



October 2018

Status of this Submission

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (WALGA). MWAC is a standing committee of WALGA, 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) as well as a number of Local Government representatives. 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 Australian Local Governments. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

This version of the Submission is was endorsement out of session by the Municipal Waste Advisory Council on Thursday 1 November 2018.

Executive Summary

Local Government is supportive of the intent of the draft Waste Strategy to avoid waste generation, increase resource recovery and protect and enhance the environment. The Association welcomes the opportunity to comment on the draft *Waste Authority Waste Strategy 2030*. The structure of the draft Strategy provides clear linkages between the vision, principles, objectives, targets, priorities and strategies and is underpinned by a number of supporting documents. However, further clarification is required on the timeframe in which these documents will be developed, and the level of consultation that will occur.

General Comments

It is clear from the draft Strategy that the State Government is committed to taking a leadership role in implementing the Strategy and changing how waste is managed. This commitment will need to be embedded across Government to ensure a whole of Government approach.

Recommendation 1: To ensure a whole of Government approach is taken to the implementation of the Strategy, the roles and responsibilities of all State Government Departments in achieving the avoid, recovery and protect targets must be included in the Action Plan.

Local Government and the waste management industry require certainty on the future direction of the Waste Avoidance and Resource Recovery Levy (WARR Levy) in order to invest in waste avoidance and resource recovery approaches and infrastructure. Given the timeframes associated with infrastructure development, at least a 10 year trajectory for the WARR Levy is recommended.

Recommendation 2: That the Government sets at least a 10 year trajectory for the Waste Avoidance and Resource Recovery Levy.

To reflect that this Strategy is focused on more than just waste, it is suggested the Strategy be named the Waste Avoidance and Resource Recovery Strategy.

Recommendation 3: That the Strategy be titled the Western Australian Waste Avoidance and Resource Recovery Strategy.

Geographic Application of the Strategy

If the targets apply to the whole state, it is essential that strategy descriptions are framed in such a way that the resulting initiatives accommodate the differences between the metropolitan and non-metropolitan areas. In particular, the targets in the draft Strategy that relate to the management of all waste using better practice approaches. This has significant implications for regional and remote Local Governments with limited resources available to implement new approaches. Other Local Governments have questioned how the Strategy will apply to Aboriginal communities and the agencies that are responsible for providing waste management activities.

Recommendation 4: Ensure strategy descriptions are designed to facilitate the achievement of the targets in both metropolitan and non-metropolitan areas.

The definition of Major Regional Centres in the glossary is complex. It is requested that the definition is simplified, clearly stating the Regional Centres to which the Strategy targets apply.

Recommendation 5: Simplify the definition of Major Regional Centres.

Shared Responsibility and Collaborative Partnerships

The terminology relating to shared responsibility and partnerships could be better defined in the draft Strategy. Building on the State / Local Government Partnership Agreement, the Association recommends that a collaborative partnership approach is taken to the implementation of the Strategy. It is expected that this approach acknowledges the skills and expertise of the sector, focuses on collectively developing guidance and programs in consultation with affected parties and recognises the impact of Government decisions on the sector. The benefits of undertaking active stakeholder engagement when developing new materials and approaches, could result in a higher level of stakeholder confidence, ownership and buy-in.

Recommendation 6: That the State Government adopts a collaborative partnership approach in implementing the Strategy with the Local Government and waste management sectors.

All parties to the Strategy should be enabled to commit to implementation on an equal basis. It is not equitable for Government activity related to Strategy to be fully funded by WARR Account funds, when the implementation of on-ground systems, infrastructure and engagement approaches are not even partially funded. The scope of activities and projects funded through the WARR Account must recognise differences in funding priority based on geographic location.

Recommendation 7: That the Action Plan for implementation of the Strategy includes funding programs that:

- **Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments**
- **Reflect the targets and priorities within the State Waste Strategy**
- **Fully funds and acknowledges the life-cycle costs of infrastructure and services**
- **Facilitates the development and implementation of Product Stewardship Schemes.**

Supporting Documentation

In developing the supporting documents that will align with or support the Strategy, Local Government is keen to ensure that the Department of Water and Environmental Regulation undertakes effective stakeholder engagement that secures stakeholder confidence, ownership and buy-in.

Recommendation 8: That the State Government actively engages key stakeholders in the development of the supporting documentation for the Strategy, including, but not limited to:

- **Action Plan**
- **Better/Best Practice Guidance**
- **State Waste Infrastructure Plan**
- **Waste Data Strategy.**

Waste Strategy 2030 Action Plan

The draft Strategy indicates that an Action Plan will be developed as a supporting document. This approach is supported by the Association, as it provides an opportunity to clearly identify how the Strategy will be delivered. To ensure the Action Plan is effective, and its progress can be measured, clear dates for implementation within the Action Plan are required.

Recommendation 9: That the Action Plan includes clear dates for the implementation of specific actions.

