NEPC
National Environment Protection Council

annualreport

2011–2012

Annual Report 2011–2012

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Executive Officer
NEPC Service Corporation
PO Box 787
Canberra ACT 2601

Image credits: (Back L to R) Ruby Saltbush (Director of National Parks)
Close up of fern leaves in Bombala State Forest (Trevor Preston & DSEWPaC)
Coongie Lakes: Ramsar site No.27, South Australia (Ryan Breen)
(Front L to R) Garlic flower (Trevor Preston)
Selection of Rainforest Fruits (Wet Tropics Management Authority – Qld)
Murrays Beach, Booderee National Park (Director of National Parks)
Crepuscular rays at Pyengana (Margaret Brown)
Flora in Australian National Botanic Gardens (John Tyson)
Small sea shells in Anindilyakwa Indigenous Protected Area (Steve Strike).

Foreword

The Standing Council on Environment and Water (the Council) and the National Environment Protection Council, on which all Australian Governments are represented, play an important role in planning, developing and implementing actions to create a more sustainable and liveable Australia.

The Council comprises an important part of the Council of Australian Governments' (COAG) new Council system. It is charged with delivering better environmental outcomes through focusing on five key priority areas: Seamless Environmental Regulation, National Water Reform, National Waste Policy and Chemicals, Landscape and Ecosystem Scale Biodiversity and the National Plan for Clean Air. It also retains responsibility for heritage matters.

As the chair of both the Standing Council and National Environment Protection Council I am pleased to report on a number of significant achievements in 2011–12.

To further the National Waste Policy agenda, Council approved the National Environmental Protection (Used Packaging Materials) Measure 2011, released the *National Waste Policy: Less waste, more resources* implementation report and saw the commencement of the *Product Stewardship Act 2011*. These activities will drive improved recycling, re-use and disposal practices across both industry and community and reduce environmental degradation arising from the disposal of used packaging materials.

The Council also supported COAG's work on environmental regulation reform. The Commonwealth government's environmental reform agenda is about delivering a simpler system that has clearer standards and gives faster decisions to ensure our nation has a resilient environment and a strong economy.

To continue progress on national water reform, Ministers agreed to the development of a voluntary accreditation scheme to regulate brokers servicing Australian water markets through the use of best practice guidelines, and approved the 2012–15 Strategic Plan for the Water Efficiency Labelling and Standards Scheme.

The Council also released the review of the National Environmental Protection (Ambient Air Quality) Measure in the latter half of 2011 which will be implemented through the development of a new National Plan for Clean Air. The new plan will provide a robust framework for identifying cost effective emission reduction actions and implementation arrangements.

I would like to thank all Standing Council/National Environment Protection Council members and those who have worked hard to develop national approaches to address these complex but important matters. I look forward to continuing to build on this year's achievements and progress towards a more sustainable Australia.

Tony Burke

Chair
National Environment Protection Council

Members of the National Environment Protection Council (NEPC)

From 1 July 2011 to 30 June 2012

Jurisdiction	Member	Duration of Membership
Commonwealth	The Hon. Tony Burke MP – Minister for Sustainability, Environment, Water, Population and Communities	26 October 2010 to current
New South Wales	The Hon. Robyn Parker MP – Minister for the Environment and Minister for Heritage	10 June 2011 to current
Victoria	The Hon. Ryan Smith MP – Minister for Environment and Climate Change	28 March 2011 to current
Queensland	The Hon. Vicky Darling MP – Minister for Environment	20 June 2011 to 24 March 2012
	The Hon. Andrew Powell MP – Minister for Environment and Heritage Protection	17 May 2012 to current
Western Australia	The Hon. Bill Marmion MLA – Minister for Environment	28 January 2011 to current
South Australia	The Hon. Paul Caica MP – Minister for Sustainability, Environment and Conservation; and Minister for Water and the River Murray	21 May 2010 to current
Tasmania	The Hon. Brian Wightman MP – Minister for Environment, Parks and Heritage	12 April 2011 to current
Australian Capital Territory	Mr Simon Corbell MLA – Minister for the Environment and Sustainable Development	7 November 2008 to current
Northern Territory	The Hon. Karl Hampton MLA – Minister for Natural Resources, Environment and Heritage	22 September 2009 to 30 June 2012

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Executive Officer's Report

This has been a year of consolidation for the Standing Council on Environment and Water (the Council) with the first meeting of Environment and Water Ministers occurring on 16 September 2011. The Council and the National Environment Protection Council (NEPC) together with the Council's Senior Officials Committee and the NEPC Committee have focused on agreed Council of Australian Governments' (COAG) priorities. These are:

- pursuing seamless environmental regulation and regulatory practice across jurisdictions
- progressing national water reform, including through implementing the National Water Initiative, the outcomes of the forthcoming COAG review of the National Water Initiative, and other COAG commitments on water
- implementing the National Waste Policy
- implementing a national partnership approach to the conservation and management of land, waters, the marine environment and biodiversity at the landscape and ecosystem scale, and to building resilience in a changing climate
- developing and implementing a National Plan for Clean Air to improve air quality and community health and well-being.

OVERVIEW

About the National Environment Protection Council

The National Environment Protection Council is a statutory body with law-making powers established under the *National Environment Protection Council Act 1994 (Commonwealth)*, and corresponding legislation in other Australian jurisdictions.

The NEPC has two primary functions:

1. to make National Environment Protection Measures (NEPMs)
2. to assess and report on the implementation and effectiveness of NEPMs in participating jurisdictions.

The members of the NEPC are Ministers, not necessarily environment Ministers, from the participating jurisdictions (i.e. Commonwealth, state or territory Governments). A list of members can be found on page iv.

The NEPC Act (s. 36 (aa)) states that the NEPC Service Corporation will provide assistance and support to other Ministerial Councils as directed by Council. The Service Corporation also provides support to the Council.

About the Standing Council on Environment and Water

The COAG Standing Council on Environment and Water is a council of ministers responsible for environment and water from the Commonwealth, all states and territories and New Zealand. The Australian Local Government Association is also represented. The Commonwealth Minister responsible for the environment chairs the Council. A list of members can be found on page iv.

The purpose of the Council is to promote the protection of the environment and sustainable water management in order to enhance social, human health and economic and environmental outcomes in a sustainable manner for current and future generations. It provides a forum for governments to agree actions to address key national environmental protection and water management issues and challenges. It also enables governments to coordinate environment and water-related programs and funding.

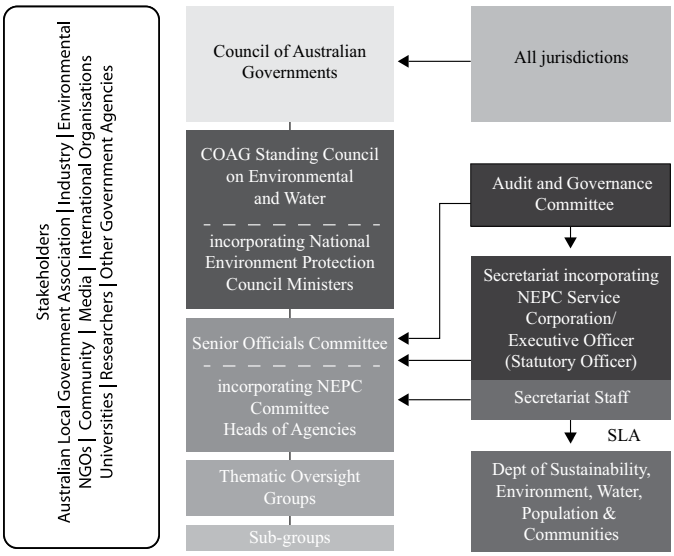
The Council addresses broad national policy issues relating to environmental management and protection, particularly in regard to air, land, water, waste and biodiversity matters. It also addresses broad national policy and reform issues to promote the sustainable use and management of water. The scope of the Council includes natural, historic and Indigenous heritage responsibilities.

The Council comprises an important part of the COAG council system.

ABOUT THE NEPC SERVICE CORPORATION

The NEPC Service Corporation is a statutory authority which has provided project management services and administrative support to both the Environment Protection and Heritage Council and subsequently the Standing Council on Environment and Water and the NEPC in the development of national environmental policy and National Environment Protection Measures (NEPMs). The statutory office of the Executive Officer has the responsibility of managing the NEPC Service Corporation. The Executive Officer provides advice to the Audit and Governance Committee and is accountable to the Ministers through the Committee (refer to the governance structure below).

Governance structure



COUNCIL ACHIEVEMENTS

Report on Council-agreed priorities and legislative responsibilities

The Committee oversaw the implementation of Council's strategic priorities. Much work was completed during the reporting year with progress made on NEPM variations and other work projects.

Throughout 2011–12, Ministers endorsed COAG's recommended major reform of environmental regulation across all levels of government to cut red tape, reduce duplication and, most importantly, improve environmental outcomes.

The Australian Government will work closely with the states on achieving these outcomes, through a more strategic approach and by setting national environmental standards and harmonising environmental regulatory practice. The environmental reform agenda is about delivering a simpler system that has clearer standards and gives faster decisions to ensure our nation has a resilient environment and a strong economy.

Ministers welcomed the commencement on 8 August of the *Product Stewardship Act 2011*, which delivers a key component of the National Waste Policy: less waste, more resources. The Product Stewardship Act paves the way for regulations that will require importers and Australian manufacturers of televisions, computer and computer products to fund and organise the recycling of televisions and computers; aiming for a recycling rate of 80 per cent by 2020–21.

Ministers congratulated the tyre industry and jurisdictions working with them, giving in-principle support to its model for a voluntary product stewardship scheme to manage end-of-life tyres that may otherwise be illegally dumped, exported or stockpiled. Council encouraged the tyre industry to consult with key stakeholders on the development of the guidelines through the establishment of Tyres Stewardship Australia and seek accreditation under the national Product Stewardship Act.

As part of extensive reforms recommended by COAG, the Council agreed to an updated Implementation Plan for the Chemicals and Plastics regulatory reforms to plug a gap in environmental protection. It agreed to submit the Implementation Plan to COAG through the Business Regulation and Competition Working Group.

Ministers supported an implementation plan across jurisdictions which draws together priority actions across national policies including Australia's Biodiversity Strategy, National Reserve System Strategy, National Representative System of Marine Protected Areas and Native Vegetation Framework.

Focusing on natural resource management activity in both terrestrial and marine environments, Ministers supported the development of common ecological information and support for the evaluation of national strategies.

Ministers endorsed the development of a new National Plan for Clean Air. The plan will bring together a strategy for responding to the review of National Environment Protection (Ambient Air Quality) Measure and a robust framework for identifying cost-effective actions and implementation arrangements to reduce air pollution.

Ministers also noted progress on implementing COAG's national water reform implementation work program in light of the reviews of the National Water Initiative and the National Water Commission.

Ministers agreed to release the review of the National Environment Protection (Ambient Air Quality) Measure, and noted that the review's recommendations will be prioritised and responded to through the development of the National Plan for Clean Air. The new National Plan for Clean Air will provide a robust framework for identifying cost-effective emission-reduction actions, and implementation arrangements.

Packaging waste was also on the Council's agenda. Ministers approved the making of the National Environment Protection (Used Packaging Materials) Measure 2011, which supports the Australian Packaging Covenant in its actions to reduce the environmental impacts of packaging.

Council agreed to release the Consultation Regulation Impact Statement (RIS) on Packaging Impacts for public comment on 7 December 2011. The Consultation RIS considered options to improve resource recovery and reduce litter associated with a wide range of consumer packaging, including food wrappers and beverage containers. The Consultation RIS provided the opportunity for an informed debate on options to address packaging waste.

Ministers agreed to the development of a voluntary accreditation scheme to regulate brokers servicing Australian water markets. The scheme will address stakeholder concerns about water market intermediaries operating in the $3 billion dollar Australian water market through the use of best practice guidelines.

Ministers approved the 2012–15 Strategic Plan for the Water Efficiency Labelling and Standards (WELS) Scheme and agreed to release the joint governments' response to the 2010 independent review of the scheme on the WELS review website <http://www.environment.gov.au/water/wels-review>. The Scheme requires that specified water-using products are registered and sets minimum water efficiency standards. Ministers also agreed the scheme should recover 80 per cent of its costs from the plumbing and white goods industry sectors.

MEETINGS

Council

During 2011–12, Environment and Water Ministers met twice: on 16 September 2011 and formally as the Standing Council on Environment and Water on 30 November 2011 and considered seven items out of session.

Committee

Senior Officials met three times: 17 August 2011, 16 November 2011 and 18 April 2012 and considered 10 items out of session.

Thematic Oversight Groups

The National Plan for Clean Air Thematic Oversight Group has overseen development, management, review and reporting on the following NEPMs: Air Toxics, Ambient Air Quality and Diesel Vehicle Emissions. The Thematic Oversight Group has met six times and considered four items out of session.

The National Waste and Chemical Reform Thematic Oversight Group has overseen development, management, review and reporting on the following NEPMs: Assessment of Site Contamination, Movement of Controlled Waste between States and Territories, National Pollutant Inventory and Used Packaging Materials. The Thematic Oversight Group has met four times and considered two items out of session.

The Seamless Environmental Regulation Thematic Oversight Group has met four times. The Landscape and Ecosystem Scale Biodiversity Thematic Oversight Group has met three times and considered one item out of session. The Governance Working Group met eight times and considered one item out of session. The Deliverable 3 Working Group met twice and considered one item out of session. The Audit and Governance Committee met once and considered one item out of session.

All of the above committees and groups were supported by the NEPC Service Corporation. While the Corporation provided
project and financial management for the National Water Reform Thematic Oversight Group—it provided its own secretariat services.

WEBSITE

The Council's website continues to be a source of information for both government and industry on the range of projects and issues addressed by the Council.

NEPC SERVICE CORPORATION PERFORMANCE

Corporate governance

The statutory office of NEPC Executive Officer has the responsibility of managing the NEPC Service Corporation. The Executive Officer provides advice to the Audit and Governance Committee and is accountable to the Ministers through the Committee (see the governance structure chart on page 2).

Management of human resources

Anne-Marie Delahunt filled the position of Executive Officer for the reporting period. Over the course of the year an average staffing level of 10.3 staff, including the Executive Officer, was maintained by the Service Corporation from the Department of Sustainability, Environment, Water, Population and Communities.

Risk management

The NEPC Service Corporation had developed occupational health and safety (OH&S) policies. All OH&S matters are covered by the Department of Sustainability, Environment, Water, Population and Communities' policies and procedures and are reported against in that department's annual report.

Three freedom of information requests were received during the reporting year.

The Service Corporation has a fraud control plan developed in accordance with the *Financial Management and Accountability Act 1997* (Commonwealth). There is no information regarding any cases of fraud during the reporting year.

A Risk Assessment and Management Plan for COAG Standing Council on Environment and Water and NEPC Service Corporation (Secretariat) 2011–12 was developed and implemented.

Governance arrangements

Audit and Governance Committee

The Audit and Governance Committee provides advice to the Executive Officer on matters related to prudential management, governance and risk management.

Members of the NEPC Audit and Governance Committee for 2011–12 were:

Mr David Papps (Australian Capital Territory), Chair

Mr Malcolm Thompson (Commonwealth)

Ms Zoe de Saram (New South Wales)

Mr Stuart McConnell (Victoria)

The Audit and Governance Committee met once during the 2011–12 reporting year, on 20 February 2012. The Audit and Governance Committee examined NEPC Service Corporation financial statements and the annual audit report,

operational budget, project acquittals and project reports and considered the Service Level Agreement with the Department of Sustainability, Environment, Water, Population and Communities.

External scrutiny

No information is available concerning external scrutiny measures during the reporting year.

Council complied in full with COAG's best practice regulation requirements for the 2011–12 financial year as advised by the Office of Best Practice Regulation.

The Australian National Audit Office was again appointed auditor for the 2011–12 financial year. (Please refer to Statement by Auditor, page 8.)

Financial performance

Details of all financials are contained in the Auditor's Report and financial statements (see page 10).

Procurement and consultancies

The NEPC Service Corporation has strived to achieve the core principle of value for money in all of its procurement activities. The Service Corporation has reviewed and updated its procurement policies to ensure consistency with better practice government procurement.

In 2011–12 the NEPC Service Corporation engaged Equity Partners to undertake the preparation of the Financial Statements with the Australian National Audit Office appointed as auditor for the financial year.

The NEPC Service Corporation is excluded from AusTender. Systems to better record and publicise details of all contracts and consultancies in the next reporting year have been established.

Environmental performance

The offices in Canberra comply with ecologically sustainable development and environmental performance reporting as part of broader Department of Sustainability, Environment, Water, Population and Communities reporting in accordance with s. 516A of the *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).*

In conclusion, I would like to acknowledge the contributions of all stakeholders to the important work of Council which contributes to better environmental practices and general well-being for all Australians. I would also like to thank Ms Anne-Marie Delahunt, the Executive Officer for the reporting year, for her hard work and diligence in reforming the administrative and strategic operations of the Service Corporation. My staff and I look forward to continuing this work in the coming year.

Theo Hooy

NEPC Executive Officer

National Environment Protection Council

Financial Statements

2011–2012

Auditors Report

Australian National Audit Office

INDEPENDENT AUDITOR'S REPORT

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

I have audited the accompanying financial statements of National Environment Protection Council Service Corporation for the year ended 30 June 2012, which comprise: a Statement by the Executive Officer; the Statement of Comprehensive Income; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies; and Notes to and Forming Part of the Financial Statements including a Summary of Significant Accounting Policies.

Executive Officer's Responsibility for the Financial Statements

The Executive Officer of the National Environment Protection Council Service Corporation is responsible for the preparation of the financial statements that give a true and fair view in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997,* including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

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 about 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 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 of the financial statements that give a true and fair view 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 the 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.

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

Independence

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

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 2012 and of its financial performance and cash flows for the year then ended.

Australian National Audit Office

S. Buchanan

Serena Buchanan
Audit Principal

Delegate of the Auditor-General

Canberra
13 September 2012

National Environment Protection Council Service Corporation
Statement by Executive Officer
For the year ended 30 June 2012

In my opinion, the attached financial statements for the year ended 30 June 2012 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 National Environmental Protection Council Service Corporation will be able to pay its debts as and when they become due and payable.

A. Delahunt
NEPC Executive Officer

5 September 2012

National Environment Protection Council Service Corporation
Balance Sheet
As at 30 June 2012

	Note	2012 $	2011 $
ASSETS			
Financial Assets			
Cash and cash equivalents	5A	5,064,825	2,490,319
Trade and other receivables	5B	563,713	1,320,037
Investments	5C	-	2,318,270
Total Financial Assets		**5,628,538**	**6,128,626**
Non-Financial Assets			
Property, plant and equipment	6A	-	6,057
Other non-financial assets	6D	1,451	28,238
Total Non-Financial Assets		**1,451**	**34,295**
TOTAL ASSETS		**5,629,989**	**6,162,921**
LIABILITIES			
Payables			
Supplier	7A	1,336,361	131,596
Other	7B	-	51,969
Total Payables		**1,336,361**	**183,565**
Provisions			
Employee provisions	8A	-	20,172
Other provisions	8B	-	43,000
Total Provisions		**-**	**63,172**
TOTAL LIABILITIES		**1,336,361**	**246,737**
NET ASSETS		**4,293,628**	**5,916,184**
EQUITY			
Reserves		11,977	11,977
Retained surplus		4,281,651	5,904,207
TOTAL EQUITY		**4,293,628**	**5,916,184**

This statement should be read in conjunction with the accompanying notes.

National Environment Protection Council Service Corporation
Statement of Comprehensive Income
For the year ended 30 June 2012

	Note	2012 $	2011 $
EXPENSES			
Employee benefits	3A	**-**	763,159
Supplier	3B	**3,043,216**	1,795,820
Depreciation and amortisation	3C	**-**	12,734
Write-down and impairment of assets	3D	**8**	-
Losses from asset disposals	3E	**6,057**	29,926
Total expenses		**3,049,281**	2,601,639
LESS:			
OWN-SOURCE INCOME			
Own-source revenue			
Sale of goods and rendering of services	4A	**70**	1,295
Interest	4B	**208,891**	248,617
Total own-source revenue		**208,961**	249,912
Own-source gains			
Other gains	4C	**115,300**	-
Total own-source gains		**115,300**	-
Total own-source income		**324,261**	249,912
Net cost of services		**2,725,020**	2,351,727
Contributions from jurisdictions	4D	**1,102,464**	5,503,877
(Deficit)/Surplus from continuing operations		**(1,622,556)**	3,152,150
(Deficit)/Surplus attributable to the Australian Jurisdictions		**(1,622,556)**	3,152,150
OTHER COMPREHENSIVE INCOME			
Changes in asset revaluation reserves		**-**	-
Total other comprehensive income		**-**	-
Total comprehensive (loss)/income		**(1,622,556)**	3,152,150

The above statement should be read in conjunction with the accompanying notes.

National Environment Protection Council Service Corporation
Statement of Changes in Equity
For the year ended 30 June 2012

	Retained Earnings		Asset Revaluation Surplus		Capital Reinvestment Reserve		Operating Capital Reserve		Total Equity	
	2012	2011	**2012**	2011	**2012**	2011	**2012**	2011	**2012**	2011
	$	$	**$**	$	**$**	**$**	**$**	**$**	**$**	$
Opening Balance										
Balance carried forward from previous period	**5,904,207**	2,663,280	**11,977**	30,754	**-**	50,000	**-**	20,000	**5,916,184**	2,764,034
Adjusted opening balance	**5,904,207**	2,663,280	**11,977**	30,754	**-**	50,000	**-**	20,000	**5,916,184**	2,764,034
Comprehensive income										
Other comprehensive income	**-**	-	**-**	-	**-**	-	**-**	-	**-**	-
(Deficit)/Surplus for the period	**(1,622,556)**	3,152,150	**-**	-	**-**	-	**-**	-	**(1,622,556)**	3,152,150
Total comprehensive income	**(1,622,556)**	3,152,150	**-**	-	**-**	-	**-**	-	**(1,622,556)**	3,152,150
Transfers between equity components	**-**	88,777	**-**	(18,777)	**-**	(50,000)	**-**	(20,000)	**-**	**-**
Closing balance as at 30 June	**4,281,651**	5,904,207	**11,977**	11,977	**-**	-	**-**	-	**4,293,628**	5,916,184
Closing balance attributable to the Australian Jurisdictions	**4,281,651**	5,904,207	**11,977**	11,977	**-**	-	**-**	-	**4,293,628**	5,916,184

This statement should be read in conjunction with the accompanying notes.

National Environment Protection Council Service Corporation
Cash Flow Statement
For the year ended 30 June 2012

	Note	2012 $	2011 $
OPERATING ACTIVITIES			
Cash received			
Receipts from Government		1,974,256	3,075,886
Interest		235,678	249,127
Other		70	1,295
Net GST received		142,405	-
Total cash received		**2,352,409**	**3,326,308**
Cash used			
Net GST paid		-	(73,274)
Employees		(48,801)	(985,364)
Suppliers		(2,047,372)	(1,818,449)
Total cash used		**(2,096,173)**	**(2,877,087)**
Net cash received from operating activities	9B	**256,236**	**449,221**
INVESTING ACTIVITIES			
Cash received			
Investments		3,318,270	-
Total cash received		**3,318,270**	**-**
Cash used			
Investments		(1,000,000)	(1,848,270)
Total cash used		**(1,000,000)**	**(1,848,270)**
Net cash received from/(used by) investing activities		**2,318,270**	**(1,848,270)**
Net increase/(decrease) in cash held		**2,574,506**	**(1,399,049)**
Cash and cash equivalents at the beginning of the reporting period		2,490,319	3,889,368
Cash and cash equivalents at the end of the reporting period	9A	**5,064,825**	**2,490,319**

This statement should be read in conjunction with the accompanying notes.

National Environment Protection Council Service Corporation
Schedule of Commitments
As at 30 June 2012

	2012 $	2011 $
BY TYPE		
Commitments receivable		
GST recoverable on commitments	(48,654)	(79,455)
Total Commitments Receivable	**(48,654)**	**(79,455)**
Commitments payable		
Operating leases [1]	-	80,104
Project funding agreements	535,193	793,901
Total commitments payable	**535,193**	**874,005**
Net commitments by type	**486,539**	**794,550**
BY MATURITY		
GST recoverable on commitments		
One year or less	(21,654)	(79,455)
From one to five years	(27,000)	-
Total GST recoverable on commitments	**(48,654)**	**(79,455)**
Operating lease commitments		
One year or less	-	80,104
From one to five years	-	-
Total operating lease commitments	-	80,104
Project funding agreement commitments		
One year or less	238,193	793,901
From one to five years	297,000	-
Total project funding agreement commitments	535,193	793,901
Net Commitments by Maturity	**486,539**	**794,550**

Note: Commitments are GST inclusive where relevant.
[1] Operating leases included were effectively non-cancellable and comprised of:

Leases for office accommodation

The lease was expired on 31 January 2012. NEPC entered into the Service Level Agreement with the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC). Under this agreement, DSEWPaC provides property and operating expenses including office accommodations.

This statement should be read in conjunction with the accompanying notes.

National Environment Protection Council Service Corporation
Schedule of Contingencies
For the year ended 30 June 2012

There were nil contingent assets or liabilities at or during the year ended 30 June 2012. (2011: Nil)

This statement should be read in conjunction with the accompanying notes.

National Environment Protection Council Service Corporation
Notes to and Forming Part of the Financial Statements
For the year ended 30 June 2012

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National Environment Protection Council Service Corporation
Notes to and Forming Part of the Financial Statements
For the year ended 30 June 2012

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1. Summary of Significant Accounting Policies

1.1 Objective of NEPC Service Corporation

The NEPC Service Corporation (Service Corporation) is a Commonwealth Statutory Authority that is subject to certain provisions of the *Commonwealth Authorities and Companies Act 1997* .

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

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

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

- People enjoy the benefit of equivalent protection from air, water or soil pollution and from noise, wherever they live in Australia; and
- 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 environment protection measures.

The continued existence of the Service Corporation 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 are general purpose financial statements and are required by clause 1(b) of Schedule 1 to the *Commonwealth Authorities and Companies Act 1997* .

The financial statements have been prepared in accordance with:
a) Finance Minister's Orders (FMOs) for reporting periods ending on or after 1 July 2011; and
b) 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 FMOs, 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 not made any judgements that have significant impact on the amounts recorded in the financial statements.

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

No new standards, revised standards, interpretations, amending standards that were issued prior to the sign-off date and are applicable to the future reporting period are not expected to have a future financial impact on the entity.

1.5 Revenue

Revenue from the sale of goods is recognised when:

a) The risks and rewards of ownership have been transferred to the buyer;
b) The seller retains no managerial involvement nor effective control over the goods;
c) The revenue and transaction costs incurred can be reliably measured; and
d) 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:

a) The amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
b) 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.

Contributions from Jurisdictions

Contributions to the operating costs of the Service Corporation and to undertake projects are recognised in comprehensive income when the Service Corporation has a right to receive the contribution.

1.6 Gains

Resources Received Free of Charge

Resources received free of charge are disclosed in the financial statements 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 are recognised when control of the asset has passed to the buyer.

1.7 Transactions with Government as Owner

Equity Injections

Amounts that are designated 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 FMOs 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 at the estimated salary rates that will be applied at the time the leave is taken, 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 liability for long service leave 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

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 on its administered schedules and notes.

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 entity makes employer contributions to the employees' superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The entity accounts for the contributions as if they were contributions to defined contribution plans.

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

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 and cash equivalents

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

a) cash on hand; and

b) demand 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.

1.11 Financial assets

The Service Corporation classifies its financial assets as 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.

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.

1.12 Financial liabilities

Financial liabilities are classified as other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Other Financial Liabilities

Other financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These 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 $3,000, 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 & 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 26 May 2010, prior to the transition of the Service Corporation from South Australia to the Australian Capital Territory during 2010-11.

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:

	2012	2011
Office Furniture and Equipment	3 - 8 years	3 - 8 years
Leasehold Improvements	Lease Term	Lease Term

Impairment

All assets were assessed for impairment at year end. 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:

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

1.18 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 and Governance 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. Both funds have been written back against retained earnings.

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

2. Events After the Reporting Period

There are no material subsequent events that need to be disclosed.

	2012 $	2011 $
3. Expenses		
3A: Employee Benefits		
Wages and salaries	-	541,927
Superannuation – defined contribution plans	-	72,389
Leave and other entitlements	-	4,809
Separation and redundancies	-	144,034
Total employee benefits	**-**	**763,159**

The Service Corporation no longer employ staff. All labour is provided by the Department of Sustainability, Environment, Water, Population and Communities under a fee for service arrangement.

3B: Supplier		
Goods and services		
Human resources and personnel costs	1,140,042	-
Office accommodation and support by DSEWPaC	100,000	
Consultancy services	1,291,328	1,157,754
Project expenses	236,385	169,076
Information technology services	49,419	38,225
Printing	25,171	11,675
Travel and accommodation	34,449	132,983
Office expenses	83,004	155,148
Total goods and services	**2,959,798**	**1,664,861**
Goods and services are made up of:		
Provision of goods - external entities	24,147	118,854
Rendering of services - related entities	1,348,208	40
Rendering of services - external entities	1,587,443	1,545,967
Total goods and services	**2,959,798**	**1,664,861**
Other supplier expenses		
Operating lease rentals – external entities		
Minimum lease payments	83,418	130,959
Total other supplier expenses	83,418	130,959
Total supplier expenses	**3,043,216**	**1,795,820**

3C: Depreciation and Amortisation		
Depreciation of office furniture and equipment	-	6,924
Depreciation of leasehold improvements	-	5,810
Total depreciation	**-**	**12,734**

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	2012 $	2011 $
3D: Written Down and Impairment of Assets		
Asset write-downs and impairments from:		
Trade and other receviables	8	-
Total asset write-downs and impairments	**8**	**-**
3E: Disposal of Assets		
Office furniture and equipment:		
Proceeds from sale	-	-
Carrying value of assets disposed	-	29,926
Selling expense	-	-
Net loss from disposal of furniture and equipment	-	**29,926**
Leasehold improvements:		
Proceeds from sale	-	-
Carrying value of assets disposed	6,057	-
Selling expense	-	-
Net loss from disposal of leasehold improvements	**6,057**	-
Net loss from disposal of assets	**6,057**	**29,926**

	2012 $	2011 $
4. Income		
OWN-SOURCE REVENUE		
4A: Sale of goods and rendering of services		
Rendering of services – related entities	70	1,295
Total sale of goods and rendering of services	**70**	**1,295**
4B: Interest revenue		
Interest earned from cash at call	119,930	7,413
Interest earned from term deposits	88,961	241,204
Total Interest revenue	**208,891**	**248,617**
OWN-SOURCE GAINS		
4C: Other gains		
Resources received free of charge	100,000	
Reversal of makegood provision	15,300	-
Total Other gains	**115,300**	-
4D: Contributions from jurisdictions		
Contributions from jurisdictions	1,102,464	5,503,877
Total contributions from jurisdictions	**1,102,464**	**5,503,877**

	2012 $	2011 $
5. Financial Assets		
5A: Cash and cash equivalents		
Cash at bank and on hand	4,507,456	1,977,950
Term deposits	557,369	512,369
	5,064,825	**2,490,319**

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 2012 the applicable rate was 1.26% (2011: 5.10%).

Term deposits are recognised at cost. Interest is accrued as it is earned. The term deposit matures in August 2012. The weighted average rate of interest is 5.00% on $557,369 (6.05% on $2,830,363 in 2012).

5B: Trade and other receivables		
Goods and Services		
Goods and services – related entities	505,604	-
Goods and services – external parties	34,383	1,320,037
Total receivables for goods and services	**539,987**	**1,320,037**
Other receivables		
GST receivable from the Australian Taxation Office	23,726	-
Total other receivables	23,726	-
Total trade and other receivables	**563,713**	**1,320,037**
Trade and other receivables expected to be recovered in no more than 12 months	**563,713**	**1,320,037**

Management have assessed receivables for impairment and consider no allowance for doubtful debts necessary for the year ended 30 June 2012 (2010-11: Nil).

Receivables are aged as follows:		
Not overdue	35,362	-
Outstanding by:		
Less than 30 days	514,824	487,716
30 to 60 days	-	800,349
60 to 90 days	13,527	31,972
More than 90 days	-	-
	528,351	1,320,037
Total receivables	**563,713**	**1,320,037**

	2012 $	2011 $

5B: Trade and other receivables (continued)

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 thirty days. All receivables are expected to be recovered within 12 months.

5C: Investments

Term deposits	-	2,318,270
Total Investments	**-**	**2,318,270**
Expected to be recovered in:		
No more than 12 months	-	2,318,270
Total Investments	**-**	**2,318,270**

6. Non-Financial Assets

6A: Property, Plant and Equipment

Leasehold Improvements – fair value	-	12,607
- accumulated amortisation	-	(6,550)
Total Leasehold improvements	**-**	**6,057**
Total Property, plant and equipment	**-**	**6,057**

No revaluation increment or decrements were recognised in relation to leasehold improvements (2011: Nil).

	2012 $	2011 $
6B: Reconciliation of the Opening and Closing Balances of Leasehold Improvements		
As at 1 July – Gross book value	12,607	12,607
Accumulated depreciation	(6,550)	(740)
Opening Net book value	**6,057**	**11,867**
Additions – by purchase	-	-
Revaluation and impairments recognised in other comprehensive income	-	-
Depreciation expense	-	(5,810)
Disposals	(6,057)	-
Net book value 30 June	**-**	6,057
Net book value as of 30 June represented by:		
Gross book value	**-**	**12,607**
Less: Accumulated amortisation	-	(6,550)
Closing Net Book Value	**-**	**6,057**

6C: Reconciliation of the Opening and Closing Balances of Office Furniture and Equipment		
As at 1 July – fair value	**-**	37,545
Accumulated depreciation/amortisation	-	(695)
Opening Net book value	-	**36,850**
Additions – by purchase	-	-
Revaluations and impairments recognised in the other comprehensive income	-	-
Depreciation expense	-	(6,924)
Disposals	-	(29,926)
Net book value 30 June	-	-
Net book value as of 30 June represented by:		
Gross book value	**-**	**-**
Less: Accumulated depreciation	**-**	-
Closing Net Book Value	**-**	**-**

6D: Other Non Financial Assets		
Accrued income	1,451	28,238
Total other non-financial assets	**1,451**	**28,238**
Total other non-financial assets – are expected to be recovered in:		
No more than 12 months	1,451	28,238
Total other non-financial assets	**1,451**	**28,238**

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

	2012 $	2011 $
7. Payables		
7A: Supplier Payables		
Trade creditors and accruals	1,336,361	131,596
Total supplier payables	**1,336,361**	**131,596**
Supplier payables – are expected to be settled in:		
No more than 12 months	1,336,361	131,596
Total supplier payables	**1,336,361**	**131,596**
Supplier payables expected to be settled within 12 months:		
Related parties	1,320,978	-
External parties	15,383	131,596
Total	1,336,361	131,596
Total supplier payables	**1,336,361**	**131,596**

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		
Salaries and Wages	-	28,629
GST payable to Australian Taxation Office	-	23,340
Total other payables	**-**	**51,969**
Other payables – are expected to be recovered in:		
No more than 12 months	-	51,969
Total other payables	**-**	**51,969**
8. Provisions		
8A: Employee Provisions		
Annual leave	-	44
Long service leave	-	20,128
Total employee provisions	**-**	**20,172**
Employee provisions are expected to be settled in:		
No more than 12 months	-	20,172
More than 12 months	-	0
Total employee provisions	**-**	**20,172**

	2012 $	2011 $
8B: Other Provisions		
Make-Good Provision	-	43,000
Total other provisions	**-**	**43,000**
Other provisions are expected to be settled in:		
No more than 12 months	-	43,000
Total other provisions	**-**	**43,000**
Carrying amount at 1 July	43,000	23,950
Additional provisions made	-	19,050
Amounts used	(27,700)	-
Amounts reversed	(15,300)	-
Closing balance at 30 June	**-**	**43,000**

During the year the Service Corporation ended their property lease which had provisions requiring the Service Corporation to restore the premises to their original condition at the conclusion of the lease.

