



ALGA MAIL

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**The Hon Tony Burke MP**

**Minister for Sustainability, Environment, Water, Population and Communities**

C12/18188

Mayor Genia McCaffery  
Chair, National General Assembly  
President, Australian Local Government Association  
8 Geils Court  
DEAKIN ACT 2600

29 NOV 2012

Dear Mayor

I refer to your letter of 3 September 2012 concerning the Australian Local Government Association National General Assembly's (NGA) 2012 resolutions. I regret the delay in responding.

Responses to resolutions relevant to my portfolio (Resolutions 33, 48, 49, 51.1, 54 and 59) are included as an attachment to this letter.

I have sent a copy of your letter to the Minister for Employment and Workplace Relations, Financial Services and Superannuation, the Hon Bill Shorten MP, who has portfolio responsibility for Resolution 70, "NGA calls on the Government to reconsider its decision to end the National Green Job Corps program on 30 June 2012".

I have also copied this letter to the following Ministers, who have interests in these resolutions: the Treasurer, the Hon Wayne Swan MP; Minister for Resources, Energy and Tourism, the Hon Martin Ferguson AM MP; Minister for Agriculture, Fisheries and Forestry, Senator the Hon Joe Ludwig; and Minister for Climate Change and Energy Efficiency, the Hon Greg Combet AM MP.

Thank you for bringing the Australian Local Government Association's views to my attention.

Yours sincerely

Tony Burke

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The United States Department of the Interior

SECRET

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## **Response to the Australian Local Government Association National General Assembly's 2012 resolutions relating to the Sustainability, Environment, Water, Population and Communities portfolio**

### Resolution number 33: NGA calls on the Australian Government to develop a Sustainable Population Policy

On 13 May 2011, I released *Sustainable Australia – Sustainable Communities: A Sustainable Population Strategy for Australia* (the Strategy). The Strategy outlines the Australian Government's framework for creating a sustainable Australia by promoting sustainable communities. Through the Strategy the government provides high-level leadership to policy makers at all levels of government. Effort and coordination is required across governments, portfolios and sectors to secure our economic prosperity, improve the liveability of our cities, suburbs and regions, and protect our environment.

The Strategy defines a vision for sustainable communities as those which have the right mix of services, job and education opportunities, affordable housing, amenity and natural environment that make them places where people want to live, work and build a future. The delivery of services within local communities is generally the responsibility of the relevant state and local governments. However, the Government is committed to implementing policies which will promote sustainable communities, and to maintain and improve the wellbeing of current and future generations across Australia. The Strategy's focus is on ensuring that we have in place the necessary policy settings and governance arrangements which will deliver improvements in our wellbeing, at the local, regional and national levels into the future.

As you have identified, some of the critical issues associated with effectively managing a changing population include infrastructure planning and investment, migration settings, energy efficiency and renewable energy, agricultural productivity and supporting growth and development in regional Australia. As identified in the Strategy, the Government has a range of policies and programs in place across a range of portfolios that are tackling these issues. Additionally, the Strategy is framed by a set of six principles that express a commitment to essential aspects of the Australian way of life and the benefits of our democracy and governance. These principles will guide how the Government addresses population and community issues into the future.

### Resolution number 48: NGA calls on the Government to introduce legislation to place a value on water reflective of the environmental and social sustainability issues incurred in water extraction and review allocation of groundwater extraction entitlements

In 1994 the Council of Australian Governments (COAG) agreed to consumption based pricing, full cost recovery, the reduction or elimination of cross-subsidies, and making subsidies transparent. Since that time Governments have progressively implemented this agreement. The 2004 Intergovernmental Agreement on a National Water Initiative building on earlier reforms, included a commitment to manage environmental externalities through regulatory measures (such as through setting extraction limits and setting conditions on water use) to ensure that the environment has adequate water. Governments also agreed to examine the feasibility of using market mechanisms such as pricing to account for environmental externalities as part of water pricing. This approach, through COAG, reflects the Government's national and cooperative approach to water management.



Governments are already using regulatory mechanisms to ensure that the environment and social requirements are met. In general this involves the setting of sustainable extraction limits, rather than pricing; complementing market mechanisms. By establishing a limit, the water available for consumptive use becomes a valuable resource and a market enables users to make the best use of the water.

The approach being taken in the Murray-Darling Basin Plan is to establish a sustainable diversion limit for all Basin water resources (including groundwater resources) to ensure that environmental requirements are met. Once these limits are established critical human water needs have the first call on available water. The Basin Plan will also establish water trade rules to ensure the market in the Basin works well and consistently. The Government is committed to returning water to the environment through market means, in particular, the bridging the gap commitment will ensure that water is acquired from willing sellers and through infrastructure upgrades, rather than reducing the entitlements of other users in the river systems of the Murray-Darling Basin.

