 0.50µg/m³)

Station	Annual average (µg/m ³)	NEPM goal compliance
Townsville		
North Ward	0.04	Met
Mount Isa		
The Gap	0.13	Not demonstrated ^a

^a not demonstrated due to less than 75% of data in one or more quarters.

PM₁₀ Particles as PM₁₀

(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
South-east Queensland		
<i>North Coast sub-region</i>		
Mountain Creek	8	Not met ^b
<i>Brisbane sub-region</i>		
Rocklea	9	Not met ^b
Springwood	10	Not met ^b
<i>Ipswich sub-region</i>		
Flinders View	8	Not met ^b
Toowoomba		
North Toowoomba	11	Not met ^b
Gladstone		
South Gladstone	7	Not met ^b
Mackay		
West Mackay	18	Not met ^b
Townsville		
Pimlico	9	Not met ^b
Mount Isa		
The Gap	21	Not met ^b

^b See Assessment of NEPM Effectiveness for explanation.

PM_{2.5} Particles as PM_{2.5}

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	NEPM goal compliance
South-east Queensland		
<i>Brisbane sub-region</i>		
Rocklea ^a	0	Insufficient data
Rocklea ^b	0	Insufficient data
Rocklea ^c	7	10.9
Springwood ^b	3	5.5
Gladstone		
South Gladstone ^c	7	9.2

^a monitoring by reference method (1 in 3 days).

^b monitoring by TEOM instrumentation in accordance with Technical Paper on Monitoring for Particles as PM_{2.5}.

^c monitoring by TEOM instrumentation fitted with Filter Dynamics Measurement System (FDMS).

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has provided the mechanism for a staged expansion of DERM's ambient air monitoring network throughout Queensland. Queensland remains

committed to implementing the actions contained in its Ambient Air Quality Monitoring Plan for Queensland despite delays in establishing monitoring in some regional centres due to other monitoring priorities that have arisen in recent years. On the basis of

approved screening criteria, campaign monitoring of nitrogen dioxide and ozone in some smaller regional centres listed in the Monitoring Plan will now not proceed. It is reasonable to expect that levels of these pollutants will be consistently below the relevant NEPM standards in smaller regional centres.

Queensland's monitoring results for 2009 indicate that the goal of the AAQ NEPM—to achieve by 2008 the standards to the extent specified—was met for all pollutants at all monitoring stations where there was sufficient data capture to assess compliance, except for sulfur dioxide in Mount Isa and PM₁₀ in all regions where monitoring was undertaken.

While industry in Mount Isa has significantly reduced overall emissions of sulfur dioxide to the atmosphere in recent years (through capture and conversion to sulfuric acid), compliance with the 1-hour NEPM sulfur dioxide standard is unlikely to be achieved with current controls. In May 2008 the Queensland Government amended the legislation regulating emissions from the Mount Isa smelters to bring these operations under the stricter controls contained within the EP Act. The smelter operator has commenced programs to improve its emissions capture systems and to reduce its sulfur feed to the smelters, which should result in reductions in sulfur dioxide levels in the community.

The results of PM₁₀ monitoring during 2009 show all regions failed to comply with the 2008 goal of no more than five days when PM₁₀ concentrations exceeded 50µg/m³. There was a much higher than normal incidence and severity of wind blown dust events throughout Queensland during 2009. Bushfire smoke was also a contributing factor on occasions in south-east Queensland and Toowoomba. The number of exceedences of the PM₁₀ standard at monitoring sites in Queensland during 2009 was higher than for any previous year monitoring has been conducted. The PM₁₀ concentrations measured during the major dust storms affecting the whole of Queensland in late September 2009 were the highest ever recorded.

There is no evidence that urban and industrial particle emissions on their own led to non-compliance with the PM₁₀ goal at locations meeting the siting conditions of Clause 13 of the NEPM. To date, exceedences of the NEPM standard have only occurred on occasions when contributions from natural events such as bushfires and dust storms are added to existing urban and industrial sources. Vegetation management and

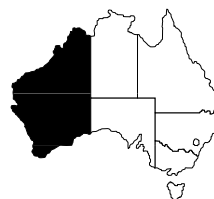
bushfire risk reduction through controlled burning is another occasional cause of exceedences in several Queensland regions.

Prior to 2009, the only exceedences of the PM_{2.5} 24-hour advisory reporting standard had been the result of smoke from bushfires or hazard-reduction burning. In 2009 dust storms in September and October were of sufficient magnitude to lead to exceedences of the PM_{2.5} 24 hour advisory reporting standard at south-east Queensland and Gladstone monitoring sites, with the resulting PM_{2.5} concentrations being the highest ever recorded in these regions. Bushfire smoke again resulted in additional PM_{2.5} exceedence days in these regions in 2009. The addition of these infrequent but very high PM_{2.5} episodes to PM_{2.5} emissions from urban sources such as motor vehicles led to annual average PM_{2.5} concentrations exceeding the advisory reporting standard of 8µg/m³ in south-east Queensland and Gladstone in 2009. With increasing motor vehicle use, compliance with the PM_{2.5} advisory standards, particularly the annual average criterion, in the longer term may be increasingly difficult to achieve in urban areas like south-east Queensland, under the current NEPM reporting framework.

While no ozone exceedences were recorded in the 2009–10 reporting period, rapidly growing population, urban expansion and associated increases in motor vehicle use in South East Queensland could present challenges to future compliance with the NEPM ozone standards. While bushfire and hazard reduction burning emissions have been implicated in the majority of previous ozone exceedences, there have been occasions in more recent years when industrial, commercial and domestic emissions, combined with conducive meteorological conditions, have resulted in exceedences of the ozone standards.

The South East Queensland Regional Plan 2009–2031 provides a sustainable growth management strategy for the South East Queensland region to the year 2031. Under the plan, urban settlement and the use of transport, industry, energy and natural resources will be managed to minimise adverse impacts on air quality. Significant investment in public transport infrastructure and alleviation of traffic congestion under the South East Queensland Infrastructure Plan and Program 2010–2031 will support the management of future air quality impacts from rising motor vehicle use.

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 32)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Western Australia, the Ambient Air NEPM is implemented by the Department of Environment and Conservation (DEC) under the *National Environment Protection Council (WA) Act 1996* and the *Environmental Protection Act 1986*.

The Environmental Protection Authority has finalised a draft Ambient Air State Environment Policy (SEP), utilising targeted consultation with their reference panel members. This process was initially commenced to provide policy context to the Ambient Air Quality NEPM, but has been expanded to also incorporate the environmental protection goals of the Air Toxics NEPM. The draft Ambient Air SEP has been considered by the Minister for the Environment and was released for public comment on 15 June 2009. Comments received during this consultation process will be considered when finalising the SEP.

Two Environmental Protection Policies (EPP) currently exist to manage air emissions in Western Australia. Both EPPs have been developed to manage cumulative emissions from major heavy industrial precincts.

The Kwinana EPP defines ambient design criteria for sulfur dioxide and total suspended particulates to be used in emissions modelling to set air related license conditions on industry in the policy area. Although the numbers defined in the Kwinana EPP are different to the NEPM standards, it has been determined that the EPP is an effective means of controlling sulfur dioxide emissions to ensure compliance with the NEPM beyond the industrial buffer area.

The Goldfields EPP sets ambient sulfur dioxide concentrations that are consistent with the NEPM

standards. The objectives of the EPP are to control and progressively reduce the sulfur dioxide concentration in the ambient air of a protected area. There has been a progressive tightening in the measure of acceptability of air quality standards, providing a progressive reduction in the number of calendar days the sulfur dioxide concentration can be exceeded. Industrial emissions will be managed and controlled through licences issued to sulfur dioxide emitting facilities. Industries must monitor ambient sulfur dioxide concentrations and must not exceed them.

Implementation issues arising

Implementation activities may be viewed in two categories:

- those activities related to implementing the monitoring and reporting protocol of the NEPM, plus other activities associated with the 'Future Actions' listed in the NEPM Impact Statement
- those activities within Western Australia (including regulatory activities) designed to ensure that the air quality is in compliance with the NEPM Goal for each of the six pollutants within the specified ten-year period.

In the first category, DEC has:

- completed construction and fit-out of a new monitoring laboratory
- continued to liaise with local governments and other organisations as required to facilitate the positioning and repositioning of fixed ambient monitoring stations
- made substantial progress towards meeting its goal of receiving NATA accreditation, with all infrastructure upgrades and systems development now complete
- maintained monitoring of PM_{2.5} to facilitate the review and potential development of compliance NEPM standards for this pollutant in the future
- contributed to the NEPM review team and the Standards Setting working group
- contributed to the activities of the Peer Review Committee.

In the second category, DEC has:

- continued to implement the Perth Air Quality Management Plan (AQMP). The Perth AQMP is a whole of government plan aimed at improving and maintaining Perth's air quality. Implementation of a number of priority actions within the Perth AQMP has commenced in addition to a number of ongoing programs. There continues to be a major focus on managing emissions from motor vehicles and wood heaters, via the CleanRun and Halt the Haze programs, respectively. DEC has also examined and updated the motor vehicle emissions inventory for Perth and continues to investigate and trial a number of novel cutting edge monitoring technologies
- maintained community access to regularly updated air quality monitoring data via DEC's webpage <<http://www.dec.wa.gov.au>>.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail in the 2009 Western Australia Air Monitoring Report which is available on DEC's web site at <<http://www.dec.wa.gov.au>>

The monitoring plan for Western Australia is available from <<http://www.dec.wa.gov.au/content/view/3429/1680/1/9/>>.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Perth		
North East Metro	0	Met
North Metro	0	Met
South East Metro	0	Met

NO₂ Nitrogen dioxide

(NEPM standard: 1 hour = 0.12ppm, 1 year = 0.03ppm)

Station	1 Hour		1 Year	
	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Perth				
North Metro	0	Met	0.006	Met
North East Metro	0	Met	0.005	Met
Outer North Coast	0	Met	0.003	Met
South Coast	0	Met	0.004	Met
Outer East Rural	0	Met	0.002	Met
South East Metro	0	Met	0.007	Met
Inner West Metro	0	Met	0.005	Met

O₃ Ozone

(NEPM standard: 1 hour = 0.10ppm, 4 hours = 0.08ppm)

Station	1 Hour		4 Hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
Perth				
North East Metro	1	Met	1	Met
Outer North Coast	0	Met	0	Met
South Coast	0	Met	0	Met
Outer East Rural	1	Met	2	Not met
South East Metro	0	Met	0	Met
Inner West Coast	0	Met	0	Met

SO₂ Sulfur dioxide

(NEPM standard: 1 hour = 0.20ppm, 1 day = 0.08ppm, 1 year = 0.02ppm)

Station	1 Hour		1 Day		1 Year	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Perth						
South Metro	0	Met	0	Met	0.001	Met
South Coast	0	Met	0	Met	0.001	Met
South East Metro	0	Met	0	Met	0.001	Met

Pb Lead

(NEPM standard 1 year = 0.50µg/m³)

Lead monitoring ceased on 31 December 2001 following the introduction of unleaded petrol and subsequently lead replacement petrol. These management initiatives consequently sustained measurements at analytical limits of detection well below the standard.

PM₁₀ Particles as PM₁₀

(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Perth		
North East Metro	0	Met
North Metro	0	Met
South East Metro	0	Met
Southwest		
Albany	0	Met
Bunbury	1	Met
Collie	3	Met
Midwest		
Geraldton	14	Not met

PM_{2.5} Particles as PM_{2.5}

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Perth		
North East Metro	2	7.8
North Metro	3	8.2
Outer North Coast	2	7.8
South East Metro	3	8.2
Southwest		
Bunbury	7	8.3
Busselton	12	9.0

Relationship between location descriptors and monitoring station location/names

Location descriptor	Station location	Location descriptor	Station location
North East Metro	Caversham	Outer East Rural	Rolling green
North Metro	Duncraig	South Coast	Rockingham
Outer North Coast	Quinns rocks	Inner West Coast	Swanbourne

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has provided a focus for air quality issues and driven all jurisdictions to work towards nationally consistent monitoring techniques and reporting. This has culminated in the development and approval of monitoring plans for all jurisdictions, including Western Australia. The NEPM Standards and Goals provide an additional impetus for the implementation of strategies and a useful benchmark against which air quality management can be assessed.

Air quality management initiatives implemented in Western Australia have placed the State in a favourable position to achieve compliance with the NEPM Goals in most circumstances. Sulfur dioxide and lead have been effectively controlled by regulatory means.

Carbon monoxide and nitrogen dioxide concentrations comply with the NEPM standards by comfortable margins due to clean fuel quality standards, national vehicle emissions standards and control of other sources. Ozone and PM₁₀ remain pollutants of concern in the Perth Region and are the focus of attention within the Perth AQMP, particularly the management of domestic PM₁₀ sources. In other regions, PM₁₀ is the pollutant of most significance with respect to the NEPM Standards.

The data presented in Part 3 above, shows that Western Australia has met the NEPM Goals for all the pollutants in 2009 except for PM₁₀ in Geraldton and Ozone averaged over 4 hours at Rolling Green.

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for South Australia by the Hon. Paul Caica MP, Minister for Environment and Conservation for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

Section 4 of the transitional provisions in the *Environment Protection (Miscellaneous) Amendment Act 2005, Sch 1* enables the continued operation of the National Environment Protection (Ambient Air Quality) Measure (NEPM), as an Environment Protection Policy. The PM_{2.5} Variation to the NEPM also operated as part of this policy from the day on which it was made.

Administration of the NEPM is undertaken by the South Australian Environment Protection Authority (SA EPA), and to test whether the obligations under the NEPM are met, the SA EPA operates the Ambient Air Monitoring Network (the Network) in-house.

Implementation issues arising

The SA EPA continues to support and work with the community and industry to develop strategies to help reduce pollution from point sources and diffuse pollution from human activities.

The SA EPA is currently reviewing the Environment Protection (Air Quality) Policy [the Air Policy], the Environment Protection (Burning) Policy [the Burning Policy] and the Environment Protection (Motor Vehicle Fuel Quality) Policy, the three sets of subordinate legislation dealing with air pollution from specific sources. The purpose of the review is to replace these three policies with a single comprehensive policy that identifies the air environmental values to be protected and the appropriate management of all sources of pollution, and will embody the content of relevant NEPM's. It is envisaged this policy will embody the essential content of the current Environment Protection Policies and NEPMs relating to air quality, particularly the AAQ NEPM. The Air Policy will assist the SA

EPA in ensuring the achievement of the goals set in the AAQ NEPM.

South Australia has continued to provide technical support to local government to administer the Burning Policy and to resolve complaints relating to domestic solid fuel heaters. The SA EPA released a draft Code of Practice for Environmentally Responsible Wood Heater Use to enable all sectors to deal with wood heater issues.

Dust monitoring at Whyalla

The SA EPA continues to supply real time PM₁₀ monitoring data to the steelworks and other interest groups at Whyalla. This assists One Steel and the Department of Primary Industries and Resources SA to monitor the impact of operations on the Whyalla community.

Lead at Port Pirie

Reducing child lead exposure at Port Pirie continues to be a key environmental health initiative for South Australia. The State Government continues to facilitate the Port Pirie Lead Implementation Program (PPLIP) in concert with the local Council and the current lead smelter operators (Nyrstar Port Pirie).

Through the PPLIP, the State Government has expended some \$60 million in Port Pirie over the past 20 years in a range of investigations into exposure pathways, ambient and source measurements, speciation, house and streetscape dust reduction, community and workforce education and blood lead monitoring. Ambient lead levels measured at Frank Green Park (in the city's primary residential area) continue to comply with the NEPM standard but, as the National Health and Medical Research Council (NHMRC) guideline level for blood lead in children is still exceeded, intense efforts into smelter lead emissions and exposure reduction, will continue, as follows;

- In concert with the PPLIP, an ambitious program was launched in February 2006 with the goal of ensuring that at least 95% of children aged between 0–4 years residing in Port Pirie have blood lead levels below 10 micrograms per decilitre (µg/dL) by the end of 2010. Known as 'tenby10', the

program involves a collaborative approach between Nyrstar, SA EPA, SA Department of Health and the Port Pirie Regional Council. Nyrstar has committed some \$56 million to the achievement of the tenby10 goal. This includes commitments to major infrastructure and operational improvements, aimed at reducing fugitive lead emissions. In addition, Nyrstar provides support for a range of community based activities to reduce lead uptake by children.

On 1 July 2008, a new SA EPA Licence for Nyrstar came into effect, which specifies ongoing lead reduction targets to be achieved at three SA EPA Monitoring sites (Ellen St, Oliver St and Pirie West Primary School). Linked to these targets is an Environment Improvement Program (EIP) which contains agreed compliance actions (including further significant capital works) aimed at further reducing fugitive lead emissions. Compliance actions in the EIP are required to be reviewed in line with achievement of the targets.

Results of ambient air monitoring conducted by the SA EPA over the 12 month period revealed that there had been an increase overall in lead in air at two of the SA EPA Monitoring sites (located closest to the smelter), which went against the downward trend which had been observed since 2006. This resulted in Nyrstar failing to meet its lead in air targets as at 31 December 2009 for the first time since the licence was renewed. This observation was supported by ambient air monitoring undertaken by the smelter operators within the township. Children's blood lead levels also showed an increase in the first quarter of 2010 after also having fallen significantly overall since 2006.

A formal investigation of the causes of the increased lead in air levels was subsequently commenced by the SA EPA in June 2010. At the same time, a revised EIP submitted by Nyrstar was being considered by the SA EPA which specifies a further range of proposed actions to be undertaken to arrest the observed lead in air increases.

Sulfur dioxide at Port Pirie

Nyrstar Port Pirie lead smelter is also the primary contributor to elevated ambient sulphur dioxide in Port Pirie. The company is currently undertaking an exposure level assessment project with the aim of better understanding the exposure of individuals to both short and longer term SO₂ levels. This is proposed to take into account meteorological,

seasonal and temporal variables in combination with site emission data.

Domestic wood smoke emissions

The SmokeWatch program in Mount Gambier commenced in March 2009, continued into the winter months of 2009, with phase two of the program commencing in April 2010. The program's aim is to encourage households to engage in efficient wood heater practices to minimise wood smoke, and is a collaboration between the SA EPA, the City of Mount Gambier, the Australian Home Heating Association, the Firewood Association of Australia, and from 2010, the Department of Health. SmokeWatch combines behaviour change and air monitoring campaigns so that the two components reinforce the messages about air quality and what the community can do to improve it.

Review of air quality monitoring

The SA EPA has undertaken a review of its entire Air Monitoring system, which will address all aspects of the air monitoring stations and quality system. The review will provide an opportunity to assess the current status of the NEPM and focus monitoring efforts. When the Ambient Air NEPM review is completed then along with internal reviews future directions for air monitoring in South Australia can be determined.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail in <<http://www.ephc.gov.au/taxonomy/term/34>>

The monitoring plan for South Australia is available from <http://www.epa.sa.gov.au/xstd_files/Air/Report/airnepm.pdf>

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Adelaide		
ELI01—Elizabeth Downs	0	Met

NO₂ Nitrogen dioxide

(NEPM standard: 1 hour = 0.12ppm, 1 year = 0.03ppm)

Station	1 Hour		1 Year	
	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Adelaide				
ELI01—Elizabeth Downs	0	Met	0.003	Met
NOR01—Northfield Folland Avenue	0	Met	0.006	Met
NET01—Netley	0	Met	0.008	Met
KEN01—Kensington Gardens	0	Met	0.004	Met
CHD01—Christie Downs	0	Met	0.006	Met

O₃ Ozone

(NEPM standard: 1 hour = 0.10ppm, 4 hours = 0.08ppm)

Station	1 Hour		4 Hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
Adelaide				
ELI01—Elizabeth Downs	0	Met	0	Met
NOR01—Northfield Folland Avenue	0	Met	0	Met
NET01—Netley	0	Met	0	Met
KEN01—Kensington Gardens	0	Met	0	Met
CHD01—Christie Downs	0	Met	0	Met

SO₂ Sulfur dioxide

(NEPM standard: 1 hour = 0.20ppm, 1 day = 0.08ppm, 1 year = 0.02ppm)

Station	1 Hour		1 Day		1 Year	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Adelaide						
NOR01—Northfield	0	Met	0	Met	0.000	Met
Spencer						
PTP01—Pt Pirie Oliver Street	29	Not met	2	Not met	0.009	Met

Pb Lead

(NEPM standard 1 year = 0.50µg/m³)

Station	Annual average (µg/m ³)	NEPM goal compliance
Spencer		
PTP05—Pt Pirie Frank Green Park	0.14	Met
PTP01—Pt Pirie Oliver Street	0.40	Met

PM₁₀ Particles as PM₁₀

(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Adelaide		
ELI01—Elizabeth Downs	12	Not met
KEN—Kensington Gardens	2	*Not dem
NET01—Netley	5	Met
CHD01—Christie Downs	2	Met
Spencer		
WHY07—Whyalla Schulz Park	10	Not met
PTP01—Pt Pirie Oliver Street	14	Not met

* The TEOM at Kensington became inoperable in late November 2009. Data analysis has revealed that the site is redundant and a future closure is planned.

PM_{2.5} Particles as PM_{2.5}

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Adelaide		
Netley	1	8.1

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has been effective in providing a legislative framework to monitor general community exposure to the criteria pollutants in Adelaide and some regional centres. It has also stimulated investigations into localised exposure from particular emission sources and enhanced the review of the approach taken to manage regional air quality.

The NEPM reinforces the need to supply high quality data in a timely manner and thereby ensure that air quality management decisions are based on sound science. South Australia has found that this can only be undertaken with confidence in-house, by appropriately qualified staff with practical experience in operating an extensive network of instruments on a long-term basis.

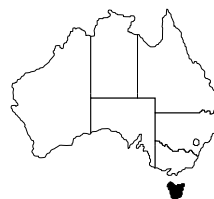
For the 2010 reporting year, comparison of monitoring data to the standards and goals of the Ambient Air Quality NEPM revealed that:

- the standard and goal was met for CO at the Elizabeth station
- for NO₂, the standards and goals were met at all stations
- for O₃, the standards and goals were met at all stations
- for SO₂ the 1h and 24h standard and goal were not met at Port Pirie, Oliver Street. All other stations met the standard and goal for SO₂
- for Pb, the standards and goals were met at all NEPM reporting stations with downward trends currently evident however non-NEPM sites have shown upward changes in concentrations

- for PM₁₀ in the Adelaide region, the standard was exceeded:
 - on twelve occasions at the Elizabeth station
 - on two occasions at the Kensington station
 - on five occasions at the Netley station
 - on two occasions at the Christie Downs station.
- for PM₁₀ in the Spencer region, the standard was not met:
 - with ten exceedence days at Whyalla, Schulz Park
 - with fourteen exceedence days at Port Pirie, Oliver Street
- the PM₁₀ goal was not met at:
 - Port Pirie, Oliver Street, Whyalla, Schulz Park and Elizabeth
- for PM_{2.5} the advisory reporting standard was not met at Netley, the one station where monitoring was conducted.

Continuation of a core network of long term monitoring sites in the Adelaide region will assist in development and verification of a regional air dispersion model that can be used for strategic planning purposes and for advance public notification of likely air quality on a daily basis. The former will help to ensure that the NEPM goals, and any future goals, are adequately considered in long term regional scale planning decisions for the Adelaide region. The latter will promote awareness of the issue in the community and help drive behavioural change that will contribute to achieving the NEPM goal.

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

For the 2009–10 fiscal year the Tasmanian Ambient Air Quality NEPM process was implemented primarily through the EPA Division of the Department of Primary Industries, Parks, Water and the Environment (DPIPWE). The enabling legislation for the Tasmania Air Quality NEPM process is the *Environmental Management and Pollution Control Act 1994* (EMPCA).

National Environment Protection Measures are adopted as State Policies under the *State Policies and Projects Act 1993*.

Implementation issues arising

The EMPCA provides for the development of Environment Protection Policies (EPPs) for various aspects of environmental management within its purview. The EPP (Air Quality), which came into force in June 2005, includes specific reference to meeting the requirements of the Air NEPM through regulation of industry and management of diffuse sources and planned burning activities. The policy is available on the EPA Division's website at <http://www.environment.tas.gov.au>.

As required by the EPP (Air Quality), Tasmania's Air Quality Strategy was published in June 2006. The five-year strategy assesses compliance with the Air NEPM standards in Tasmania and specifies strategies for achieving compliance where standards are not being met. The strategy addresses the management of air quality in Tasmania and includes programs to further reduce domestic and industrial emissions of respirable particles in critical regions of the state. It also embraces national programs to develop standards for PM_{2.5} and air toxics; the diesel emissions NEPM; national fuel and vehicle standards; and other programs

such as the National Wood Heater Action Plan and the National Firewood Code of Practice.

Wood smoke continues to be a primary air quality issue for Tasmania. The Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007, gazetted in August 2007, provide a legal framework for programmes to reduce the emission of domestic wood smoke, through controls on the import, sale and installation of wood heaters, creating an offence of the emission of excessive smoke from chimneys and smokestacks and restricting backyard burning on suburban allotments.

The Tasmanian Government has continued to upgrade facilities to monitor the levels of PM_{2.5} and PM₁₀ particles as required by the amendment to the Air NEPM (May 2003). The air monitoring programme operates under an ISO:17025 compliant Quality System, and holds NATA accreditation (Certificate No. 16646) for the daily measurement of PM_{2.5} and PM₁₀ in ambient air using Andersen RAAS low volume air samplers. The programme has recently been audited by NATA for accreditation of its continuous PM_{2.5} and PM₁₀ monitoring using the TEOM according to AS3580.9.8:2008. It is planned to continue expansion of the Quality System with the intention to apply for accreditation for the determination of PM_{2.5} and PM₁₀ using the R&P Partisol Plus™ samplers according to the methods described in AS3580.9.9:2006 and 3580.9.10:2006.

Plans to commission a NEPM air quality monitoring station at Devonport during 2009–10 have been postponed due to protracted negotiations for access to a suitable venue. At this stage, it is anticipated that a Devonport NEPM station will be commissioned in early 2011.

A substantial proportion of Tasmania's population lives in smaller regional and country towns below the size threshold for air monitoring under the Air NEPM, and some of these towns regularly experience high levels of smoke pollution from forestry regeneration and other agricultural burning, as well as domestic wood heaters. In late 2008, the EPA Division was granted funding for the establishment of a regional

on-line air monitoring network known as the Base-Line Air Network of EPA Tasmania (BLANKET), of up to 15 small stations equipped with optical particle monitors sited near communities that have been, or are likely to be affected by smoke from planned burns. This network is now operational and providing valuable indicative particle and meteorological data to contribute to the understanding of smoke movement and dispersal in the greater Tasmanian airshed, and data on population exposure to smoke from planned burns, domestic woodheaters and bushfires.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met

at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail in Air Monitoring Report 2009—Compliance with the National Environment Protection Measure (Ambient Air Quality), by Tasmania, July 2010

The monitoring plan for Tasmania is available from <<http://www.environment.tas.gov.au>>.

PM₁₀ Particles as PM₁₀
(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Launceston		
Ti Tree Bend	0	Met
Hobart		
New Town	0	Met
Devonport	Not yet operational. Monitoring expected to commence early 2011.	

PM_{2.5} Particles as PM_{2.5}
(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Launceston		
Ti Tree Bend	12	7.5
Hobart		
New Town	4	7.1
Devonport	Not yet operational. Monitoring expected to commence early 2011.	

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The air NEPM has been very effective in Tasmania, by contributing to the culture of the community towards improved air quality in populated areas, and has played an influential role in driving programs aimed at reducing wood smoke pollution during winter. This has been particularly effective in Launceston, with a marked reduction in the number of wood heaters, and improved community co-operation in reducing unnecessary smoke generation

The NEPM has also been a driver of improvements in the quality and timeliness of monitoring and reporting of air quality data in Tasmania.

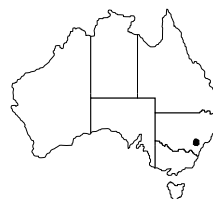
Winter air quality in Launceston has continued to improve. 2009 was the first year since regular winter monitoring began in 1997, that the $50\mu\text{g}/\text{m}^3$ 24-hour PM_{10} standard was not exceeded, and the third successive year that the PM_{10} concentration has met the NEPM goal of no more than 5 exceedences/year.

The number of exceedences of the $\text{PM}_{2.5}$ advisory reporting standard has continued to decline from 35 in 2006 to 12 in 2009, and 2009 was the first year that the annual average $\text{PM}_{2.5}$ concentration ($7.5\mu\text{g}/\text{m}^3$) met the NEPM annual average advisory standard of less than $8\mu\text{g}/\text{m}^3$.

For Hobart in the calendar year 2009, there were no exceedences of the 24-hour PM_{10} standard of $50\mu\text{g}/\text{m}^3$. The 24-hour $\text{PM}_{2.5}$ concentration exceeded the $25\mu\text{g}/\text{m}^3$ advisory reporting standard on four days, compared with 9 in 2008 and 7 in 2007. The annual average $\text{PM}_{2.5}$ concentration was $7.1\mu\text{g}/\text{m}^3$, compared with the annual average advisory reporting standard of $8\mu\text{g}/\text{m}^3$. This was a marginal improvement on the 2008 annual average of $7.3\mu\text{g}/\text{m}^3$ for 2008 and $7.6\mu\text{g}/\text{m}^3$ for 2007.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for the Australian Capital Territory by Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 32)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of the Environment, Climate Change, Energy and Water (DECCEW) has the responsibility for the administration of the Ambient Air Quality NEPM.