Waste Authority Position and Guidance Statements

The draft Strategy indicates that the Waste Authority will continue to publish position and guidance statements that align with or support the final Strategy. The provision of these documents alone has not influenced market dynamics or changed the practices of waste generators or managers. While it is understood that these documents are intended to formalise the views of the Waste Authority, and inform decisions relevant to its role in implementing the Strategy, clarification is required on how (or if) the strategic direction provided in these documents will be implemented.

The current wording of the draft Strategy indicates that the development of better practice approaches, guidance and/or standards is preferred to Waste Authority position and guidance statements. To date, the term better practice has not been formally linked to the head of power provided by the WARR Act to require Best Practice. The adoption of better practice approaches, guidance, and/or standards must come with either an assurance of the period of time that they will be supported, or that they will only apply to new facilities/activities.

Recommendation 10: That the State Government:

- **Clarify whether the documents currently termed ‘better practice approaches’ will be equivalent to ‘best practice standards’ under the WARR Act and the degree to which these document will be enforced.**
- **Ensures that any better/best practice approaches, guidance and/or standards, includes an assurance of the period of time that the approach, guidance and/or standard will be supported.**

Recommendation 11: That the State Government prioritises the development of better practice approaches, guidance and/or standards.

State Waste Infrastructure Plan

Local Government is highly supportive of the development of a State Waste Infrastructure Plan. Such a plan could incentivise the management of waste as close to the source of generation as possible, to minimise transport impacts as well as incentivise investment. However, it is noted that mechanisms that encourage investment in the infrastructure that Western Australia requires to achieve the Strategy targets cannot be developed or implemented until the Plan is complete.

Recommendation 12: That the State Government prioritise the development of the State Waste Infrastructure Plan.

Local Governments, and the Association, have expressed concern about the potential for a proliferation of landfill facilities that undermine the Strategy targets. This issue is yet to be addressed. Local Governments continue to raise this important issue with the Association. Instead of limiting the number of landfills to support the diversion targets in the Strategy, the State’s regulatory framework currently allows landfills to be assessed on a case by case basis, only considering whether the environmental impacts at each site are acceptable. The lack of a strategic approach is likely to result in more landfills, greater competition between sites, lower landfill prices and ultimately, undermine the landfill diversion targets in the State Waste Strategy.

The Association acknowledges the need for appropriately planned landfills in the future, but would highlight that there is more than sufficient landfill space for the foreseeable future and asserts that the

policy relating to landfills needs to change to ensure the need for a site is demonstrated before it is approved.

Recommendation 13: That the State Government places a moratorium on all large scale landfill developments in the metropolitan and non-metropolitan area until such time as the appropriate policy mechanisms have been put in place.

Waste Data Strategy

Consultation on the proposed amendments to the WARR Act 2007, to require mandatory reporting of waste data from Local Government and private industry occurred in August 2016. Local Government supports compulsory waste data reporting for the private sector and for mechanisms to be used to ensure Local Government reporting. The Association is supportive of a Waste Data Strategy that improves the consistency and accuracy of information available to inform the development of projects and programs and measure progress towards the achievement of targets.

Recommendation 14: That the State Government prioritise the development of the Waste Data Strategy and supporting regulations that require reporting.

Annual Business Plan

The development of the Waste Authority's Annual Business Plan provides transparency to the Western Australian community on the Government's use of WARR Account funds. The Local Government sector is of the view that the approach taken to develop this document has not always aligned with the requirements of s36 of the WARR Act 2007, with little or no transparency provided on how WARR Account funds are allocated to distinct activities / business units of the Department, or the implementation of the State Waste Strategy.

Recommendation 15: Develop and approve the Annual Business Plan as per the requirements of the WARR Act.

General Comments on the Targets

The Association's response to the Consultation Paper (February 2018), highlighted the need for targets that are based on modelling of realistic configurations of infrastructure, engagement and service delivery, with due regard to the differences between metropolitan and regional areas. This information has not been presented in the draft Strategy, making it difficult to assess if the targets are achievable – particularly for the C&I and C&D waste streams.

If the Government is committed to the targets in the draft Strategy, further investigation is required as to how these will be achieved.

Recommendation 16: That the State Government models feasible configurations of infrastructure, programs, engagement, and service delivery in both metropolitan and non-metropolitan areas to ensure that the targets in the Strategy can be achieved.

The move away from a reliance on landfill diversion based targets is supported. The use of this type of target in the current Strategy did not result in improved resource recovery outcomes, with diversion practices focused on the lowest cost option.

To be effective, the Strategy must focus on the implementation of practical initiatives that deliver meaningful change across the entire waste management industry. The State Government, as the lead stakeholder driving its implementation, will need to report annually on the progress made in implementing the strategy descriptions and Action Plan. This must clearly link to Key Performance Indicators on effectiveness and efficiency in the DWER Annual Report – and would be separate from the Waste Authority reporting requirements.

