

National Waste Policy Strategy Cluster 5

Reducing Hazard and Risk 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 identifies six key directions and sets out priority initiatives and milestones for each of the sixteen strategies for the first five years. These strategies are grouped into seven clusters, each governed by a cluster working group to manage implementation.

The Reducing Hazard and Risk Working Group, chaired by the Australian Government, is responsible for progressing strategies 12 and 13 of the National Waste Policy. A key objective of the National Waste Policy is the development of a comprehensive nationally integrated system for the identification, classification, treatment, disposal and monitoring of hazardous substances and waste that aligns with international obligations. The National Waste Policy Implementation Plan includes a suite of initiatives aimed at ensuring that potentially hazardous content of wastes is reduced and waste recovery, handling and disposal are consistent, safe and accountable.

Work on some milestones such as establishing a risk management body for chemicals in the environment and possible environmental labelling is already underway through the EPHC National Chemical Environmental Management Working Group (NChEM) as part of a Council of Australian Government (COAG) process. Work plans, implementation and reporting arrangements will continue to be set by EPHC¹ and COAG, with progress noted as part of NChEM Working Group reporting.

Similarly, the review of the Movement of Controlled Waste NEPM will be managed under existing statutory arrangements.

The Australian Government has primary responsibility for progressing the remaining initiatives as part of meeting Australia's international obligations and managing relevant Commonwealth legislation.

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 Reducing Hazard and Risk Working Group.

Role of the Reducing Hazard and Risk Working Group

The role of the Reducing Hazard and Risk Working Group is to provide a collaborative forum which:

- Supports the Australian Government to meet international obligations, such as managing the trans-boundary movement of waste and the use of hazardous chemicals

¹ 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 all governments to implement product stewardship arrangements for potentially hazardous materials; and encourages the availability of facilities to handle and dispose of hazardous substances in an environmentally sound manner
- Supports and enables all governments to reduce the amount of hazardous materials entering the waste stream
- Supports and encourages all governments to adopt a system that aligns with international approaches to reduce hazardous substances in products and articles sold in Australia that represent a potential risk during manufacture, use and at end of life to human health, safety or the environment
- Regularly reports progress and emerging issues to the Environment Protection and Heritage Council Standing Committee (EPHSC) and Ministers (see reporting section below)
- Submits requests for cross-jurisdictional projects under the agreed work plan for the Reducing Hazard and Risk Working Group to the EPHSC for approval prior to proceeding
- Shares knowledge, and discusses potential opportunities, for improved hazard reduction in the short and long term.

Work Plan

A Work Plan is not required for existing National Waste Policy initiatives that are already being progressed through COAG, statutory or Australian Government processes.

When new cross-jurisdictional initiatives are identified, a Work Plan using the Implementation Working Group (IWG) template is to be developed by the Reducing Hazard and Risk Working Group. The Work Plan will include a breakdown of key activities, associated timeframes and costs, funding source, responsibilities, 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 Reducing Hazard and Risk 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, work plans must be provided to EPHSC for endorsement, and will form an attachment to these Terms of Reference.

Membership

The Reducing Hazard and Risk Working Group will be chaired by the Australian Government and comprise representatives from state, territory and local governments.

If the Reducing Hazard and Risk Working Group requires expert advice, participation of an expert will be at the discretion of the Chair. The Chair 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 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 group². Alternatively, the Chair, co-Chair or meeting hosts may provide some of these services.

² 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 Reducing Hazard and Risk Working Group cross-jurisdictional contracts and coordinating reports for EPHSC and EPHC. The Reducing Hazard and Risk Working Group members will be provided with an agenda prior to each meeting, and a summary record of the meeting and actions arising will be distributed to all working group members as soon as practicable after each meeting.

Frequency and conduct of meetings

The Reducing Hazard and Risk Working Group will meet regularly or as required to progress its work. Teleconferences will be used where appropriate to minimise time and expense to members and other participants.

Reporting

The Chair of the Reducing Hazard and Risk Working Group will be responsible for providing timely and accurate advice in relation to National Waste Policy strategies 12 and 13 to the IWG twice a year. Existing COAG and statutory reporting mechanisms will be used to track progress against National Waste Policy milestones. For all other milestones and any new initiatives, the reporting templates provided by the IWG will be used. 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 Reducing Hazard and Risk Working Group are 'government-in-confidence'. The Working Group will agree on what, if any, information should be released into the public domain.

Contacts

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National Waste Policy Priority Initiatives and Major Milestones

Strategy Cluster 5: Reducing Hazard and Risk

Strategy 12

To ensure that: our international obligations are met; hazardous materials entering the waste stream are reduced; transboundary movement of hazardous waste is effectively, efficiently and legally undertaken within Australia and complies with international requirements; product stewardship is adopted to provide for the impacts of a product with potentially hazardous materials being responsibly managed during and at the end of life; and facilities are available to handle and dispose of hazardous substances that become waste in an environmentally sound manner.

- Managing the risks of hazardous material:
 - A risk management body for chemicals in the environment, to advise the Environment Protection and Heritage Council, established by April 2012 as agreed by the Council of Australian Governments
 - Costs and benefits of environmental labelling of chemicals, by December 2012
 - Commonwealth Hazardous Waste Act and Controlled Waste National Environment Protection Measure reviewed and amended by June 2014.
- Disposing of hazardous waste safely:
 - In line with Australia's international obligations, a model of persistent, bioaccumulative and toxic chemicals in landfills across Australia developed by June 2015
 - Inventory of existing capacity and infrastructure, for the safe handling, disposal and/or storage of hazardous waste products and articles, completed by June 2014.
- Monitoring hazardous substances in the environment:
 - National Pollutant Inventory statutory guidance materials updated (ongoing);
 - Program to monitor levels of chemicals of concern in air over time as required by the Stockholm Convention on Persistent Organic Pollutants started by December 2010
 - Chemical specimen bank established and samples archived from June 2012.

Strategy 13

To adopt a system that aligns with international approaches, to reduce hazardous substances in products and articles sold in Australia that represent a potential risk during and at end of life to human health, safety or the environment.

- Reducing hazardous content at source:
 - Methodology for identifying articles and products containing Stockholm Convention on Persistent Organic Pollutants listed chemicals developed by June 2011
 - Requirements for developing a labelling system for products and articles containing potentially hazardous content, including costs and benefits, assessed by June 2012
 - Legislation for controlling the import of articles containing hazardous substances reviewed, and requirements identified, by June 2013.