Health Protection Services (HPS), ACT Health, operate the ACT Government's ambient air monitoring network. In accordance with clause 12 of the NEPM, HPS are National Association of Testing Authorities (NATA) accredited.

Implementation issues arising

The ACT's population has passed the threshold for a second NEPM station. HPS in conjunction with DECCEW are working on securing resources necessary to establish this station. To expedite the process HPS have already started the preliminary planning work to ensure the site is appropriately sited for population exposure purposes.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data is presented in greater detail in the ACT Air Quality Report 2009 which is available from: http://www.environment.act.gov.au/__data/assets/pdf_file/0010/198523/ACTAirQualityReport2009.pdf.

CO

Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Canberra		
Civic	0	Met
Monash	0	Met

NO₂ Nitrogen dioxide

(NEPM standard: 1 hour = 0.12ppm, 1 year = 0.03ppm)

Station	1 Hour		1 Year	
	Number of exceedences	NEPM goal compliance	Annual average (ppm)	NEPM goal compliance
Canberra				
Civic	0	Not demonstrated	0.008	Not demonstrated
Monash	0	Met	0.006	Met

O₃ Ozone

(NEPM standard: 1 hour = 0.10ppm, 4 hours = 0.08ppm)

Station	1 Hour		4 Hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
Canberra				
Civic	0	Met	0	Met
Monash	0	Met	0	Met

PM₁₀ Particles as PM₁₀

(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Canberra		
Monash	9	Not met

PM_{2.5} Particles as PM_{2.5}

(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Canberra		
Monash	2	6.2

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

Data presented in Part 3 demonstrates that the ACT is fully compliant with the NEPM goal for gaseous pollutants. NO₂ at Civic was reported as not demonstrated due to a lack of data in the first quarter, however, historic levels are well below the standard.

During 2009 nine exceedences of the PM₁₀ standard were recorded at Monash. Data was not available for the period 1 January to 8 June because of instrument failure.

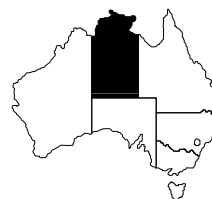
The highest PM₁₀ level recorded during 2009, was 210µg/m³ on 22 September when most of eastern Australia was covered in red dust after an extreme low pressure system moved across from central Australia. This is 420% of the NEPM standard.

As with previous years, exceedences continue to be caused by wood heater emissions during extremely cold and stable atmospheric conditions and natural events such as dust storms. Excluding these climatological effects, PM₁₀ levels have been falling in the Tuggeranong Valley.

PM_{2.5} monitoring shows the ACT continues to experience elevated particle levels during winter because of wood heaters. The government is targeting this problem through public education, the licensing of firewood merchants, the implementation of a wood heater replacement program and ongoing compliance programs.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (Ambient Air Quality) Measure for the Northern Territory by Mr Karl Hampton MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 32)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of Natural Resources, Environment, The Arts and Sport (NRETAS) is responsible for implementing the NEPM in the Northern Territory through the provisions of the *Waste Management and Pollution Control Act* and the *National Environment Protection Council (Northern Territory) Act 2004*.

The major pollution source in the Darwin airshed is associated with vegetation burning. Although not directly aimed at managing air quality, the primary tool available to Government is enforcement of the *Bushfires Act 2009*. This Act has several thrusts including minimising the opportunity of wildfires to propagate by enforcing fire-breaks on properties and promoting early Dry season controlled burn-offs via fire authorities. A reduction in particulate pollution is an outcome of strategic fire management to reduce greenhouse gas emissions, such as that occurring in Arnhem Land under the West Arnhem Land Fire Abatement project.

The Northern Territory's ambient air monitoring program is undertaken in accordance with the approved monitoring plan. The administrative frameworks for implementation of the NEPM are in place.

Implementation issues arising

As identified in the Northern Territory's monitoring plan, the primary air pollutant of concern in the Northern Territory is particulate matter from landscape fires. NRETAS is continuing to discuss fire management regimes in the Darwin region with the Northern Territory Bushfires Council.

Performance monitoring for particulate matter (PM₀ and PM_{2.5}) commenced in the Darwin region in 2004. Air quality monitoring is currently undertaken by

Charles Darwin University as a partnership arrangement with the Northern Territory Government. Performance monitoring for particulate matter is conducted at a single monitoring station atop adjacent buildings at Charles Darwin University in Casuarina, Darwin. Two instruments, a Tapered Element Oscillating Microbalance (TEOM) sampler and a Partisol Dichotomous sampler, conducted monitoring for PM₁₀ at this station during the reporting period. Monitoring for PM_{2.5} was undertaken using a Partisol Dichotomous sampler.

TEOM monitoring for PM₁₀ reveals that the relevant NEPM standard was exceeded nine times in the Darwin region. The highest level recorded was 101.6 µg/m³ on 26 September 2009. All nine of the exceedences occurred over two periods in March and September when local construction activity with wind from the SSW to WSW combined to raise dust. The exceedences were not associated with any local fire events. If these local events are ignored there would be no exceedences for PM₁₀ in the reporting period.

Partisol monitoring for PM_{2.5} reveals that the relevant NEPM daily reporting level was exceeded five times in the Darwin region. The highest recorded daily level of PM_{2.5} was 28.9 µg/m³ on 30 September 2009 and again is the result of local construction activities. Four of the five highest exceedences occurred in the same period as the PM₁₀ exceedences and are also due to the construction activity.

The PM_{2.5} annual average of 8.3 µg/m³ was above the annual reporting level of 8.0 µg/m³ set by the NEPM. This level is higher than previous years partly due to the construction activity mentioned above. If the results from the period where local construction activities occurred were removed from the analysis, then the annual average would have been 8.0 µg/m³.

The Northern Territory Government committed funding in 2008–09 to the establishment and ongoing operation of a comprehensive air quality monitoring system for the Darwin region. The new air quality monitoring system will be installed in late 2010 and will incorporate monitoring for particulates (PM₁₀ and PM_{2.5}); gasses NO_x, SO₂, CO and Ozone as is

consistent with the technical requirements of the NEPM.

Monitoring in Alice Springs has not been undertaken however the need for monitoring in the region is being considered in the context of establishing a more comprehensive air quality monitoring network in the Territory.

The Northern Territory continues to work closely with the Peer Review Committee to ensure that the NT’s monitoring and reporting procedures are consistent with NEPM requirements and other states and territories.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of

whether the NEPM standards and goal were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the NEPM. For averaging times shorter than one year, compliance with the NEPM goal is achieved if the standard for a pollutant is exceeded on no more than a specified number of days in a calendar year (one day per year for all pollutants except PM₁₀, which may be exceeded no more than five days per year) and at least 75% of data is captured in each quarter.

The data are presented in greater detail in the NT annual compliance report to the NEPM Peer Review Committee (PRC). Following review by the PRC, this report will be made available at: <<http://www.nt.gov.au/nreta/environment/air/index.html>>

PM₁₀ Particles as PM₁₀
(NEPM standard 1 day = 50µg/m³)

Station	Number of exceedences	NEPM goal compliance
Darwin Casuarina	9	Not Met

PM_{2.5} Particles as PM_{2.5}
(NEPM standard 1 day = 25µg/m³, 1 year = 8µg/m³)

Station	1 Year	
	Number of exceedences	Annual average (µg/m ³)
Darwin Casuarina	5	8.3

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Monitoring for the year ending June 2010 demonstrates that the NEPM goal for PM₁₀ has not been achieved in the Darwin region.

Monitoring for PM_{2.5} has also not met the NEPM Variation guidelines for both annual exposure and number of exceedences.

The NEPM has provided a useful framework for current air quality monitoring in the Northern Territory, and will provide a legal and technical basis for the implementation of a more comprehensive air quality monitoring system in the Darwin region.



NEPC Report on the implementation of the

Assessment of Site Contamination NEPM

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Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Commonwealth implements the Assessment of Site Contamination NEPM as guidelines under the *National Environment Protection Council Act 1994*. The NEPM is subject to review five years from the date of commencement. The review report was accepted in November 2006 by the National Environment Protection Council (NEPC). The NEPC directed the NEPC Committee to prepare a detailed proposal to initiate a variation to the NEPM based on the recommendations from the review. At its meeting on 2 June 2007, the NEPC agreed to initiate the variation process to ensure that the NEPM remains the premier methodology for the assessment of site contamination in Australia. Work continued on the variation process in 2009–10.

Implementation issues arising

All Commonwealth agencies and business units were surveyed on their activities relevant to the NEPM. Nine agencies responded, indicating responsibility for assessment and management of contaminated sites. The responses outlined the agencies' activities in relation to contaminated sites and therefore a requirement for implementation and use of the NEPM. Agencies used a variety of methods to implement the NEPM and ensure ongoing management of land contamination issues, including:

- internal policies, guidelines and manuals that include the NEPM requirements and assist staff and contractors with identification, prioritisation and remediation of contaminated sites (six agencies)
- the use of compliance registers and databases for incident notification (four agencies)
- audit programs and other regular independent analyses of records (four agencies)

- inclusion of the NEPM in briefs and contracts such that contractors are required to meet the NEPM requirements where relevant (two agencies).

Three agencies indicated that they have Environmental Management Systems (EMS) with ISO 14001 compliance. One of these agencies indicated that it had two sites compliant, with the intention to expand to more sites. Another agency indicated that its EMS was also compliant with ISO 9001—2000 for Quality Management Systems.

All agencies indicated that their sites were managed in accordance with relevant legislation and that site assessments were conducted in line with the NEPM. A few agencies referenced internal guidelines, procedures and programs that incorporate the NEPM into their general environmental management programs.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The 2010 survey indicated that Commonwealth agencies view the NEPM as providing a consistent methodology for the assessment of contaminated sites across Australia. Responses showed a commitment from Commonwealth agencies to achieve environmental outcomes consistent with the NEPM including reducing the risk from potential sources of contamination, identifying contaminated sites and monitoring identified sites. Agencies identified a range of activities to ensure awareness of and implement the NEPM including:

- staff awareness training including NEPM information as part of EMS training and induction requirements (three agencies)
- specific training on contamination assessment by external experts as part of an update for one agency's Contamination Management Manual and Strategy
- use of compliance registers and databases for record keeping and information sharing (two agencies)
- development of standard operating procedures for activities with the potential to contribute to site contamination (one agency).

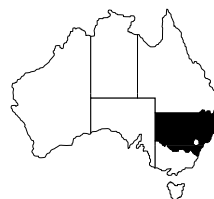
Most agencies indicated that their activities were ongoing from previous years. One agency described the establishment of a new task force to focus on and prioritise the remediation of sites in 2009–10. Another agency outlined the development of a new communications plan for 2010–11 to raise staff awareness of environmental issues including the agency's EMS and all NEPMs.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

Agencies have been successfully implementing the NEPM and achieving the desired environmental outcomes. They have found the consistent national methodology of the NEPM beneficial for achieving their goals of protecting human health and the environment. The NEPM is used as a basis for the agencies to develop their own strategies and guidelines for the risk assessment and management of contaminated sites. Agencies have found that their audit programs and contaminated sites management plans have been effective in implementing the NEPM principles.

In 2009–10, agencies continued their work towards achieving the NEPM goals and environmental outcomes. One agency advised of the successful completion of its rehabilitation plan for a major contaminated site. Another agency indicated that over half of its sites, identified and assessed using the NEPM, have been remediated, so far. One agency recommended that the NEPM be expanded to provide guidance on assessment for pristine or protected areas.

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The National Environment Protection (Assessment of Site Contamination) Measure (the NEPM) provides a policy framework, a recommended process for assessing site contamination, and guidelines dealing with salient aspects of the assessment process. Adoption of the NEPM in NSW has been achieved within the existing legislative framework.

Section 105 of the *Contaminated Land Management Act 1997* (CLM Act) allows the Department of Environment, Climate Change and Water (DECCW) to make or approve guidelines for purposes connected with the objects of the Act. The components of the NEPM have been approved by DECCW as guidelines under section 105 of the Act. These Guidelines must be taken into consideration when DECCW is making a decision on whether to regulate site contamination under the CLM Act and when an accredited contaminated site auditor is conducting a site audit. Guidelines made or approved in this manner must also be publicly available for inspection or purchase.

The CLM Amendment Act 2008 commenced on 1 July 2009. The amendments aim to improve the flexibility of the regulatory process, strengthen the application of the 'polluter pays' principle and replace the term 'significant risk of harm' as a trigger for the regulatory process with a set of clearer, more objective triggers under section 60 of the Act. The changes to duty to report contamination under section 60 commenced on 1 Dec 2009, prompting over 700 notifications of potentially contaminated sites across the state.

The Site Auditor Scheme established under the CLM Act called for a new round of applications in early 2010. Site auditors provide greater certainty to planning authorities and the community through their independent reviews of consultant reports. The accreditation process attracted 21 applications. After a written exam and a case study interview, 4 successful candidates were accredited under the scheme, bringing the number of site auditors to 36.

Implementation issues arising

- NSW has fulfilled all its obligations under the Assessment of Site Contamination NEPM to date. There is substantial stakeholder compliance with the recommended assessment processes because the requirements are integrated into pre-existing regulatory framework.
- Written advice outlining the approved NEPM guidelines has been regularly communicated to consultants, accredited auditors, local government, other State government bodies, peak environment groups, peak industry groups and peak organisations of councils in NSW.
- The list of all guidelines made or approved under section 105 of the CLM Act is available to the public on the NSW DECCW's web site to help increase public accessibility to the guidelines.
- Measures to ensure relevant stakeholders are informed of the NEPM are ongoing.
- DECCW verifies that site audits and site audit statements have been undertaken with due regard to the NEPM. As noted above, section 105 of the CLM Act requires the NEPM to be taken into consideration by DECCW when making a decision on whether a contaminated site requires regulation under the CLM Act and when conducting performance reviews of accredited contaminated site auditors.
- The NEPM guidelines are generally applied by environmental consultancies in undertaking contaminated site investigation under the planning process.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Since its approval as a guideline under s105 of the CLM Act, the NEPM has been taken into account by DECCW, site auditors and consultants when assessing the risks posed by contaminated sites. During the year ending 30 June 2010, DECCW finalised 34 assessments under the CLM Act, and accredited site auditors have issued 167 audit statements (103 statutory and 64 non-statutory).

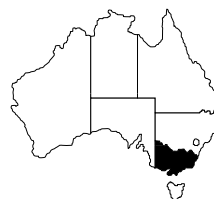
There are no legislative requirements for the application of the NEPM to the redevelopment of contaminated sites under land-use planning legislation. As DECCW is not routinely advised by councils of redevelopment projects managed through local planning processes, no state-wide data is available on the number of contaminated site assessments where the NEPM guidelines have been applied.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

As NSW policies and Guidelines were already in accord with the standards established under the 1992 Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (which form the basis of the NEPM), the effect of the NEPM in NSW has been to reinforce and formalise best practice.

The NEPM leads to increased consistency between jurisdictions which has been advantageous for interactions between DECCW and equivalent agencies in other States, Territories and the Commonwealth. This process has benefits for all involved parties, as issues relating to assessment of land contamination are consistently managed.

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

A key objective within Victoria is to ensure that the NEPM (Assessment of Site Contamination) is implemented in a manner that complements and builds upon existing systems.

Since 1990, the assessment of site contamination in Victoria has largely been undertaken under the administrative framework of the Environmental Audit System (Contaminated Land), or—where an audit is not required—at least under the same guidance issued for the audit system. The audit system was established under provisions of the *Environment Protection Act 1970* (Part IXD). This Audit System was pioneered in Victoria, and has since been adopted by other jurisdictions. It has provided a robust platform for assessing site contamination to ensure protection for human health and the environment.

The SEPP (Prevention and Management of Contamination of Land) [SEPP (PMCL)] was declared by Governor In Council in Victoria in June 2002.

Other statutory instruments of relevance to the assessment and management of site contamination include the:

- State environment protection policy (Groundwaters of Victoria).
- *Planning and Environment Act 1987*, its associated Minister's Direction No.1, and the Victorian Planning Provisions.

Implementation issues arising

- Victoria has a well-established process for the management of contaminated sites including the environmental auditing system. Therefore, successful implementation of the NEPM required only minor changes to Victoria's existing framework.
- In the nine years that the NEPM has been in operation, substantial progress has been made in incorporating the NEPM into statutory instruments and guidelines, particularly through the declaration of the SEPP (PMCL).

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

EPA Victoria has published guidelines for environmental auditors requiring that they refer to the NEPM as a key reference document when assessing site contamination. EPA Victoria also contributes to education, guidance and improvements in site assessment falling outside the audit framework (e.g., through workshops attended by assessment and remediation consultants, land developers, local government planners) and references the principles of the NEPM framework in this work.

Victoria continues to be a leader in the area of contaminated site assessment, including the environmental audit system. Inclusion of aspects of the NEPM guidelines within Victoria's statutory framework has provided a more consolidated and comprehensive body of guidance for the assessment of contaminated sites.

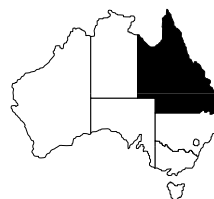
PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM reinforces an existing framework for the management of contaminated sites in Victoria by providing consistent consolidated guidance on the assessment of site contamination. Some improvements in the consistency of site assessment have resulted from use of the NEPM. Further improvements in consistency are the object of ongoing developments. The NEPM is well supported by environmental auditors and others in the site assessment industry, with comments indicating that it is a comprehensive source of guidance.

The NEPM could be more effective if it was expanded to enable the assessment of ecological health risk and contain more guidance on assessing some of the volatile contaminants that are commonly encountered on many sites, particularly former service station sites which are being redeveloped as a result of the rationalisations in the oil industry. These issues are being considered in the current review of the NEPM.

Victoria is represented on the project team undertaking the review of the NEPM.

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Queensland by the Hon. Kate Jones MP, Minister for Climate Change and Sustainability for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Assessment of Site Contamination NEPM is incorporated into the Queensland Government's administration of contaminated land through Department of Environment and Resource Management (DERM) guidelines and using site specific conditions on statutory approvals relating to site contamination under the provisions of the *Environmental Protection Act 1994* (EP Act) and the *Sustainable Planning Act 2009* (SP Act). The SP Act carried over equivalent provisions from the former *Integrated Planning Act 1997* (IP Act) to link assessment of contaminated land to the planning process.

The EP Act requires the establishment, operation and maintenance of registers about contaminated and potentially contaminated land- the Environmental Management Register and the Contaminated Land Register (EMR/CLR). The EMR/CLR can be searched by the public on a fee per lot basis with the aim of providing public information on site contamination in accordance with the NEPM, Section 6 (6).

The EMR lists:

- sites that have been used for potentially contaminating activities that warrant further investigation should a change of land use be proposed; and
- sites that have been assessed as having residual contamination that can be safely managed under the conditions of a statutory Site Management Plan (SMP) for specified land uses in accordance with Section 424 of the EP Act.

The CLR lists sites that involve serious environmental harm and where regulatory action is required to address any human health or environmental risk.

DERM sets technical guidelines for the assessment and management of contaminated land that must be used by private sector environmental professionals undertaking contaminated land work. In all cases assessment work involving statutory decisions under the EP Act must be conducted according to the NEPM.

In keeping with the policy framework under Section 6 (5) of the NEPM, development applications for EMR/CLR listed sites and other potentially contaminated sites must be referred to DERM under SP Act regulations. DERM has a concurrence role for these developments. Relevant conditions are set by DERM and must be attached to development approvals to ensure that assessment issues are addressed in accordance with the NEPM and land is made suitable for its intended use from a contamination perspective.

This link to planning legislation provides a process to capture sites with contamination concerns at redevelopment stage, usually to more sensitive land uses where contamination may involve human health and environmental risk.

Implementation issues arising

DERM is the central administering authority for contaminated land in Queensland. Local government is the assessment manager for the majority of developments including the separation and direction to DERM of applications that involve contamination issues. In addition, local government plays an important role in notifying DERM of land with potential contamination issues for listing on the EMR.

The following relevant operational data estimates associated with NEPM implementation were collected in the reporting period 2009–10.

- 120 site assessment and validation reports, many involving multiple sites, were reviewed for compliance with NEPM Section 6 (13) and (14) prior to statutory decisions regarding EMR/CLR status of the subject land including reports submitted under the Third Party Reviewer (TPR system).

- 17 of these reports were directly audited by DERM. Additional information under notices was sought from the submitters in 13 cases requiring demonstration that the work was conducted using NEPM processes.
- 479 development applications were forwarded to DERM under SP Act conditions for contaminated land issues relating to material change of use or lot reconfiguration of contaminated or potentially contaminated land. Contaminated site assessment information, additional to NEPM requirements, was sought from development applicants in 105 cases.
- 164 sites were finalised as being adequately assessed according to the NEPM, decontaminated, and removed from the EMR.
- 324 Site Management Plans were issued for development or use of a site, including those that were assessed and partially decontaminated with management of residual contamination for restricted land uses.
- 135 permits were issued for the transport and disposal of contaminated soil in accordance with NEPM Section 6 (4).
- 92 sites were placed under audit by Third Party Reviewers (TPRs) appointed under DERM's Operational Policy for Third Party Review (TPR) in accordance with Schedule B10 of the NEPM. TPRs independently oversee the work of contaminated land consultants to ensure that a high standard of remediation work is achieved.

Thirteen DERM appointed TPRs are currently approved for practice in Queensland subject to DERM's requirements including 6 auditors accredited in NSW and Victoria. Seven TPRs carry out the majority of site assessment review to ensure standards are in accordance with the NEPM guidance.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The NEPM has been adopted as a central reference document for assessment of site contamination in Queensland, supported by Queensland's guidelines on contaminated land. Its use is well established in contaminated land practices, leading to effective and practical site and development outcomes.

The use of the NEPM by contaminated land practitioners is mandated by DERM through the provisions of the EP Act and SP Act and by TPRs in auditing site assessment work. All applications to DERM for statutory decisions about site contamination and altering the status of land on the EMR/CLR must demonstrate compliance with the NEPM. DERM seeks additional information to clarify compliance issues relating to the NEPM when necessary prior to altering the Register status of land.

Implementation of the general provisions of the NEPM is limited by the lack of adequate guidance for particular common types of contamination. This includes limited guidance for petroleum hydrocarbon compounds and fragments of cement bonded asbestos that are commonly encountered on contaminated sites. The proposed NEPM variation is expected to provide best practice guidance on these issues which will improve assessment and response to potential human health risks.

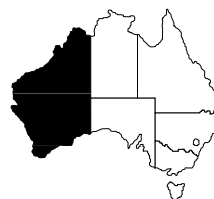
PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The current NEPM has continued as an effective technical basis for site assessment for contaminated site professionals operating in Queensland. Statutory approval conditions related to development require NEPM adherence. The quality control procedures applied by DERM in internal review of assessment reports involve a review of the practitioners adherence to the NEPM. Additional information is requested where there is poor reporting and NEPM inconsistency.

Similarly, Queensland appointed TPRs review compliance with the NEPM by practitioners in assessment work. The acceptance of accredited auditors from other Australian jurisdictions continues to provide an additional check of consistency between Queensland and other Australian jurisdictions. In the reporting period an estimated total of 209 land parcels were either removed from the EMR/CLR or made 'fit for use' through the approval of statutory Site Management Plans. The use of the NEPM played a major role in achieving these outcomes and providing clear guidance for delivery of high quality work by site assessors.

Western Australia

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The *Contaminated Sites Act 2003* (CS Act) and the associated Contaminated Sites Regulations 2006 came into effect on 1 December 2006. The CS Act was drafted in accordance with the principles of the NEPM.

The CS Act is administered by the Department of Environment and Conservation (DEC) via a system of site classification where the classification is related to the status of the site assessment (and remediation where relevant) and the current land use. Sites with confirmed contamination are listed on a publicly available database on DEC's website. Those sites where the presence of contamination is only suspected, or where the site has been decontaminated, are listed on a register held by DEC. This register may be searched on application to DEC for a prescribed fee.

To assist compliance with the CS Act and the principles of the NEPM, DEC has developed the Contaminated Sites Management Series (CSMS) of administrative and technical guidelines. The technical guidelines reference the NEPM and relevant Australian Standards. An updated version of the CSMS guideline 'Assessment Levels for Soil, Sediment and Water' which includes all the current NEPM investigation levels, was released in 2009–10.

The CSMS guidelines are taken into consideration by DEC when classifying contaminated sites; by accredited contaminated site auditors when conducting site audits; and by planning (decision making) authorities when exercising their duty of care responsibilities in determining whether to impose a contamination-related planning condition.

Implementation issues arising

No issues arising.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

During 2009–10, DEC received 197 new reports of known or suspected contaminated sites compared with 140 in 2008–09. In the same period, DEC also received 77 auditor reports. DEC officers classified 456 sites under the CS Act during 2009–10. As of 30 June 2010, 1402 sites had been classified, of which 317 were listed on the publicly-available database on DEC's website.

As of 30 June 2010, there were 25 contaminated sites auditors accredited in WA compared with 11 when the CS Act commenced on 1 December 2006.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The implementation of the NEPM provides the basis for consistency in assessment practices across Australia. In Western Australia, the site classification system provides an effective framework for ensuring compliance with the CSMS of guidelines and the principles of the NEPM. Improvements to the consistency of WA assessment practices have resulted from the increased number of assessments which have been subject to the mandatory audit process.

Petroleum hydrocarbons are present at a significant number of sites assessed in WA and the limited guidance in the NEPM means that environmental consultants often refer to overseas guidance. The anticipated inclusion of investigation levels for petroleum hydrocarbons in the NEPM as varied is expected to improve the consistency of site assessments and provide increased confidence that human health and the environment are protected.

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for South Australia by the Hon. Paul Caica MP, Minister for Environment and Conservation for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

On 1 July 2009, the site contamination provisions of the *Environment Protection Act 1993* (the EP Act) (the Act) commenced in full. Subordinate regulations also commenced on or before 1 July 2009. The regulations form part of the Environment Protection Regulations 2009.

These provisions are an important step in the process of managing site contamination in South Australia. Site contamination is a matter of international and national concern that has emerged as a major environmental and land use planning issue in South Australia over the past decade, following a number of cases in the late 1980s and 1990s when development occurred on land where site contamination was subsequently found to exist.

There are two key principles to the legislation—polluter pays and risk based decision making.

Site contamination, as defined in the Act, exists when chemical substances have been added to a site through an activity, above background concentrations and the presence of the chemical substances results in an actual or potential harm to human health or the environment, taking into account the land use. For harm to water, land use is not considered.

The Act provides the South Australian Environment Protection Authority (SA EPA) with the power to order the person responsible for causing site contamination to assess and, if necessary, remediate the property to ensure that there is appropriate protection for human or environmental health.

The legislation also takes a risk-based approach to site remediation; that is, the response to managing a site is based on an evaluation of the degree of the risk presented by the contaminant, which is linked to the land use of that site. Remediation is legislated to include contain, treat, manage and remove.

The Act allows for the establishment of recognised experts external to the government for site contamination management, that is, assessment and remediation through a system of accredited auditors. Auditors already appointed in an equivalent occupation in other States or Territories may seek accreditation in South Australia in accordance with mutual recognition legislation. Twenty nine persons are currently accredited as site contamination auditors in South Australia.

The Act is innovative in that it allows full or partial liability to be transferred from one person to another, through the purchase or transfer of land, where there is a genuine arm's length transaction.

The legislation allows for voluntary proposals that enable a person to avoid being served with an order.

The SA EPA continues to provide written and verbal guidance and information in regard to site contamination, particularly the NEPM, to planning authorities, environmental consultants, environmental auditors, industry and the community.

The SA EPA continues to provide in-kind support to the review of the NEPM.

Implementation issues arising

The principles of the NEPM have been introduced, where appropriate, into licence conditions, guidelines and advice issued by the SA EPA.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Implementation of the NEPM is ongoing.

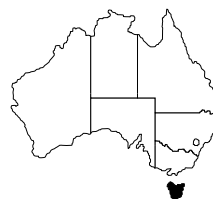
PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The ongoing implementation of the NEPM should be instrumental in achieving the NEPM purpose and desired environmental outcomes. However, in SA this desired outcome has been improved with the commencement of a legislative framework for managing site contamination.

The variation to the NEPM is anticipated to greatly improve its effectiveness.

Tasmania

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

Under Section 12A of the *State Policies and Projects Act 1993*, NEPMs are taken to be State Policies immediately after they are made by the National Environment Protection Council. When NEPMs become State Policies, they come within the provisions of Section 13 of the *State Policies and Projects Act 1993*, including the obligation (Section 13(3)) for the Resource Planning and Development Commission to amend planning schemes to remove any inconsistencies with the State Policy. Section 13 (1) of the *State Policies and Projects Act 1993* provides that the State Policy prevails in the event of any inconsistency.

Implementation of the NEPM within planning schemes is progressing, with a number of councils revising the structure and content of their planning schemes over the past few years to incorporate the need to trigger site assessments in the planning process. A draft standard planning schedule has been developed. The schedule is under review by the Tasmanian Planning Commission.