Recommendation 17: That the State Government Report annually on the implementation of strategy descriptions and the Action Plan via the DWER Annual Report.

General Comments on Strategy descriptions

The Association supports the approach taken to clearly link the targets, with different strategies, lead stakeholders and which party each strategy applies to. There are 49 strategy descriptions listed in the draft Strategy. The Association suggests that where possible, these are rationalised. The strategy descriptions must be framed in such a way that the wording is specific and action oriented, and gives lead stakeholders distinct tasks to complete.

Recommendation 18: That the strategy descriptions are outcome focused with clear deliverables.

The Container Deposit Scheme is a major Government initiative focused on increasing recovery and reducing litter, the Scheme could be included under the Foundation Strategies in the context of working to implement effective product stewardship schemes in WA.

Recommendation 19: That the Container Deposit Scheme be included as a Foundation Strategy, in the context of implementing effective product stewardship schemes in WA.

Specific Comments on Targets and Strategy descriptions

The Association has included a range of specific comments on the targets and strategy descriptions in Section 3. One significant area of discussion for the sector has been the target relating to the introduction of a Food Organic and Garden Organic (FOGO) collection system by all Local Governments in the Perth/Peel regions by 2025. While Local Government is supportive of better practice approaches to kerbside collection, the State Government will need to be mindful of existing contractual arrangements. Local Governments that have entered into waste to energy contacts have questioned if (and how) the adoption of a FOGO system is to be enforced, and how this will then impact on their existing tonnage commitments.

1. Introduction

The Association welcomes the opportunity to comment on the draft *Western Australia Waste Strategy 2030*. The Association also appreciates the considerable effort that has been made to include comments from stakeholders in the draft Strategy. The draft Strategy incorporates many of the recommendations made by Local Government in responding to the review of the Western Australian Waste Strategy "Creating the Right Environment" (March 2012) and other documents including:

- Office of the Auditor General's Performance Audit of the State Waste Strategy (WALGA Submission March 2016)
- Waste Strategy 2014-15 Performance Assessment (released January 2017, WALGA Submission February 2017)
- Waste Avoidance and Resource Recovery Strategy Consultation Paper (released October 2017, WALGA Submission February 2018).

In October 2018, a draft State Waste Strategy was released to those parties that provided a formal response on the Consultation Paper for a consultation period of 28 days. The draft Strategy contains a vision, principles, objectives, targets, priorities and strategies - underpinned by a number of supporting documents.

Previous commentary by the Association has highlighted that for the Strategy to be effectively implemented there needs to be State Government commitment and leadership, timely decision making and active engagement with the sector to develop Programs and/or Policy that are fit for purpose and include realistic operational considerations.

The Submission provides general comment on a number of issues associated with ensuring the Strategy is effectively implemented, along with more detailed feedback on the specific strategies included in Tables 2-5.

For some areas of the draft Strategy there is a difference of opinion between Local Governments, therefore this Submission reflects that diversity of view.

Local Government is supportive of the approach taken in framing this version of the draft Strategy, and the inclusion of clear linkages between objectives, targets, strategies and lead stakeholders. This section of the Submission provides general comment on the draft Strategy, with respect to its implementation.

2. General Comments

State Government Leadership Role

It is clear that the Government is committed to driving change in waste management, and has embraced a leadership role in the draft Strategy. This approach is welcomed, along with the designation of a lead stakeholder to implement the strategy descriptions. It is also clear from the draft Strategy that the Government is moving beyond consideration of waste and moving towards the adoption of a circular economy.

The Association considers that this approach will begin to address the issues that impeded the implementation of the previous Strategy. However, to achieve a reduction in waste generation and increase recovery, the State Waste Strategy must link to other Government policies, strategies and plans (refer to the suggestions provided in the WALGA Submission on the Consultation Paper, February 2018). The draft Strategy begins to do this, by including general statements on the Litter Strategy (#32), the National Food Waste Strategy (#40), National Waste Policy (#45), and Local Government Waste Plans (#48). Local Government considers that linkages must also be made to Local Government Strategic Community Plans and Regional Blueprints¹.

The role, and commitment, of all State Government departments in relation to the waste avoidance, resource recovery, and environmental protection (litter and illegal dumping reduction) targets should be articulated. This can be achieved by ensuring that as a 'waste generator,' the State Government is identified in the 'Strategy application' section. For example in strategy description #2, the State Government has a role in developing locally relevant actions for waste reduction.

Recommendation 1: To ensure a whole of Government approach is taken to the implementation of the Strategy, the roles and responsibilities of all State Government Departments in achieving the avoid, recovery and protect targets must be included in the Action Plan.

