



Submission on the Draft State Waste Strategy

PREPARED BY THE



MUNICIPAL WASTE ADVISORY COUNCIL

"Getting the Environment Right"

December 2009

Status of this Submission

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (WALGA). The Municipal Waste Advisory Council is a standing committee of the WA Local Government Association, with delegated authority to represent the Association in all matters relating to solid waste management. MWAC's membership includes the major Regional Councils (waste management). The Regional Councils members of MWAC include the Eastern Metropolitan Regional Council, Mindarie Regional Council, Rivers Regional Council, Southern Metropolitan Regional Council, Western Metropolitan Regional Council and the City of Geraldton-Greenough. This makes MWAC a unique forum through which all the major Local Government waste management organisations cooperate. This Submission therefore represents the consolidated view of Western Australia Local Government. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

This is a draft Submission and was endorsed by the Municipal Waste Advisory Council on Wednesday 9 December 2009.

The Municipal Waste Advisory Council's member organisations are:

- Eastern Metropolitan Regional Council
- City of Geraldton-Greenough
- Mindarie Regional Council
- Rivers Regional Council
- Southern Metropolitan Regional Council
- Western Metropolitan Regional Council
- Western Australian Local Government Association

Executive Summary

The draft Strategy has provided a good starting point for discussion and greatly assisted in providing a framework for suggestions to be put forward. The Association gratefully acknowledges the funding provided by the Waste Authority to facilitate Local Government input into the State Waste Strategy and in the development of this Submission.

Waste management is a significant activity for Local Government. Local Government spends in excess of \$130M annually (not including capital expenditure) on waste management related activities, providing a range of services to the community. Local Government is committed to working in partnership with other stakeholders to achieve sustainable waste management outcomes.

The National Waste Policy needs to be reflected in the State Waste Strategy. The Strategy needs to clearly identify the drivers for action, such as climate change, and emphasise the benefits of waste reduction, resource recovery and diversion of waste from landfill. The current aim for the Strategy needs to be amended to make clearer what the Strategy is seeking to achieve.

Roles and responsibilities are identified to some extent in the draft Strategy, however there are a range of other stakeholders which should be identified. For Local Government it is important to be clear what the legislative responsibilities are for the sector.

For Local Government there are constraints to achieving waste management outcomes. These include contractual arrangements, approvals process and structural reform. In setting timelines, these constraints should be considered. Further, identification of funding is necessary to ensure that whatever Targets are set can be achieved. Local Government has identified that the primary criteria for setting the Waste and Resource Recovery Levy should be the Levy's capacity to fund the implementation of the State Waste Strategy.

Detailed comment is provided in this Submission on the Targets. For Municipal Solid Waste, Commercial & Industrial and Construction & Demolition material, percentage recovery targets are supported. Comments are included on the range of strategies in the draft Strategy and additional options included (such as a funding scheme for the implementation of Strategic Waste Management Plans). In order to measure whether Targets are being achieved and strategies are effective robust data collection and reporting systems are needed.

To achieve waste reduction, increase resource recovery and reduce waste to landfill the State Waste Strategy will have to work across the whole supply chain. Product Stewardship offers a way to affect the production process, alternative waste treatment is one method to recover organic waste and put it to use, waste education provides for long term behaviour change within the community.

Finally, for the Strategy, the lines of accountability need to be clear. Responsibility for achieving Targets and strategies should be negotiated and agreed. Review for the Strategy should be considered and planned for before the Strategy is finalised.

A structure is suggested for the Strategy, which for each Target identifies how the Target will be measured and the reporting process, then aligns the strategies, responsible agencies, funding and timeframe.

Summary of Recommendations

Recommendation: *To facilitate a partnership approach, that WALGA, on behalf of Local Government, be given the opportunity to endorse the State Waste Strategy.*

Recommendation: *The Waste Strategy include specific undertakings by State Government to consider waste management in policy decisions and project planning.*

Recommendation: *That waste management interests be represented on the Infrastructure Coordination Committee.*

Recommendation:

- 1. That waste management infrastructure be defined as 'essential infrastructure' in planning policy.*
- 2. That a State Planning Policy be developed for waste management.*

Recommendation: *That the Department of Health or health sector of Local Government be consulted as part of the decision making process before approval is given for large waste management facilities.*

Recommendation: *Consistent terminology should be used throughout the document.*

Recommendation: *Term 'waste reduction' should be used for the Target instead of waste avoidance.*

Recommendation:

- 1. In the Strategy, the definition of waste used should be the same as that in the WARR Act 2007.*
- 2. Where specific wastes are not going to be included in the Strategy, these wastes should be clearly identified.*
- 3. For wastes which are governed by other Acts/regulations these should be clearly identified.*

Recommendation:

- 1. The State Waste Strategy include the Litter Prevention Strategy target of a 25 % reduction in litter by 2014 in Western Australia compared to the 2007/08 National Litter Index results.*
- 2. The State Waste Strategy reference the Litter Prevention Strategy and include strategies to support the achievement of the Litter Prevention Strategy.*

Recommendation: *That an additional strategy be included in the State Waste Strategy which articulates the State Government support for the National Waste Policy and working with the EPHC to achieve the outcomes identified in the Policy.*

Recommendation: *Greater identification of the rationale and drivers for the strategy and benefits from waste reduction, resource recovery and diversion of waste from landfill be included.*

Recommendation:

- 1. A brief summary be included of each of the recent state strategies, investigations and policy statements regarding waste management.*
- 2. Information regarding success/failure of these documents.*
- 3. A brief outline of how the documents have contributed to the current State Waste Strategy.*

Recommendation: *Remove section outlining 'values' and strengthen 'principles' section.*

Recommendation: Reword the aim to include the purpose for the Strategy and outline in the WARR Act and the States commitments to sustainability.

Recommendation: Include an additional principle regarding community engagement and empowerment.

Recommendation: A section be included in the Strategy identifying Strategic Partnerships (for example with Local Government, the waste industry and community groups) and the roles and responsibilities of those stakeholders.

Recommendation: Definitions of organisations and groups given in the waste management responsibilities section be amended to include:

- **Local Government: under the Waste Avoidance and Resource Recovery Act 2007, Local Government has responsibility for waste from residential sources and its own waste. Local Government provides a range of waste management services to the community, is responsive to community needs and provides community education.**
- **Western Australian Local Government Association (WALGA): is the peak organisation for Local Government in Western Australia. WALGA provides an essential voice for almost 1,300 Elected Members, 11,000 employees and the 2 million constituents of the 141 Councils in WA (including Christmas Island and Cocos (Keeling) Islands).**
- **Waste Management Association of Australia (WMAA): is the peak association for waste management professionals.**
- **Conservation Council of WA: is the State's representative for conservation groups who are active in protecting the natural environment and sustainability in WA**
- **Other relevant State Government agencies (for example Water Corporation, Keep Australia Beautiful Council, Training Industry Council).**

Recommendation: Amend the definition of the EPA to reflect new structure.

Recommendation:

- 1. Note that the DEC supports the Waste Authority function and identify when the DEC is acting in its regulatory function.**
- 2. Note the partnership needed between the Waste Authority and DEC to ensure that the regulatory and policy function work together to achieve the Waste Strategy Targets.**

Recommendation: A more extensive summary of the Waste Authority functions be included in the Strategy.

Recommendation: Waste Authority to engage with the Minister for Local Government to ensure timelines for waste management activities and structural reform will work together.

Recommendation: That when finalising the State Waste Strategy the Authority consider the constraints placed on Local Government operations.

Recommendation: Sources of funding for each strategy be identified in the State Waste Strategy.

Recommendation: That Regional Centre be defined clearly in the strategy and the rationale for 25,000 population for these Regional Centres be given.

Recommendation: That target dates for strategies be given as short, medium or long term and this assessment be based on resourcing, funding, commencement of the Strategy and relative priority.

Recommendation: *The waste levy should be set to ensure sufficient capacity to implement the State Waste Strategy.*

Recommendation: *Reduce the number of Targets.*

Recommendation: *Waste reduction targets be included for priority material types and / or sectors.*

Recommendation: *A percentage recovery rate for MSW is supported, but given current recovery rates, concerns with the data used for projections and current recovery rate a 50% recovery rate by 2015 Target is supported.*

Recommendation

- 1. Remove this Target 3.**
- 2. Include a non-metropolitan target in the Strategy at the 5 year review point.**

Recommendation: *remove Target 4.*

Recommendation: *A quantitative percentage based recovery target be set for C&I waste. This Target be based on a 25% increase in recycling based on the current recovery rate.*

Recommendation:

- 1. A Target be included which gives a reduction in waste to landfill as the measure. Initially this Target to focus on the metropolitan area.**
- 2. Remove Targets 7 – 10.**

Recommendation: *The strategies should be clearly linked to the Targets they are intended to contribute to achieving.*

Recommendation: *That strategies for waste reduction include a focus on waste prevention plans for business sectors or individual enterprises.*

Recommendation: *A long term funding scheme for SWMP's be developed and implement in consultation with Local Government.*

Recommendation: *Services and waste planning for Indigenous communities be removed from them State Waste Strategy until such time as Commonwealth and State negotiations on service provision to these areas are finalised.*

Recommendation:

- 1. Data collection and management be linked to the Targets for the Strategy.**
- 2. Considerations when establishing data collection methodology include:**
 - Assessing when new data is needed**
 - Determining who is best placed to collect the data**
 - Understanding the metadata**
 - Funding for data collection**

Recommendation: *Establish the accuracy of the base line data.*

Recommendation: *In data reporting, a measure be included to link waste generation, population growth and economic activity.*

Recommendation: *The Waste Authority establish a transparent methodology for determining priority products.*

Recommendation:

- 1.** *That a support scheme for AWT be put in place (as outlined in Appendix 6).*
- 2.** *That a centre of excellence for waste management be established (as outlined in Appendix 6).*

Recommendation: *That the State Waste Strategy include clear commitments from the State Government to support community education on waste management.*

Recommendation: *In order to build on the work already undertaken to identify contingency issues for the waste industry, Local Government be involved in any future contingency planning activities for waste management.*

Recommendation: *Any future investigations into a potential ban to landfill for any material type only be undertaken as a part of a multi-tool approach incorporating EPR programmes and other appropriate policies and mechanisms.*

Recommendation: *Provision for training be included in the Strategy to facilitate effective implementation.*

Recommendation: *Consideration and measures of resource efficiency be included in the State Waste Strategy at the 5 year review period.*

Recommendation:

- 1.** *That the Strategy acknowledges the likely impact of carbon related market based instruments from the Commonwealth and their likely impacts on waste as a covered sector.*
- 2.** *That the Strategy seeks to develop a framework, in partnership with local government, to ensure Commonwealth market based instruments do not adversely affect the financial sustainability of Local Government waste management services.*

Recommendation: *For each strategy the lead agency/responsible stakeholder be identified.*

Recommendation: *Terms of reference outlining the criteria and methodology for reviewing the Strategy be established.*

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1 Introduction

This Submission provides a detailed consideration of the Draft Waste Strategy for Western Australia (2009). The Association would like to thank the Waste Authority for the funding provided which enabled a comprehensive consultation on the draft Strategy and greatly assisted with the formulation of this Submission.

For the State Waste Strategy to be comprehensive it will need to be inclusive of all waste streams, work across the supply chain (from manufacture to disposal) and be in line with the National Waste Policy.