9. Cash Flow Reconciliation

9A: Reconciliation of cash and cash equivalents as per Balance Sheet to Cash Flow Statement

Cash and cash equivalent as per:		
Cash flow statement	5,064,825	2,490,319
Balance sheet	5,064,825	2,490,319
Difference	**-**	**-**

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

Net cost of services	**(2,725,020)**	**(2,351,727)**
Add contributions from Jurisdictions	1,102,464	5,503,877
Adjustment for non-cash Items		
Depreciation	-	12,734
Loss on sale on non current assets	6,057	29,926
Changes in Assets and Liabilities		
Decrease/(Increase) in Trade and other Receivables	756,324	(702,443)
Decrease in Other Non-Financial Assets	26,787	15,769
(Decrease) in Provisions	(63,172)	(136,949)
Increase/(Decrease) in Supplier Payables	1,204,765	(56,938)
(Decrease) in Other Payables	(51,969)	(1,865,028)
Net Cash from Operating Activities	**256,236**	**449,221**

10. Related Party Disclosure

Members of the National Environment Protection Council

The Council Members during the year were:

The Hon Tony Burke, Commonwealth
The Hon Robyn Parker MP, New South Wales
The Hon Ryan Smith, Victoria
The Hon Bill Marmion MLA, Western Australia
The Hon Paul Caica, South Australia
The Hon Brian Wightman, Tasmania
The Hon Mr Simon Corbell MLA, Australian Capital Territory
The Hon Karl Hampton MLA, Northern Territory
The Hon Andrew Powell, Queensland (commenced April 2012)
The Hon Vicky Darling, Queensland (commenced June 2011, ceased April 2012)

The Council Members received no remuneration from the Service Corporation.

There were no related party transactions during the year.

11. Executive Remuneration

11A: Payments for Senior Executive

The Service Corporation incurred $240,415 in costs for the services of an Executive Officer. These services were provided by the Department of Sustainability, Environment, Water, Population and Communities under a fee for service arrangement (2011: Nil).

11C: Other Highly Paid Staff

During the reporting period, there were no employees whose salary plus performance bonus were $150,000 or more (2011: 2 - These employees did not have a role as senior executive or director).

	2012 $	2011 $
12. Remuneration of Auditors		
Remuneration to the Auditor-General for auditing the financial statements for the reporting period	18,000	17,900

No other services are provided by the Auditor-General.

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	2012 $	2011 $
13. Financial Instruments		
13A: Categories of financial instruments		
Financial assets		
Loans and receivables:		
Cash and cash equivalents	5,064,825	2,490,319
Trade and other receivables	539,987	1,320,037
Investments	-	2,318,270
Total	**5,604,812**	**6,128,626**
Carrying amount of financial assets	**5,604,812**	**6,128,626**
Financial Liabilities		
At amortised cost:		
Suppliers	1,336,361	131,596
Total	**1,336,361**	**131,596**
Carrying amount of financial liabilities	**1,336,361**	**131,596**
13B: Net income and expense from financial assets		
Loans and receivables		
Interest revenue	208,891	248,617
Net gain from loans and receivables	208,891	248,617
Net gain from financial assets	**208,891**	**248,617**

13C: Net income and expense from financial liabilities

There were nil income/expenses from financial liabilities.

13D: 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.

13E: Credit Risk

The Service Corporation is exposed to minimal credit risk as loans and receivables consist of cash, trade receivables and investments.

The Service Corporation's maximum exposure to credit risk is equal to the carrying amount of financial 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

	2012 $	2011 $
Not Past Due Nor Impaired		
Cash at bank or on deposit	5,064,825	2,490,319
Trade and other receivables	11,636	-
Total	**5,076,461**	**2,978,035**
Past Due or Impaired		
Trade and other receivables	528,351	1,320,037
Total	**528,351**	**1,320,037**

Ageing of financial assets that are past due but not impaired

Trade and other receivables		
less than 30 days	514,824	487,716
31 to 60 days	-	800,349
61 to 90 days	13,527	31,972
90+ days	-	-
Total	**528,351**	**1,320,036**

13F: 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 government funding and mechanisms available to the entity and internal policies and procedures put in place to ensure there were appropriate resources to meet its financial obligations.

Maturities for non-derivative financial liabilities

	2012				
	On demand	Within 1 year	1 to 5 yrs	>5 yrs	Total
	$	$	$	$	$
Suppliers	-	1,336,361	-	-	1,336,361
Total	**-**	**1,336,361**	**-**	**-**	**1,336,361**

	2011				
	On demand	Within 1 year	1 to 5 yrs	>5 yrs	Total
	$	$	$	$	$
Suppliers	-	131,596	-	-	131,596
Total	**-**	**131,596**	**-**	**-**	**131,596**

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

13G: Market risk

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

	2012	2011
	$	$
14. Compensation and Debt Relief		
No payments were incurred during the reporting period (2011: Nil).	-	-

15. Resources Received Free of Charge

The Service Corporation received office accomodation, IT services and other office support service from DSEWPaC. The fair value of the services received was $100,000.

Resources received free of charge relate to office accomodation, IT services and other office operations provided by DSEWPaC. The Service Corporation has an agreement with DSEWPaC that allows them to receive these services until 30 June 2014. This agreement requires the Service Corporation to pay for these services in the coming years, however does not give rise to a commitment as the Service Corporation may exit the agreement at any time.

National Environment Protection Council

Air Toxic NEPM

2011–2012

NEPC Report on the Implementation of the Air Toxics NEPM

PART 1 — GENERAL INFORMATION

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* 2004, no. S 52904, Canberra, 20 December)

NEPM goal (or purpose)

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

> *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:

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 (e.g. near major industrial sites, major roads, areas affected by wood smoke).*

Evaluation criteria

The National Environment Protection (Air Toxics) Measure (NEPM) has been evaluated against the evaluation criteria for 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	• The NEPM is implemented administratively.
New South Wales	• The NEPM is implemented under the Protection of the Environment Operations (Clean Air) Regulation 2010 under the *Protection of the Environment Operations Act 1997*.
Victoria	• The key legislative instrument is the State Environment Protection Policy (Air Quality Management).

Jurisdiction	Summary of implementation frameworks
Queensland	• The NEPM is implemented under the *Environmental Protection Act 1994*, the Environmental Protection Regulation 1998, Environmental Protection (Air) Policy 2008 and programs under the South East Queensland Regional Plan 2009–31.
Western Australia	• The NEPM is implemented under the *National Environment Protection Council (Western Australia) Act 1996, the Environmental Protection Act 1986* and by programs in the Perth Air Quality Management Plan.
South Australia	• The NEPM operates as an Environment Protection Policy under the *Environment Protection Act 1993*.
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993*. 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 *Environmental Management Pollution Control Act 1994.*
Australian Capital Territory	• The NEPM is implemented under the *Environment Protection Act 1997.*
Northern Territory	• The key legislative instruments are the Waste Management and Pollution Control Act and the *National Environment Protection Council (Northern Territory) Act 2004*.

Implementation issues arising

For the 2011–12 reporting year, jurisdictions continued to report 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	• No issues reported.
New South Wales	• No issues reported.
Victoria	• No issues reported.
Queensland	• As per last year's report, due to other priorities, monitoring at stage 2 sites was not done during 2011–12. • Non-NEPM compliant monitoring was done at Springwood and central Gladstone using differential optical absorption spectroscopy to improve knowledge of ambient concentrations of the majority of the toxic pollutants in Schedule 1 of the NEPM in a more cost-effective way. Data collected indicate that air toxics levels are well below the NEPM investigation levels.
Western Australia	• Air toxics monitoring has been limited and no monitoring was done in 2011–12. • Further investigations into certain volatile organic compounds will be done in urban areas next to the Kwinana Industrial Area in 2012–13.
South Australia	• There remains, because of the lack of an adequate emissions inventory, a need to confirm the predictions of desktop analyses and to contribute to the goal of the NEPM.
Tasmania	• No issues reported.

Jurisdiction	Summary of implementation issues arising
Australian Capital Territory	• No issues reported. • Previous desktop analysis shows that air toxics are not an issue for the Australian Capital Territory airshed and no monitoring sites were identified.
Northern Territory	• No issues reported.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Identification of sites

No jurisdictions identified any new sites in the reporting period.

Reporting of monitoring of air toxics

Queensland, Tasmania and Victoria monitored air toxics in 2011–12. All results were well below the monitoring investigation levels.

No other jurisdictions monitored air toxics during the reporting period.

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

South Australia completed the three year SmokeWatch project that used fine particles as an indicator of air toxics in Mount Gambier. The aim of the program was to reduce woodsmoke from households which will reduce the concentrations of air toxics in the region. South Australian fuel storage facilities have also committed to installing floating roofs on all potentially odorous fuel storage tanks by the end of 2012.

As monitoring to date has shown air toxics in Australia to be well below monitoring investigation levels, no jurisdiction engaged in any specific strategies or actions.

Repeat identification of stage 1 and stage 2 sites

No repeat identification of stage 1 and stage 2 sites was done by jurisdictions in 2011–12

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

A number of jurisdictions indicated they continue to be limited by resources in the type and amount of air toxics monitoring they do. The NEPM was reviewed in 2010 and varied in 2011, expanding the range of monitoring methods allowed and use of data collected, in achieving the overall goal of the NEPM and increasing our knowledge of air toxics in Australia.

All jurisdictions are developing a National Plan for Clean Air (NPCA) to improve air quality, and community health and well-being. The NPCA will include revised air quality standards, an exposure reduction framework, improved monitoring and reporting and an action list for ongoing implementation. The NPCA should be finalised by the end of 2014. *The National Environment Protection Council Act 1994 (Commonwealth)* is currently under review as are the NEPMs under it.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

National Environment Protection Council

Ambient Air Quality NEPM

2011–2012

NEPC Report on the Implementation of the Ambient Air Quality NEPM

PART 1 — GENERAL INFORMATION

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* 1998, no. GN 27, Canberra, 8 July, 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:

> *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:

> *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 National Environment Protection (Ambient Air Quality) Measure (NEPM) has been evaluated against the evaluation criteria for 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
Commonwealth	• 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	• The NEPM is implemented under the *Protection of the Environment Operations Act 1997* and the Protection of the Environment Operations (Clean Air) Regulation 2010.
Victoria	• 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 *Environment Protection Act 1970.*
Queensland	• The NEPM is implemented under the Environmental Protection Act 1994, the Environmental Protection Regulation 1998, the Environmental Protection (Air) Policy 2008 and by programs under the South East Queensland Regional Plan 2009–2031.

Jurisdiction	Summary of implementation
Western Australia	• The NEPM is implemented under the National *Environment Protection Council (Western Australia) Act 1996*, the *Environmental Protection Act 1986* and by programs under the Perth Air Quality Management Plan.
South Australia	• The transitional provisions in the *Environment Protection (Miscellaneous) Amendment Act 2005* enable the NEPM to continue to operate as an Environment Protection Policy.
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993*. 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 *Environmental Management Pollution Control Act 1994*.
Australian Capital Territory	• The NEPM is implemented by the Environment Protection Regulation 1997 under the *Environment Protection Act 1997*.
Northern Territory	• The key legislative instruments are the *Waste Management and Pollution Control Act* and the *National Environment Protection Council (Northern Territory) Act 2004*.

Implementation issues arising

Table 2 summarises the implementation issues that arose throughout the 2011–12 reporting year. For implementation activities please refer to jurisdictional reports as listed in Part 5.

Table 2: Summary of implementation issues arising

Jurisdiction	Summary of implementation issues arising
Commonwealth	• No issues reported.
New South Wales	• No issues reported.
Victoria	• No issues reported.
Queensland	• The Rocklea monitoring station was closed for most of the reporting period due to flood damage. Monitoring recommenced in May 2012. • The North Ward, Townsville monitoring station closed in April 2011. Data from the Townsville Coast Guard peak monitoring site is now used to determine compliance with the NEPM lead standard in Townsville. • There was no monitoring done at the North Toowoomba campaign GRUB (generally representative upper bound) station in 2011–12 following site infrastructure damage.
Western Australia	• No issues reported.
South Australia	• No issues reported.
Tasmania	• Regular monitoring at the peak carbon monoxide monitoring station in Hobart started in February 2011.
Australian Capital Territory	• No issues reported.

Jurisdiction	Summary of implementation issues arising
Northern Territory	• The first full-year's data has been reported from the Palmerston campaign monitoring station. • The Casuarina TEOM (Tapered Element Oscillating Microbalance) site was shut down and replaced by a long-term trend station at the Bureau of Meteorology site at Winnellie.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Detailed monitoring data are available in jurisdictional compliance reports which are available from the Council of Australian Governments' Standing Council on Environment and Water website <http://www.scew.gov.au>.

Some jurisdictions focused on programs to reduce emissions from domestic woodheaters which are a major source of particulate pollution in colder regions during winter months.

Other jurisdictions worked with industry to improve air emissions' standards by reducing particle emissions from steelworks and coal mines and lead emissions from smelters.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to be valuable in the management and assessment of air quality in Australia. It provides a nationally consistent framework for the monitoring and reporting of air quality and nationally consistent benchmarks against which to assess quality.

Monitoring results show the NEPM standards are mostly being met and air quality in Australia is generally good by international standards. Most jurisdictions consistently meet the standards and goals for nitrogen dioxide, sulfur dioxide and carbon monoxide. However, meeting the goals for ozone and particulates continues to be difficult in a number of regions across the country.

All jurisdictions are developing a National Plan for Clean Air (NPCA) to improve air quality and community health and well-being. The NPCA will include revised air quality standards, an exposure reduction framework, improved monitoring and reporting and an action list for ongoing implementation. The NPCA should be finalised by the end of 2014.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

National Environment Protection Council

Assessment of Site Contamination NEPM

2011 – 2012

NEPC Report on the Implementation of the Assessment Of Site Contamination NEPM

PART 1 — GENERAL INFORMATION

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* 1999, no. GN 51, Canberra, 22 December, 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:

> *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:

> *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 National Environment Protection (Assessment of Site Contamination) Measure (NEPM) has been evaluated against the evaluation criteria for 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	• The NEPM is implemented administratively.
New South Wales	• The NEPM operates under guidelines approved under the *Contaminated Land Management Act 1997* (majority of amendment provisions commenced on 1 July 2009). It is a legal requirement that the guidelines be taken into consideration.
Victoria	The key legislative instruments for administering the NEPM are: • the State Environment Protection Policy (Prevention and Management of Contamination of Land) • the State Environment Protection Policy (Groundwaters of Victoria) • Environment Protection (Industrial Waste Resource) Regulations 2009 • the *Planning and Environment Act 1987* • The Environmental Audit System (Contaminated Land) provides the administrative framework for assessing site contamination.

Jurisdiction	Summary of implementation frameworks
Queensland	• The *Sustainable Planning Act 2009* and the *Environment Protection Act 1994* 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	• The NEPM is implemented through the *Contaminated Sites Act 2003* 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	• The *Environment Protection Act 1993* enables the NEPM to operate as an Environment Protection Policy. • Specific site contamination provisions of the *Environment Protection Act 1993* commenced in full on 1 July 2009.
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993*. • The NEPM is implemented under the *Environmental Management and Pollution Control Act 1994*, and associated guidelines.
Australian Capital Territory	• The NEPM is implemented by the Contaminated Sites Environment Protection Policy (reviewed in 2009) made under the *Environment Protection Act 1997*.
Northern Territory	• The NEPM is implemented by audits of contaminated sites, and the pollution control provisions of the Waste Management and Pollution Control Act.

Implementation issues arising

One jurisdiction reported that the implementation of the general provisions of the NEPM is limited by the lack of adequate guidance for particular common types of contamination such as petroleum hydrocarbons and asbestos. Another jurisdiction noted that the generic investigation levels were not applicable in specific ecologically significant areas. These limitations are recognised and have been addressed in the work undertaken for the variation of the NEPM.

No other implementation issues were reported for this reporting year.

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

Table 2: Summary of implementation issues arising

Jurisdiction	Summary of implementation issues arising
Commonwealth	• As very low levels of contamination are considered to be ecologically significant in Australia's Antarctic Territories, site-specific investigation levels are used in place of the generic levels in the NEPM.
New South Wales	• No issues reported.
Victoria	• No issues reported.
Queensland	• Implementation of the general provisions of the NEPM is limited by the lack of adequate guidance for particular common types of contamination such as petroleum hydrocarbons in groundwater and fragments of cement-bonded asbestos.
Western Australia	• No issues reported.
South Australia	• No issues reported.
Tasmania	• No issues reported.

Jurisdiction	Summary of implementation issues arising
Australian Capital Territory	• No issues reported.
Northern Territory	• No issues reported.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

All jurisdictions report a high level of compliance with the guidelines as set out in the NEPM. Government agencies in each jurisdiction continue to work closely with planning and development authorities (including associated consent authorities) to address known and potential contamination issues. Most jurisdictions have taken up the NEPM guidelines into legislation or planning codes to ensure greater compliance.

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

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to provide authoritative guidance to professional practitioners in the field of site-contamination assessment.

The proposed variation of the NEPM will:

- incorporate new scientific knowledge and technical information into the guidance
- maintain credibility of the NEPM as the premier source of guidance in Australia
- clarify certain aspects of the guidance.

Work continued on the proposed variation to the NEPM during 2011–12. It is expected this work will be completed during the next reporting period.

Most jurisdictions noted the proposed variation should improve the effectiveness of the NEPM. The inclusion of guidance on petroleum hydrocarbons, asbestos and conducting ecological and human health-risk assessments was specifically mentioned by jurisdictions as likely to improve the effectiveness of the NEPM. It is anticipated the variation will improve the standard and consistency of site assessments by clarifying certain aspects of the NEPM that have not been consistently applied by environmental practitioners.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

National Environment Protection Council

Diesel Vehicle Emissions NEPM

2011–2012

NEPC Report on the Implementation of the Diesel Vehicle Emissions NEPM

PART 1 — GENERAL INFORMATION

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* 2001, no. GN 28, Canberra, 18 July, 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:

> *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:

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

Evaluation criteria

The National Environment Protection (Diesel Vehicle Emissions) Measure (NEPM) has been evaluated against the evaluation criteria for 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	• The NEPM is implemented administratively. • The NEPM is supported by the Australian Design Rules under the *Motor Vehicle Standards Act 1989*, *Fuel Quality Standards Act 2000* and fuel tax credit arrangements.
New South Wales	• The key legislative instruments are the *Protection of the Environment Operations Act 1997* and the Protection of the Environment Operations (Clean Air) Regulation 2010.
Victoria	• The primary legislative tools are the Environment Protection (Vehicle Emissions) Regulations 2003 under the *Environment Protection Act 1970*.
Queensland	• The NEPM is implemented by the *National Environment Protection Council (Queensland) Act 1994*.
Western Australia	• The NEPM is implemented by the *National Environment Protection Council (Western Australia) Act 1996*, the *Environmental Protection Act 1986*, the Road Traffic (Vehicle Standards) Rules 2002 and through programs under the Perth Air Quality Management Plan.

Jurisdiction	Summary of implementation frameworks
South Australia	• The transitional provisions in the *Environment Protection (Miscellaneous) Amendment Act 2005* enable the NEPM to continue to operate as an Environment Protection Policy. • In March 2011 the Road Traffic (Vehicle Standards) Rules 1999: Rule 147A – Exhaust Emissions – diesel powered vehicles, set emission limits for in-service diesel vehicles.
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993*.
Australian Capital Territory	• The key legislative instrument is the Road Transport (Vehicle Registration) Regulation 2000.
Northern Territory	• Vehicle performance standards are enforced under the Motor Vehicles Act and the Australian Vehicle Standard Rules.

Implementation issues arising

Work has continued to address implementation issues identified 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. A New South Wales developed proposal to address emissions testing issues is currently being considered by the Commonwealth.

In 2011 the COAG endorsed air quality as a priority issue of national significance and agreed that the Standing Council on Environment and Water develop a National Plan for Clean Air to improve air quality and community health and well-being. The National Plan for Clean Air is due to be delivered to COAG by the end of 2014 and will consider measures to reduce air emissions, including from diesel engines.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Most jurisdictions continue to run smoky-vehicle reporting programs and diesel vehicle emission testing and repair programs with the exception of the Commonwealth, South Australia and the Australian Capital Territory. Some jurisdictions also run audited maintenance programs. Only New South Wales operates retrofit programs, which have been expanded during the reporting period.

For details of individual programs and initiatives please refer to jurisdictional reports as listed in Part 5 below.

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, jurisdictions report that the NEPM continues to be beneficial in reducing emissions from diesel vehicles across Australia and a useful component of the broader framework to manage emissions.

Considerable progress has been made toward achieving NEPM goals through national initiatives including the Australian Design Rules (ADRs) and fuel quality standards. A number of jurisdictions report a downward trend over recent years in vehicles reported or receiving cautionary letters or fines under smoky-vehicles programs as indicative of the impact of tighter diesel vehicle emission standards under the ADRs.

The expiration of a Diesel NEPM funding agreement between the Commonwealth and jurisdictions has meant that a number of Diesel NEPM projects have had to be put on hold from October 2011.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

National Environment Protection Council

Movement of Controlled Waste Between States and Territories NEPM

2011–2012

NEPC Report on the Implementation of the Movement of Controlled Waste Between States and Territories NEPM

PART 1 — GENERAL INFORMATION

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* 1998, no. GN 27, Canberra, 8 July, 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:

> *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:

> *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 National Environment Protection (Movement of Controlled Waste between States and Territories) Measure (NEPM) has been evaluated against the evaluation criteria for 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	• The NEPM is implemented administratively.
New South Wales	• The key legislative instruments are the *Protection of the Environment Operations Act 1997* and the Protection of the Environment Operations (Waste) Regulation 2005.
Victoria	• 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.
Queensland	• The key legislative instruments are the *Environmental Protection Act 1994* and the Environmental Protection (Waste Management) Regulation 2000. • Requirements for the licensing of controlled waste transporters are included in the Environmental Protection Regulation 2008.

Jurisdiction	Summary of implementation frameworks
Western Australia	• The primary legislative instruments are the Environmental Protection (Controlled Waste) Regulations 2004.
South Australia	• The NEPM operates as an Environment Protection Policy under the *Environment Protection Act 1993* and is implemented through conditions of licences.
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993*. • The NEPM is implemented under the *Environmental Management and Pollution Control Act 1994*.
Australian Capital Territory	• The key legislative instruments are the *Environment Protection Act 1997* and the Environment Protection Regulations 2005.
Northern Territory	• The key legislative instruments are the Waste Management and Pollution Control Act and the Dangerous Goods (Road and Rail Transport) Act.

Implementation issues arising

In late 2010, the NEPC made a minor variation to the NEPM to provide greater clarity, remove unnecessary regulatory burden and remove clauses no longer required.

In February 2011, drafting errors in the 2010 minor variation were identified. The Executive Officer assessed the circumstances leading to the error and worked with the Australian Government to identify solutions. In September 2011, the Council initiated a minor variation to the NEPM in order to address these errors. This variation was still under way at the end of the reporting period.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

The tables below provide a national summary of the data for quantities of each waste category transported. 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 2011 to 30 June 2012 (tonnes)

Code	Description	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Ex-Terr*	Total
A	Plating & heat treatment	0.00	0.00	14.00	0.00	0.00	0.00	0.00	0.00	0.00	**14.00**
B	Acids	7072.39	293.00	740.94	0.00	595.56	18.00	0.00	0.00	0.00	**8719.89**
C	Alkalis	611.61	308.00	406.70	0.00	82.38	0.00	0.00	0.00	0.00	**1408.69**
D	Inorganic chemicals	37776.40	17449.00	152.19	0.00	29070.51	1.20	0.00	0.00	0.00	**84449.30**
E	Reactive chemicals	10.96	2.00	0.00	0.00	3.05	0.00	0.00	0.00	0.00	**16.01**
F	Paints, resins, inks, organic sludges	3777.00	2324.00	257.00	0.00	733.50	0.84	0.00	0.00	0.00	**7092.34**
G	Organic solvents	434.49	1826.00	13.01	0.00	1350.34	0.40	0.00	0.00	0.00	**3624.24**
H	Pesticides	122.87	719.00	49.66	0.00	0.99	0.00	0.00	0.00	0.00	**892.52**
J	Oils	12048.17	5573.00	7097.74	0.00	1532.91	16.90	82.30	0.00	0.00	**26351.02**
K	Putrescible/ organic waste	8168.08	4234.00	1969.86	0.00	0.00	14.40	0.00	0.00	0.00	**14386.34**
L	Industrial washwater	0.00	115.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**115.00**
M	Organic chemicals	2207.38	272.00	654.92	78.80	13.56	0.00	110.40	0.00	0.00	**3337.06**
N	Soil/sludge	2179.51	155.00	1324.45	0.00	5482.94	70.51	50.05	0.00	0.00	**9262.46**
R	Clinical & pharmaceutical	277.74	1301.00	714.32	0.00	101.35	0.00	207.70	0.00	0.00	**2602.11**
T	Miscellaneous	956.13	33.00	756.71	0.00	252.29	2.10	0.00	0.00	0.00	**2000.23**
	Total	**75642.73**	**34604.00**	**14151.50**	**78.80**	**39219.38**	**124.35**	**450.45**	**0.00**	0.00	**164271.21**

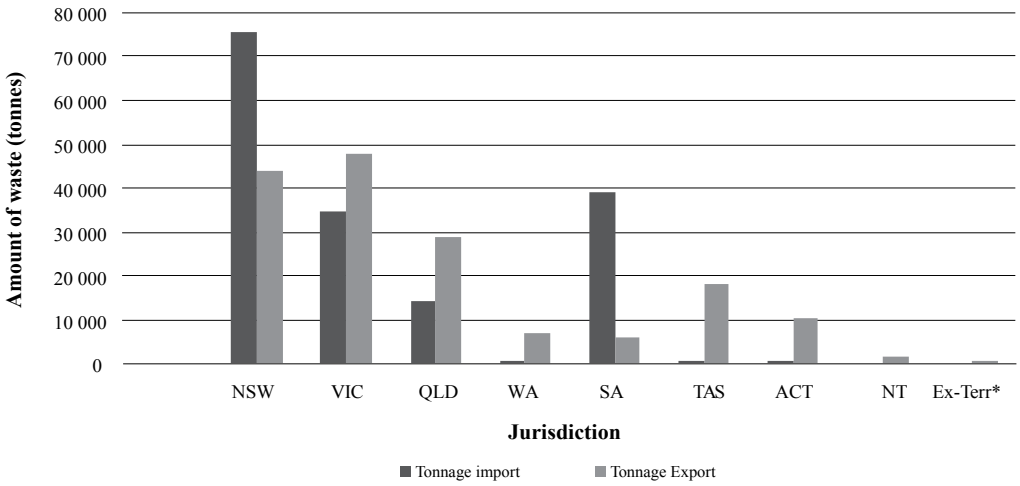
Note: Information regarding External Territories (Ex-Terr) has been provided only since the reporting year 2009–10.

Table 3: Summary of total movements of controlled waste within Australia, exports by states and territories for the period 1 July 2011 to 30 June 2012 (tonnes)

Code	Description	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Ex-Terr*	Total
A	Plating & heat treatment	0.00	14.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**14.00**
B	Acids	569.90	7982.97	52.91	31.01	21.40	29.00	3.37	26.24	3.09	**8719.89**
C	Alkalis	539.70	707.90	7.46	0.00	56.00	1.00	14.25	82.38	0.00	**1408.69**
D	Inorganic chemicals	19 277.43	27 208.46	14 520.21	5951.47	4259.74	12 597.74	245.91	387.14	1.20	**84 449.30**
E	Reactive chemicals	0.00	13.16	0.00	0.77	2.00	0.00	0.03	0.05	0.00	**16.01**
F	Paints, resins, inks, organic sludges	2044.76	2329.60	2036.24	287.64	324.47	2.00	64.61	2.18	0.84	**7092.34**
G	Organic solvents	1188.07	1142.56	379.96	164.98	131.97	531.00	49.07	36.23	0.40	**3624.24**
H	Pesticides	177.07	42.85	574.26	1.17	96.00	0.00	0.25	0.92	0.00	**892.52**
J	Oils	10 025.49	3141.62	8750.23	256.57	175.19	519.56	2724.20	741.26	16.90	**26 351.02**
K	Putrescible/ organic waste	6008.06	3003.61	0.00	0.00	192.70	0.00	5167.57	0.00	14.40	**14 386.34**
L	Industrial washwater	92.00	0.00	23.00	0.00	0.00	0.00	0.00	0.00	0.00	**115.00**
M	Organic chemicals	691.62	299.29	2043.27	41.57	94.08	106.43	16.01	44.79	0.00	**3337.06**
N	Soil/sludge	1348.35	1887.06	314.88	199.14	22.08	4581.25	696.93	142.26	70.51	**9262.46**
R	Clinical & pharmaceutical	1118.99	13.85	374.00	19.00	711.00	10.00	263.92	91.35	0.00	**2602.11**
T	Miscellaneous	721.18	38.83	46.70	83.24	0.00	11.00	938.18	159.00	2.10	**2000.23**
	Total	**43 802.62**	**47 825.76**	**29 123.12**	**7036.56**	**6086.63**	**18 388.98**	**10 184.30**	**1713.80**	**109.44**	**164 271.21**

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 2011–12



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 1999–2012

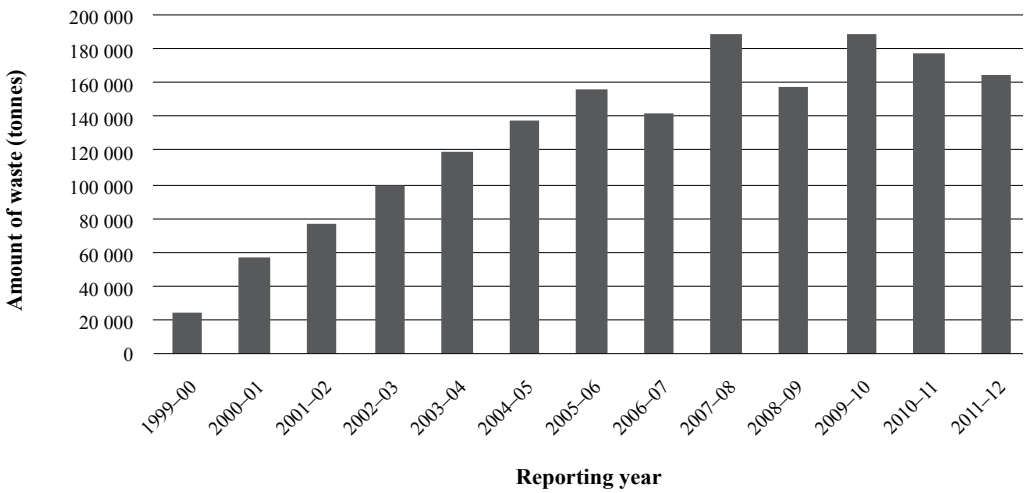
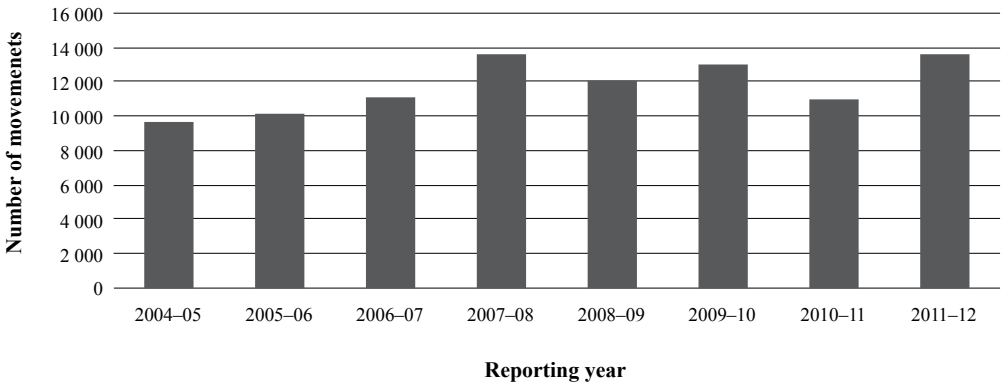


Figure 3: Number of movements of controlled waste within Australia 2004–12



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

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

Jurisdictions reported a high level of consultation between jurisdictions as a result of the NEPM agreement. It was also reported that the NEPM was an effective means of tracking waste between states and territories. Jurisdictions noted that the majority of controlled waste imported was processed through resource recovery, energy recovery or recycling.

Industry compliance with the NEPM was high, supported by successful consultation between industry and jurisdictions. A number of compliance audits were conducted by jurisdictions, with Western Australia reporting some inconsistencies in the use of Interstate Waste Transport Certificates.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

National Environment Protection Council

National Pollutant Inventory NEPM

2011–2012

NEPC Report on the Implementation of the National Pollutant Inventory NEPM

PART 1— GENERAL INFORMATION

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* 1998, no. S 89, Canberra, 4 March, p. 1) with the remaining provisions of the measure commencing on 1 July.

NEPM goal (or purpose)

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

(a) collect a broad base of information on emissions and transfers of substances on the reporting list

(b) disseminate the information collected to all sectors of the community in a useful, accessible and understandable form.

In summary, the National Pollutant Inventory National Environment Protection Measure (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

(ii) ambient marine, estuarine and fresh water quality

(b) the minimisation of environmental impacts associated with hazardous wastes

(c) an improvement in the sustainable use of resources.

Evaluation criteria

The NPI NEPM has been evaluated against the evaluation criteria for 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	• The NEPM is implemented administratively.
New South Wales	• The key legislative instrument is the Protection of the Environment Operations (General) Regulation 2009 under the *Protection of the Environment Operations Act 1997*.
Victoria	• The key legislative instrument is the Industrial Waste Management Policy (National Pollutant Inventory) 1998 under the *Environment Protection Act 1970*.

Jurisdiction	Summary of implementation frameworks
Queensland	• The NEPM is implemented under the *Environmental Protection Act 1994* and the Environmental Protection Regulation 2008.
Western Australia	• The key legislative instrument is the Environmental Protection (NPI NEPM) Regulations 1998 under the *Environmental Protection Act 1986.*
South Australia	• The NEPM operates as an Environment Protection Policy under the *Environment Protection Act 1993.*
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993* and is implemented through the *Environmental Management and Pollution Control Act 1993*.
Australian Capital Territory	• The key legislative instrument is the *Environment Protection Act 1997*.
Northern Territory	• The NEPM is implemented by the Environment Protection (National Pollutant Inventory) Objective established under the Waste Management and Pollution Control Act.

Implementation issues arising

Jurisdictions have requested that NPI emission estimation technique manuals be updated regularly to reflect Australian conditions and more comprehensive guidance around the reporting of transfers should be provided.

Jurisdictions also raised the need for aggregated emission data to be updated on the NPI website.

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	• The NEPM is implemented administratively.
New South Wales	• The changes to the reporting of NPI substances that are moved in waste streams (transfers), have required the Environment Protection Authority to allocate a significant resource to providing advice and training to NPI reporters. • Development of online training resources to assist the NPI reporters who are unable to attend training sessions.
Victoria	• No issues reported
Queensland	• Ongoing review and development of industry emission estimation technique manuals to ensure accurate emissions data. • Implementation of targeted communication activities such as an NPI conference and annual national data summaries. • Timely and thorough review of the NEPM is required.
Western Australia	• There is a lack of clarity and emission factor shortcomings in selected emission estimation technique manuals and published electronic reporting tools. • The requirement to report transfers has resulted in a number of scenarios being identified which have not been totally resolved, though environmental outcomes have not been seriously compromised. • Allocation of funding may limit collection of aggregated emissions data.

Jurisdiction	Summary of implementation issues arising
South Australia	• Aggregate emissions data using a detailed air emissions inventory remains a strategic priority for the South Australian Environment Protection Authority. • It is essential that emission estimation technique manuals are updated regularly to ensure reliable emission data. • There is a continued need for training of reporters using the online system due to staff turnover within business and industry.
Tasmania	• Updating of emission estimation technique manuals has not been adequately resourced.
Australian Capital Territory	• There is a continued need for training of reporters using the online system due to staff turnover within facilities.
Northern Territory	• There remain issues with staffing at the Commonwealth level impacting on uploading of aggregate emission data and the updating of manuals.

PART 3 — ASSESSMENT OF NEPM EFFECTIVENESS

Website and public awareness

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

The free phone line and the public email box continue to inform the public.

Online reporting

There continues to be a steady increase in the number of online reporters. While the online reporting system training has been well received, it is acknowledged that further targeted sector training is required.