Waste Avoidance and Resource Recovery Levy

Although the Waste Avoidance and Resource Recovery Levy (WARR Levy) is one mechanism that the Government can, and has, used to incentivise diversion of material from landfill, there is limited mention of this in the draft Strategy. The only strategy description which addresses the Levy is #46, which recommends that the scope and application of the Levy are reviewed. Local Government and the waste management industry require certainty on the future direction of the WARR Levy in order to invest in waste avoidance and resource recovery approaches and infrastructure. Given the timeframes associated with infrastructure development, at least a 10 year trajectory for the WARR Levy is recommended.

Recommendation 2: That the Government sets at least a 10 year trajectory for the Waste Avoidance and Resource Recovery Levy.

Strategy Name

Following discussion with stakeholders the Association recommends that the Strategy be named the Waste Avoidance and Resource Recovery Strategy, in recognition of this changing approach and focus of the document.

¹ Department of Primary Industries and Regional Development (accessed February 2018). Regional Blueprints. Available online. <http://www.drd.wa.gov.au/projects/Economic-Development/Pages/Regional-Blueprints.aspx>.

Recommendation 3: That the Strategy be titled the Western Australian Waste Avoidance and Resource Recovery Strategy.

2.1 Geographic Application of the Strategy

Some of the targets in the draft Strategy are specific to a geographic area, for example the Perth and Peel regions. Other targets are not geographically specific, such as those relating to C&I and C&D and better practice approaches to infrastructure. If the targets apply to the whole state, it is essential that strategy descriptions are framed in such a way that the resulting initiatives accommodate the differences between the metropolitan and regional / remote areas. In particular, the targets in the draft Strategy relate to the management of all waste using better practice approaches and the adoption of resource recovery better practice by all waste facilities. This has significant implications for regional and remote Local Governments with limited resources available to implement new approaches. In providing feedback to WALGA, Local Governments have highlighted that these approaches need to be developed in consultation with the sector and it will be essential to provide funding assistance to transition to any new 'Better Practice' approach. However, there is only one strategy description that specifically refers to funding for areas of the State outside the definition of Perth, Peel and Regional Centres (strategy description #19).

Other Local Governments have questioned how the Strategy will apply to Aboriginal communities and the agencies that are responsible for providing waste management activities.

Recommendation 4: Ensure strategy descriptions are designed to facilitate the achievement of the targets in both metropolitan and non-metropolitan areas.

The definition of Major Regional Centres in the glossary is complex. It is requested that the definition is simplified, clearly stating the Regional Centres to which the Strategy targets apply.

Recommendation 5: Simplify the definition of Major Regional Centres.

2.2 Shared Responsibility and Collaborative Partnerships

The terminology relating to shared responsibility and partnerships could be better defined in the draft Strategy. A negotiated agreement regarding shared responsibility to implement the Strategy, between State, Local Government and the waste management industry is required to deliver improved waste avoidance, resource recovery and consequently divert material from landfill. The current wording implies that Local Governments and industry are required to adopt "*best practice approaches to waste minimisation, resource recovery and appropriate waste management*" (pg 17, draft Strategy).

Building on the State / Local Government Partnership Agreement the Association recommends that a collaborative partnership approach is taken to the implementation of the Strategy. It is expected that this approach acknowledges the skills and expertise of the sector, focuses on collectively developing guidance and programs in consultation with affected parties and recognise the impact of Government decisions on the sector. The benefits of undertaking active stakeholder engagement when developing new materials and approaches could result in a higher level of stakeholder confidence, ownership and buy-in. The current approach for many documents or programs does not deliver optimal outcomes and takes considerable time and effort to respond to from the sector and for the Department to address issues raised.

Recommendation 6: That the State Government adopts a collaborative partnership approach in implementing the Strategy with the Local Government and waste management sectors.

All parties to the Strategy should be enabled to commit to implementation on an equal basis. It is not equitable for Government activity related to Strategy to be fully funded by WARR Account funds,

when the implementation of on-ground systems, infrastructure and engagement approaches are not even partially funded.

In the 2017/18 Financial Year, approximately \$11 million out of the \$19 million allocated to the WARR Account was used to fund the activities of the Waste Authority and the Department of Water and Environmental Regulation. Very little financial support was provided to either Local Government or the waste management industry to implement their responsibilities and/or move to the frameworks and systems developed by the Department. Local Government makes a substantial contribution to waste management in terms of residential and commercial waste and recycling collection services, and investment in waste treatment infrastructure such as alternative waste treatment facilities, transfer stations, landfills, and material recovery facilities.

The scope of activities and projects funded through the WARR Account must recognise differences in funding priority based on geographical location. Local Government strongly supports funding programs that:

- Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments
- Reflect the targets and priorities within the State Waste Strategy
- Fully funds and acknowledges the life-cycle costs of infrastructure and services
- Facilitates the development and implementation of Product Stewardship Schemes.