1.1 Local Government support for a State Waste Strategy

Waste Management is a significant activity for Local Government. The operating cost of Local Government waste management and related activities exceeds \$130M per annum (WA Grants Commission, 2009). Additionally tens of millions of dollars of new capital are invested each year to meet increased demand and adopt new technologies. In the metropolitan area, a collection service for waste and recycling is provided to the vast majority of households. In the non-metropolitan area, most regional centres have both kerbside waste and recycling services; in the regional areas waste and recycling services vary dependent on population. Local Government runs landfills, provides waste and recycling kerbside collection and processing services, transfer stations, community education programmes and recycling drop off facilities. Local Government also provides some services to the commercial sector.

In developing or supporting policy, Local Government has a twin role, as a representative of the community and as a service provider. Local Government must represent community values since these are the fundamental basis for undertaking new challenges and continuing past work. Local Government must also apply its service provider expertise when considering means by which to achieve community benefits.

Local Government asserts that the community supports the Sustainability Principle which the State Government defines as “meeting the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity” (WALGA, 2008). The community expects waste management activities and policies to be pursued in accordance with the Sustainability Principle.

Local Government considers that the Sustainability Principle must be applied to ensure the development of far-sighted waste policies. This Principle requires that the materials currently consumed and discarded as waste will be valued by current and future generations as a resource to be conserved, reused and recycled.

Section 1.3(3) of the Local Government Act 1995 states “In carrying out its functions a Local Government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity”.

Based on the Sustainability Principle, the State Waste Strategy will direct Local Government investment and activities relating to waste management for the next 10 years. Therefore for Local Government it is vital to ensure this Strategy is comprehensive, achievable, measurable and supported by State Government.

Waste from households and Local Government sources represents between 20-25% of the waste going to landfill. The other 75-80% of waste to landfill is material from commercial and industrial sources and construction and demolition activities. Of the waste streams going to landfill, Local Government waste is the only waste stream to show a *decrease* in tonnages to landfill. Despite increasing population, Local

Government waste to landfill has decreased by approximately 1% per year since 1999/2000. *This decrease is the result of recycling and resource recovery operations by Local Governments (Cardno, 2008).*

Through its activities as a service provider, Local Government has demonstrated an ongoing commitment to waste reduction, resource recovery and diversion of waste from landfill. Local Government has also strongly supported (and continues to support) Extended Producer Responsibility schemes.

Through the WA Local Government Association, Local Government has engaged the broader Climate Change and Sustainability agenda (see Section 1.2).

This provides a precedent for agreement from State and Local Government regarding outcomes to be achieved at the State level. As has been identified in the draft Strategy:

Waste in WA will need to be managed in accordance with the strategy, which will be implemented in partnership between State Government, Local Government, the waste and resource recovery industry, business and the broader community.

1.2 State/Local Government Climate Change and Sustainability Partnership Agreement and WALGA Climate Change Policy Statement

In August 2007, the State/Local Government Climate Change and Sustainability Partnership Agreement was signed. The purpose of the Partnership Agreement is to establish an enduring partnership between State and Local Government for the purposes of ensuring communication, co-operation and joint action on common goals and priority areas in relation to climate change and sustainability. The Agreement was signed by the WA State Government, WA Local Government Association (WALGA) and Local Government Managers Australia (LGMA).

The objective of the Agreement is for Western Australian State and Local Government to work in partnership in order to effectively promote and enhance:

- the sustainable development of local communities; and
- the capacity of local communities, both individually and collectively, to respond to the global challenge of climate change.

For waste management, the commitments include:

- promoting best practice sustainable waste management principles to maximise opportunities for recycling and resource recovery, and to assist the transition towards zero waste;
- progressing waste management and resource recovery legislation incorporating powers for Extended Producer Responsibility (EPR) schemes,
- applying the EPR and Product Stewardship policy framework for priority wastes; and,
- identifying and minimising planning, legal, financial, contractual and other barriers to the development of best-practice municipal waste recycling systems and infrastructure.

In June 2009, the WALGA State Council endorsed a Climate Change Policy Statement for the Association. This Policy Statement is to ensure that Local Government understands and addresses climate change impacts in a local, regional and international context, evaluates the climate change implications of operational decisions and policy positions, and is committed to greenhouse emissions reductions and risk management through appropriate mitigation and adaptation strategies. Through the endorsement of these documents, on behalf of Local Government, WALGA has demonstrated the sectors commitment to waste management and addressing climate change.

Recommendation: To facilitate a partnership approach, that WALGA, on behalf of Local Government, be given the opportunity to endorse the State Waste Strategy.

1.3 Waste Management as an Essential Service

The issue of waste management as an essential service has been raised numerous times. An essential service can be defined as one where a “failure to adequately provide this service would have serious implications for the physical and economic well being of all residents with similar impact on the local environment” (Geelong, 2006). For waste management, given the climate change implications, this can be widened to include the global environment.

This suggestion generally relates to the need to raise the profile of waste management services to ensure they are included in planning schemes, adequate buffer distances are maintained and there is consideration of metropolitan and state wide waste planning.

In the recent State Waste Inquiry one of the recommendations stated:

Recommendation 10: The Committee recommends that the Government give consideration to the development of essential services legislation, and to incorporate waste collection and management in any definition of “essential services” included within such legislation.

Essential services legislation is currently in place in Queensland, Victoria and New South Wales. In these states the legislation focuses largely on government run services and waste management (garbage collection) is only included in the NSW legislation (Russell, undated). This legislation is mainly intended to be used regarding industrial action. The needs expressed by Local Government in relation to inclusion of waste management in planning schemes are unlikely to be addressed by this type of essential services legislation. With regard to ensuring service provision, the Federal Industrial Relations laws may provide some coverage as they specifically mention prevention of industrial action “in the public interest”.

Given the other concerns expressed by Local Government regarding a lack of consideration of waste management in government policy decisions and large scale project planning a specific statement committing government to include waste management in these activities would be beneficial.

Recommendation: The Waste Strategy include specific undertakings by State Government to consider waste management in policy decisions and project planning.

1.4 Provision for Waste Management in Planning Activities

The Western Australian Planning Commission have an Infrastructure Coordination Committee. This structure includes a range of representatives from State Government departments and one representative from Local Government. In order to raise the profile of waste management in this context it is suggested that a suitably qualified representative of the waste management industry be included on this committee.

Recommendation: That waste management interests be represented on the Infrastructure Coordination Committee .

Waste impact assessments conducted as part of regional planning and at the Local Planning Scheme level could become a condition of development and help to determine future investment requirements for operators.

In addition, through including waste management infrastructure in planning policy, a greater profile for the industry and a systemic change can be instituted. Waste management infrastructure (landfills, transfer stations and resource recovery operations) should be included as essential infrastructure in planning policy.

Recommendation:

- 1. That waste management infrastructure be defined as 'essential infrastructure' in planning policy.**
- 2. That a State Planning Policy be developed for waste management.**

Health Impact Assessment is a methodology to assess the implications of development on health (similar to the process for Environmental Impact Assessment). This approach calls for inter-government coordination. With regards to planning for and locating large waste management facilities (including resource recovery and landfill operations) it is highly recommended that the Department of Health or the health sector of Local Government be consulted as part of the decision making process before approval is given for construction. This will ensure that health impacts and nuisances experienced by the wider community can be anticipated and mitigated.

Recommendation: That the Department of Health or health sector of Local Government be consulted as part of the decision making process before approval is given for large waste management facilities.

1.5 Terminology and Definitions

Use consistent terminology throughout document, for example refer to Local Government, rather than municipal authorities or local council.

Recommendation: Consistent terminology should be used throughout the document.

It is suggested that the terminology from the Waste Avoidance and Resource Recovery Act 2007 be used wherever possible, for example the Act specifies "waste reduction" targets, yet the draft Strategy uses the term "waste avoidance".

Recommendation: Term 'waste reduction' should be used for the Target instead of waste avoidance.

1.6 Definition of Waste

Links to the "definition of waste" page 4 in the draft Strategy.

The Waste Avoidance and Resource Recovery Act 2007 defines waste as:

"waste" includes matter —

(a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment; or

(b) prescribed by the regulations to be waste;

In the draft Strategy waste is defined:

For the purpose of this strategy, waste refers to solid materials discarded from households, including both green waste and other household organics, local government generated green waste, businesses and construction and demolition sites. It includes hazardous wastes. It does not include nuclear waste, mining spoil or agricultural residues.

It is acknowledged that not all wastes can be covered by this Strategy, as there is substantial interaction with other Acts and Agency responsibilities. For example, the debate and need for a strategy for nuclear waste is a much wider and more contentious area.

The concern is that Local Government is managing many of these wastes, often as the only provider of landfill in the area – therefore clear direction is needed as to whether the State Waste Strategy is the correct place for further consideration of these issues.

Local Government has identified other wastes which are of importance, yet not included or specifically excluded from this definition. These wastes include:

- Contaminated soils
- Bio-fuels (the waste from producing the fuel)
- International waste from fishing
- Marine mammals
- Liquid waste and biosolids
- Quarantine waste
- Trade waste
- Medical waste
- Ballast waste

An example is presented below from the South Australian Waste Strategy which provides one way to address the definition issue.

Example: South Australia's Waste Strategy 2005-2010 (pg 12)

Which wastes are not included in this initial strategy?

This first Waste Strategy does not directly apply to agricultural manures, sewage, sewage sludge and trade waste. However, these resources have potentially beneficial uses and future strategies may incorporate relevant aspects of these waste streams. Wastes to which this strategy does not directly apply include:

- radioactive waste: controlled by separate legislation, the *Radiation Protection and Control Act 1982*, administered by the EPA
- waste from petroleum or mining activity: controlled by separate legislation under the *Petroleum Act 2000*, *Mining Act 1971* or *Roxby Downs (Indenture Ratification) Act 1982*...[etc]

Recommendation:

- 1. In the Strategy, the definition of waste used should be the same as that in the WARR Act 2007.**
- 2. Where specific wastes are not going to be included in the Strategy, these wastes should be clearly identified.**
- 3. For wastes which are governed by other Acts/regulations these should be clearly identified.**

1.7 National and State Policy

Litter Prevention Strategy for Western Australia

The Litter Prevention Strategy for Western Australia (2009-2014) is a stand alone document which outlines how WA will address litter and illegal dumping. Consideration needs to be given as to how this Strategy interacts with the State Waste Strategy.

The Litter Prevention Strategy aims for a *holistic and proactive approach to litter prevention and management in Western Australia by seeking to promote and sustain positive littering behaviours by all Western Australians.*

In order to achieve this action, the Litter Prevention Strategy identifies seven key areas:

- Auditing and evaluation
- Policy and legislation
- Stakeholder responsibility
- Incentives
- Physical intervention
- Enforcement
- Education, information and training

As the Litter Strategy has already been developed, it is not necessary to include all of these areas in the State Waste Strategy, however the role of the Waste Authority in supporting the implementation of the Litter Strategy should be acknowledged and included. The Association has Submitted to the Minister an 11 Project Proposal (see Appendix 6) which included a needs analysis for the Local Government sector on waste litter and would provide a starting point in assisting Local Government to manage litter and illegal dumping.

Recommendation:

- 1. The State Waste Strategy include the Litter Prevention Strategy target of a 25 % reduction in litter by 2014 in Western Australia compared to the 2007/08 National Litter Index results.**
- 2. The State Waste Strategy reference the Litter Prevention Strategy and include strategies to support the achievement of the Litter Prevention Strategy.**

National Waste Policy

The National Waste Policy was released on 4 November 2009 therefore it would not have been feasible to incorporate any of the considerations from the National Policy into the draft Strategy.

Now the National Waste Policy has been released there are a number of areas which can be incorporated into the State Waste Strategy.

The National Waste Policy states that “under the Australian Constitution the management of waste is primarily the responsibility for the state and territory governments” (2009). The Policy also indicates that the roles and responsibilities Local Government vary between states and territories, depending on the regulatory framework in place.

