

# Filter Criteria for National Environment and Heritage Issues



## STAGE 1

FILTER CRITERIA	USEFUL CRITERIA TESTS
Is there a role for Governments?	<ul style="list-style-type: none"> <li>Market failure/externalities (off site impacts, public goods)</li> <li>Protect the environment/biodiversity/heritage</li> <li>Ensure public health and safety</li> <li>Regulatory failure</li> <li>Existing markets won't fix the problem eg through encouraging industry self-regulation</li> <li>There are gaps in the existing policy framework</li> <li>General laws are insufficient eg trade practices, competition policy, mutual recognition</li> </ul>
What is the scale of the problem?	<ul style="list-style-type: none"> <li>Widespread and/or high impact on environment, heritage values, industry or populations</li> <li>High risk of continuance or re-occurrence</li> <li>Chronic</li> </ul>
What is the scope of the problem?	<ul style="list-style-type: none"> <li>Local eg area specific problems</li> <li>State eg regional environmental differences, landuse activity issues</li> <li>National/cross border eg including downstream impacts of polluting activities</li> <li>International eg oceans, atmosphere pollution, world heritage, the Burra Charter</li> </ul>
Are there benefits from national action?	<ul style="list-style-type: none"> <li>Single environmental or heritage standard required eg to achieve consistent outcome or approach</li> <li>Cost effectiveness for C'wlth, States and industry</li> <li>Faster technological transfer</li> <li>Likely to be only effective means of dealing with the issue</li> <li>Benefits to government, industry and the community from national consistency</li> </ul>
Who has the powers/responsibilities?	<ul style="list-style-type: none"> <li>States and Territories</li> <li>Commonwealth (eg EPBC Act)</li> <li>National legislation (eg NEPC, NRTC) or agreements (eg international agreements)</li> </ul>

## STAGE 2

Consider effective approaches and appropriate forum for future consideration	
State environment, heritage and natural resources policy and legislation. Commonwealth taxation, funding, policies and legislation, international agreements	STATES AND TERRITORIES COMMONWEALTH
<p>Bilateral and national agreements or complementary measures/legislation req'd.</p> <p>Discussion of emerging national environment and heritage issues, policies for national consistency based on cooperative rather than statutory approach eg national funding programs, guidelines, voluntary standards, information provision, best practice, monitoring, databases</p> <p>Joint national guidelines – heritage assessment and protection, water quality, agriculture, health etc.</p> <p>Motor vehicles – noise emissions ADRs</p>	<p><u>National</u> C'WTH/STATE STATE/STATE EPHC/NEPC NRMCMC EMC</p> <p><u>Joint</u> EPHC/NRMCMC EPHC/NHMRC EPHC/NTC/ATC EPHC/MCATSIA etc</p>
<p>Significant national environment issues under scope of NEPC Act:</p> <p>equivalent protection from air, water and soil pollution and from noise, ensure business decisions not distorted and markets are not fragmented, ambient air quality, ambient marine, estuarine and fresh water quality, noise (as it relates to adverse effects on national markets), assessment of contaminated sites, hazardous waste, reuse and recycling.</p> <p>Single regulatory regime required but with flexible implementation. National leadership on significant chronic problems.</p>	NEPC
Broadly based issues of major national significance. High Level of political leadership required. Whole-of-Government sign off necessary eg major legislation, resource cost.	COAG