

# *National Waste Reporting 2013*

## **OVERVIEW– POLICIES AND GOVERNANCE FOR WASTE**

Management of waste is primarily the responsibility of state and territory governments which regulate and manage waste in accordance with their respective legislation, policies and programs.

The Australian Government is responsible for national legislation, strategies and policy frameworks for waste, including measures that give effect to obligations under international agreements.

Local governments have responsibility for waste management within their local areas as laid down by the regulatory framework of each state or territory. Local governments play an important role in providing household waste collection and recycling services, managing and operating landfill sites, delivering education and awareness programs, and providing and maintaining litter infrastructure.

Managing waste is not just the responsibility of governments. A range of industries and businesses, as well as communities, households and individuals are involved in waste management and resource recovery.

### **National governance and policy action on waste**

Australian governments have a long history of collaboration on waste policy and actions. The first comprehensive domestic approach to waste management was agreed under the 1992 National Strategy for Ecologically Sustainable Development (the National Strategy for ESD) by the Council of Australian Governments (COAG), which committed Australia to improving the efficiency with which resources are used, reducing the impact on the environment of waste disposal; and improving the management of hazardous wastes, avoiding their generation and addressing clean-up issues. This commitment has underpinned the policies and programs implemented by governments to date and formed the basis for collaboration by environment ministers on national waste issues.

- [\*\*National Waste Policy: Less waste, more resources\*\*](#) (the National Waste Policy), agreed by all Australian environment ministers in November 2009 and endorsed by COAG in October 2010, provides the strategic national framework for waste management and resource recovery in Australia to 2020.

The National Waste Policy provides the basis for collaboration among stakeholders to deliver effective approaches to national waste issues, to avoid the generation of waste, reduce the amount of waste for disposal, and manage waste as a resource to deliver economic, environmental and social benefits. Implementation of the policy means that all wastes, including hazardous wastes, will be managed in a way that is consistent with Australia's international obligations and for the protection of human health and the environment.

The National Waste Policy sets six key directions:

- taking responsibility
- improving the market
- pursuing sustainability
- reducing hazard and risk
- tailoring solutions
- providing the evidence.

Sixteen priority strategies have been identified that build on these key directions to govern work that would benefit from a national or coordinated approach, provide focus for work occurring in individual jurisdictions and compliment existing activity. Progress against the 16 strategies is reported in the [National Waste Policy Implementation Reports](#).

### **National legislation for waste**

Australia is party to a number of international conventions and agreements relevant to waste that have been reflected in national legislation. An overview of the key waste-related international conventions, agreements and legislation is provided in the overview on waste-related international obligations. Other national legislation relevant to waste includes:

- [National Environment Protection Measures](#) (NEPMs) are made under the [National Environment Protection Council Act 1994](#) (Commonwealth), and corresponding legislation in other Australian jurisdictions. NEPMs are a special set of national objectives designed to assist in protecting or managing particular aspects of the environment. NEPMs can be made about a variety of environmental matters as prescribed by the NEPC Act.

The two key NEPMs relating to waste are:

- Movement of Controlled Waste between States and Territories NEPM to assist in achieving the desired environmental outcomes 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 those wastes.
- Used Packaging Materials NEPM to reduce environmental degradation arising from the disposal of used packaging and conserve virgin materials through the encouragement of reuse and recycling of used packaging materials by supporting and complementing voluntary strategies in the Australian Packaging Covenant.
- The [National Greenhouse and Energy Reporting Act 2007](#) (NGER Act) introduced a single national framework for reporting and disseminating company information about greenhouse gas emissions, energy production, energy consumption and other information specified under NGER legislation.
- The [Product Stewardship \(Oil\) Act 2000](#) establishes the general framework and benefit entitlements of the Product Stewardship for Oil Program arrangements.

- The [Product Stewardship Act 2011](#) provides the framework to effectively manage the environmental, health and safety impacts of products, and in particular those impacts associated with the disposal of products. The framework includes voluntary, co regulatory and mandatory product stewardship.

### **State and territory legislation, policies and governance for waste**

State and territory governments have primary responsibility for regulating and administering waste, including planning for waste management and waste avoidance, minimisation and reuse, licensing and regulation of waste transport, storage, treatment, resource recovery and disposal, and managing the impacts of waste management activities.

All state and territory governments have enacted comprehensive legislative and policy instruments to protect the environment and conserve natural resources. Their relevant waste management and resource recovery legislation and strategies are provided in Table 1 below and are discussed further in the state and territory factsheets.

Table 1: State and territory waste management and resource recovery legislation and strategies

State/territory	Legislation	Strategy
<b>ACT</b>	<ul style="list-style-type: none"> <li>• <i>Environment Protection Act 1997</i></li> <li>• <i>Clinical Waste Act 1990</i></li> <li>• <i>Waste Minimisation Act 2001</i></li> <li>• <i>Litter Act 2004</i></li> <li>• <i>Dangerous Substances Act 1990</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>ACT Waste Management Strategy 2011-2025</i></li> </ul>
<b>NSW</b>	<ul style="list-style-type: none"> <li>• <i>Protection of the Environment Operations Act 1997</i></li> <li>• <i>Waste Avoidance and Resource Recovery Act 2001</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Waste Avoidance and Resource Recovery Strategy 2007</i></li> </ul>
<b>NT</b>	<ul style="list-style-type: none"> <li>• <i>Waste Management and Pollution Control Act</i></li> </ul>	
<b>Qld</b>	<ul style="list-style-type: none"> <li>• <i>Waste Reduction and Recycling Act 2011</i></li> <li>• <i>Environment Protection Act 1994</i></li> <li>• <i>Environment Protection Regulation 2008</i></li> <li>• <i>Environment Protection (Waste Management) Regulation 2000</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Queensland's Waste Reduction and Recycling Strategy 2010-2020<sup>1</sup></i></li> </ul>
<b>SA</b>	<ul style="list-style-type: none"> <li>• <i>Environment Protection Act 1993</i></li> <li>• <i>Zero Waste SA Act 2004</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Environment Protection (Waste to Resources) Policy</i></li> <li>• <i>South Australia's Strategic Plan</i></li> <li>• <i>South Australia's Waste Strategy 2011-2015</i></li> </ul>
<b>Tas</b>	<ul style="list-style-type: none"> <li>• <i>Environmental Management and Pollution Control Act 1994</i></li> <li>• <i>Environmental Management and Pollution Control (Waste Management) Regulations 2010</i></li> <li>• <i>Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations 2010</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Tasmanian Waste and Resource Management Strategy</i></li> </ul>
<b>Vic</b>	<ul style="list-style-type: none"> <li>• <i>Environment Protection Act 1970</i></li> <li>• <i>Environment Protection (Industrial Waste Resource) Regulations 2009</i></li> <li>• <i>Sustainability Victoria Act 2005</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Getting full value: the Victorian Waste Management and Resource Recovery Policy</i></li> </ul>
<b>WA</b>	<ul style="list-style-type: none"> <li>• <i>Waste Avoidance and Resource Recovery Act 2007</i></li> <li>• <i>Waste Avoidance and Resource Recovery Levy Act 2007</i></li> <li>• <i>Waste Avoidance and Resource Recovery Levy Regulations 2008</i></li> <li>• <i>Environment Protection Act 1986</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Western Australian Waste Strategy: "Creating the Right Environment"</i></li> </ul>

<sup>1</sup> Qld's *Waste Reduction and Recycling Strategy 2010-2020* is undergoing review. More information is available in the factsheet on jurisdictional waste profiles – Queensland (Qld).