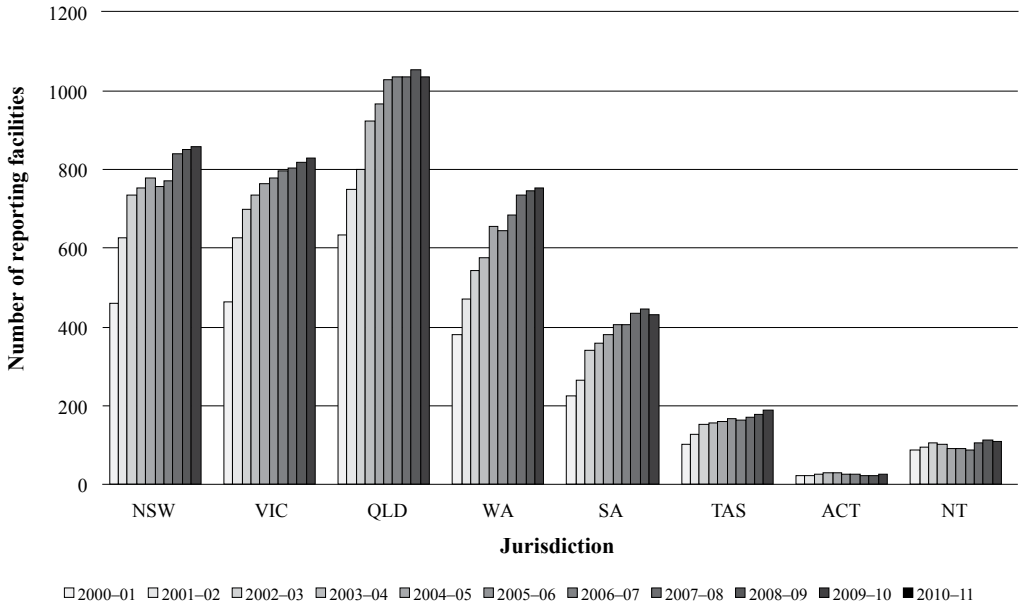
Most jurisdictions have conducted industry training programs to assist reporters to use the Online Reporting System. These training programs vary from one-on-one sessions with new reporters to more formal group sessions. The high level of turnover in industry and new small business enterprises are the main reasons for the need for continued training.

The Online Reporting System was upgraded with improved validation tools.

Industry facility reporting

- The total number of reporting facilities for all jurisdictions was 4288, compared to 4237 in the previous year. There were 196 facilities that reported to the NPI for the first time in 2010–11. While South Australia advised of 29 new reporters in 2011–12.
- Industry representatives contributed updates of NPI reporting materials and the emission factors.
- The percentage of industry using the online reporting system continues to increase.

Figure 1: NPI facility reports received by jurisdictions 2000–11



PART 4 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

National Environment Protection Council

Used Packaging Materials NEPM

2011–2012

NEPC Report on the Implementation of the Used Packaging Materials NEPM

PART 1 — GENERAL INFORMATIONNEPM details

Title: National Environment Protection (Used Packaging Materials) Measure

Commencement date: July 2005

NEPM goal (or purpose)

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

> *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 Australian Packaging Covenant.*

Desired environmental outcomes

The desired environmental outcomes from the combination of the Australian Packaging Covenant and the Measure are to minimise the overall environmental impacts of packaging by pursuing the Covenant performance goals.

- **Design:** optimise packaging to use resources efficiently and reduce environmental impact without compromising product quality and safety.
- **Recycling:** efficiently collect and recycle packaging.
- **Product Stewardship:** demonstrate commitment by all signatories.

Evaluation criteria

The National Environment Protection (Used Packaging Materials) Measure has been evaluated against the evaluation criteria for this NEPM.

PART 2 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation, and the National Environment Protection Council's (NEPC) overall assessment of the implementation, of the National Environment Protection Measure (NEPM).

Legislative, regulatory and administrative framework

Table 1: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	• The Commonwealth's implementing legislation applies only to its jurisdictional territories and to brand owner companies with more than 50 per cent government ownership such as Australia Post.
New South Wales	• The NEPM is implemented by the Protection of the Environment Operations (Waste) Regulation 2005.
Victoria	• The NEPM is implemented by the Waste Management Policy (Used Packaging Materials) 2012, under the *Environment Protection Act 1970.*
Queensland	• The NEPM is implemented by the Environmental Protection (Waste Management) Regulation 2000.
Western Australia	• The NEPM is implemented by the Environmental Protection (NEPM Used Packaging Materials) Regulations 2007 under the *Environmental Protection Act 1986*.
South Australia	• The NEPM operates as an Environment Protection Policy under the *Environment Protection Act 1993.*
Tasmania	• The NEPM is a state policy under the *State Policies and Projects Act 1993.* • The NEPM is implemented under the *Environmental Management and Pollution Control Act 1994*.

Jurisdiction	Summary of implementation frameworks
Australian Capital Territory	• The NEPM is implemented by the Industry Waste Reduction Plan under the *Waste Minimisation Act 2001*.
Northern Territory	• The NEPM is implemented and reported by the Waste Management and Pollution Control Act and the *Environment Protection (Beverage Containers and Plastic Bags) Act 2011*.

Implementation issues arising

Table 2: Summary of implementation issues arising

Jurisdiction	Summary of implementation issues arising
Commonwealth	• NEPM has been remade, effective 31 October 2011. It is effective retrospectively and takes all variations made to date into account.
New South Wales	• While transitional legislative issues delayed large-scale enforcement activity in 2011–12, New South Wales continued to take action on enquiries and businesses referred to it.
Victoria	• No issues reported.
Queensland	• Covenant activities in Queensland are now administered by the Department of Environment and Heritage Protection.
Western Australia	• Western Australian Environmental Protection (NEPM Used Packaging Materials) Regulations are currently being redrafted and are anticipated to be gazetted in early 2013.
South Australia	• Used Packaging Materials Environment Protection Policy (2007) currently being redrafted and will be made in last quarter of 2012.
Tasmania	• No issues reported.
Australian Capital Territory	• Release of Australian Capital Territory Waste Management Strategy 2011–25 (December 2011) targeting RR recovery rate of more than 90 per cent by 2025.
Northern Territory	• Plastic bag ban commenced 1 September 2011. Northern Territory's container deposit scheme commenced 3 January 2012.

PART 3 — JURISDICTIONAL REPORT ON ACTIVITIES UNDER THE NEPM

Late in 2010, administrative issues were identified with the registration of the 2005 Used Packaging Materials NEPM as well as minor variations to the Used Packaging Materials NEPM made in 2010, which could call into question the validity of the NEPM. In order to put the question of validity beyond doubt and provide certainty to the packaging industry, the NEPM was re-made, with the new NEPM approved by NEPC on 16 September 2011.

Enforcement activity in 2011–12 was impacted by the process of remaking the NEPM. Following the remaking of the NEPM, jurisdictions were able to amend their underpinning regulations in support of the NEPM.

- New South Wales: Enforcement activity focussed on working with other jurisdictions and the Australian Packaging Covenant Secretariat to build consistency of enforcement, and to take action on businesses referred to it (approximately 20) including sector-leading companies.
- Tasmania: No action due to staff changes within reporting period.
- Western Australia: During the reporting period the Western Australian Department of Environment and Conservation approached 17 brand owners to whom the NEPM potentially applied. Four of those require ongoing follow up.
- Queensland: In 2011–12 nine letters were sent to companies regarding non-compliance.
- Northern Territory: The Territory has implemented its own strategies to address litter, including the Litter Abatement and Resource Recovery Strategy, the Re-thinking Waste Strategy, and more recently the ban on lightweight plastic bags and the Northern Territory Container Deposit Scheme (Northern Territory CDS) which was implemented on 3

January 2012. Fourteen officers were appointed under the *Environment Protection (Beverage Containers and Plastic Bags) Act 2011* to monitor compliance and undertake enforcement action in relation to the container deposit scheme that commenced 3 January 2012. The government imposes an investigative approach to the legislation under the Measure and the *Environment Protection (Beverage Containers and Plastic Bags) Act 2011*.

- Australian Capital Territory: Introduction of a commercial materials recovery facility to be operational by 2013–14. ACTSmart office and business programs on-site sorting of office waste at more than 450 sites.
- South Australia: Five referred companies to be following up once the revised Used Packaging Materials Environment Protection Policy is made.
- Victoria: The new Victorian Waste Management Policy (Used Packaging Materials), implementing the new NEPM and underpinning the Australian Packaging Covenant, was gazetted 26 April 2012. Victorian Environment Protection Authority has also been responding to phone calls from companies, mostly prompted by their receipt of letter from the Australian Packaging Covenant Secretariat.

Clause 18 of the NEPM requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the NEPM in preventing free riding. All states and territories carried out the survey in 2012, except for Tasmania, the Australian Capital Territory and the Northern Territory.

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 Australian Packaging Covenant.

Figure 1: Australian Packaging Covenant signatories at 30 June 2012

Australian Capital Territory	5
New South Wales	327
Queensland	68
South Australia	49
Tasmania	14
Victoria	272
Western Australia	51
TOTAL	**786**

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.

A link to local government data is provided at the end of each jurisdictional report.

Complaints, investigations and prosecutions

No complaints, investigations or prosecutions were reported by any jurisdiction for the current reporting period.

PART 4 — ASSESSMENT OF NEPM EFFECTIVENESS

At the end of June 2011, there were 786 covenant signatories, of which 765 were compliant.

Following commencement of the Australian Packaging Covenant in July 2010, previous signatories to the National Packaging Covenant did not automatically transfer to the new Covenant, but were required to sign on. A reduction in the number of signatories during the reporting period was initially experienced, however signatory numbers recovered during the year ended 30 June 2012.

Jurisdictions reported the NEPM has provided a strong incentive for businesses to join the Covenant. Jurisdictions report that some enforcement activity was delayed while administrative issues were resolved. This has now largely been finalised.

The Northern Territory reports that the NEPM remains a less effective mechanism in that jurisdiction as the major contributors to the waste stream are brand-owners not based in the Territory.

States continue to support the NEPM through enforcement of relevant regulations and referred companies are routinely approached to join the Australian Packaging Covenant or comply with regulations.

PART 5 — REPORTING ON IMPLEMENTATION BY JURISDICTIONS

The annexes to this report are in Appendix 1.

Appendix 1:

Jurisdictional Reports on Implementation and Effectiveness of NEPM

2011–2012

Jurisdictional Reports on the Implementation of the

Air Toxics NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

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

In the 2005–06 NEPC annual report the Commonwealth reported on its desktop analysis, which identified that there were no Commonwealth sites with potential for significant population exposure to elevated levels of air toxics. No reassessment of this 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.

The Council of Australian Governments (COAG) established the Standing Council on Environment and Water as part of reforms to national ministerial council arrangements. In 2011, COAG endorsed air quality as a priority issue of national significance and agreed that the Standing Council on Environment and Water would develop a National Plan for Clean Air to improve air quality, and community health and well-being. Environment and Water Ministers first met in September 2011 and the National Plan for Clean Air is scheduled to be delivered to COAG by the end of 2014.

The National Plan for Clean Air represents a strategic approach to air quality management and will include revised air quality standards, the development of an exposure reduction framework, improved monitoring and reporting and an action list for ongoing implementation.

In 2011–12, the Commonwealth continued to progress work to reduce emissions from nationally significant sources through the work program for developing the National Plan for Clean Air. The Department of Sustainability, Environment, Water, Population and Communities' initiatives focused on wood heaters, which are a source of particulate matter emissions with an equivalent aerodynamic diameter of 10 micrometres or less (PM_{10}), and from Non-Road Spark Ignition Engines and Equipment (NRSIEE), such as lawnmowers and outboard engines, which emit high levels of PM_{10}, nitrogen dioxide and chemicals that lead to ozone formation. A consultation regulation impact statement (CRIS) has been released with options for reducing emissions from NRSIEE and the responses are being assessed. A CRIS assessing options for reducing emissions from domestic wood heaters is also being progressed. This work aims to support compliance in all jurisdictions with the NEPM standards.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Air Toxics NEPM has provided a nationally consistent framework for assessing the ambient levels of specified air toxics in a range of locations. Monitoring activities undertaken under the NEPM will provide important data for the review of the NEPM that should commence in 2012.

New South Wales

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for New South Wales by the Hon. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The implementation of the Air Toxics National Environment Protection Measure (NEPM) in New South Wales is coordinated by the Office of Environment and Heritage. 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 NEPM commencement in 2004. New South Wales 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 (i.e. sites prioritised for monitoring based on the potential for significant population exposure). New South Wales conducted ambient monitoring for the five NEPM air toxics at two stage 2 sites in the Sydney metropolitan area using a one-day-in-six cycle for a full year from October 2008 to October 2009, and reported the results in the implementation report for the reporting year ended 30 June 2010.

The *Protection of the Environment Operations Act 1997* (New South Wales) and the Protection of the Environment Operations (Clean Air) Regulation 2010 (New South Wales) provide the regulatory framework for action to address air emissions including managing air toxics in New South Wales.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

New South Wales has achieved the NEPM goal to estimate human exposure to the five NEPM air toxics using a consistent national framework, by conducting ambient monitoring at two stage 2 monitoring sites in the Sydney metropolitan area. The monitoring demonstrated the five NEPM air toxics are within monitoring investigation levels (MILs) at all monitoring sites.

Reporting of monitoring of air toxics

New South Wales data collection commenced in October 2008 and concluded in October 2009.

The Turella site collected data on formaldehyde and acetaldehyde; 19 polycyclic aromatic hydrocarbons including benzo(α)pyrene; and 41 volatile organic compounds including benzene, toluene and xylenes.

The Rozelle site collected data on formaldehyde and acetaldehyde; and 41 volatile organic compounds including benzene, toluene and xylenes.

NEPM-compliant sampling and analysis methods were used.

Tables 1 to 5 of the implementation report for the reporting year ended 30 June 2010 <http://www.ephc.gov.au/sites/default/files/annual_reports/2010/AR_Jur_AT_NSW_09-10.pdf> summarise the monitoring results for the five air toxics: benzene, benzo(α)pyrene as a marker for polycyclic aromatic hydrocarbons, formaldehyde, toluene and xylenes.

The results clearly showed levels of air toxics were below the monitoring investigation levels. There were no occasions on which any of the air toxics monitored exceeded the monitoring investigation levels at any location. The most significant results were for benzo(a)pyrene, with levels of approximately 65 per cent of the NEPM monitoring investigation level.

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

During 2011, monitoring was conducted at five residential sites surrounding the Dandenong South Industrial Zone 2 precinct which includes the current prescribed landfill. The levels measured for benzene, toluene and xylene were all below the respective National Environment Protection Measure (NEPM) monitoring cut off limit of 30 per cent, 55 per cent and 55 per cent of the Monitoring Investigation Level (MIL).

Also during 2011, monitoring for benzene, toluene and xylene was undertaken in four residential sites in Tullamarine surrounding a former prescribed landfill. Screening for formaldehyde was also undertaken at Tullamarine to evaluate the impacts from the nearby airport. There was previously no data on formaldehyde levels near a major airport in Victoria.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Since 2003, air toxics monitoring has not measured levels exceeding the monitoring investigation levels (air quality objectives) in the NEPM.

Past air monitoring results generally aligned with the levels estimated in our review of identification and prioritisation of potential stage 1 and stage 2 sites (further information below). The air modelling and air pollution inventory may not capture some specific areas and diffuse sources (such as emissions from some small-to-medium enterprises) effectively and estimate the resulting local impact adequately. Therefore, monitoring at Dandenong South was conducted during 2011 to understand and evaluate potential impacts from industrial precincts where numerous small-to-medium enterprises are operating.

Identification of sites

There were no new Air Toxics NEPM monitoring sites identified in Victoria in 2011.

Reporting of monitoring of air toxics

During 2011, monitored sites were Tullamarine[1] and Dandenong South[2]. Pollutants monitored were benzene, toluene, xylene and formaldehyde near the Tullamarine airport and benzene, toluene and xylene at Dandenong South. Monitoring was conducted one in every six days. Twenty four-hour toluene, xylene and formaldehyde levels monitored were below the 24-hour Monitoring Investigation Levels. There was insufficient data to compare to the annual Monitoring Investigation Levels for the reporting period.

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

The results of monitoring at all sites show that the monitoring investigation levels have not been exceeded. Therefore it has not been necessary to take any action to manage air toxics beyond existing programs.

Repeat identification of stage 1 and stage 2 sites

During 2010 a review of Environment Protection Authority Victoria stage 1 and stage 2 sites commenced using the new procedures for the identification and prioritisation of stage 1 and stage 2 sites from the Air Toxics NEPM Mid-Term Review. The review, completed in 2011, included the analyses of predicted concentrations for benzene, toluene, xylene and formaldehyde from modelling using the 2006 and most current air emissions inventory, meteorology and population for 2006 for Victoria. No modelling was conducted for benzo(a)pyrene. In addition to modelling an air emissions inventory, analysis for the Port Phillip region was also conducted which included benzo(a)pyrene, benzene, toluene, xylene, formaldehyde and general polycyclic aromatic hydrocarbon sites.

The review found all of the predicted concentrations of ambient air toxics or estimated emissions were below the Monitoring Investigation Level (MIL) specified in the Air Toxics NEPM. Motor vehicle emissions were found to be the major sources at the sites with the highest levels. Based on air pollution modelling, highest predicted concentrations

1 Quarterly air monitoring results can be found at <http://www.epa.vic.gov.au/our-work/current-issues/landfills/tullamarine-landfill>.
2 Results to date can be found at <http://www.epa.vic.gov.au/our-work/current-issues/southern-dandenong>.

relative to each air toxic MIL ranged from 22 per cent for benzene, 15 per cent for formaldehyde, 0.05 per cent and 1.5 per cent for toluene, 0.7 per cent and 2.2 per cent for xylene. Highest benzo(a)pyrene emissions were estimated to be 66 per cent of MIL based on air pollution inventory estimates. Unlike the modelling predictions, the inventory estimates identified one other site for toluene associated with industry emissions in the higher category of 66 per cent of the MIL. The benzo(a)pyrene and toluene sites identified will be considered in future monitoring programs.

Past air monitoring results generally aligned with the levels estimated in the review.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for Queensland by the Hon. Andrew Powell MP, Minister for Environment and Heritage Protection for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In Queensland, the Air Toxics National Environment Protection Measure (NEPM) is implemented under the *Environmental Protection Act 1994*, the Environmental Protection Regulation 1998, and the Environmental Protection (Air) Policy 1998 with the NEPM monitoring investigation levels incorporated as air quality objectives.

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. 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.

Implementation issues arising

- Due to other ambient air quality monitoring priorities, monitoring at the stage 2 sites identified in the 2005–06 desktop analysis was not able to be carried out during 2011–12.
- During the 2011–12 reporting period the Department of Environment and Heritage Protection continued to monitor selected air toxics using open path differential optical absorption spectroscopy (DOAS) instrumentation at Springwood in South East Queensland and in central Gladstone. While 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.
- Portable equipment capable of monitoring air toxics by a mass spectroscopy technique was acquired during the 2011–12 reporting period. While not in accordance with NEPM monitoring protocols, this equipment provides a more cost-effective means of monitoring of air toxics on a continuous basis. Subject to the results of instrument commissioning testing, it is proposed to commence monitoring with this equipment at the stage 2 site at Woolloongabba in South East Queensland in 2013.

PART 2 — 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.

Identification of 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. 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 petrochemical industries (e.g. Wynnum).

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[a]pyrene	Benzene, toluene, xylene, formaldehyde, benzo[a]pyrene	2013	Residential population of 4000; employed population of 10 000; inner city close to major roads and freeway.
Wynnum	Benzene, toluene, xylene, formaldehyde, benzo[a]pyrene	Benzene, toluene, xylene, formaldehyde, benzo[a]pyrene	2014	Residential population of 10 000; close to major petrochemical industries.

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 2011. 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).

No monitoring of air toxics was conducted at stage 2 sites in South East Queensland during the 2011–12 reporting period. However, levels of benzene, toluene, xylenes and formaldehyde were monitored using an alternative DOAS technique at ambient air quality monitoring network sites at Springwood in South East Queensland and in central Gladstone. The primary air toxics emission source at the Springwood site was motor vehicles. The Gladstone region contains a number of industrial facilities, including metals processing and power generation, and a major port. Results from these two monitoring sites for the 2011 year are provided below. Data collected (Tables 2 to 5) indicate that air toxics levels in Springwood and Gladstone are well below the NEPM investigation levels.

Table 2: Monitoring results for benzene

Region	South East Queensland	Gladstone
Site	**Springwood**	**Central Gladstone**
Monitoring method	DOAS	DOAS
Period of monitoring	01/01/11 to 31/12/11	01/01/11 to 31/12/11
Number of valid results	245	115
Maximum 24-hour average concentration	0.0019 ppm	0.0016 ppm
Annual average concentration (as arithmetic mean)	0.0011 ppm	0.0011 ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0002 ppm	0.0002 ppm
Number of times monitoring investigation level exceeded	0	0

Table 3: Monitoring results for toluene

Region	South East Queensland	Gladstone
Site	**Springwood**	**Central Gladstone**
Monitoring method	DOAS	DOAS
Period of monitoring	01/01/11 to 31/12/11	01/01/11 to 31/12/11
Number of valid results	292	252
Maximum 24-hour average concentration	0.0045 ppm	0.0031 ppm
Annual average concentration (as arithmetic mean)	0.0017 ppm	0.0010 ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0005 ppm	0.0003 ppm
Number of times monitoring investigation level exceeded	0	0

Table 4: Monitoring results for xylenes

Region	South East Queensland	Gladstone
Site	**Springwood**	**Central Gladstone**
Monitoring method	DOAS	DOAS
Period of monitoring	01/01/11 to 31/12/11	01/01/11 to 31/12/11
Number of valid results	282	273
Maximum 24-hour average concentration	0.0150 ppm	0.0133 ppm
Annual average concentration (as arithmetic mean)	0.0054 ppm	0.0056 ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0033 ppm	0.0011 ppm
Number of times monitoring investigation level exceeded	0	0

Table 5: Monitoring results for formaldehyde

Region	South East Queensland	Gladstone
Site	**Springwood**	**Central Gladstone**
Monitoring method	DOAS	DOAS
Period of monitoring	01/01/11 to 31/12/11	01/01/11 to 31/12/11
Number of valid results	279	278
Maximum 24-hour average concentration	0.0080 ppm	0.0049 ppm
Annual average concentration (as arithmetic mean)	0.0035 ppm	0.0022 ppm
Arithmetic Standard Deviation of 24-hour average concentrations	0.0012 ppm	0.0007 ppm
Number of times monitoring investigation level exceeded	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 in Brisbane and Gladstone, and benzo[a]pyrene in Gladstone. Past and 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 from 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 from industrial emissions.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for Western Australia by the Hon. Bill Marmion MLA, Minister for Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

In Western Australia, the Air Toxics National Environment Protection Measure (NEPM) is implemented by the Department of Environment and Conservation under the *National Environment Protection Council (WA) Act 1996* and the *Environmental Protection Act 1986.*

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 previously 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. No monitoring was undertaken during 2011 as previous monitoring showed that air toxics levels were low compared to international standards and below NEPM monitoring investigations levels. However, there will be further investigations into levels of certain volatile organic compounds, including benzene, toluene, ethylbenzene and xylenes, undertaken during 2012–13 using a Fourier Transform Infrared Spectrometer (FTIR) within urban areas adjacent to the Kwinana Industrial Area. The advantage of the FTIR is that it allows simultaneous monitoring of a range of volatile organic compounds at a higher temporal resolution than passive sampling or NEPM-compliant monitoring.

PART 2 — 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. But the monitoring results from these studies are invaluable when assessing ambient air toxic concentrations across Western Australia.

Reporting of monitoring of air toxics

The results of NEPM-compliant monitoring as well as the additional complementary air quality studies in 2007–08 and 2009 indicated that air toxics levels in Perth are low compared to international standards and below NEPM Monitoring Investigation Levels. These studies have been summarised and published in *Background Air Quality Monitoring in Kwinana 2005 to 2010* which is available on the Department of Environment and Conservation website: <http://www.dec.wa.gov.au>. Owing to these findings, no additional NEPM-compliant monitoring has been undertaken during the past 12 months.

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

Past monitoring has indicated that levels of air toxics are below monitoring investigation levels and no further action is currently indicated.

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 polycyclic aromatic hydrocarbons 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(a)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.

South Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for South Australia by the Hon. Paul Caica MP, Minister for Sustainability, Environment and Conservation for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Environment Protection Authority South Australia has conducted the initial desktop analysis and a review of this analysis. Both analyses suggested there were stage 2 sites for which monitoring was required to determine the level of air toxics.

There are shortcomings in the available inventory data used in the desktop analysis and review that result in uncertainties in recommendations of both studies.

Recently, surrogate monitoring has been completed at Mount Gambier utilising fine particles as an indicator of air toxics produced from industrial and domestic wood combustion. Fine particles from woodsmoke are associated with air toxics. The levels of these fine particles measured, indicated a need for further investigation into the possibilities of elevated concentrations of air toxics.

Thus there is still a need in the South Australian jurisdiction for confirmation of predictions of desktop analyses and to contribute information to the goal of the National Environment Protection Measure (NEPM).

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Since the implementation of the NEPM, South Australia has obtained some monitoring data as well as desktop analysis information. The NEPM has been a significant factor in the decision to conduct this work. South Australia took part in the mid-term review of the NEPM. All South Australian Environment Protection Authority available monitoring data and desktop analysis information have been provided as part of the mid-term review and in earlier reports. This report contains no new data.

Identification of sites

The initial desktop analysis of the 13 airsheds within the South Australian jurisdiction was conducted using the nationally agreed methodology and using data currently available. A summary of stage 2 sites identified throughout the state is listed in Table 1 below.

Table 1: Summary of the stage 2 sites identified in South Australia

Airshed	Benzene	Formaldehyde	Polycyclic aromatic hydrocarbons	Toluene	Xylenes
Adelaide	2	10	1	4	0
Mount Gambier	0	7	1	0	0
Port Augusta	0	2	0	0	0
Port Lincoln	0	1	0	0	0
Whyalla	1	5	1	0	0

While many sites were identified in the desktop analysis, some limitations in the methodology and the available data added uncertainty to the results. Uncertainties—related to the correlation factors applied to the emission rates, the age of the emissions inventory and the lack of modelling to account for meteorological effects—influence the effectiveness of the method to identify stage 1 and stage 2 sites. However, applying local knowledge and monitoring data to the results of both analyses will improve the uncertainty in the reported monitoring site selection.

Reporting of monitoring of air toxics

South Australia did not conduct any monitoring of air toxics during the reporting year ending 31 December 2010. No formal monitoring program under the NEPM has been planned.

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

Domestic woodsmoke emissions

The three-year SmokeWatch project in Mount Gambier has been completed. Air Quality measurements undertaken as a component of the project consistently showed fine particles emanating from residential areas during the winter months. The aim of the program was to encourage householders to engage in efficient wood-heating practices to minimise woodsmoke; thereby reducing community exposure to fine particles and the air toxics associated with these particles. SmokeWatch combined a community engagement campaign and monitoring of fine particles during winter and during fine weather to reinforce the messages about air quality and what the community can do to improve it. Although air toxics were not monitored directly through the program, reducing woodsmoke will contribute in a very real way to reducing the concentrations of air toxics in Mount Gambier. The SmokeWatch program in Mount Gambier is a collaboration between the South Australian Environment Protection Authority, South Australian Department of Health, The City of Mount Gambier, the Australian Home Heating Association, and the Firewood Association of Australia. It is intended that this continue at a lower level to encourage residents to maintain good practices in the use of wood fires.

Petrol vapour recovery

In response to community concern, the Environment Protection Authority has worked closely with fuel storage facilities identified as potential emission sources on the Le Fevre Peninsula to develop Environment Improvement Programs (EIPs) to reduce emissions from their sites. The facilities are required to implement their EIPs as part of their Environment Protection Authority licence conditions. All fuel storage facilities on the Le Fevre Peninsula have now installed Vapour Recovery Units (VRU) through implementation of their EIPs. This work was completed in late 2010, with all VRU emissions verification monitoring completed in early 2011.

All fuel storage facilities have committed to the installation of floating roof tanks on all potentially odorous fuel storage tanks, with this work due to be finalised in 2012.

The Environment Protection Authority is now considering options for stage 1B vapour recovery at petrol stations to recover vapours expelled from underground storage tanks during loading.

Desktop analysis

The lack of an adequate emissions inventory in South Australia has been identified as a significant issue in conducting accurate identification of stage 1 and stage 2 sites. To improve this situation the South Australian Environment Protection Authority has developed a vehicle emissions inventory which is currently undergoing work in concert with a project with the University of South Australia to enable the use of data from the Australian-based *Second National In-Service Emissions Study.* This will enable the use of Australian rather than overseas vehicle emission data.

Management strategies

South Australia is undertaking a project to develop a framework for managing and improving air quality. The project aims to consolidate the efforts of all stakeholders (government, industry and the public) in managing and improving air quality and its impacts on South Australian communities. The framework aims to provide over-arching policy guidance for the state. More localised programs will form the foci of regional strategies, of which five are being developed within the Adelaide metropolitan area, and the remainder will cover other population centres in northern Spencer Gulf and the south east.

South Australia is currently reviewing the Environment Protection (Air Quality) Policy, with consideration being given to including domestic and non-domestic burning, with the aim of improving general air quality.

Repeat identification of stage 1 and stage 2 sites

A review of the desktop analysis was conducted. This review concentrated on the Adelaide airshed as it was assumed that since the highest-ranking stage 2 sites were located in this airshed then if modelling did not indicate a problem in Adelaide then it was unlikely the other airsheds would exceed the Monitoring Investigation Limits.

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
- polycyclic aromatic hydrocarbons 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 also changed as listed:

- benzene reduced from 2 to 0
- formaldehyde reduced from 10 to 0
- polycyclic aromatic hydrocarbons (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. They need further review in the light of projected improvements to emissions inventories and model updates, and where appropriate, targeted monitoring campaigns. This need for review is supported by recent fine particle monitoring in Mount Gambier where the final review suggested Mount Gambier might not have stage 2 sites.

In support of this view, 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 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.

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Tasmania has undertaken extensive preliminary screening monitoring of air toxics in the state between 2008 and 2011.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The monitoring conducted to date has improved information available in relation to ambient concentrations of air toxics in Tasmania.

Identification of sites

Fourteen stage 2 sites were identified in a desktop analysis conducted in accord to the Air Toxics National Environment Protection Measure (NEPM) Desktop Analysis protocol in 2005.

Monitoring has now been conducted at nine of these sites in the period 2008–2011. Some of the sites monitored were considered representative of other identified sites, in terms of land use (e.g. residential), proximity to traffic and geography. This has allowed an indicative evaluation of some unmonitored sites.

Three sites identified in the desktop analysis were monitored in 2011: South Launceston, New Town and South Hobart.

Monitoring was also undertaken to determine concentrations of air toxics in areas affected by:

- domestic woodsmoke emissions, at Geeveston
- motor vehicle emissions, in Hobart at Cleary's Gates
- industrial emissions, at George Town.

Five sites were chosen to determine the concentration of air toxics at peak locations and times. Of these, four were roadside sites with high-traffic density: North Hobart central business district, Elizabeth St; Sandy Bay, Magnet Court; Hobart, Macquarie St; and Hobart, Murray St, Centre Point. The other site monitored was Geeveston which experiences elevated levels of domestic woodsmoke in evenings in winter.

Table 1: Stage 2 sites and proposed monitoring program

Location of stage 2 sites **Easting (km)** **Northing (km)** **GDA94**	**Air toxics with possible elevated levels**	**Air toxics to be monitored**	**Proposed timeframe for monitoring**	**Estimate of size of population[1] likely to be exposed and identification of susceptible groups**
South Launceston 514 357 5 411 928	Benzene, toluene, xylenes, formaldehyde, benzo(a)pyrene	Benzene, toluene, xylenes, formaldehyde	2011	44 400 East Launceston Primary School, Launceston General Hospital, Pedder Patter Child Care Centre

Location of stage 2 sites Easting (km) Northing (km) GDA94	Air toxics with possible elevated levels	Air toxics to be monitored	Proposed timeframe for monitoring	Estimate of size of population[1] likely to be exposed and identification of susceptible groups
South Hobart 525 267 5 250 731	Benzene, toluene, xylenes, formaldehyde	Benzene, toluene, xylenes, formaldehyde	May–October 2011	5000 Calvary Hospital, South Hobart Primary School, Collegiate Infant School
New Town 525 762 5 255 281	Benzene, toluene, xylenes, formaldehyde, benzo(a)pyrene	Benzo(a)pyrene	2011	6000
Geeveston 494 023 5 220 442	Benzene, toluene, xylenes, formaldehyde	Benzene, toluene, xylenes, formaldehyde	May–October 2011	1400
Hobart, Cleary's Gates 525 752 5 254 406	Benzene, toluene, xylenes	Benzene, toluene, xylenes, formaldehyde	May–October 2011	600
George Town	Benzo(a)pyrene	Benzo(a)pyrene	2011	4304
North Hobart CBD, Elizabeth St 525 819 5 253 169	Benzene, toluene, xylenes	Benzene, toluene, xylenes, formaldehyde	09/03/11	
Sandy Bay, Magnet Court 526 733 5 250 793	Benzene, toluene, xylenes	Benzene, toluene, xylenes, formaldehyde	08/03/11	
Hobart, Macquarie St 526 746 5 251 943	Benzene, toluene, xylenes	Benzene, toluene, xylenes, formaldehyde	15/03/11	
Hobart, Murray St, Centre Point 526 668 5 252 121	Benzene, toluene, xylenes	Benzene, toluene, xylenes, formaldehyde	07/03/11	

Notes 1: The size of population likely to be exposed is approximate and is based on 2011 Australian Bureau of Statistics census data where available.

Reporting of monitoring of air toxics

Air toxics monitoring was conducted predominantly using passive sampling techniques. Passive sampling allows for the possibility of longer sampling periods. As the levels of air toxic pollutants is likely to be low in Tasmania, the extended deployment period associated with passive samplers increases the likelihood of detection of these species.

Active sampling for polycyclic aromatic hydrocarbons was conducted at two sites. A program of active sampling at peak sites for benzene, toluene, xylenes and formaldehyde, was commenced in 2011. This will be completed in 2012.

