

## **National Waste Policy Strategy Cluster 2**

### **Markets and Standards Working Group**

#### **Terms of Reference**

#### **Background**

On 5 November 2009, the Environment Protection and Heritage Council (EPHC) endorsed the *National Waste Policy: Less waste, more resources* (the National Waste Policy).

At the 5 July 2010 meeting of the EPHC, the National Waste Policy Implementation Plan was endorsed. The Implementation Plan contains a number of high level priorities and timeframes that have been agreed by EPHC. It also sets out priority initiatives and milestones for each of the 16 strategies for the first five years. These strategies are grouped into seven clusters and a working group is to be established to implement the work program for each strategy cluster.

The Markets and Standards Working Group, co-chaired by New South Wales and Victoria, is responsible for progressing strategies two, four, five and six of the National Waste Policy. A key outcome of the National Waste Policy is that there are efficient and effective Australian markets for waste and recovered resources. Thus the National Waste Policy Implementation Plan includes a suite of strategies and activities aimed at supporting waste avoidance, reduction, recovery and re-use by addressing market impediments and removing red tape.

The Markets and Standards Working Group will report to the Environment Protection and Heritage Standing Committee (EPHSC) and the EPHC<sup>1</sup> through the National Waste Policy Implementation Working Group (IWG).

The Implementation Plan acknowledges that in addition to these priority initiatives, individual jurisdictions will continue to manage waste in line with their strategic objectives and constitutional responsibilities. This may include developing and funding their own initiatives in addition to initiatives within the work plan of the Markets and Standards Working Group.

#### **Role of the Markets and Standards Working Group**

The role of the Markets and Standards Working Group is to provide a collaborative forum which:

- Supports all governments to embody and promote sustainable procurement practices within their own operations and delivery of programs and services to facilitate certainty in the market
- Supports governments to scope the development of nationally consistent classification system for wastes (including hazardous and clinical wastes) that aligns with international conventions and current and future needs and includes the requirements, an assessment of the benefits of change and implementation options and costs
- Supports governments to develop a suite of agreed national principles, specifications, best practice guidelines and standards, to remove impediments to the development and operation of effective markets for potential waste

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<sup>1</sup> All references in this document to EPHC and EPHSC can be read to mean any other forum that may be created following the 2009 COAG Review of Ministerial Councils.

- Supports and enables the Australian Government, in consultation with local government, industry, business and the community, to provide access to knowledge and expertise in sustainable procurement and business practices
- Regularly reports progress and emerging issues to the EPHSC and Ministers (see reporting section below)
- Submits requests for cross-jurisdictional projects under the agreed work plan for the Markets and Standards Working Group to the EPHSC for approval prior to proceeding
- Shares knowledge, and discusses potential opportunities for improved markets, sustainable procurement practices and standards development between jurisdictions in the short and long term.

## **Work Plan**

The IWG will provide an annual Work Plan template to the Markets and Standards Working Group. This Work Plan will be developed and agreed by the Markets and Standards Working Group at their inaugural meeting. The Work Plan will include a template for seeking EPHSC approval for cross-jurisdictional funding requests.

There are a series of priority initiatives and key milestones relating to markets and standards under each National Waste Policy strategy that were agreed to by jurisdictions, and documented within the National Waste Policy Implementation Plan. These initiatives will form the basis of the Work Plan for the Markets and Standards Working Group and are available at [Attachment A](#). The Work plan will also include a breakdown of key activities, associated timeframes and costs, stakeholder engagement, and risk management strategies.

Where funding is required for cross-jurisdictional projects to implement elements of this Work Plan and cost sharing is agreed by the Working Group members, a draft proposal using the funding template provided by the IWG is to be submitted for approval to the EPHSC through the IWG.

Once finalised, this Work Plan must be provided to EPHSC for endorsement, and will form an attachment to these Terms of Reference.

## **Membership**

The Markets and Standards Working Group will be co-chaired by New South Wales and Victoria and comprise representatives from the Australian Government and other state, territory and local governments.

If the Markets and Standards Working Group requires expert advice, participation of an expert will be at the discretion of the co-Chairs. The co-Chairs may invite representatives to attend meetings from relevant government departments, organisations or businesses as required.

Where a member cannot attend, a nominated proxy will be accepted. Observers may attend at the co-Chair's discretion. Members will fund their own participation.

## **Administrative support**

The National Environment Protection Council Service Corporation (NEPSC) may provide administrative support to the group<sup>2</sup>.