Recommendation 7: That the Action Plan for implementation of the Strategy includes funding programs that:

- **Provide adequate funding and support for Regional Councils, non-metropolitan and metropolitan Local Governments**
- **Reflect the targets and priorities within the State Waste Strategy**
- **Fully funds and acknowledges the life-cycle costs of infrastructure and services**
- **Facilitates the development and implementation of Product Stewardship Schemes.**

2.3 Supporting Documents

In developing the supporting documents that will align with or support the Strategy, Local Government is keen to ensure that the Department of Water and Environmental Regulation undertakes effective stakeholder engagement that secures stakeholder confidence, ownership and buy-in. While high level detail on the achievement of Strategy objectives and targets is included in strategy descriptions, further information is required on the agency responsible for implementation, as well as timeframes for completion. The draft Strategy identifies that this detail will be included in other supporting documents such as an Action Plan.

Recommendation 8: That the State Government actively engages key stakeholders in the development of the supporting documentation for the Strategy, including, but not limited to:

- **Action Plan**
- **Better/Best Practice Guidance**
- **State Waste Infrastructure Plan**
- **Waste Data Strategy.**

Waste Strategy 2030 Action Plan

The draft Strategy indicates that an Action Plan will be developed as a supporting document. This approach is supported by the Association, as it provides an opportunity to clearly identify how the Strategy will be delivered. However, the Association is concerned that the current wording of the draft Strategy does not provide Local Government, or other stakeholders, with an opportunity to contribute to, or comment on the Action Plan.

For the Strategy to be effective, a different approach needs to be taken to implementation – with accountability for the delivery of activities within predefined timeframes. The approach taken to implement the current strategy means detail on implementation is only included in the Waste

Authority's Annual Business Plan. The Local Government sector is frustrated that this process has resulted in the application of WARR Account funds to predominantly departmental activities, with very limited accountability for implementation.

Local Government is the only sector that will be required to develop and implement a waste plan that aligns with the Strategy. There are few legislative tools available to Government to apply a similar requirement to the C&I and C&D sectors. However, through the Action Plan, Government agencies that either generate waste, or purchase material, could be required to align their practices with the Strategy.

Recommendation 9: That the Action Plan includes clear dates for the implementation of specific actions.

Waste Authority Position and Guidance Statements

The draft Strategy indicates that the Waste Authority will continue to publish position and guidance statements that align with or support the final Strategy. The Waste Authority has published position and guidance statements on:

- Recycled Organics (October 2009)
- Waste to Energy (May 2013)
- Waste Hierarchy (June 2013)
- Source Separation of Waste (January 2014)
- Construction and Demolition (C&D) Waste (June 2016).

The provision of these documents alone has not influenced market dynamics or changed the practices of waste generators or managers. While it is understood that these documents are intended to formalise the views of the Waste Authority, and inform decisions relevant to its role in implementing the Strategy, clarification is required on how (or if) the strategic direction provided in these documents will be implemented.

As the position and guidance statements have resulted in limited change, other mechanisms have been used to influence how waste is generated or managed. Specifically, the WARR Levy, licence conditions and/or programs that link to better practice guidelines. This approach has provided the Department with considerable flexibility and negated the need to complete a Regulatory Impact Statement. Unfortunately, frequent changes in eligibility criteria and/or standards have been difficult for Local Government and the waste management industry to accommodate, undermining substantial investment in collection and processing/disposal infrastructure. The adoption of better practice approaches, guidance, and/or standards must come with either an assurance of the period of time that they will be supported, or that they will only apply to new facilities/activities.

The current wording of the draft Strategy indicates that the development of better practice approaches, guidance and/or standards is preferred to Waste Authority position and guidance statements. To date, the term better practice has not been formally linked to the head of power provided by the WARR Act to require Best Practice. Specific timeframes for the development of these resources is required, as the Avoid, Recover and Protect 2030 targets for waste managers refer to the adoption of better practice. There are also 7 strategy descriptions that refer to better practice approaches, guidance and/or standards.

Recommendation 10: That the State Government:

- **Clarify whether the documents currently termed 'better practice approaches' will be equivalent to 'best practice standards' under the WARR Act and the degree to which these document will be enforced.**
- **Ensures that any better/best practice approaches, guidance and/or standards, includes an assurance of the period of time that the approach, guidance and/or standard will be supported.**

Recommendation 11: That the State Government prioritises the development of better practice approaches, guidance and/or standards.

State Waste Infrastructure Plan

Local Government is highly supportive of the development of a State Waste Infrastructure Plan. Such a plan could incentivise the management of waste as close to the source of generation as possible, to minimise transport impacts as well as incentivise investment. However, it is noted that mechanisms that encourage investment in the infrastructure that Western Australia requires to achieve the Strategy targets cannot be developed or implemented until the Plan is complete. Strategy description #50 indicates that a strategic review of Western Australia's waste infrastructure (including landfills) will occur by 2020. It is anticipated that the Plan would be developed after this date. This presents a very short timeframe for Local Government and the waste management industry to develop the infrastructure required to achieve the 2025 targets. Particularly when the development of infrastructure requires consideration of existing contractual commitments, time to secure finance, approvals processes and the construction and commissioning of infrastructure.