Table 2: Monitoring results

Site	**South Launceston**	**South Launceston**	**South Launceston**	**South Launceston**
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	RAD130	RAD130	RAD130	RAD165
Period of monitoring	5/1/11–12/10/11	5/1/11–12/10/11	5/1/11–12/10/11	5/1/11–12/10/11
Number of valid results	37	37	37	37
Averaging period, days [2]	7	7	7	7
Maximum 7-day average concentration, ppm [2]	1.13	1.58	0.4	2.8
Average 7-day concentration during monitoring period (as arithmetic mean), ppm [2]	0.09	0.20	0.04	1.0
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				
Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	**Cleary's Gates**	**Cleary's Gates**	**Cleary's Gates**	**Cleary's Gates**
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	RAD130	RAD130	RAD130	RAD165
Period of monitoring	12/04/11–4/10/11	12/04/11–4/10/11	12/04/11–4/10/11	12/04/11–4/10/11
Number of valid results	22	22	22	22

Site	Cleary's Gates	Cleary's Gates	Cleary's Gates	Cleary's Gates
Averaging period, days [2]	7	7	7	7
Maximum 7-day average concentration, ppm [2]	0.56	1.11	0.76	2.0
Average 7-day concentration during monitoring period (as arithmetic mean), ppm [2]	0.09	0.63	0.28	1.4
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				
Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	Geeveston	Geeveston	Geeveston	Geeveston
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	RAD130	RAD130	RAD130	RAD165
Period of monitoring	12/04/11–4/10/11	12/04/11–4/10/11	12/04/11–4/10/11	12/04/11–4/10/11
Number of valid results	21	21	21	21
Averaging period, days [2]	7	7	7	7
Maximum 7-day average concentration, ppm [2]	0.77	0.47	1.3	3.5
Average 7-day concentration during monitoring period (as arithmetic mean), ppm [2]	0.17	0.08	0.11	2.0
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				

Site	Geeveston	Geeveston	Geeveston	Geeveston
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 Hobart	South Hobart	South Hobart	South Hobart
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method[1]	RAD130	RAD130	RAD130	RAD165
Period of monitoring	12/04/11–4/10/11	12/04/11–4/10/11	12/04/11–4/10/11	12/04/11–4/10/11
Number of valid results	22	22	22	22
Averaging period, days [2]	7	7	7	7
Maximum 7-day average concentration, ppm [2]	0.27	0.39	0.24	3.5
Average 7-day concentration during monitoring period (as arithmetic mean), ppm [2]	0.02	0.07	0.03	1.5
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				
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	New Town	George Town
Air toxic	Benzo(a)pyrene	Benzo(a)pyrene	Benzo(a)pyrene
Monitoring method [1]	TO-13A	TO-13A	TO-13A
Period of monitoring	2011	2011	2011

Site	South Launceston	New Town	George Town
Number of valid results	12	12	21
Averaging period, days [2]	28	28	
Maximum 28-day average concentration, ng/m^3 [2]	1.45	0.3	
Average 28-day concentration during monitoring period (as arithmetic mean), ng/m^3 [2]	0.34	0.11	
Maximum 24-hour average concentration, ng/m^3			0.5
Average 24-hour concentration during monitoring period (as arithmetic mean), ng/m^3			0.11
Annual average concentration (as arithmetic mean), ng/m^3			
Arithmetic Standard Deviation of 24-hour average concentrations, ng/m^3			0.16
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	Centrepoint, Murray St	Centrepoint, Murray St	Centrepoint, Murray St	Centrepoint, Murray St
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	TO-17A	TO-17A	TO-17A	HPLC
Period of monitoring	07/03/11	07/03/11	07/03/11	07/03/11
Number of valid results	1	1	1	1
Averaging period, hours [2]	1	1	1	1
Maximum 1-hour average concentration, ppm	0.0016	0.006	0.0045	<0.0025
Average 1-hour concentration during monitoring period (as arithmetic mean), ppm [2]	0.0016	0.006	0.0045	<0.0025
Maximum 24-hour average concentration				

Site	Centrepoint, Murray St	Centrepoint, Murray St	Centrepoint, Murray St	Centrepoint, Murray St
Annual average concentration (as arithmetic mean)				
Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	Sandy Bay	Sandy Bay	Sandy Bay	Sandy Bay
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	TO-17A	TO-17A	TO-17A	HPLC
Period of monitoring	08/03/11	08/03/11	08/03/11	08/03/11
Number of valid results	1	1	1	1
Averaging period, hours [2]	1	1	1	1
Maximum 1-hour average concentration, ppm [2]	<0.0009	0.0022	0.0015	0.0043
Average 1-hour concentration during monitoring period (as arithmetic mean), ppm [2]	<0.0009	0.0022	0.0015	0.0043
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				
Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	North Hobart	North Hobart	North Hobart	North Hobart
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	TO-17A	TO-17A	TO-17A	HPLC

Site	North Hobart	North Hobart	North Hobart	North Hobart
Period of monitoring	09/03/11	09/03/11	09/03/11	09/03/11
Number of valid results	1	1	1	1
Averaging period, hours [2]	1	1	1	1
Maximum 1-hour average concentration, ppm [2]	<0.0009	0.0037	0.003	0.0053
Average 1-hour concentration during monitoring period (as arithmetic mean), ppm [2]	<0.0009	0.0037	0.003	0.0053
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				
Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	Hobart, Macquarie St	Hobart, Macquarie St	Hobart, Macquarie St	Hobart, Macquarie St
Air toxic	Benzene	Toluene	Xylenes	Formaldehyde
Monitoring method [1]	TO-17A	TO-17A	TO-17A	HPLC
Period of monitoring	15/03/11	15/03/11	15/03/11	15/03/11
Number of valid results	1	1	1	1
Averaging period, hours [2]	1	1	1	1
Maximum 1-hour average concentration, ppm [2]	<0.0009	0.0015	0.001	0.0052
Average 1-hour concentration during monitoring period (as arithmetic mean), ppm [2]	<0.0009	0.0015	0.0001	0.0052

Site	Hobart, Macquarie St	Hobart, Macquarie St	Hobart, Macquarie St	Hobart, Macquarie St
Maximum 24-hour average concentration				
Annual average concentration (as arithmetic mean)				
Arithmetic Standard Deviation of 24-hour average concentrations				
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated	Not Demonstrated

Site	Geeveston	Geeveston	Geeveston
Air toxic	Benzene	Toluene	Xylenes
Monitoring method [1]	TO-17A	TO-17A	TO-17A
Period of monitoring	07/08/11–22/08/11	07/08/11–22/08/11	07/08/11–22/08/11
Number of valid results	4	4	4
Averaging period, hours [2]	1	1	1
Maximum 1-hour average concentration, ppm [2]	0.00079	0.0022	0.0038
Average 1-hour concentration during monitoring period (as arithmetic mean), ppm [2]	0.00045	0.00087	0.0015
Maximum 24-hour average concentration			
Annual average concentration (as arithmetic mean)			
Arithmetic Standard Deviation of 24-hour average concentrations			
Number of times monitoring investigation level exceeded	Not Demonstrated	Not Demonstrated	Not Demonstrated

1. Monitoring methods:
    - RAD130: Radiello Passive Sampler RAD130: benzene, toluene and xylenes
    - RAD165: Radiello Passive Sampler RAD165: formaldehyde
    - US Environment Protection Authority TO-13A: NEPM Schedule 3 method modified to sample for 28 days continuously: polycyclic aromatic hydrocarbons
    - TO-17A: benzene, toluene and xylenes, sampled by active sampler
    - HPLC: formaldehyde, sampled by active sampler.
2. The following additional rows have been inserted for samples that were integrated over a number of days:
    - averaging period, days
    - for benzene, toluene, xylenes and formaldehyde:
        - maximum 7-day average concentration, ppm
        - average 7-day concentration during monitoring period (as arithmetic mean), ppm
    - for benzo(a)pyrene:
        - maximum 28-day average concentration, ng/m3
        - average 28-day concentration during monitoring period (as arithmetic mean), ng/m^3.
3. The following additional rows have been inserted for samples that were integrated over a number of hours:
    - averaging period, hours
    - for benzene, toluene, xylenes and formaldehyde:
        - Maximum 1-hour average concentration, ppm
        - Average 1-hour concentration during monitoring period (as arithmetic mean), ppm.
4. 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.

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

As there is no evidence to indicate that Air Toxic 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.

Australian Capital Territory

Report to the National Environment Protection Council (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 and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

No implementation issues have arisen during the reporting year.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Australian Capital Territory Government has previously undertaken a desktop analysis which showed that air toxics are not an issue for the Australian Capital Territory airshed.

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Air Toxics) Measure for the Northern Territory by the Hon. Terry Mills MLA, Minister for Lands, Planning and Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The Department of Lands, Planning and the Environment is responsible for implementation of the National Environment Protection Measure (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 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 2011–12. 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 but the previous studies indicate that concentrations of air toxics are at very low levels, well below the monitoring investigation levels of the NEPM.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has provided the impetus and methodology for identifying sites most at risk of air toxics in the Northern Territory. Associated monitoring in past years has provided baseline data for further consideration.

In the year 2011–12 no sites were evaluated or selected and no analyses were performed.

Jurisdictional Reports on the Implementation of the

Ambient Air Quality NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

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

The Commonwealth is not required to undertake any direct monitoring as there are currently no non-self governing Commonwealth territories or Commonwealth regions with a population above the 25 000 NEPM protocol threshold. The monitoring plan for the Commonwealth is available from the Department of Sustainability, Environment, Water, Population and Communities website <http://www.environment.gov.au/atmosphere/airquality/publications/cmp.html>.

The Council of Australian Governments (COAG) established the Standing Council on Environment and Water as part of reforms to national ministerial council arrangements. In 2011, COAG identified air quality as a priority issue of national significance and agreed that the Council would develop a National Plan for Clean Air to improve air quality, and community health and well-being.

The report of the review of this NEPM was released on 16 September 2011. The report made recommendations that propose changes to the NEPM based on the evidence assessed through the review of the NEPM and stakeholder consultation. A copy of the report is available on the Council website <http://www.scew.gov.au/publications/pubs/aaq-nepm/aaq-review-report-2011.pdf>. In releasing the report, the National Environment Protection Council noted that the review's recommendations will be prioritised and responded to through the development of the National Plan for Clean Air.

The National Plan for Clean Air represents a strategic approach to air quality management and will:

- bring together Commonwealth, state and territory action into a national plan to reduce the risk of health impacts of air pollution
- integrate air quality standard setting with actions to reduce pollution and exposure to pollution
- modernise standards and respond to the latest science by introducing an exposure-reduction framework for pollutants which have no safe threshold
- prioritise measures that achieve a net benefit to the community
- respond to emerging trends by working with sectors where emissions are growing.

The National Plan for Clean Air is scheduled to be delivered for endorsement by COAG by the end of 2014 and will include:

- new air quality standards and an exposure reduction framework
- proposals for laws, regulations, incentives, guidance, partnerships or other actions for implementing emission and exposure reduction actions
- improved monitoring and reporting
- an agreed jurisdiction action list for ongoing implementation
- all supported by integrated economic analysis.

In 2011–12, the Commonwealth continued to progress work to reduce emissions from nationally significant sources through the work program for developing the National Plan for Clean Air. The Department of Sustainability, Environment, Water, Population and Communities initiatives focused on wood heaters, which are a source of particulate matter emissions with an equivalent aerodynamic diameter of 10 micrometres or less (PM_{10}), and from non-road spark ignition engines and equipment (NRSIEE), such as lawnmowers and outboard engines, which emit high levels of PM_{10}, nitrogen dioxide and chemicals that lead to ozone formation. A Consultation Regulation Impact Statement (CRIS) has been released with options for reducing emissions from NRSIEE and the responses are being assessed. A CRIS assessing options for reducing emissions from domestic wood heaters is also being progressed. This work aims to support compliance in all jurisdictions with the NEPM standards.

The Commonwealth monitors fuel quality at all stages of the fuel supply chain to ensure it complies with the *Fuel Quality Standards Act 2000*. The objectives of the Act are to:

- reduce the adverse affects of motor vehicle emissions on air quality and human health
- enable Australia to effectively adopt new vehicle engine and emission control technologies
- allow for the effective operation of engines
- where appropriate, provide information about fuel when it is supplied.

In 2011–12, authorised fuel inspectors visited 1071 sites and tested 2792 samples for compliance with the Fuel Quality Standards Act. Compliance action undertaken in accordance with the Act resulted in a civil proceeding against a fuel supplier where the Federal Court granted an injunction to restrain the supply of non-compliant diesel. Further compliance action against a second fuel supplier resulted in the supplier entering into an undertaking with the Federal Court to not supply diesel that does not comply with the Fuel Standard (Automotive Diesel) Determination 2001.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has been valuable in the management and assessment of air quality in Australia. It provides a nationally consistent framework for the monitoring and reporting of air quality and nationally consistent benchmarks against which to assess quality. The data collected for six criteria pollutants targeted by the NEPM (carbon monoxide (CO), nitrogen dioxide (NO_2), photochemical oxidants as ozone (O_3), sulfur dioxide (SO_2), lead (Pb) and PM_{10}) were essential for analysis and reporting in *State of the Air in Australia 1998-2008* and the discussion on ambient air quality in *Australia: State of the Environment 2011.*

New South Wales

Report to the National Environment Protection Committee (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for New South Wales by the Hon. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The *Protection of the Environment Operations Act 1997* (New South Wales) provides the regulatory framework for managing air emissions in New South Wales. The Act is supported by the Protection of the Environment Operations (Clean Air) Regulation 2010 which provides regulatory measures to control emissions from industry, motor vehicles and fuels, domestic solid fuel heaters and open burning. The Protection of the Environment Operations (General) Regulation 2009 establishes a licensing scheme for major industrial premises and provides economic incentives for licensed businesses and industry to reduce pollution—including emissions to air.

In New South Wales, the Office of Environment and Heritage operates a comprehensive air quality monitoring network and implements air quality management policies, programs, and strategies to protect and improve ambient air quality and public health. The New South Wales Environment Protection Authority licenses scheduled industry activities, implements environmental regulatory requirements and conducts compliance and enforcement programs. The Office of Environment and Heritage and the Environment Protection Authority work together to reduce impacts of air pollution. The National Environment Protection Measure (NEPM) goals are a driver for these strategies and benchmarks against which progress in managing air quality can be assessed.

On 1 January 2012, requirements commenced under the Clean Air Regulation 2010 for older industrial plants to meet stricter air emissions standards. These changes were foreshadowed under an amendment to the Regulation in 2005.

In 2011–12, New South Wales began implementing the recommendations of a study of international best practice in the management of dust and particle emissions from coal mines. New South Wales coal mines are being required, through Pollution Reduction Programs attached to their Environment Protection Licences, to undertake site-specific best management practice reviews and to determine the best approach to improving air quality at individual mines.

As part of its ongoing work to help reduce woodsmoke pollution, the Office of Environment and Heritage released an economic study of potential options to reduce woodsmoke impacts in New South Wales in December 2011. The study can be found at the office's website <http://www.environment.nsw.gov.au/woodsmoke/smokecontrolopts.htm>.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

New South Wales's Air Quality Monitoring Program is currently the largest in Australia, with a comprehensive monitoring network operated by the Office of Environment and Heritage. 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 NEPM. The NEPM network is a sub-set of the total Air Quality Monitoring Network operated by the New South Wales Office of Environment and Heritage.

New South Wales achieved compliance with the Ambient Air Quality NEPM goals in 2011 for all pollutants except ozone and particles. Levels of carbon monoxide, nitrogen dioxide and sulfur dioxide continue to be well below Ambient Air Quality NEPM standards. Monitoring for lead as a regional pollutant ceased in New South Wales from January 2005 in response to the extremely low concentrations of lead found in ambient air.

Photochemical smog (as ozone) in the Sydney region and particles of 10 micrometres or less in diameter (as PM_{10}) continue to exceed the Ambient Air Quality NEPM standards and goals.

- Ozone: The Ambient Air Quality NEPM network recorded exceedences of the one-hour and four-hour Ambient Air Quality NEPM goals for ozone on seven distinct calendar days in 2011 (one-hour average maximum of 0.136 ppm (parts per million) (one-hour average standard for ozone is 0.10 ppm) and four-hour average maximum of 0.122 ppm (four-hour average standard for ozone is 0.08 ppm)). The ozone goal is one exceedence day per year.
- Particles as PM_{10}: Exceedences of the PM_{10} 24-hour standard of 50 micrograms per cublic metre of air ($\mu g/m^3$) were recorded on nine distinct calendar days around the Ambient Air Quality NEPM network, with the Sydney region failing to comply with the goal of five exceedence days per year. Four of the seven exceedence days recorded at the Chullora site in Sydney were due to local construction dust, and were not indicative of regional particle events.

For the Advisory Reporting Standard for articles as particulate matter of 2.5 micrometres in diameter or less ($PM_{2.5}$), concentrations in excess of the 24-hour advisory reporting standard of 25 $\mu g/m^3$ were recorded on four days in

the Greater Metropolitan region at Ambient Air Quality NEPM sites using continuous tapered element oscillating microbalance (TEOM) instruments (without the US Environment Protection Authority PM_{10} equivalency factors applied). $PM_{2.5}$ monitoring is currently focused in the Sydney, Illawarra and lower Hunter regions. Concentrations in excess of the annual advisory reporting standard of 8 $\mu g/m^3$ were not recorded in any of the regions at Ambient Air Quality NEPM sites.

Data availability criteria were not met at the Liverpool monitoring station for particles as PM_{10} due to technical issues in the second and third quarters.

Data from the total New South Wales Air Quality Monitoring Network are reported on the office's website <http://www.environment.nsw.gov.au/AQMS/aqi.htm>.

Meeting the Ambient Air Quality NEPM standards for ozone remains a significant challenge for Sydney given pressures from a growing population; urban expansion and associated increase in motor vehicle use; and an increasing trend in domestic emissions of volatile organic compounds (which are precursors of ozone) from sources such as paints, solvents, aerosols and small engines. The particle (as PM_{10} and as $PM_{2.5}$) goals present a similar challenge in New South Wales, 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. New South Wales has a range of programs in place which target the primary emission sources of ozone and particle pollution, as determined using New South Wales's comprehensive air emissions inventory.

Data from relevant monitoring stations are presented below. The standards, with accompanying definitions and explanations, appear in sch. 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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data are captured in each quarter.

The data are presented in greater detail on the office's website <http://www.environment.nsw.gov.au/AQMS/search.htm>.

The monitoring plan for New South Wales is available <http://www.environment.nsw.gov.au/air/nepm/index.htm>.

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	Met
Lower Hunter		
Newcastle	0	Met

NO_2 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	Met	0.005	Met
Chullora	0	Met	0.013	Met
Liverpool	0	Met	0.010	Met
Macarthur	0	Met	0.008	Met
Prospect	0	Met	0.010	Met
Richmond	0	Met	0.005	Met
Rozelle	0	Met	0.011	Met
Illawarra				
Albion Park South	0	Met	0.002	Met
Wollongong	0	Met	0.008	Met
Lower Hunter				
Newcastle	0	Met	0.007	Met
Wallsend	0	Met	0.008	Met

O_3 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	2	Not Met	2	Not Met
Chullora	1	Met	1	Met
Liverpool	1	Met	1	Met
Macarthur	2	Not Met	2	Not Met
Oakdale	3	Not Met	3	Not Met
Prospect	1	Met	3	Not Met
Richmond	1	Met	1	Met
Rozelle	0	Met	0	Met
St Marys	3	Not Met	3	Not Met
Illawarra				
Albion Park South	1	Met	3	Not Met

Station	1 hour		4 hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
Kembla Grange	1	Met	2	Not Met
Wollongong	0	Met	0	Met
Lower Hunter				
Newcastle	0	Met	0	Met
Wallsend	0	Met	0	Met

SO_2 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	0.000	Met
Prospect	0	Met	0	Met	0.001	Met
Richmond	0	Met	0	Met	0.000	Met
Illawarra						
Albion Park South	0	Met	0	Met	0.001	Met
Wollongong	0	Met	0	Met	0.001	Met
Lower Hunter						
Newcastle	0	Met	0	Met	0.002	Met
Wallsend	0	Met	0	Met	0.001	Met

Pb Lead

(NEPM standard 1 year = 0.50µg/m^3)

New South Wales began phasing out ambient lead monitoring for the Ambient Air Quality 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 Ambient Air Quality NEPM standard and are assessed as complying with the standard and goal.

PM_{10} Particles as PM_{10}

NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Sydney		
Bringelly	2	Met
Chullora	7	Not Met
Liverpool	1	Not Demonstrated
Macarthur	0	Met
Oakdale	1	Met
Prospect	0	Met
Richmond	0	Met
Rozelle	0	Met
Illawarra		
Albion Park South	1	Met
Kembla Grange	1	Met
Wollongong	0	Met
Lower Hunter		
Beresfield	0	Met
Newcastle	0	Met
Regional		
Albury	0	Met
Bathurst	0	Met
Tamworth	1	Met
Wagga Wagga/ Wagga Wagga North	0	Met

Four of the seven exceedence days recorded at the Chullora site in Sydney were due to local construction dust and were not indicative of regional particle events.

Data availability criteria were not demonstrated at Liverpool due to low data capture rates in quarters two and three as a result of instrument flow problems.

$PM_{2.5}$ Particles as $PM_{2.5}$ – continuous TEOM data

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
Sydney		
Chullora	0	5.9
Earlwood	0	5.4
Liverpool	2	5.9
Richmond	2	4.7
Illawarra		
Wollongong	0	4.6
Lower Hunter		
Beresfield	0	5.5
Wallsend	0	4.8

$PM_{2.5}$ Particles as $PM_{2.5}$ – FRM data

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
Sydney		
Chullora	0	6.2

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Monitoring was performed in accordance with a modified state monitoring plan,[3] Ambient Air Quality NEPM Technical Papers and Environment Protection Authority Victoria's National Association of Testing Authorities' accreditation. Data capture targets were achieved at all stations, except for carbon monoxide at Richmond (in the reporting year's third quarter) due to technical problems with equipment and Point Henry which closed in March. The Point Henry site was not representative of the general population-average exposure. Also, regional airshed modelling using The Air Pollution Model showed ozone levels at the Geelong South site are comparable to the Point Henry site.

There were no other significant implementation issues.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Victoria's air quality in 2011 was generally good. The major impacts on air quality during the year were associated with particles from urban emissions.

In the Port Phillip region in 2011, the goal for particles was met at NEPM stations for the second time (2010 was the first) since NEPM reporting commenced in 2002. This is most likely due to the increased rainfall resulting in less fire and raised dust activity producing less particulate matter of 10 or less micrometres in diameter (PM_{10}) impacts.

The particles goal for PM_{10} was also met at Traralgon in the Latrobe Valley.

Another issue-specific station not included in the NEPM network located in Brooklyn did not report good air quality, exceeding the PM_{10} air quality standard on 13 days during the year due to impacts from local sources4. However, this is a significant reduction on the 32 for the previous year. The improvement was due to increased rainfall and improved control strategies.

There were three days exceeding the PM_{10} standard in the Port Phillip region. These were May 19, Geelong South; May 20, Geelong South and Mooroolbark; and June 1, Alphington. All were attributed to urban sources, typically from vehicle traffic or domestic wood heaters. The greatest number of days when the PM_{10} standard was exceeded in the Port Phillip region was two at the Geelong South monitoring station. There were no days where the levels were above the air quality standard at Traralgon in the Latrobe Valley. The number of exceedances was below the goal of no more than five days having levels above the standard.

The 24-hour advisory reporting standard for particles (as $PM_{2.5}$) was met at both Alphington and Footscray in the Port Phillip region during 2011. The annual reporting standard for $PM_{2.5}$ was also met at both Alphington and Footscray.

The goals and standards for ozone (O_3) were met at all stations under typical summer smog formation conditions where sufficient air monitoring data was available.

Monitoring in 2011 showed the Ambient Air Quality NEPM goals and standards were met for carbon monoxide (CO), nitrogen dioxide (NO_2) and sulfur dioxide (SO_2).

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 sch. 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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data is captured in each quarter.

3 Environment Protection Authority Victoria 2001, *Ambient Air Quality NEPM Monitoring Plan Victoria*, Environment Protection Authority publication 763, environment report, Environment Protection Authority Victoria, viewed 5 November 2012, <http://www.epa.vic.gov.au/~/media/Publications/763.pdf>.

4 Environment Protection Authority Victoria 2011, *Air Monitoring in Brooklyn, Year 2: November 2010 to October 2011,* Environment Protection Authority publication 1444, environment report, Environment Protection Authority Victoria, viewed 5 November 2012, <http://www.epa.vic.gov.au/~/media/Publications/1444.pdf>.

The data are presented in greater detail in Victoria's *Monitoring Report 2011 – Compliance with the National Environment Protection (Ambient Air Quality) Measure* which can be found on the Environment Protection Authority's website <http://epanote2.epa.vic.gov.au/EPA/Publications.nsf/PubDocsLU/1483?OpenDocument>.

The Environment Protection Authority also produces an annual air quality summary and data tables <http://www.epa.vic.gov.au/air/monitoring>.

And the air monitoring plan for Victoria is available from the Environment Protection Authority online <https://epanote2.epa.vic.gov.au/EPA/Publications.nsf/PubDocsLU/828?OpenDocument>.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Port Phillip region		
Alphington	0	Met
Geelong South	0	Met
Richmond	0	Met

NO_2 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 region				
Alphington	0	Met	0.010	Met
Brighton	0	Met	0.008	Met
Footscray	0	Met	0.011	Met
Geelong South	0	Met	0.007	Met
Point Cook	0	Met	0.005	Met
Latrobe Valley region				
Traralgon	0	Met	0.007	Met

O_3 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 region				
Alphington	0	Met	0	Met
Brighton	0	Met	0	Met

Station	1 hour		4 hours	
	Number of exceedences	NEPM goal compliance	Number of exceedences	NEPM goal compliance
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	0	Met	0	Met
Point Henry	0	Not Demonstrated	0	Not Demonstrated
Latrobe Valley region				
Traralgon	0	Met	0	Met

Compliance was not demonstrated at Point Henry which closed in March. The Point Henry site was not representative of the general population-average exposure. Also, regional airshed modelling using The Air Pollution Model showed ozone levels at the Geelong South site are comparable to the Point Henry site.

SO_2 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 region						
Alphington	0	Met	0	Met	<0.001	Met
Altona North	0	Met	0	Met	0.001	Met
Geelong South	0	Met	0	Met	0.001	Met
Latrobe Valley region						
Traralgon	0	Met	0	Met	0.002	Met

Pb Lead

(NEPM standard 1 year = 0.50µg/m^3)

Following the phasing out of leaded petrol, concentrations at the peak station, Collingwood, were below the level specified for discontinuing monitoring[5]. Monitoring of lead in Melbourne ceased at the end of 2004. All other regions meet screening criteria as set out in the monitoring plan and all regions are assessed as complying with the standard and goal.

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Port Phillip region		
Alphington	1	Met
Brighton	0	Met
Dandenong	0	Met
Footscray	0	Met
Geelong South	2	Met
Mooroolbark	1	Met
Richmond	0	Met
Latrobe Valley region		
Traralgon	0	Met

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

	1 year	
Station	**Number of exceedences**	**Annual average (µg/m^3)**
Port Phillip region		
Alphington	0	7.3
Footscray	0	6.5

5 Peer Review Committee 2001, *National Environment Protection (Ambient Air Quality) Measure Technical Paper No. 9, Lead Monitoring,* National Environment Protection Council, viewed 5 November 2012, <http://www.ephc.gov.au/node/184>.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Queensland by the Hon. Andrew Powell MP, Minister for Environment and Heritage Protection for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislation, regulatory and administrative framework

In relation to ambient air quality in Mount Isa, the Queensland Government passed legislation in 2008 which required all Special Agreement Act mine operations, including smelter operations in Mount Isa, to come under contemporary environmental controls under the *Environmental Protection Act 1994*. The legislation provided for a three-year transition to the EP Act. In December 2011, the Department of Environment and Heritage Protection issued an Environmental Authority (EA) to the smelter operator that applies contemporary environmental conditions to the site. Recognising that considerable further work and investment is required before smelter operations can achieve contemporary air quality standards, a Transitional Environmental Program (TEP) under the provisions of the Environmental Protection Act has been developed which sets out a staged program of works to bring the site into compliance with National Environment Protection Measure (NEPM) air quality standards by 2016.

Implementation issues arising

Implementation issues arising during the 2011–12 reporting period included:

- Monitoring was conducted in five of the 10 regions identified in the Monitoring Plan. Eleven of the 19 sites nominated in the monitoring plan and four additional reporting sites were operational in 2011–12. Monitoring at four of the eight remaining sites concluded prior to 2011–12 due to completion of campaign monitoring or site closure following termination of the monitoring site lease by the property owner.
- The Rocklea trend monitoring site was damaged by the severe flooding in Brisbane in January 2011 and was offline for the remainder of the year while site infrastructure was replaced. Monitoring recommenced at this site in May 2012.
- No monitoring was conducted at the North Toowoomba campaign generally representative upper bound monitoring site during 2011–12 following site infrastructure damage in December 2010. Monitoring had been conducted at this site since July 2003, and during this period no exceedences of the NEPM standards for carbon monoxide, nitrogen dioxide and ozone were measured. Exceedences of the NEPM 24-hour particle standards were only observed during bushfire smoke or dust storm events.
- The North Ward, Townsville, monitoring site closed in April 2011 following termination of the monitoring site lease by the property owner. With the closure of the North Ward site, monitoring data from the Townsville Coast Guard peak monitoring site has been used to determine compliance with the NEPM lead standard in Townsville.
- Collection of $PM_{2.5}$ data using tapered element oscillating microbalance (TEOM) instrumentation continued at two sites in South East Queensland (Springwood and Arundel) and one site in Gladstone (South Gladstone) during 2011. Monitoring of particulare matter of 2.5 micrometres in diameter or less ($PM_{2.5}$) at the Rocklea site was not possible following flood damage to monitoring site infrastructure in January 2011.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has provided the mechanism for a staged expansion of the department'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. Monitoring has ceased in some locations where compliance with the NEPM standards has been demonstrated based on maximum measured concentrations.

Queensland's monitoring results for 2011 indicate that the goal of the Ambient Air Quality 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 ozone in South East Queensland and sulfur dioxide and PM_{10} in Mount Isa.

Ozone exceedences were recorded at South East Queensland monitoring sites in September 2011 as a result of emissions from extensive bushfires in the region during meteorological conditions conducive to ozone formation. These were the first ozone exceedences for seven years in South East Queensland. While bushfire and hazard reduction burning emissions have been implicated in these, and in the majority of previous ozone exceedences, there have been occasions when industrial, commercial and domestic emissions, combined with favourable meteorological conditions, have resulted in exceedences of the ozone standards. 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. 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.

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 one-hour NEPM sulfur dioxide standard was unlikely to be achieved under previous regulatory 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 Environmental Protection Act. In December 2011, the department issued an EA to the smelter operator that applies contemporary environmental conditions to the site. Recognising that considerable further work and investment is required before smelter operations can achieve contemporary air quality standards, a Transitional Environmental Program (TEP) under the provisions of the Environmental Protection Act has been developed which sets out a staged program of works to bring the site into compliance with NEPM air quality standards by 2016.

The Ambient Air Quality NEPM PM_{10} and $PM_{2.5}$ 24–hour standards (the numerical thresholds) were exceeded in all regions where monitoring was undertaken during 2011 as a result of smoke from bushfires or hazard-reduction burning, or windblown dust during dry conditions. There is no evidence that emissions from industrial, commercial and domestic activities on their own currently result in particle concentrations above the NEPM standards. However, with increasing motor vehicle use, compliance with the $PM_{2.5}$ advisory standards in the longer term, particularly the annual average criterion, may be difficult to achieve in urban areas such as South East Queensland. Only the PM_{10} in Mount Isa failed to meet the NEPM goal of no more than five exceedences in a year.

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goals 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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data are captured in each quarter.

The data are presented in greater detail in the Queensland 2011 air monitoring report <http://www.ehp.qld.gov.au/air/reports/reports.html>.

The monitoring plan for Queensland is available from the department's website <http://www.ehp.qld.gov.au/air/reports/ambient.html>.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
South East Queensland		
Woolloongabba	0	Met

NO_2 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				
Mountain Creek	0	Met	0.004	Met
Deception Bay	0	Met	0.006	Met
Rocklea	0	Not Demonstrated[a]	Insufficient Data	Not Demonstrated[a]
Springwood	0	Met	0.007	Met
Arundel	0	Met	0.006	Met
Flinders View	0	Met	0.008	Met
Gladstone				
South Gladstone	0	Met	0.006	Met
Townsville				
Pimlico	0	Met	0.006	Met

[a] Site not operational from mid-January to December 2011 due to flood damage.

O_3 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				
Mountain Creek	0	Not Demonstrated[a]	0	Not Demonstrated[a]
Deception Bay	0	Met	2	Not Met
Rocklea	0	Not Demonstrated	0	Not Demonstrated[b]
Springwood	0	Not Demonstrated[a]	1	Not Demonstrated[a]
Arundel	0	Met	0	Met
Flinders View	1	Met	1	Met
Townsville				
Pimlico	0	Met	0	Met

[a] Not demonstrated due to less than 75 per cent of data in one or more quarters.

[b] Site not operational from mid-January to December 2011 due to flood damage.

SO_2 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						
Springwood	0	Met	0	Met	0.001	Met
Flinders View	0	Met	0	Met	0.001	Met
Gladstone						
South Gladstone	0	Met	0	Met	0.003	Met
Townsville						
Pimlico	0	Met	0	Met	0.001	Met
Stuart	0	Not Demonstrated[a]	0	Not Demonstrated[a]	Insufficient data	Not Demonstrated[a]
Mount Isa						
Menzies	22	Not Met	0	Not Demonstrated[a]	0.006	Not Demonstrated[a]
The Gap	19	Not Met	0	Met	0.005	Met

[a] Not demonstrated due to less than 75 per cent of data in one or more quarters.

Pb Lead

(NEPM standard 1 year = 0.50µg/m^3)

Station	Annual average (µg/m^3)	NEPM goal compliance
Townsville		
North Ward	Insufficient data	Not Demonstrated[a]
Coast Guard	0.14	Not Demonstrated[b]
Townsville		
The Gap	0.14	Met

[a] Site closed in April 2011.

[b] Not demonstrated due to less than 75 per cent of data in one or more quarters.

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
South East Queensland		
Mountain Creek	0	Met
Rocklea	0	Not Demonstrated[a]
Springwood	2	Met
Arundel	1	Met
Flinders View	2	Met
Gladstone		
South Gladstone	3	Not Demonstrated[b]
Mackay		
West Mackay	1	Met
Townsville		
Pimlico	1	Met
Mount Isa		
The Gap	13	Not Met

[a] Site not operational from mid-January to December 2011 due to flood damage.

[b] Not demonstrated due to less than 75 per cent of data in one or more quarters.

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
South East Queensland		
Rocklea[a]	0	Insufficient Data[d]
Rocklea[b]	0	Insufficient Data[d]
Springwood[c]	3	4.6
Arundel[b]	2	5.9
Gladstone		
South Gladstone[b]	9	7.5

[a] Monitoring by reference method (one in three days).

[b] Monitoring by TEOM Model 1405 instrumentation fitted with Filter Dynamics Measurement System (FDMS).

[c] Monitoring by TEOM Model 1400 instrumentation in accordance with Technical Paper on Monitoring for Particles as $PM_{2.5}$.

[d] Site not operational from mid-January to December 2011 due to flood damage.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Western Australia by the Hon. Bill Marmion MLA, Minister for Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Implementation activities may be viewed in two categories:

- those activities related to implementing the monitoring and reporting protocol of the Ambient Air Quality National Environment Protection Measure, 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 Ambient Air Quality NEPM goal for each of the six pollutants within the specified 10-year period.

In the first category, the Western Australian Department of Environment and Conservation has:

- continued to liaise with local governments and other organisations as required to facilitate the positioning and repositioning of fixed ambient monitoring stations
- continued progress towards meeting its goal of receiving National Association of Testing Authorities' accreditation for ambient air quality monitoring
- maintained monitoring of particulate matter of 2.5 micrometres or less in diameter ($PM_{2.5}$) to facilitate the review and potential development of Ambient Air Quality NEPM compliance standards for this pollutant in the future.

In the second category, the Department of Environment and Conservation has:

- continued to implement the Perth Air Quality Management—the Perth Air Quality Management Plan 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 Air Quality Management Plan 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; and the Department of Environment and Conservation continues to investigate and trial a number of monitoring technologies
- maintained community access to regularly updated air quality monitoring data via the Department of Environment and Conservation's website <http://www.dec.wa.gov.au/airquality>.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Ambient Air Quality 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 Ambient Air Quality 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 Ambient Air Quality 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 Ambient Air Quality NEPM standards by comfortable margins due to clean fuel quality standards, national vehicle emissions standards and control of other sources. Ozone and PM_{10} remain pollutants of concern in the Perth region and are the focus of attention within the Perth Air Quality Management Plan, particularly the management of domestic PM_{10} sources. In other regions PM_{10} is the pollutant of most significance with respect to the Ambient Air Quality NEPM standards.

The data presented below shows that Western Australia has met the NEPM goals for all the pollutants in 2011.

Data from relevant monitoring stations are presented in tabular form to enable an evaluation of whether the Ambient Air Quality NEPM standards and goals were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in Schedule 2 of the Ambient Air Quality NEPM. For averaging times shorter than one year, compliance with the Ambient Air Quality 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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data are captured in each quarter.

The data are presented in greater detail in *2011 Western Australia Air Monitoring Report* which is available on the Department of Environment and Conservation's website <http://www.dec.wa.gov.au/component/docman/doc_download/7679/Itemid,/>.

The monitoring plan for Western Australia is also available online <http://www.dec.wa.gov.au/component/docman/doc_download/1085/Itemid,/>.

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

NO_2 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	0.007	Met
North East Metro	0	Met	0.006	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	0.008	Met
Inner West Coast	0	Met	0.005	Met

O_3 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	0	Met	0	Met
Outer North Coast	0	Met	0	Met
South Coast	0	Met	0	Met
Outer East Rural	0	Met	0	Met
South East Metro	0	Met	0	Met
Inner West Coast	0	Met	0	Met

SO_2 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/m^3)

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.

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Perth		
North East Metro	1	Met
North Metro	1	Met
South East Metro	1	Met
South-west		
Albany	0	Met
Bunbury	2	Met
Collie	4	Met
Midwest		
Geraldton	3	Met

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
Perth		
North East Metro	1	Met
North Metro	1	Met
Outer North Coast	2	Met
South East Metro	1	Met
Perth		
Bunbury	5	Not Met
Busselton	6	Not Met

Relationship between location descriptors and monitoring station location/names

Location descriptor	Station Location
North East Metro	Caversham
North Metro	Duncraig
Outer North Coast	Quinns rocks

Location descriptor	Station Location
Outer East Rural	Rolling Green
South Coast	Rockingham
Inner West Coast	Swanbourne

South Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for South Australia by the Hon. Paul Caica MP, Minister for Sustainability, Environment and Conservation for the reporting year ended 30 June 2012.