#### Resolution number 49: NGA calls on the Government to delay the introduction of the Murray-Darling Basin Plan

The Government's position is that the Murray-Darling Basin Plan will have a sound scientific foundation and optimise economic, social and environmental outcomes. I will continue to work with Basin water ministers to finalise the plan and ensure we get the balance right. Ultimately, I must be satisfied with the Plan before tabling it in Parliament later this year.

#### Resolution number 51.1: NGA calls on the Government to allow local government to have greater input into the planning of mining and gas exploration

While the Government has a policy interest in land use issues, particularly those that affect our agricultural and food industries, decision-making with regard to land use planning primarily rests with state and local governments.

Within my portfolio responsibilities, I appointed the Interim Independent Expert Scientific Committee on Coal Seam Gas and Coal Mining in 2011 to ensure that future decisions about the potential water-related impacts of coal seam gas and large coal mining activities are informed by substantially improved science and independent expert advice.

The committee has three key roles:

- Providing advice to governments on coal seam gas and coal mining projects;
- Oversee bioregional assessments in areas where coal seam gas and/or large coal mining developments are underway or planned; and
- Oversee research on potential water-related impacts of coal seam gas and/or large coal mining developments.

The Government has allocated \$150 million over the period 2011-12 to 2015-16 for the committee's work, including bioregional risk assessments and research program. The aim of the Government's investment is to provide greater confidence to communities where coal seam gas and coal mining is occurring through the provision of independent scientific expert advice to governments on the direct and cumulative impacts of proposed developments. Where the science is uncertain, the committee's work will seek to address this inadequacy.



This committee will be an open committee, providing regular public updates of its work on its website, publishing its advice and the outcomes of bioregional assessments and commissioned research.

Resolution number 54: NGA calls on the Government to implement a national scheme for the recycling of mercury from light globes, to reduce the amount of mercury from old light globes that are going to landfill

The National Waste Policy, which was agreed by all Australian environment ministers in 2009, outlines a ten-year vision which puts Australia on a path to producing less waste and managing waste as a resource to deliver economic, environmental and social benefits. The FluoroCycle scheme is a priority initiative in the National Waste Policy Implementation Plan.

FluoroCycle is a national, voluntary scheme to increase recycling of mercury-containing lamps from the commercial and public sectors and reduce the amount of mercury-containing waste going to landfill. FluoroCycle gives public recognition to businesses and organisations that either recycle their waste lamps that contain mercury or take action to promote the scheme.

Lighting Council Australia, the industry body for lighting products, administers FluoroCycle on behalf of the Government and all Australian environment ministers. The Government provided \$600,000 in funding for the first three years of the scheme, which commenced operations on 21 July 2010.

I am pleased to advise that Lighting Council Australia has committed to continuing FluoroCycle as an industry-led and funded voluntary scheme from July 2013.

Commercial and public lighting accounts for the great majority of lighting waste. Many of the lights typically used for commercial and public lighting contain much higher levels of mercury than the compact fluorescent lamps used by households. By targeting the commercial and public sectors, FluoroCycle can have a greater impact on recycling rates and keeping mercury out of landfill.

In Australia, waste management is mainly a state and local government responsibility. A number of state governments are working with local government and business to implement collection schemes for waste lighting from the domestic sector. I would encourage local governments to continue to work with state governments to put in place arrangements that suit the situation in their local areas.

Resolution number 59: NGA calls on the federal and state governments to investigate the feasibility of introducing an appropriate Heritage Rehabilitation Federal Tax Credit Scheme

Prior to 1999, the Government income tax rebate scheme, *Tax Incentives for Heritage Conservation*, provided a 20 per cent rebate, capped at \$10 million, on heritage conservation works. The scheme was discontinued in part due to the Government's response to the 1996 report of the National Commission of Audit, which argued that tax expenditures are less transparent and accountable than direct outlays.

The Government announced in the 2011-12 Budget an ambitious reform agenda for the not-for-profit sector, including the establishment of the Australian Charities and Not-for-profits Commission, and a statutory definition of charity. The statutory definition of charity is intended to clarify and provide greater certainty about the existing common law principles.

Deductible gift recipient (DGR) support via specific listing in the tax law has been provided in the past to heritage buildings, but only for urgent and critical repairs and where the building is of national significance. The National Trusts in each state and territory are specifically listed in the tax law to provide DGR support for the restoration and conservation of buildings and landscapes important to Australia's cultural and natural heritage.

The resolution touches on a subset of work currently being undertaken by the Not-for-profit Sector Tax Concessions Working Group, which is considering the effectiveness of the current range of not-for-profit tax concessions (including broad reform options around gift deductibility), in directly supporting the activities of the sector. It will make recommendations by March 2013 on the need for more effective, fairer and simpler Government support, and how best to deliver this.

The Government has passed along the NGA's resolution to the Working Group for its information and consideration.