The National Waste Policy identifies that the nature of the waste we generate is changing and that “higher proportions of goods are being disposed to landfill which contain complex materials that do not readily disintegrate and increasing quantities of potentially hazardous substances” (2009). The benefits of adopting better waste management practices are given as saving money, water and energy and avoiding greenhouse gas emissions and pollution. Other benefits include conservation of finite resources and new opportunities and jobs.

Strategies and responsibility from the National Waste Policy are included in Table 1.6. This Table compares the expectations in the National Waste Policy and what is currently in the draft Strategy. Not all the strategies in the National Waste Policy have been included in Table 1.6 as others focus more specifically on activities for the Environment Protection and Heritage Council to undertake. It is suggested that a strategy be included in the State Waste Strategy which includes a general reference to the implementation of the National Waste Policy.

Recommendation: That an additional strategy be included in the State Waste Strategy which articulates the State Government support for the National Waste Policy and working with the EPHC to achieve the outcomes identified in the Policy.

Table 1.6: Strategies and Responsibilities from the National Waste Policy

National Waste Policy – Strategy and Responsibility	Comment
<p>Taking Responsibility: Strategy 1 The Australian Government, with the support of state and territory governments, will establish a national framework underpinned by legislation to support voluntary, coregulatory and regulatory product stewardship and extended producer responsibility schemes to provide for the impacts of a product being responsibly managed during and at end-of life.</p> <p><i>Responsibility</i> State and territory governments to provide for assessments, inspections, intelligence gathering as part of existing policy, program and regulatory operations.</p> <p>State and territory governments can continue to support local product stewardship action.</p>	<p>The draft Strategy already includes provisions for Product Stewardship but would benefit from a clearer data gathering section.</p> <p>In the body of the National Waste Policy a comment is made regarding “a national approach to product stewardship rather than state-by-state regulation (which would distort national markets)” (2009). It is therefore encouraging to see that there is still the responsibility for state governments to support local product stewardship action.</p> <p>Draft Strategy broadly aligned with Strategy 1 – some clarification needed.</p>
<p>Taking Responsibility: Strategy 2 All governments as significant procurers of goods, services and infrastructure, will embody and promote sustainable procurement principles and practices within their own operations and delivery of programs and services to facilitate certainty in the market.</p> <p><i>Responsibility</i> All governments to undertake as part of existing arrangements.</p>	<p>There is already inclusion of this Strategy under the Government leading by example sections of the draft Strategy, although as noted in the discussion of this strategy, there needs to be greater clarity regarding who will negotiate with Treasury and Finance regarding including sustainable procurement practices into state supply agreements.</p> <p>Draft Strategy broadly aligned with Strategy 2 – some clarification needed.</p>
<p>Taking Responsibility: Strategy 3 3. The Australian Government, in collaboration with state and territory governments, industry and the community better manage packaging to improve the use of resources, reduce the environmental impact of packaging design, enhance away from home recycling and reduce litter.</p> <p><i>Responsibility</i> All governments will progress through EPHC activities, including the National Packaging Covenant.</p>	<p>There are already strategies present in the draft Strategy regarding the National Packaging Covenant.</p> <p>Again, further clarity on how material for product stewardship are to be determined would be beneficial.</p> <p>Draft Strategy broadly aligned with Strategy 3 – some clarification needed.</p>

<p>This strategy will also be progressed through existing and prospective government initiatives and programs.</p>	
<p>Pursuing sustainability: Strategy 7 7. State and territory governments building on existing commitments, continue their focus to phase down the amount of biodegradable material sent to landfill.</p> <p><i>Responsibility</i> State and territory governments to undertake as part of their existing waste management and program responsibilities.</p>	<p>The draft Strategy does include some strategies to address reduction in biodegradable material to landfill, but the lack of strategies for C&I waste reduction are likely to impact on the effectiveness of the Strategy in achieving the outcomes. Also see further discussion on the applicability of landfill bans in section 10.6 of this Submission.</p> <p>Further, the results specifically identified in this section include: <i>Biodegradable waste disposed to landfill is significantly reduced. This will be achieved through beneficial re-use such as compost, soil conditioners, biochar, and through the use of alternative waste treatment technologies, waste-to-energy plants and bio-digesters. Increased markets are available for beneficial use.</i></p> <p>The draft Strategy is largely silent on AWT.</p> <p>Amendment needed to Draft Strategy to incorporate Strategy 7. These amendments to include further mention of C&I waste and AWT.</p>
<p>Pursuing sustainability: Strategy 8 8. State and territory governments ensure the safety and health risks arising from landfill gas emissions are managed across all landfills through appropriate regulation and licence requirements.</p> <p><i>Responsibility</i> State and territory governments to undertake as part of their existing waste management responsibilities.</p>	<p>This Strategy focuses more on the operational issues of landfills. There are Targets in the draft Strategy on landfill operations – however these targets are questioned in this Submission and alternative strategies proposed.</p> <p>Amendment needed to draft Strategy to effectively incorporate Strategy 8.</p>
<p>Pursuing sustainability: Strategy 10 10. State and territory and local governments, in collaboration with the Australian Government, industry and business, to achieve major improvements in waste avoidance and re-use of materials in key areas of the commercial and industrial waste stream.</p> <p><i>Responsibility</i> All jurisdictions to identify opportunities within the other national waste policy strategies to promote waste avoidance and enhanced resource recovery from the commercial and industrial waste stream.</p>	<p>The current targets in the draft Strategy need to be improved for the C&I waste stream to ensure that this waste stream is effectively managed.</p> <p>It should also be noted that Local Government may not be best placed to provide C&I services. In WA, Local Government does not have first right to collection C&I waste and is not 'responsible' for this waste stream under the WARR Act.</p> <p>Amendment needed for draft Strategy to increase C&I recovery.</p>

<p>State and territory governments to determine areas that could deliver the most significant waste reductions and/or recovery outcomes, and develop partnerships to implement/resource complementary crosscutting activities as part of existing and prospective initiatives and program responsibilities.</p>	
<p>Pursuing sustainability: Strategy 11 11. All governments continue to encourage best practice waste management and resource recovery for construction and demolition projects</p> <p><i>Responsibility</i> All governments to progress as part of their existing procurement, infrastructure and waste management responsibilities.</p>	<p>The draft Strategy should be commended for going further than the national strategy in this regard. However, given the current low recovery rate for C&D waste it does make sense for WA to have a greater focus on this waste stream than other states.</p> <p>See specific comments on the strategies regarding Government leading by example.</p> <p>Draft Strategy broadly aligned with Strategy 11 – some clarification needed.</p>
<p>Tailoring solutions: Strategy 14 14. State and territory and local governments to work together to identify regional and remote waste and resource recovery actions to build capacity and ensure an appropriate suite of services is available to communities.</p> <p><i>Responsibility</i> State and territory and local governments continue to resource and take relevant action as part of existing policies and programs, including waste management.</p>	<p>This is partially incorporated in the draft Strategy through the Strategic Waste Management Plans – but there is limited focus on capacity building activities.</p> <p>More focus is needed in the state Strategy on support programs to assist and build capacity in regional areas.</p> <p>Draft Strategy broadly aligned with Strategy 14 some clarification needed.</p>

Also significant to the responsibilities assigned to Local Government in the draft Strategy is the identification of strategies, outcomes and responsibility for indigenous communities. This is discussed further in Section 8.3.

2 Rationale, Principles and Objectives of the Strategy

Links to the “Introduction to the strategy and why we need it” and “Values, aim, principles and objectives” sections in the draft Strategy.

2.1 Rationale for the Waste Strategy

The rationale for the Strategy comes from several sources, including the Waste Avoidance and Resource Recovery Act, increasing awareness of the impacts of landfilling waste and the climate change implications of waste management.

The WARR Act outlines:

- The purpose of the waste strategy is to set out, for the whole of the State —*
- (a) a long term strategy for continuous improvement of waste services, waste avoidance and resource recovery, benchmarked against best practice; and*
 - (b) targets for waste reduction, resource recovery and the diversion of waste from landfill disposal.*

The legislation provides the initial driver for the Strategy's development:

- The primary objects of this Act are to contribute to sustainability, and the protection of human health and the environment, in Western Australia and the move towards a waste-free society by —*
- (a) promoting the most efficient use of resources, including resource recovery and waste avoidance; and*
 - (b) reducing environmental harm, including pollution through waste; and*
 - (c) the consideration of resource management options against the following hierarchy —*
 - (i) avoidance of unnecessary resource consumption;*
 - (ii) resource recovery (including reuse, reprocessing, recycling and energy recovery);*
 - (iii) disposal.*

Other drivers and rationale for the Strategy have been briefly addressed in the draft. More detail is needed on the issue of climate change and potential impacts (including costs) of the Carbon Pollution Reduction Scheme. The rationale for the Strategy will affect the priority given to Targets and strategies.

Example: Information from Victoria Waste Strategy (2005, pg 7 - 8)

The Effects of Solid Waste

Why divert waste from landfill?

- Manufacturing products from recycled materials uses less energy than manufacturing from virgin materials. This means more efficient industries and less greenhouse gas.
- Manufacturing products from recycled materials also means less air and water pollution from mining, processing and manufacture from virgin materials...
- Diversion of organic wastes from landfill will reduce methane emission and has the potential to generate soil conditioning, water conservation and renewable energy products.
- Communities value and feel empowered by recycling and being able to purchase recycled products...

Greenhouse gas emissions

Methane emissions from the anaerobic decay of organic material in landfill account for some 3-4 per cent of Australia's total greenhouse gases. From 1990 to 2002 such emissions increased by 11 per cent...[etc]

Recommendation: Greater identification of the rationale and drivers for the strategy and benefits from waste reduction, resource recovery and diversion of waste from landfill be included.

The draft Strategy mentions the earlier work undertaken in the waste policy arena but there is no sense of whether these strategies, investigations and policy statements have been successful and what, if anything, they have done for waste management in Western Australia. Also, unless the reader is well versed in waste policy, it is unlikely that the content and achievements of these documents would be apparent from their titles. If these documents have been successful in achieving what they set out to achieve this becomes a powerful motivating factor to raise enthusiasm for this Strategy. If they have not been successful, it begs

the question – what makes this strategy different (e.g. dedicated waste management legislation, provision for EPR, a statutory authority etc)?

Recommendation:

- 1. A brief summary be included of each of the recent state strategies, investigations and policy statements regarding waste management.**
- 2. Information regarding success/failure of these documents.**
- 3. A brief outline of how the documents have contributed to the current State Waste Strategy.**

2.2 Values, aim, principles and objectives of the Strategy

This section is slightly confusing as the values, principles and strategic objectives all seem to overlap and are not necessarily consistent. It is also not clear how these things flow through the draft Strategy. In endorsing the principle of simplicity it is suggested that this section be reduced and aims, principles and objectives be identified only.

Values

While the broad values identified in the draft Strategy are in line with Local Government values, it is suggested this section be removed as it can be incorporated in the principles section.

Recommendation: Remove section outlining 'values' and strengthen 'principles' section.

Aim

Aim: the aim of the waste strategy is to drive a decade of significant improvement in the management of waste in Western Australia.

This aim is difficult to support given the lack of direction in the draft Strategy regarding why the strategy is being put in place and what 'significant improvement' will look like. The WARR Act gives a clear direction for what the purpose of the Strategy is:

A long term strategy for continuous improvement of waste services, waste avoidance and resource recovery, benchmarked against best practice.

This can provide some direction in developing an aim for the Strategy as can other State Government commitments to sustainability. The aim could be worded:

The aim of the waste strategy is to continuously improve waste services, waste avoidance and resource recovery and ensure the sustainable management of waste.