Implementation issues arising

No issues to report.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Tasmania continues to progress the implementation of the NEPM through the development of a standard planning schedule, implementation of the amendments to the *Environmental Management and Pollution Control Act 1994*, implementation of regulations for preventing environmental harm on sites with underground petroleum storage systems and by incorporating reference to the NEPM in all guidelines produced.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has provided highly useful guidance to professional practitioners in the field of site contamination assessment. The variation of the NEPM should increase its effectiveness by ensuring it takes account of recent developments in the field.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of the Environment, Climate Change, Energy and Water has the responsibility for the implementation and administration of the National Environment Protection (Assessment of Site Contamination) Measure.

The provisions of the NEPM were achieved through amendments to the *Environment Protection Act 1997* which came into effect on 18 March 2000.

The Contaminated Sites Environment Protection Policy (EPP), made under the *Environment Protection Act 1997*, was reviewed in 2009 with the review finalised in November 2009. As the primary policy document for the assessment and management of contaminated land in the ACT the EPP references the NEPM as the key resource for assessing contaminated land in the ACT.

Implementation issues arising

No issues.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The ACT continues to participate in the jurisdictional reference network assisting in the review of the NEPM.

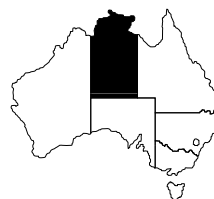
PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The use of the NEPM as the primary reference tool for contaminated land assessment has ensured a consistent and effective approach to site assessment across the ACT and ensures the ACT contributes to a nationally consistent approach to the assessment of site contamination.

The inclusion of guidance on the assessment of petroleum hydrocarbons and asbestos, following finalisation of the NEPM review process, will further build on the effectiveness of the NEPM in the ACT.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for the Northern Territory by Mr Karl Hampton, MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 38)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Northern Territory Department of Natural Resources, Environment, The Arts and Sport (NRETAS) is in the process of drafting an Environment Protection Objective (EPO) under section 22 of the *Waste Management & Pollution Control Act 1998*. The associated guidance material on contaminated site assessment has been developed but is not yet finalised. There continues to be significant delays in finalising the EPO but it is envisaged that completion and promulgation will occur in 2010–11.

Implementation issues arising

The NEPM is implemented in the NT through the planning process. The Development Consent Authority (DCA) can issue conditioned permits that require the development proponent to undertake formal site assessment with the engagement of a Victorian or NSW accredited site contamination auditor. This occurs at sites where preliminary contamination assessment undertaken by credible environmental consultants has established that investigation thresholds have been exceeded for contaminants of concern. In the NT the auditor thus engaged also oversees the development and implementation of a Remedial Action Plan (RAP) to render the land fit for purpose. An auditor's Statement of Environmental Audit for any particular

site then provides government with the necessary guidance to place on title a caution notice or administrative note that gives effect to the auditor's recommendations. The proponent cannot proceed with any development unless the DCA is satisfied that its conditions have been met. The DCA relies on advice for such matters to be compiled and forwarded from the Environment and Heritage (EH) Division of NRETAS.

EH Division is engaged in the associated ecological risk assessment review.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Notwithstanding the delay in finalising the EPO, processes and policies are in place to ensure that contamination assessment is conducted in a systematic and thorough way consistent with the NEPM goals. Engagement of accredited auditors to oversee the work has ensured that bringing land in the NT to a fit for purpose state is consistent with national best practice environmental management.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has allowed for the 'level playing field' for site contamination assessment and remediation to be established in the NT. The NEPM Review conducted over 2005–06 has been thorough with priority recommendations now being implemented at a national level. The Review identified some key areas for improvement and the NT is supportive of those recommendations.



NEPC Report on the implementation of the
Diesel Vehicle Emissions NEPM

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Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 42)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Diesel Vehicle Emissions NEPM is supported by the following Commonwealth legislative, regulatory and administrative framework:

- Australian Design Rules (ADRs) under the *Motor Vehicle Standards Act 1989*
- *Fuel Quality Standards Act 2000*
- fuel tax credit arrangements.

The Commonwealth is helping to reduce diesel vehicle emissions through regular tightening of the emissions standards for new vehicles under the relevant ADRs. The Commonwealth is currently considering the case for adopting Euro 5 and Euro 6 emissions standards for light vehicles. For heavy duty diesel vehicles, ADR80/03 (Euro 5) will take full effect from 1 January 2011.

The Commonwealth monitors for fuel quality at fuel terminals, depots and service stations to ensure that it complies with the *Fuel Quality Standards Act 2000*. During the 2009–10 reporting year, 4438 fuel samples were taken by inspectors.

Implementation issues arising

There are a number of implementation issues that were addressed in the 2007 review of the Diesel NEPM, in particular the need for a study of in-service emissions from diesel vehicles and the suitability of the DT80 emissions test. The Commonwealth has continued to undertake work to implement these recommendations. In particular, the Commonwealth has undertaken scoping work for the development of an in-service emissions study focusing on diesel vehicles and preparation for the review of the in-service DT80 emissions test procedures.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

The Commonwealth does not undertake smoky vehicles programs.

Diesel vehicle emission testing and repair programs

The Commonwealth does not undertake diesel vehicle emissions testing and repair programs.

Audited maintenance programs for diesel vehicles

All Commonwealth agencies operating diesel vehicles report that, in general, vehicles are serviced according to the manufacturer's specifications at specified frequencies, thus minimising emissions through regular maintenance and repair. Reported exceptions include some vehicles located in the outer Torres Strait islands which are unable to be serviced in accordance with manufacturer's specifications due to location restrictions, and farm vehicles, which are used infrequently and hence maintenance depends on the actual hours of use.

Some Commonwealth agencies report that they have strict maintenance programs supported by internal and/or external auditing.

Diesel vehicle retrofit programs

The Commonwealth does not undertake diesel vehicle retrofit programs.

Other programs

The Commonwealth has undertaken a number of activities during the reporting year that have contributed to the NEPM goal of reducing exhaust emissions from diesel vehicles.

The key initiative has been the continued assistance provided to jurisdictions to develop in-service emission testing facilities and inspection programs for diesel vehicles. During the reporting year, projects were completed in Queensland and continued in New South Wales, Victoria and Western Australia. Over \$21 million in funding has been provided under this program.

An area of attention for the Commonwealth under the Diesel NEPM is its vehicle fleet. The profile of the fleet indicates that the vehicles tend to be relatively new and well maintained. Based on information provided by Commonwealth agencies, a summary profile of the Commonwealth's diesel fleet follows:

- there are 6573 diesel vehicles operated by Commonwealth agencies (changed from 6427 in 2008–09)
- approximately 92% of the diesel fleet was manufactured in or after 1995, the year that ADR 70 (which set limits on emissions of CO, HC, NO_x and particulates from diesel vehicles) was introduced
- approximately 81% of the Commonwealth's diesel fleet was manufactured during or after 2005.

Agencies also report a variety of actions undertaken to reduce emissions from diesel vehicles, including:

- regular turnover of older vehicles to new models to facilitate the ordered upgrade of fleets with newer and more efficient vehicles, including fleet replacement programs
- having only appropriately trained and accredited staff maintain and operate the vehicles
- driver training
- reference to the Commonwealth's Green Vehicle Guide ratings in making purchasing decisions, and encouraging the use of the Green Vehicle Guide through guidelines for purchasing and leasing of executive and pool vehicles
- offsetting vehicle emissions through Greenfleet membership
- initiatives such as journey planning, car pooling, open road speed limit 10km below maximum and reducing distance travelled where possible
- purchasing low sulfur fuel, investigating the use of biofuels and undertaking vehicle technical testing to find ways to increase fuel efficiency.

One agency reported undertaking vehicle technical testing to investigate a variety of factors that impact on fuel efficiency. This identified two initiatives for implementation in the 2010–11 financial year namely an Environmental Driver Training Program and a tyre pressure standard. These initiatives will help to increase fuel efficiency and will consequently reduce air pollution from the use of diesel vehicles in this agency.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The Commonwealth considers the NEPM to be beneficial in reducing emissions from diesel vehicles across Australia and a useful component of the broader framework to manage emissions. While the Commonwealth has no airshed responsibilities in regard to Diesel NEPM goals, considerable progress has been made toward achieving these goals through national initiatives including Australian Design Rules, fuel quality standards, and incentives to bring forward supplies of lower sulfur diesel fuel.

The Commonwealth is making strong progress towards reducing emissions from in-service diesel vehicles through:

- ongoing administration of the *Fuel Quality Standards Act 2000* and the *Motor Vehicle Standards Act 1989*
- provision of funding support to jurisdictions to develop and implement diesel in-service emissions testing programs and to establish testing facilities
- supporting work to implement the recommendations of the Diesel NEPM review
- proper maintenance and management of its diesel fleet.

New South Wales

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 42)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In NSW, the National Environment Protection (Diesel Vehicle Emissions) Measure (Diesel NEPM) is implemented under the framework of the NSW Government's 25-year air quality management plan, Action for Air, which includes strategies directed at protecting air quality through controls on motor vehicle emissions.

The *Protection of the Environment Operations Act 1997* (NSW) and, under the Act, the Protection of the Environment Operations (Clean Air) Regulation 2002 (NSW) (the Regulation), provide the regulatory framework for action to address emissions from the in-service diesel fleet. The Regulation underpins the Smoky Vehicle Program, a key element of Diesel NEPM implementation in NSW. Specifically, the Regulation prohibits excessive visible smoke emissions from vehicles and tampering with emission control equipment. Warnings, fines, inspection notices and defective vehicle notices can be issued to owners of excessively smoky vehicles reported under the Smoky Vehicle Program, and repair of vehicles is sometimes required. In some serious cases, and for some repeat offenders, prosecutions are launched by the Department of Environment, Climate Change and Water (DECCW).

The in-service diesel vehicle emission standards established in National Road Transport Commission/ National Transport Commission Regulations provide the benchmark against which the emissions performance of diesel vehicles is assessed. In this way, the in-service standards play an important role in program development.

Implementation issues arising

No issues noted.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

In NSW, it is an offence for a vehicle to emit visible smoke continuously for more than ten seconds. In 2009–10, 278 smoky vehicle penalty notices were issued to owners of diesel vehicles.

Prosecutions may also occur, usually where a person issued with a penalty notice decides to have the matter dealt with in court, or where a smoky vehicle has previously been observed by an authorised officer on a number of occasions. In 2009–10, there were 11 prosecutions, all involving diesel vehicles.

In addition, the public may report smoky vehicles via DECCW's Environment Line or website. As a result of public reports DECCW may issue warning letters to the registered owners of these vehicles. In 2009–10, 73 warning letters were issued to diesel vehicle owners.

Annual statistics

Table 1 shows a breakdown of the percentage of smoky diesel vehicles observed by authorised officers and the percentage of diesel vehicle owners that received fines or warning letters as a proportion of the total fleet.

Table 1: Smoky vehicle statistics NSW

	July 00 – June 01	July 01 – June 02	July 02 – June 03	July 03 – June 04	July 04 – June 05	July 05 – June 06	July 06 – June 07	July 07 – June 08	July 08 – June 09	July 09 – June 10
Total number of vehicles observed (Reports from authorised officers and general public)	8554	7546	6918	6285	5116	4581	3013	3706	3001	4470
Diesel vehicles observed	3299	3480	3781	3672	2882	2099	1752	1337	970	2331
Percentage of all vehicles observed that were diesel vehicles	38.6%	45.5%	54.7%	58.4%	56.3%	45.8%	58.1%	36%	32.3%	52%
Total number of vehicles that received fines	2392	2042	1847	1545	1175	694	664	616	373	303
Diesel vehicles that received fines	2279	1896	1696	1448	1127	580	527	495	351	278
Percentage of all vehicles fined that were diesel vehicles	95.3%	93%	91.8%	93.7%	95.9%	83.6%	79.3%	80%	94.1%	91.7%
Total vehicles that received warning letters	2860	2880	2901	2398	2017	1405	1123	755	530	740
Diesel vehicles that received warning letters	672	523	520	450	303	174	161	103	123	133
Percentage of all vehicles that received warning letters that were diesel vehicles	23.5%	18%	17.9%	18.8%	15%	12.4%	14.3%	14%	23.2%	17%

Diesel vehicle emission testing and repair programs

Over several years, the Roads and Traffic Authority (RTA) has procured diesel vehicle exhaust emissions testing equipment with Diesel NEPM funding. The equipment includes:

- heavy duty dynamometer—in combination with a laboratory grade analysis unit, provides for emissions testing research
- lightweight dynamometer—in combination with an analysis unit, provides for mobile emissions testing
- testing van—contains the analysis equipment allowing for on-site emissions analysis in combination with the dynamometers
- briefcase analyser—provides a more compact and affordable emission test system.

Research has enabled previously expensive and lengthy diesel emission testing conducted in laboratories to become more accessible. Development of the DT80

test has allowed the RTA to take emission testing to fleet depots and conduct tests in very short times. RTA is currently building a database to assist with the collation and analysis of DT80 data collected from all States and Territories. This review will contribute to fine tuning of the DT80 test cycle.

This diesel testing infrastructure allows the RTA to conduct vehicle emissions audits for the Clean Fleet Program, investigate new emissions management technologies and promote the use of cleaner vehicles and technologies.

Audited maintenance programs for diesel vehicles

The Clean Fleet Program, launched in 2006, encourages diesel operators to reduce diesel vehicle emissions through testing, repair and maintenance. Currently, there are more than 6800 vehicles in the program. A promotional strategy has been developed

and is currently being implemented to seek new participants to increase participation in the program.

Clean Fleet participants are eligible to seek a diesel rebate under the Federal Fuel Tax Credits Program. The Ministry of Transport requires metropolitan bus systems contract operators to comply with the Clean Fleet Program and DECCW also encourages local councils to include this requirement for waste management contractors.

Diesel vehicle retrofit programs

The NSW Diesel Retrofit Program has continued in 2009–10. The program is administered and implemented by the RTA and DECCW. Around 30 vehicles were fitted with retrofit devices during the year. Combined diesel oxidation catalysts and partial diesel particulate filters are being found to be the most successful strategy.

More than 460 vehicles have been retrofitted since the program's inception, at a total cost of \$3.1 million, producing estimated particle emissions reductions of 4.2 tonnes per year and avoiding \$1.07 million annually in health costs. The investment in retrofit is expected to avoid \$10 million in health costs over the likely remaining life of the diesel vehicles. More financially sustainable funding options for the program are being investigated, including benchmarking fuel saving devices to include in retrofit packages. DECCW has supported the formation of a national transport emission group to develop a national program to promote uptake of fuel saving and emission reduction devices in heavy vehicles.

Other programs

Repair industry training

The RTA and TAFE course 'How to Reduce Truck Emissions' was held on 41 occasions and was attended by 281 participants during the period October 2009 to June 2010 at TAFE colleges throughout NSW. The course provides information on the Clean Fleet Program, emission reduction measures, the impacts of pollution, fault finding methods and maintenance for truck owners, operators, diesel mechanics, and fleet and workshop managers. The RTA also made presentations covering diesel testing and maintenance to TAFE apprentice mechanics and university undergraduates at its IM240 light vehicle emissions testing facilities.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The Diesel NEPM provides a sound framework for the development of programs to reduce the impact of diesel vehicle emissions in NSW, particularly in urban areas. In 2009–10, the ninth year of NEPM implementation, the focus has been on continuing the Smoky Vehicle Program and expanding the Diesel Retrofit and Clean Fleet Programs.

Program effectiveness

Smoky vehicle program

- Significant participation in the program by the general public, with an average of 235 reports of smoky vehicles received from the public each month, indicated a high level of awareness in the community of the unacceptability of excessive smoke emissions.
- An average of 61 warning letters were issued per month in 2009–10 to vehicles observed as excessively smoky; of those issued following observation by an authorised officer (average six per month), approximately 43% were returned with evidence of subsequent repair.
- Authorised officers issued an average of 23 penalty infringement notices per month in 2009–10 to diesel vehicle owners.

Audited maintenance guidelines

- Completed emission testing of approximately 3000 vehicles since program inception.
- Implementing the Clean Fleet Program with more than 6800 vehicles currently in the program.

Other initiatives

- Industry training to achieve improved maintenance practices and emissions performance continued throughout 2009–10 in urban and regional TAFE colleges.
- Further developed and expanded the Diesel Retrofit Program to increase the number of vehicles involved with consequent annual reductions of 4.2 tonnes in particle emissions and \$1.07 million in health costs.

Progress in reducing emissions

Air quality is a major environmental issue for some parts of NSW, particularly in Sydney and the Greater Metropolitan Region (GMR). This area includes Sydney, Newcastle and Wollongong and contains about three-quarters of the State's population. Local topography is particularly important in this region as

the location of human settlements in natural basins makes them vulnerable to poor air quality under certain weather conditions.

Motor vehicles emissions estimates

On-road mobile sources contribute approximately 71% oxides of nitrogen (NO_x) and 12% particles (PM₁₀) emissions from all anthropogenic sources in the Sydney region. As at June 2010, diesel vehicles made up approximately 12.7% of the diesel mobile fleet. However, they contributed disproportionately to air pollution from on-road mobile sources. Diesel vehicles are estimated to contribute approximately 31% NO_x and 57% PM₁₀ emissions from on-road mobile sources in the Sydney Region in 2010. (Source: DECC (2007), Air Emissions Inventory for the Greater Metropolitan Region in NSW, Criteria Pollutant Emissions for all Sectors: Results, Department of Environment and Climate Change, Sydney, NSW 2000, Australia.)

Both the absolute emissions, and the emissions as a percentage of the total motor vehicle fleet, emitted from diesel vehicles are predicted to fall from 2010 to 2015 with the introduction of more stringent Euro 3 and 4 diesel vehicle emissions standards and the progressive reduction of sulfur in diesel (i.e. 50ppm from 2006 and then 10ppm from 2009). However the rapid increase in market share of light duty diesel vehicles seen in the last couple of years may influence this trend.

Diesel vehicle fleet profile

RTA registration data show that the proportion of diesel vehicles in the fleet continues to grow and constituted 12.7% of the fleet at 30 June 2010, up from 11.7% in 2009 and 10.9% in 2008 (see table 2 below). Light commercial vehicles constitute the largest sector of the diesel fleet at 52.4%. Off-road passenger vehicles account for 15.9% of the diesel fleet. Together, these categories account for 68.4% of the total diesel fleet in NSW.

Table 2: Diesel vehicles by category as proportion of total fleet and diesel fleet

NSW June 2010	Diesel Vehicles (%)							Total
	Passenger Vehicles	Off-road Passenger Vehicles	Light Commercial Vehicles	Heavy Trucks	Prime Movers	Small Buses	Buses	
Diesels in Total NSW Fleet	1.4	2.0	6.6	1.7	0.5	0.2	0.3	12.7
Diesel Vehicles in Diesel Fleet	10.7	15.9	52.4	13.4	3.8	1.3	2.4	100

Source: RTA registration data June 2010

RTA registration data indicate that, between June 2009 and June 2010, the number of diesel vehicles registered in NSW increased by 56 794 or 11.2%. Light commercial vehicles accounted for 57.5% of the increases.

Table 3: Change in diesel vehicles by category

Vehicle type	No. of diesel vehicles		Change	Percentage change (%)	Proportion of total decrease (%)	Proportion of total increase (%)
	June 2009	June 2010				
Passenger Vehicles	40001	60597	20596	51.5	-	36.3
Off-Road Passenger Vehicles	88924	89892	968	1.1	-	1.7
Light Commercial Vehicles	263167	295831	32664	12.4	-	57.5
Heavy Trucks	74191	75524	1333	1.8	-	2.3
Prime Movers	20849	21559	710	3.4	-	1.2
Small Buses	7191	7213	22	0.3	-	0.04
Buses	12900	13403	503	3.9	-	0.9
Total	507223	564017	40042	11.2	100	100

Source: RTA registration data June 2010

Registration data show that, in 2010, 21.8% of the diesel fleet in NSW was manufactured prior to 1996. This is down from 25.9% in 2009 and follows a trend of approximately 4% reduction per year. Tighter emissions standards for new vehicles for NO_x and particles were introduced in 1996 under Australian Design Rule 70 (ADR70). Stricter emissions standards have been introduced for vehicles manufactured from 2002 under ADR80.00, and from 2007 under ADR80.02 and from 2010 under ADR 80.03.

Projected increase in vehicle kilometres travelled

Both the number of diesel vehicles and the vehicle kilometres travelled (VKT) of diesel vehicles are increasing. The 2010 issue of VKT forecast from the Transport Data Centre of the Ministry of Transport estimates an average increase to overall diesel vehicle VKT in the GMR of 2.8% per annum from 2011 to 2016 (0.7% light duty vehicles, 4.0% heavy duty vehicles). These estimates do not factor in any increase in the proportion of diesel vehicles in the light duty fleet, and hence is a conservative estimate of the level of increase.

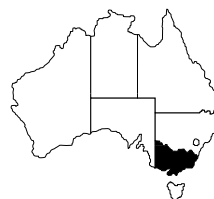
Ambient air quality monitoring

NSW's Air Quality Monitoring Program is currently the largest in Australia, with a comprehensive monitoring network operated by DECCW. Sydney's air has been monitored for a range of pollutants since the 1960s. Current reporting on ambient air quality levels is referenced against the National Environment Protection (Ambient Air Quality) Measure (AAQ NEPM).

Air quality monitoring data collected during 2009 demonstrate that NSW achieved compliance with the AAQ NEPM goals for carbon monoxide, nitrogen dioxide and sulfur dioxide, with their levels being well below the relevant AAQ NEPM standards.

Compliance with the goals for ozone in 2009 was shown in all regions except Sydney and the Illawarra. No monitoring station in the NSW monitoring network complied with the AAQ NEPM goals for particles (as PM₁₀) in 2009. Smoke from bushfires and dust storms had a significant influence on the Sydney, Illawarra and Hunter Regions during this period. Other non-diesel emission sources such as stubble burning in rural regions also contribute to a number of particle events. AAQ NEPM exceedences are detailed in the NSW report on the AAQ NEPM implementation.

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 42)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Environment Protection (Vehicle Emissions) Regulations 2003 is the primary legislative tool under the Environment Protection Act 1970 that addresses the in-service performance of the motor vehicle fleet in Victoria. These Regulations were reviewed in 2002 and remade in February 2003.

As part of this review, the in-service emission standards developed as part of the National Environment Protection (Diesel Vehicle Emissions) Measure were included in the revised regulations. This provides an additional regulatory basis to support the NEPM in the future.

The '10-second' smoke rule, which is the basis for Schedule A1 of the NEPM, was already incorporated in the previous version of the Environment Protection (Vehicle Emissions) Regulations and is maintained (as Regulation 7) in the remade regulations. This rule has underpinned Victoria's large in-service smoky vehicle reporting program in the past and will continue to do so in the future.

In addition, EPA Victoria partnered with the Victorian Transport Association to deliver a Freight Partnership EcoStation Pilot as a Sustainability Covenant under the Environment Protection Act 1970. Sustainability covenants enable companies to receive statutory recognition for leadership and commitment shown to the environment.

Implementation activities

Motor vehicles in general and diesel vehicles in particular, remain a key focus of air quality management activity in Victoria. EPA emissions inventories and monitoring at the local and regional level show motor vehicles are a significant source of emissions into the

air environment. The information from these studies is matched by concern expressed by communities about the impact of motor vehicle emissions on their health, particularly from people living near busy roads with high volumes of diesel truck traffic. In 2009–10, EPA actively pursued the implementation of four types of programs to manage emissions from in-service diesel vehicles.

The Victorian emission testing program is based on:

- smoky vehicle programs
- in-service diesel vehicle emissions testing
- heavy vehicle maintenance training program for diesel mechanics
- additional project work led by EPA Victoria (for example the Local Government Diesel Emissions Reduction Program and the EcoStation Pilot).

The following section of the report provides project updates for the 2009–10 financial year for:

- smoky vehicles program
- diesel vehicle emissions testing program
- heavy vehicle maintenance training program
- Local Government Diesel Vehicle Emissions Reduction Program
- EcoStation Pilot.

Implementation issues arising

No issues regarding efficiency of NEPM administration arose during the 2009–10 year.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

EPA Victoria has operated a public smoky vehicle reporting program for a number of years. This program allows members of the public to identify smoky vehicles (diesel, petrol or LPG) using the '10-second' smoke rule, and report them to EPA. As a result of these reports, the owners of the offending vehicles are informed in writing of the report, are requested to have the problem fixed. They are also informed about the penalties that may apply if they

are identified by officers from EPA, VicRoads or the Police. The program resulted in 6177 smoky vehicles being reported by the public in 2009–10.

EPA also operates a separate official smoky vehicle enforcement program where EPA or Police officers can report vehicles identified as emitting greater than 10 seconds of continuous smoke. Cautionary letters advise the vehicle owner that the vehicle has breached regulations and if reported again will be liable to receive an infringement notice. In 2009–10, 445 cautionary letters were issued under this program. Infringement notices are issued only to repeat offenders.

The following table indicates the number of smoky vehicles being reported in the public reporting program and the number of cautionary letters issued under the official program over the past 6 years. Generally, there appears to be a downward trend in the number of vehicles being reported over recent years, in both the public program and the official program. This indicates that there are less smoky vehicles being sighted on Victorian roads.

Table 1: Number of smoky vehicles being reported in the public reporting program and the number of cautionary letters issued under the official smoky vehicle program over the last 6 years

Year	2004–05	2005–06	2006–07	2007–08	2008–09	2009–10
Number of public reports	10 815	10 315	7068	6443	5884	6177
Number cautionary letters	2157	1538	849	946	708	445

Note these numbers include all vehicles in the official program, not just diesel-engined vehicles.

Diesel vehicle emission testing and repair programs

The project involves the installation, commissioning and operation of diesel vehicle emission test equipment that can undertake the DT80 test for heavy vehicles in support of Victoria's official smoky vehicle reporting program.

In March 2006, EPA entered into a \$1.85 million agreement with VIPAC Engineers & Scientists Ltd (Vipac) for provision of a diesel vehicle emissions test capability.

This project is effectively divided into two parts:

- Part 1: the acquisition, installation and commissioning of equipment, along with the engagement and training of staff and establishment of a quality management system for a diesel vehicle emission test facility by Vipac Engineers & Scientists Ltd, and
- Part 2: the provision of a diesel vehicle emissions testing capability in support of EPA Victoria's regulatory infrastructure by Vipac Engineers & Scientists Ltd.

Vipac has installed a custom made Cirrus/CP Engineering AC-drive transient chassis dynamometer (which can be used in either 2WD or 4WD configuration to test emissions from trucks and buses), emissions analysis equipment and exhaust handling hardware which exceeds the analytical requirements of the DT80 diesel emission test. Part 1 of the project, fully funded by the Commonwealth, is complete and was delivered within budget.

Part 2 of the project includes the provision of a test facility to support EPA's regulatory infrastructure. Under EPA's official smoky vehicle program, diesel engine smoky vehicles registered in a defined Melbourne metropolitan area will be directed to the Vipac facility for vehicle testing. The initial vehicle test will be paid for by EPA (from Diesel NEPM funds). Any subsequent test, if the vehicle fails the initial test, would be borne by the vehicle owner (\$550 plus GST).

During 2009–10, 9 vehicles were tested at the Vipac facility as part of its official smoky vehicle reporting program.

Vipac is not undertaking testing of vehicles for the fuel tax credit at present due to the documentation requirements needed, specifically the need for original manufacturers signed copies. They will progress their application when time permits.

Correlation testing

During 2009–10 EPA also worked with the Victorian Department of Transport (DOT) on an external correlation study to correlate the Vipac diesel test facility with other diesel test facilities which will provide greater confidence in the test results achieved from Vipac.

Audited maintenance programs for diesel vehicles

Victoria does not have an audited maintenance program for diesel vehicles. Victoria has other programs that aim to meet the objectives of the diesel NEPM. See ‘other programs’.

Diesel vehicle retrofit programs

Victoria does not have a diesel vehicle retrofit program. We are considering the air quality implications of retrofit programs. Victoria has other programs that aim to meet the objectives of the Diesel NEPM. See ‘other programs’.

Other programs

Heavy vehicle maintenance training program

The project involves the acquisition, installation and operation of chassis diesel emission testing equipment, and engagement and training of staff to allow the training of heavy vehicle mechanics at Kangan-Batman Institute of TAFE (KBIT). The facility is used for training heavy vehicle mechanic apprentices, industry courses, owner-driver’s courses, research, conducting DT80 tests, and diploma students. KBIT provides training for 90% of diesel vehicle apprentice mechanics in Victoria, as well as some training in NSW and South Australia.

The Project is divided into two phases:

- Phase 1: acquisition and commissioning of the emission testing equipment (completed)
- Phase 2: the period after the equipment becomes operational (current).

In July 2005, EPA entered into an \$810 000 contract with KBIT for the acquisition, installation and operation of chassis diesel emission testing equipment, and engagement and training of staff to allow the training of heavy vehicle mechanics at KBIT. Funds were provided to KBIT under the EPA/Kangan Batman TAFE contract for capital and operational costs and concluded on submission of the final Phase 1 report. This phase was completed within budget. The total funding of \$810 000 was provided by the Commonwealth.

In November 2006 a dedicated test training facility for diesel vehicle mechanics at KBIT was opened which has provided a significant enhancement to the training syllabus.