Local Governments, and the Association, have expressed concern about the potential for a proliferation of landfill facilities that undermine the Strategy targets. When the *Waste Avoidance and Resource Recovery Act (2007)* was reviewed in December 2014, the Background Paper identified that the existing landfills had capacity for the waste being generated until around 2025, or until 2030 if the targets in the Waste Strategy were met. The Paper also identified that there was "increasing pressure for metropolitan waste to be disposed to landfill outside the metropolitan area". The Paper stated "There is a strong case to reform the landfill policy and regulatory framework to include planning, siting and compliance considerations so that landfills can be managed consistent with government policy. Policy considerations should balance the need to ensure availability of sufficient landfill space to manage residual waste and unplanned events...with the need to limit supply to encourage maximum diversion from landfill".² The Association agrees with the assessment of the gap in policy.

This policy gap has not been addressed in the years since the Background Paper was released, and non-metropolitan Local Governments continue to raise this important issue with the Association. Instead of limiting the number of landfills to support the diversion targets in the Strategy, the State's regulatory framework currently allows landfills to be assessed on a case by case basis, only considering whether the environmental impacts at each site are acceptable. This lack of a strategic approach is likely to result in more landfills, greater competition between sites, lower landfill prices and ultimately, undermine the landfill diversion targets in the State Waste Strategy.

The Association acknowledges the need for appropriately planned landfills in the future, but would highlight that there is more than sufficient landfill space for the foreseeable future and asserts that the policy relating to landfills needs to change to ensure the need for a site is demonstrated before it is approved. To address this issue, the Association recommends, as a matter of urgency, that a moratorium on all large scale landfill developments in the non-metropolitan be put in place until such time as the appropriate policy and mechanisms have been implemented. Currently strategy #44 is the only mention of restricting new landfill development.

Recommendation 12: That the State Government prioritise the development of the State Waste Infrastructure Plan.

Recommendation 13: That the State Government places a moratorium on all large scale landfill developments in the metropolitan and non-metropolitan area until such time as the appropriate policy mechanisms have been put in place.

Waste Data Strategy

Consultation on the proposed amendments to the WARR Act 2007, to require mandatory reporting of waste data from Local Government and private industry occurred in August 2016. Local Government

² Department of Environment Regulation (2015). *Review of Waste Avoidance and Resource Recovery Act 2007 Discussion paper*. Available online <https://www.der.wa.gov.au/component/k2/item/6474-review-of-the-waste-avoidance-and-resource-recovery-act-2007>

supports compulsory waste data reporting for the private sector and for mechanisms to be used to ensure Local Government reporting. The Association is supportive of a Waste Data Strategy that improves the consistency and accuracy of information available to inform the development of projects and programs and measure progress towards the achievement of targets. It is important in developing the Waste Data Strategy and approach that duplication of reporting be avoided, as Local Governments have indicated reporting essentially the same data to different sections within the DWER. The Association supports the suggested approach, in the previous consultation, to develop 'approved methods' of reporting with training to assist prior to implementation.

Recommendation 14: That the State Government prioritise the development of the Waste Data Strategy and supporting regulations that require reporting.

Annual Business Plan

The development of the Waste Authority's Annual Business Plan provides transparency to the Western Australian community on the Government's use of WARR Account funds. The Local Government sector is of the view that the approach taken to develop this document has not always aligned with the requirements of s36 of the WARR Act 2007, with little or no transparency provided on how WARR Account funds are allocated to distinct activities / business units of the Department, or the implementation of the State Waste Strategy. There have also been significant delays in the release of approved Annual Business Plans, which has impeded the implementation of the Strategy.

Recommendation 15: Develop and approve the Annual Business Plan as per the requirements of the WARR Act.

2.4 General comments on the Targets

The Association's response to the Consultation Paper (February 2018), highlighted the need for targets that are based on modelling of realistic configurations of infrastructure, engagement and service delivery, with due regard to the differences between metropolitan and regional areas. This information has not been presented in the draft Strategy, making it difficult to assess if the targets are achievable – particularly for the C&I and C&D waste streams. The accuracy of the baseline data provided for the C&I and C&D sectors is questionable, as previously identified by the Department in the *Consultation Paper on the Proposed Amendments to the Waste Avoidance and Resource Recovery Regulations 2008 to Require Record-keeping and Annual Reporting of Waste and Recycling Data* (July 2016).

If the Government is committed to the targets in the draft Strategy, further investigation is required as to how these will be achieved. For the Action Plan to be developed, modelling of feasible configurations of infrastructure, engagement and service delivery are needed. It is important that this modelling considers the differences between metropolitan and non-metropolitan areas.

Recommendation 16: That the State Government models feasible configurations of infrastructure, programs, engagement, and service delivery in both metropolitan and non-metropolitan areas to ensure that the targets in the Strategy can be achieved.