Example: National Waste Policy (2009) Aims (pg 6)

The aims of the National Waste Policy will be to:

- avoid the generation of waste, reduce the amount to waste (including hazardous waste) for disposal, manage waste as a resource and ensure that waste treatment, disposal, recovery and re-use is undertaken in a safe, scientific and environmentally sound manner, and
- contribute to the reduction in greenhouse gas emissions, energy conservation and production, water efficiency, and the productivity of the land.

Recommendation: Reword the aim to include the purpose for the Strategy and outline in the WARR Act and the States commitments to sustainability.

Principles

The principles indicated in the draft document are mainly supported. They are in line with the principles of the WARR Act and also embrace an outcomes based approach. Table 2.1 provides an outline of comments relating to the principles.

Table 2.1: Analysis of principles.

Principles	Support/Do not Support and Comment
Promoting the most efficient use of resources, including resource recovery and waste avoidance.	SUGGESTED AMENDMENT This principle is covered when considering the waste management hierarchy. It is suggested this principle be removed.
Reducing environmental harm including pollution through waste.	SUPPORT
Consideration of resource management options against the following waste management hierarchy - (i) avoidance of unnecessary resource consumption; (ii) resource recovery (including reuse, reprocessing, recycling or energy recovery); (iii) disposal.	SUPPORT – the waste hierarchy as an approach to waste management and resource efficiency as an element of that.
Identifying and supporting solutions that offer the best value for money when social, environmental and financial considerations are taken into account.	SUPPORT – for sustainability.
Application of both the ‘polluter pays’ and the ‘user pays’ principles where appropriate.	SUPPORT / SUGGEST AMENDMENT
Pursuit of continuous improvement.	SUPPORT
Favouring mechanisms which can achieve the desired outcomes with minimal central control over how these are achieved.	SUPPORT – for an outcomes based approach.

In order to include the ‘values’ from this section, additional principles could be included, such as community engagement and empowerment

Recommendation: Include an additional principle regarding community engagement and empowerment.

Strategic Objectives

Further information and clarification is needed for some of the strategic objectives. Table 2.2 below outlines some of the concerns and suggested resolutions.

Table 2.2: Strategic objectives from the draft Strategy and comments on these objectives.

Strategic objective	Support/Do not Support and Comment
Cooperation between commonwealth, state and local governments, the waste and resource recovery industry, producers and the community.	SUPPORT / MINOR AMENDMENT: suggest the use of the word partnership rather than cooperation, given preceding comments in the draft Strategy about implementing the strategy in partnership with stakeholders.
Increasing the responsibility of producers for the management of waste associated with their products through adoption of product stewardship and extended producer responsibility initiatives.	SUPPORT
Reducing greenhouse gas emissions through a focus on resource efficiency and improved management of emissions from landfills.	SUPPORT
Improving the valuation of environmental and social benefits.	Requires clarification.
Development and adoption of best practice strategies.	Requires clarification. Best practice needs to be defined and some guidance given as to its application. It is also not clear where this strategic objective is reflected in the draft Strategy.
Making the pricing of waste-related services better reflect this Strategy's priorities.	Requires clarification. What are the Strategy Priorities? (Values, aim, principles and targets all mentioned – but not priorities).

3 Roles and Responsibilities

Links to the “Waste management responsibilities” section in the draft Strategy.

Much of the concern expressed by Local Government regarding waste management relates to the lack of clear roles and responsibilities for the sector. Under the WARR Act, Local Governments' role is specified. However, the roles of State Government and other stakeholders (e.g. waste generators, community and industry) are still unclear. To move forward in a consolidated and constructive manner, all stakeholder responsibilities within the system must be established.

Clear assignment of roles and responsibilities is also necessary for the State Waste Strategy to be effective. If it is not clear who is accountable, or a clear process in place for establishing accountability, much time and effort may be wasted in the implementation of projects and whenever a new issue arises. There are a

variety of key stakeholders in the area, including Federal, State and Local Government, the waste industry, waste generators (such as manufacturing and producers), industry associations and special interest groups and the community.

Recommendation: A section be included in the Strategy identifying Strategic Partnerships (for example with Local Government, the waste industry and community groups) and the roles and responsibilities of those stakeholders.

3.1 Local Government roles and responsibilities

The WARR Act provides additional clarity to the role of Local Government in waste management. Under the previous legislation governing waste management, the *Health Act 1911*, the focus was only on waste as a health issue; with the move to the WARR Act both health and environment are included.

Previously under the Health Act 1911, Local Government was responsible for “trade waste” which could be taken as including both commercial and domestic material. The MWAC Submission on the WARR Bill noted:

The newly drafted s112(2) of the Health Act 1911 prohibits other collectors from collecting residential or trade waste from a Local Government District if a Local Government or Local Government contractor provides that service.

This gave Local Government first right to collect all waste within its boundaries. The final WARR Act does not include such a provision. The WARR Act clearly identifies the roles and responsibilities for Local Government, specifically relating to Local Government waste which is defined as:

“local government waste” means —

(a) waste from residential sources; and

(b) any other waste of a kind prescribed by the regulations for the purposes of this paragraph, but does not include sewage or waste of a kind prescribed by the regulations as excluded for the purposes of this definition.

The WARR Act 2007 Regulations further expand this to include:

S. 4 Extended meaning of “local government waste”

Waste generated by the operations of a local government is prescribed as local government waste for the purposes of paragraph (b) of the definition of “local government waste” in section 3(1) of the Act.

Although additional clarity is provided for Local Government responsibility, the outcome of these definitions is that waste, other than Local Government waste, does not have a directly responsible body. The result is that discretionary services, such as recycling, will only be provided if a business or commercial service requests them from a contractor.

In practice, many Local Governments are taking responsibility for a far greater range of materials than they are legally obliged to. As in some areas Local Government is the *only* service provider.

Example: EMRC Red Hill Class IV landfill cell

The Eastern Metropolitan Regional Council operates the state’s only Class IV landfill cell at Red Hill. This takes waste, including contaminated soil, from around the state – often from industrial (and non-local government) sources.

Example: Non-metropolitan Local Government

Only provider of landfill services in the area, will take waste from industry as well as households.

Recommendation: Definitions of organisations and groups given in the waste management responsibilities section be amended to include:

- **Local Government: under the Waste Avoidance and Resource Recovery Act 2007, Local Government has responsibility for waste from residential sources and its own waste. Local Government provides a range of waste management services to the community, is responsive to community needs and provides community education.**
- **Western Australian Local Government Association (WALGA): is the peak organisation for Local Government in Western Australia. WALGA provides an essential voice for almost 1,300 Elected Members, 11,000 employees and the 2 million constituents of the 141 Councils in WA (including Christmas Island and Cocos (Keeling) Islands).**
- **Waste Management Association of Australia (WMAA): is the peak association for waste management professionals.**
- **Conservation Council of WA: is the State's representative for conservation groups who are active in protecting the natural environment and sustainability in WA**
- **Other relevant State Government agencies (for example Water Corporation, Keep Australia Beautiful Council, Training Industry Council).**

Further consideration to specific roles and responsibilities are given in the section which deals with draft Strategies. As the EPA structure has changed recently, it is suggested that the definitions of this Agency also be amended.

Recommendation: Amend the definition of the EPA to reflect new structure.

3.2 Role of Department of Environment and Conservation

The Department of Environment and Conservation (DEC) is identified as being responsible for regulatory, compliance and enforcement functions in relation to waste. The DEC also has the role of supporting the Waste Authority and this should be noted. The role of the DEC in relation to the implementation of the State Waste Strategy is not entirely clear and tasks are indicated for DEC, which may be the Waste Authority's responsibility.

Recommendation:

- 1. Note that the DEC supports the Waste Authority function and identify when the DEC is acting in its regulatory function.**
- 2. Note the partnership needed between the Waste Authority and DEC to ensure that the regulatory and policy function work together to achieve the Waste Strategy Targets.**

3.3 Role of Waste Authority

The role and functions of the Authority, as articulated in the WARR Act, are extensive (and have been reproduced in Box 1). They have been summarised in the draft Strategy as to put in place:

- *strategic policy and planning for the transition towards zero waste to landfill in WA;*
- *the implementation of policies, plans and programs to achieve that transition;*
- *the administration of allocated funds raised through the collection of the landfill levy.*

In the WALGA Policy Statement on Waste Management Legislation the need for an independent Waste Agency is clearly identified. The role of the independent Waste Agency is to:

perform a number of roles of a collaborative, facilitative and/or strategic nature. The key roles of the Agency will be to develop, administer, monitor and review the State Waste Strategy and the Priority Waste List and to develop and implement an annual Business Plan.

The Policy Statement further identifies that:

Local Government research suggests that a waste agency which is properly resourced but suitably independent from the regulatory machinery of government will be a cornerstone of a new structure for governmental engagement with waste issues. It is apparent to Local Government that collaborative and regulatory functions are poorly married with the one bureaucracy and that these functions must be separately vested. This will be important both in order to ensure the transparent management of funds and to attract private engagement with a collaborative agency. Furthermore, if there is to be a coordinated strategic waste planning framework it would be beneficial to have this drawn up by an agency which is independent from all the stakeholders – including other components of the machinery of government.

The WASTE 2020 Strategy also identified the need to separate the policy and regulatory function for waste management. It should be noted that an independent Waste Agency is very different to the current operating conditions of the Waste Authority.

Box 1: Schedule 2 — Functions of the Waste Authority

[s. 19(1)]

1. To —

- (a) advise and make recommendations to the Minister on matters relating to this Act; and
- (b) inquire into and advise the Minister or the CEO on any matter relating to this Act on which the Minister or CEO requests advice; and
- (c) advise and make recommendations to the CEO on the regulation of waste services; and
- (d) advise and make recommendations to the CEO with respect to subsidiary legislation under this Act.

2. To act as an advocate for the objects of this Act.

3. To develop, promote and review the waste strategy and coordinate its implementation.

4. To monitor and assess the adequacy of, and report to the Minister on the operation of, the waste strategy, product stewardship plans and extended producer responsibility schemes.

5. To promote community awareness and understanding of resource efficiency, waste avoidance and resource recovery.

6. To support State and Commonwealth policies which will enhance progress towards zero waste.

7. To promote resource efficiency, waste avoidance and resource recovery.

8. To promote coordination between organisations seeking to prevent waste.

9. To liaise with local governments to ensure that the provisions of this Act are enforced in the districts of those local governments.

10. To cooperate with local governments to coordinate local efforts to prevent waste.

11. To receive representations on waste management issues from members of the public.

12. To promote market development for recovered resources and recycled materials.

13. To promote the development of locally owned resource recovery infrastructure.
14. To ensure that the appropriate investigations, audits and inspections in relation to the application of moneys from the WARR Fund are carried out.
15. To take appropriate measures to bring the provisions of this Act to the attention of the public.
16. To do such other acts and things as are conducive to the prevention and control of waste.
17. To perform such other functions as are conferred on it under this Act or are referred to it by the Minister.

Recommendation: A more extensive summary of the Waste Authority functions be included in the Strategy.

4 Local Government: Constraints and Capacity

This section covers the range of constraints and capacity issues which Local Government has identified as likely to impact the ability of the sector to deliver outcomes in relation to waste management.

4.1 Constraints on Local Government in achieving outcomes

In undertaking its waste management function, Local Government has a range of constraints. These constraints are outlined below to provide information on the Local Government operating environment and to ensure the Waste Authority is cognisant of these constraints when setting targets and strategies for the State. The constraints are not presented to provide a list of reasons not to act. The intent is to identify limiting factors and ensure they are considered in setting targets, strategies and timelines.

Contractual Agreements: Local Governments often use contractors (rather than in house delivery of services). These contracts are often for substantial time periods (5 – 10 years). They set an operating environment, and although they are likely to include some variability, they constrain how a service will be delivered and the outcomes achieved.