This project is currently in Phase 2; as per the contract between EPA Victoria and KBIT. During this phase funds are no longer provided (i.e. this phase is not funded by the Commonwealth). The responsibility of KBIT continues however, for reporting to EPA Victoria annually on use of the equipment for the training of heavy vehicle mechanics and other uses that meet the underlying purpose of the facility. During this time KBIT are also responsible for ensuring that operation of the equipment is to appropriate technical and safety standards.

Kangan Batman TAFE continues to use the Diesel Emissions Testing and Training Facility for training diesel vehicle apprentice mechanics in Victoria. During 2009 over 560 students undertook courses related to the diesel emissions test facility. Students are required to participate in a practical demonstration using the test facility which provides a significant enhancement to the training syllabus for apprentice mechanics.

The facility also continued to be used for industry courses, owner-driver’s courses, research, conducting DT80 tests, and diploma students. During 2009 one information and training night was held to educate Institute of Automotive Mechanical Engineers members on the latest emission testing equipment and techniques.

As per the contract between EPA Victoria and Kangan Batman TAFE a final report is required in 2010 providing data on equipment use during the period and an evaluation of the program.

Local Government Diesel Vehicle Emissions Reduction Program

The Local Government Diesel Emissions Reduction Program aimed to reduce diesel vehicle emissions through trialling alternative fuel or technology on local government fleet vehicles. Three councils, Cities of Ballarat, Hobsons Bay and Hume focused on the use of biodiesel in their fleets.

Final reports and financial acquittals for Hobsons Bay City Council and Hume City Council were received in 2009. Hobsons Bay City Council found significant reductions in particle emissions (38 and 51%) from the use of a biodiesel B20 blend (20% biodiesel/80% mineral diesel)—source Williamstown

Leader article Council Breathes Easier with Biofuel Blend (09/09/2009, page 3).

EPA intends that these local government projects will demonstrate the use of diesel vehicle emissions reduction measures in government fleets more broadly and plans to make available the final reports from the councils for wider consumption.

EcoStation Pilot

The EcoStation Pilot is a partnership project initiated by EPA Victoria and the Victorian Transport Association (VTA). The EcoStation Pilot is based on the US EPA SmartWay Transport Initiative. The intention of the pilot is to consult and involve industry in the design of an equivalent program appropriate for the Australian context and determine what emissions gains are possible. In parallel to the workshops with industry EPA will work with a select number of companies to trial the SmartWay partnership audit process and CO₂ and air pollutant measurement tools.

Project Background

EPA sought and received funding from the Department of Environment, Water, Heritage and the Arts (DEWHA) in 2009 to fund part of a pilot for the freight sector to reduce fuel, save money and reduce greenhouse gas and air pollutant emissions. This work will be funded by a number of agencies.

Through a Sustainability Covenant, EPA and the Victorian Transport Association intend to work together to support VTA member companies and the wider freight sector to protect the environment and contribute to a more sustainable Victoria. The EcoStation Pilot is a key objective of the Covenant.

As per the funding agreement (with DEWHA) the activities to be funded by the Commonwealth through the Diesel NEPM include the audit pilot, implementation and reporting and promoting best practice.

- Audit pilot—in parallel to the workshops, EPA and VTA, propose to work with a select number of companies to trial the SmartWay partnership audit process and CO₂ and air pollutant measurement tools.
- Implementation and reporting—using National Greenhouse and Energy Reporting Act 2007 greenhouse gas emission factors and emission factors for particle and nitrogen oxide emissions, develop a user friendly emissions measurement tool to assess company baseline emissions and emissions following implementation of actions.

- Promoting best practice—case studies and fact sheets—the outcomes of the audit process will be used to develop case studies to promote the environmental and business benefits of involvement in the EcoStation program. The first phase of case studies will profile the audit process to demonstrate the value of undertaking audits to identify opportunities to reduce emission and fuel impacts. Future case studies will focus on the implementation of actions (most likely resulting from the audit process) and the business case for investment. In addition, a number of fact sheets will be produced with the assistance of companies outlining strategies that they can adopt to reduce their emissions which may include the fitting of aerodynamic devices, reductions in idling or retrofit of diesel emissions equipment.

Key completed actions for 2009–10 include:

- the recruitment of three companies for fuel/emission audits and action plans
- three fuel audits have been completed
- development of a measurement tool that calculates baseline fleet emissions and suggests quantifiable actions to reduce emissions
- development of three case studies and five fact sheets to ensure learnings are passed onto a broader audience.

Activities that were undertaken during 2009 that were not funded by the Commonwealth, but support and enhance the audit pilot, implementation and reporting and promoting best practice activities include:

- EPA Victoria and VTA recruited 26 freight customer and transport operator companies to be involved in the EcoStation pilot program
- EcoStation was launched in September 2009 at 'FreightWeek' by EPA Acting Chief Executive, Terry A'Hearn and VTA CEO Phil Lovell and with the 26 Foundation Partner companies. The US EPA SmartWay program provided a video message that was played at the event to recognise the linkages between the two programs and acknowledge Australia's progress
- the pilot stage began in 2009 which involved a series of workshops that focussed on the different components of the SmartWay program and how they should be modified for the Australian context and local industry. EPA ran four workshops with the Foundation Partners during 2009–10.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

While there are some limitations on the ability to quantify the overall effectiveness of the NEPM based initiatives implemented to date, it has provided significant value in a number of areas.

The numbers of vehicles reported in EPA's smoky-vehicle program continue to provide some insight into the high level of community awareness and concern into diesel vehicle exhaust emissions. The significant decline in the number of vehicles reported since 2004–05 could indicate that there are less smoky vehicles being sighted on Victorian roads. Furthermore, the significant decline in the proportion of diesel engine vehicles, greater than 1.5 GVM tonnes being reported could indicate that there are less smoky diesel vehicles in this category.

The enhancement of the training program for diesel vehicle mechanics through the addition of the dedicated test facility at KBIT continues to provide a mechanism to:

- raise awareness within the heavy vehicle industry of the relationship between emissions and performance, and the importance of good maintenance
- raise awareness within the heavy vehicle industry of the new regulatory and testing environment for control of diesel emissions.

The effect increased awareness and understanding has on reducing diesel vehicle emissions is difficult to quantify. Anecdotal evidence provided by the training program coordinators, knowledge of the aspects of vehicle maintenance, as they relate to emissions performance, is being significantly improved through experience of the test facility. The facility is uniquely positioned to guide the diesel vehicle industry in aspects of maintenance relating to emissions performance. The influence of this knowledge and guidance upon the performance of the in-service fleet is felt to be one of the major achievements of the NEPM, even if unproven.

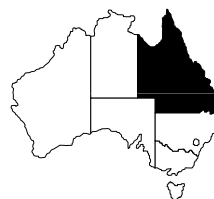
The in-service diesel vehicle emissions testing facility at Vipac provides a valuable mechanism to achieve the objectives of the Diesel NEPM, by offering an opportunity for heavy-duty diesel vehicles to be tested against the in-service emissions requirements of the Environment Protection (Vehicle Emissions) Regulations 2003. While the numbers of vehicle tested during 2009–10 were low, the potential for this facility to evaluate emissions performance of in-service vehicles and provide an incentive for owners to undertake works to improve vehicle performance is significant. EPA aims to maximise this potential by identifying opportunities to increase the number of vehicles required to be tested at Vipac.

The Freight Partnership EcoStation Pilot is expected to contribute to significant reductions in greenhouse gas and air emissions (NO_x and particles) due to reduced fuel use and increased uptake of emissions reduction technologies. The US EPA SmartWay program provides a working example of the potential of this project; savings and reductions include:

- saves 616 million gallons per annum
- reduces carbon dioxide by 6.8 million tonnes per annum
- reduces NO_x by 40 000 tonnes per annum
- reduces particulate matter by 1000 tonnes per annum.

While the focus of the program in 2009–10 was on engagement and determining the design of the program for the Australian context, there may have been some savings achieved during this period due to the information exchange between Foundation Partners.

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Queensland by the Hon. Rachel Nolan MP, Minister for Transport for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 42)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The *National Environmental Protection Council (Queensland) Act 1994* provides the framework for implementing the Diesel NEPM in Queensland. The Department of Transport and Main Roads (DTMR) is responsible for implementing and reporting on the Diesel NEPM in line with sections 13 (Application) and 15 (Reporting) of the Act.

Implementation issues arising

Total emissions from diesel vehicles in Queensland are continuing to decrease. To maintain this situation, a number of programs are in place to ensure diesel vehicle emissions are well managed and are discussed below.

Air quality is of greatest concern where there are high concentrations of transport and/or industrial activity such as in South East Queensland where transport is a major contributor to air pollution. Particle levels measured as PM₁₀ and nitrogen dioxide (NO₂), which are of relevance to diesel vehicles, are monitored in South East Queensland, Toowoomba, Gladstone, Mackay (PM₁₀ only), and Townsville by the Department of Environment and Resource Management (DERM). Monitoring indicates air quality is generally good in these regions, and the 2009 goal of the National Environment Protection (Ambient Air Quality) Measures (Air NEPM) should be met for both PM₁₀ and NO₂.

The Air NEPM's 2009 goal is for ambient carbon monoxide (CO), NO₂, photochemical oxidants as ozone, sulphur dioxide and PM₁₀ levels, assessed in accordance with its monitoring protocol, to comply with the national environment protection standards specified in Schedule 2 of the Air NEPM.

Queensland supports ongoing introduction of new Australian Design Rules (ADRs) to improve vehicle emission standards through its representatives on the national Land Transport Environment Council (LTEC).

Other programs to complement the ADRs and further reduce diesel vehicle emissions are described below.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

Smoky Vehicle Hotline

The Smoky Vehicle Hotline was developed as a part of the AirCare program and continues to provide the community with an avenue for reporting vehicles exceeding the ten-second smoke rule. Reports can be made via the internet or telephone. Following a data match of the information provided, a letter is sent to the owner advising them of the report, and suggesting ways to identify and remedy the problem. If the vehicle is reported three times within a four month period the owner is issued with a 'Present Vehicle Order' which requires their vehicle to be checked for defects by a transport inspector. The continuation of the Smoky Vehicle Program meets the requirements of Schedule A(1) of the Diesel NEPM, Guideline on Smoky Vehicle Programs. In 2009, a total of 1228 diesel vehicles were reported to the Smoky Vehicle Program, compared to 1159 diesel vehicles in 2008. This is an increase of approximately 6.6% in diesel vehicles reported, and is significantly lower than the 1995 diesel vehicles reported in 2005. The proportion of diesel vehicles compared to the total of vehicles reported to the Smoky Vehicle Hotline to June 2009 is around 37%; slightly above 2008 percentage of 29% but consistent with the share of diesel vehicles reported in the last five years.

Diesel vehicle emission testing and repair programs

Brisbane City Council's heavy vehicle emission testing service

As part of the Brisbane Air Quality Strategy, the Brisbane City Council (BCC) provides an emission testing service for all heavy vehicles in Queensland. The BCC uses the nationally endorsed DT80 test which uses a chassis dynamometer equipped with gas and particle analysing equipment to accurately measure the exhaust emissions. The DT80 test has been designed to evaluate vehicle emissions during typical 'real world' operating modes and conditions. In 2009–10, the BCC tested approximately 353 diesel vehicles in South East Queensland, including trucks and buses.

Of the 353 vehicles tested, only 6, or 1.8 percent, failed. All the vehicles were pre ADR70 (manufactured prior to January 1996). The following reasons were given for the failed tests:

- 1 failure was recorded for excessive levels of oxides of nitrogen (NO_x)
- 4 failures were recorded for excessive levels of particulate matter (PM), and
- 1 failure was recorded for excessive levels of opacity.

To date, four of the failed vehicles have been repaired and passed a retest. Two of the vehicles have not returned for testing.

The number of vehicles tested at BCC has diminished this year. One of the full time operators was returned to Brisbane Transport and this is reflected in the output.

BCC is committed to ongoing testing. Testing figures for the next financial year are expected to increase as all BCC vehicles are now scheduled to be emission tested by automatic work request generation and following the amalgamation of water activities, all Queensland Urban Utilities (QUU) vehicles are also scheduled to be emission tested.

Audited maintenance programs for diesel vehicles

Heavy vehicle accreditation and testing schemes

A number of schemes are available to industry to effectively maintain vehicles in order to reduce in-service emissions. DTMR encourages heavy vehicle industry participation in these schemes. The National Heavy Vehicle Accreditation Scheme (NHVAS) encourages heavy vehicle operators to take more responsibility for servicing their vehicles and ensuring vehicles are

compliant with scheme accreditation requirements. Compliance with an accredited maintenance scheme may remove the requirement for Certificates of Inspection to be obtained for vehicles in the scheme. The vehicles under the NHVAS use diesel as their primary fuel source.

Currently, under the NHVAS maintenance scheme there are 29 723 vehicles registered by 767 operators, and under the NHVAS mass scheme there are 6194 vehicles registered by 748 operators. There are currently 4844 vehicles which participate in both the mass and maintenance schemes.

Diesel vehicle retrofit programs

Queensland currently has no diesel retrofit programs.

Other programs

AirCare Program

DTMR is continuing to operate an 'AirCare' program in South East Queensland. The AirCare program is a vehicle emissions action plan which is a key project within the Integrated Regional Transport Plan (IRTP) for South East Queensland. The strategy, which aims to reduce motor vehicle air pollution, looks at transport challenges facing the region over the next 25 years.

South East Queensland Regional Plan

The South East Queensland Regional Plan 2009–2031 (SEQRP) is Queensland's statutory regional planning strategy that guides growth and development in the South East region. It was developed to help manage regional growth and change, including integrated transport planning, in the most sustainable way to protect and enhance the quality of life in the region.

Queensland's transport portfolio and other agencies have responded by developing plans to manage transport growth and deliver a sustainable transport system for the region. These plans include:

- **TransLink Network Plan (TNP):** The TNP sets out the strategic direction and development of public transport services and infrastructure in South East Queensland. Translink has invested over \$250 million in new and improved bus stations, interchanges and park'n'ride facilities with further spending planned over the next 5 years. Translink has simplified ticketing and improved boarding and trip times through the introduction of the 'go card' smart ticketing system. Go cards which allow travel between 23 zones and three types of transport, are now used for 60% of all trips.

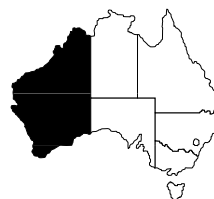
- **South East Queensland Infrastructure Plan and Program 2010–2031 (SEQIPP):** The SEQIPP outlines estimated infrastructure investment across South East Queensland to 2031. SEQIPP is updated annually to reflect and align with the latest planning and budget commitments. Current investment in transport infrastructure projects include \$770 million for the Northern Busway (Windsor to Kedron stage), \$465 million Eastern Busway (Buranda to Main Avenue) \$387 million Darra to Richlands Transport Corridor, \$189 million Corinda to Darra Rail upgrade and \$100 million Keperra to Ferny Grove Rail Upgrade.
- **Integrated Regional Transport Plan (IRTP):** The existing IRTP for South East Queensland was developed as a 25 year plan to develop and manage the transport system in a way that supports the agreed plans for accommodating the region's expected major population and employment growth. DTMR is preparing a new regional transport plan titled Connecting SEQ 2031: An Integrated Regional Transport Plan for South East Queensland. Connecting SEQ 2031 will be a 22-year regional transport plan that serves the long-term needs of the people living, working, recreating and conducting business in South East Queensland. It will present a strategic framework for developing the future transport network for the region.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

In Queensland, the most significant reduction in diesel vehicle emissions is considered to have been achieved by introducing improved fuel quality and vehicle emission standards for new vehicles. As the number of newer, less polluting diesel vehicles increases within the fleet replacing higher polluting older vehicles, diesel vehicle emission reductions are expected to continue for the next few years, despite increasing travel. However, programs outlined within the Diesel NEPM, such as the Smoky Vehicle Hotline and heavy vehicle maintenance programs are useful in-service programs to complement fuel quality and vehicle emission standards for new vehicles.

Continued public participation in the Smoky Vehicle Program indicates public awareness and concern about the impacts of pollutant emissions on air quality. Industry participation in emissions testing and maintenance schemes increases industry awareness and emphasises the importance of servicing and compliance to heavy vehicle operators. Vehicles operating within the schemes also receive operational benefits from their participation, such as reductions in the amount of other reporting requirements, by showing compliance within the scheme.

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 42)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In Western Australia the Diesel NEPM is implemented by the Department of Environment and Conservation (DEC) under the *National Environment Protection Council (WA) Act 1996* and the *Environmental Protection Act 1986*.

The main regulatory mechanism for control of new motor vehicle emissions in Australia is established in the Australian Design Rules (ADRs). ADR's are mandatory standards for motor vehicle safety and emissions under the Commonwealth's *Motor Vehicle Standards Act 1989*. All vehicles supplied to the market prior to the first registration in Australia need to comply with these standards. For diesel vehicles ADR 80/02 (Euro 5) was introduced in 2010 for all new vehicles and 2011 for all vehicles.

The ten-second rule for smoky vehicles was introduced from 1 November 2002 under the Road Traffic (Vehicle Standards) Rules 2002 and is administered by the Department of Transport (DoT). This regulation aims to target visually polluting diesel and petrol vehicles.

The Perth Air Quality Management Plan (AQMP) is a non-statutory management plan established by the government of Western Australia. The objective of the Perth AQMP is to ensure that clean air is achieved and maintained throughout the Perth metropolitan region over the next thirty years. The Perth AQMP identifies that the management of emissions from the in-service petrol and diesel vehicles is critical to achieving clean air, and contains a range of initiatives that target on-road vehicles. The initiatives in the Perth AQMP are largely complementary to the Diesel NEPM, and the implementation of the Perth AQMP and Diesel NEPM are being undertaken in an integrated fashion.

Implementation issues arising

DEC is continuing with the CleanRun program to fulfil and build on the requirements of the existing funding agreement set out in the original project. The continuation of these components will strengthen all vehicle emissions reduction strategies undertaken by DEC.

The privacy issues surrounding the continuation of the Smoky Vehicle Reporting Program (SVRP) were resolved in January 2010. The delay in reinstating the SVRP has meant only a limited amount of data has been reported on.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

With the reinstatement of the SVRP in January 2010, a modified mail out package was agreed upon between DEC and DoT. The package includes a cover letter from DoT, a DEC letter stating that the vehicle has been reported by a member of the public to be emitting excessive smoke, an air quality information sheet outlining the impacts of smoky vehicles and a reply paid postcard. Vehicles reported more than three times for emitting excessive smoke within a three month period will now be referred to DoT for inspection and issued a work order if required.

The delay in reinstating the SVRP has meant only six months of data has been analysed. Currently the SVRP receives between 30–40 reports per month. The total number of report received for the six months from January 2010–June 2010 was 240. The total number of information packs sent out was 188. The difference in reports received and actual reports being sent out relates to incorrectly or insufficient information being recorded. In all 10 vehicles were recorded more than once, however no vehicles were recorded three times.

Table 1 below summarises the responses from owners of reported vehicles from January 2010 to July 2010. The total number of responses from owners of reported vehicles was 104. The results show that almost half of the owners who have had their vehicle reported have had their vehicle repaired. However, a considerable amount of owners (36%) believe their vehicle does not smoke. Almost 70% of vehicles reported as smoky vehicles were diesel. The responses received in the 'Other' category are generally related to my vehicle doesn't smoke and includes the reasons why, such as 'my vehicle was under excessive load', or 'going up a steep hill'. Comments such as 'my vehicle is old and smokes, but not for 10 seconds' and 'my vehicle smokes and will be repaired soon' were also common 'Other' reasons given.

Table 1. Responses from owners of reported vehicles

Vehicle repaired	47
Vehicle does not smoke	38
Can't afford to repair	1
Disposed of vehicle	0
Wrong vehicle	6
Other	12
Petrol	17
Diesel	72
LPG	3

Diesel vehicle emission testing and repair programs

Between 2006–08 DEC undertook exhaust emissions testing from a sample of the WA diesel and petrol vehicle fleets. As part of the vehicle emission testing program (Phases 1 and 2) a total of 543 vehicles representative of the WA in-service fleet were tested using the DT80 drive cycle on a dynamometer.

Overall results from both testing phases showed a very low failure rate for the diesel vehicles against the national emission standards. In general, average PM and CO emissions as well as opacity decreased significantly for the newer vehicle classes relative to the older classes. For NO_x this trend was variable between the vehicle classes. The complete results are contained within two separate reports (Phase 1 and Phase 2 testing) and can be found on DEC's website: <<http://www.dec.wa.gov.au/airquality>>.

DEC continuation of the CleanRun program has included the utilisation of a Remote Sensing Device (RSD) which has proven to be a cost effective, reliable and efficient method of obtaining vehicle emissions data and raising community awareness of vehicle emissions.

The RSD is being used to conduct regular on-road diesel vehicle emission testing at various sites around the Perth Metropolitan and regional areas. Six days of on-road vehicle testing using the RSD were undertaken between February and March 2010, with the exhaust emissions data of over 6000 vehicles collected. Further remote sensing projects to target and measure diesel vehicle emissions are planned for 2010 and 2011.

The RSD will also be incorporated into a number of community education projects. The first Community day is scheduled for December 2010, with initial project planning already undertaken. Community members and local businesses will be invited to have their vehicle emissions checked using the RSD and will be able to find out what factors may be influencing their vehicle's emission performance. The recently purchased RSD Smartsign, with its capacity to generate instant feedback messages to the driver of a vehicle will assist with the delivery of vehicle maintenance messages. The second community education day is scheduled for the first half of 2011. These community days will be specifically targeted at diesel vehicle owners and operators.

Audited maintenance programs for diesel vehicles

The WA Government, through DEC is currently focusing on diesel vehicle emissions, primarily through the CleanRun RSD and community education programs.

Diesel vehicle retrofit programs

The WA Government, through DEC is currently focusing on diesel vehicle emissions, primarily through the CleanRun RSD and community education programs.

Other programs

Communication delivery and community education

A communication and community education campaign continues to be implemented under CleanRun. This campaign prompts community action in reducing emissions through highlighting the benefits of a well-maintained vehicle and working with drivers to take on more environmentally-friendly driving habits.

Communication delivery

The CleanRun brand was developed to make the overall vehicle emission reduction program immediately identifiable and to facilitate the promotion of key Diesel NEPM messages in WA. Web pages, posters, fact sheets and brochures are developed and produced to disseminate information on the CleanRun program. All of these documents continue to be made available on DEC's website: <<http://www.dec.wa.gov.au/airquality>>. Attention continues to be focused on promoting key Diesel NEPM messages through activities such as the CleanRun Community Awareness Days as well as integrating learning materials with established community involvement programs such as AirWatch and TravelSmart.

Behaviour change initiative

A major initiative of the community education strategy is the CleanRun Behaviour Change Initiative (BCI). The CleanRun BCI aims to reduce diesel emissions through encouraging driver behaviour change.

DEC worked with industry partners over 2009–10 to develop the CleanRun EcoDrive resource kit. Ecodriving incorporates a number of safer, smarter driving techniques that maximise fuel economy by operating the engine as efficiently as possible. CleanRun EcoDrive integrates the key learning's from the behaviour change trial working with professional drivers during the pilot stage in 2007–08.

CleanRun EcoDrive is essentially a do-it-yourself resource package for fleet operators who want to reduce fuel use and related emissions by working with drivers to make small changes to their driving habits. The package will provide the resources to develop an ecodrive training program in-house, including driver training materials developed by experts in the transport industry. The ideal target market for this package are heavy vehicle fleets,

such as transport companies, however most ecodrive principles can be applied by all drivers. It's estimated that fleet operating organisations can reduce fuel use and related emissions by up to 10% by implementing this program.

CleanRun EcoDrive is due to be launched in late 2010. All resources will be available to download free-of-charge from DEC's website: <<http://www.dec.wa.gov.au/airquality>>. Initial review of draft resources by industry bodies such as the Logistics Training Council (WA) and the Transport Forum (WA) have indicated that there will be significant interest in implementing the resource package given the associated 3-fold benefits: 1) reducing fuel costs, 2) reducing emissions and 3) health and safety improvements that result from implementing ecodriving techniques.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The Diesel NEPM provides a framework for the development of programs by jurisdictions to ensure that in-service diesel vehicles are adequately maintained.

The introduction of the new vehicle emission standards for both diesel and petrol vehicles, supplemented by improvements in fuel quality has clearly delivered significant emission benefits over the longer term.

Detailed analyses of the Phase 1 and 2 emission testing reports indicate there is a need to further monitor and manage in-service diesel vehicle emissions. In particular the monitoring results suggest effort should be focused on older diesel vehicles, which on average have considerably larger emissions of PM, opacity and CO when compared to the newer vehicles.

Vehicle exhaust emissions testing using the RSD occurred during 2009–10 and will continue until 2010–11. This emission testing will help to quantify the emissions performance of the Perth motor vehicle fleet including diesel vehicles. The RSD will also be used in Western Australia to identify specific vehicles that may require additional investigation; or general vehicle characteristics, which should be considered when developing broader vehicle initiatives.

These findings suggest that future policies aimed at reducing vehicle emissions may be best achieved by providing increased support for the accelerated uptake of advanced and more stringent emission controlled vehicles.

To complement and improve the effectiveness of the Diesel NEPM, communication, training and education components of CleanRun continue to be implemented. The successful reinstatement of the SVRP in January 2010 has resulted in a significant number of diesel vehicles being repaired.

DEC will continue to work with DoT, other government agencies and industry associations to investigate and implement motor vehicle related policies and management actions where appropriate to reduce the impact of diesel vehicle emission in Western Australia.

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for South Australia by the Hon. Paul Caica MP, Minister for Environment and Conservation for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 42)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In South Australia, the National Environment Protection (Diesel Vehicles Emissions) Measure (Diesel NEPM) came into operation as an environment protection policy under repealed Section 28A of the *Environment Protection Act 1993*. Section 4 of the transitional provisions in the *Environment Protection (Miscellaneous) Amendment Act 2005*, Sch 1 enables the continued operation of the Diesel NEPM as an Environment Protection Policy.

The 10-second smoke rule regulated as Rule 147 in Road Traffic (Vehicle Standards) Rules 1999 is the in-service standard that can currently be applied to contribute to achieving the Diesel NEPM outcomes.

The test protocol, DT80, developed by the National Transport Commission to complement the Diesel NEPM, (model commonwealth legislation as Rule 147A, Commonwealth Road Transport Reform (Vehicle Standards) Amendment Regulations 2001) has been applied as the in-service emissions standard for South Australia's Demonstration Test and Repair Program. The demonstration program was a component of South Australia's Commonwealth agreement which included the commissioning of a vehicle emissions test facility. Also, owners of diesel fuelled vehicles seeking to claim Australian Government fuel tax credits have their vehicles audited against the DT80 emissions test standard at the Regency Park emissions test facility.

South Australia has continued its commitment to use biodiesel in a significant portion of its government owned public transport bus fleet. Currently, all bus fleet vehicles operate on either a biodiesel blend or compressed natural gas.

While the Environment and Conservation portfolio has responsibility for leading South Australia's response to this NEPM, the Department for Transport Energy and Infrastructure (DTEI) is investigating and

developing relevant strategies for the management of emissions from diesel vehicles.

Implementation issues arising

Following evaluation of the pilot Demonstration Test and Repair Program, completed and reported in 2008, the Department for Transport Energy and Infrastructure is investigating approaches to manage the portion of the diesel fuelled vehicle fleet that may fail to meet emissions standards under the DT80 test.

Diesel consumption was evaluated to be about 30% of road transport fuel in 2009–10 and predicted to grow to nearly 39% in 2017–18. Fleet emissions profiling indicates as at 2009, diesel fuelled vehicles are 12.8% of the jurisdictional vehicle fleet contributing 59% of the state's particle emissions. Furthermore, reductions in emissions from increased vehicle fuel efficiency and the use of cleaner fuels are being offset by an increase in total annual fuel consumption due to increased VKT, predominantly for freight transport purposes, of diesel fuelled vehicles.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Other programs

To complement the pilot Demonstration Test and Repair program of 2006–08, a training module on diesel emissions was introduced for apprentice diesel mechanics. This module is delivered by both the TafeSA and VTech Automotive training providers in SA. During 2009–10 over 100 apprentices visited the SA Government Regency Park emissions test facility to observe and understand heavy vehicle emissions testing.

During 2009–10, representatives of peak Automotive Industry and Community groups including the Royal Automobile Association (RAA), Motor Traders Association (MTA) and the Institute of Automotive Mechanical Engineers (IAME) also attended the facility for emissions testing demonstrations, increasing industry and community awareness.

Four vehicles have returned in 2009–10 to undergo DT80 emissions testing to satisfy Commonwealth tax rebate requirements. Initial DT80 testing of these vehicles occurred under the Demonstration Test and Repair program. All four vehicles passed their recent emissions testing and qualify for a further two years of fuel tax rebates.

The South Australian Government has continued expanding biodiesel blended fuel within its metropolitan bus fleet. Currently, in a total fleet of 844 buses, 272 operate on B5 and 366 operate on B20. B20 is gradually replacing B5 on a depot by depot basis. The remaining 206 buses operate on CNG. During 2009–10, an ongoing bus replacement program has added 51 Euro 5 standard buses with Enhanced Environmentally-friendly Vehicle (EEV) engine standard technology to the bus fleet. All new buses are biodiesel compatible. The withdrawal of 31 pre-Euro standard buses complements the additional 51 Euro 5 buses.