PART 1 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Dust monitoring at Whyalla

The state's Environmental Protection Authority has analysed the particles on the order of 10 micrometres or less (PM_{10}) data collected at Walls Street and Schultz Reserve and formed the view that weather conditions are a major determinant of PM_{10} levels and by implication the number of times in a year the daily average PM_{10} exceeds 50 micrograms per cubic metre of air (mg/m^3). In the current year, exceedences of the standard have decreased at both the reporting and non-reporting site and so it is likely that the projects at the Whyalla steelworks are resulting in improvement to particle concentrations as well as those due to improved rainfall.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Air quality in South Australia was generally good during the 2011–12 reporting year. The following observations were made following analysis of monitoring data for this period:

- The standard and goal were achieved for carbon monoxide at the Elizabeth Downs monitoring station.
- The one-hour and one-year standards and goals were met at all stations for nitrogen dioxide.
- For ozone, the one-hour and four-hour standards and goals were met at all stations.
- The one-hour, one-day and one-year standards and goals were met at the Adelaide metropolitan station (Northfield) for sulfur dioxide. The one-day and one-year standards and goals were also met at the Port Pirie Oliver Street station. There were a large number of exceedences of the one-hour standard at Port Pirie so the one-hour goal was not achieved.
- The goal was achieved for lead at both National Environment Protection Measure monitoring stations in Port Pirie, however, the Environment Protection Authority, in concert with the Nyrstar smelter, is aiming for continued reduction in lead emissions and thus a reduction in the impact on the community.
- For PM_{10} there was one exceedence of the standard at both monitoring stations in Port Pirie but was within the five exceedence days allowed per year. Therefore the goal was achieved at all stations in the Adelaide metropolitan and Spencer regions.
- For particles smaller than 2.5 micrometres ($PM_{2.5}$) the advisory reporting standards were met at the Netley site.

It is worth noting that rainfall in 2011 continued to be higher than in previous years which would have resulted in reduced particle concentrations over the previous dry years.

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the NEPM standards and goals were met at each monitoring station. The standards, with accompanying definitions and explanations, appear in sch. 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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data is captured in each quarter.

The data are presented in greater detail in the *Air Monitoring Report for South Australia: Compliance with the National Environment Protection (Ambient Air Quality) Measure* which is available from the Environment Protection and Heritage Council's website <http://www.ephc.gov.au/taxonomy/term/34>.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Adelaide		
ELI01 – Elizabeth Downs	0	Met

NO_2 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	0	Met	0.005	Met
NET01 - Netley	0	Met	0.007	Met
KEN01 – Kensington Gardens	0	Met	0.003	Met
CHD01 – Christie Downs	0	Met	0.005	Met

O_3 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	0	Met	0	Met
NET01–Netley	0	Met	0	Met
KEN01–Kensington Gardens	0	Met	0	Met
CHD01–Christie Downs	0	Met	0	Met

SO_2 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	40	Not Met	0	Met	0.008	Met

Pb Lead

(NEPM standard 1 year = 0.50µg/m^3)

Station	Annual average (µg/m^3)	NEPM goal compliance
Spencer		
PTP01–Pt Pirie Oliver Street	0.28	Met
PTP05–Pt Pirie Frank Green Park	0.10	Met

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Adelaide		
ELI01–Elizabeth Downs	0	Met
NET01–Netley	0	Met
KEN01–Kensington Gardens	0	Not Met*
CHD01–Christie Downs	0	Met
Spencer		
WHY07–Whyalla Schultz Park	1	Met
PTP01–Pt Pirie Oliver Street	1	Met

* PM_{10} monitoring recommenced at Kensington on 22 September 2011

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
Adelaide		
NET01–Netley	0	7.1

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

- In Tasmania the enabling legislation for the National Environment Protection (Ambient Air Quality) Measure (Air NEPM) process is the Environmental Management and Pollution Control Act 1994. The process is implemented primarily through Environment Protection Authority (Tasmania), a division of the Department of Primary Industries, Parks, Water and the Environment.
- National Environment Protection Measures are adopted as state policies under the State Policies and Projects Act 1993, and the Air NEPM is put into effect under the Environment Protection Policy (Air Quality) 2004 (Air Policy), the Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007 and the Tasmanian Air Quality Strategy 2006.
- The Air Policy includes specific reference to meeting the requirements of the Air NEPM through regulation of industry and management of diffuse sources like planned burning activities. The policy is available on the Environment Protection Authority's website <http://epa.tas.gov.au/policy/air-quality-epp>.
- The Tasmanian Air Quality Strategy, published in June 2006, is a five-year process to assess compliance with the Air NEPM standards in Tasmania and specify 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.
- Woodsmoke continues to be the 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 programs to reduce the emission of domestic woodsmoke through controls on the import, sale and installation of wood heaters. The regulations also make the emission of excessive smoke from chimneys an offence and they restrict backyard burning on suburban allotments.
- As part of the Tasmanian Government's ongoing efforts to achieve improvements in air quality the Environment Protection Authority is working with the Launceston and Hobart city councils on the first phase, 'Burn Brighter this Winter', of the Domestic Smoke Management Program which was launched in June 2012. It is intended that this program to reduce the impacts of smoke from domestic wood heaters will be implemented across Tasmania in the coming years. The program focuses on managing emissions from wood heaters by utilising the provisions of the Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations and targeting education to the operators of smoky wood heaters.
- The Tasmanian air monitoring program operates under an ISO:17025 compliant Quality System and holds National Association of Testing Authorities' accreditation for the daily measurement of particles 2.5 micrometres or less ($PM_{2.5}$) and PM_{10} using instruments and reference methods prescribed in the Air NEPM.
- An Air NEPM monitoring station at Devonport is planned to be commissioned in August 2012.
- An Air NEPM (peak) carbon monoxide monitoring station was established in Macquarie Street, Hobart at the end of 2010. Regular monitoring commenced in February 2011.
- As previously reported, the Environment Protection Authority has established an online network of air monitoring stations called BLANkET. Currently the network consists of 19 stations, each equipped with optical particle monitors that provide information for understanding smoke movement and dispersal in the greater Tasmanian airshed. During the 2011–12 fiscal year additional stations in this network were established at the Air NEPM stations in Hobart and Launceston.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Air NEPM has made a significant contribution to improved urban air quality in Tasmania, by raising community awareness of air quality issues and supporting programs aimed at reducing woodsmoke pollution during winter. This has been particularly effective in Launceston, where a combination of a reduction in the number of wood heaters, and improved community co-operation has reduced winter PM_{10} levels to less than a third of those experienced when the Air NEPM was introduced. In Launceston, 2011 was the third consecutive year where the 50 micrograms of air pollution

per cubic metre (µg/m^3) 24-hour PM_{10} standard was not exceeded, and the fifth year the PM_{10} concentration has met the NEPM goal of no more than five exceedences a year.

The number of exceedences of the $PM_{2.5}$ advisory reporting standard at Launceston has continued to decline from 35 in 2006 to 11 in 2010, and six in 2011. The annual average $PM_{2.5}$ concentration of 7.5 µg/m^3 was an improvement on the 8.3 µg/m^3 measured in 2010 and complied with the annual average $PM_{2.5}$ advisory standard of less than 8 µg/m^3, for the first time since $PM_{2.5}$ measurements began in 2006.

Ambient Air Quality in Hobart continued to meet the NEPM goal in 2011. No exceedences of the 24-hour PM_{10} standard of 50 µg/m^3, or the 25 µg/m^3 advisory reporting standard for $PM_{2.5}$, were observed during the year. The annual average $PM_{2.5}$ concentration of 6.2 µg/m^3 was below the annual average $PM_{2.5}$ advisory standard of 8 µg/m^3, and represented a continuing improvement on the 7.1 µg/m^3 observed in 2010 and 2011, 7.3 µg/m^3 for 2008, and 7.6 µg/m^3 for 2007.

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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data is captured in each quarter.

The data are presented in greater detail in *Air Monitoring Report 2011: Compliance with the National Environment Protection Measure (Ambient Air Quality)*. The monitoring plan for Tasmania is available from the Environment Protection Authority's website <http://epa.tas.gov.au/epa/document?docid=221 >.

PART 3 — ASSESSMENT OF NEPM EFFECTIVENESS

The Air NEPM monitoring data for Tasmania presented below covers the complete 2011 calendar year.

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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data are captured in each quarter.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Hobart		
CBD, Macquarie Street	0	Not demonstrated Monitoring started January 2012

NO_2 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
Not monitored in Tasmania				

O_3 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
Not monitored in Tasmania				

SO_2 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
Not monitored in Tasmania						

Pb Lead

(NEPM standard 1 year = 0.50µg/m^3)

Station	Annual average (µg/m^3)	NEPM goal compliance
Monitoring discontinued in 1998		

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Hobart Metro, New Town	0	Met
Launceston Metro, Ti Tree Bend	0	Met
Devonport Not yet operational		

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

	1 year	
Station	**Number of exceedences**	**Annual average (µg/m^3)**
Hobart Metro, New Town	0	6.2
Launceston Metro, Ti Tree Bend	6	7.5
Devonport Not yet operational		

Australian Capital Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for the Australian Capital Territory by Mr Simon Corbell MLA, Minister for the Environment and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

No implementation issues have arisen during the reporting year.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Australian Capital Territory is making steady progress towards achieving the standards specified in sch. 2 of the NEPM.

During 2011 no exceedences of the standards were recorded. Compliance was 'not demonstrated' for nitrogen dioxide (NO_2) at Civic because of less than 75 per cent data availability in the third quarter. This pollutant is not of concern for the Australian Capital Territory airshed with levels of NO_2 less than 40 per cent of the standard.

The monitoring clearly shows that particulate matter levels increase during the winter months because of wood heater emissions, with four exceedences of the $PM_{2.5}$ (particulate matter of 2.5 micrometres or less) advisory reporting standard reported during this period.

The Australian Capital Territory Government acknowledges that woodsmoke is a problem and is working towards addressing the issue in an informed and measured manner to ensure a satisfactory outcome for all Canberrans.

It will continue to implement an integrated program to address woodsmoke. This will involve public education and enforcement activities, the licensing of firewood merchants, the implementation of the 'Burn Right Tonight' campaign and the ongoing implementation of the Wood Heater Replacement Program.

The Australian Capital Territory will also work with the Commonwealth and other jurisdictions at a national level through the Council to progress actions to improve air quality under the National Plan for Clean Air.

Data from relevant monitoring stations are presented in tabular form below to enable an evaluation of whether the National Environment Protection Measure (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 particulare matter of 10 micrometres or less (PM_{10}), which may be exceeded no more than five days per year) and at least 75 per cent of data are captured in each quarter.

The data are presented in greater detail in the *ACT Air Quality Report 2011*, available on the Department of Environment and Sustainable Development's website <http://www.environment.act.gov.au/environment2/environment_protection_authority_legislation_and_policies/air_quality_monitoring_reports>.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Canberra		
Civic	0	Met
Monash	0	Met

NO_2 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	0.005	Met

O_3 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

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Canberra		
Civic	0	Met
Monash	0	Met

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
Canberra		
Monash	4	6.4

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Ambient Air Quality) Measure for the Northern Territory by the Hon. Terry Mills MLA, Minister for Lands, Planning and the Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

- The Department of Lands, Planning and the Environment (previously Department of Natural Resources, Environment, The Arts and Sport) is responsible for implementing the National Environment Protection Measure (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*. Key requirements of the Act include 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, 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

Implementation issues arising during the 2011–12 reporting period included:

- The primary air pollutant of concern in the Northern Territory is particulate matter from landscape fires. This has been identified in the Northern Territory's monitoring plan, and corroborated by the gas data to date from the new Ambient Air Quality (AAQ) NEPM station in Palmerston. Investigation of options for reducing particulate pollution from bushfires with the Bushfires Council did not progress over this reporting period.
- This report is the first to contain a full year of National Association of Testing Authorities certified and validated data on nitric oxide, nitrogen dioxide, NO_X, carbon monoxide (CO), sulfur dioxide (SO_2) and ozone (O_3) from the AAQ NEPM campaign monitoring station established near the satellite city of Palmerston. Like the Casuarina station, the operation of the Palmerston station is under an arrangement with Charles Darwin University.
- A primary long-term Trend Station consistent with the technical requirements of the AAQ NEPM was commissioned in July 2012 at the Bureau of Meteorology site in Winnellie. This station has the same pollutant monitoring equipment as Palmerston but does not collect meteorological data as this is produced by Bureau of Meteorology equipment on the site. Once this station became operational the Casuarina-based tapered element oscillating microbalance (TEOM) was shut down.
- 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. As per Darwin, the overriding pollutant of concern in Alice Springs has been particulates caused by vegetation burning and in the winter months by household heating stoves or fireplaces. Natural gas pipelines have been extended throughout the town and more households have switched over to gas heating thus reducing the problem.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

- The Ambient Air Quality NEPM has provided a legislative framework to monitor general community exposure to the criteria pollutants in Darwin. The NEPM and the Northern Territory Air Quality Monitoring Plan have promoted expansion of the network to include a station in the Palmerston area and another at Winnellie. Data from these stations will provide a useful baseline to determine the effects of industrial development on air quality of the Darwin/Palmerston population.
- After undertaking research, dichotomous TEOM instruments for particulate matter of 10 micrometres of less (PM_{10}) and $PM_{2.5}$ particulate monitoring were installed. This instrument provides near real-time data and provides significant labour savings over gravimetric methods despite issues with data comparability.

- Casuarina Partisol $PM_{2.5}$ data showed a high 10 advisory exceedences which is atypical for Darwin. The downtime for the Partisol coincided with the wet season where exceedences are rare suggesting the number of exceedences is accurate. The Palmerston TEOM with $PM_{2.5}$ data for the third and fourth quarters also showed 10 exceedences. The Palmerston station is located adjacent to bushland and the areas around the site have been burnt a number of times late in the reporting year resulting in the high number of advisory exceedences.
- The annual $PM_{2.5}$ average data indicates that Darwin suffers from fine particulates or smoke that occurs mainly in the dry season and at levels close to and often above to the yearly advisory level. Levels of $PM_{2.5}$ exceeded the advisory standard 15 times during the reporting period as well as exceeding the advisory standard for annually averaged levels.
- The Palmerston gas data for CO, O_3 and SO_2 all show data recovery greater than 75 per cent and there were no exceedences of the standards and the average and maximum data were usually a small proportion of the standards. The exception was O_3 where the natural background level was a high proportion of the standard but not high enough to cause any exceedences.
- It will take a number of years collecting data from the Palmerston and the Winnellie station to confirm the general direction of particulate trends in the Darwin airshed.

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. When 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 PM_{10}, which may be exceeded no more than five days per year) and at least 75 per cent of data is captured in each quarter.

CO Carbon monoxide

(NEPM standard 8 hours = 9.0ppm)

Station	Number of exceedences	NEPM goal compliance
Darwin region		
Palmerston	0	Not Demonstrated

NO_2 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
Darwin region				
Palmerston	0	Met	0.0023	Met

O_3 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
Darwin region				
Palmerston	0	Met	0	Met

SO_2 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
Darwin region						
Palmerston	0	Met	0	Met	0.0074	Met

PM_{10} Particles as PM_{10}

(NEPM standard 1 day = 50µg/m^3)

Station	Number of exceedences	NEPM goal compliance
Darwin region		
Casuarina TEOM	3	Met
Palmerston TEOM	3	Met

$PM_{2.5}$ Particles as $PM_{2.5}$

(NEPM standard 1 day = 25µg/m^3, 1 year = 8µg/m^3)

Station	1 year	
	Number of exceedences	Annual average (µg/m^3)
Darwin region		
Casuarina Partisol	10	9.97
Palmerston TEOM	15	12.3

Jurisdictional Reports on the Implementation of the

Assessment of Site Contamination NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUE

The Commonwealth implements the Assessment of Site Contamination National Environment Protection Measure (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 the NEPM remains the premier methodology for the assessment of site contamination in Australia. Work continued on the variation process in 2011–12.

Of those Commonwealth agencies that reported on their activities relevant to the NEPM, eight indicated 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
- engaging with the research sector to develop improved understanding about contamination pathways and clean-up technologies
- contamination assessment training for staff
- the use of compliance registers and databases for incident notification.

All agencies indicated that their sites were managed in accordance with relevant legislation and that site assessments were conducted in line with the NEPM except for one instance where the current version of the NEPM was not relevant. In the case of Australia's Antarctic Territories, very low levels of contamination are considered to be ecologically significant and therefore levels are set according to that specific context rather than using the generic ones in the NEPM. Some agencies referenced internal guidelines, procedures and programs that incorporate the NEPM into their general environmental management programs.

PART 2 — 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.

Two agencies were particularly adept at proactively developing measures to address site contaminations specific to their circumstances, while others indicated they could be better supported by a national policy that comprehensively articulates management and reporting of contaminated sites, with particular consideration of pristine and highly protected areas.

New South Wales

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for New South Wales by the Hon. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

New South Wales has continued to fulfil all its obligations under the National Environment Protection Measure (NEPM). There is substantial stakeholder compliance with the NEPM, as its requirements are integrated into the existing New South Wales contaminated land management framework.

The NEPM and its associated guidelines are approved guidelines under s. 105 of the New South Wales *Contaminated Land Management Act 1997.* This requires the NEPM to be taken into consideration by the New South Wales Environment Protection Authority, site auditors and consultants when assessing the risks posed by contaminated sites.

The Environment Protection Authority considers the NEPM when making a decision on whether a contaminated site requires regulation under the Contaminated Land Management Act, and when conducting performance reviews of accredited contaminated site auditors. The Environment Protection Authority also verifies that site audits and site audit statements have been undertaken with due regard to the NEPM. During 2011–12 the Environment Protection Authority was notified of 94 potentially contaminated sites, finalised 46 site assessments, regulated 12 new contaminated sites, and remediated six sites under the Contaminated Land Management Act. Accredited site auditors have issued a total of 198 audit statements: 136 statutory audits and 62 non-statutory audits.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has lead to increased coordination between the Environment Protection Authority and equivalent agencies in other jurisdictions. This process allows issues relating to the assessment of land contamination to be consistently managed.

The Environment Protection Authority has provided significant input to revised NEPM documentation, including input on the methodologies for assessing human and ecological risk from site contamination, and updating guidance on site assessment methods in line with technological advances in Australia and overseas.

Varying the NEPM to reflect these technical changes is likely to improve the effectiveness of the NEPM.

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Victoria has a well established process for the management of contaminated sites including the environmental auditing system. Therefore, successful implementation of the National Environment Protection Measure (NEPM) required only minor changes to Victoria's existing framework.

Since 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 State Environment Protection Policy (Prevention and Management of Contamination of Land).

PART 2 — 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. 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.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Queensland by the Hon. Andrew Powell MP, Minister for Environment and Heritage Protection for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Department of Environment and Heritage Protection 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 the Department of Environment and Heritage Protection of applications that involve contamination issues. In addition, local government plays an important role in notifying the Department of Environment and Heritage Protection of land with potential contamination issues for listing on the Environmental Management Register

The following relevant operational data estimates associated with National Environment Protection Measure (NEPM) implementation were collected in the reporting period 2011–12.

- There were 148 site assessment and validation reports, many involving multiple sites, reviewed for compliance with NEPM s. 6 (13) and (14) prior to statutory decisions regarding Environmental Management Register and Contaminated Land Register status of the subject land as well as reports submitted under the Third Party Reviewer system (TPR).
- TPR's conducted 68 of the site assessments and 18 of these were audited (approximately 26 per cent).
- The increase in the number of assessment reports can be attributed to the development of land currently listed on the Environmental Management Register which has a closer proximity to the city infrastructure.
- The Department of Environment and Heritage Protection received 466 development applications under the Sustainable Planning Act conditions for contaminated land issues relating to material change of use or lot reconfiguration of contaminated or potentially contaminated land. Of these, 435 were approved, 11 were withdrawn, two refused and 18 currently in assessment.
- There were 34 information requests for additional site-assessment information.
- According to the NEPM, 24 sites were finalised as being adequately assessed, decontaminated and removed from the Environmental Management Register.
- There were 82 Site Management Plans 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.
- In accordance with NEPM s. 6 (4), 103 permits were issued for the transport and disposal of contaminated soil. Of these permits, 91 are current, 10 expired and two withdrawn.
- In accordance with sch. B10 of the NEPM, 80 sites were placed by the Department of Environment and Heritage Protection under supervision by TPR's as per Operational Policy for TPR—TPRs independently oversee the work of contaminated land consultants to ensure statutory requirements are achieved for site investigations and remediation work.
- Currently, the Department of Environment and Heritage Protection has 13 approved TPRs for practice in Queensland subject to department's requirements.
- The number of appointments of TPRs for individual sites has not increased since December 2011.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

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 recognised by the Department of Environment and Heritage Protection through the provisions of the operational policy relating to site-assessment work. All applications to the Department of Environment and Heritage Protection for statutory decisions about site contamination and changing the status of land on the Environmental Management Register/Contaminated Land Register must demonstrate compliance with the NEPM.

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 in groundwater and fragments of cement-bonded asbestos that are commonly encountered on contaminated sites.

While the proposed NEPM is waiting to commence, 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 the Department of Environment and Heritage Protection in internal review of assessment reports involve a review of the practitioner's adherence to the NEPM.

Similarly, Queensland appointed TPR's 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.

While this is an increase over the previous financial year there is an increased interest in the potential risk for financial institutions providing loans for the purchase of properties listed on the Environmental Management Register.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Western Australia by the Hon. Bill Marmion MLA, Minister for Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

- In Western Australia, the site classification system set up under the *Contaminated Sites Act 2003* is now well established and provides an effective framework for ensuring compliance with the principles of the Assessment of Site Contamination National Environment Protection Measure (NEPM).
- Western Australia's Contaminated Sites Management Series (CSMS) guidelines, which are based on the Assessment of Site Contamination NEPM, are taken into consideration by the Department of Environment and Conservation when assessing the risk posed by contaminated sites and assigning site classifications; by accredited contaminated sites auditors when conducting mandatory and voluntary 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.
- As of 30 June 2012, there were 30 contaminated site auditors accredited to work in Western Australia.
- During the year ended 30 June 2012, 121 new, known or suspected contaminated sites were reported to the Department of Environment and Conservation compared with 149 in the previous year. In the same period, the department received and provided advice on 1001 technical reports, including 58 audit reports, relating to contaminated sites. These reports were submitted to comply with conditions imposed under a written law (such as planning conditions) or as part of the investigation or remediation of reported sites.
- Soil and groundwater investigations have confirmed the presence of contamination at 518 sites which are listed on the publically available database on the Department of Environment and Conservation's website. The department classified 515 sites during the year, bringing the total number of sites classified under the Act to 2221.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

- Compliance of site assessment and audit reports with the CSMS guidelines (and principles of the Assessment of Site Contamination NEPM) is verified by the Department of Environment and Conservation as part of the site classification process.
- The anticipated variation of the Assessment of Site Contamination NEPM will ensure it continues to provide comprehensive guidance on the assessment of site contamination. The content of the CSMS guidelines will be reviewed in the context of the variation of the Assessment of Site Contamination NEPM.

South Australia

Report to the National Environment Protection Council (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 Sustainability, Environment and Conservation for the reporting year ended 30 June 2012.

PART 1 — MPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

- The implementation of the Assessment of Site Contamination National Environment Protection Measure (the NEPM) in South Australia by the Environment Protection Authority is ongoing. In South Australia, site contamination is managed through a legislative framework established under the *Environment Protection Act 1993.* The principles of the NEPM have been and are continuing to be introduced into guidelines, licence conditions and advice issued by the Environment Protection Authority.
- The Environment Protection Authority provides written and verbal guidance and information in respect to site contamination and the NEPM guidelines, to accredited auditors, environmental consultants, planning authorities, peak industry groups and the community.
- As of 30 June 2012, there were 27 site contamination auditors accredited in South Australia.
- During the 2011–12 reporting period, the Environment Protection Authority recorded 100 notifications of site contamination that affects or threatens underground water on the Public Register, required to be kept by the Environment Protection Authority under the Environment Protection Act. In the same period, the Environment Protection Authority recorded 26 audit reports.
- Guidance which describes the NEPM is available to the public from the Environment Protection Authority website.
- An index of information on site contamination notifications and audit reports is also available to the public on the Environment Protection Authority website.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The ongoing implementation of the NEPM should be instrumental in achieving the NEPM purpose and desired environmental outcomes. In South Australia, the attainment of this desired outcome has been improved with the commencement of the legislative framework for managing site contamination.

The NEPM addresses a complex and multi-disciplinary area that is particularly subject to new developments in scientific knowledge and technology. The NEPM requires updating to:

- incorporate new scientific knowledge and updated technical information
- maintain credibility as the premier source of technical guidance in Australia
- clarify certain aspects of the guidance.

The statutory review of the NEPM which commenced in 2004 has resulted in a draft NEPM variation being prepared. The variation to the NEPM, once implemented, is anticipated to greatly improve its effectiveness.

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

- Under s. 12A of the *State Policies and Projects Act 1993*, National Environment Protection Measures (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 s. 13 of the State Policies and Projects Act, including the obligation (s. 13(3)) for the Tasmanian Planning 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.
- Tasmania continues to progress the implementation of the NEPM through the requirement that all reports received in response to site contamination notices issued under the *Environmental Management and Pollution Control Act 1994* comply with the NEPM. In addition, any reports received under the Environmental Management and Pollution Control (Underground Storage Systems) Regulations 2010 must comply with the NEPM.
- Non-statutory reports received by the Environment Protection Authority for such purposes as satisfying Planning Authority requirements prior to redevelopment must also comply with the NEPM.
- Measures to ensure stakeholders are well informed in relation to the content of the NEPM are ongoing. Reference to the NEPM is made in all relevant guidelines produced.

PART 2 — 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 and by clarifying certain aspects of the NEPM that have not been consistently applied by environmental practitioners.

Australian Capital Territory

Report to the National Environment Protection Council (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 and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The delay in the finalisation of the National Environment Protection Measure (NEPM) review process has caused some frustration for contaminated land practitioners working in the Australian Capital Territory. The inclusion of nationally consistent guidance within the NEPM on the assessment of petroleum hydrocarbons and asbestos will only add to the effectiveness of the NEPM.

PART 2 — 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 Australian Capital Territory and ensures the territory contributes to a nationally consistent approach to the assessment of site contamination.

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Assessment of Site Contamination) Measure for Northern Territory by the Hon. Terry Mills MLA, Minister for Lands, Planning and Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The National Environment Protection Measure (NEPM) is implemented in the Northern Territory through the planning process. The Development Consent Authority can issue conditioned permits that require the development proponent to undertake formal site assessment with the engagement of a Victorian or New South Wales 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 Northern Territory, the auditor also oversees the development and implementation of a Remedial Action Plan 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 Development Consent Authority is satisfied its conditions have been met. The Development Consent Authority relies on advice for such matters to be compiled and forwarded from the Department of Lands, Planning and the Environment.

The Department of Lands, Planning and the Environment is engaged in the associated ecological risk assessment review.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM has allowed for a 'level playing field' for site contamination assessment and remediation to be established in the Northern Territory.

Jurisdictional Reports on the Implementation of the

Diesel Vehicle Emissions NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Diesel Vehicle Emissions National Environment Protection Measure (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 monitors fuel quality at all stages of the fuel supply chain to ensure it complies with the Fuel Quality Standards Act. In 2011–12, authorised fuel inspectors visited 1071 fuel supply sites and tested 2792 samples including 764 diesel fuel samples. Compliance action undertaken in accordance with the Fuel Quality Standards Act resulted in a civil proceeding against a fuel supplier where the Federal Court granted an injunction to restrain the supply of non-compliant diesel. Further compliance action against a second fuel supplier resulted in the supplier entering into an undertaking with the Federal Court to not supply diesel that does not comply with the Fuel Standard (Automotive Diesel) Determination 2001.

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 continued to undertake work to implement these recommendations in 2011–12.

According to the information provided by agencies, the Commonwealth's vehicle fleet is relatively new and well maintained. The Commonwealth operates approximately 6902 diesel vehicles and the majority of these were manufactured in or after 1995. More than 90 per cent were manufactured after 2005.

The Council of Australian Governments (COAG) established the Council as part of reforms to national ministerial council arrangements. In 2011, COAG endorsed air quality as a priority issue of national significance and agreed that the Council would develop a National Plan for Clean Air to improve air quality, and community health and well-being. The Council first met in September 2011 and the National Plan for Clean Air is scheduled to be delivered to COAG by the end of 2014.

The National Plan for Clean Air represents a strategic approach to air quality management and will include revised air quality standards, the development of an exposure reduction framework, improved monitoring and reporting and an action list for ongoing implementation.

PART 2 — 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 the Australian Design Rules and fuel quality standards.

The Commonwealth is making strong progress towards reducing emissions from in-service diesel vehicles through:

- ongoing administration of the Fuel Quality Standards Act and the Motor Vehicle Standards Act
- 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
- provision of the fuel tax credit to encourage proper engine maintenance and use of cleaner diesel engine vehicles.

Audited maintenance programs for diesel vehicles

All Commonwealth agencies that report operating diesel vehicles indicate that, in general, vehicles are serviced according to the manufacturer's specifications at specified intervals, thus minimising emissions through regular maintenance and repair.

Other programs

Commonwealth agencies reported a variety of actions undertaken to reduce emissions from diesel vehicles, including:

- Environmental Driver Training Programs which cover issues such as harsh braking, engine over-revving, idling and economical driving
- installation of diesel particulate filters
- refuelling with ultra-low-sulfur diesel
- offsetting fuel emissions through Greenfleet
- tracking and analysis of fuel usage to minimise wastage
- programmed replacement of vehicles
- selection of vehicles with Green Vehicle Guide ratings above a certain minimum level
- implementation of a tyre pressure standard to ensure line haul vehicles' tyre pressure is maintained to the manufacturer's specifications
- driver training in the safe and efficient operation of vehicles.

New South Wales

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for New South Wales by the Hon. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The *Protection of the Environment Operations Act 1997 (*New South Wales) and the Protection of the Environment Operations (Clean Air) Regulation 2010 (New South Wales) provide the regulatory framework for action to address emissions from the in-service diesel fleet.

In October 2011, the Commonwealth Department of Sustainability, Environment, Water, Population and Communities advised New South Wales Roads and Maritime Services that as the Diesel National Environment Protection Measure (NEPM) Funding Agreement had expired, Diesel NEPM projects were to be placed on hold and no further funds were to be expended while the Department of Sustainability, Environment, Water, Population and Communities considered options for dealing with the unspent funds.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

In New South Wales, the Office of Environment and Heritage, the Environment Protection Authority and Roads and Maritime Services continue to implement a range of programs to reduce diesel emissions. In 2011–12, the 11th year of NEPM implementation, New South Wales's focus has been on continuing the Smoky Vehicle Program and expanding the Clean Fleet Program, and the Diesel Retrofit programs which retrofits particle filters to older diesel vehicles, plant and equipment.

New South Wales diesel fleet profile

Diesel vehicles as a percentage of total New South Wales vehicle fleet

Roads and Maritime Services registration data show that the proportion of diesel vehicles in the fleet constituted 12.2 per cent of the total New South Wales fleet at 30 June 2012 (see Table 1 below). This is compared to 13.7 per cent in 2011, 12.7 per cent in 2010 and 11.7 per cent in 2009.

Roads and Maritime Services registration data indicate that, between June 2011 and June 2012, the number of diesel vehicles registered in New South Wales increased by 70 113 or 10 per cent. Off-road passenger vehicles increased by 11.5 per cent over the previous year and constitute the largest sector of the diesel fleet at 36.7 per cent. Light commercial vehicles account for 34.2 per cent of the diesel fleet. Together, these categories account for 70.9 per cent of the total diesel fleet in New South Wales. Table 2 shows changes in diesel vehicles by category between June 2011 and June 2012. Note: A change in the method of classification for passenger, off-road and light commercial vehicles occurred in 2012, which was also backdated to the previous reporting period. This affects the percentage changes for these categories compared to previous years.

Registration data also show that in 2012, 15.5 per cent of the diesel fleet in New South Wales was manufactured prior to 1996. This is down from 18.3 per cent in 2011 and 21.8 per cent in 2010. Stricter emissions standards for new vehicles for oxides of nitrogen (NO_x) and particles were introduced in 1996 under Australian Design Rule 70 (ADR70). Tighter emissions standards have been introduced for diesel vehicles manufactured from 2002 under ADR80.00, from 2007 under ADR80.02, and from 2010 under ADR/80.03.

Table 1: Diesel vehicles by category as proportion of total fleet and diesel fleet

	Diesel vehicles (%)								
New South Wales June 2012	**Passenger vehicles**	**Off-road passenger vehicles**	**Light commercial vehicles**	**Heavy trucks**	**Prime movers**	**Small buses**	**Buses**	**Other**	**Total**
Diesels in total New South Wales fleet	1.2	4.6	4.2	1.4	0.4	0.1	0.2	0.1	12.2

Diesel vehicles (%)									
New South Wales June 2012	**Passenger vehicles**	**Off-road passenger vehicles**	**Light commercial vehicles**	**Heavy trucks**	**Prime movers**	**Small buses**	**Buses**	**Other**	**Total**
Diesel vehicles in fleet	9.5	36.7	34.2	10.9	3.3	1.1	1.9	2.4	100

Source: Roads and Maritime Services registration data June 2012.

Table 2: Change in diesel vehicles by category

Vehicle type	No. of diesel vehicles		Change	Percentage change	Proportion of total decrease	Proportion of total increase
	June 2011	June 2012				
Passenger vehicles	53 158	67 145	13 987	20.8%	-	19.9%
Off-road passenger vehicles	230 085	260 002	29 917	11.5%	-	42.7%
Light commercial vehicles	218 746	242 140	23 394	9.7%	-	33.4%
Heavy trucks	76 571	77 212	641	0.8%	-	0.9%
Prime movers	22 943	23 317	374	1.6%	-	0.5%
Small buses	6946	7600	654	8.6%	-	0.9%
Buses	13 522	13 496	-26	-0.2%	-0.04%	-
Other	17 026	18 198	1172	6.44%	-	1.7%
Total	**638 997**	**709 110**	**70 113**	**9.9%**		

Source: Roads and Maritime Services registration data June 2012.

Diesel vehicles emissions estimates

On-road mobile sources contribute approximately 62 per cent NO_x and 13 per cent of particle emissions of 10 micrometres in diameter or less (as PM_{10}) from all anthropogenic sources in the Sydney[6] region. Diesel vehicles made up 12.2 per cent of the mobile fleet as at June 2012, however, they contribute disproportionately to the amount of air pollution produced by on-road mobile sources. Based on estimates for 2011 from the Air Emissions Inventory for the New South Wales Greater Metropolitan region (GMR), diesel vehicles contribute approximately 44 per cent of NO_x and 33 per cent of particle emissions (as PM_{10}) from all on-road mobile sources in the Sydney region.

The New South Wales total diesel vehicle kilometres travelled (VKT) are increasing due to both the underlying total fleet VKT growth, and a trending increase in proportion of diesel vehicles in the fleet. According to Bureau of Transport statistics supplied for the Air Emissions Inventory, in calendar year 2011 diesel VKT comprised 17.6 per cent of the total fleet VKT for the GMR.

With the exception of NO_x emissions for the light vehicle fleet, the total per kilometre PM_{10} and NO_x exhaust emissions from diesel vehicles are predicted to fall significantly from 2011 to 2021, following the introduction of more stringent vehicle emissions regulations combined with fleet turnover.

6 'Sydney region' is as defined in the Air Emissions Inventory for the New South Wales Greater Metropolitan region in New South Wales, which can be found on the Office of Environment and Heritage website <http://www.environment.nsw.gov.au/air/airinventory.htm>.

- For both light and heavy duty diesels, the predicted reductions in PM_{10} emission rates are larger than the rate of increase in VKT, resulting in decreasing total PM emissions from the diesel fleet.
- For heavy duty diesel vehicles, NO_x emissions are predicted to decrease from 2011 to 2021 in spite of projected increases in vehicle kilometres travelled.
- For light diesel vehicles, a very strong increase in the proportion of diesel vehicles is projected, resulting in large increases in both absolute NO_x emissions, and the percentage contribution to total vehicle fleet emissions.

Smoky vehicles program

In New South Wales, it is an offence for a vehicle to emit excessive air impurities for a continuous period of more than 10 seconds. Authorised officers issued 173 penalty infringement notices (an average of 14 per month) to the registered owners of diesel vehicles emitting excessive air impurities.

Prosecutions may also occur, usually where a person issued with a penalty infringement notice elects to have the matter heard before a court, or where a smoky vehicle has previously been observed by an authorised officer on a number of occasions. In 2011–12 there were 13 prosecutions, all involving diesel vehicles.