Approvals: In the experience of some Local Governments approvals for new sites (for example transfer stations) can take up to five years. This will constrain how quickly sites can be prepared and may mean significant delay in implementing any landfill site consolidation.

Structural Reform: This direction from the State Government has the potential to limit new activities and mean waste management may have a lower priority than it would otherwise. If the number of Local Governments is reduced the activities required to move to a new structure will take time.

Recommendation: Waste Authority to engage with the Minister for Local Government to ensure timelines for waste management activities and structural reform will work together.

Basal Convention: This is the international treaty which governs the export of materials. It has a potential to constraint recycling activities, depending on how the products are defined. Given the largely export based nature of recycling in Western Australia the Basal Convention may have a greater impact on recycling in WA than in other states where reprocessing capacity for material is present.

Recommendation: That when finalising the State Waste Strategy the Authority consider the constraints placed on Local Government operations.

4.2 Local Government Capacity

Local Government capacity to raise funds is limited. Many targets could be achieved, but they would then be at the expense of other outcomes.

WALGA has been advocating that waste management should be included in the Federal Assistance Grants for Local Government as there is a clear expectation of service provision and an imbalance in the financial ability to provide these services. In some non-metropolitan areas, to provide an equivalent service to the metropolitan areas, the charge would be too high on a per capita basis due to large distances, low population density and distance to market or reprocessors.

Recommendation: Sources of funding for each strategy be identified in the State Waste Strategy.

5 Regional approach

Links to the “Box 4: Regional Centres” section in the draft Strategy.

Currently there is no guidance as to how a ‘regional centre’ is defined (i.e. its geographical extent). The population threshold is 25,000 – it is possible the number is intended to link to the National Greenhouse and Energy Reporting Scheme and CPRS and consequent landfill size.

Questions have also been raised regarding whether this 25,000 is permanent population or could be the seasonal population. For example in the Shire of Broome, the population is around 15,000 but in tourist season grows to at least 3 times that.

Rather than singling out regional centres, another approach could be to focus on regions – such as those used by the Department of Regional Development or those determined by Local Governments through the Strategic Waste Management Plan process. The latter are self determined communities of interest.

Recommendation: That Regional Centre be defined clearly in the strategy and the rationale for 25,000 population for these Regional Centres be given.

6 Questions

In this Section the questions asked in the draft Strategy document are either addressed or a reference is made to where they are addressed in the Submission.

6.1 Question 1: Waste Avoidance

Question 1: What do you think should be the figure for the Strategy’s waste avoidance target?

Refer to Section 7 detailed comment on all Targets.

6.2 Question 2: Resource Recovery

Question 2: What do they think of these Targets?

- a) Are they sufficient?
- b) Are they achievable?

Refer to Section 7 detailed comment on all Targets.

6.3 Question 3: Resource Recovery

Question 3: What steps do you think need to be taken to achieve them?

Refer to Section 8 detailed comment on all Strategies.

6.4 Question 4: Resource Recovery

Question 4: What target dates do you think should be applied to these strategies?

Regarding target dates for the strategies, it may be more appropriate to set short, medium and longer term targets. There is no indication in the draft Strategy of resourcing (financial and human) to be associated with the activities listed, so it is virtually impossible to set dates to achieve outcomes in a reasonable manner. It is also not clear when the commencement date for the Strategy will be. The priority of strategies will affect their target dates, as some will be more urgent than others.

Recommendation: That target dates for strategies be given as short, medium or long term and this assessment be based on resourcing, funding, commencement of the Strategy and relative priority.

6.5 Question 5 and 6: Resource Recovery

Question 5: What factors do you think should be considered when setting the landfill levy?

Question 6: How do you think the Authority should weight these different factors?

It is Local Government's expectation that any funds raised through the Waste Avoidance and Resource Recovery Levy will be hypothecated to waste management activities. However, it is acknowledged that the current Bill in the Legislative Council is likely to change this situation and that in future funds will be directed not only to waste management activities.

The WALGA Policy Statement on the Waste Levy and Strategic Funding identifies several key areas that Local Government consider vital to support for the Levy.

Clear Rationale for Levy

Firstly, a clear rationale for the Levy is essential for assessing the appropriateness of all policy decisions which relate to the Levy, such as how it is charged, the rate applied and where the money is spent.

- Primarily for raising strategic funds: The primary rationale for the Levy is that it provides a means of generating secure funding for strategic activities in waste management. For the purposes of the Levy, appropriate strategic activities must be identified by a current State Waste Strategy.

- Alternative rationale/s: Where State Government identifies an alternative rationale for the Levy, Local Government will only support the alternative rationale to the extent it agrees that the alternative rationale is valid.
- State Government rationale/s to be clarified and supported: State Government must clearly state, explain and publicly communicate the rationale/s for applying the Levy.

Local Government Claim on Funds

It is also an expectation that Local Government has a claim on a proportion of the funds raised through the Levy. A fixed proportion of monies collected from Local Government should be made available to Local Government on a first call basis in the form of project money to support the objectives of the State Waste Strategy.

Basis for Setting Levy Rates

Consistent with its views regarding the appropriate rationale for the Waste Levy, Local Government considers that the rate of the Waste Levy should be set by reference to a well defined set of criteria. The criteria which Local Government would support are:

- **Capacity to fund the State Waste Strategy:** It is necessary that the Levy rate(s) is/are set such that the annual objectives identified under the State Waste Strategy can be funded. Local Government recognises that total annual expenditures may sometimes exceed and at other times fall below the total revenues raised by the Levy. It is also appropriate that funds from Consolidated Revenue be used to achieve State Government objectives.
- **Capacity to achieve stated objectives:** The State Government may indicate that it will use the Levy to achieve objectives other than the generation of funds for strategic activities. If so, then the State Government must give valid reasons to show how a change in the Levy will support those objectives before Local Government would support the use of Levy funds. For instance, State Government may consider that at a higher rate, the Levy will discourage landfilling of some waste types, but this belief should be supported with something more than anecdotal evidence and also demonstrate that there would not be other financial imposts on Local Government such as an increase in illegal dumping that would need to be cleaned up.
- **Capacity to pay the Levy:** The State Government must take into account the capacity of Local Governments and their communities to pay the Levy. This capacity is affected by both economic and political constraints.

Application of Levy to Non-Metropolitan Areas

The Waste Authority, at its May 2008 meeting, made the decision to consult on the potential for incorporation (and under what conditions) of major Regional Centres into the Levy determinations. The Waste Authority indicated that the Regional Centres of Albany, Bunbury, Geraldton/Greenough, Kalgoorlie and Port Hedland would be canvassed to ascertain views of stakeholders on the application of the Levy to their areas.

Within the metropolitan area, Local Governments accept and recycle all manner of materials in a different fashion to those in the non-metropolitan area. Local Governments in non-metropolitan areas are currently unequipped to apply and administer the Levy. To apply the levy Regional Centres would need:

- Infrastructure upgrades (i.e.: weighbridges);
- Increased administrative capacity; and
- Appropriate data retrieval software.

The WA Local Government Association (through the Systemic Sustainability Strategy) and State and Local Government through the Zero Waste Plan Development Scheme have been focusing on regional service

delivery. Introduction of the Levy to the non-metropolitan area could become a disincentive for Local Governments to form working partnerships.

Regional Centres, such as Geraldton, operate a landfill site which is used by the surrounding Local Governments. This has facilitated the move away from numerous small unmanned landfill sites. In many areas, Local Governments are exploring the use of transfer stations to move waste back into larger centres. Cost increases could potentially lead to the reversal of this process, where it is cheaper for Local Governments to have small local landfill sites for refuse disposal.

The Authority resolved at its August 2008 meeting to postpone holding discussions and discussion forums on the issue of extending the landfill Levy beyond the metropolitan area due to current incapacity to deliver. It is anticipated that non-metropolitan forums on this issue will occur at a future time.

The WALGA State Council at its October 2009 meeting also discussed the issue of application of the Levy to the non-metropolitan area and were firm in their rejection of applying the Levy to the non-metropolitan area.

Recommendation: The waste Levy should be set to ensure sufficient capacity to implement the State Waste Strategy.

6.6 Question 7: Disposal

Question 7: What do you think of these targets?

Refer to Section 7 detailed comment on all Targets.

6.7 Question 8: Disposal

Question 8: Are there any other strategies that you think the Authority should consider?

Refer to Section 8 detailed comment and suggestions of alternative strategies for all target areas.

6.8 Question 9: Disposal

Question 9: What time frames do you think are suitable?

Regarding target dates for the strategies, it may be more appropriate to set short, medium and longer term targets. There is no indication in the draft Strategy of resourcing (financial and human) to be associated with the activities listed, so it is virtually impossible to set dates to achieve outcomes in a reasonable manner. It is also not clear when the commencement date for the Strategy will be. The priority of strategies will affect their target dates, as some will be more urgent than others.

6.9 Question 10: Data

Question 10: What data do you think we need to more effectively manage our waste?

Refer to Section 9 for detailed comment on this question.

6.10 Question 11: Data

Question 11: How do you think this data will support better management?

Refer to Section 9 for detailed comment on this question.

7 Draft Targets

7.1 Considerations for Targets

State Government efforts regarding waste management frequently focus predominantly on Local Government. Local Government waste makes up around 20-25% of the waste disposed of to landfill; and it is the only waste stream where waste to landfill has actually decreased (Cardno, 2008). The Local Government structure may make it easier for State Government to engage and regulate this waste stream, however this should not mean that the other waste streams are ignored. Therefore it is suggested that in the State Waste Strategy equal weight be given to all waste streams.

Waste generation and recycling activity is linked to economic activity. For resource recovery/recycling the levels are frequently linked to economic activity and international commodity prices.

In the draft Strategy, 10 targets are included. The focus of the activity in the Strategy could be improved by reducing the number of targets. If comparing with other states, most waste strategies have about five targets.

Recommendation: Reduce the number of Targets.

7.2 Waste Avoidance Target

1. Reduce the quantity of waste generated per capita over the life of the strategy below the 2006/07 rate of <<FIGURE TO BE DETERMINED>> tonnes per person.

DO NOT SUPPORT TARGET / SUGGEST AMENDMENT

Waste generation is defined as the total amount of waste recycled or recovered and sent to landfill. Measuring tonnes per capita (including all waste streams, MSW, C&I, C&D) may not demonstrate if waste reduction measures are being effective, as the waste generation rate will be affected by economic activity and a small decrease in generation may be lost amid the data 'noise'.

Waste reduction Targets are a requirement of the WARR Act therefore need to be included. A suggested approach is to focus on waste reduction for specific material types and / or sectors. For example if a Product Stewardship / Extended Producer Responsibility scheme is put in place one expectation could be for waste reduction. If focusing on a sector, a specific waste reduction plan could be included and measured.

Section 8.1 outlines strategies in relation to waste avoidance.

It should also be noted that long term changes to behaviour are needed to impact on consumption rates, this being a role for waste education.

Recommendation: Waste reduction targets be included for priority material types and / or sectors.

7.3 Resource Recovery Targets

There has been concern expressed regarding the source of the percentages given as targets in the draft Strategy. A clear rationale for these percentages is needed.

In looking at other states strategies, it is notable that all have separate targets for MSW, C&I and C&D. New South Wales and Victoria express these as a percentage recovery target. South Australia expresses the MSW target as a percentage recovery target, but the C&I and C&D targets as a percentage increase in recycling (e.g. 30% increase in recovery and use of C&I materials).