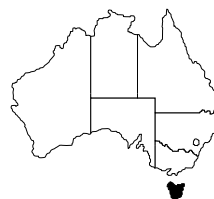
PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

South Australia participated in a national forum to evaluate the performance of the DT80 test protocol and the associated pass-fail standards. South Australia, in collaboration with other jurisdictions, continues to evaluate alternative protocols and updated emissions standards that may be applied to more recently manufactured vehicles.

The vehicle emissions test facility has retained its skilled workforce and continued to maintain its technical capability during 2009–10. The facility has also supported customers in testing proprietary products and systems associated with alternative fuels for heavy vehicles. The Regency Park, Ford Australia and Vipac Engineers test facilities were evaluated for uniformity and reliability in a Correlation Study of Facilities in Australia.

The facility maintains its compliance with the Required Elements for DT80 Test Facilities Seeking Registration, as assessed by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government.

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 42)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Under Section 12A of the Tasmanian State Policies and projects Act 1993, NEPMs made under Section 14(1) of the *National Environment Protection Council (Tasmania) Act 1995* are taken to be State Policies which have been passed by both Houses of Parliament.

Implementation issues arising

In 2006 and 2007, a contract between the then Department of Tourism, Arts and the Environment and the Commonwealth Department of the Environment and Water Resources facilitated the funding of a series of diesel engine skill gap training workshops in the south, north and northwest of the State. In total \$439 823.50 was expended in the purchase of diesel emissions testing equipment and in the running of free three-hour training courses for 321 qualified mechanics.

Since the end of this program the Tasmanian Skills Institute has conducted additional training on a fee-paying basis (\$100 per participant). Attendance has been small indicating that the State's training needs in this area have largely been met. The Tasmanian Skills Institute intends to continue to offer this training on an 'as required' basis.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

The Department of Infrastructure, Energy and Resources maintains a strong focus on road safety rather than on vehicle emissions. It does not possess vehicle emissions measurement facilities, and does not actively target vehicle emissions.

Officers do however utilise the 'ten second rule' for smoky exhausts and issue Traffic Infringement Notices requiring identified vehicles to undergo servicing to reduce smoke emissions. Traffic Infringement Notices for smoky exhausts can also be issued by the police.

Records are not compiled showing the number of Traffic Infringement Notices issued for smoky vehicles.

Diesel vehicle emission testing and repair programs

The Department of Infrastructure, Energy and Resources does not possess vehicle emission measurement facilities, and does not compile records of vehicle testing or repairs.

Audited maintenance programs for diesel vehicles

There is no audited maintenance program for diesel vehicles in Tasmania.

Diesel vehicle retrofit programs

Statistics are not compiled on diesel vehicle retrofitting.

Other programs

There were no other programs implemented during the reporting year to manage emissions from in-service diesel vehicles.

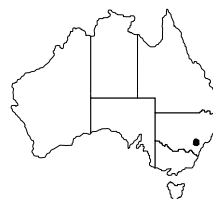
PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

As of 1 July 2010 there were 12 274 diesel powered heavy vehicles (that is vehicles over 4.5 tonnes) and 64 904 diesel powered light vehicles registered in the State. This represents a decrease of 2.9 % and an increase of 11.0 % respectively since 25 August 2009 (data was unavailable for 1 July 2009). Of the total of 425 679 vehicles registered in Tasmania on 1 July 2010, 18.1 % were diesel powered.

The need for training in diesel engine emissions testing, within the transport industry throughout the State, appears to have been met.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 42)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Road Transport (Vehicle Registration) Regulation 2000 requires emission control systems supplied by vehicle manufacturers to remain fitted and functional. This is consistent with the NEPM goals.

Implementation issues arising

Approximately, 4% of the ACT's registered vehicle fleet of 286 000 vehicles are powered by diesel.

Aggregate air quality data indicates that air pollution caused by diesel emissions is not a significant contributor to the urban airshed in the ACT. Pollutants associated with diesel emissions in the ACT are low. Therefore, no actions are taken in the ACT as a result of measures against the Diesel NEPM.

Notwithstanding the above, the ACT has introduced a number of measures consistent with achieving the goal of the NEPM. These include:

- adoption of the Australian Design Rules, as requirements under Schedule 1 of the Road Transport (Vehicle Registration) Regulation 2000
- requiring emission control equipment fitted to a vehicle to remain fitted and be maintained in a condition to ensure that it operates essentially in accordance with the systems original design under Schedule 1 of the Road Transport (Vehicle Registration) Regulation 2000
- implementation of random on-road and car park inspections
- implementation of arrangements enabling members of the community to report vehicles that they consider unroadworthy, including those that emit excessive smoke, and enabling appropriate action against those vehicles
- ACT Government subscription to Greenfleet for the planting of trees to offset its vehicles fleet emissions

- supporting ACT representation on the fuel standards consultative committee.

In addition to the above, as part of the ACT Government Fleet Efficiency Program, the ACT has purchased seventy compressed natural gas (CNG) powered buses, which are currently in service. It is not proposed to purchase any more CNG buses before 2013.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

An assessment of the need to manage the emissions from the ACT's in-service diesel fleet has indicated that:

- air pollution caused by diesel vehicles is not a significant contributor to the urban airshed in the ACT
- there appears to be a high level of compliance with the in-service emissions standards.

While statistics on the number of inspections and how many defects and warnings are collected at this stage, the reasons for these enforcement actions are currently not collated. In general, ACT inspectors would not normally issue an infringement notice to a vehicle emitting excessive smoke. The ACT has found it more beneficial to require a vehicle to be repaired than to impose a monetary penalty. Issuing a monetary penalty is likely to delay repairs or make it more difficult for owners to repair their vehicles.

Diesel vehicle emission testing and repair programs

ACT urban airshed quality is such that actions under the Diesel NEPM are not triggered.

Audited maintenance programs for diesel vehicles

ACT urban airshed quality is such that actions under the Diesel NEPM are not triggered.

Diesel vehicle retrofit programs

ACT urban airshed quality is such that actions under the Diesel NEPM are not triggered. However, two buses that were converted to run on CNG within the local government bus fleet have since been returned to diesel operation as the trial of these two vehicles was unsuccessful.

Other programs

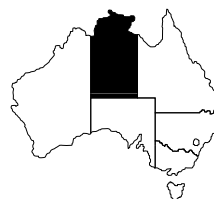
ACT urban airshed quality is such that actions under the Diesel NEPM are not triggered.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

ACT urban airshed quality is such that actions under the Diesel NEPM are not triggered.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for the Northern Territory by Mr Karl Hampton MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 42)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

A number of initiatives are implemented to control diesel vehicle emissions. Vehicle standards in the Northern Territory are enforced through the general provisions of the Motor Vehicles Act and the Australian Vehicle Standard Rules which require all vehicles to comply with Australian Design Rules when in service.

In the Territory, there are approximately 42 000 diesel vehicles currently registered, representing over a quarter of the total vehicle fleet. The Australian Bureau of Statistics estimates that diesel vehicles registered in the Northern Territory represent less than 2 percent of all diesel vehicles in Australia.

Of the four major regions in the Territory, 68 percent of all diesel vehicles registered in the Territory are registered in the Darwin region, while 14 percent are registered in Alice Springs, 9 percent in Katherine and 2 percent in Tennant Creek.

In the Darwin region approximately 24 percent of all registered vehicles are diesels; this is slightly higher in Alice Springs, with diesels representing 27 percent of the total vehicle fleet. In Katherine and Tennant Creek the diesel portion of the total fleet is 34 percent and 38 percent respectively, indicating a higher reliance on diesel vehicles in remote areas.

Of the heavy vehicle diesels registered in the Territory, 65 percent are registered in the Darwin region, 19 percent in Alice Springs and 10 percent in Katherine. The distribution of light diesel vehicle registrations in the Territory differs, with 68 percent of all light diesel vehicles registered in the Darwin region, 13 percent in Alice Springs and 8 percent in Katherine.

Implementation issues arising

Aggregate data on diesel emissions for the Northern Territory is not available. However, air quality studies

and the National Pollutant Inventory indicate that motor vehicle traffic is not a major contributor to air emissions in the larger urban areas.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Smoky vehicles program

A smoky vehicle program is undertaken as part of the Territory's vehicle registration and roadworthiness testing procedures. Records of diesel vehicles issued with defect orders show that only a minor fraction of vehicles checked as part of the vehicle registration process received a defect notice due to engine smoke.

Diesel vehicle emission testing and repair programs

Pollutants associated with diesel emissions in the Territory are well below emission standards. Therefore, the current air quality is not considered a 'trigger' for change in relation to managing diesel emissions in the Territory. The Northern Territory will continue to monitor the need for action on diesel emissions and will take appropriate action as required.

Audited maintenance programs for diesel vehicles

Vehicle roadworthy inspections are undertaken for all light and heavy diesel vehicles and these inspections include checking that all required emission control equipment is fitted as well as the detection of smoky vehicles.

Diesel vehicle retrofit programs

The majority of the Northern Territory road train fleet is less than five years old and employs the latest technology in engine management systems to minimise fuel consumption. On a payload per emission basis, road trains operating line haul operations in remote Australia are considered to be some of the most environmentally efficient road freight vehicles in the world.

Other programs

The Territory's open access policy provides for 'as of right' access for road trains and 100 percent network access for vehicles operating at higher mass limits.

In addition the Territory's innovative vehicle policy promotes the development of high productivity innovative vehicle combinations which can deliver further efficiency benefits.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Although diesel vehicle exhaust emissions are not a major source of pollution in the Northern Territory, administrative procedures are in place to reduce pollution from in-service diesel vehicles.





NEPC Report on the implementation of the

Movement of Controlled Waste between States and Territories NEPM

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Commonwealth

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Commonwealth implements the NEPM administratively and ensures that its obligations under the *National Environment Protection Act 1994* are met.

Implementation issues arising

Through its involvement in the Implementation Working Group (IWG), the Commonwealth is working with the states and territories to continue to implement the NEPM in a consistent approach. Members of the IWG communicate regularly through e-mail and meetings. The NEPM has been under review during this reporting period. It is expected that the Environment Protection and Heritage Council (EPHC) will be making a decision regarding the NEPM variation during the final quarter of 2010.

The following Commonwealth departments reported on the NEPM:

- Department of the Environment, Water Heritage and the Arts (Australian Antarctic Division and Australian Film Commission)
- Department of Defence
- Department of Innovation, Industry, Science and Research (Australian Institute of Marine Science—AIMS, Australian Nuclear Science and Technology Organisation—ANSTO, Commonwealth Scientific and Industrial Research Organisation—CSIRO, IP Australia and the Australian Research Council—ARC)
- Department of Infrastructure, Transport, Regional Development and Local Government (Airservices Australia, Airports Branch)

- Department of Resources, Energy and Tourism (Geoscience Australia),
- Department of Finance
- The Treasury (Royal Australian Mint).

These agencies reported that the management of waste services and the movement of controlled waste between states are managed mainly through contract arrangements. These contract arrangements require the contractor to comply with all Commonwealth, state, territory and local legislation, regulations, guidelines and standards.

The reporting agencies indicated that they had incorporated activities under the NEPM in environmental management systems (EMS), waste management tracking systems or occupational health and safety policy requirements including in-house training and standard operating procedures. These EMS and policies were also applied and implemented by the contractors engaged by the agencies to provide waste management services. Most of the agencies reported that they were actively incorporating audits and reviews of their systems and those of waste management contractors and were minimising the production of wastes.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

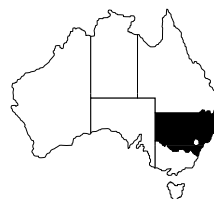
Contractors undertake the movement of controlled waste for the reporting Commonwealth agencies and apply for consignment authorisations from the relevant state and territory agency implementing the NEPM. Therefore, no consignment authorisations are issued by the Commonwealth. Contractors also maintain their own records in accordance with the relevant jurisdictional requirements.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

From the perspective of participating government agencies, the NEPM generally operates efficiently and provides an effective framework for implementation across the states and territories. No Commonwealth agency reporting on the NEPM indicated any problems in meeting the requirements of the NEPM. As a result of consultation between reporting agencies, the IWG and the states and territories, the reporting of movements of waste from external territories will now be captured in a separate reporting column. The review of the NEPM which began in 2009, is expected to be completed by late 2010 and has provided an opportunity for wider industry and public consultation on the efficiency and effectiveness of the NEPM.

New South Wales

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The *Protection of the Environment Operations Act 1997 (NSW)* provides the legislative framework for the implementation of the NEPM, which is given effect through the Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation).

The Environment Protection Authority (EPA), which administers the Regulation, is part of the Department of Environment, Climate Change and Water (DECCW).

Implementation Issues Arising

More than 90% of waste movements into NSW are tracked online, and levels of non-compliance with tracking requirements remained at a low level

in 2009–10. More than 99% of controlled waste movements are now compliant with NEPM requirements (Table 3). Importantly, no incidents resulting in environmental harm were reported in 2009–10.

Ongoing upgrades to the online waste tracking system continue to provide interstate environment agencies with improved access to the system. This has further facilitated co-operation between agencies in implementing the NEPM and in investigating potential breaches of legislation.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Waste regulatory reforms, including those related to the NEPM, and related compliance campaigns have been in place for several years and high levels of compliance are continuing to be achieved. A review of the Controlled Waste NEPM commenced in June 2009. NSW is participating on the review team.

Table 1: Number of consignment authorisations issued by New South Wales

Reporting Year	Consignment authorisations issued
2008–09	820
2009–10	991

**Table 2: Quantity of controlled waste into New South Wales for the period
1 July 2009 to 30 June 2010**

Tonnes per waste category by State/Territory

Code	Description	Vic	Qld	WA	SA	Tas	ACT	NT	Total (tonnes)
A	Plating & heat treatment		8.15						8.15
B	Acids	9766.94	85.19	0.39			0.83		9853.35
C	Alkalies	602.76					4.41		607.17
D	Inorganic chemicals	15530.28	18326.81	1732.25	1141.59	3983.20	100.92	24.69	40839.74
E	Reactive chemicals						0.02		0.02
F	Paints, resins, inks organic sludges	116.19	435.86		14.64		69.55		636.24
G	Organic solvents	355.92	43.83	4.73	148.16		33.33		585.97
H	Pesticides		0.31	6.65			0.18		7.14
J	Oils	2016.79	2977.83	325.03	0.50	14.38	1291.22		6625.75
K	Putrescible/organic waste	4104.88					4999.95		9104.83
L	Industrial washwater								0.00
M	Organic chemicals	52.58	1532.65	5.84	167.18		55.99		1814.24
N	Soil/sludge	584.61	140.86	2.20	18.10		24463.96		25209.73
R	Clinical & pharmaceutical	13.87	256.74				110.38		380.99
T	Misc.	0.26		9.83			1620.84		1630.93
	State Totals (tonnes)	33145.08	23808.23	2086.92	1490.17	3997.58	32751.58	24.69	97304.25

Table 3: Discrepancies in movements of controlled waste into New South Wales for the period

1 July 2009 to 30 June 2010

Percentage of total movements

Discrepancy Type	Vic	Qld	WA	SA	Tas	ACT	NT
Consignment non-arrival							
Transport without authorisation							
Non-matching documentation		0.13					
Waste data						0.04	

Table 4: Number of movements of controlled waste into New South Wales for the period

1 July 2009 to 30 June 2010

Vic	Qld	WA	SA	Tas	ACT	NT
1841	1549	116	162	192	2463	2

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to provide an effective tool in minimising the potential for adverse impacts associated with the movement of controlled waste on the environment and human health. A total of 97 304 tonnes of controlled waste in 6325 movements was reported this period as having been transported into NSW (Tables 2 and 4). This is a 27% increase on the 76 717 tonnes and a 16% increase on the 5413 movements in 2008–09.

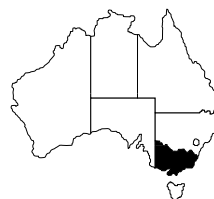
The increase in controlled waste being transported into NSW is largely due to the increase in economic activity and has returned to pre-global financial crisis levels. The main increases were in soils/sludges (19 264 tonnes), primarily contaminated soil and

demolition waste, from redevelopment projects in the Australian Capital Territory, oils (2323 tonnes) from Queensland and Western Australia, and inorganic chemicals (1657 tonnes), mainly lead acid batteries from Queensland and Western Australia. There was a significant decline in waste movements from Victoria (8245 tonnes), particularly in the areas of inorganic chemicals (6250 tonnes) and paints, resins, inks and organic sludges (1312 tonnes). The latter reduction results from the relocation of processing capacity interstate.

NSW has undertaken a number of compliance campaigns during 2009–10, including campaigns targeting waste streams with a high risk of illegal dumping, such as asbestos and demolition waste. The campaigns did not detect any non-compliances for waste originating from interstate.

Victoria

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The key legislative instruments are the *Environment Protection Act 1970*, the Environment Protection (Industrial Wastes Resource) Regulations 2009 and the Industrial Waste Management Policy (Movement of Controlled Waste between States and Territories) 2001 (IWMP). The review of the Environment Protection (Prescribed Waste) Regulations 1998 was completed in early 2009 and the new Environment Protection (Industrial Waste Resource) Regulations 2009 came into force on 1 July 2009. There is no impact on the IWMP which underpins Victoria's enforcement of the NEPM.

Implementation issues arising

- EPA Victoria is committed to the key guiding principles of the Measure. In Victoria, the NEPM

is implemented through State policy, the IWMP. The new Environment Protection (Industrial Waste Resource) Regulations 2009 continue to provide provision for the tracking system, and the recognition of a transport licence issued in another jurisdiction.

- EPA Victoria is committed to find ways to improve the effectiveness of the Measure. Efficient administration including compliance monitoring is a priority focus for the tracking program. Close cooperation is maintained between the State and Territory agencies, and the Commonwealth representatives. In 2009–10, Victoria continued to contribute to the working group.
- For the 2009–10 reporting period, a total of 508 authorisations were issued, and this is a decrease from 527 in 2008–09 (4 percent). The total number of recorded movements (3512) into Victoria was slightly high compared to the previous year (3451). This increase was partly due to the increased awareness and compliance of the regulatory requirements. There have been a reduced number of movements involving soil and sludge. This reduction also reflects the impact of policy measures introduced by the Victorian EPA on the waste management hierarchy.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Table 1: Number of consignment authorisations issued by Victoria

Reporting Year	Consignment authorisations issued
2008–09	527
2009–10	508

Table 2: Quantity of controlled waste into Victoria for the period*1 July 2009 to 30 June 2010**Tonnes per waste category by State/Territory*

Code	Description	NSW	Qld	WA	SA	Tas	ACT	NT	Ext Terr*	Total (tonnes)
A	Plating & heat treatment									0.00
B	Acids	227.00	23.00	674.00	52.00	8.00	2.00			986.00
C	Alkalis	402.00								402.00
D	Inorganic chemicals	12026.00		3380.00	4905.00	4659.00		838.00		25808.00
E	Reactive chemicals									0.00
F	Paints, resins, inks organic sludges	2462.00	879.00	181.00	145.00	4.00		2.00		3673.00
G	Organic solvents	2100.00	81.00		145.00	737.00	9.00			3072.00
H	Pesticides	87.00	650.00	10.00	13.00	4.00		6.00		770.00
J	Oils	2350.00	1677.00	0.00	53.00	226.00				4306.00
K	Putrescible/organic waste	3523.00		9.00	2.00	24.00				3558.00
L	Industrial washwater	69.00	20.00							89.00
M	Organic chemicals	9.00	156.00		11.00	46.00	67.00			289.00
N	Soil/sludge	349.00	22.00	37.00	1.00	23.00				432.00
R	Clinical & pharmaceutical	95.00	4.00	86.00	147.00	34.00				366.00
T	Misc.	1.00	46.00			11.00	1.00		0.25	59.25
State Totals (tonnes)		23700.00	3558.00	4377.00	5474.00	5776.00	79.00	846.00	0.25	43810.25

**Table 3: Discrepancies in movements of controlled waste into Victoria for the period
1 July 2009 to 30 June 2010**
Percentage of total movements

Discrepancy Type	NSW	Qld	WA	SA	Tas	ACT	NT	Ext Terr*
Consignment non-arrival	3.20	6.66	5.30	1.59	2.2	12.12	3.77	
Transport without authorisation	3.04	7.00	3.98	5.00	1.00	3.03		
Non-matching documentation	1.06	0.61		1.40	0.20			
Waste data	1.01	0.90		1.20	0.60	6.06		

**Table 4: Number of movements of controlled waste into Victoria for the period
1 July 2009 to 30 June 2010**

NSW	Qld	WA	SA	Tas	ACT	NT	Ext Terr*
1872	330	226	501	496	33	53	1

* The 2010 review of this Measure recommended the addition of an 'External Territories' column to report on waste movements from external territories where these movements must be reported.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to provide a framework that is consistent with the requirements of the Victorian industrial waste management policies. The framework allows managing incoming wastes in such a way that ensures that the potential for impacts associated with the movement of controlled waste are minimised.

Victoria has in place a framework to avoid and promote re-use and re-cycling of hazardous wastes. Transport of wastes to and from other jurisdictions for disposal is discouraged unless it is environmentally preferable to do so.

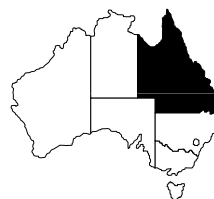
Table 1 presents summary movements into Victoria for the period 2009–10. The total amount of controlled waste that was brought into Victoria during the reporting year was 43 810 tonnes. This represents an increase of approximately 1000 tonnes, compared with the amount reported in 2008–09. This increase is mainly due to inorganic chemicals, putrescible

wastes and waste acids destined for recycling. As with previous years, a high percentage (> 90%) of the wastes was destined for reuse, recycling or energy recovery. Quantities of wastes brought into Victoria for energy recovery remain steady. Inorganic chemical waste stream, which is destined for resource recovery, is projected to remain the dominant controlled waste stream.

The number of unauthorised movements in 2009–10 was slightly high compared with that of previous year. As with previous years, a poor compliance rate was shown by used tyre collectors and septic waste receivers.

Victoria and other jurisdictions have worked together to prevent and detect the possible breaches relating to cross border movements of controlled waste. During the past year, Victoria has been involved in the provision of data extracts to other jurisdictions to assist with their enforcement efforts.

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Queensland by the Hon. Kate Jones MP, Minister for Climate Change and Sustainability for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Queensland Department of Environment and Resource Management (DERM) is responsible for the administration of the Controlled Waste NEPM in Queensland. The NEPM is implemented under the *Environmental Protection Act 1994* (EP Act) principally through the Environmental Protection (Waste Management) Regulation 2000. As per the NEPM, the regulation includes provisions for the tracking of controlled waste and requirements for the prior approval of consignments of controlled waste into Queensland. Legislative requirements for the licensing of controlled waste transporters are included in the EP Act and detailed in Schedule 2 of the Environmental Protection Regulation 2008. The NEPM administration is integrated with intrastate tracking and regulated waste licensing and compliance activities in Queensland.

Implementation issues arising

- DERM has continued to administer the NEPM to help ensure that controlled waste is managed appropriately.
- The prior approval process, through consignment authorisation and consultation with other jurisdictions, generators and receiver facilities in Queensland, has helped to ensure that controlled wastes are consigned to the appropriate facility.
- While the number of movements into Queensland (Table 1) was slightly lower than the previous year the amount of waste transported into Queensland increased by 2567 tonnes to 18 900 tonnes. This increase was associated with a 54 percent increase in movements from New South Wales of predominantly organic and clinical and pharmaceutical wastes.

- Discrepancies listed in Table 3 were associated with failures to complete waste transport certificates correctly. Discrepancies have been corrected and waste handlers advised of their responsibilities under the Environmental Protection (Waste Management) Regulation 2000.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

In the period 2009–10, DERM issued 143 consignment authorisations compared with 152 during the period 2008–09. All consignment authorisation decisions were made within the required timeframes.

Five consignment applications were refused during the period; all on the basis that the proposed receiving facility was not appropriately licensed to receive the waste. Eleven applications were refused in 2008–09. DERM consulted with the applicant when a refusal decision was made.

DERM provided comments within the required timeframes on 143 consignment applications made to other jurisdictions for controlled waste proposed to be moved from Queensland compared with 91 in 2008–09. A total of 937 movements were tracked into Queensland in 2009–10 compared with 1210 movements in 2008–09. During 2009–10, increased quantities of organic and clinical and pharmaceutical wastes were transported into Queensland.

Inter-jurisdictional consultation continued to be an important aspect of the NEPM. DERM continued to participate actively in the Implementation Working Group (IWG) and chaired IWG meetings.

Table 1: Number of consignment authorisations issued by Queensland

Reporting Year	Consignment authorisations issued
2008–09	152
2009–10	143

Table 2: Quantity of controlled waste into Queensland for the period*1 July 2009 to 30 June 2010**Tonnes per waste category by State/Territory*

Code	Description	NSW	Vic	WA	SA	Tas	ACT	NT	Total (tonnes)
A	Plating & heat treatment	2.76							2.76
B	Acids	57.56	7.55	5.67				2.20	72.97
C	Alkalies	148.70	7.00					55.00	210.70
D	Inorganic chemicals	15.14				20.00			35.14
E	Reactive chemicals								0.00
F	Paints, resins, inks organic sludges	143.62	0.30	3.00					146.92
G	Organic solvents	0.40		0.20	21.00				21.60
H	Pesticides	6.43	36.00	2.00	26.30				70.73
J	Oils	3824.58	22.20	35.02	98.90		0.36	58.00	4039.06
K	Putrescible/organic waste	3473.18							3473.18
L	Industrial washwater	3.00							3.00
M	Organic chemicals	439.00	507.91	9.08	5.34	0.48			961.81
N	Soil/sludge	480.48	143.50	106.89					730.88
R	Clinical & pharmaceutical	9131.48	0.10						9131.58
T	Misc.								0.00
	State Totals (tonnes)	17726.33	724.56	161.86	151.54	20.48	0.36	115.20	18900.33

Table 3: Discrepancies in movements of controlled waste into Queensland for the period*1 July 2009 to 30 June 2010**Percentage of total movements*

Discrepancy Type	NSW	Vic	WA	SA	Tas	ACT	NT
Consignment non-arrival							
Transport without authorisation							
Non-matching documentation	10	1					
Waste data							

*Table 4: Number of movements of controlled waste into Queensland for the period
1 July 2009 to 30 June 2010*

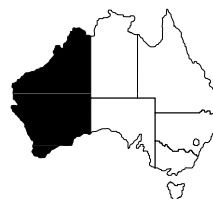
NSW	Vic	WA	SA	Tas	ACT	NT
779	96	29	19	5	1	8

**PART 4 – ASSESSMENT OF NEPM
EFFECTIVENESS**

The NEPM is continuing to provide an effective monitoring framework for inter-jurisdictional movement of controlled waste. Jurisdictional cooperation on the administration of the NEPM continues to help ensure an efficient and effective system for the protection of the environment from environmentally hazardous wastes.

Western Australia

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Environmental Protection (Controlled Waste) Regulations 2004 provide for the licensing of the transport of controlled wastes and the provision of permits detailing what waste is carried by whom and where it is taken. This is the mechanism by which implementation of the Controlled Waste NEPM has been achieved in Western Australia.

The Environmental Protection (Controlled Waste) Regulations 2004 are presently under review and changes will be made to ensure alignment with the NEPM.

Implementation issues arising

There have been no issues during this reporting period arising from the implementation of the NEPM and its use in WA.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Less movements applied for this reporting period.

Table 1: Number of consignment authorisations issued by Western Australia

Reporting Year	Consignment authorisations issued
2008–09	24
2009–10	11

Table 2: Quantity of controlled waste into Western Australia for the period*1 July 2009 to 30 June 2010**Tonnes per waste category by State/Territory*

Code	Description	NSW	Vic	Qld	SA	Tas	ACT	NT	Total (tonnes)
A	Plating & heat treatment		10.00						10.00
B	Acids								0.00
C	Alkalies								0.00
D	Inorganic chemicals	0.16							0.16
E	Reactive chemicals								0.00
F	Paints, resins, inks organic sludges		16.00						16.00
G	Organic solvents	60.00							60.00
H	Pesticides		50.00						50.00
J	Oils	16.00						320.00	336.00
K	Putrescible/organic waste								0.00
L	Industrial washwater								0.00
M	Organic chemicals	8.00	9.00						17.00
N	Soil/sludge								0.00
R	Clinical & pharmaceutical								0.00
T	Misc.								0.00
	State Totals (tonnes)	84.16	85.00	0.00	0.00	0.00	0.00	320.00	489.16

No discrepancies were reported for the period 1 July 2009 to 30 June 2010.

Table 3: Number of movements of controlled waste into Western Australia for the period*1 July 2009 to 30 June 2010*

NSW	Vic	Qld	SA	Tas	ACT	NT
5	5					1

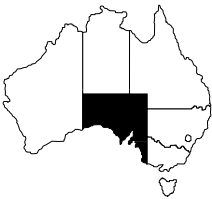
PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Operators moving controlled waste both into and indeed out of WA are familiar with the requirements of the Controlled Waste NEPM. The Department of Environment and Conservation (DEC) continues to

have regular contact with waste generators, cartage contractors, waste treatment facilities and others involved in potential interstate movements of controlled wastes. DEC remains confident that the desired outcomes of the NEPM are being achieved in WA.