The public may also report smoky vehicles via the Office of Environment and Heritage Environment Line or website. An average of 345 reports are received each month for all smoky vehicles, indicating a high level of awareness in the community of the unacceptability of excessive visible emissions. In 2011–12, 74 warning letters were issued to diesel vehicle owners based on public reports.

Twenty-two warning letters were issued in 2011–12 to vehicles observed by authorised officers as excessively smoky; of these, approximately 78 per cent were returned with evidence of subsequent repair.

Annual statistics for smoky diesel vehicles

Table 3 shows a breakdown of the percentage of smoky diesel vehicles observed by authorised officers and the general public, and the percentage of diesel vehicle owners that received fines or warning letters as a proportion of all vehicles fined.

Diesel vehicle emission testing and repair programs

Recommendation five of the 2007 review of the NEPM states that consideration be given to:

- refining the DT80 test cycle, to improve the repeatability of testing and consistency between different test facilities, and amending the pass/fail standard for pre-2001 vehicles
- developing a DT80 pass/fail standard for post-2001 vehicles
- improving the accuracy and consistency of DT80 testing by introducing correlation testing between facilities
- developing a simple DT60 test.

Roads and Martime Services has developed a proposal to address these items. A draft report of the analysis was provided to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities in March 2012 for review and comment.

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. In 2011–12 there were more than 7000 vehicles in the program. Approximately 3000 vehicles have been emissions tested since the program's inception.

Clean Fleet participants may be eligible to seek a diesel rebate under the Federal Fuel Tax Credits Program. Transport for New South Wales requires metropolitan bus systems contract operators to comply with the Clean Fleet Program, and the Office of Environment and Heritage also encourages local councils to include this requirement for waste management contractors.

Promotion to increase participation in the program was put on hold, pending resolution of funding with the Department of Sustainability, Environment, Water, Population and Communities.

Repair industry training

The 'How to Reduce Truck Emissions' TAFE New South Wales 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 course was held on two occasions in 2011–12 before being placed on hold in October 2011 pending resolution of funding with Department of Sustainability, Environment, Water, Population and Communities.

Roads and Martime Services also presented on diesel testing and maintenance to TAFE apprentice mechanics and university undergraduates at its IM240 light vehicle emissions testing facilities.

Table 3: Smoky vehicles observed and actions taken

	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	July 10 – June 11	July 11 – June 12
Total number of vehicles observed (Reports from authorised officers and general public)	8554	7546	6918	6285	5116	4581	3013	3706	3001	4470	5623	4467
Diesel vehicles observed	3299	3480	3781	3672	2882	2099	1752	1337	970	2331	1352	943
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%	24%	21%
Total number of vehicles that received fines	2392	2042	1847	1545	1175	694	664	616	373	303	301	186
Diesel vehicles that received fines	2279	1896	1696	1448	1127	580	527	495	351	278	286	173
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%	95%	95%

	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	July 10 – June 11	July 11 – June 12
Total vehicles that received warning letters	2860	2880	2901	2398	2017	1405	1123	755	530	740	750	556
Diesel vehicles that received warning letters	672	523	520	450	303	174	161	103	123	133	135	96
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%	18%	17%

Diesel retrofit programs

Diesel vehicle retrofit program

The New South Wales Diesel Vehicle Retrofit Program continued in 2011–12. The program is administered and implemented by Roads and Martime Services and the Office of Environment and Heritage. More than 630 vehicles and machines have been retrofitted since the program's inception, at a total cost of $3.4 million.

New South Wales ports diesel retrofit program

Since 2009, Roads and Maritime Services has fully funded the New South Wales Ports Diesel Vehicle Retrofit Program. The program involves fitting, at no financial cost to the transport operators, partial particle filters to the exhausts of diesel trucks manufactured before 1 January 2003. The program is open to road transport operators that access Port Botany, Port Kembla, the Port of Newcastle and the Cooks River Rail Yard. At June 2012 a total of 79 diesel heavy vehicles had participated in the program.

Non-road diesel engine retrofit program

In 2011–12 the Office of Environment and Heritage and Roads and Martime Services continued trialling the 'Clean Machine Pilot Program' to reduce diesel exhaust emissions from heavy plant and equipment such as cranes, bulldozers, loaders, graders, tractors and pumps. Under the program, the Office of Environment and Heritage forms partnerships with public organisations and private businesses to develop guidelines to assist in procuring cleaner heavy diesel equipment, to improve emissions management from worksite operations and to retrofit older in-service machines with diesel particulate filters.

The retrofit element of the program is administered and implemented jointly by Roads and Martime Services and the Office of Environment and Heritage. The New South Wales Government offers co-funding of between 50 per cent and 90 per cent for the retrofitting of older and more polluting diesel equipment. Combined diesel oxidation catalysts and partial diesel particulate filters are being found to be the most successful strategy.

Fifty-four heavy diesel machines had been retrofitted with diesel particulate filters by end of June 2012. It is estimated that this will avoid emissions of approximately 1.66 tonnes of diesel particles per year.

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

No issues regarding efficiency of National Environment Protection Measure (NEPM) administration arose during the 2011–12 year.

PART 2 — 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 Environment Protection Authority Victoria'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 the program began in 2005–06 could indicate that there are fewer smoky vehicles being sighted on Victorian roads. Furthermore, the significant decline in the proportion of diesel-engine vehicles, greater than 1.5 gross vehicle mass tonnes being reported could indicate that there are fewer smoky diesel vehicles in this category.

The in-service diesel vehicle emissions testing facility at VIPAC Engineers & Scientists Ltd 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 vehicles tested are 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.

Smoky vehicles program

Environment Protection Authority 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 liquefied petroleum gas) using the '10-second' smoke rule, and report them to Environment Protection Authority. As a result of these reports the owners of the offending vehicles are informed in writing of the report and are requested to have the problem fixed. They are informed about the penalties that may apply if they are identified by officers from Environment Protection Authority, VicRoads or the Victoria Police. The program resulted in 4895 smoky vehicles being reported by the public in 2011–12.

Environment Protection Authority also operates a separate official smoky vehicle enforcement program where Environment Protection Authority or Victorian Police officers can report vehicles identified as emitting greater than 10 seconds of continuous smoke. Cautionary letters advise the vehicle owner that their vehicle has breached regulations, and if reported again, will be liable to receive an infringement notice. In 2011–12, 495 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 seven years. Generally, there appears to be a downward trend in the number of vehicles being reported over recent years in both programs.

Table 1: Public reports of smoky vehicles and letters

Year	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	2011–12
Number of public reports	10 315	7068	6443	5884	6177	5766	4895
Number cautionary letters	1538	849	946	708	445	630	495

Note: These numbers include all vehicles in the official program, not just diesel engine vehicles.

Diesel vehicle emission testing and repair programs

In its test facility, Vipac has installed a custom made Cirrus/CP Engineering AC-drive transient chassis dynamometer (which can be used in either two-wheel or four-wheel drive 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.

Victoria uses Vipac's test facility to support Environment Protection Authority's regulatory infrastructure. Under Environment Protection Authority'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 Environment Protection Authority (from Diesel NEPM funds). Any subsequent test, if the vehicle fails the initial test, would be borne by the vehicle owner ($550 plus goods and services tax).

During 2011–12, 36 vehicles were tested at the Vipac facility as part of its official smoky vehicle reporting program.

Audited maintenance programs for diesel vehicles

Victoria does not have an audited maintenance program for diesel vehicles.

Diesel vehicle retrofit programs

Victoria does not have a diesel vehicle retrofit program.

Other programs

The Kangan-Batman Institute of TAFE chassis diesel emission testing facility is used for training heavy vehicle mechanic apprentices, industry courses, owner-driver's courses, research, conducting DT80 tests, and diploma students. Kangan-Batman Institute of TAFE provides training for 90 per cent of diesel vehicle apprentice mechanics in Victoria, as well as some training in New South Wales and South Australia.

A survey carried out by Kangan-Batman Institute of TAFE on a small sample of recently qualified apprentices indicates that 75 per cent of students agreed that the course provided clearly communicated concepts and ideas about emission control and the environment.

Kangan-Batman Institute of TAFE will continue to use the dynamometer in practical programs and continue to run courses that consider vehicle emissions.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Queensland by the Hon. Scott Emerson MP, Minister for the Department of Transport and Main Roads for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The *National Environmental Protection Council (Queensland) Act 1994* provides the framework for implementing the Diesel National Environment Protection Measure in Queensland. The Department of Transport and Main Roads is responsible for implementing and reporting on the Diesel National Environment Protection Measure (NEPM).

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Queensland has a number of programs in place to ensure air quality is maintained and diesel vehicle emissions are managed appropriately, as specified in the diesel NEPM.

Air quality is of greatest concern where there are high concentrations of transport and/or industrial activity in close proximity to people. Transport is a major contributor to air pollution in South East Queensland. The emissions of most interest in relation to diesel vehicles are oxides of nitrogen (NO_x) and fine particles. NO_x is a precursor to the formation of photochemical smog, and fine particles have been identified as a health risk. NO_x and fine particles measuring 10 micrometres or less in diameter (PM_{10}) are monitored in South East Queensland, Toowoomba, Gladstone, Mackay and Townsville by the Department of Environment and Heritage Protection. Monitoring indicates air quality is generally good in these regions and the 2012 goal of the National Environment Protection (Ambient Air Quality) Measure (Air NEPM) should be met for both PM_{10} and NO_x, in the 2011–12 reporting year. In the past five years Queensland air quality has improved slightly and air quality standards have rarely been exceeded. These results have been achieved against a backdrop of population growth and an increase in vehicle kilometres travelled.

Queensland supports the Commonwealth with ongoing introduction of new Australian Design Rules (ADRs) to improve vehicle emission standards. In Queensland the most significant reduction in diesel vehicle emissions has been achieved through the introduction of improved fuel quality and vehicle emission standards for new vehicles. Diesel vehicle emissions are expected to continue to decrease as the number of newer, less polluting diesel vehicles increases within the fleet replacing higher polluting older vehicles. Gradual tightening of emission standards to harmonise with European Union standards is considered the most cost effective means to reduce diesel emissions and improve air quality. Other programs to complement the ADRs and further reduce diesel vehicle emissions are described below.

Smoky vehicles program

The Smoky Vehicle Hotline provides the community with an avenue for reporting vehicles exceeding the '10-second smoke rule', 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 Smoky Vehicle Hotline meets the requirements of sch. A(1) of the Diesel NEPM, Guideline on Smoky Vehicle Programs. For the period of 1 July 2011 to 30 June 2012, a total of 616 diesel vehicles were reported to the Smoky Vehicle Program, compared to 701 diesel vehicles in the previous reporting year. There were no Present Vehicle Orders for any vehicles in the period. There's been a steady decrease in the number of smoky vehicles reported, with the total number of reports, including for non-diesel powered vehicles, falling by 50 per cent since 2005 and the number of diesel vehicles reported dropping by 72 per cent, from 1995 vehicles reported in 2005 to 616 reported vehicles in 2012. Although diesel-powered vehicles are reported they are not currently tested or repaired through the smoky vehicle program, as the department does not have the technology to test diesel vehicles.

Diesel vehicle emission testing and repair programs

Annual inspection regime

The Department of Transport and Main Roads operates a compulsory annual inspection regime where the standard of mufflers on vehicles are checked, and any vehicle with a faulty muffler is issued with a defect notice to have it repaired or replaced. Heavy vehicles are inspected every 12 months and public passenger vehicles, such as buses, are inspected

every six months. The department currently inspects approximately 61 000 vehicles annually, while private accredited inspection stations inspect approximately 49 000 vehicles each year. This allows defective engine performance, which contributes to increased diesel exhaust emissions, to be identified and rectified.

Brisbane City Council operates the only registered DT80 diesel emission-testing facility in Queensland. During the 2011–12 financial year, Brisbane City Council tested a total of 237 vehicles. Of this total, 232 of the vehicles were diesel powered and therefore reportable for Diesel NEPM purposes. The remaining vehicles were testing alternative fuels, blends and gas. Of the 232 diesel-powered vehicles tested, 85 were pre-ADR70 or manufactured prior to January 1996. There were 147 manufactured after December 1995 (ADR70).

Of the 232 diesel-powered vehicles tested, 230 (99 per cent) passed and only two vehicles (1 per cent) failed. The two failed vehicles were pre ADR70 and recorded failures for excessive levels of NO_x. Both vehicles that recorded excessive levels of NO_x have now passed after being repaired and retested with an average improvement of 26.91 per cent.

Of the 232 tested, only 51 were previously untested vehicles with 181 presenting for retesting after a two-year period to verify continued compliance required to claim fuel tax credits under criterion three of the Australian Taxation Office Fuel Tax Credit Scheme.

Additionally, 31 of the previously untested vehicles came from Brisbane City Council's own fleet. Therefore only 20 vehicles were made available from external operators verifying that there has been a very limited uptake of the testing facilities provided by Brisbane City Council. The continuation of this service is currently being reviewed due to the lack of demand.

Audited maintenance programs for diesel vehicles

The Queensland Government encourages the heavy vehicle industry to participate in the National Heavy Vehicle Accreditation Scheme (NHVAS), which 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 30 597 vehicles registered by 777 operators, while the NHVAS mass scheme has 6171 vehicles registered by 69 operators. This is a moderate increase on last year's accredited registrations.

Diesel vehicle retrofit programs

Queensland does not operate any diesel retrofit programs at this time.

Other programs

FreightSmart

In 2011, the Department of Transport and Main Roads partnered with Queensland Transport Logistics Council to offer two grants of $50 000 with the aim of encouraging and supporting Queensland-based industries in identifying, trialling and evaluating innovative freight practices that will reduce urban congestion, minimise emissions and deliver a more efficient and effective freight network.

The successful recipients of the Freight Smart Grant Scheme—Cannon Logistics and Strategix Training Group—completed successful trials of their proposals and have presented their final reports to the Queensland Transport Logistics Council in this reporting period.

Cannon Logistics trials tested Ice COLD Technology's ability to deliver improved refrigeration efficiencies and fuel and carbon emission savings across the Australian refrigeration transport industry. The trials aimed to deliver savings by restoring lost efficiency caused by oil fouling, which occurs naturally in refrigeration.

The trials proved successful and were completed on trailers in an 'In Yard' and 'On Road' environment. The average cost recovery period was calculated to be 7.46 months. Return on Investment results were calculated on trailer loads that most closely reflected typical operating conditions and were based on 10 years of life usage.

Strategix Training Group presented their final In2Green product to the Queensland Transport Logistics Council's chief executive officer on 25 May 2012. The package includes the In2Green workbook, an In2Green instruction DVD, and the In2Green template CD.

The program has 10 easy steps to follow. It enables users to plan their routes in a more efficient manner to allow optimum vehicle utilisation, while reducing urban congestion. It outlines programs such as eco-driving and smart planning applied to vehicles, including trucks to demonstrate efficiencies gained by implementing these programs. Eco drive trials have resulted in the reduction of fuel burn at an average of 22 per cent.

The next steps will be to promote the final products. The Department of Transport and Main Roads and the Queensland Transport Logistics Council will work with Cannon Logistics and Strategix Training to ensure that benefits are shared with the freight and transport industry.

Queensland strategic plans

The Queensland Government has several strategic planning documents that form a cohesive framework to deliver a sustainable transport system and assist in reducing emissions. These plans aim to improve infrastructure, reduce congestion, reduce the number of trips and increase participation in active and public transport.

The South East Queensland Regional Plan 2009–2031 (SEQRP)

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 Department of Transport and Main Roads and other agencies have responded by developing plans to manage settlement patterns and transport growth and deliver a sustainable transport system for the region. These plans include the following.

Connecting SEQ 2031: An Integrated Regional Transport Plan for South East Queensland

The Integrated Regional Transport Plan is the Queensland Government's vision for meeting the transport challenge over the next 20 years. Its purpose is to provide a coherent guide to all levels of government in making transport policy.

Department of Transport and Main Roads' 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 added 125 new buses to the network in this reporting period and is currently reviewing the bus services to accommodate the future development of light rail. TransLink has also successfully transitioned to smart card ticketing with 82 per cent of trips now being paid for by GoCard.

South East Queensland Infrastructure Plan and Program 2010–2031 (SEQIPP)

The SEQIPP outlines estimated infrastructure investment across South East Queensland to 2031. SEQIPP has delivered the first stage of the $800 million road and rail upgrade to the Darra Springfield transport corridor as well as the $770 million Northern Busway and the $465 million Eastern Busway projects.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Western Australia by the Hon. Bill Marmion MLA, Minister for Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In Western Australia the National Environment Protection (Diesel Vehicle Emissions) Measure (Diesel National Environment Protection Measure) is implemented by the Department of Environment and Conservation) under the *National Environment Protection Council (WA) Act 1996* and the *Environmental Protection (WA) Act 1986.*

Vehicle emissions in Western Australia are regulated under the *Road Traffic Act 1974* and Road Traffic (Vehicle Standards) Regulations 2000. The '10-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. This regulation aims to target visually polluting diesel and petrol vehicles.

The Perth Air Quality Management Plan (Perth AQMP) is a non-statutory management plan established by the Government of Western Australia. The objective of the Perth AQMP is to ensure clean air is achieved and maintained throughout the Perth metropolitan region over the next 30 years. The Perth AQMP identifies that management of emissions from in-service petrol and diesel vehicles is critical to achieving clean air, and contains a range of initiatives that target on-road vehicles. The implementation of vehicle emissions reduction initiatives of the Perth AQMP are largely complementary to the desired environmental outcomes of the Diesel National Environment Protection Measure (NEPM), and are being undertaken in an integrated fashion.

PART 2 — 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.

Vehicle exhaust emissions testing using the CleanRun Remote Sensor (CleanRun RS) will continue in the future. This emission testing will help to quantify the emissions performance of the Perth motor vehicle fleet including diesel vehicles. The CleanRun RS 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.

To date, the CleanRun RS has stimulated extensive interest from passing vehicle commuters and media, highlighting the innovative approach to monitoring vehicle emission and increasing public awareness of vehicle emissions and impact on air quality. In addition, the 'smartsign', with its capacity to generate instant feedback messages to the driver of a vehicle has assisted with the delivery of key vehicle maintenance messages to more than 42 000 drivers.

To complement and improve the effectiveness of the Diesel NEPM, communication, training and education components of CleanRun continue to be implemented. The CleanRun EcoDrive program was launched on 25 May 2011. 'Ecodriving' incorporates a number of safer, smarter driving techniques that maximise fuel economy by operating the engine as efficiently as possible. To date, CleanRun EcoDrive resources have been distributed to more than 50 organisations and individuals since the launch. It's estimated that fleet operating organisations that implement the CleanRun EcoDrive program can reduce fuel use and related emissions by up to 10 per cent.

The continued implementation of the Smoky Vehicle Reporting Program (SVRP) has resulted in a significant number (39.5 per cent) of respondents repairing their vehicle since receiving a report of their smoky vehicle. Forty four per cent of respondents indicated their vehicle was diesel.

The Department of Environment and Conservation's continued implementation of vehicle emissions reduction initiatives of the Perth AQMP and the CleanRun program will strengthen all vehicle emissions reduction strategies undertaken by the Department of Environment and Conservation. The Department of Environment and Conservation will continue to work with the Department of Transport, 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.

Smoky vehicles program

Currently the SVRP receives an average of 30 reports per month. The total number of reports received and information packs sent out for the 12 months from July 2011 to June 2012 was 355.

Table 1 below summarises the responses from 162 owners of the 355 reported vehicles from July 2011 to June 2012. Vehicle owners were able to select more than one response. The results show that 39.5 per cent of respondents have had their vehicle repaired since receiving a report of their smoky vehicle. However, a considerable amount of respondents (38 per cent) believe their vehicle does not smoke. Forty four per cent of respondents reported their vehicle as 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	64 (39.5%)
Vehicle does not smoke	62 (38%)
Can't afford to repair	3 (2%)
Disposed of vehicle	8 (5%)
Wrong vehicle	4 (3%)
Other	38 (23%)
Petrol	35 (21%)
Diesel	72 (44%)
LPG	2 (1%)
Fuel type not reported	54 (33%)

Diesel vehicle emission testing and repair programs

The final report of the CleanRun Remote Sensing (RS) program was submitted in December 2011. The report details the actions and achievements of the program and provides an initial analysis of the data. The valid exhaust emissions data of more than 42 000 vehicles were collected.

The Department of Environment and Conservation conducted on-road vehicle emission testing at various sites around the Perth metropolitan and regional areas. In addition to the on-road emission testing, five days of heavy duty diesel vehicle testing was trialed.

The objective of the vehicle emissions testing program for Western Australia was to enable collection of emission data, targeting diesel vehicles, to enable vehicle fleet characterisation, which will ultimately be used to determine ongoing in-service vehicle emissions control programs. In addition, vehicle testing was used to detect, identify and encourage the emission performance improvement of gross emitting vehicles.

In total, 26 days of CleanRun RS testing was undertaken at 13 sites in Perth and Mandurah. To promote the RS program, advertisements inviting participation in the vehicle testing were placed on radio and the Department of Environment and Conservation's website, and media releases were sent out.

Testing at the 13 sites showed that in general the emissions profile of the fleet at different sites was similar. The RS testing also provided some useful vehicle emissions trend analysis over time. In general, the emissions performance of the overall diesel fleet appears to be improving when comparing the diesel vehicle fleet tested in the year 2007 compared to 2010. The results can most likely be attributed to the increase in dominance of newer diesel vehicles into the fleet and may also suggest the degradation of emission control technologies of the older diesel vehicles is minimal.

The exhaust emissions of petrol vehicles are of concern, particularly as petrol vehicles, which make up 80 per cent of the tested fleet contribute the largest amount to overall exhaust emissions. The worst performing 10 per cent of petrol vehicles are responsible for 56 per cent of the total petrol exhaust emissions for the measured pollutants. In particular, the average uvSmoke emissions for petrol vehicles increased in the year 2010 when compared to 2007 and may suggest that deterioration rates of the older petrol light commercial vehicles and passenger carrier class vehicles are substantial and warrants further investigation.

Analysis of CleanRun RS testing indicates a need to further monitor and manage in-service diesel and petrol vehicle emissions. In particular, the monitoring results suggest effort should be focused on older vehicles, which on average have considerably larger emissions when compared to the newer vehicles. Results point to a number of reasons for poor emission performance. Most notably the age, fuel type, engine capacity, driving behaviour (e.g. severe acceleration) and use of vehicle (e.g. government, commercial, private) correlate strongly with emission performance.

In addition to the analysis of the on-road vehicle fleet, the use of the 'smartsign', with its capacity to generate instant feedback messages to the driver of a vehicle has proven to be an invaluable asset which has assisted in the delivery of key vehicle performance and maintenance messages to more than 42 000 vehicle owners.

Audited maintenance programs for diesel vehicles

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.

In Western Australia, operators of certain types of heavy vehicles must become accredited to gain a permit from Main Roads. The majority of these vehicles use diesel as their primary fuel source. Western Australian Heavy Vehicle Accreditation is mandatory for individuals and organisations that perform any transport task as part of a commercial business or for profit within Western Australia, including interstate operators.

Accreditation involves two modules, Fatigue and Vehicle Maintenance, which operators are required to incorporate into their daily work practices. Maintenance management encourages heavy vehicle operators to take responsibility for servicing their vehicles regularly and ensuring their vehicles are safe at all times. The standards for this module are identical to that required under the nationally endorsed NHVAS.

Accredited operators must ensure their vehicles are maintained and meet all relevant safety standards. A record of the maintenance and servicing work done to each vehicle must be kept to prove the vehicles are safe at all times.

Compliance and enforcement activities are key factors in ensuring effective and safe management of heavy vehicles on the road network. Transport inspectors in Western Australia are authorised by law to intercept and inspect vehicles for roadworthiness, load security and vehicle licencing conditions. Compliance also performs the important role of educating and working with the transport industry and other agencies and stakeholders to improve standards.

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.

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 Western Australia. Webpages, 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 the Department of Environment and Conservation's website <http://www.dec.wa.gov.au/airquality>. Attention continues to be focused on promoting key Diesel NEPM messages through 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 (CleanRun BCI). The CleanRun BCI aims to reduce diesel emissions through encouraging driver behaviour change.

CleanRun worked with industry partners 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 from the behaviour change trial with professional drivers during the pilot stage.

CleanRun EcoDrive provides a do-it-yourself resource package for fleet operators to reduce fuel use and related emissions by working with drivers to make small changes to their driving habits. The package provides the resources to develop an 'ecodrive' training program in-house, including driver training materials developed by experts in the transport industry. It's estimated that fleet operating organisations who implement the CleanRun EcoDrive program can reduce fuel use and related emissions by up to 10 per cent. All resources are available to download free-of-charge from the Department of Environment and Conservation's website <http://www.dec.wa.gov.au/airquality>.

Industry training

Polytechnic West continued industry training to achieve improved maintenance practices and emissions performance. Polytechnic West (formally Swan TAFE) and the Department of Environment and Conservation entered into a memorandum of understanding in 2006, where the Department of Environment and Conservation provided funding for Polytechnic West to purchase emission testing, control and abatement equipment to enhance delivery of its apprentice mechanic training programs.

Polytechnic West has purchased and installed diesel engine exhaust catalytic converters, particulate filters, a portable diesel engine and exhaust emission analyser (5 gas analyser) and have upgraded current technology to meet emission legislation with the purchase of electronic geometry turbo charges. Polytechnic West has also installed a Euro 4 heavy duty diesel engine. Courses provide information emission reduction measures, the impacts of pollution, fault-finding methods and maintenance for truck owners, operators, diesel mechanics, and fleet and workshop managers.

South Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for South Australia by the Hon. Paul Caica MP, Minister for Sustainability, Environment and Conservation for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In South Australia, the National Environment Protection (Diesel Vehicles Emissions) Measure (Diesel NEPM) became an environment protection policy under the repealed s. 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 one of the in-service standards that contributes to achieving the Diesel NEPM outcomes.

The South Australian Government has a provision to regulate emissions from diesel vehicles in the Road Traffic (Vehicle Standards) Rules 1999: Rule 147A – Exhaust emissions – diesel-powered vehicles. Rule 147A sets emission limits for nitric oxide and nitrogen dioxide and particulate matter for diesel vehicles which are in service.

Compliance with the standard can be tested within the Regency Park Vehicle Inspection Emissions Test Facility. Vehicle inspectors have the discretion to test vehicles which fail the 10-second smoke rule, or have sufficient deficiencies such that they are in breach of vehicle standards and/or maintenance requirements.

Vehicles that fail the emissions test will be defected and required to return to Regency Park for re-testing for compliance with the standard. Only a few vehicles will be tested in the first 18 months of the program to minimise the costs to industry.

South Australia has continued its commitment to use biodiesel in a significant portion of its government-owned public transport bus fleet. Currently, all buses operate on either a biodiesel blend or compressed natural gas.

While the Environment Protection Authority has responsibility for leading South Australia's response to this NEPM, the Department for Planning, Transport and Infrastructure is investigating and developing relevant strategies for the management of emissions from diesel vehicles.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Department of Planning, Transport and Infrastructure will be working with staff at the Regency Park Vehicle Inspection Facility to successfully implement Rule 147A. Its effectiveness will be reviewed at the end of 2012.

Smoky vehicles program

Not applicable.

Diesel vehicle emission testing and repair programs

Not applicable.

Audited maintenance programs for diesel vehicles

Not applicable.

Diesel vehicle retrofit programs

Not applicable.

Other programs

In June 2012, the Department of Planning, Transport and Infrastructure released South Australia's Low Emissions Vehicle Strategy 2012–2016. South Australia is the first state to adopt a comprehensive strategy aimed at reducing greenhouse gas emissions and air toxic emissions by increasing the proportion of low-emission vehicles on our roads.

South Australia's Low Emission Vehicle Strategy includes actions to directly combat motor vehicle emissions and respond to emerging vehicle technologies, as well as support activities to maximise the benefits to the state.

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Under s. 12A of the Tasmanian State *Policies and Projects Act 1993,* National Environmental Protection Measures made under s. 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.

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 north-west of the state. Funding provided for the purchase of diesel emissions testing equipment and the delivery of free three-hour training courses for 321 qualified mechanics.

Since the end of this program the Tasmanian Skills Institute has continued to utilise this equipment in light and heavy vehicle training courses. The equipment has been used in both training and commercial activities to test emissions from diesel vehicles that have been converted to liquefied natural gas and compressed natural gas fuels.

A limitation of the equipment is that it is not certified to perform the DT80 emission test. The DT80 test is the Australian Transport Council's in-service emission standard for diesel vehicles.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

As of 1 July 2012 there were 12 427 diesel-powered heavy vehicles (that is vehicles weighing more than 4.5 tonnes) and 76 150 diesel-powered light vehicles registered in the state. This represents an increase of 6.8 per cent and a decrease of 0.7 per cent respectively since 1 July 2011. Of the total of 440 315 vehicles registered in Tasmania on 1 July 2012, 20.1 per cent were diesel powered.

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 emission measurement facilities, nor actively target vehicle emissions.

The department does utilise the '10-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 are issued by Departmental Vehicle Inspection Officers and can also be issued by Tasmania 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, nor does it 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.

Australian Capital Territory

Report to the National Environment Protection Council (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 and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — 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 National Environment Protection Measure (NEPM) goals.

Aggregate air quality data indicates that air pollution caused by diesel emissions is not a significant contributor to the urban airshed in the Australian Capital Territory. Pollutants associated with diesel emissions in the Australian Capital Territory are low. Therefore, no actions are taken in the Australian Capital Territory as a result of measures against the Diesel NEPM.

Notwithstanding the above, the Australian Capital Territory 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 sch. 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 it operates essentially in accordance with the systems original design under sch 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
- Australian Capital Territory Government subscription to Greenfleet for the planting of trees to offset its vehicles fleet emissions
- supporting Australian Capital Territory representation on the fuel standards consultative committee.

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 not collated. In general, Australian Capital Territory inspectors would not normally issue an infringement notice to a vehicle emitting excessive smoke. The Australian Capital Territory 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.

In addition to the above, as part of the Australian Capital Territory Government Fleet Efficiency Program, the Australian Capital Territory has purchased 70 compressed natural gas (CNG) powered buses, which are currently in service. It is not proposed to purchase any more CNG buses before 2013. Two buses that were converted to operate on CNG have been returned to diesel operation as the trial of these two vehicles was unsuccessful.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

As indicated above, the Australian Capital Territory airshed quality does not approach the NEPM trigger points and therefore no action is taken within the Australian Capital Territory as a result of the Diesel NEPM. As such, the NEPM has limited, if any, effectiveness within the Australian Capital Territory.

Therefore, the programs identified under the NEPM are not applicable within the Australian Capital Territory as any actions taken in relation to diesel vehicles are not taken as a result of the NEPM, but the overriding road transport laws that apply standards to individual vehicles based on type, age and roadworthiness.

Smoky vehicles program

Not applicable.

Diesel vehicle emission testing and repair programs

Not applicable.

Audited maintenance programs for diesel vehicles

Not applicable.

Diesel vehicle retrofit programs

Not applicable.

Other programs

Not applicable.

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Diesel Vehicle Emissions) Measure for the Northern Territory by the Hon. Peter Chandler MLA, Minister for Lands, Planning and the Environment, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

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 2 — ASSESSMENT OF NEPM EFFECTIVENESS

A number of initiatives are implemented to control diesel vehicle emissions. Vehicle standards 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 49 000 diesel vehicles registered, representing almost one third of the total vehicle fleet, which is much higher than the national level of approximately 16 per cent of vehicle fleets. The Australian Bureau of Statistics estimates that diesel vehicles registered in the Northern Territory represent approximately 1.7 per cent of all diesel vehicles in Australia.

Of the four major regions in the Territory, 66 per cent of all diesel vehicles are registered in the Darwin region, while 13 per cent are registered in Alice Springs, 8 per cent in Katherine and 2 per cent in Tennant Creek.

In the Darwin region approximately 27 per cent of all registered vehicles are diesels; this is slightly higher in Alice Springs, with diesels representing 28 per cent of the total vehicle fleet. In Katherine and Tennant Creek the diesel portion of the total fleet is 35 per cent and 39 per cent respectively, indicating a higher reliance on diesel vehicles in remote areas.

Of the heavy vehicle diesels registered in the Territory, 63 per cent are registered in the Darwin region, 18 per cent in Alice Springs and 9 per cent in Katherine. The distribution of light diesel vehicle registrations in the Territory differs, with 67 per cent of all light diesel vehicles registered in the Darwin region, 12 per cent in Alice Springs and 7 per cent in Katherine.

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 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 vehicles and these inspections include checking that all required emission control equipment is fitted as well as the detection of smoky vehicles. Periodic roadworthy inspections are required at registration renewal and the frequency of inspections is determined by the vehicle type and category. Light vehicles up to three years old do not require inspection and for vehicles between three and 10 years old, a biennial inspection is required. Light vehicles greater than 10 years old and all heavy vehicles require an annual roadworthy inspection.

Diesel vehicle retrofit programs

The majority of the Northern Territory road train fleet is less the 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 per cent 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.

Jurisdictional Reports on the Implementation of the

Movement of Controlled Waste between States and Territories NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

PART 1— IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

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

Through its involvement in the Implementation Working Group, the Commonwealth is working with the states and territories to continue to implement the NEPM in a consistent manner. Members of the Implementation Working Group communicate regularly through email and meetings.

During this reporting period a Minor Variation was made to the NEPM to correct drafting errors in the previous Minor Variation of 2010 and additional editorial changes to make reading of the NEPM easier. The Minor Variation was initiated in September 2011, made by NEPC in August 2012 and will be completed during the next reporting period.

For the reporting year, relevant Commonwealth agencies indicated that management of waste services as well as the movement of controlled waste between states and territories are managed mainly through contract arrangements. These contract arrangements require the contractors to comply with all Commonwealth, state, territory and local legislation, regulations, guidelines and standards.

The reporting agencies indicated they had incorporated activities under the NEPM in their environmental management systems and plans, including risk management, waste management tracking systems, standard operating procedures, formal training programs and auditing. These activities under the NEPM were also applied and implemented by the contractors engaged by the agencies to provide waste management services.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

From the perspective of participating Commonwealth government agencies, the NEPM generally operates efficiently and provides an effective framework for implementation across the states and territories. No participating Commonwealth agency indicated any problems in meeting the requirements of the NEPM.

New South Wales

Report to the National Environment Protection Council (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. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The National Environment Protection Measure (NEPM) has been in place for more than 10 years and is operating smoothly, without any significant issues. The introduction of online waste tracking in 2006 for waste being received at New South Wales facilities has greatly reduced errors in documentation, and more than 99 per cent of transport certificates are now completed correctly. Minor changes to the NEPM recommended by the 10-year review are expected to be introduced in New South Wales in 2013 when the Protection of the Environment Operations (Waste) Regulation is due to be re-made.

PART 2 — 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 75 643 tonnes of controlled waste in 5370 movements was reported this period as having been transported into New South Wales (Tables 2 and 4). This is an 18 per cent increase on the 63 921 tonnes and a 22 per cent increase on the 4394 movements in 2010–11.

While the amount of controlled waste being transported into New South Wales has increased this year, it is still well below the 2009–10 peak of 97 304 tonnes. The major sources of the increase were increases in lead waste, primarily lead acid batteries, from Queensland, Victoria and South Australia. The Queensland and South Australian increases reflect a return to more normal levels following a substantial decrease in 2010–11. The increase in lead waste was partially offset by reductions in the amount of zinc and non-toxic salt waste being transported into New South Wales.

There was also a significant increase in liquid controlled waste being transported into New South Wales, primarily waste oil from Queensland and paint, ink, etc. waste from Victoria. The increase in waste oil from Queensland continues an upward trend that began in 2010–11.

New legislation introduced in early 2012 requires licensed facilities, including those receiving controlled waste from interstate, to put in place pollution incident response plans and to report all incidents to the New South Wales Environment Protection Authority and other relevant agencies. Facilities required to monitor their emissions are also required to publish their monitoring results. Environment Protection Authority has also undertaken a review of its major hazardous waste treatment facilities and while the performance was generally acceptable a number of improvement programs have been instituted.

Waste transporters licensed in New South Wales are also required to have pollution incident response plans and report incidents. Waste transporter pollution incident response plans must include relevant NEPM conditions required for mutual recognition of licences.

A number of compliance campaigns related to waste and the transport of dangerous goods were undertaken during 2011–12. These campaigns did not identify any specific compliance issues for the interstate movement of controlled waste. Some waste transporters transporting clinical waste were found to have a poor understanding of their dangerous goods obligations. New South Wales is addressing this by presenting at an industry conference, and ongoing engagement with the industry.