	MSW	C&I	C&D	Overall % recovered	By when
Victoria	65%	80%	80%	75%	2014
NSW	66%	63%	76%		2014
South Australia	75%	Not comparable	Not comparable		2010
WA (proposed)	70%	Not given	50%		2015

In 2006/07 recovery rates from the various sectors were as follows:

	MSW	C&I	C&D	Source
Victoria	41%	68%	71%	VIC waste strategy
NSW	38%	44%	67%	NSW waste strategy
South Australia	**	-	-	
Western Australia	25%	37%	14%	Draft waste strategy

**South Australia are currently reviewing their State Waste Strategy. Metropolitan area recovery rates for MSW are approximately 50 – 55%, and if food waste is included in the collection an estimated 65% could be recovered (Ian Harvey, ZeroWaste SA).

2. In metropolitan Perth at least a 70% recovery rate for municipal waste by 2015. (up from approximately 45%).

SUPPORT TARGET / SUGGEST AMENDMENT

There is some confusion within the document about the current recovery rate (as the most recent figures are for 2006/07). The 06/07 rate is given as 25% and there is no reference for the figure of 45% which is quoted in the target. The current recovery rate needs to be established before suggestions for how to increase the level. Also looking at other states targets, only South Australia is looking at a municipal recovery rate of 70% or over and this is currently under review. To achieve a 70% recovery rate a heavy expectation is placed on metropolitan Regional Councils regarding continued investment in alternative waste technologies and increased collections, and within the draft strategy no support for these activities is proposed.

Table 7.1 shows figures generated by the Southern Metropolitan Regional Council (2009), which identify three household waste streams: kerbside recycling; mixed solid waste; and vergeside greenwaste collection.

Table 7.1: Annual collection per household (recycling, MSW and vergeside greenwaste) in the SMRC.

	Recycling	MSW	Vergeside greenwaste	TOTAL
Total annual collection (kg)	303	905	108	1316t
Recovery rate	82%	50%	100%	
Total annual recovery (kg)	248.46	425.5	108	808.96t

Based on these figures the total annual recovery rate is 61.4%. These figures do not include bulk verge collections which would increase the tonnage. Recovery rates for bulk verge collections vary depending on the collection system. Also not included is material taken to landfill directly by residents. Again the recovery rate will depend on the system in place at the landfill to separate material.

To achieve their diversion rate the SMRC has a total investment of \$100 million in the RRRC. The time frame to build such a facility is in the order of 5 to 7 years.

SMRC, MRC and WMRC have AWT facilities, EMRC and RRC are yet to establish their facilities. Given the level of investment needed and the timeframes involved a more realistic target would be an increase to a 50% recovery rate for municipal waste by 2015.

Using a relatively small metropolitan Local Government (without AWT) figures as an example shown in Table 7.2.

Table 7.2: Annual collection per household (recycling, MSW, vergeside greenwaste and bulk, drop off greenwaste and bulk) at a small metropolitan Local Government (without AWT).

	Recycling	MSW	Vergeside greenwaste	Vergeside Bulk	Drop off Greenwaste	Drop off Bulk waste	TOTAL
Total annual collection (kg)	257	677	23.6	64.9	23.8	115	1161.7
Recovery rate	72%	0	100%	11%	100%	0	
Total annual recovery (kg)	185	0	23.6	7.3	23.8	0	239
Percentage of material generated	22%	58%	2%	6%	2%	10%	

Based on these figures the recovery rate for this Local Government is 21%. If this Local Government had access to an AWT (recovering 50% of MSW) the overall recovery rate for the Local Government would increase to approximately 50%.

Recommendation: A percentage recovery rate for MSW is supported, but given current recovery rates, concerns with the data used for projections and current recovery rate a 50% recovery rate by 2015 Target is supported.

3. In non metropolitan regional centres with a population greater than 25,000 (see Box 4) at least a 45% recovery rate for municipal waste by 2015.

DO NOT SUPPORT TARGET

As the current recovery rates are not known, it is difficult to assess whether this target could be met. A differential target for the non-metropolitan area is a sound suggestion, however without any data about current recovery rates could be unrealistic. Instead of a target, a suggested strategy could be to gather data about the waste generation and recovery rate in non-metropolitan areas prior to setting targets for recovery (at the 5 year review of the Strategy). This will allow time to put in place data collection systems and gain some idea of the variability and reliability of the data. It also needs to be acknowledged that the regional centres will have varying demographics and potentially waste characteristics.

See further comments in Section 5 on regional centres.

Recommendation

1. Remove this Target 3.

2. Include a non-metropolitan target in the Strategy at the 5 year review point.

4. The contamination rate of kerbside recyclables collections will be reduced from approximately 25% to 10% by 2015.

DO NOT SUPPORT TARGET

It is not clear from this target where the contamination rate is assumed to be measured. Contamination rate varies depending on whether it is measured at kerbside or post processing. In order to measure contamination rate at kerbside waste audits would be required to establish a baseline. Post processing contamination can be anywhere between 10% and 30%.

Substantive concerns have been raised with contamination rate as a target. These issues include:

- In order to measure contamination rate at kerbside a regime of waste audits would have to be instituted, this is a potentially costly exercise with only limited value to increasing resource recovery.
- Material being collected in the non-metropolitan area, then transported to the metropolitan area is likely to have a higher contamination rate, as the result of additional glass breakage en route.
- In order to reduce contamination rate (post processing) large investment in processing infrastructure is needed – this may be done but will only have a small impact for the funds spent.
- Market fluctuations issues – it is sometimes not cost effective to recover material, and in that case it is considered a 'contaminant'.

If the overall recycling rate for MSW is measured, this will take into account any gains in reducing contamination rates.

There is also the consideration that using both an AWT and kerbside recycling system may mean a higher 'contamination' rate in the recycling bin. The Southern Metropolitan Regional Council, for example, encourages residents to dispose of ceramics into their recycling bin, rather than have it as a contaminate in the MSW bin.

Recommendation: remove Target 4.

5. The recovery rate for construction and demolition waste will be increased from 14% in 2006/07 to 50% by 2015 and to 70% by 2019.

SUPPORT TARGET

Given its generally inert nature, material from construction and demolition activities requires less investment in processing infrastructure than the MSW (and generally putrescible) stream. Other states have achieved significantly higher C&D recovery rates. A low landfill Levy rate for C&D has been stated by the recycling industry as the key impediment to increasing C&D recycling. Given the Government intention to increase the Levy for this material, this is likely to provide an incentive to reduce C&D waste to landfill.

A previous Waste Board Report indicated that “inert wastes demonstrate a more elastic demand response to landfill prices” (Report by Four Scenes, 2007, pg 10-11). This would support the C&D recycling industry position that the low landfill Levy is the main impediment to increasing C&D recycling rates.

A 2008 report commissioned by the Waste Authority concluded:

C&D recycling rates vary significantly across the different jurisdictions of Australia. While remaining cautious, it seems reasonable to suggest that where recycling rates are high, total landfill tipping rates are high, and where recycling rates are low, total tipping rates are low. Further, it is possible that reported estimates of the own-price elasticity of demand for landfill understate price responsiveness when it comes to the C&D waste stream. Finally, it is notable that in NSW, the state that has made the most progress in the area of recycling for C&D waste, there is a clear high level stated goal for the target recycling rate for C&D waste (ACIL Tasman, 2008).

Based on the research undertaken it is reasonable to support the targets proposed for recycling for material from C&D activities. Even given the suggested raise in the landfill Levy there will still need to be support systems and strategies in place to address other (lower order) barriers to increasing C&D recycling.

6. The recovery rate for commercial and industrial waste will continuously increase over the lifespan of the strategy. At least one facility for processing commercial and industrial waste will be established by 2015 and a second by 2019.

DO NOT SUPPORT TARGET

The Target given is more a potential strategy to achieve increased C&I recycling than a target in its own right. C&I waste has a high greenhouse gas potential when landfilled – it should be a priority (as MSW is) in diversion from landfill. C&I waste has had high targets set in other state waste strategies. The WA Local Government Association has limited access to C&I data, therefore it is difficult to analyse what is a reasonable increase in recovery rate. If the C&I sector is variable, as the Local Government sector is, there will be a variety of recovery rates. If the Local Government sector is aiming to increase its recovery rate by 25% it is a reasonable expectation that the C&I sector could also increase their recovery rate by 25%. This would indicate a C&I recycling target of 62%. Or given uncertainty around the current baseline figure the Target could be worded to achieve a 25% increase in recovery.

Recommendation: A quantitative percentage based recovery target be set for C&I waste. This Target be based on a 25% increase in recycling based on the current recovery rate.

7.4 Waste Disposal Targets

The Targets in the draft Strategy are more related to landfill management targets than waste disposal targets. The WARR Act identifies the Strategy should include “disposal of waste to landfill” targets. Tonnage reduction to landfill may be a target which is more in line with the WARR Act requirement.

It is acknowledged that improved landfill management and more transfer stations can increase the diversion rate at the landfill sites.

Recommendation:

- 1. A Target be included which gives a reduction in waste to landfill as the measure. Initially this Target to focus on the metropolitan area.**
- 2. Remove Targets 7 – 10.**

7. All landfills servicing metropolitan Perth will be operating to appropriate standards by 2011.

DO NOT SUPPORT TARGET

Concern has been expressed by Local Government in having a target which refers to standards which have not yet been formulated. How the standards would interact with existing licence conditions has also been raised. There is support for reform of licence conditions and a move toward a more risk based approach to licencing, however that is a strategy for improving landfill management.

8. All landfills servicing non metropolitan regional centres with a population greater than 25,000 (see Box 4) will be operating to appropriate standards by 2015

DO NOT SUPPORT TARGET

See comment for Target 7.

9. Landfills that accept municipal waste and that do not meet appropriate standards will be closed by 2015 if they lie within a 100km radius of a landfill that does meet the standards. These sites will be replaced with transfer stations.

DO NOT SUPPORT TARGET

See comment for Target 7.

There is a certain inequity in suggesting that only facilities that take municipal waste would be closed. While closing landfills (landfill rationalisation) may be a long term strategy, to suggest that it can be achieved in 5 years does not consider the range of constraints on Local Government (see Section 4). If enforced this target has the potential to substantially increase costs for Local Government with minimal benefits (in terms of diversion of waste from landfill). The inclusion of 100km as a distance seems somewhat arbitrary.

It should also be considered that Local Governments are not the only operators of landfill in Western Australia.

10. Residual municipal waste from all regions with a population of less than 25,000 will be managed in accordance with a local or regional strategic waste management plan by 2012.

DO NOT SUPPORT TARGET

From this target, it is not clear what the term 'residual municipal waste' refers to. As most Local Governments have Strategic Waste Management Plans in place this Target would not be particularly difficult to achieve. However, this is more a strategy than a target.

8 Draft Strategies

Careful consideration has been given to each of the draft strategies proposed. Comments on the individual strategies are given in Appendix 1. Suggestions regarding alternative strategies have also been included.

In this section, specific consideration is given to strategies for waste avoidance, Strategic Waste Management Plans and waste management in indigenous communities.

For each strategy a clear link to the Targets needs to be included. In the draft Strategy, for some of the strategies, it is not clear how using a particular strategy will add to the achievement of the Target.

Recommendation: The strategies should be clearly linked to the Targets they are intended to contribute to achieving.

8.1 Waste Avoidance

As is identified in the South Australian Waste Strategy "It is evident from the considerable experience of the European communities that although waste avoidance has been the paramount objective of waste management policies for many years, limited progress has been made so far in turning the objective of waste avoidance into practice" (Zero Waste SA, 2005). Measures in the South Australian strategy in relation to waste avoidance include:

- national coordinated approaches;
- EPR (which leads to change in product design);
- State & Local Government purchasing choices;
- Consumer choice through information; and
- Waste prevention plans for business sectors or individual enterprises.