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<sup>2</sup> NEPSC's role in providing administrative support to working groups will be subject any changes to EPHC arrangements arising from the 2009 COAG Review of Ministerial Councils.

Administrative support envisaged involves arranging meetings and distributing papers, as well as managing Markets and Standards Working Group cross-jurisdictional contracts and coordinating reports for EPHSC and EPHC. The Markets and Standards Working Group members will be provided with an agenda prior to each meeting, and minutes will be taken. A summary record of the meeting and actions arising will be distributed to all working group members as soon as practicable after each meeting.

Other options for administrative support may include one of the Chairs, co-Chairs or meeting hosts providing some of these services.

### **Frequency and conduct of meetings**

The Markets and Standards Working Group will meet regularly to progress its work. Teleconferences will be used where appropriate to minimise time and expense to members and other participants.

Any significant issues that are unable to be resolved by the Markets and Standards Working Group will be discussed by the IWG. If resolution is not achieved through this forum, the issue will be escalated to EPHSC.

### **Reporting**

The co-Chairs of the Markets and Standards Working Group will be responsible for providing timely and accurate advice in relation to National Waste Policy strategies two, four, five and six to the IWG twice a year, using the reporting templates that will be provided by the IWG. The IWG is responsible for co-ordinating reports and funding requests from the seven working groups for EPHSC and EPHC on the activities and progress of the National Waste Policy.

### **Confidentiality**

Discussions of the Markets and Standards Working Group are 'government-in-confidence'. The Working Group will agree on what, if any, information should be released into the public domain.

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## **National Waste Policy Priority Initiatives and Major Milestones**

### **Strategy Cluster 2: Markets and Standards**

#### **Strategy 2**

Governments as significant procurers of goods, services and infrastructure embody and promote sustainable procurement principles and practices within their own operations and delivery of programs and services to facilitate certainty in the market.

- Enhance education, awareness and communication of sustainable procurement within and across governments:
  - National information exchange mechanism on sustainable procurement scoped by 2013.
- Support implementation of sustainable procurement:
  - Guidance on sustainable procurement for key areas such as major infrastructure and office fit outs available by 2013.
- Report uptake of sustainable procurement principles and practices:
  - All governments publicly report sustainable procurement within their operations, program and service delivery from 2012.

#### **Strategy 4**

To introduce a national definition and classification system for wastes (including hazardous and clinical wastes) that aligns with definitions in international conventions, provides for when a product or material ceases to become a waste, and reflects these classifications in relevant policies and instruments.

- Establish a baseline:
  - Existing waste definitions and classifications in Australia are documented by 2010
  - How existing waste definitions and classifications in Australia relate to functions (eg licensing or reporting) and to international conventions are mapped by end 2011.
- Scope options:
  - National principles that provide for a waste product or material to be readily reused as a beneficial resource are identified by 2012
  - Options for moving toward a nationally consistent waste classification system that aligns with current and future needs scoped by 2013
  - Benefits and costs of options for nationally consistent waste classifications that align with current and future needs assessed by 2014.
- Agree an approach for waste classification:
  - Environment Protection and Heritage Council decision on principles that provide for a waste product or material to be readily reused as a beneficial resource made by 2013
  - Environment Protection and Heritage Council considers costs and benefits of options and a decision on an approach toward nationally consistent waste classifications made by 2014.

## Strategy 5

To facilitate the development of a suite of agreed national principles, specifications, best practice guidelines and standards to remove impediments to the development and operation of effective markets for potential wastes.

- National standards and specifications for recycled construction and demolition material and recycled organics:
  - Existing jurisdictional standards, specifications and industry initiatives as well as relevant international standards and specifications are documented by 2010
  - Options for extending existing jurisdictional approaches nationally, and developing new guidance, including costs and benefits are scoped and stakeholders consulted by 2011
  - Environment Protection and Heritage Council agrees a work program by 2012
  - Application of national standards & specifications for recycled construction & demolition, recycled organic waste in place by 2015
  - National guidance is published and referenced as appropriate in government guidelines and licensing arrangements from 2015.
- Safe re-use of waste:
  - Existing approaches documented by 2011
  - National principles developed by 2012.

## Strategy 6

To provide access to knowledge and expertise in sustainable procurement and business practices.

- Establish sustainable procurement information exchange mechanism:
  - Information needs and functional requirements in relation to sustainable procurement and business practices identified by 2012
  - Options for sharing Commonwealth, state, territory and local government sustainable procurement information including costs and benefits identified by 2013
  - Approach developed and agreed by 2014.