South Australia

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for South Australia by the Hon. Paul Caica MP, Minister for Environment and Conservation for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The South Australian Environment Protection Authority (SA EPA) administers the implementation of the Measure. The Measure operates as an Environment Protection Policy in South Australia pursuant to provisions of the *Environment Protection Act 1993* (the Act). It is primarily implemented via conditions attached to an Environmental Authorisation, in accordance with the Act.

Implementation issues arising

No issues arising were reported.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

In South Australia, waste producers, transporters and operators of waste facilities are required to;

- complete Waste Transport Certificates
- where necessary, apply for a consignment authorisation for the transport and receipt of controlled waste into or out of South Australia.

Information received from Waste Certificates and consignment authorisations enables the SA EPA to reconcile wastes transported against wastes received. It also enables the SA EPA to compile summary information of the type and amount of wastes moved, in accordance with the Measure.

Table 1: Number of consignment authorisations issued by South Australia

Reporting Year	Consignment authorisations issued
2008–09	204
2009–10	176

**Table 2: Quantity of controlled waste into South Australia for the period
1 July 2009 to 30 June 2010**

Tonnes per waste category by State/Territory

Code	Description	NSW	Vic	Qld	WA	Tas	ACT	NT	Total (tonnes)
A	Plating & heat treatment		0.60	3.74					4.34
B	Acids							15.82	15.82
C	Alkalies							165.08	165.08
D	Inorganic chemicals	2489.83	13201.51	467.45	220.47	70.92		0.02	16450.20
E	Reactive chemicals		2.60						2.60
F	Paints, resins, inks organic sludges	855.01	68.42	635.14				10.40	1568.97
G	Organic solvents	140.50	1919.05	3.20	466.73			30.90	2560.38
H	Pesticides							0.16	0.16
J	Oils	39.70	312.70	403.35	598.54			1886.71	3241.00
K	Putrescible/organic waste							10.00	10.00
L	Industrial washwater								0.00
M	Organic chemicals							20.01	20.01
N	Soil/sludge	1.20			245.70			4.00	250.90
R	Clinical & pharmaceutical					19.17		117.80	136.97
T	Misc.	1.00			21.48			273.42	295.90
	State Totals (tonnes)	3527.24	15504.88	1512.88	1552.92	90.09	0.00	2534.32	24722.33

**Table 3: Discrepancies in movements of controlled waste into South Australia for the period
1 July 2009 to 30 June 2010**

Percentage of total movements

Discrepancy Type	NSW	Vic	Qld	WA	Tas	ACT	NT
Consignment non-arrival	46	59	33	20	38		35
Transport without authorisation		1					1
Non-matching documentation	72	31	75	98	83		71
Waste data	8	21	22	20	14		12

**Table 4: Number of movements of controlled waste into South Australia for the period
1 July 2009 to 30 June 2010**

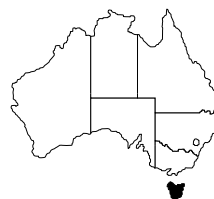
NSW	Vic	Qld	WA	Tas	ACT	NT
366	473	44	84	12		290

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The implementation of the Measure continues to provide a medium for consultation and communication with other jurisdictions in regard to waste management. The Measure also provides the waste industry with clear requirements for the transport of waste into and out of South Australia. In addition it enables the Environment Protection Authority to ensure that controlled wastes entering South Australia is transported and treated in a manner that minimises the potential for adverse impacts on the environment or human health.

Tasmania

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 46)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Tasmania the NEPM is a State Policy under the *State Policies and Project Acts 1993*. The key legislative instrument for implementation of the NEPM is the *Environmental Management and Pollution Control Act 1994*. In February 2010, the Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations were gazetted. One of the objectives of these regulations is to further strengthen the regulatory framework of the NEPM. The Department of Primary Industries, Parks, Water and Environment is the responsible Agency for the purposes of implementation of the NEPM.

Implementation issues arising

The NEPM is fully implemented in Tasmania. Until April 2010 it was delivered primarily through specific requirements on waste transport companies by issuing Waste Transport Business-Environment Protection Notices (WTB-EPNs) under the *Environmental Management and Pollution Control Act 1994*. New transport regulations were introduced in February 2010 and the intention is for the new Regulations to support a tracking system, analogous to the NEPM, by requiring waste transport certificates to move controlled waste.

Tasmania regularly consults with the other jurisdictions on NEPM matters such as issuing Consignment Authorisations and the appropriateness of treatment /disposal facilities. Tasmania continues to participate in all implementation aspects of the NEPM including exchange of relevant information, through active membership in the Implementation Working Group which has met face to face during the reporting period. Issues raised by industry, waste transport companies and other Agencies continue to be satisfactorily resolved through this forum.

This year sees the first year that Controlled Wastes received from External Territories being reported separately. This has particular significance for Tasmania as most of the Controlled Waste Consignment Authorisations issued by Tasmania are for Controlled Wastes returned to Australia from Antarctica.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

During the last reporting period there has seen a decrease in the number of Consignment Authorisations issued by Tasmania; however the State still relies on access to appropriate facilities in other States for various classes of controlled wastes.

There is a high level of awareness and compliance with the NEPM requirements in Tasmania as evidenced by more accurate waste tracking documentation being received by the EPA Division.

Table 1: Number of consignment authorisations issued by Tasmania

Reporting Year	Consignment authorisations issued
2008–09	30
2009–10	23

Table 2: Quantity of controlled waste into Tasmania for the period
1 July 2009 to 30 June 2010
Tonnes per waste category by State/Territory

Code	Description	NSW	Vic	Qld	WA	SA	ACT	NT	Ext Terr*	Total (tonnes)
A	Plating & heat treatment									0.00
B	Acids								0.26	0.26
C	Alkalies									0.00
D	Inorganic chemicals								4.57	4.57
E	Reactive chemicals									0.00
F	Paints, resins, inks organic sludges									0.00
G	Organic solvents								15.25	15.25
H	Pesticides									0.00
J	Oils								128.16	128.16
K	Putrescible/organic waste								16.02	16.02
L	Industrial washwater									0.00
M	Organic chemicals									0.00
N	Soil/sludge								168.55	168.55
R	Clinical & pharmaceutical									0.00
T	Misc.								0.26	0.26
State Totals (tonnes)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	333.07	333.07

No discrepancies were reported for the period of 1 July 2009 to 30 June 2010.

*Table 3: Number of movements of controlled waste into Tasmania for the period
1 July 2009 to 30 June 2010*

NSW	Vic	Qld	WA	SA	ACT	NT	Ext Terr*
							23

* The 2010 review of this Measure recommended the addition of an 'External Territories' column to report on waste movements from external territories where these movements must be reported.

**PART 4 – ASSESSMENT OF NEPM
EFFECTIVENESS**

A significant impetus in achieving the NEPM goal has been on-going consultation between waste producers, transporters and the EPA on controlled waste matters particularly in relation to reducing the amount of controlled waste generated at source. A reduction in risks of adverse impacts associated with transport of controlled waste on the environment and human health has been achieved through improved waste management and tracking.

There have been additional and on-going consultations between jurisdictions in relation to the appropriateness of issuing consignment authorisations.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 46)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of the Environment, Climate Change, Energy and Water (DECCEW) is responsible for the administration on the NEPM through the *Environment Protection Act 1997* and Division 7.2 (Transport of Controlled Waste) of the Environment Protection Regulation 2005.

Implementation issues arising

The NEPM has been fully implemented in the ACT. DECCEW has continued to work with industry during 2009–10 to ensure efficient implementation of the NEPM.

NEPM documents (which include an explanation of producer, transporter and waste facility responsibilities and instructions on how to complete a waste transport certificate) produced by Environment Protection continue to be of great benefit to stakeholders in ensuring compliance with their statutory requirements.

All parties bound by the NEPM have complied with the NEPM's protocols and information reporting requirements. Regular contact has been maintained with other jurisdictions to ensure cooperative administration of the NEPM.

DECCEW continues to participate in the Implementation Working Group.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The ACT has continued to administer the NEPM to ensure that the goal of the NEPM is achieved. The NEPM has been fully operational in the ACT since March 2000 and no major issues have been identified with its operation.

A large number of movements have continued into the ACT from most jurisdictions for the treatment of polychlorinated biphenyl contaminated oil treatment by the Energy Services Environmental facility.

Table 1: Number of consignment authorisations issued by the Australian Capital Territory

Reporting Year	Consignment authorisations issued
2008–09	58
2009–10	45

**Table 2: Quantity of controlled waste into the Australian Capital Territory for the period
1 July 2009 to 30 June 2010**
Tonnes per waste category by State/Territory

Code	Description	NSW	Vic	Qld	WA	SA	Tas	NT	Total (tonnes)
A	Plating & heat treatment								0.00
B	Acids								0.00
C	Alkalis								0.00
D	Inorganic chemicals								0.00
E	Reactive chemicals								0.00
F	Paints, resins, inks organic sludges								0.00
G	Organic solvents								0.00
H	Pesticides								0.00
J	Oils	177.29	4.05						181.34
K	Putrescible/organic waste								0.00
L	Industrial washwater								0.00
M	Organic chemicals	469.66	17.10	30.10					516.86
N	Soil/sludge	1675.46							1675.46
R	Clinical & pharmaceutical	260.86							260.86
T	Misc.								0.00
	State Totals (tonnes)	2583.27	21.15	30.10	0.00	0.00	0.00	0.00	2634.52

No discrepancies were reported for the period of 1 July 2009 to 30 June 2010.

**Table 3: Number of movements of controlled waste into the Australian Capital Territory for the period
1 July 2009 to 30 June 2010**

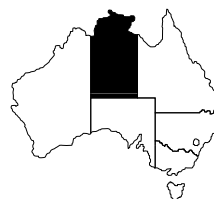
NSW	Vic	Qld	WA	SA	Tas	NT
968	2	2				

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to provide an effective means of tracking hazardous waste between jurisdictions, and minimising environmental risk from interstate transportation of controlled wastes.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for the Northern Territory by Mr Karl Hampton MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 46)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Waste Management and Pollution Control Act 1998 (the Act) provides the legislative basis to regulate and administer the NEPM. The Department Natural Resources, Environment the Arts and Sports (NRETAS) currently administers the NT's obligations through licensing of scheduled activities that involve the movement of controlled wastes across State/Territory boundaries and the issuing and receipt of Waste Transport Certificates. This level of involvement is commensurate with the terms of the Agreement between States and Territories on matters relating to the implementation of the NEPM. The level of environmental safeguard is further bolstered within the Territory by the NT Worksafe administration of the *Dangerous Goods (Road and Rail Transport) Act*.

Implementation issues arising

The Northern Territory is currently meeting its obligations under the NEPM requirements and complying with NEPM protocols. The Territory is administering tracking requirements via the 5 docket Waste Transport Certificates currently adopted by all other signatories to the Agreement.

Activities involving the transfer of controlled wastes across State and Territory boundaries are scheduled under the Act and are licensed in accordance with the NEPM protocols. There have been no recorded movements of controlled waste into the NT in the reporting period and no discrepancies have been recorded.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

There have been no recorded movements of controlled waste into the NT in the reporting period and no discrepancies have been recorded.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Implementation of the NEPM has been limited in the Northern Territory as the movement of controlled waste tends to be from the NT to other states. The NEPM does however provide a consistent system for use in the NT when required.





NEPC Report on the implementation of the
National Pollutant Inventory NEPM

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Commonwealth

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 54)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Commonwealth implements the NEPM administratively and ensures that its obligations under the *National Environment Protection Act 1994* are met.

Implementation issues arising

Nil.

PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> 277 838 visitors to the NPI website. 	<ul style="list-style-type: none"> Widespread support from industry, community advocates and government for the NPI. Update to the NPI website and database search engine has been well received by the community and industry. Industry guidance materials need to be updated to ensure that inappropriate and outdated methodologies are removed. Positive feedback on the NPI teacher resources kits has been received. 	<ul style="list-style-type: none"> Major update of the NPI website and database search engine in order to make the database easier to search and present NPI data, including the ability to download to CSV format. 496 teacher resources kits have been sent to 221 schools. The free call phone line has received more than ten calls a month. Responses have been provided to 250 emails received through the public email inbox.

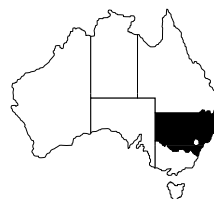
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
INDUSTRY		
<ul style="list-style-type: none"> • 4218 reports for 2008–09 • 4148 reports for 2007–08 • 304 new reporters • 8 new sectors reporting • 0 confidentiality claims submitted 	<ul style="list-style-type: none"> • Industry representatives have been supportive of improving NPI reporting materials and emission factors. The NPI has developed positive networks with them. • 68 facilities from seven Commonwealth departments reported to the NPI in 2009–10. 	<ul style="list-style-type: none"> • Updates were made to five industry manuals and to the NPI guide. • Ongoing support and development of the online reporting system to streamline reporting and improve data quality. • Responded to industry queries for assistance with reporting received in the public email box or by phone.
GOVERNMENT		
<ul style="list-style-type: none"> • 0 desktop audits • 1 on-site audits • 0 regulatory actions 	<ul style="list-style-type: none"> • Participation in the interdepartmental working group on the development of an international legally binding instrument on mercury. • Preparation of data used to prepare the State of the Environment report. 	<ul style="list-style-type: none"> • Major update of the NPI website and database search engine in order to make it easier to search and present NPI data, including ability to download to CSV format. • New XML downloads allow for more detailed analysis of NPI data by government departments.

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

New South Wales

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 54)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The NSW Department of Environment, Climate Change and Water (DECCW) implements and enforces the National Pollutant Inventory (NPI) NEPM under the provisions of the Protection of the Environment Operations (General) Regulation 2009. The Regulation establishes reporting requirements for industrial facilities in NSW and also prescribes the offences for which penalty notices may be issued, which include failure to lodge a report when due and failure to keep and produce records.

The NPI program ensures access by the community, industry and government agencies to consistent quality data on environmental emissions and transfers. Specifically, meaningful comparative data and substance trends are available to the community and for the development of policy and regulation.

Implementation issues arising

Uptake of the Online Reporting System has been raised from 53% to 65% during the reporting period. NSW is seeking to achieve a 95% participation rate for online reporting by industry. This will increase data integrity and streamline reporting for the more complex operations. DECCW officers have continued to provide education and support for the use of the Online Reporting System. Promotion of the Online Reporting System is actively undertaken when communicating with reporters who continue to submit hard copy reports.

The introduction of the reporting of transfers has resulted in substantial changes to the reporting requirements for industry and educational and administrative role for DECCW. Transfer reporting has increased the workload for DECCW due to the necessary level of support to understand and report on transfers, including the Online Reporting System component.

In December 2009 the NSW facility data was delivered to the Commonwealth for release on the NPI database in March 2010. Thirteen facilities (compared to one in the previous reporting period) were issued with a Penalty Infringement Notice for failing to meet reporting deadlines for the second consecutive year.

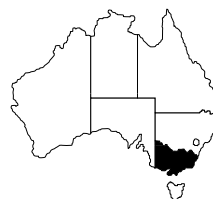
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> • 277 838 visitors to the NPI website 	<ul style="list-style-type: none"> • Academics and researchers are using NPI data for modelling and other studies • The media and public are using the NPI database to investigate emissions in locations of interest • The new website will ensure NPI data will be presented in a more user friendly format 	<ul style="list-style-type: none"> • Increased use of the NPI data by the media illustrates growing awareness of the dataset
INDUSTRY		
<ul style="list-style-type: none"> • 852 reports for 2008–09 • 838 reports for 2007–08 • 14 new reporters • 100 new Online reporters • No new sectors reporting • No confidentiality claims submitted 	<ul style="list-style-type: none"> • Online Reporting System Training essential to use system with confidence • Reporting transfers continues to be confusing until the reporting requirements are understood. • NPI support service essential for novice reporters • NPI reporting is aided by facilities establishing systems and processes to complete the report • NPI Emissions Estimation Technique Manuals need to be updated regularly to remain relevant 	<ul style="list-style-type: none"> • Scheduled and ongoing support and training is provided for the Online Reporting System. Information and Training Sessions were attended by approximately 110 people • Ongoing education on reporting transfers is being provided to industry • Ongoing technical advice and assistance was provided to industry
GOVERNMENT		
<ul style="list-style-type: none"> • 852 desktop audits • No on-site audits • 13 regulatory actions 	<ul style="list-style-type: none"> • NPI emissions data was used by agencies to inform policy and regulatory approaches • NPI emissions data assists DECCW in analysing environmental outcomes of regulation of substances on catchments and industry sectors 	<ul style="list-style-type: none"> • Internal communications improve the awareness of DECCW staff on the value of NPI data • National NPI meetings facilitate the collaborative and consistent approach to NPI implementation and knowledge transfer between jurisdictions

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

Victoria

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 54)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

EPA Victoria (EPA) implements and enforces the National Environmental Protection (National Pollutant Inventory) Measure (NEPM) under the provisions of the *Environment Protection Act 1970*, through the Industrial Waste Management Policy (National Pollutant Inventory) (IWMP NPI) that was gazetted on 6 October 1998.

Implementation issues arising

- Due to the 2008 NEPM variation and consequent changes to NPI reporting requirements, industrial facilities are now required to report transfers of substances in their waste streams in 2008–09 when relevant thresholds were tripped.
- Transfers reporting has been widely and variously misinterpreted by industry largely due to unclear definitions and incomplete consideration, and therefore guidance, of possible transfer scenarios.
- This has resulted in a heightened demand for assistance from industry and associated increase in jurisdictional workload to undertake detailed investigations and to develop a nationally uniform approach.

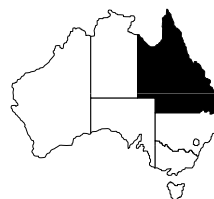
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
INDUSTRY		
<ul style="list-style-type: none"> • 817 reports for 2008–09 • 803 reports for 2007–08 • 59 new reporters • no new sectors reporting • no confidentiality claims submitted 	<ul style="list-style-type: none"> • 86.5% of industry reports were submitted online. • A number of industrial facilities that reported in previous years dropped from the reporting list because they didn't trigger the reporting threshold, were closed down, or failed to report in time. 	<ul style="list-style-type: none"> • Due to significant demand over 250 people attended 13 training sessions: <ul style="list-style-type: none"> • 8 in metropolitan Melbourne • 5 in regional centres.
GOVERNMENT		
<ul style="list-style-type: none"> • 817 desktop audits • no on-site audits • no regulatory actions 	<ul style="list-style-type: none"> • All reports underwent desktop review. 	

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

Queensland

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Queensland by the Hon. Kate Jones MP, Minister for Climate Change and Sustainability for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 54)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Queensland, the National Pollutant Inventory NEPM (NPI NEPM) is implemented by the Department of Environment and Resource Management (DERM) supported by the *Environmental Protection Act 1994* and the Environmental Protection Regulation 2008 (EP Regulation). Chapter 6 of the EP Regulation provides the legislative framework for implementing the NPI NEPM (as varied November 2008) and provides for penalties of up to \$2000 for non-compliance with a reporting requirement and/or naming of the non-compliant party in the National Environment Protection Council (NEPC) annual report. The State Penalties Enforcement Regulation 2000 also provides Infringement Notice Offences of \$200 per offence for non-compliance with NPI reporting requirements.

Implementation issues arising

- Queensland conducted two training sessions for approximately 50 industry reporters aimed at improving understanding of NPI reporting requirements and assisting reporters to utilise the benefits of the online reporting tool.
- Telephone and e-mail support was provided (and accessed by most reporters) to address technical queries and reporting issues.

- Queensland received 1053 NPI reports for 2008–09. All facility reports were processed in accordance with data verification procedures including checks to ensure that the emissions are commensurate with: the size of the facility; the amount of fuel burned; historical data; and, the types of emissions expected from the particular type of facility. More than 1000 facilities were contacted for further information as part of the verification process. See ‘facility emissions reports’ for further detail.
- The 2009 Queensland Pollutant Emissions Report Card, which included data for the 2007–08 period, was launched on 10 June 2010. This annual report card is the major Queensland specific communication product for the NPI.
- Work commenced on the 2010 edition of the annual report card to present information about trends in the amounts of pollutant emissions from large industrial facilities in Queensland using data submitted to the NPI up to 2008–09.
- The Queensland Government actively promoted the use of the NPI data for strategic planning and compliance planning related purposes. Emissions data was used to assist Queensland’s regional environmental regulators in ensuring resources are targeted at the areas of most need in 2009–10.
- There has been continued activity in the collection and calculation of aggregated emissions data from the Gladstone area—the Gladstone airshed.
- Queensland actively participated in the Implementation Working Group (IWG) for the NPI to ensure a nationally consistent approach to implementation.
- The introduction of transfer reporting has added another level of complexity to the NPI reporting process for industry.

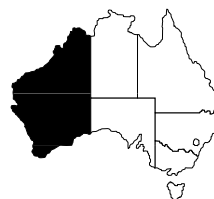
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> 277 838 visitors to the NPI website 	<ul style="list-style-type: none"> Print media interest in the 2008–09 facility emissions and transfer data was registered from several organisations across Queensland. The general focus of the media articles related to government control and monitoring of industrial emissions in the Gladstone and Mount Isa regions 	<ul style="list-style-type: none"> Queensland Pollutant Emissions Report Card 2009 was publicly released in June 2010
INDUSTRY		
<ul style="list-style-type: none"> 1053 reports for 2008–09 1034 reports for 2007–08 84 new reporters in 2008–09 No new sectors reported in 2008–09 No confidentiality claims were submitted in 2008–09 	<ul style="list-style-type: none"> Approximately 68% of industry reporters are now using the online reporting system The remainder are generally utilising the simplified reporting forms developed for some specific industries 	<ul style="list-style-type: none"> Development of a Local Government NPI Reporting Package to be rolled out during the 2010–11 reporting period Conducted 2 industry training sessions with 50 attendees
GOVERNMENT		
<ul style="list-style-type: none"> 1053 desktop audits 	<ul style="list-style-type: none"> NPI data continued to be used for risk profiling and strategic planning of industries for environmental compliance programs. In Queensland, the methodology used to calculate fees for the permitting of certain environmentally relevant activities includes the use of NPI data. 	<ul style="list-style-type: none"> NPI aggregated emissions estimation techniques manuals continue to form the basis for the development of a Gladstone airshed inventory as part of the Clean and Healthy Air for Gladstone project A workshop was conducted involving key Queensland government regulators to help determine how to best use the NPI to complement existing regulatory activities

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

Western Australia

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 54)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Western Australia, the NPI is implemented by the Environmental Protection (NEPM–NPI) Regulations 1998, under the *Environmental Protection Act 1986*. For the period 2009–10, the Department of Environment and Conservation (DEC) had responsibility for implementation of the NEPM–NPI.

Implementation Issues Arising

- Some problems have arisen due to lack of clarity and emission factor errors in selected Emission Estimation Technique manuals and published electronic reporting tools.
- The introduction of transfers reporting has resulted in a number of scenarios being identified which have not been totally resolved, though environmental outcomes have not been seriously compromised.
- Commonwealth staffing levels have resulted in a slowdown of reporting material updates.

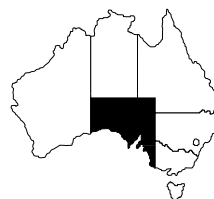
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> • 277 838 visitors to the NPI website 	<ul style="list-style-type: none"> • Very few calls received from the public regarding NPI database information. • There remains a general lack of public awareness of the NPI program. 	<ul style="list-style-type: none"> • Introduction of 'Kids' section on website notified to DEC's Airwatch program coordinator
INDUSTRY		
<ul style="list-style-type: none"> • 746 reports for 2008–09 • 733 reports for 2007–08 • 67 new reporters • No new sectors reporting • No confidentiality claims submitted 	<ul style="list-style-type: none"> • Widespread acceptance of the online reporting system; 85% uptake in WA for 2008–09. • Support given by DEC NPI Section commended by reporters. • Audit program revealed improved levels of input data gathering and emissions estimation, and recognition by reporters of potential issues which may arise due to community knowledge of emissions. • Reporting of transfers largely successful, though minor issues continue to surface. 	<ul style="list-style-type: none"> • Continued follow-up of potential reporters in several industry sectors. • Information session for industry held in Perth. • Reporters regularly reminded of reporting deadlines and supplied with additional reporting information to that available on website. • Primary role taken in modifying the paper reporting form.
GOVERNMENT		
<ul style="list-style-type: none"> • 746 desktop audits • 4 on-site audits • No regulatory actions 	<ul style="list-style-type: none"> • Comparison of NPI reported emissions with facility licensing reports. • NPI data used to augment regional airshed studies. • Identification and ranking of WA's major emitters, and comparison with national data. 	<ul style="list-style-type: none"> • NPI segment included in the DEC Regulatory Training Course. • Details of major emitters provided to DEC licensing personnel for information, data cross-checking and follow-up as required. • NPI facility location data is automatically loaded to the DEC GIS system.

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

South Australia

*Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for South Australia
by the Hon. Paul Caica MP, Minister for Environment and Conservation
for the reporting year ended 30 June 2010*



PART 1 – GENERAL INFORMATION

(Refer to page 54)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Environment Protection Authority in South Australia (SA EPA) implements and enforces the NPI NEPM under the provisions of the Environment Protection (National Pollutant Inventory) Policy 2008 (NPI EPP). The NPI EPP provides the following enforcement options for non-reporting:

- naming the offending company in the NEPC annual report;
- an expiation fee of \$300 and
- a maximum fine of \$4000.

Implementation issues arising

Updated aggregate emissions data are required for reliable comparison with industry emissions. Although a detailed air emissions inventory remains a strategic priority for both the NPI Program and the SA EPA; in accordance with the NPI Memorandum of Understanding, the acquiring and publishing of facility emission data are given priority to ensure the maximum national benefit is provided in implementing the NPI Measure.

The SA EPA uses a load based licensing system that incorporates NPI data when calculating Resource Efficiency Fees (REF). REF fees are payable for the emission of certain pollutants above a threshold level. Accordingly, there has been an increase in workload to implement these changes, through additional validation and administration.

There is a continued need for training of reporters using the online system due to staff turnover within business and industry.

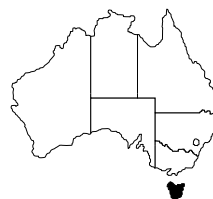
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> In 2009–10 there were 277 838 visitors to the NPI website 		<ul style="list-style-type: none"> As the methods of measurement and metrics used for reporting have been refined, the 2009–10 data should not be compared to that provided in previous years.
INDUSTRY		
<ul style="list-style-type: none"> 447 reports for 2008–09 442 reports for 2007–08 25 new reporters No new sectors reporting No confidentiality claims submitted 	<ul style="list-style-type: none"> Online reporting training has been well received by industry 	<ul style="list-style-type: none"> A newsletter, a summary report for 2009 and audit report were released on the website to inform reporters about legislative changes, online reporting and updates to industry guidance material Industry enquiries via email and phone have been followed up on a one-on-one basis Online reporting training was held in Adelaide, Nuriootpa and Mt Gambier
GOVERNMENT		
<ul style="list-style-type: none"> 447 desktop audits Two on-site audits No regulatory actions 	<ul style="list-style-type: none"> The SA EPA utilises NPI data to implement the resource efficiency component of load based licensing 	<ul style="list-style-type: none"> A internal presentation was held to raise awareness about the NPI within the SA EPA

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

Tasmania

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 54)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

Under Section 12A of the *Tasmanian State Policies and Projects Act 1993*, NEPMs are taken to be State Policies, which have been passed by Parliament. This enables compliance and enforcement tools available under the *Environmental Management and Pollution Control Act 1993* to be used to ensure NPI reporting requirements are met.

Implementation issues arising

Implementation of the NPI NEPM was carried out in accordance with the MOU signed between the Commonwealth and Tasmania. One staff member was responsible for implementing the NPI in Tasmania. Specialist advice is also provided from staff members from within the Environment Division.

The key focus of the Tasmanian NPI officer has been to improve the timeliness of returns and improve accuracy of data being submitted by reporters. An issue of concern is the accuracy of some Emission Estimation Manuals. There is a need to effectively resource the updating of these Manuals as this directly affects data quality and timeliness of submission of reports.

PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> • 277 838 visitors to the NPI website 	<ul style="list-style-type: none"> • Continued increase in community use of NPI data. • Public using NPI data to investigate emissions in their local area. 	
INDUSTRY		
<ul style="list-style-type: none"> • 176 reports for 2008–09 • 169 reports for 2007–08 • 9 new reporters • 5 new sectors reporting • No confidentiality claims submitted 	<ul style="list-style-type: none"> • Generally positive feedback from industry with respect to the Online Reporting System. • Small industry still relies on direct assistance to complete reports. • Industry welcomes local assistance from within jurisdiction. 	<ul style="list-style-type: none"> • Onsite, one on one training provided to industry. • Ongoing advice and assistance provided, particularly relating to recent updates to reporting material.
GOVERNMENT		
<ul style="list-style-type: none"> • 185 desktop audits • No on-site audits • No regulatory actions 	<ul style="list-style-type: none"> • NPI data used in the most recent State of the Environment Report. • NPI data continues to be used within government. 	<ul style="list-style-type: none"> • A close liaison has been developed with the EPA Division, encouraging use of NPI data

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 54)

Implementation issues arising

No issues have arisen during the reporting year, which have impacted on the ACT's implementation.