The draft WA Strategy includes similar measures for waste avoidance, particularly national coordinated approaches, product stewardship/extended producer responsibility schemes, Local and State Government purchasing choices and consumer information. The additional element which needs to be added is the waste prevention plans for business sectors or individual enterprises.

Recommendation: That strategies for waste reduction include a focus on waste prevention plans for business sectors or individual enterprises.

Example: WALGA Purchasing & Tender Guidelines

The Association is currently developing an updated set of guidelines to assist Local Government in creating and implementing appropriate sustainable procurement policies and processes. The guidelines will be embedded in the Local Government Purchasing and Tender Guide. The purpose of the guidelines is to assist Local Governments to implement sustainable procurement through all facets of Local Governments business and to encourage a consideration of the long term benefits of 'life cycle costing' for products and services. This supports the Towards Zero Waste Framework.

The adoption of sustainable procurement will result in significant benefits to Local Government, including:

- Saving money through improvements in resource efficiency (i.e. reduced energy, water and waste disposal costs);
- Helping meet Triple Bottom Line targets and objectives thus increasing community confidence;
- Reducing environmental impacts generated by the public sector, including
 - Reducing consumption of scarce or valued resources (water, energy);
 - Reducing waste to landfill;
 - Reducing human and environmental pollution;
- Showing strong environmental leadership to industry and community;
- Encouraging industry adoption of cleaner technologies and improved corporate social responsibility through unified sustainability standards requirements;
- Enhancing market development for sustainable technologies through stimulated demand;
- Stimulating an environment of investment confidence in further research and development for sustainable technologies; and
- Stimulating local production.

8.2 Strategic Waste Management Plans (SWMP)

In the draft Strategy the main approaches (strategies) given for Local Government to implement are the incorporation of considerations of waste avoidance, resource recovery and reduction in waste to landfill into Strategic Waste Management Plans. In the original applications, the intent of SWMP's was given as to: *enable local government to commence or improve existing strategies for the achievement of best practice municipal waste management in alignment with the State's vision of Towards Zero Waste over the next five years (2008-2012).*

The review period for the Plans is 2 – 3 years after endorsement. SWMP's were developed in line with the Strategic direction for the State at the time, and consequently the Vision for the Plans is *Towards Zero Waste*. The goals of the Plans were to:

- Develop a Strategic Waste Management Plan that outlines the steps to be taken to minimise the direct and indirect environmental impacts of waste and its management over the next five years.
- Manage waste in a sustainable manner.
- Increase awareness of the impact of waste issues on the environment by the whole community.

The development of the funding scheme for SWMPs was a consultative process. The pilot phase of that scheme comes to an end in December 2009. An ongoing, long term funding scheme is needed for the implementation of the SWMP's. Appendix 6 outlines a Project Proposal put forward by the Association to assist with the implementation of SWMP's (in the metropolitan area and including an additional support scheme to assist the non-metropolitan area).

Recommendation: A long term funding scheme for SWMP's be developed and implement in consultation with Local Government.

8.3 Management of waste in Indigenous Communities

Services to indigenous communities are the subject of ongoing negotiations between the Commonwealth and States. At this stage in these negotiations it would be pre-emptive to place additional responsibilities on Local Government. Local Government does not currently have responsibility for provision of services to Indigenous Communities on Crown Land. In the National Partnership Agreement on Remote Indigenous Housing the responsibilities of the Commonwealth are articulated:

The Commonwealth will have responsibility for...

b) subject to paragraph (c), funding for the provision of some municipal and essential services under existing arrangements to Indigenous communities pending the development and up take of agreed funding responsibilities with the States and the Northern Territory; and

c) agreeing a process with each jurisdiction on the scope and timing for comprehensive audits of the state of municipal and essential services with relevant Indigenous communities to be undertaken from 2009.

In the National Waste Policy, the strategy identified is that:

The Australian Government will undertake an audit of existing waste infrastructure and local capability in selected remote Indigenous communities as part of a larger essential services audit under the COAG National Indigenous Housing Partnership Agreement.

The Australian Government is responsible for the audit.

In preparing the Report on the Inquiry into Local Government Service Delivery to Indigenous Communities (2008), 24 Local Governments were approached to make comment on service delivery to indigenous communities.

The response included a general agreement that Local Government was best placed to deliver Local Government services to indigenous communities, however the Local Governments were unanimous in their agreement that this was subject to:

1. Additional funding to enable Local Government to deliver services to a satisfactory standard.
2. Existing community infrastructure must be upgraded to acceptable and agreed standards before Local Governments will accept full responsibility for them.

Recommendation: Services and waste planning for Indigenous communities be removed from them State Waste Strategy until such time as Commonwealth and State negotiations on service provision to these areas are finalised.

9 Data Collection and Management

In order to determine whether the Targets outlined in the final State Waste Strategy are being met, data is needed. In WA there are systems in place to collect data (such as the Review of Total Recycling Activity in WA). The Cardno (2008) Review of Total Recycling Activity in Western Australia gives a good starting point to examine data collection methodologies. In conducting that review, Cardno identified that some entities did not report – when the Strategy is in place, this may be less of a concern as under the Section 34 of the WARR Act gives the CEO of the DEC power to:

Power to request report on waste strategy compliance

(1) The CEO may request any entity to provide a report on —

(a) its compliance with the waste strategy; or

(b) the reasons for any specified non-compliance by that entity with the waste strategy.

The Association is currently developing a Data and Information Policy Statement to articulate commitment to evidenced based decision making, which provides a rational, credible basis for decision making. Many organisations use evidence based decision making and adapt it accordingly to suit their organisation.

In determining data collection methodology there are some key considerations:

Assessing when new data collection should be considered

The following points should be considered before starting a new data collection process:

- What base data is already available?
- What is the primary function for the data collected?
- Who is the target audience for the data collected?
- Will the data become historic (ongoing), or is it a one off collection?
- Is the data collected consistent with other jurisdictions and is it transferable between jurisdictions?
- Is there funding available from national, state and local levels to assist the collection process?
- Are there any barriers to obtaining consistent data?

Assess best placed party to collect and provide data

Local Government supports the provision of data to aid in effective decision making. Industry looks to State Government as a reliable source of data and information in order to undertake research and feasibility studies into waste management infrastructure investment. Without good data collection decision making is hindered substantially. Local Government is generally a good source of waste management data especially in the arenas of recycling, waste management and Alternative Waste Treatment facilities. Consideration needs to be given to who else is collecting this same data and how readily available is it to assist in the collection process.

Understanding the metadata

Metadata is used to facilitate the understanding, characteristics, and management of data (data about other data). A metadata record consists of a number of pre-defined elements representing specific attributes of a resource. Given the various ways of collecting data about waste management activities and varying definitions a clear understanding of the metadata is particularly important.

Funding for data collection

Data collection needs to be resourced prior to commencement of data collection. The following should be considered:

- What funding sources are available to assist data collection?
- Should funding for data collection come from national, state or local levels?
- Will the funding be ongoing or one-off?

Recommendation:

1. Data collection and management be linked to the Targets for the Strategy.

2. Considerations when establishing data collection methodology include:

- **Assessing when new data is needed**
- **Determining who is best placed to collect the data**
- **Understanding the metadata**
- **Funding for data collection**

Another consideration for data collection is the baseline which is used. In the draft Strategy, for example, two different figures are given for MSW recovery rate (25% and 45%). Percentage based targets rely on an understanding of the baseline data prior to setting targets. Confidence in the data needs to be established.

Recommendation: Establish the accuracy of the base line data.

Given the affect of economic activity and population growth on waste generation, when reporting on waste data these are important areas to cross reference. In the annual report generated for the Victorian Government, waste generation, population growth and economic activity are all presented together to show the effectiveness of waste management programs and include the other factors affecting waste generation.

Recommendation: In data reporting, a measure be included to link waste generation, population growth and economic activity.

Some current sources of waste management related data include:

- Annual survey of Local Governments recycling (requirement under the National Environmental Protection Measure for Used Packaging Material);
- Landfill Levy data (metropolitan area);
- Annual report on recycling activities for Western Australia;
- National Litter Index;
- State of the Environment Report;
- National Packaging Covenant Annual Report on national recovery rates;
- National Greenhouse and Energy Reporting Scheme (NGERS);
- Specific data studies commissioned by the Waste Authority on particular material types / waste streams and capacity; and
- Local Government surveys of residents regarding attitudes to waste management.

The Association has had discussion with the Waste Authority on several occasions regarding data collection from Local Government and the need for a coordinated and consistent approach. Appendix 6 outlines a costed project to address data management in Local Government.

Local Government and the waste industry have previously identified the need for a central repository of information regarding the industry. The suggestion has been made that a Centre of Excellence for waste management would provide independent technical expertise, education and applied research to advance new technologies and policy management for both waste management (municipal, commercial and industrial) and industrial ecology waste management sustainable outcomes. Appendix 6 provides an outline of this project.

10 Additional Points

10.1 Working with DEC

In the consultation undertaken with Local Government the point was made several times regarding the need for experienced personnel in the regulation area within DEC who could provide advice and suggestions for different approaches to manage landfills/transfer stations. One size doesn't fit all for landfill management and given current licence conditions there needs to be an open dialogue between DEC and Local Government to resolve issues. Concerns were also expressed about conflicting messages between the regulation and policy sections of the Department of Environment and Conservation. Local Government have expressed a clear preference to work with regulators to ensure that sites are managed to provide best environmental management.

In discussions regarding AWT, the issue was raised that there will need to be technically qualified officers within DEC/ EPA to assess applications for technology. This will assist in providing technical assurance that the projects proposed have not only followed the required assessment processes but that the technologies have been assessed by independent experts to verify that the technologies can deliver.

10.2 Product Stewardship

Links to the “Box 5 Product Stewardship” section in the draft Strategy.

Local Government endorses the Extended Producer Responsibility approach as an important part of achieving sustainability. Local Government considers that the Extended Producer Responsibility approach can provide effective tools to advance the key outcomes required in achieving sustainable, economic, social and environmental principles. Local Government considers that these key outcomes are:

- Clear, sensible and effective designations of responsibility for the management of lifecycle impacts of products
- Improved valuation, pricing and incentive mechanisms
- Greater investment in infrastructure and research and development
- Greater transparency and accountability

In relation to the Strategy, a clear process for determining priority products for EPR schemes needs to be put in place. The Association has developed a selection process which could provide a starting point for the Authority to develop this process. This approach is given in Appendix 2: Position Paper on Priority Products for Product Stewardship/ Extended Producer Responsibility Schemes.

Recommendation: The Waste Authority establish a transparent methodology for determining priority products.

10.3 Alternative Waste Treatment

There is only limited mention of Alternative Waste Treatment technologies in the draft Strategy. As this is an area of significant investment for Local Government, more guidance on parameters for technology selection and support for infrastructure and operation costs is needed. The Association has developed an AWT Discussion Paper which outlines the main AWT Technologies and identifies some considerations for decision makers (included in Appendix 3).

The Association held an AWT workshop on Friday 4 December to further discuss the needs of Local Government in relation to AWT. There were over 40 attendees at the workshop including Local Government officers and elected members, community reference groups members, industry representatives and Curtin University. The group considered the key drivers and inhibitors to AWT. Drivers identified included:

- Planning Policy: State Government planning directive which stated no more landfills on Swan Coastal Plain;
 - Waste Policy: Zero Waste 2020 and other government expectations regarding *Towards Zero Waste*;
 - Community awareness: Community expectation regarding environmental issues, climate change, intergenerational equity and developing sustainable waste management solutions;
 - Local Government awareness: Local Government working as a community representative is increasingly aware of AWT;
 - Lack of Landfill: The limited life of landfills in the Perth area (10 – 15 years), combined with the expectation of increasing transport costs results in a need to conserve landfill space;
 - Waste as a resource: Increasingly viewing waste as a resource rather than something to be discarded and aiming to maximise resource efficiency.;
 - Reduce Groundwater contamination: From landfill;
 - Emissions Trading and Landfill Levy: Expectation of increasing costs of landfill compared to AWT.;
- and

- Governance structures: Such as Regional Councils which have facilitated large scale cooperation.