Local Governments have questioned why baseline data on generation rates from 2014/15 has been used in the draft Strategy, as there have been changes in market conditions since this time. The Association understands that this is the most recent data that is available for comparisons nationally. The use of multiple datasets in the draft Strategy and percentages, as opposed to tonnages, makes it difficult for Local Government to assess how any changes it makes will contribute to the achievement of Strategy targets.

The move away from a reliance on landfill diversion based targets is supported. The use of this type of target in the current Strategy did not result in improved resource recovery outcomes, with diversion practices focused on the lowest cost option. This change in how the targets are framed will also ensure that materials that are stockpiled cannot be counted towards landfill diversion targets.

To be effective, the Strategy must focus on the implementation of practical initiatives that deliver meaningful change across the entire waste management industry. The State Government, as the lead stakeholder driving its implementation, will need to report annually on the progress made in implementing the strategy descriptions and Action Plan. This must clearly link to Key Performance Indicators on effectiveness and efficiency in the DWER Annual Report KPI's – and would be separate from the Waste Authority reporting requirements.

Recommendation 17: That the State Government Report annually on the implementation of strategy descriptions and the Action Plan via the DWER Annual Report.

2.5 General Comments on the Strategy Descriptions

The Association supports the approach taken to clearly link the targets, with different strategies, lead stakeholders and which party each strategy applies to. As the foundation strategies apply to multiple objectives, it is suggested that Table 5 of the draft Strategy is elevated within the document to reflect this.

There are 49 strategy descriptions listed in the draft Strategy. The Association suggests that where possible, these are rationalised. To facilitate an alignment of Local Government operations / activities with the Strategy, there is a need for an understanding of which strategy descriptions will be prioritised, and the timeframes for their implementation in the Action Plan. The Association has identified a number of strategy descriptions that need to be prioritised, to provide strategic direction and/or accommodate realistic implementation timeframes (refer to section 2.3 of this Submission).

To ensure that the strategy description identified in the Strategy will lead to achievement of the targets, it is suggested that in the development of the Action Plan, each program/intervention is assessed to determine how it will contribute to the targets. For example, the introduction of the Love Food Hate Waste campaign could potentially reduce Municipal Solid Waste generation by a certain percentage. Similarly, the adoption of Food Organics and Garden Organics collections and better practice vergeside collections in the Metropolitan and Peel area, could result in an increase of the recovery rate to 67%.

Strategy descriptions must be framed in such a way that the wording is specific and action oriented, and gives lead stakeholders distinct tasks to complete. Words such as *support* are used in numerous strategies, however there is a high degree of flexibility as to what constitutes support. It is suggested that strategy descriptions provided clarity on the specific mechanisms that will be used to deliver support to community, government and industry. Where the intent is to provide funding, then this word should be used.

Recommendation 18: That the strategy descriptions are outcome focused with clear deliverables.

The Container Deposit Scheme is a major Government initiative focused on increasing recovery and reducing litter, the Scheme could be included under the Foundation Strategies in the context of working to implement effective product stewardship schemes in WA.

Recommendation 19: That the Container Deposit Scheme be included as a Foundation Strategy, in the context of implementing effective product stewardship schemes in WA.

3. Specific Comments on the Targets and Strategy Descriptions

Objective 1: Avoid. Western Australians generate less waste.

- 2025 – Reduction in waste generation per capita by 10% (from 2014/15 generation rate)
- 2030 – Reduction in waste generation per capita by 20% (from 2014/15 generation rate)

Waste generators		Waste managers*
Community	Government and industry	Waste industry
<ul style="list-style-type: none"> • 2025 – Reduction in MSW generation per capita by 5% • 2030 – Reduction in MSW generation per capita by 10% 	<ul style="list-style-type: none"> • Reduction in C&D waste generation per capita by 15% by 2025, 30% by 2030 • Reduction in C&I waste generation per capita by 5% by 2025, 10% by 2030 	<ul style="list-style-type: none"> • 2030 – All waste is managed and/ or disposed using better practice approaches

Comments on Targets

The Waste Avoidance target for MSW is supported. Through effective programs, targeting key materials, such as Love Food Hate Waste, demonstrable waste avoidance is achievable.

The Waste Avoidance target identifies that C&D waste generation should be reduced on a per capita basis by 30% by 2030. There are options to reduce the generation of construction waste, including better procurement of materials and pre-fabrication of materials offsite. Certain demolition material can be recovered once generated, but unless the practice of demolishing buildings ceases, volumes of this material are unlikely to reduce. The C&I Waste Avoidance targets are supported but will require specific programs and interventions on a sector by sector basis to be achieved.

As mentioned in previous sections, better practice approaches need to be developed in consultation with stakeholders and programs put in place that assist with a transition to these approaches.