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of the Environment, Climate Change, Energy and Water implements and enforces the NPI under the provisions of the *Environment Protection Act 1997*.

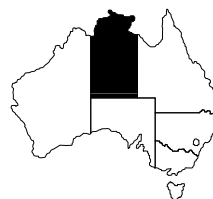
PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> 277 838 visitors to the NPI website 	<ul style="list-style-type: none"> Members of the public indicated ease of database access and navigation 	<ul style="list-style-type: none"> NPI information brochures and the 2006–07 Summary Reports were widely distributed within the ACT Updating NPI information on the DECCEW homepage.
INDUSTRY		
<ul style="list-style-type: none"> 22 reports for 2008–09 22 reports for 2007–08 No new reporters No new sectors reporting No confidentiality claims submitted 	<ul style="list-style-type: none"> Industry response indicated ease of database access 	<ul style="list-style-type: none"> Industry reporters participated in the use of the NPI website both on-site and remotely over the telephone for reporting purposes Continued to liaise and provide support for reporters
GOVERNMENT		
<ul style="list-style-type: none"> No desktop audits No on-site audits No regulatory actions 	<ul style="list-style-type: none"> Database access, navigation, information exchange and download continue to operate satisfactorily. 	<ul style="list-style-type: none"> No specific new activities undertaken in 2007–08.

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for the Northern Territory by Mr Karl Hampton MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 — GENERAL INFORMATION

(Refer to page 54)

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The NPI program is implemented in the Northern Territory (NT) through an Environmental Protection Objective (EPO) established under the *Waste Management and Pollution Control Act*.

Overall responsibility for implementation of the NPI rests with the Environment and Heritage Division, Department of Natural Resources, Environment, the Arts and Sport (NRETAS).

Implementation issues arising

In 2009–10 the NPI officer focused on co-ordinating feedback from government and industry in the Northern Territory as part of the NPI NEPM implementation. The position in the NT is one person part time (0.6).

The principle function of the NPI officer has been to assist reporters in submitting reports and to evaluate those reports for accuracy and consistency within the constraints of available data. In addition the role is to identify potential future reporters and follow-up on past reporters who have failed to submit reports in previous years.

A total of 111 facilities reported to the NPI program in the NT in the 2008–09 reporting year. This represents a net increase of 4 reports compared to the previous year. A small number of facilities no longer report because they fall below threshold. An example of this is remote area community power stations that have been converted to cogeneration with solar panels.

The data was checked for inconsistencies or errors in spatial information, registered name, registered site address, significant deviations in emissions and missing data. Emissions for some industries were compared with equivalent industries interstate. Numerous reports were returned to the facility coordinator for modification and other reports required clarification of the methods used to derive the data. Most of the changes in facility reports resulted from:

- a significant change in activity
- refinement of the emission estimation techniques, or
- errors and omissions on the part of the reporter/coordinator/ consultant.

No confidentiality claims were received from reporters in the NT during this reporting period.

The NT will continue to monitor and audit data reported under the NPI to ensure that the information is accurate, reliable and compliant with the EPO.

The NT aim is to continue to evaluate the industries that are currently not reporting their emissions and convince them to do so via the on-line system.

Updating the aggregate emissions to air database in the Darwin airshed will be performed as funds become available.

The NPI officer continues to participate in the activities of the Implementation Working Group (IWG). The NPI officer attended three national meetings and participated in teleconferences.

PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

Participation Levels	Feedback from the Community, Industry and Government	Implementation Activity Effectiveness
PUBLIC		
<ul style="list-style-type: none"> • 277 838 visitors to the NPI website 		<p>Note: as the methods of measurement and metrics used for reporting have been refined, the 2009–10 data should not be compared to that provided in previous years</p>
INDUSTRY		
<ul style="list-style-type: none"> • 111 reports for 2008–09 • 107 reports for 2007–08 • 4 new reporters • One new sector reporting • No confidentiality claims submitted 	<ul style="list-style-type: none"> • Industry feedback indicated that interaction with the on-line reporting system was generally positive. • Over 95% of reporters used the on-line reporting system while the remainder used the paper reporting system. 	<ul style="list-style-type: none"> • The few paper reporters encouraged to convert to on-line reporting. • Availability of on-line tools emphasised to reporters. • One-on-one training sessions with reporters as required.
GOVERNMENT		
<ul style="list-style-type: none"> • 111 desktop audits • 3 on-site visits • 1 on-site audit • No regulatory actions 	<ul style="list-style-type: none"> • NRETAS environment officers accessed the NPI database to review emissions data and facilities within the Northern Territory. 	<ul style="list-style-type: none"> • NRETAS environment officers assisted in use of NPI database. • Advice to this department of other jurisdiction use of the database for pollution based license fees.

Additional reporting information is available on the National Pollutant Inventory web site at <http://www.npi.gov.au>.





NEPC Report on the implementation of the
Used Packaging Materials NEPM

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Commonwealth

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for the Commonwealth by the Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In 2010, the Australian Government led the development of a Regulation Impact Statement (RIS) to examine the impacts of extending the NEPM beyond 30 June 2010 in order to provide underpinning free rider regulation for the new Australian Packaging Covenant (APC). The RIS found that there was sufficient evidence to support the continuation of the co-regulatory arrangements. Ministers agreed to vary the NEPM, at their meeting on 25 June 2010, and endorsed the new APC to be implemented from 1 July 2010. The NEPM and the APC are subject to reviews at no less than five yearly intervals.

Australian Government implementing legislation would only apply to brand owner companies with over 50% Government ownership, and to its jurisdictional territories. Australia Post is the only company that is considered a brand owner under the definition of the Used Packaging Materials NEPM. Christmas and Cocos Keeling Islands are the only territories where the NEPM could be applied.

Implementation issues arising

The Australian Government and Australia Post are signatories to the National Packaging Covenant (NPC). The Australian Government encourages Covenant activities across all Commonwealth organisations, including agencies and Australia Post. DEWHA reports actions undertaken by agencies to reduce the environmental impacts of packaging and Australian Government progress against baseline waste and recycling data in the Australian Government NPC Action Plan Annual Report.

The Australian Government, as a member of the Covenant Council Steering Committee, participates in developing the Covenant’s annual budget for Covenant

Council’s endorsement. The Australian Government provided twenty five percent of the funds required for administration and communication activities.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

At the end of June 2010, there were 724 compliant Covenant signatories. Of these signatories, 574 were brand owners, the focus of NEPM implementation. During the year, 34 brand owners were formally deemed non-compliant with their Covenant obligations and referred to jurisdictions for follow up under the NEPM. As at 30 June 2010, 14 brand owners were formally deemed non-compliant and referred to jurisdictions for follow up under the NEPM.

Reporting Year	Number of covenant signatories
2008–09	780 signatories (752 compliant)
2009–10	788 signatories (724 compliant)

PART 4 – REPORTING REQUIRED BY THE NEPM

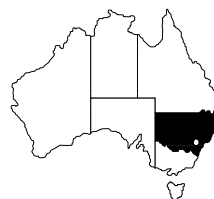
The NEPM requires the Australian Government to provide information annually on the progress of the Covenant to the National Environment Protection Council (NEPC). The information is to be provided by the Covenant Council regarding:

- membership of the Covenant expressed as both the number of signatories and the proportion of consumer packaging used in Australia represented by those signatories
- the number of action plans lodged with the Covenant Council
- recovery and utilisation rates reported by Covenant signatories in accordance with their Action Plans under the Covenant, by material type
- a statement of interpretation of the information.

The National Packaging Covenant Council Annual Report July 2009–June 2010 provides this information and is available on the National Packaging Covenant webpage <<http://www.packagingcovenant.org.au>>.

New South Wales

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for New South Wales by the Hon. Frank Sartor MP, Minister for Climate Change and the Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Used Packaging Materials NEPM is implemented in NSW through Part 5B of the Protection of the Environment Operations (Waste) Regulation (the Regulation) which commenced on 1 September 2006. The Regulation is administered by the Department of Environment, Climate Change and Water NSW (DECCW).

Where the Regulation applies to a brand owner, the brand owner is required to:

- take back the packaging of its products (or an equivalent amount of similar material) in line with published targets
- re-use or recycle this packaging
- advise consumers on how their products' packaging may be recycled
- provide a range of data and report against key performance indicators
- develop an action plan and submit annual reports.

Under the Regulation, 'brand owners' include owners or licensees of trade marks, franchisees, importers, packaging suppliers and retailers who provide plastic bags to their customers. It does not apply to brand owners that have an annual turnover of less than \$5 million or those who are part of an industry arrangement that produce equivalent outcomes to the Packaging Covenant. Non-compliance with the requirements of the Regulation carries fines of up to \$11 000 for an individual and \$22 000 for a corporation and daily fines for continuing offences.

Monitoring and evaluation processes are in place in NSW to identify potential 'free riders' to the Packaging Covenant, including local government kerbside collection audits. Consistent with other jurisdictions,

NSW did not conduct a brand owners' survey in 2009–10 (see Part 4 for details).

The NEPM obliges local government to report certain data. Reporting by local government under the NEPM has been implemented in NSW under existing administrative arrangements, through which local governments report to DECCW on kerbside recycling activities.

Implementation issues arising

A new database has been developed that enables efficient tracking and reporting on brand owners in NSW, and whether the Regulation applies.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

In 2009–10 NSW supported the Covenant Council by sending letters to businesses referred by the Covenant Council Secretariat. These letters informed the addressees of the Regulation that applies to companies that are brand owners which have an annual turnover of more than \$5 million and which are not signatories to the Covenant or an equivalent arrangement. The letters also provided information on the Covenant and how to join the Covenant. The implementation of the Regulation is initially based on a discussion about product stewardship and options for demonstrating this, but where businesses failed to respond or persistently failed to join the Covenant, NSW issues statutory notices. These statutory notices require addressees to provide action plans under the Regulation.

Between 1 July 2009 and 30 June 2010, NSW focussed its efforts on following up previously contacted and non-responsive companies. These companies were either non-signatories to the Covenant, or businesses that had failed to meet their obligations and not responded to initial contact. Up to 60 companies were targeted and were contacted by telephone (often up to four or five times each), email and fax. NSW enforcement resulted in positive action by more than 40 companies to either sign or meet obligations as a signatory to the Covenant.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

At the end of June 2010 NSW had a total of 326 signatories compared to 320 at the end of June 2009. Many of the new signatories who signed up during the reporting period did so in response to NSW letters and repeated phone calls made by DECCW staff.

Reporting Year	Number of covenant signatories
2008–09	320
2009–10	326

Recovery data

Nil (no brand owner was subject to record-keeping obligations under the NSW Regulation).

Supporting data

Clause 18 of the NEPM required jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the measure in preventing free riding. Jurisdictions agreed to defer the survey pending finalisation of the new Australian Packaging Covenant and NEPM arrangements. These arrangements were confirmed by Council on 25 June 2010. Jurisdictions will continue to carry out annual surveys as per Clause 18, and will use data derived from previous surveys for immediate term NEPM implementation.

Complaints, investigations and prosecutions

No complaint was received in relation to specific businesses.

Statement of interpretation of the information

NEPM activity was affected by the conclusion of the National Packaging Covenant and the introduction of the new Australian Packaging Covenant from 1 July 2010. Nevertheless, NSW enforcement action resulted in over 40 new companies either signing to or complying with obligations under the Covenant.

PART 5 – LOCAL GOVERNMENT DATA

FROM: New South Wales

Year (reporting period): 1 July 2009—30 June 2010

Total number of Councils reporting: 151

Note: No returns received from Wellington Council.

Percentage of total Councils: 99%

Other type of recycling services (e.g. Drop off) by number of Councils:

115 (Drop off service only 19)

Total number of premises/households:

Residential	2 700 106
Non-residential	14 043

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	2 528 725	62 336
Non-residential	5 598	2 199

Average premises fee charged by Council for recycling services:

Residential	\$ 72.32
Non-residential	\$ 98.81

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 201.97
Non-residential	\$ n/a

Proportion of household/premises with access to a recycling service: 93.7%

Average participation rate: 89.0%

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
Crate	Commingled	Weekly	13
Crate	Commingled	Fortnightly	2
Crate	Commingled	Monthly	1
MGB 55L	Commingled	Weekly	1
MGB 80L	Commingled	Weekly	2
MGB 120L	Commingled	Weekly	3
MGB 120L	Commingled	Fortnightly	2
MGB 2 x 120L	Paper/Cardboard / Containers	Weekly	1
MGB 2 x 120L	Paper/Cardboard / Containers	Fortnightly	3
MGB 140L	Commingled	Weekly	6
MGB 140L	Commingled	Fortnightly	1
MGB 240L	Commingled	Weekly	5
MGB 240L	Split (Paper / Containers)	Weekly	1
MGB 240L	Split (Paper / Containers)	Fortnightly	4
MGB 240L	Split (Waste / Recycling)	Weekly	2
MGB 240L	Split (Waste / Recycling)	Fortnightly	1
MGB 240L	Commingled	Fortnightly	90
MGB 340L	Commingled	Fortnightly	1

*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	150 963	140 504	10 459
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	281 663	260 489	21 174
TOTAL GLASS	230 162	207 888	22 274
TOTAL PLASTICS	48 454	43 261	5 193
TOTAL ALUMINIUM (cans)	6 198	5 763	435
TOTAL STEEL (cans, tins etc.)	19 868	18 564	1 304
TOTAL	737 308	676 469	60 839

*Table 2: Amounts of materials dropped off, sent for secondary use/energy recovery
and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at drop-off	Drop-off recycling collected (in tonnes)	Drop-off recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Drop-off recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	15 848	15 749	99
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	5 097	4 972	125
TOTAL GLASS	6 107	5 954	153
TOTAL PLASTICS	1 850	1 774	76
TOTAL ALUMINIUM (cans)	346	344	2
TOTAL STEEL (cans, tins etc.)	4 689	4 673	16
TOTAL	33 937	33 465	471

Victoria

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Victoria by the Hon. Gavin Jennings MLC, Minister for Environment and Climate Change for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Used Packaging Materials NEPM is implemented in Victoria through statutory policy, Waste Management Policy (Used packaging Materials) 2006 (the Policy). The Policy was gazetted and commenced on 28 March 2006 under the *Environment Protection Act 1970*. The primary purpose of the Policy is to establish a statutory basis for ensuring that signatories to the National Packaging Covenant (the Covenant) are not competitively disadvantaged in the marketplace by fulfilling their commitments under the Covenant.

Implementation issues arising

Nil.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Victoria continued to implement the Policy—particularly in the second half of 2009—by targeting brand owners that were not signatories to the Covenant or that were non compliant with Covenant requirements.

In Victoria, non-signatories and non-compliant signatories are first contacted by mail to advise the company of their options and obligations (to either sign the Covenant or be subject to the regulations) under the Policy. If a company fails to comply with the requirements of the first notice within 30 days, the EPA issues a draft Pollution Abatement Notice requesting specific information for each packaging material used for a financial year. Companies must demonstrate a recovery/reutilisation rate for each material that is greater than the recovery targets set under the Covenant. If a company again fails to comply, the EPA then issues a Pollution Abatement Notice to enforce compliance.

As a result of this activity by Victoria, 6 brand owners signed the Covenant during the 2009–10 financial year.

Enforcement of the Policy reduced in the first half of 2010, with the focus on supporting and enabling the transition from the National Packaging Covenant to the Australian Packaging Covenant from 1 July 2010.

Clause 18 of the Used Packaging Materials NEPM requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the measure in preventing free riding. Jurisdictions agreed to defer the survey in 2009–10 pending finalisation of the Australian Packaging Covenant and NEPM arrangements. These arrangements were confirmed by EPHC on 25 June 2010. Jurisdictions will continue to carry out annual surveys as per clause 18, and will use data derived from previous surveys (the last survey occurred in March–April 2009) to approach brand owners and implement the NEPM.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM instrument appears to deliver the greatest value by providing an incentive to most non-signatory brand owners to sign the Covenant (or demonstrate an exemption). Six brand owners signed the Covenant in 2009–10 as a result of NEPM activity by Victoria. The total number of Victorian signatories at 30 June 2010 was 264, down slightly from 270 at 30 June 2009. (This was partly attributable to some brand owners being merged or acquired, ceasing operations or falling under the \$5 million annual turnover threshold during 2009–10.)

The NEPM contributes to better environmental outcomes for packaging by encouraging the majority of brand owners to sign the Covenant thereby ensuring that signatories are not disadvantaged by fulfilling their Covenant obligations.

Reporting Year	Number of Victorian covenant signatories
2008–09	270
2009–10	264

Recovery data

Jurisdictions did not do any brand owner audits this reporting year as outlined above.

Supporting data

No audits of brand owner records have been necessary.

Complaints, investigations and prosecutions

No complaints were received during the reporting period.

Statement of interpretation of the information

Nil.

PART 5 – LOCAL GOVERNMENT DATA

FROM: Victoria

Year (reporting period): 1 July 2009—30 June 2010

Total number of Councils reporting: 79

Percentage of total Councils: 100%

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
120L	Commingled	Weekly	7
240L	Commingled	Fortnightly	70
240L and tied bundle	Commingled and paper	Fortnightly and monthly	1
Crate and tied bundle	Commingled and paper	Weekly and monthly	1

Other type of recycling services (e.g. Drop off) by number of Councils: 57 councils have drop off services.

Total number of premises/households:

Residential	2 213 738
Non-residential	273 871

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	2 109 870	480 246
Non-residential	76 885	43 849

Average premises fee charged by Council for recycling services:

Residential	\$ 57.77
Non-residential	\$ 83.79

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 33.77
Non-residential	\$ n/a

Proportion of household/premises with access to a recycling service: 95%

Average participation rate: 87%

*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	104 070	87 446	6 624
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	259 662	240 216	19 446
TOTAL GLASS	169 479	157 063	12 416
TOTAL PLASTICS	54 246	50 552	3 694
TOTAL ALUMINIUM (cans)	7 800	7 287	513
TOTAL STEEL (cans, tins etc.)	19 306	18 040	1 266
TOTAL	614 563	560 604	43 959

*Table 2: Amounts of materials dropped off, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at drop-off	Drop-off recycling collected (in tonnes)	Drop-off recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Drop-off recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	5 039	4 963	76
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	8 888	8 777	110
TOTAL GLASS	2 594	2 574	20
TOTAL PLASTICS	848	835	13
TOTAL ALUMINIUM (cans)	541	514	28
TOTAL STEEL (cans, tins etc.)	2 556	2 489	66
TOTAL	20 466	20 152	313

Explanatory notes:

Average fee Residential—please note that only 56 of the 79 councils (71%) responded to this question.

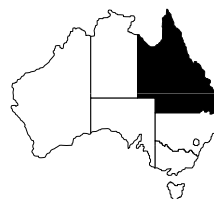
Average fee Non-residential—please note that only 39 of the 79 councils (49%) responded to this question.

Annual per premise cost to council to provide a service (Residential)—the fee of \$33.77 refers to both residential and non-residential premises (there is no figure for non-residential premises).

Participation rate—please note that only 74 of the 79 councils (94%) responded to this question.

Queensland

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Queensland by the Hon. Kate Jones MP, Minister for Climate Change and Sustainability for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Queensland legislative provisions relating to the management of used packaging materials are contained in the Environmental Protection (Waste Management) Regulation 2000, administered by the Department of Environment and Resource Management (DERM). This Regulation was amended through the Environmental Protection (Waste Management) Amendment Regulation (No. 1) 2010 to ensure continued regulatory support for the Australian Packaging Covenant (the Covenant) and to give effect to the provisions of the NEPM (Used Packaging Materials). This amendment was gazetted on 25 June 2010.

Under the Environmental Protection (Waste Management) Regulation 2000, Part 6B—Used Packaging Materials, local governments undertaking kerbside recycling services are required to provide data on recycling in their jurisdiction. DERM coordinates the collection and compilation of this data for Queensland.

Implementation issues arising

- Queensland implements the NEPM by promoting the Covenant and taking compliance action against non-signatories referred by the Covenant secretariat, or identified by other signatories or by informal investigation of brand owners in the marketplace.
- The Covenant is promoted to potential signatories as a more flexible and appealing option for businesses than the NEPM, with additional benefits that come by undertaking actions to improve management of packaging under a company's Covenant Action Plan, together with the information and networking benefits.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The Queensland Government's progress towards achieving the NEPM Goal includes:

- raising awareness of the NEPM and the Covenant through presentations to industry and signatories, and meetings with individual companies; in particular, DERM hosted a Covenant forum with presentations from several major Queensland companies regarding actions they have taken as part of their Covenant Action Plan, and the benefits and cost savings that resulted – all Queensland signatories were invited to this forum
- actively contributing to the development of the new Australian Packaging Covenant, and its associated Strategic Plan and Sustainable Packaging Guidelines
- facilitating product stewardship through enforcement of legislation to implement the NEPM in Queensland, and applying product stewardship to its own operations
- undertaking market development initiatives for used packaging materials
- working with stakeholders, community groups, industry associations and local government on development of resource recovery studies and projects
- implementing projects that support integrated recycling collection and reprocessing services.

A number of key Queensland and national projects relevant to the NEPM goal were initiated in Queensland during the reporting period including:

- a national project of in-store recycling in KFC Restaurants for fast food packaging
- a cardboard recycling project in the Torres Strait region, undertaken by IBIS stores and Sea-Swift ferries
- a pilot project using very fine recycled glass powder as a silicon based fertiliser which partially substitutes for nitrogen and phosphorous fertilisers, and which can increase nutrient uptake, yield and growth across a range of plants

- DERM's Away from Home Recycling program, partnering with the Department of Education and Training to introduce recycling into 150 schools throughout QLD, which follows on from the successful Public Place Recycling project
- an aluminium can recycling project with Torres Shire Council, for Thursday, Horn and Prince of Wales Islands in the Torres Strait area
- an extensive recycling program on Hamilton Island and other Whitsunday island resorts with a glass crusher and plastics/metal baler for the islands which previously undertook no recycling; Hamilton Island is source separating a wide range of materials into separate bins, and then sending on to Brisbane recycling markets (aluminium, steel, PET plastic, HDPE plastic, other mixed plastic, polystyrene, paper and cardboard)—crushed glass will be reused on the island in landscaping and grounds maintenance
- a waste audit benchmarking study with the Council of Mayors South East Queensland as part of a Resource Recovery Project.

Ongoing Queensland projects include:

- Warraber Island (Torres Strait)—An Integrated Waste Management Demonstration Initiative
- Cairns Regional Council—Glass Crusher Demonstration Project
- Brisbane City Council—Recycling Improvement Program for Multi-Unit Dwellings and Commercial and Industrial Premises
- Townsville City Council—Reusing Old Recycling Trucks as Cardboard Compactors
- Cook Shire Council—Recycling Trailers for Remote Areas in Far North Queensland with No Kerbside Recycling
- Central Queensland Local Government Association—Regional Integrated Recycling Initiative
- Westfield and Packaging Stewardship Forum—Public Place Recycling in Shopping Centres
- Amcor—National 'Recycling @ Work' Commercial and Industrial Recycling Project
- Amcor and Moreton Bay Regional Council—'Recycling at Work'—Moreton Bay Regional Council (focusing on Small to Medium Enterprises)
- Veolia—National 'RecyclePak' Commercial and Industrial Recycling Project
- Transpacific Industries—'Harvest' Commercial and Industrial Recycling Project
- Queensland Glass Recycling—Glass Recovery Plant in Brisbane

- Colmax—Glass Fines Processing Plant in Brisbane
- Packaging Stewardship Forum—Bottlecycler glass recycling in pubs and clubs in Brisbane.

Projects that were completed:

- DERM—Public Place Recycling Program, which diverted 700 tonnes of used packaging material from landfill over a 2 year period, and introduced the successful 'Do the right thing, use the right bin' call to action to the Queensland community; public place recycling bins are now available in shopping centres, city streets, parklands, stadiums, event venues, transit centres, educational institutions, some National Parks and other public spaces. This project has been nominated for, and won, various leadership and sustainability awards.
- Central Queensland Local Government Association—Central Highlands Joint Waste Collection Contract Planning Project.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM contributes to improved sustainability outcomes for packaging by encouraging brand owners to become signatories to the National Packaging Covenant.

The Queensland Government has continued to promote the National Packaging Covenant and encourage brand owner participation. There are now 70 Queensland signatories, an increase of two signatories over the previous year. These 70 signatories are composed of 6 packaging manufacturers, 5 waste management companies, 4 industry associations, 2 wholesalers or retailers, 2 government organisations, and the rest being brand owners. In the past two years, some signatory companies have either closed or experienced financial losses which brought them below the \$5 million Covenant threshold, which has impacted the overall number of signatories.

Reporting Year	Number of covenant signatories
2008–09	68
2009–10	70

Recovery data

As the brand owners in Queensland that are above the \$5 million threshold are members of the Covenant, they are exempt from the obligation to report packaging data under the NEPM. Therefore there is no data to report under Clause 16 of the NEPM.

Supporting data

Clause 18 of the NEPM (UPM) requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the measure in preventing free riding. Jurisdictions agreed to defer the survey pending finalisation of the Australian Packaging Covenant and NEPM (UPM) arrangements. These arrangements were confirmed by EPHC on 25 June 2010. Jurisdictions will continue to carry out annual surveys as per clause 18, and will use data derived from previous surveys for immediate term NEPM (UPM) implementation.

Complaints, investigations and prosecutions

No complaints regarding brand owners or Covenant signatories were received in the reporting period, and no investigations or prosecutions were necessary.

Statement of interpretation of the information

The NEPM has proven itself an effective mechanism to encourage brand owners, who have a significant impact in the market place on the creation and use of packaging, to join the Covenant and undertake actions to improve the sustainability of their packaging and the recycling rates of used packaging.

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	1 486 038	0
Non-residential	29 067	0

Average premises fee charged by Council for recycling services:

Residential	\$ 165.00
Non-residential	\$ 163.00

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 104.00
Non-residential	\$ 133.00

Proportion of household/premises with access to a recycling service: 90%

Average participation rate: 88%

PART 5 – LOCAL GOVERNMENT DATA

FROM: Queensland

Year (reporting period): 1 July 2009—30 June 2010

Total number of Councils reporting: 47

Percentage of total Councils: 64%
(representing 96% of the population)

Other type of recycling services (e.g. Drop off) by number of Councils: 29 Councils providing drop-off recycling points

Total number of premises/households:

Residential	1 633 302
Non-residential	0

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
240L Bin	Commingled	Fortnightly	23
240L Bin	Commingled	Weekly	1
240L Split Bin	Commingled	Weekly	5
140L Bin, 360L Bin	Commingled	Fortnightly	1
1–4 cubic metre bulk bin	Commingled	Daily—weekly	1
RORO bins up to 36 cubic metres	Commingled	Daily—weekly	1
Bags	Commingled	Weekly	1

*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	145 449	Separate data not available, included in commingled figure	
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	Included in packaging paper figure		Separate data not available, included in commingled figure
TOTAL GLASS	82 495	Separate data not available, included in commingled figure	
TOTAL PLASTICS	12 488		
TOTAL ALUMINIUM (cans)	2 452		
TOTAL STEEL (cans, tins etc.)	4 585		
Commingled	25 581	3 379	22 202
TOTAL	273 050	3 379	22 202

**Table 2: Amounts of materials dropped off, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010**

Material Types collected at drop-off	Drop-off recycling collected (in tonnes)	Drop-off recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Drop-off recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	14 887	Separate data not available, included in kerbside commingled figure	Separate data not available, included in kerbside commingled figure
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	Included in packaging paper figure		
TOTAL GLASS	7 786		
TOTAL PLASTICS	1 259		
TOTAL ALUMINIUM (cans)	235		
TOTAL STEEL (cans, tins etc.)	431	Included in kerbside commingled figure	Included in kerbside commingled figure
Commingled	17 464		
TOTAL	42 062		

Comments:

The data supplied is provisional, based on local government reports received by 8 Nov 2010. The data represents 96% of the population.

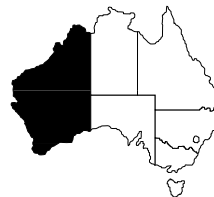
Caution should be used in interpreting the level of significance of all figures provided.

Only 20 of 33 recycling councils provided an estimate of the proportion of recyclables received via Drop Off points. The ratio of kerbside to drop-off for each material collected has been used as a basis for calculating a pro-rata allocation between kerbside and drop-off for each of the materials reported by other recycling councils. Most councils supplied combined paper and cardboard figures, hence it is not possible for DERM to supply separate figures for packaging and non packaging paper.

Only 11 councils provided an estimate of the amount of collected recyclables that were discarded due to contamination or economic reasons. Ten of those councils provided aggregated data which appears in the Kerbside and Drop Off tables as 'Commingled'. There is no accurate or reliable basis for any pro-rata allocations of the residuals sent to landfill to either drop-off or kerbside collection. Nor is there any accurate or reliable basis for determining how much of the individual material streams [i.e. glass, plastics] went to landfill. However two councils noted that 4853 tonnes of glass were discarded because it was uneconomic to send for recycling.