The inhibitors for AWT included:

- Costs: Large cost expectation potentially placed on Local Government;
- Community perceptions: Particularly for thermal technologies;
- Technology: Lack of proven technologies and information about these technologies;
- Leadership: Limited State/Federal Government leadership;
- Policy/legislative context: Uncertain policy and regulatory context;
- Low landfill costs: AWT is non-competitive;
- Long lead time: To establish an AWT (5 – 10 years);
- No provision in Planning Policy for AWT: Consequent encroachment in buffer zones; and
- Markets: Bor products produced by biological AWT.

At the workshop the assistance needed from WALGA and industry associations was discussed, as well as the support needed from the State Government. The key themes that emerged were:

- Coordination: The need for a coordinated approach to waste management at a metropolitan and state wide level and between state agencies;
- Information exchange: A central point for information exchange, to provide costs, technology options, research and rigorous analysis (through a Centre of Excellence for Waste Management);
- Support: More specific support for AWT;
- Direction: Stronger direction on siting of facilities;
- Planning: Incorporating waste management into planning schemes; and
- Increased scope: Potential for AWT to be applied to waste streams other than MSW.

Recommendation:

- 1. That a support scheme for AWT be put in place (as outlined in Appendix 6).**
- 2. That a centre of excellence for waste management be established (as outlined in Appendix 6).**

10.4 Waste Education

The WA Local Government Association has developed a Policy Statement on Waste Management Education. The Policy Statement provides clear identification of the roles and responsibilities of Local, State and Federal Governments with regard to Waste Education, and clarifies what other roles Local Government has in terms of Waste Management Education (Appendix 4).

All stakeholders have a role in education with regard to waste management. The Policy Statement defines the roles of Local, State and Federal Governments as:

Local Government – ‘behavioural change’ including informing the community about waste and recycling services available; the appropriate types of waste that can/cannot be recycled; leading by example with an active role in recycling and Waste Management Education programs; and facilitating active community participation and support, achieves waste diversion from landfill.

State/Federal Government - ‘attitudinal change’ including improving the perception of the overall environmental benefits associated with waste avoidance and recycling; leading by example with active roles in Waste Management Education programs; providing assistance, through funding for Waste Management Education programs; creating Waste Management Education and recycling programs that can be utilised cooperatively between Local and State Governments; promoting community awareness of the environmental impacts of waste; and providing appropriate strategies for the community, to minimise their waste impacts.

Waste Education at a state level has been severely lacking. Local Government has been providing comprehensive education on waste management. To ensure complementary messages are put forward by both State and Local Government, a cooperative approach is necessary. To that end an informal group of waste educators from State and Local Government have discussed State Government messaging. Some of the points identified were the need to provide examples of how material was recycled, to build public confidence that the material they recycled was actually recycled, and to highlight that there are many ways to recycle throughout the state. Another suggestion was to provide practical ways people could recycle/reuse material.

Recommendation: That the State Waste Strategy include clear commitments from the State Government to support community education on waste management.

10.5 Contingency planning

In August 2009, the Association hosted a waste management contingency planning workshop. The workshop brought together many different stakeholders to discuss issues of risk management and contingency planning for the waste industry. The purpose of the Workshop was for industry and government to discuss planning for the possibility of incidents that will impact the operation of waste treatment facilities in WA (recycling, AWT and Landfill facilities). Specifically:

- To identify and evaluate risks.
- Determine what can be done to mitigate problems.
- To resolve responsibility for contingency planning.

These issues potentially affect Local Government, private industry, Regional Councils, and State Government departments including the Department of Environment and Conservation, Waste Authority, FESA, and Department of Health.

There were some general conclusions from this workshop (the full report is included as Appendix 5), these included:

- Risk may be:
 - Prevented
 - Mitigated
 - Transferred
 - Reduced
 - Stopped
 - Accepted
- Contingency planning needs to be done on both a metropolitan and state level. Regional centres must be included.
- Agencies that could be included in waste contingency planning:
 - State Emergency Management Committee (SEMC)
 - Waste Authority
 - Investigation of triggers to get Commonwealth Government involved.
 - State Mitigation Committee (SMC)
 - Lifelines Committee (subset of SMC)
- Responsibility for contingency planning and dealing with problems/disasters after they occur lies with operators, State Government (Department of Environment and Conservation, Department of Health), Regional Councils, and Local Governments.
- Scale of disaster/incident determines response:
 - Large scale – SEMP (State Emergency Management Plan) or DEMP (District Emergency Management Plan) needed.

- Small scale (e.g. within a Local Government area) – LEMP (Local Emergency Management Plan) needed.
- Implications of waste being classified as an “Essential Service” – this would mean waste services would be treated as a “lifeline” and given priority to get back on line after disasters occurred.
- Funding opportunities: Local State and Commonwealth sources, SWIS grants to achieve mitigation actions.

Recommendation: In order to build on the work already undertaken to identify contingency issues for the waste industry, Local Government be involved in any future contingency planning activities for waste management.

10.6 Landfill Bans

MWAC developed a Submission on the Waste Management Board’s Paper, Impacts of Banning Certain Items from Landfill. Below is an excerpt from this Submission to outline some of the concerns with landfill bans.

Local Government recognises that banning certain items from landfill, in some instances, may act as an effective tool to assist resource recovery. However, as the report itself concludes, bans can not be effective as stand alone instruments. In fact, it is considered that banning any material in isolation to other complementary programmes inevitably raises the risk of illegal dumping and unsafe storage or disposal. As such, it would seem that little can be gained from an investigation that focuses exclusively on bans in isolation to other mechanisms for diverting waste.

Local Government considers that market development is the key to driving improved recycling rates. It is acknowledged that bans to landfill can assist market development in some circumstances by improving the supply of materials. However, bans also act as very blunt instruments. By their nature, they almost inevitably carry high enforcement costs; which would presumably be met largely by Local Government and the community as a whole. Bans also do very little to ensure the viability of end markets, beyond improving accessibility to product. A ban in itself can’t ensure demand for an end product will increase and can’t ensure appropriate infrastructure develops.

Experience with programmes such as ‘drumMUSTER’ and ‘Chemclear’ has demonstrated that industry involvement in waste management through extended producer responsibility (EPR) programmes is a more effective way to ensure markets and infrastructure are created. Therefore, Local Government is overwhelmingly of the opinion that any future consideration of a ban of any materials to landfill must be preceded by, or undertaken as a part of, a triple-bottom line analysis of a range of extended producer responsibility instruments in addition to other appropriate policies and mechanisms.

Recommendation: Any future investigations into a potential ban to landfill for any material type only be undertaken as a part of a multi-tool approach incorporating EPR programmes and other appropriate policies and mechanisms.

10.7 Training

For any of the strategies to be effective and targets achieved implementation needs to be effective. One of the key requirements is for properly trained and qualified employees. Through the Electrical, Utilities and Public Administration Training Council, the training needs of the waste industry are receiving greater

attention. The Waste Authority has already provided a Strategic Waste Initiatives Scheme (SWIS) grant to the Council to conduct a needs analysis for the waste management sector.

Recommendation: Provision for training be included in the Strategy to facilitate effective implementation.

10.8 Resource Efficiency

The United Nations (UNEP) definition refers to resource efficiency as "...reducing the environmental impact of the consumption and production of goods and services over their full life cycle" (Cropper, 2009). The UK based Waste & Resources Action Programme (WRAP) commissioned this study to explore the contribution material resource efficiency and material sufficiency can make to meeting greenhouse gas reduction targets. As one of the drivers for the WA State Waste Strategy is taken to be Climate Change, there is likely to be a role for resource efficiency (and sufficiency) in the future direction of the state. To provide for resource efficiency measures, more work will need to be undertaken. It is not suggested that, at this stage, resource efficiency be included as a measure in the State Waste Strategy.

Recommendation: Consideration and measures of resource efficiency be included in the State Waste Strategy at the 5 year review period.

10.9 Impact of National Market Based Instruments – Carbon

Some form of carbon related market based instrument is imminent, whether it be the Carbon Pollution Reduction Scheme (CPRS) or some form of Carbon Tax. Waste has been identified as a covered sector under the CPRS. In the draft Strategy currently there is only limited mention of the effect of a such a scheme on the waste sector. The imposition of market based instruments is likely to combine with an increased Waste Levy to significantly increase the costs of landfill. There are State Government commitments under the COAG Agreement of April 2006 (*The Intergovernmental Agreement Establishing Principles Guiding Inter-Governmental Relations on Local Government Matters*) regarding cost-shifting and the need for mechanisms to ensure cost neutrality.

Recommendation:

- 1. That the Strategy acknowledges the likely impact of carbon related market based instruments from the Commonwealth and their likely impacts on waste as a covered sector.**
- 2. That the Strategy seeks to develop a framework, in partnership with local government, to ensure Commonwealth market based instruments do not adversely affect the financial sustainability of Local Government waste management services.**

11 Accountability and Review of Strategy

As well as review, the responsibility and accountability for achieving the targets needs to be clearly identified. It is suggested that in the final strategy accountability and responsibility be identified for each of the strategies.

Recommendation: For each strategy the lead agency/responsible stakeholder be identified.

For the review of the Strategy, it is suggested some thought be given now to the criteria and methodology for the review of the strategy.

Recommendation: Terms of reference outlining the criteria and methodology for reviewing the Strategy be established.

12 Conclusion

The draft Strategy has provided a sound starting point for discussion and greatly assisted in providing a framework for suggestions to be put forward. For stakeholders to understand how their actions are working towards the aims of the Strategy, a structure is suggested which clearly links the targets, strategies, responsible agencies, funding and measurement mechanisms. An example is provided in table 12.1

Table 12.1: Example of suggested structure

Resource Recovery			
Target: 50% MSW Recovery Rate by 2015			
Measurement: Total recycling activity report for WA			
Reporting: Waste Authority Annual Report on the State Waste Strategy			
Strategy	Responsible Agency	Funding	Timeframe
Develop and implement a support scheme for Strategic Waste Management Plans	Waste Authority develop Scheme in consultation with Local Government. Local Government implement SWMP with funding assistance.	Waste Levy funding for Scheme. Local Government matched funding.	Short term

Several suggestions have been identified in this Submission as important to include at the 5 year review point for the Strategy, these include:

- Waste considered outside the scope of this Strategy;
- Targets for the Non-metropolitan regional centres;
- Subject to State and Commonwealth Government negotiations, the review of the strategy in 2015 may provide an opportunity to incorporate strategies relating to indigenous community waste services; and
- Resource efficiency.

Appendix 7 includes a summary of the comments from this Submission, Appendix 8 provides a slightly revised structure for the Strategy and fits the recommended Targets and Strategies into that Structure.

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14 Appendices

Appendix 1: Comment on draft Strategy

Appendix 2: Position Paper on Priority Products for Product Stewardship/ Extended Producer Responsibility Schemes

Appendix 3: AWT Discussion Paper

Appendix 4: Waste Management Education Policy Statement

Appendix 5: Outcomes of Contingency Planning Workshop

Appendix 6: Project Proposals for use of the Waste Avoidance and Resource Recovery Levy

Appendix 7: Recommendations from the Submission

Appendix 8: Revised Structure for Strategy