Table 1: Number of consignment authorisations issued by New South Wales

Reporting year	Consignment authorisations issued
2010–11	730
2011–12	803

Table 2: Quantity of controlled waste into New South Wales for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext Terr *	Total
A	Plating & heat treatment										**0.00**
B	Acids		7022.88	41.91	4.23			3.37			**7072.39**
C	Alkalis		562.90	3.46		31.00		14.25			**611.61**
D	Inorganic chemicals		12 031.03	14 517.29	5587.45	3556.28	1535.23	245.91	303.21		**37776.40**
E	Reactive chemicals		10.16		0.77			0.03			**10.96**
F	Paints, resins, inks, organic sludges		2039.62	1389.75	12.55	270.47		64.61			**3777.00**
G	Organic solvents		93.93	254.47	3.05	33.97		49.07			**434.49**
H	Pesticides		41.19	80.26	1.17			0.25			**122.87**
J	Oils		2705.43	6553.14	33.62	20.49	11.29	2724.20			**12 048.17**
K	Putrescible/ organic waste		3000.51					5167.57			**8168.08**
L	Industrial washwater										**0.00**
M	Organic chemicals		59.25	1943.77	32.57	69.64	52.54	16.01	33.60		**2207.38**
N	Soil/sludge		1227.27	230.88	0.47	22.08	1.88	696.93			**2179.51**
R	Clinical & pharmaceutical		13.82					263.92			**277.74**
T	Misc.			7.22	10.73			938.18			**956.13**
State totals		**0.00**	**28 807.99**	**25 022.15**	**5686.61**	**4003.93**	**1600.94**	**10 184.30**	**336.81**		**75 642.73**

Table 3: Discrepancies in movements of controlled waste into New South Wales for 2011-12

Percentage of total movements

Discrepancy	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext-Terr*
Consignment non-arrival	n/a								
Transport without authorisation	n/a								
Non-matching documentation	n/a	0.05	0.2				0.07		
Waste data	n/a								

Table 4: Number of movements of controlled waste into New South Wales for 2011–12

NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext-Terr*
n/a	1919	1376	336	193	92	1435	19	

* 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.

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Consultation between state and territory agencies, established under the National Environment Protection Measure (NEPM) agreement, continues to ensure waste is directed to appropriate facilities within a jurisdiction. Close cooperation was maintained with all agencies. However, there has been a decline in the level of compliance by the waste producers.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

For the 2011–12 reporting period 570 authorisations were issued. This is an increase of 98 approvals from the previous year. This increase is due to authorisations with a limited timeframe. Most authorisations were principally for the recycling and energy recovery of controlled waste.

The total amount of controlled waste that was brought into Victoria during the reporting year was 34 604 tonnes. This was a decrease of 1045 tonnes, compared with the amount reported in 2011–12.

In 2011–12 there has been an increase in the level of consignment non-arrival (Table 3).

During the reporting year, there was a decrease in lead waste destined for recycling in Victoria. This is due to plant modernisation activities undertaken by the recycling industry. As a result, there has been a large drop in the amount of controlled waste imported from Western Australia and South Australia. Nevertheless, inorganic chemicals account for a large percentage of the total tonnage transported to Victoria. The inorganic chemicals waste stream, consisting of metallic constituents, accounted for 50 per cent of the total volume in 2011–12.

Resource recovery, energy recovery and recycling were the most common fate for controlled waste transported into Victoria.

Table 1: Number of consignment authorisations issued by Victoria

Reporting year	Consignment authorisations issued
2010–11	472
2011–12	570

Table 2: Quantity of controlled waste into Victoria for 2011–12 (tonnes)

Code	Description	New South Wales	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext-Terr*	Total (tonnes)
A	Plating & heat treatment									**0.00**
B	Acids	253	11			29				**293.00**
C	Alkalis	303	4			1				**308.00**
D	Inorganic chemicals	13 296	0	57	703	3393				**17 449.00**
E	Reactive chemicals	0			2	0				**2.00**
F	Paints, resins, inks, organic sludges	1596	465	207	54	2				**2324.00**
G	Organic solvents	1138	59		98	531				**1826.00**
H	Pesticides	160	494		65	0				**719.00**
J	Oils	3625	1634		1	313				**5573.00**
K	Putrescible/ organic waste	4234								**4234.00**
L	Industrial washwater	92	23							**115.00**
M	Organic chemicals	106	98		15	53				**272.00**
N	Soil/sludge	53	84			18				**155.00**
R	Clinical & pharmaceutical	197	374	19	711	0				**1301.00**
T	Misc.	3	19			11				**33.00**
State totals (tonnes)		**25 056.00**	**3265.00**	**283.00**	**1649.00**	**4351.00**	**0.00**	**0.00**	**0.00**	**34 604.00**

Table 3: Discrepancies in movements of controlled waste into Victoria for 2011–12

Percentage of total movements

Discrepancy	NSW	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
Consignment non-arrival	3.9	4.04	60	7.8	13.68		-	-
Transport without authorisation	-	12.5	-	0.7	-	-	-	-
Non-matching documentation	13.2	0.7	-	-	2.6	-	-	-
Waste data	2.9	1.8	-	9.9	-	-	-	-

Table 4: Number of movements of controlled waste into Victoria for 2011–12

NSW	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
2047	272	20	418	380	-	-	4

* 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.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Queensland by the Hon. Andrew Powell MP, Minister for Environment and Heritage Protection for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Queensland Department of Environment and Heritage Protection is responsible for the administration of the Controlled Waste NEPM in Queensland. The NEPM is implemented under the *Environmental Protection Act 1994* 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 Environmental Protection Act and detailed in sch. 2 of the Environmental Protection Regulation 2008. The NEPM administration is integrated with intrastate tracking and regulated waste licensing and compliance activities in Queensland.

- Environment and Heritage Protection has continued to administer the NEPM to help ensure that controlled wastes are managed appropriately.
- The prior approval process through consignment authorisation and consultation with other jurisdictions, generators and receival facilities in Queensland has helped to ensure controlled wastes are consigned to the appropriate facility.
- The total amount of waste moved into Queensland (Table 1) was 14 000 tonnes which is less than the amount received in 2010–11 (39 000 tonnes). The main reason for this overall decrease was a reduction in waste received from New South Wales (35 000 tonnes down to 12 000 tonnes) and Tasmania (2800 tonnes down to 270 tonnes). The reduction from New South Wales related to alkalis, oils and soil/sludge. The reduction from Tasmania related to contaminated soils.
- Discrepancies listed in Table 3 were associated with failures of waste handlers in the near border regions to obtain consignment authorisation. The percentage of waste transactions from New South Wales that did not have a consignment authority was 37 per cent. However, this related to a very small number of waste handlers transporting oils, grease, tyres and clinical wastes from the Tweed Coast in northern New South Wales. With regards to the clinical waste, the movements without a consignment consisted of a large number of small-volume transactions from the one transporter (160 transactions at an average mass of seven kilograms per transaction). If the top five non-conforming waste handlers were removed from the data, the figure would decrease to 4 per cent of transactions occurring without a consignment authorisation. This item will be investigated and addressed as part of the compliance program for 2012–13.

PART 2 — 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.

Table 1: Number of consignment authorisations issued by Queensland

Reporting year	Consignment authorisations issued
2010–11	132
2011–12	228

Table 2: Quantity of controlled waste into Queensland for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext-Terr*	Total (tonnes)
A	Plating & heat treatment		14.00	n/a							**14.00**
B	Acids	316.90	406.15	n/a	6.62	3.40			4.78	**3.09**	**740.94**
C	Alkalis	236.70	145.00	n/a		25.00					**406.70**
D	Inorganic chemicals	119.47	32.26	n/a		0.46					**152.19**
E	Reactive chemicals			n/a							**0.00**
F	Paints, resins, inks, organic sludges	217.00	40.00	n/a							**257.00**
G	Organic solvents	5.81		n/a					7.20		**13.01**
H	Pesticides	17.00	1.66	n/a		31.00					**49.66**
J	Oils	6 365.91	304.55	n/a	16.31	153.70	195.27		62.00		**7 097.74**
K	Putrescible/ organic waste	1 774.06	3.10	n/a		192.70					**1 969.86**
L	Industrial washwater			n/a							**0.00**
M	Organic chemicals	478.28	151.05	n/a	9.00	9.44	0.89	0.00	6.26		**654.92**
N	Soil/sludge	1 233.98	18.10	n/a			72.37				**1 324.45**
R	Clinical & pharmaceutical	714.29	0.03	n/a							**714.32**
T	Misc.	717.88	38.83	n/a							**756.71**
State Totals (tonnes)		**12 197.28**	**1 154.73**	**0.00**	**31.93**	**415.70**	**268.53**	**0.00**	**80.24**	**3.09**	**14 151.50**

* East Timor

Table 3: Discrepancies in movements of controlled waste into Queensland for 2011–12

Percentage of total movements

Discrepancy	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
Consignment non-arrival	4%	14%	n/a	33%	3%	0%	0%	11%	0%
Transport without authorisation	37%	4%	n/a	0%	0%	0%	0%	33%	0%
Non-matching documentation	4%	14%	n/a	33%	3%	0%	0%	11%	0%
Waste data			n/a						

Table 4: Number of movements of controlled waste into Queensland for 2011–12

NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr*
2605	91	N/A	2	32	40	1	6	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.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Western Australia by the Hon. Bill Marmion MLA, Minister for the Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Western Australian Department of Environment and Conservation is responsible for administering the implementation of the Movement of Controlled Waste National Environment Protection Measure (NEPM). This occurs through the provisions of the Environmental Protection (Controlled Waste) Regulations 2004 (the Regulations).

These Regulations provide for the licensing of waste carriers, drivers, vehicles, and waste tracking to ensure appropriate environmental management of controlled wastes in Western Australia.

The Department of Environment and Conservation is currently reviewing and reforming the Regulations. Phase 1 of the review and reform process was completed in April 2012 and related to waste-tracking fee amendments. Phase 2 is currently under way and will include amendments to address the 2010 NEPM Variation and ensure waste-tracking requirements for interstate waste movements and corresponding offenses are clearly detailed. Other minor amendments are intended to ensure better harmonisation with the NEPM. It is expected that the Phase 2 amendments will be made in 2013.

There was a significant increase in the number of Consignment Authorisations issued by Western Australia during 2011–12. All Consignment Authorisations for 2011–12 were for the transportation and disposal of polychlorinated biphenyls.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to provide an effective framework for the management of interstate controlled waste movements. The Implementation Working Group is considered an efficient and necessary mechanism for identifying and addressing any cross-jurisdictional issues and seeking inter-jurisdictional feedback.

During the reporting period, the Department of Environment and Conservation reviewed compliance with the NEPM for wastes entering Western Australia. The review identified some inconsistencies in the use of Interstate Waste Transport Certificates ranging from minimal or incorrect information being entered to failure to ensure that each load is accompanied by a certificate. This has impacted on the waste volume reporting by disposal sites/treatment plants.

In response to these findings the Department of Environment and Conservation has instigated a number of corrective actions as outlined below.

1. The development of Consignment Authorisation Guidelines is currently under way to ensure that carriers and disposal sites are aware of all requirements of the consignment authorisation process and use of Interstate Waste Transport Certificates.
2. Proposed amendments to the Regulations to ensure the responsibilities of waste carriers and disposal sites, in relation to interstate controlled-waste movements and corresponding offences, are clearly detailed.

Table 1: Number of Consignment Authorisations issued by Western Australia

Reporting year	Consignment authorisations issued
2010–11	2
2011–12	7

Table 2: Quantity of controlled waste into Western Australia for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext Terr *	Total
A	Plating & heat treatment	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
B	Acids	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
C	Alkalis	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
D	Inorganic chemicals	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
E	Reactive chemicals	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
F	Paints, resins, inks, organic sludges	0.00		0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
G	Organic solvents	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
H	Pesticides	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
J	Oils			0.00	n/a			0.00		0.00	**0.00**
K	Putrescible/ organic waste	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
L	Industrial washwater	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
M	Organic chemicals	0.00	78.80	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**78.80**
N	Soil/sludge	0.00	0.00		n/a	0.00	0.00	0.00		0.00	**0.00**
R	Clinical & pharmaceutical		0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
T	Miscellaneous	0.00	0.00	0.00	n/a	0.00	0.00	0.00	0.00	0.00	**0.00**
State totals (tonnes)		**0.00**	**78.80**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**78.80**

Table 3: Discrepancies in movements of controlled waste into Western Australia for 2011–12

Percentage of total movements

Discrepancy	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Ext Terr *
Consignment non-arrival		unknown		n/a					
Transport without authorisation		0		n/a					
Non-matching documentation		0		n/a					
Waste data		0		n/a					

Table 4: Number of movements of controlled waste into Western Australia for 2011–12

NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Ext Terr*
0	7	0	n/a	0	0	0	0	0

***** The 2010 review of this NEPM recommended the addition of an 'External Territories' column to report on waste movements from external territories where these movements must be reported.

South Australia

Report to the National Environment Protection Council (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 Sustainability, Environment and Conservation, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The South Australian Environment Protection Authority 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*. It is primarily implemented through conditions attached to Environmental Authorisations, in accordance with the Environment Protection Act.

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 South Australian Environment Protection Authority to reconcile wastes transported against wastes received. It also enables the South Australian Environment Protection Authority to compile summary information of the type and amount of wastes moved, in accordance with the Measure.

PART 1 — ASSESSMENT OF NEPM EFFECTIVENESS

The implementation of the Measure continues to involve 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 South Australian Environment Protection Authority to ensure that controlled wastes entering South Australia are transported and treated in a manner that minimises the potential for adverse impacts on the environment or human health.

Table 1: Number of consignment authorisations issued by South Australia

Reporting year	Consignment authorisations issued
2010–11	171
2011–12	180

Table 2: Quantity of controlled waste into South Australia for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext-Terr*	Total
A	Plating & heat treatment	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00		**0.00**
B	Acids	0.00	553.94	0.00	20.16	n/a	0.00	0.00	21.46		**595.56**
C	Alkalis	0.00	0.00	0.00	0.00	n/a	0.00	0.00	82.38		**82.38**
D	Inorganic chemicals	5861.96	15 145.17	2.92	307.02	n/a	7669.51	0.00	83.93		**29 070.51**
E	Reactive chemicals	0.00	3.00	0.00	0.00	n/a	0.00	0.00	0.05		**3.05**
F	Paints, resins, inks, organic sludges	231.76	249.98	181.49	68.09	n/a	0.00	0.00	2.18		**733.50**
G	Organic solvents	44.26	1048.63	66.49	161.93	n/a	0.00	0.00	29.03		**1350.34**
H	Pesticides	0.07	0.00	0.00	0.00	n/a	0.00	0.00	0.92		**0.99**
J	Oils	11.08	92.24	543.69	206.64	n/a	0.00	0.00	679.26		**1532.91**
K	Putrescible/ organic waste	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00		**0.00**
L	Industrial washwater	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00		**0.00**
M	Organic chemicals	0.00	8.63	0.00	0.00	n/a	0.00	0.00	4.93		**13.56**
N	Soil/sludge	11.32	641.69	0.00	198.67	n/a	4489.00	0.00	142.26		**5482.94**
R	Clinical & pharmaceutical	0.00	0.00	0.00	0.00	n/a	10.00	0.00	91.35		**101.35**
T	Miscellaneous	0.30	0.00	20.48	72.51	n/a	0.00	0.00	159.00		**252.29**
State totals		**6160.75**	**17 743.28**	**815.07**	**1035.02**	**0.00**	**12 168.51**	**0.00**	**1296.75**	**0.00**	**39 219.38**

Table 3: Discrepancies in movements of controlled waste into South Australia for 2011–12

Percentage of total movements

Discrepancy	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
Consignment non-arrival	40	38	56	36	n/a	45	100	41	
Transport without authorisation	2	4	0	0	n/a	0	0	3	
Non-matching documentation	66	20	75	93	n/a	38	0	78	
Waste data	20	5	11	14	n/a	18	0	11	

Table 4: Number of movements of controlled waste into South Australia for 2011–12

NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
320	671	82	137	n/a	23	0	296	

* 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.

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

In Tasmania, the National Environment Protection Measure (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*. The Department of Primary Industries, Parks, Water and Environment is the responsible agency for the purposes of implementation of the NEPM.

The NEPM is fully implemented in Tasmania.

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.

As controlled waste received from external territories is 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 2 — ASSESSMENT OF NEPM EFFECTIVENESS

A significant impetus in achieving the NEPM goal has been ongoing consultation between waste producers, transporters and the Department of Primary Industries, Parks, Water and Environment 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 ongoing consultations between jurisdictions in relation to the appropriateness of issuing consignment authorisations.

Table 1: Number of consignment authorisations issued by Tasmania

Reporting year	Consignment authorisations issued
2010–11	26
2011–12	24

Table 2: Quantity of controlled waste into Tasmania for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext-Terr*	Total
A	Plating & heat treatment										**0.00**
B	Acids					18.00					**18.00**
C	Alkalis										**0.00**
D	Inorganic chemicals									1.20	**1.20**
E	Reactive chemicals										**0.00**
F	Paints, resins, inks, organic sludges									0.84	**0.84**
G	Organic solvents									0.40	**0.40**
H	Pesticides										**0.00**
J	Oils									16.90	**16.90**
K	Putrescible/ organic waste									14.40	**14.40**
L	Industrial washwater										**0.00**
M	Organic chemicals										**0.00**
N	Soil/sludge									70.51	**70.51**
R	Clinical & pharmaceutical										**0.00**
T	Miscellaneous									2.10	**2.10**
State totals		**0.00**	**0.00**	**0.00**	**0.00**	**18.00**	**0.00**	**0.00**	**0.00**	**106.35**	**18.00**

Table 3: Discrepancies in movements of controlled waste into Tasmania for 2011–12

Discrepancy Type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
Consignment non-arrival	0	0	0	0	0	0	0	0	0
Transport without authorisation	0	0	0	0	0	0	0	0	0
Non-matching documentation	0	0	0	0	0	0	0	0	0
Waste data	0	0	0	0	0	0	0	0	0

Table 4: Number of movements of controlled waste into Tasmania for 2011–12

NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
0	0	0	0	1	0	0	0	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.

Australian Capital Territory

Report to the National Environment Protection Council (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 and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The National Environment Protection Measure (NEPM) has been fully implemented and operational in the Australian Capital Territory since March 2000, no major issues have been identified with its operation. The Environment Protection and Water Regulation unit of the Australian Capital Territory Government continued to work with industry during 2011–12 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 and Water Regulation 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.

The Energy Services Invironmental Pty Ltd facility for the treatment of polychlorinated biphenyl contaminated oil was destroyed by fire on 16 September 2011. There have been no movements of polychlorinated biphenyl contaminated oil into the Australian Capital Territory since this date.

Environment Protection and Water Regulation continued to participate in the Implementation Working Group for the NEPM.

PART 2 — 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 waste.

Table 1: Number of consignment authorisations issued by the Australian Capital Territory

Reporting year	Consignment authorisations issued
2010–11	54
2011–12	33

Table 2: Quantity of controlled waste into the Australian Capital Territory for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext-Terr*	Total
A	Plating & heat treatment	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
B	Acids	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
C	Alkalis	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
D	Inorganic chemicals	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
E	Reactive chemicals	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
F	Paints, resins, inks, organic sludges	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
G	Organic solvents	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
H	Pesticides	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
J	Oils	23.50	39.40	19.40	0.00	0.00	0.00	n/a	0.00	0.00	82.30
K	Putrescible/ organic waste	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
L	Industrial washwater	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
M	Organic chemicals	107.34	1.56	1.50	0.00	0.00	0.00	n/a	0.00	0.00	110.40
N	Soil/sludge	50.05	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	50.05
R	Clinical & pharmaceutical	207.70	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	207.70
T	Misc.	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	0.00	0.00
State totals		**388.59**	**40.96**	**20.90**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**450.45**

Table 3: Discrepancies in movements of controlled waste into the Australian Capital Territory for 2011–12

Percentage of total movements

Discrepancy	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
Consignment non-arrival	0	0	0	0	0	0	n/a	0	0
Transport without authorisation	0	0	0	0	0	0	n/a	0	0
Non-matching documentation	0	0	0	0	0	0	n/a	0	0
Waste data	0	0	0	0	0	0	n/a	0	0

Table 4: Number of movements of controlled waste into the Australian Capital Territory for 2011–12

NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
696	3	2	0	0	0	n/a	0	0

* 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.

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure for the Northern Territory by the Hon. Terry Mills MLA, Minister for Lands, Planning and Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The *Waste Management and Pollution Control Act* provides the legislative basis to regulate and administer the National Environment Protection Measure (NEPM). The Department of Lands, Planning and the Environment currently administers the Northern Territory's obligations through licensing of scheduled activities that involve the movement of controlled wastes across state and 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 Northern Territory WorkSafe administration of the *Dangerous Goods (Road and Rail Transport) Act.*

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

In the Northern Territory, movement of controlled waste tends to be from the Northern Territory to other states. The NEPM provides a consistent system for use in the Northern Territory when required and the Northern Territory has implemented a paper-based system for Consignment Authorisations and Waste Tracking Certificates. The Northern Territory has sought agreement with New South Wales for a copy of its electronic database to be implemented in the Northern Territory with local information technology support to facilitate better cohesion with tracking requirements under the NEPM. It is hoped this will be in place by the end of the financial year. The Northern Territory is unaware of any consignments entering the Territory, other than transiting through the Northern Territory to other jurisdictions, and has not been in receipt of any requests to dispose or treat controlled wastes in the Territory. The Territory is not aware of or been in receipt of reports of discrepancies in reporting requirements.

Table 1: Number of consignment authorisations issued by Northern Territory

Reporting year	Consignment authorisations issued
2010–11	0
2011–12	0

Table 2: Quantity of controlled waste into Northern Territory for 2011–12 (tonnes)

Code	Description	New South Wales	Victoria	Queensland	Western Australia	South Australia	Tasmania	Australian Capital Territory	Northern Territory	Ext-Terr*	Total
A	Plating & heat treatment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
B	Acids	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
C	Alkalis	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
D	Inorganic chemicals	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
E	Reactive chemicals	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
F	Paints, resins, inks, organic sludges	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
G	Organic solvents	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
H	Pesticides	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
J	Oils	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
K	Putrescible/ organic waste	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
L	Industrial washwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
M	Organic chemicals	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
N	Soil/sludge	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
R	Clinical & pharmaceutical	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
T	Misc.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	n/a	0.00	**0.00**
State totals		**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**n/a**	**0.00**	**0.00**

Table 3: Discrepancies in movements of controlled waste into Northern Territory for 2011–12

Discrepancy	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
Consignment non-arrival	0	0	0	0	0	0	0	n/a	0
Transport without authorisation	0	0	0	0	0	0	0	n/a	0
Non-matching documentation	0	0	0	0	0	0	0	n/a	0
Waste data	0	0	0	0	0	0	0	n/a	0

Table 4: Number of movements of controlled waste into Northern Territory for 2011–12

NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Ext Terr *
0	0	0	0	0	0	0	n/a	0

* 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.

Jurisdictional Reports on the Implementation of the

National Pollutant Inventory NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

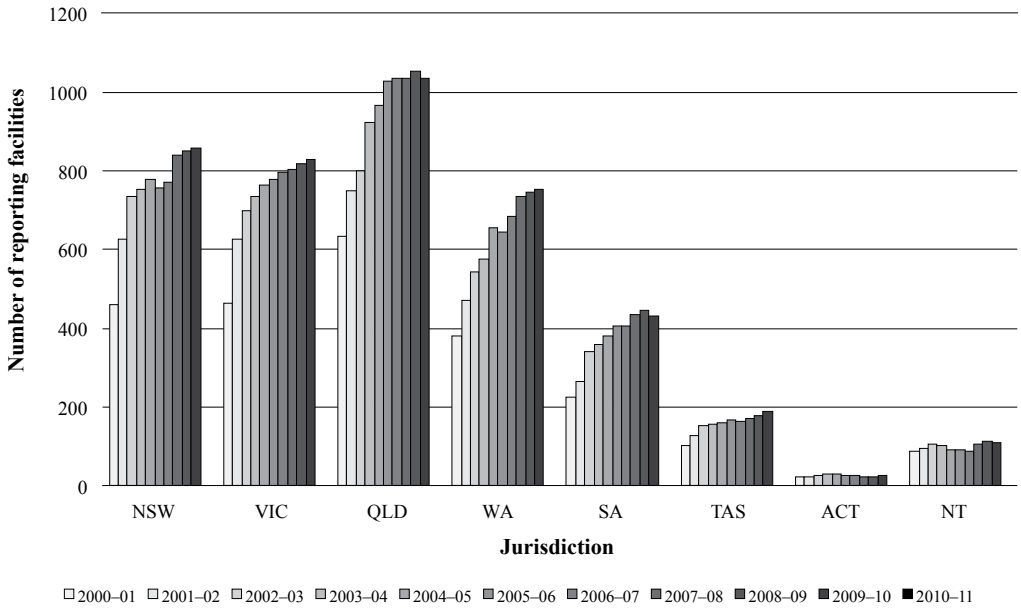
PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Commonwealth implements the National Environment Protection Measure (NEPM) administratively and ensures that its obligations under the *National Environment Protection Act 1994* and *National Environment Protection Measures (Implementation) Act 1998* are met.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The number of facilities reporting to the National Pollutant Inventory (NPI) rose from 4237 in 2009–10 to 4288 in 2010–11. Figure 1 shows how the number of reporting facilities has steadily increased since the commencement of reporting to the NPI in 2000–01.

Figure 1: Number of reporting facilities in each jurisdiction by year



The Commonwealth continued to work cooperatively with all jurisdictions to implement the NPI NEPM, and improve the online inventory reporting system to ensure industry reporting is streamlined and that data collected is accurate. The Commonwealth improved the accessibility of the NPI website to the community, industry, researchers and government, and led work with jurisdictions to update key industry guidance manuals.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
• 213 856 visitors on website	• The number of visitors increased significantly from the previous reporting year, which indicates continuing interest from the community, industry, researchers and government for the NPI.	• The toll free phone line received an average of more than 10 calls a month. In addition, responses were provided to 115 emails received through the public email inbox. • The Commonwealth continued work on developing and maintaining the NPI website and database search engine to ensure that relevant and current information is readily accessible to the public and other key stakeholders.
Industry		
• 4288 reports for 2010–11 • 4237 reports for 2009–10 • 196 new reporters • 3 new sectors reporting • 0 confidentiality claims submitted	• Industry representatives contributed to updates of NPI reporting tools and emission factors, which were well-received. • The NPI continued to build positive relationships with key industry stakeholders.	• Four industry manuals were updated: poultry, galvanizers, ports and hospitals. • The NPI responded to a number of industry queries related to reporting and technical issues. • The Online Reporting System was upgraded with improved validation tools.
Government		
• 18 facilities from 5 Commonwealth departments reported to the NPI in 2010–11.	• Work with the Australian Bureau of Statistics commenced to investigate the inclusion of NPI data in the bureau's *Essential Statistical Assets for Australia* report. • Jurisdictions communicated that ongoing review and updating of industry guidance is needed to ensure their currency and usefulness. • Jurisdictions noted that aggregated emissions data needs to be updated on the NPI website.	• The Commonwealth chaired and provided secretariat support for the NPI Implementation Working Group, which oversaw the implementation of key NPI activities.

New South Wales

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for New South Wales by the Hon. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Implementation

The New South Wales Environment Protection Authority implements the National Environment Protection Measure (NEPM) through the Protection of the Environment Operations (General) Regulation 2009. This Regulation provides the framework for enforcing compliance with the NEPM and prescribes offences for which penalty notices may be issued, including failure to lodge a report by the due date and failure to produce records.

Significant issues

Changes to the reporting of National Pollutant Inventory (NPI) substances moved in waste streams (transfers), to improve the quality of reported data, required the Environment Protection Authority to put a lot of resources in advising and training NPI reporters, particularly in techniques to estimate the quantity of NPI substances in transfers. Without improved guidance and supporting material it is expected the Environment Protection Authority's resources will continue to be directed at this issue.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Adoption of online reporting

The Environment Protection Authority conducts an annual training program to assist reporters use the Online Reporting System.

In 2011 the Environment Protection Authority undertook a number of industry sector-specific online reporting system training sessions in regional New South Wales: Tamworth, Armidale, Bathurst and Griffith. The regional training program increased the proportion of online reporters who are unable to attend training in Sydney and included training for reporters from piggeries, galvanisers, chicken processing plants and coal mines.

There has been a steady increase in the number of online reporters with 90 per cent of them using the online reporting system in 2010–11 reporting year, compared to 75 per cent in 2009-10. Online reporting has seen an improvement in the quality of reported data due to the validation and estimation tools available through the system. Online reporting also minimises the need for the Environment Protection Authority to manually enter data submitted by NPI reporters in paper reports.

New reporters

There were 40 new reporters in 2010–11.

The Environment Protection Authority undertakes sector-by-sector reviews to identify potential reporters who may be required to submit data to the NPI. Generally, these reviews are based on facilities that currently hold an environment protection licence issued under New South Wales environmental legislation.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• 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.	• Use of the NPI data by the media illustrates growing awareness of the dataset.
Industry		
• 872 reports for 2010–11 • 856 reports for 2009–10 • 40 new reporters • 97 new online reporters • No new sectors reporting • No confidentiality claims submitted	• Online Reporting System training provides valuable information for understanding the requirements to report accurately. • NPI support service continues to be essential for new or inexperienced reporters. • Industry often seeks additional guidance material and 'transfer emission techniques' (TETs) for different industry sectors. • Industry requests NPI manuals are updated regularly to remain relevant and to provide guidance on transfers. • Online tools for estimating emissions should also incorporate non-standard fuels such as macadamia husks.	• Environment Protection Authority has undertaken an Online Reporting System training program to help facilities complete reports successfully online. Approximately 80 reporters were trained in 2010–11. • Environment Protection Authority conducted a number of sector-targeted training sessions in regional New South Wales in 2010–11, training 15 NPI reporters. • Growing industry need for additional targeted sector training and guidance materials regarding transfers.
Government		
• 872 desktop audits • 4 site visits	• Policy and regulatory approaches continue to be informed by the data collected in the NPI. • The Environment Protection Authority has continued to use NPI emissions data to analyse environmental outcomes in relation to the regulation of substances at industrial facilities.	• The Environment Protection Authority continues its internal communications program to inform staff of the importance of NPI data and emission estimation tools. • NPI officer meetings facilitate the knowledge sharing between jurisdictions and the collaborative and consistent approach to NPI implementation across Australia.

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

No implementation issues arose during the 2011–12 year.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The National Pollutant Inventory National Environment Protection Measure continues to be effectively implemented in Victoria.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• No specific feedback was received from the community, industry or government.	
Industry		
• 846 published reports for 2010–11 • 828 published reports for 2009–10 • 33 new reporters • 0 new sectors reporting • 0 confidentiality claims submitted	• No specific feedback was received from the community, industry or government.	• 92% of published industry reports were submitted online (an increase on the 88% for 2009–10). • Due to significant demand, 7 industry-training sessions were conducted.
Government		
• 846 desktop audits • 10 on-site audits • 0 regulatory actions	• No specific feedback was received from the community, industry or government.	• Every industry report underwent a desktop analysis.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Queensland by the Hon. Andrew Powell MP, Minister for Environment and Heritage Protection for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Queensland has identified potential areas where National Environment Protection Measure (NEPM) administration can be enhanced. These include:

- the timely review and development of industry emission-estimation technique manuals
- the implementation of targeted communication activities such as an National Pollutant Inventory (NPI) conference and annual national data summaries
- timely and thorough review of the NEPM.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

To date, the NPI has been highly effective in achieving the goals stated in the NEPM and in particular in terms of disseminating information in an understandable format for the broader community.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• Anecdotal evidence suggests there is a relatively low level of awareness of the NPI amongst members of the public. • Public response to learning about the information contained in the NPI is almost always a combination of surprise and delight that such a thorough emissions and transfer database exists which is freely and publicly available. • There is a continuing decline in the awareness of NPI among members of the media evidenced by a steady reduction since 2007 in the number of NPI-related media articles.	• The Queensland Industry Reporting team (formerly part of the Department of Environment and Resource Management, now part of the Department of Science, Information Technology, Innovation and the Arts) has one-on-one communication with members of the public to assist with downloading and understanding emissions and transfer-related information. • Discussions with Griffith University investigating the use of NPI-related information for flood risk mapping. • Developing summaries on NPI data for dissemination to the public through State of Region and State of Environment Reporting.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Industry		
• 1018 reports for 2010–11 • 1037 reports for 2009–10 • 15 new reporters • 0 new sectors reporting • 0 confidentiality claims submitted	• There continues to be a high level of interest in the industry training sessions held by the Queensland Industry Reporting team. For the 2010–11 period a total of 114 different industry representatives attended the training. • Feedback from industry on NPI auditing activities conducted by the Queensland Industry Reporting team is positive with sites keen to ensure they are meeting reporting obligations and appreciative that government is interested in the data they are submitting.	• Industry training sessions were held by the Queensland Industry Reporting team in Brisbane, Townsville and Rockhampton. • 10 on-site NPI audits were conducted during the 2011–12 period to petroleum refineries, coal mines, power stations and some manufacturing facilities.
Government		
• 1018 desktop audits • 10 on-site audits • 0 regulatory actions	• The Compliance Services Branch of the former Department of Environment and Resource Management (now Department of Environment and Heritage Protection), were positive about the capacity of the NPI data to assist strategic proactive compliance planning. • Air Quality Sciences Branch (Department of Science, Information Technology, Innovation and the Arts) is enthusiastic about the prospect of NPI data contributing to development of airshed inventory projects in South East Queensland and Gladstone.	• The Queensland Industry Reporting team participated in a project outlined in the former Department of Environment and Resource Management's Annual Compliance Plan to assist with targeting licence compliance inspections at the industries with the greatest environmental risk. • Where possible, the Queensland Industry Reporting team conducted audits in conjunction with local Department of Environment and Heritage Protection Officers to promote a two-way flow of information across staff and to provide industry with a one-stop-shop for seeking further information. • The Queensland Industry Reporting team worked closely with Air Quality Sciences Branch to facilitate the development of synergies that exist between the outputs of the two areas.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Western Australia by the Hon. Bill Marmion MLA, Minister for Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

- Some problems have continued due to lack of clarity and emission factor shortcomings in selected Emission Estimation Technique manuals and published electronic reporting tools.
- The requirement to report transfers has resulted in a number of scenarios being identified which have not been totally resolved, though environmental outcomes have not been seriously compromised.
- Some Commonwealth staffing levels have resulted in a delay of reporting material updates.
- Overall funding of program may limit collection of Aggregated Emissions Data (AED).

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• Very few enquiries received from the public regarding National Pollutant Inventory (NPI) database information. • There remains a general lack of public awareness of the NPI program.	• Presentation at Air Quality Forum, a free public event.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Industry		
• 763 reports for 2010–11 • 749 reports for 2009–10 • 64 new reporters • No new sectors reporting • No confidentiality claims submitted	• Widespread acceptance of the online reporting system; 91% uptake in Western Australia for 2010–11 (4% increase). • Reporting of transfers largely successful, though new reporting scenarios continue to require attention. • Some smaller facilities require above-average reporting guidance due to abilities of facility personnel. • Major industrial facilities maintain awareness of community interest in their emissions, and ensure reports truly reflect site emissions. • Support given by the Department of Environment and Conservation's NPI Section commended by reporters.	• Information session for industry held in Perth. • Continued follow-up of potential reporters in several industry sectors. • Reporters regularly reminded of reporting deadlines and supplied with additional reporting information to that available on website. • Relatively low usage of online reporting system training offered by the Department of Environment and Conservation reflects increasing acceptance and knowledge of this form of reporting. • One industry training session held for online reporting. • Increased number of on-site audits conducted with positive industry feedback on the audit process. • Environmental Protection (National Environment Protection Measure (NEPM)-NPI) Regulations have been amended to be consistent with the NPI NEPM and infringement notice provisions added as an alternative to court prosecution.
Government		
• 763 desktop audits • 9 on-site audits • No regulatory actions	• Comparison made of emissions reported to NPI with facility licensing reports. • Identification and ranking of Western Australia's major emitters, and comparison with national data.	• NPI segment included in the Department of Environment and Conservation Regulatory Training Course. • Details of major emitters provided to Department of Environment and Conservation licensing personnel for information, data cross-checking and follow-up as required. • NPI facility data is automatically loaded to the Department of Environment and Conservation Geographic Information Systems.

South Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for South Australia by the Hon. Paul Caica MP, Minister for Sustainability, Environment and Conservation for the reporting year ended 30 June 2012

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Updated aggregate emissions data are required for reliable comparison with industry emissions and this is an area in South Australia that requires additional funding and resources to implement. A detailed air emissions inventory remains a strategic priority for both the National Pollutant Inventory (NPI) program and the South Australian Environment Protection Authority, however in accordance with the NPI Memorandum of Understanding, acquiring and publishing facility emission data remains the priority to ensure the maximum national benefit derived from the NPI Measure.

The South Australian Environment Protection Authority uses a load-based licensing system that incorporates NPI data when calculating Resource Efficiency Fees, which are payable for the emission of certain pollutants above a threshold level. It is essential that emission estimation technique manuals be updated regularly to ensure accurate emission data.

There is a continued need for training of reporters using the online system due to staff turnover within business and industry.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Industry audits undertaken by the NPI team have led to significant steps being taken by several companies to improve the accuracy of their NPI reporting. The presentation of data by the NPI team to the South Australian Environment Protection Authority has led to a greater understanding and awareness of NPI data and how it can be utilised to better manage a broad range of industries. The South Australian NPI team has also been actively involved in the NPI implementation working group to continually improve industry-reporting material.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• There is a lack of awareness of the NPI program amongst the general public.	
Industry		
• 463 reports for 2010–11 • 438 reports for 2009–10 • 29 new reporters • No new sectors reporting • No confidentiality claims submitted	• Online reporting training has been well received by industry. • NPI Emission Estimation Technique Manuals need to be updated regularly to remain relevant.	• A newsletter was published on the South Australian Environment Protection Authority website to inform reporters about updates to industry guidance material and provide general information about NPI reporting. • Industry enquiries via email and phone have been followed up on a one-on-one basis. • Online reporting training, workshops on NPI procedures and drop-in sessions were held in Adelaide.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Government		
• 463 desktop audits • 1 on-site audit • No regulatory actions	• The Environment Protection Authority utilises NPI data to implement the resource efficiency component of load-based licensing.	• An internal presentation was held about NPI data analysis.

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Implementation of the National Pollutant Inventory (NPI) National Environment Protection Measure (NEPM) was carried out in accordance with the memorandum of understanding signed between the Commonwealth and Tasmania. One staff member was responsible for implementing the NPI in Tasmania for the reporting period.

The reporting of waste transfer data is improving as industry gains an understanding of the reporting requirements.

Ongoing issues with Commonwealth resourcing of the NPI impacted on some areas of NPI implementation. In particular, updating of emission estimation technique manuals has not been adequately resourced.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• NPI data was used where environmental issues of concern were identified within the community. • Questions received relating to the NPI data indicated a general lack of understanding of the data.	
Industry		
• 195 reports for 2010-11 • 190 reports for 2009-10 • 8 new reporters • 5 new sectors reporting • No confidentiality claims submitted	• Industry response to the online reporting system was positive. • Industry appreciated the assistance given to help them in their reporting obligations.	• Small reporters continue to receive direct assistance to prepare reports. • Paper reporters were encouraged to convert to online reporting.
Government		
• 195 desktop audits • 2 on-site audits • No regulatory actions	• NPI data continues to be used within government.	• A presentation to officers of the Environment Protection Authority (Tasmania) was given to raise awareness of the NPI. • Liaison undertaken with other government agencies to promote NPI data.

Australian Capital Territory

Report to the National Environment Protection Council (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 and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Environment and Sustainable Development Directorate implements and enforces the National Pollutant Inventory (NPI) National Environment Protection Measure (NEPM) under the provisions of the *Environment Protection Act 1997. S*ection 159A of the Environment Protection Act establishes reporting requirements for industrial facilities in the Australian Capital Territory and prescribes penalties of up to 10 penalty units for non-compliance with a reporting requirement.

There is a continued need for training of reporters using the online system due to staff turnover within facilities.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The Environment and Sustainable Development Directorate worked closely with industry to ensure the effective implementation of the NPI NEPM in the Australian Capital Territory under the Environment Protection Act. The implementation activities conducted in the reporting period are detailed below.

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• No enquiries received from the community.	
Industry		
• 24 reports for 2010–11 • 22 reports for 2009–10 • 2 new reporters • 1 new sector reporting • No confidentiality claims submitted	• Training and support provided by Environment and Sustainable Development Directorate NPI officer commended by reporters.	• One-on-one training sessions were conducted using the online system and calculation tools. • Reporters using paper were encouraged to change to use the online reporting system.
Government		
• 24 desktop audits • No on-site audits • No regulatory actions	• Environment and Sustainable Development Directorate staff accessed the NPI data to assist with relevant enquiries.	• Advice was given to the Environment and Sustainable Development Directorate staff for searching and analysing the NPI data. • Every NPI report underwent a desktop validation.

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (National Pollutant Inventory) Measure for Northern Territory by the Hon. Terry Mills MLA, Minister for Lands, Planning and Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

- The National Pollutant Inventory (NPI) program is implemented in the Northern Territory 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 Environmental Protection Agency within the Department of Lands, Planning and Environment.
- Transfers reporting data is more consistent as industry gains an understanding of the reporting requirements.
- The Northern Territory does not have sufficient funding to perform aggregate airshed emissions but is attempting to collate existing data obtained from industry studies.
- Collaborative work has continued on standardising the desktop auditing of reports across all jurisdictions.
- There remain issues with staffing at the Commonwealth level impacting on uploading of aggregate emission data and the updating of manuals.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Participation levels	Feedback from the community, industry and government	Implementation activity effectiveness
Public		
	• There were no Northern Territory public enquiries about the NPI data	
Industry		
• 109 reports for 2010–11 • 110 reports for 2009–10 • No new sector reporting • No confidentiality claims submitted	• Industry feedback indicated that interaction with the online reporting system was generally positive. • More than 97% of Northern Territory reporters used the on-line reporting system.	• Availability of online tools emphasised to reporters. • One-on-one training sessions with reporters as required.
Government		
• Desktop audits for 2011–12 still under way • No on-site visits • No regulatory actions	• Environment Protection Authority Northern Territory environment officers accessed the NPI database to review emissions data and facilities within the Northern Territory.	• Environment Protection Authority Northern Territory environment officers were assisted in accessing the NPI database and interpreting data. • Advice was given to this department of other Australian jurisdiction use of the database for pollution-based license fees. • Training in use of the online reporting system by Environment Protection Authority Northern Territory staff has been organised with other jurisdictions.

Jurisdictional Reports on the Implementation of the

Used Packaging Materials NEPM

2011–2012

Commonwealth

Report to the National Environment Protection Council (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 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

As outlined in the *National Environment Protection Council annual report 2010–2011,* a decision was taken in December 2010 to formally re-make the Used Packaging Materials National Environment Protection Measure (NEPM) due to administrative issues identified with the timing of registration of the 2005 and 2010 Minor Variations to the NEPM. The NEPM was re-made in order to ensure its validity was beyond doubt and was drafted to apply retrospectively from 15 July 2005 in order to clarify its applicability from the 2005 Minor Variation onwards. The Australian Government led the re-make of the NEPM, which was published with an impact statement for consultation in June 2011.

Following public consultation, NEPC made the new NEPM on 16 September 2011. It was subsequently registered in the Federal Register of Legislative Instruments on 20 October 2011 and tabled in the Commonwealth House of Representatives and Senate on 31 October 2011. The NEPM is effective from 31 October 2011 as there was no subsequent motion in the Commonwealth Parliament to disallow it.

The NEPM is implemented and enforced by participating jurisdictions through necessary laws and other administrative arrangements. It requires participating jurisdictions to establish a statutory basis for ensuring that signatories to the Australian Packaging Covenant (the Covenant) are not competitively disadvantaged in the market place by fulfilling their commitments under the Covenant. The Covenant is an agreement entered into by governments and industry participants in the packaging chain based on the principles of product stewardship and shared responsibility for consumer packaging.

The majority of brand owners in Australia fall within state and territory jurisdiction. If they are not exempt from the NEPM and Covenant, brand owners are either Covenant signatories, or are subject to NEPM requirements. The NEPM requires participating state and territory jurisdictions to report annually on brand owners that are subject to NEPM requirements, carry out surveys of packaged products to ascertain the effectiveness of the NEPM, and report local government collection and participation data for kerbside or other municipal materials recovery systems. The Commonwealth NEPM applies to brand owner companies with more than 50 per cent Commonwealth ownership, and to the Commonwealth's jurisdictional territories. Australia Post is the only Commonwealth brand owner under the definition of the NEPM, and Christmas and Cocos Keeling Islands are the only Commonwealth territories where the NEPM could be applied.

The Australian Government and Australia Post are compliant signatories to the Covenant, and therefore are not subject to the requirements of the NEPM. The Australian Government encourages Covenant activities across all Commonwealth agencies, including Australia Post. The Department of Sustainability, Environment, Water, Population and Communities reports annually on actions undertaken by Commonwealth agencies to implement the Australian Government's Australian Packaging Covenant Action Plan 2010–2015.

This annual report details the Australian Government's progress in reducing the environmental impacts of packaging through:

- implementation of office-based and non-office recycling systems
- litter reduction measures
- creation of Chief Executive Instructions on sustainable procurement and implementation of procurement actions under the Australian Government's Information and Communication Technology Sustainability Plan 2010–15, including use of an increasing percentage of post-consumer recycled content paper
- implementation of relevant principles in the Sustainable Packaging Guidelines for packaging design and procurement.

The Australian Government, as a member of the Covenant Management Committee and Covenant Council, participates in developing the Covenant's annual budget for Covenant Council's endorsement. In 2011–12 the Australian Government provided 50 per cent of the government funds required for Covenant Secretariat operating costs.

The NEPM requires the Commonwealth to provide information annually to the NEPC on the overall national performance of the Covenant. In accordance with Section 19 of the NEPM, the Covenant Council is to provide information to the Commonwealth in relation to:

- 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, with reference to the key performance indicators and targets specified in the Covenant
- a statement of interpretation of the information.

The *Australian Packaging Covenant Council Annual Report 2011–12* provides this information and is available on the Australian Packaging Covenant website <http://www.packagingcovenant.org.au>.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

At the end of June 2012, there were 786 Covenant signatories nationally, of which 765 were compliant. Non-compliant signatories are removed from the register of signatories and non-compliant brand owners are referred to the relevant state and territory government for consideration under the NEPM in each jurisdiction. Compliant signatories fulfil the following Covenant requirements by:

- submitting an action plan within three months of becoming a signatory that includes the information set out in sch. 1 to the Covenant
- implementing the submitted action plan and the Sustainable Packaging Guidelines
- submitting by 31 March each year (following the year in which a company becomes a signatory), an annual report that includes the information in sch. 1 to the Covenant
- agreeing to an independent audit of an annual report and action plan implementation if required
- paying the required contribution to the Covenant Fund
- maintaining and making available records of the implementation of action plans, which can validate the data submitted in annual reports
- assisting the Covenant Council in responding to complaints about action plans or the design and use of packaging.

Reporting year	Number of covenant signatories
2010–11	666 signatories (658 compliant)
2011–12	786 signatories (765 compliant)

New South Wales

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for New South Wales by the Hon. Robyn Parker MP, Minister for the Environment and Minister for Heritage, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

New South Wales has provided regulations to underpin the new Australian Packaging Covenant through amendments to Part 5B of the Protection of the Environment Operations (Waste) Regulation 2005. The Regulation was amended in March 2011 to reflect the terms of the Australian Packaging Covenant.

The National Environment Protection Measure (NEPM) was re-made on 16 September 2011 following administrative issues that could have affected its validity, and therefore the effectiveness of jurisdiction enforcement. Enforcement activity in 2011–12 did not commence until after the re-making.

The New South Wales Environment Protection Authority was established as a separate agency on 29 February 2012 with responsibilities including enforcement of the Regulation that supports the Covenant.

Transitional legislative issues delayed large-scale enforcement activity in 2011–12, however New South Wales continued to take action on enquiries and businesses referred to it.

In 2011–12, New South Wales also focused on strengthening relationships and understanding between jurisdictions to ensure nationally consistent responses on enforcement issues to businesses. This has delivered greater cohesion and support for the Covenant nationally.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Responsibility for the enforcement of the NEPM and associated New South Wales legislation was transferred to the Environment Protection Authority on its creation. Transitional legal issues delayed the ability of the Environment Protection Authority to undertake large-scale enforcement activities (such as bulk mail-outs).

However, New South Wales actively liaised with potential signatories on an ongoing basis, including large businesses that are industry leaders in their sectors. In 2011–12, New South Wales communicated with more than 20 organisations regarding their obligations under the NEPM and how they could best meet them. New South Wales also liaised with and supported the Covenant Secretariat regarding the applicability of the NEPM to potential signatories.

New South Wales led discussions with the Covenant Council and other jurisdictions to strengthen the consistency of approach and enforcement of the NEPM nationally. This ongoing work will contribute to a more uniform and cohesive response to businesses.

Signatory numbers in New South Wales have grown from the previous year:

Reporting year	Number of Covenant signatories
2010–11	281
2011–12	327

Recovery data

Nil (no brand-owner was subject to record-keeping obligations under the New South Wales Regulation).

Supporting data

Clause 18 of the NEPM requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the NEPM in preventing free riding. New South Wales, in cooperation with other jurisdictions, carried out the survey in August 2011.

Complaints, investigations and prosecutions

No complaints in relation to specific businesses were received.

Statement of interpretation of the information

Enforcement activity focused on working with other jurisdictions and the Australian Packaging Covenant Secretariat to build consistency of enforcement, and to take action on businesses referred to it, including sector-leading companies.

Local government data

Local government data is available on the Office of Environment and Heritage's website <http://www.environment.nsw.gov.au/warr/datareport.htm>.

Victoria

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Victoria by the Hon. Ryan Smith MP, Minister for Environment and Climate Change, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

There were no implementation issues arising in 2011–12.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The primary purpose of the Used Packaging Materials National Environment Protection Measure (NEPM) is to establish a statutory basis for ensuring signatories to the Australian Packaging Covenant are not competitively disadvantaged in the marketplace by fulfilling their commitments under the Covenant.

The Secretariat of the Covenant is responsible for initially approaching companies that are identified as brand owners (and potential brand owners) to encourage them to become signatories to the Covenant. The Secretariat then refers non-signatory brand owners and non-compliant signatory brand owners to jurisdictions. This is done in line with compliance procedures set out in sch. 3 of the Covenant. Jurisdictions then speak with, and contact, the companies that have been referred to them.

By 30 June 2012, there were 272 Victorian signatories (up from 218 on 30 June 2011), including 233 brand owners registered in Victoria (up from 184).

Reporting year	Number of covenant signatories
2010–11	218
2011–12	272

In Victoria, the Used Packaging Materials NEPM is implemented through the Waste Management Policy (WMP) (Used Packaging Materials), a statutory policy made under the *Environment Protection Act 1970.*

Late in 2010, administrative issues were identified with the registration of the 2005 and mid-2010 minor variations to the Used Packaging Materials NEPM which could call into question the validity of the NEPM. In order to put the question of validity beyond doubt and provide certainty to the packaging industry, the NEPM was re-made, with the new NEPM approved by NEPC on 16 September 2011.

As a consequence, the Victorian WMP (Used Packaging Materials) had to be re-made. This was completed in 2011–12, with the new version published in the *Victorian Government Gazette* on 26 April 2012.

Recovery data

Clause 18 of the Used Packaging Materials NEPM requires jurisdictions to carry out surveys of packaged products ('brand-owner surveys') to ascertain the effectiveness of the measure in preventing free riding. A brand-owner survey was commenced by jurisdictions in May 2011. The names of brand owners (and potential brand owners) identified through the survey were provided to the Covenant Secretariat in August 2011.

Another brand-owner survey was commenced by jurisdictions in June 2012.

Supporting data

As noted above, a brand-owner survey was commenced in May 2011, with results provided to the Covenant Secretariat in August 2011.

Complaints, investigations and prosecutions

No complaints were received during the reporting period.

Statement of interpretation of the information

Nil.

Local government data

2011–12 local government recycling data will be published on the Environment Protection Authority Victoria's website <http://www.epa.vic.gov.au> by the end of 2012.

Queensland

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Queensland by the Hon. Andrew Powell MP, Minister for Environment and Heritage Protection for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Following the Queensland election in March 2012, the portfolio responsibilities of the Department of Environment and Resource Management were divided between four departments and the department was renamed as the Department of Environment and Heritage Protection. Covenant activities in Queensland are now administered by the Department of Environment and Heritage Protection.

The provisions require brand owners to whom the regulation applies to achieve a 70 per cent recovery rate for their consumer packaging material in a financial year. The provisions also require the brand owner to prepare an action plan and provide certain information to the chief executive. The provisions also require local governments providing a kerbside recycling service to provide data to the department on recycling within their local government area.

The Queensland Government continues to be a jurisdictional signatory to the Covenant, and participates in managing Covenant initiatives and projects through the Australian Packaging Covenant Council, the Covenant Management Committee and other forums. The Queensland Government actively participates in Covenant working groups, and is committed to working collaboratively with stakeholders on projects that help achieve Covenant goals and targets.

General jurisdictional activities

- Actively contributing to, and supporting, the administration processes of the Australian Packaging Covenant.
- Queensland's annual report on the Queensland Action Plan (June 2011 to June 2016) has been submitted to the Australian Packaging Covenant Secretariat and is available on its website <http://www.packagingcovenant.org.au/>.
- In November 2011, Queensland's online litter and illegal dumping reporting system was launched. This online reporting system allows Queenslanders to record the details of any illegal littering or dumping activities they witness and then to report these details online. To date, the department has received in excess of 2000 valid reports and 89 positive media stories.
- The Queensland Government continues to support and provide funding towards the National Litter Index.

Project funding

Three new project proposals were assessed under the 2011–12 Major Projects Funding Round. Two projects were supported and the third was encouraged to re-submit at the next funding round as further information about markets for the end product was required.

These supported projects are outlined below.

- Repeat Plastics Australia Pty Ltd is a Queensland-based project for the development of a pilot facility to recycle waste soft plastics, such as plastic shopping bags, plastic film and plastic packaging, into moulded bollards that can then be used by manufacturers for various uses such as landscaping and timber-replacement products such as park benches, boardwalks, and decking.
- Visy Industries Australia Pty Ltd has a national project to expand current facilities to enable recycling of high-density polyethylene (HDPE) containers such as milk bottles into food-grade virgin quality pellets for re-use, and the recycling of PET. The facility being expanded via this project is based in New South Wales at Smithfield with the HDPE and PET material to be recycled sourced from New South Wales, Queensland, Victoria and South Australia.

Multi-jurisdictional (national) projects currently under way

- Australian Council of Recycling—Review, update and promotion of revised Industry Recycling Materials Specifications Manual.
- Australian Food and Grocery Council—Sustainable packaging e-Learning Training Module for Business.
- Colonial Mutual and Packaging Stewardship Forum—Increased access to 'Away from Home Recycling' across Colonial Mutual's urban mixed-use and retail shopping centres.

- YUM Restaurants—Front-of-house recycling project in KFC restaurants.

Status report for projects currently under way

- Queensland Advanced Plant Nutrition—Glass Fertiliser phase two and three—market development and plant design. Milestones one and two complete.
- Central Queensland Local Government Association—Public Place Recycling Introduction Program. Milestones one, two and three complete.
- 'Do The Right Thing, Use the Right Bin'—a partnership between the Department of Environment and Heritage Protection, the Department of Education, Training and Employment and the Australian Packaging Covenant to deliver full comingled recycling systems to 150 state and non-state primary and 50 state and non-state high schools in Queensland, at no cost to participating schools. Applications closed.
- Redland City Council—Public Place Recycling and Litter Reduction Program. Milestone one completed.
- Transpacific—Harvest C & I Recycling Program. Under way, milestones one, two and three complete.
- Western Downs Regional Council—'Toward a Waste Wise Western Downs', project nearing completion.

Jurisdictional projects

- Hamilton Island regional recycling project—with funding also provided by Packaging Stewardship Forum, project going well, launched 3 June 2011. Under way; three of five milestones completed. (Funding also provided by the Packaging Stewardship Forum.)
- Torres Strait Aluminium Can recycling project—commenced and going well; under way with two of three milestones completed.

Completed projects

- Advanced Plant Nutrition—Glass Fines Project (Phase 1).
- Cherbourg Aboriginal Shire Council (Department of Environment and Heritage Protection project)—Construction and installation of sorting equipment for a mini material-recovery facility.
- Cook Shire Council—Recycling Trailers (for remote areas in Far North Queensland with no kerbside recycling).
- Department of Environment and Heritage Protection and Department of Education and Training—The Schools Recycling Project (Phase 1).
- Good Guys—Polystyrene Recycling Project (Department of Environment and Heritage Protection project).
- Townsville City Council—Conversion of Used Kerb-side Collection Trucks to Cardboard Compactors.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

For the 2011–12 financial year Queensland had 68 signatories, an increase of 11 over the previous financial year. Of these, 66 are in compliance with their obligations as a Covenant signatory and two are non-compliant.

Reporting year	Number of covenant signatories
2010–11	57
2011–12	68

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 National Environment Protection Measure (NEPM). Therefore there is no data to report under Clause 16 of the NEPM.

Supporting data

- Clause 16 of the NEPM requires jurisdictions to carry out surveys of packaged products to ascertain the effectiveness of the NEPM in preventing free riders.
- In 2011, a hospitality industry brand audit survey was conducted by Department of Environment and Heritage

Protection officers through a retail shelf audit of three businesses in Queensland. Details from a total of 130 products, representing 112 brand owners were recorded and forwarded to the Covenant Secretariat. Of these 112 brand owners, 36 were identified as non-signatories to the Covenant.

Complaints, investigations and prosecutions

In 2011–12 the Queensland Government sent letters to nine Queensland companies in relation to non-compliance. These companies were referred by the Covenant Council Secretariat after they had been invited to sign the Covenant but had not yet done so. The letters outlined the options available to brand owners. Brand owners may elect to sign the Covenant; not sign the Covenant and elect to comply with the NEPM requirements; apply for exemption from the Covenant and NEPM on the grounds that the annual turnover of the brand owner is less than $5 million.

Statement of interpretation of the information

The NEPM has proven to be a cost-effective and efficient mechanism to encourage brand owners to join the Covenant.

Local government data

At time of report preparation, 30 local governments had commenced the process of submitting waste data for 2011–12. This represents around 42 per cent of local governments. Preliminary analysis indicates there are no significant trends or changes in the effectiveness of the implementation of the NEPM to note.

Detailed data is available on the Department of Environment and Heritage Protection website <http://www.ehp.qld.gov.au>.

Western Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Western Australia by the Hon. Bill Marmion MLA, for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The National Environment Protection Measure (NEPM) is implemented in Western Australia through the Environmental Protection Regulations 2007 (the Regulations), under the Western Australian *Environmental Protection Act 1986.* The Regulations were gazetted on 27 April 2007 and expired on the 30 June 2012 and are currently being redrafted.

No significant issues arose in the implementation of the NEPM in Western Australia.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

State responsibilities under the NEPM are administered in Western Australia by the Department of Environment and Conservation. The department has developed a compliance procedure for implementing the Regulations.

During 2011–12, the Department of Environment and Conservation approached 17 brand owners to whom the NEPM and associated Regulations potentially applied. The approached companies were identified non-signatories that were referred by the Covenant Secretariat for failing to respond to requests to join the Covenant or signatories that were deemed non-compliant.

Of these 17 companies:

- five were confirmed as exempt
- one was considered a brand owner to whom the regulations did not apply
- four became signatories
- two became compliant signatories
- one was referred to another jurisdiction
- four have failed to respond to correspondence and require follow up during 2012–13.

There was an overall increase of 15 per cent in Western Australia-based brand owners becoming signatories to the Covenant.

Reporting year	Number of covenant signatories
2010–11	43 including 2 non-compliant signatories
2011–12	51 including 3 non-compliant

Recovery data

No Western Australia-based companies have been required to provide records for auditing.

Supporting data

In collaboration with other jurisdictions, a national survey was undertaken in June 2012 to identify brand owners, represented in the packaged products sold by retailers, that are non-signatories to the Covenant. Brand-owner details were provided to the nominated jurisdiction (South Australia) to compile before sending on to the Covenant Secretariat for initial follow up.

In Western Australia, the 2012 brand-owner survey targeted the hospitality and services sector.

Complaints, investigations and prosecutions

No complaints were received, or investigations or prosecutions undertaken during the 2011–12 reporting period.

Statement of interpretation of the information

Not applicable.

Local government data will be available on the Waste Authority's website <http://www.zerowaste.wa.gov.au> from mid December 2012.

South Australia

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for South Australia by the Hon. Paul Caica MP, Minister for Sustainability, Environment and Conservation for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

On 16 September 2011 the National Environment Protection (Used Packaging Materials) Measure 2011 (NEPM) was made.

In 2010, administrative issues were identified with the registration of the 2005 and 2010 Minor Variations to the NEPM which called into question the validity of the NEPM. In order to put the question of the validity beyond doubt and provide certainty to the packaging industry, the NEPM was remade to ensure the NEPM continues to provide the regulatory underpinning for the Covenant. The alignment of the terms of the NEPM and the Covenant is key to providing national consistency in regulatory support.

The NEPM *is taken to have* commenced on 15 July 2005. Commencing the NEPM retrospectively clarified its applicability from 15 July 2005.

The South Australian Environment Protection (Used Packaging Materials) Policy 2007 (EPP) expired on 30 June 2010. South Australia is in the process of drafting a revised EPP to ensure the continuation of the statutory requirements of the NEPM within South Australia. It is expected that this EPP will be made in the last quarter of 2012.

Implementation issues arising

During this reporting period (2011–12) five companies were referred to the Environment Protection Authority by the Covenant Secretariat to enforce the obligations of the EPP. South Australia will contact these companies to advise them of their requirement to comply with the EPP once the EPP has been made.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

South Australia will continue to implement this measure within the South Australian legislative framework once the EPP has been made.

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 participation 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
2010–11	43
2011–12	49

Recovery data

South Australia will contact brand owners to advise them of their requirement to comply with the EPP once it has been made.

Supporting data

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. A brand-owners' survey to identify those companies was undertaken in July 2011. The survey was undertaken at various retail outlets in Adelaide in accordance with the Brand Owners Survey Methodology 2011 agreed to by jurisdictions. South Australia is responsible for compiling the Brand Owners Survey

2011–12 for all jurisdictions in this reporting year. The list of companies identified as non-signatories to the Covenant will be forwarded to the Covenant Secretariat for initial follow up when all surveys have been received.

Complaints, investigations and prosecutions

No complaints were received during this reporting period, all companies referred to the South Australian Environment Protection Authority by the Covenant Secretariat were deemed to be either under the brand owners threshold or will be required to ensure they meet the requirements of the EPP once it has been made.

Statement of interpretation of the information

South Australia continues to implement this measure although the EPP is currently being re-made. South Australia continues to promote and support 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.

Local government data

Data is available on the Environment Protection Authority's website <http://www.epa.sa.gov.au/environmental_info/legislation>.

Tasmania

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for Tasmania by the Hon. Brian Wightman MP, Minister for Environment, Parks and Heritage for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

Legislative, regulatory and administrative framework

The National Environment Protection Measure (NEPM) is a state policy under the *State Policies and Projects Act 1993*.

Implementation issues arising

Nil.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

Negotiations with companies that fall within the NEPM threshold to become signatories to the Covenant have not been completed during the reporting period due to a change over in staff. The NEPM has provided a strong incentive for them to join the Covenant. Tasmania has 15 company signatories and 18 covenant signatories overall.

Reporting year	Number of covenant signatories
2010–11	18
2011–12	14

Recovery data

No recovery data to report under Clause 16 of the NEPM.

Supporting data

No surveys completed during the reporting period.

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

Not applicable.

Local government data

None reported for 2011–12: financial data below is based on 2010–11 local government surveys.

Other type of recycling services (e.g. drop off) by number of councils: All councils provide alternative drop-off facilities either at the landfills or Waste Transfer Stations.

Total number of premises/households:

Residential	131 704 premises
Non-residential	9344 premises

Number of households/premises serviced by recycling collections:

	Kerbside	Drop off (optional)
Residential	119 981 premises	48 227 premises
Non-residential	4951 premises	2908 premises

Average premises' fee charged by council for recycling services

Residential	$ 78.70
Non-residential	$ 180.35

Annual per premise cost to council to provide a recycling service

Residential	$ 73.10
Non-residential	$ 108.00

Proportion of household/premises with access to a recycling service*:* 94 per cent

Average participation rate: 73 per cent

Table 1: Amounts of materials collected at the kerbside, sent for secondary use/energy recovery and contamination (waste) disposed of to landfill 2011–12

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 (in tonnes)
Total packaging paper i.e. cardboard and liquid paper board		23 250	
Total packaging paper i.e. paper mixed, paper white office, newspaper and magazines		18 599	
Total glass		14 907	
Total plastics		2852	
Total aluminium (cans)		634	
Total steel (cans, tins etc.)		840	
Total	**65 547**	**61 082**	**4465**

Note: The above data represents the total amount of recyclables processed in Tasmania and includes kerbside recycling and recycling away from home statistics.

Australian Capital Territory

Report to the National Environment Protection Council (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 and Sustainable Development for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Australian Capital Territory Government is unique in that it carries out both the functions of state and local government. In the Australian Capital Territory, the Environment and Sustainable Development Directorate has responsibility for the implementation and administration of the National Environment Protection Measure (NEPM) while the Territory and Municipal Services Directorate 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 Australian Capital Territory's *Waste Minimisation Act 2001* to implement the NEPM requirements in the Australian Capital Territory. The IWRP Instrument was updated on 22 April 2010.

The goal of this plan is to reduce environmental degradation from disposal of used packaging, and conserve virgin materials by encouraging waste avoidance, reuse and recycling, complementing the strategies in the Australian Packaging Covenant. The Plan aims to ensure that Covenant signatories are not competitively disadvantaged in the Australian Capital Territory marketplace.

The Australian Capital Territory is a signatory to the Covenant and is implementing a range of measures as part of its five-year Action Plan under the Covenant (the Action Plan can be accessed on the Environment and Sustainable Development Directorate website <http://www.environment.act.gov.au/waste>).

In December 2011 the Territory released the ACT Waste Management Strategy 2011–2025 which targets a resource recovery rate of more than 90 per cent by 2025 via a suite of local, regional and national measures. Measures most likely to impact on the recovery of used packaging include:

- the introduction of a Material Recovery Facility to process mixed-dry commercial waste, which should be operational in 2013–14
- the roll out of the ACTSmart Office and Business programs that facilitate the on-site sorting of waste at offices and business to increase recycling—there are now more than 450 sites participating in this program including major shopping centres and sporting venues <http://www.actsmart.act.gov.au/your_business/actsmart_business_and_office_map>.
- the introduction of public place recycling in Civic
- the introduction of public event recycling to all major events in the Australian Capital Territory in 2012–13.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

The IWRP seeks to ensure there are no free riders in the Australian Capital Territory and that generators of packaging waste either participate in the Australian Packaging covenant or are regulated under the IWRP.

Reporting year	Number of covenant signatories
2010–11	6
2011–12	5

The Australian Capital Territory Government is working constructively within the Council of Australian Governments Standing Council on Environment and Water to develop more effective mechanisms to regulate packaging waste than the current NEPM.

Recovery data

No brand owners are based in the Australian Capital Territory and hence none have been audited in 2011–12.

Supporting data

No retailer survey of packaged products was conducted in the Australian Capital Territory in 2011–12. However, a survey of all recyclers in the Australian Capital Territory was conducted and is made publicly available on the Territory and Municipal Services Directorate website <http://www.tams.act.gov.au/live/recycling-waste/about_ACT_NOWaste/publications_and_reports>.

Complaints, investigations and prosecutions

No complaints were received in 2011–12 and no investigations, prosecutions or enforcement actions were recorded.

Local government data

Local government data for the Australian Capital Territory is available on the Territory and Municipal Services Directorate website <http://www.tams.act.gov.au/live/about_our_directorate/annual_reports>.

Northern Territory

Report to the National Environment Protection Council (NEPC) on the implementation of the National Environment Protection (Used Packaging Materials) Measure for the Northern Territory by the Hon. Terry Mills MLA, Minister for Lands Planning and the Environment for the reporting year ended 30 June 2012.

PART 1 — IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

The Northern Territory Government is not a signatory to the Australian Packaging Covenant as the current Covenant remains unlikely to deliver cost-effective outcomes relevant to the unique demographic position of the Territory.

There are no known major brand owners based in the Northern Territory who are likely to have responsibilities under the National Environment Protection Measure (NEPM). In the event that Northern Territory-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 Northern Territory.

In February 2011 the Northern Territory Parliament passed the *Environment Protection (Beverage Containers and Plastic Bags) Act 2011* which prohibits retailers from providing customers with lightweight polyethylene shopping bag handles. The phase out commenced on 1 May 2011, with the ban commencing on 1 September 2011. The Environment Protection (Beverage Containers and Plastic Bags) Act also establishes the legislative framework for a Container Deposit Scheme (CDS) which commenced on 3 January 2012. The Northern Territory CDS provides for the collection of beverage containers to reduce litter, increase recycling across the Northern Territory and assists in the reduction of the amount of rubbish being disposed of to landfill.

In 2011–12 a total of $680 000 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 was 'waste and resource recovery' in which funding was provided to support projects which promote awareness of litter abatement and resource recovery across the Northern Territory.

The CDS supported a total of $221 136 in infrastructure grants for 2011–12 to assist businesses or organisations in establishing themselves as Collection Depots and Collection Points in regional and remote locations throughout the Territory. Grants were also offered to government and non-government schools across the Northern Territory to purchase caged trailers for collection, storage and transport of beverage containers. There were 75 schools awarded school trailer grants.

PART 2 — ASSESSMENT OF NEPM EFFECTIVENESS

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 2011–12 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.

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 Northern Territory. 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 recyclable material are available.

Due to the small, dispersed population and distance to markets, kerbside recycling is only financially viable in the major population centres of Darwin and 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 its existing programs.

A total of 70 444 309 approved containers were sold into the Northern Territory during the first six months of the CDS. A rise in return rate was seen from 21.9 per cent to 30.26 per cent in the first two quarters.

Reporting year	Number of covenant signatories
2010–11	0
2011–12	0

Recovery data

A total of 70 444 309 approved containers were sold into the Northern Territory during the first six months of the CDS on 3 January 2012 through to 30 June 2012. There were 18 675 266 containers returned to CDS of which 100 per cent were recycled or reused. That is 18 675 266 containers that were not sent to landfill.

Supporting data

There have been no brand-owners identified in the Northern Territory who would have obligations under clause 18 of the NEPM in 2011–12.

Complaints, investigations and prosecutions

Fourteen officers were appointed under the Environment Protection (Beverage Containers and Plastic Bags) Act to monitor compliance and undertake enforcement action.

Container Deposit Scheme

Authorised officers have:

- conducted one audit of a collection depot's operation and processes in response to a complaint
- acted as an independent party in the investigation of disagreements between collection depots and CDS Coordinators
- taken compliance action in relation to a supplier that had agreements with its CDS Coordinator terminated
- conducted inspections at three retail stores in response to complaints regarding unregistered products.

Procedural audits with CDS Coordinators, collection depots and retailers will continue to ensure that legal requirements are met. There will be specific focus on the smaller retail sector, particularly where retailers supply small, boutique product lines that may be imported by the individual retailer.

Removal of products and enforcement action will be taken where repeated breaches of the legislation are identified.

Plastic bag ban

Authorised officers moved their focus from information and education to compliance and enforcement following commencement of the plastic bag ban.

Officers have responded to more than 50 queries and complaints concerning retailers supplying illegal bags. All complaints were investigated and all bags were checked to determine if they were legal or not. Retailers found to be supplying illegal bags were provided with information and advised of steps to be taken to ensure they did not offend again. The majority of reports were due to a misunderstanding of what has been banned under the legislation. Individuals who reported on bags that were in fact legal were provided with information to ensure they understood the legislation. No re-offenders have been identified following initial warnings and no infringement notices have been issued.

Authorised officers will continue to respond to complaints and conduct audits concurrently with CDS retailer audits.

Statement of interpretation of the information

The Northern Territory Government imposes an investigative approach to the legislation under the National Environment Protection (Used Packaging Materials) Measure and the Environment Protection (Beverage Containers and Plastic Bags) Act. Prosecution will be mounted pursuant to the NEPM where required.

Local government data

Not available.

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