Western Australia

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Western Australia by the Hon. Donna Faragher MLC, Minister for Environment for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The NEPM is implemented in Western Australia (WA) through the Environmental Protection (NEPM-UPM) Regulations 2007 (the Regulations), under the *Environmental Protection Act 1986*. The Regulations were gazetted on 27 April 2007.

Implementation issues arising

No issues arose in the implementation of the NEPM in Western Australia.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

State responsibilities under the NEPM are administered in WA by the Department of Environment and Conservation (DEC). DEC has developed a compliance procedure for implementing the Regulations.

During 2009–10 DEC approached 70 brand owners to whom the NEPM and associated Regulations potentially applied. The approached companies were identified non-signatories that were referred by the Covenant Council Secretariat for failing to respond to requests to join the Covenant.

Of these 70 companies:

- 36 companies were considered exempt, with another two pending resolution
- seven companies were confirmed closed
- five companies were determined to not be brand owners
- 13 brand owners became signatories
- one company was identified as a subsidiary to an existing signatory
- four brand owners are intending to becoming signatories
- contact is yet to be established with two companies.

There was an overall increase of 53% in WA-based brand owners becoming signatories to the Covenant.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Implementation of the NEPM through Regulations has been effective in achieving progress towards the NEPM goal as outlined in clause 6 of the Measure.

During the 2009–10 reporting period, the number of WA based signatories to the Covenant increased from 32 to 49, an increase of 53% from the previous reporting period. The NEPM is an effective tool for encouraging non-compliant signatories to become compliant, and for encouraging ‘free-riders’ to become signatories. The impetus for this is the onerous requirements that the NEPM Regulations can impose on non signatories. As a direct result of jurisdictional activities under the NEPM, 13 brand owners signed the Covenant. Additionally, one company, who nominated to work under the Regulations, later chose to sign up to the Covenant due to the onerous requirements of the NEPM Regulations. A Compliance Notice was issued to another brand owner who failed to resolve whether they were exempt under the NEPM Regulations. Both these companies have since made contact with the Secretariat and intend to sign up to the new Covenant once it is open for them to do so.

Reporting Year	Number of covenant signatories
2008–09	32
2009–10	49

Progress towards the NEPM goal has been achieved by increasing signatory membership to the Covenant and thereby increasing the uptake of the voluntary strategies aimed at reducing environmental degradation arising from used packaging materials. Unfortunately an increase in signatory numbers does not necessarily directly correlate to progress towards the NEPM goal as signatory performance is highly variable. More stringent performance requirements would be required of signatories to see a stronger correlation between signatory numbers and progress towards the goal.

As stated in Part 3 above, approximately 50% of brand owners contacted over the last 12 months have been considered exempt under the Regulations. In WA there are many small to medium size enterprises (SMEs) that have an annual turnover of less than \$5 million. There is not a mechanism to encourage these brand owners to become signatories to the Covenant and this in turn means that a large number of WA companies do not sign up to the Covenant. The combined volume of packaging these companies contribute to the waste stream may be significant even though their individual contribution is not considered to be so. Many small companies would voluntarily join the Covenant, but are deterred by the size of the annual fee. The opportunity to introduce sustainable packaging practices into many SMEs is therefore lost. An annual contribution, for those companies with an annual turnover of less than \$5 million, more in line with that paid by local government and industry associations may encourage more SMEs to sign the Covenant.

Recovery data

No WA based companies have been required to provide records for auditing.

Supporting data

The brand owner survey was deferred until after the Australian Packaging Covenant (APC) and the NEPM (UPM) variation was endorsed by the EPHC.

Complaints, investigations and prosecutions

One Compliance Notice was issued to a brand owner who failed, after numerous approaches, to demonstrate their exemption under the Regulations. This Compliance Notice was issued on the 9 June 2010. The Compliance Notice allows two months for the brand owner to respond by either contesting the Compliance Notice or rectifying it by; demonstrating they are exempt from the Regulations, preparing an action plan under the Regulations, or becoming a signatory to the Covenant. This Compliance Notice was issued in June when the National Packaging Covenant was still in operation, however the requirements of the notice did not need to be met until after the current reporting period. This company has since been in contact with the Secretariat and has been put on the waiting list for when the APC is ready to be signed. Once the brand owner has signed up to the new Covenant the issue resulting in a Compliance Notice being issued will have been rectified.

Additionally all brand owners referred to the State by the Secretariat have been contacted via mail. To date only two companies have not had further contact established. DEC is continuing to pursue these companies.

Statement of interpretation of the information

Not applicable

PART 5 – LOCAL GOVERNMENT DATA

FROM: Western Australia

Year (reporting period): 1 July 2009 — 30 June 2010

Total number of Councils reporting: 70

Percentage of total Councils: 47%

Other type of recycling services (e.g. Drop off) by number of Councils: Drop-off recycling facilities – 48 local governments

Total number of premises/households:

Residential	481 108
Non-residential	23 397

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	464 464	428 223
Non-residential	6 040	n/a

Average premises fee charged by Council for recycling services:

Residential	\$ 94.07
Non-residential	\$ 93.11

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 72.62
Non-residential	\$ 43.60

Proportion of household/premises with access to a recycling service: 96.50%

Average participation rate: 86.90%

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
Separate commingled dry recyclables collection (bottles, cans, paper)	MGB (wheelie bin)	Weekly	2
Separate commingled dry recyclables collection (bottles, cans, paper)	MGB (wheelie bin)	Fortnightly	40
Separate commingled dry recyclables collection (bottles, cans, paper)	MGB (wheelie bin)	Fortnightly	1
Separate commingled dry recyclables collection (bottles, cans, paper)	MGB (wheelie bin)	Weekly	1
Separate paper and cardboard collection	MGB (wheelie bin)	Fortnightly	2

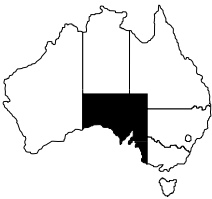
*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	21 949	Not available	Not available
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	43 422		
TOTAL GLASS	9 304		
TOTAL PLASTICS	3 929		
TOTAL ALUMINIUM (cans)	1 621		
TOTAL STEEL (cans, tins etc.)	4 379		
TOTAL	84 604		

Separate data are available for materials from drop-off centres are not available. The data in Table 1 includes total recycled material collected by local governments through kerbside, verge-side and drop-off collections.

South Australia

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for South Australia by the Hon. Paul Caica MP, Minister for Environment and Conservation for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The National Environment Protection (Used Packaging) Measure (NEPM) continues to be implemented in South Australia as a statutory Environment Protection Policy, the Environment Protection (Used Packaging Materials) Policy 2007 (EPP) gazetted on 1 March, 2007.

Implementation issues arising

Clause 18 of the NEPM (UPM) requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the measure in preventing free riding. Jurisdictions agreed to defer the survey pending finalisation of the Australian Packaging Covenant and NEPM (UPM) arrangements. These arrangements were confirmed by the Environment Protection and Heritage Council (EPHC) on 25 June 2010. Jurisdictions will continue to carry out annual surveys as per clause 18, and will use data derived from previous surveys for immediate term NEPM (UPM) implementation.

During this reporting period six companies were referred back to the South Australian Environment Protection Authority (SA EPA) by the NPC secretariat to enforce the obligations of the EPP. All six companies were contacted by the SA EPA and advised of their requirement to comply with the EPP. Following initial contact by the SA EPA, three of the companies contacted decided to re-sign as signatories to the NPC and the EPP applies to the remaining three. The SA EPA continues to work with these three companies to demonstrate compliance with the EPP.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

South Australian brand owners have been advised of their obligations to either join the Covenant or comply with the requirements of the EPP. The SA EPA continues to contact businesses that have been identified as potential brand owners.

Other activities contributing to the effectiveness of the NEPM, and therefore the number of signatories to the NPC, include presentations made by the SA EPA at industry events and in other fora and the activities of the SA Jurisdictional Projects Group.

As at 30 June 2010 South Australia had 48 signatories to the NPC.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

South Australia continues to implement this measure within the current SA legislative framework.

South Australia has continued to promote and support the implementation of the Covenant, and has been represented on national and jurisdictional bodies. South Australia has also promoted the Covenant through the South Australian Jurisdictional Projects Group and by taking part in industry and public seminars to advise brand owners of their obligations should they choose not to join the Covenant.

Reporting Year	Number of covenant signatories
2008–09	56
2009–10	48

Recovery data

Only one brand owner has elected to comply with the EPP in South Australia, their first year of reporting against their action plan is for the 2009–10 period.

Supporting data

Jurisdictions agreed to defer the survey for this reporting period until the future of the Australian Packaging Covenant is decided post 30 June 2010.

Complaints, investigations and prosecutions

No complaints were received during this reporting period, all companies referred to the SA EPA by the Covenant secretariat were deemed to be either under the brand owners threshold or ensure they meet the requirements of the EPP. The SA EPA continues to work with these companies to ensure they meet the requirements of the EPP or sign up to the Covenant.

Statement of interpretation of the information

South Australia continues to implement this measure within the current South Australian legislative framework.

South Australia has promoted and supported the implementation of the Covenant. South Australia has also promoted the Covenant through many of its activities and by taking part in industry and public seminars to advise brand owners of their obligations should they choose not to join the Covenant.

PART 5 – LOCAL GOVERNMENT DATA

FROM: South Australia

Year (reporting period): 1 July 2009 — 30 June 2010

Total number of Councils reporting: 46

Percentage of total Councils: 68%

Other type of recycling services (e.g. Drop off) by number of Councils: Drop off: 19

Total number of premises/households:

Residential	639 114
Non-residential	76 002

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	614 798	51 364
Non-residential	49 208	7 491

Average premises fee charged by Council for recycling services:

Residential	\$ 64.87
Non-residential	\$ 60.04

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 64.87
Non-residential	\$ 60.04

Proportion of household/premises with access to a recycling service: 100%

Average participation rate: 75.26%

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
140L Bin	Cardboard, liquid paper board, mixed paper, newspaper/magazines, mixed glass, mixed plastics, aluminium and steel	Fortnightly	1
240L Bin	Cardboard, liquid paper board, mixed paper, newspaper/magazines, mixed glass, mixed plastics, aluminium and steel	Fortnightly	42
240L Split MGB	Cardboard, liquid paper board, mixed paper, newspaper/magazines, mixed glass, mixed plastics, aluminium and steel	Weekly	3
60L Crate	Cardboard, liquid paper board, mixed paper, newspaper/magazines, mixed glass, mixed plastics, aluminium and steel	Fortnightly	1

*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

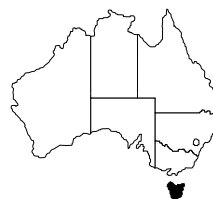
Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	62 372	42 722	1 493
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	33 703	38 406	1 681
TOTAL GLASS	10 788	10 173	629
TOTAL PLASTICS	3 557	3 294	176
TOTAL ALUMINIUM (cans)	1 148	1 122	46
TOTAL STEEL (cans, tins etc.)	5 231	5 301	199
COMMINGLED	22 805	18 829	15 533
TOTAL	139 604	119 847	19 757

*Table 2: Amounts of materials dropped off, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at drop-off	Drop-off recycling collected (in tonnes)	Drop-off recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Drop-off recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	1 730	1 579	55
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	397	390	7
TOTAL GLASS	109	104	5
TOTAL PLASTICS	44	42	2
TOTAL ALUMINIUM (cans)	13	3	2
TOTAL STEEL (cans, tins etc.)	962	441	3
COMMINGLED	5 753	3 387	2 987
TOTAL	9 008	5 946	3 061

Tasmania

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Tasmania by the Hon. David O'Byrne MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The NEPM is a State policy under the *State Policies and Projects Act 1993*.

Implementation issues arising

State Policies can be given effect by issuing Environment Protection Notices issued under the *Environmental Management and Pollution Control Act 1994* (EMPCA). The obligations on brand owners can be implemented through conditions and requirements set out in such notices.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The EPA has been working on a cooperative basis with the National Packaging Covenant Council to ensure signatories are meeting the commitments given in their Action Plans.

The focus during the reporting period has been to ensure that brand owners with a turn over of more than \$5 million have become signatories and are undertaking their reporting obligations.

During the reporting period there has been no need to enforce the NEPM in Tasmania.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

Negotiations with companies that fall within the NEPM threshold to become signatories to the Covenant were completed during the reporting period and the NEPM has provided a strong incentive for them to join the Covenant. Tasmania has eighteen covenant signatories.

Reporting Year	Number of covenant signatories
2008–09	18
2009–10	18

PART 5 – LOCAL GOVERNMENT DATA

Insufficient data had been collated at the time of reporting.

Australian Capital Territory

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In the ACT, the Department of the Environment, Climate Change, Energy and Water (DECCEW) has responsibility for the implementation and administration of NEPM while the Department of Territory and Municipal Services (TAMs) is responsible for the operational aspects of the NEPM.

The Used Packaging Materials Industry Waste Reduction Plan (IWRP) was approved in November 2006 as an instrument developed under the ACT *Waste Minimisation Act 2001* to implement the NEPM requirements in the ACT. The IWRP Instrument was updated on 22 April 2010 to ensure that the regulatory arrangements reflect ACT's commitments made through EPHC.

The goal of the IWRP is to reduce environmental degradation arising from the disposal of used packaging and conserve virgin materials through the encouragement of waste avoidance and the reuse and recycling of used packaging material by supporting and complementing the voluntary strategies in the Covenant and by assisting the assessment of the performance of the Covenant. The Plan aims to ensure that Covenant signatories are not competitively disadvantaged in the ACT marketplace.

Implementation issues arising

The ACT brand owners of packaging were initially advised of their obligation to either join the National Packaging Covenant (NPC) or comply with the requirements of the NEPM. The ACT brand owners who chose not to join the voluntary NPC are regulated by the IWRP.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The ACT incorporates both state and local government and does not require local council reporting.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The IWRP imposes greater responsibility for consumer packaging waste and other waste associated with used consumer packaging in the ACT to ensure that the Territory has no free riders who refuse to take up their responsibility to reduce waste from packaging. Additionally, under the IWRP, brand owners must demonstrate that reasonable steps have been taken to ensure that customers are adequately advised as to how the packaging is to be recovered.

There has been no movement in ACT signatories, with the exception of one signatory, who was deemed non compliant in September 2009 but has since been reinstated in June 10 after completing its overdue requirement.

Reporting Year	Number of covenant signatories
2008–09	15
2009–10	15

Recovery data

Under the IWRP, brand owners must demonstrate that reasonable steps have been taken to ensure that customers are adequately advised as to how the packaging is to be recovered. The ACTSmart Office and Business recycling programs provide assistance and accreditation to businesses and offices in the ACT to encourage and support the adoption of efficient waste management and recycling. The programs focus on encouraging participants to improve the way they deal with their waste, and to redirect waste away from landfill.

Supporting data

Surveys of business in the commercial sector are being undertaken to identify where in the system the barriers to improved recycling rates are, with the aim of diverting waste to the high value recoverable streams.

Complaints, investigations and prosecutions

The NEPM was implemented through an updated IWRP, under the *Waste Minimisation Act 2001*, to ensure consistency in existing measures underpinning the NPC until a new Australian Packaging Covenant is in place. Since the implementation of the updated IWRP no complaints, investigations, prosecutions or enforcement action were recorded.

Statement of interpretation of the information

The ACT aims to increase rate of resource recovery by redirecting readily recyclable waste from landfill to recycling markets.

The ACT continues to work with businesses and the community to encourage reduced packaging of products. Resource recovery surveys and audits of waste composition will be maintained and improved to provide ongoing reporting and analysis of trends in waste to landfill, and resource recovery rates.

Other type of recycling services (e.g. Drop off)

by number of Councils: Drop off recycling centres at regional centres and transfer stations

Total number of premises/households:

Residential	140 962
Non-residential	0

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	140 962	140 962
Non-residential	0	0

Average premises fee charged by Council for recycling services:

Residential	\$ 0.00
Non-residential	\$ 0.00

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 0.00
Non-residential	\$ 0.00

Proportion of household/premises with access to a recycling service: 99.90%

Average participation rate: 95%

PART 5 – LOCAL GOVERNMENT DATA

FROM: The Australian Capital Territory

Year (Reporting Period): 1 July 2009 — 30 June 2010

Total number of Councils reporting: One

Percentage of total Councils: 100%

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
240 L recycling bin	Domestic recyclables	Fortnightly	1
140 L garbage bin	Domestic non-recyclables	Weekly	1
Large recycling hoppers (for multi-unit properties)	Domestic recyclables	Fortnightly	1
Large garbage hoppers (for multi-unit properties)	Domestic non-recyclables	Weekly	1

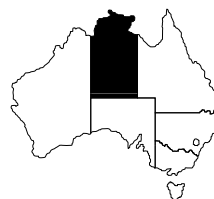
*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board	6 979.24	6 979.24	
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines	13 743.98	13 743.98	
TOTAL GLASS	10 988.66	10 988.66	
TOTAL PLASTICS	1 246.24	1 246.24	
TOTAL ALUMINIUM (cans)	152.79	152.79	
TOTAL STEEL (cans, tins etc.)	672.79	672.79	
Contamination	2 589.20		2 589.20
TOTAL	36 372.90	33 783.70	2 589.20

No separate data are available for materials from drop-off centres as they are derived from many sources such as commercial, domestic and regional centres. The data from drop off centres is included in Table 1. Also, some mixed wastes from drop off centres that are then sorted through a Materials Recovery Facility are not identifiable. Sources of the materials are also not recorded.

Northern Territory

Report to the NEPC on the implementation of the National Environment Protection (Used Packaging Materials) Measure for the Northern Territory by Mr Karl Hampton MLA, Minister for Natural Resources, Environment and Heritage for the reporting year ended 30 June 2010



PART 1 – GENERAL INFORMATION

(Refer to page 60)

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Northern Territory (NT) Government is not a signatory to the National Packaging Covenant as the current Covenant remains unlikely to deliver cost effective outcomes relevant to the unique demographic position of the Territory.

In May 2010 the Northern Territory Government announced that work on establishing a 'Cash for Containers' scheme and accompanying legislation in the Northern Territory, had commenced. The NT 'Cash for Containers Scheme' will target collection and recycling of beverage containers. The scheme is expected to commence in late 2011.

There are no known major brand owners based in the NT who are likely to have responsibilities under the NEPM. In the event that NT based brand owners with obligations under the NEPM were found to be non-compliant, there is provision under the *Waste Management and Pollution Control Act* to apply an Environmental Protection Objective to ensure the NEPM can be applied legislatively in the NT.

Implementation issues arising

In 2009–10 a total of \$744 000 in grants was offered to schools and not-for-profit organisations in the Northern Territory to conduct a range of projects and operations that deliver environmental benefits in the community. One of the target categories focuses on 'Re-thinking Waste'. Funding through this category supported projects including Re-thinking Waste in Schools which promoted awareness of litter abatement and resource recovery across Northern Territory schools; a recycling project through Wagait Shire Council and a recycling trial at Nightcliff School.

The Northern Territory 'Cash for Containers' scheme will target the collection and recycling of beverage containers. The aim of the scheme is to reduce beverage container litter, increase recycling and help to reduce the amount of rubbish going to landfill. Latest updates on the Cash for Containers initiative are available on the Department of Natural Resources, Environment, The Arts and Sport website at <http://www.cashforcontainers.nt.gov.au/>.

PART 3 – JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

There have been no brand-owners identified in the Northern Territory who would have obligations under the NEPM. No reporting has been required under clause 16 of the NEPM. No supporting data surveys were conducted in 2009–10 under clause 18 of the NEPM. No complaints have been received, investigations undertaken nor prosecution mounted pursuant to this measure. Of the 16 councils and shires in the Northern Territory only two provide kerbside recycling services and are required to provide reports.

PART 4 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM is considered a less effective mechanism in the Northern Territory as the major contributors to the waste stream are brand-owners not based in the NT. Brand-owners who are Covenant signatories are able to meet their national targets more cost effectively in other more populous jurisdictions where well established recycling infrastructure and high volumes of waste are available.

Due to the small, dispersed population and distance to markets, kerbside recycling is only financially viable in the major population centre of Darwin and its satellite city Palmerston. Recycling activities in other areas face significant barriers and costs and may be both environmentally and economically unviable. Voluntary local drop-off recycling schemes are in place in a number of remote communities but collecting reliable data from these communities is

problematic. Where kerbside recycling exists, the NEPM does provide a useful mechanism for obtaining data on kerbside recycling.

The Northern Territory continues to be committed to the NEPM Goal and Desired Environmental Outcomes through the implementation of the Cash for Containers scheme.

Reporting Year	Number of covenant signatories
2008–09	0
2009–10	0

PART 5 – LOCAL GOVERNMENT DATA

FROM: Northern Territory

Year (reporting period): 1 July 2009—30 June 2010

Total number of Councils reporting: 2

Percentage of total Councils: 12%

Other type of recycling services (e.g. Drop off) by number of Councils: Public/commercial recycling drop off centre which takes green waste, scrap metal, e-waste, batteries, waste oil, waste chemicals, building materials, furniture and other recyclable waste materials (2 councils). Green waste is recycled into mulch and soil. Annual kerbside collection of large materials (2 councils).

Total number of premises/households:

Residential	38 917
Non-residential	4 126

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (Optional)
Residential	34 040	38 917
Non-residential	909	0

Average premises fee charged by Council for recycling services:

Residential	\$ 101.50
Non-residential	\$ 0.00

Annual per premise cost to Council to provide a recycling service:

Residential	\$ 0.00
Non-residential	\$ 0.00

Proportion of household/premises with access to a recycling service: 100%

Average participation rate: 80.25%

Container types and collection frequencies for all containers provided for kerbside collection by number of Councils (e.g. crate/split bin/bag):

Container type	Material type collected in container	Frequency of service	Total No. of councils
240L Bin	Commingled recyclable material	Houses—fortnightly Unit complexes—weekly	1
240L Lid	Commingled recyclable material	Houses—fortnightly Unit complexes—weekly	1

*Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill
1 July 2009—30 June 2010*

Material Types collected at kerbside	Kerbside recycling collected (in tonnes)	Kerbside recycling sold or sent for secondary use including energy recovery by material type (in tonnes)	Kerbside recycling residual waste (contaminants) disposed of to landfill (only need to report total tonnes)
TOTAL PACKAGING PAPER i.e. cardboard and liquid paper board		3 015	
TOTAL NON PACKAGING PAPER i.e. paper mixed, paper white office, newspaper and magazines		N/A	
TOTAL GLASS		1 135	
TOTAL PLASTICS		254.4	
TOTAL ALUMINIUM (cans)		88.7	
TOTAL STEEL (cans, tins etc.)		116.4	
TOTAL	4 704	4 609.5	1 378

Please note:

1. These figures include amounts collected at the drop-off facility.

No separate data are available for materials collected through drop-off centres. The data in Table 1 includes total recycled material collected by local governments through kerbside and drop-off collections.

Appendix 7: Glossary

AASB	Australian Accounting Standards Board
ADRs	Australian Design Rules
AEBN	Australian Environment Business Network
AELERT	Australasian Environmental Law Enforcement and Regulators' Network
AHMAC	Australian Health Ministers Advisory Committee
AHPC	Australian Health Protection Committee
AIMS	Australian Institute of Marine Science
ALGER	Australian Landfill Gas Emission Reduction
ANAO	Australian National Audit Office
ANSTO	Australian Nuclear Science and Technology Organisation
ANZ	Australia and New Zealand
ANZECC	Australia New Zealand Environment and Conservation Council
ANZSIC	Australian and New Zealand Standard Industrial Classification
APC	Australian Packaging Covenant
AQMP	Air Quality Management Plan
ARC	Australian Research Council
ATIC	Australian Tyre Industry Council
AWHAC	Australian World Heritage Advisory Committee
B5	Mineral diesel containing up to 5% biodiesel
B20	Mineral diesel containing more than 5%, but no greater than 20%, biodiesel
BCC	Brisbane City Council
BCI	Behaviour Change Initiative
BLANkET	Base-Line Air Network of EPA Tasmania
CAC Act	<i>Commonwealth Authorities and Companies Act 1997</i>
CDL	Container deposit legislation
CLM Act	<i>Contaminated Land Management Act 1997</i>
CLR	Contaminated Land Register
CNG	Compressed natural gas
CO	Carbon monoxide
COAG	Council of Australian Governments
CRC CARE	Cooperative Research Centre for Contamination Assessment and Remediation of the Environment
CS Act	<i>Contaminated Sites Act 2003</i>
CSIRO	Commonwealth Scientific and Industrial Research Organisation
CSMS	Contaminated Sites Management Series
CSMS	Coordinated Smoke Management Scheme
CUEDC	Combined Urban Emissions Drive Cycle
Cwlth	Commonwealth
DCA	Development Consent Authority
DEC	Department of Environment and Conservation
DECCEW	Department of the Environment, Climate Change, Energy and Water
DECCW	Department of Environment, Climate Change and Water
DERM	Department of Environment and Resource Management
DEWHA	Department of Environment, Water, Heritage and the Arts
DOAS	Differential Optical Absorption Spectroscopy
DoT or DOT	Department of Transport
DTEI	Department for Transport, Energy and Infrastructure
DTMR	Department of Transport and Main Roads
EEV	Enhanced Environmentally-friendly Vehicle

EH	Environment and Heritage
EIP	Environment Improvement Program
EMPCA	<i>Environmental Management and Pollution Control Act 1994</i>
EMR	Environmental Management Register
EMS	Environmental Management System
EP Act	<i>Environmental Protection Act 1994</i>
EPA	Environment Protection Authority/Environmental Protection Agency
EPHC	Environment Protection and Heritage Council
EPO	Environment Protection Objective
EPP Air	Environmental Protection (Air) Policy 2008
EPPs	Environment Protection Policies
EU	European Union
FBT	Fringe benefits tax
FMO	Finance Minister's Orders
FTIR	Fourier Transform Infra Red
GMR	Greater Metropolitan Region
GST	Goods and services tax
HCl	Hydrogen chloride
HF	Hydrogen fluoride
HIL	Health Investigation Level
HPS	Health Protection Services
IAME	Institute of Automotive Mechanical Engineers
IGA	Intergovernmental Agreement
IRTP	Integrated Regional Transport Plan
IWG	Implementation Working Group
IWMP	Industrial Waste Management Policy (Movement of Controlled Waste between States and Territories) 2001
KBIT	Kangan-Batman Institute of TAFE
LPG	Liquefied petroleum gas
LTEC	Land Transport Environment Committee
MEA	Maximum extent achievable
MIL	Monitoring Investigation Level
MoU or MOU	Memorandum of Understanding
MTA	Motor Traders Association
NATA	National Association of Testing Authorities
NChEM	National Chemicals Environmental Management
NEPC	National Environment Protection Council
NEPCSC	National Environment Protection Council Service Corporation
NEPM	National Environment Protection Measure
NHMRC	National Health and Medical Research Council
NHVAS	National Heavy Vehicle Accreditation Scheme
NO₂	Nitrogen dioxide
NO_x	Nitrogen oxides
NPC	National Packaging Covenant
NPI	National Pollutant Inventory
NPI EPP	Environment Protection (National Pollutant Inventory) Policy 2008
NRETAS	The Department of Natural Resources, Environment, The Arts, and Sport
NRT	National Reporting Tool

O3	Ozone
ORS	Online Reporting System
PAH	Polycyclic Aromatic Hydrocarbons
Pb	Lead
PCBs	Polychlorinated biphenyls
PM₁₀	Particles with an equivalent aerodynamic diameter less than or equal to 10 micrometres
PM_{2.5}	Particles with an equivalent aerodynamic diameter less than or equal to 2.5 micrometres
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PPLIP	Port Pirie Lead Implementation Program
ppm	Parts per million
PRC	Peer Review Committee
PTRMS	Proton Transfer Reaction—Mass Spectrometry Instrument
QUU	Queensland Urban Utilities
RAA	Royal Automobile Association
RAP	Remedial Action Plan
REF	Resource Efficiency Fees
RIS	Regulation Impact Statement
RMP	Risk Management Plan
RSD	Remote Sensing Device
RTA	Roads and Traffic Authority
SEP	State Environment Policy
SEPP	State Environment Protection Policy
SEPP (AAQ)	State Environment Protection Policy (Ambient Air Quality)
SEPP (AQM)	State Environment Protection Policy (Air Quality Management)
SEPP (PMCL)	State Environment Protection Policy (Prevention and Management of Contaminated Land)
SEQ	South-East Queensland
SEQIPP	South East Queensland Infrastructure Plan and Program 2010–2031
SEQRP	South East Queensland Regional Plan 2009–2031
SMP	Site management plan
SO₂	Sulfur dioxide
SP Act	<i>Sustainable Planning Act 2009</i>
SVRP	Smoky Vehicle Reporting Program
TAPM	The Air Pollution Model
TEOM	Tapered Element Oscillating Microbalance
TNP	TransLink Network Plan
TPH	Total Petroleum Hydrocarbons
TPR	Third Party Reviewer
TSP	Total Suspended Particles
US EPA	United States Environmental Protection Agency
UNESCO	United Nations Educational, Scientific and Cultural Organization
VKT	Vehicle Kilometres Travelled
VOC	Volatile Organic Compounds
VR1	Stage 1—Vapour Recovery
VR2	Stage 2—Vapour Recovery
VTa	Victorian Transport Association
WTB–EPNs	Waste Transport Business–Environment Protection Notices
WTP	Willingness-to-pay



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