Focus materials

- **Construction** and demolition materials: concrete, asphalt, rubble, bricks, sand and clean fill
- Organics: **food organics** and garden organics
- Metals: steel, non-ferrous metals, packaging and containers
- **Paper and cardboard**: office paper, newspaper and magazines
- Glass: packaging and containers
- **Plastics**: packaging and containers
- **Textiles**: clothing and other fabric-based materials

Comments on focus materials

It is suggested that the focus material be prioritized to specific materials, rather than 90% of the waste stream. For example reduction of food organics – across the supply chain – is likely to have a significant effect. Other materials, for example metals, glass, demolition materials and garden organics, are significantly more difficult to minimize and it would be better to focus on their recovery. With finite resource, it will be important to focus on the materials where most gain – tonnage reduction or environmental impact – can be achieved.

Table 2: Avoid strategies

	Strategy description	Lead stakeholder	#
	Coordinate consistent state-wide communication , engagement and education on waste avoidance behaviours with an emphasis on focus materials.	State Government	1
	Investigate, develop and publish, in collaboration with stakeholders, locally relevant actions for reducing waste generation with an emphasis on focus materials.	Waste Authority	2
	Lead collaboration between State Government agencies on actions that reduce the waste generation with an emphasis on focus materials.	State Government	3

	Coordinate communications and education that leads to food organics and garden organics waste reduction behaviour change.	Waste Authority	4
	Collaborate with decision-makers and opinion leaders to explore opportunities arising from circular economy approaches and communicate them publicly.	Waste Authority	5
ENABLING INFRASTRUCTURE	Put in place specific Programs that demonstrably Develop mechanisms and platforms that enable the community to adopt avoidance behaviours, and explore reuse and low-waste alternatives.	State Government	6
INCENTIVES	Put in place Programs to Provide support assist the to community, government and industry initiatives that lead to avoid waste avoidance and contribute to waste strategy targets with an emphasis on focus materials.	State Government	7
	Introduce regulations to prevent unnecessary waste generation.	State Government	8

Comments on Strategy Descriptions - Table 2

- Strategy 1 – could be reworded to include Strategy 4. Noting the importance of ensuring a tailored approach which accommodates the differences between metropolitan and non-metropolitan areas.
- Strategy 2 – should also apply to the State Government.
- Strategy 3 – should not apply to Local Government, as the action is about State Government agency collaboration.
- Strategy 4 – Garden waste difficult to reduce. In some areas a pre/post cyclone clean up is a necessity and generates significant amounts of material. The focus for garden waste should be recovery.
- Strategy 6 and 7 – could be reworded to be more specific.
- Strategy 8 – The Association supported the use of regulation to put in place the Plastic Bag Ban and is interested in what additional types of materials are being considered.

Objective 2: Recover. Western Australians recover more value and resources from waste.

RECOVER TARGETS

- 2025 – Increase material recovery to 70%
- 2025 – All local governments in the Perth and Peel regions provide harmonised kerbside collection systems that include FOGO
- 2030 – Increase material recovery to 75%
- Recover energy only from residual waste

Waste generators		Waste managers*
Community	Government and industry	Waste industry
<ul style="list-style-type: none"> • 2020 – Increase MSW material recovery to 65% in the Perth and Peel regions, 50% in major regional centres • 2025 – Increase MSW material recovery to 67% in the Perth and Peel regions, 55% in major regional centres • 2030 – Increase MSW material recovery to 70% in the Perth and Peel regions, 60% in major regional 	<ul style="list-style-type: none"> • C&I sector – Increase material recovery to 70% by 2020, 75% by 2025, 80% by 2030 • C&D sector – Increase material recovery to 75% by 2020, 77% by 2025, 80% by 2030 	<ul style="list-style-type: none"> • 2030 – All waste facilities adopt resource recovery better practice

Comments on Targets

While Local Government is supportive of better practice approaches to kerbside collection, in implementing such systems the State Government will need to be mindful of existing contractual arrangements. Local Governments that have entered into waste to energy contacts have questioned if (and how) the adoption of a FOGO system is to be enforced, and how this will then impact on their existing tonnage commitments. The business case and end markets for FOGO systems need to be identified and communicated. From discussion with the sector, it is suggested that the target for FOGO, should include the Bunbury Harvey Region, as the majority of Local Governments already have this system in place.

Definitions are needed for both material and energy recovery, as the glossary only includes resource recovery.

The C&I and C&D targets are state-wide however feedback from Local Government has indicated that recovery rates in the non-metropolitan for these materials is well below the targets in the Strategy. For example in the Kimberly area C&I 25% and C&D 42%.

Focus materials

In working towards these targets, this strategy focuses on the reuse, reprocessing and recycling of the following materials that present the greatest potential for increased recovery:

- Construction and demolition materials: concrete, asphalt, rubble, bricks, sand and clean fill
- Organics: food organics and garden organics (FOGO)
- Metals: steel, non-ferrous metals, packaging and containers
- Paper and cardboard: office paper, newspaper and magazines
- Plastics: packaging and containers

Comments on focus materials

It is suggested that the plastics focus material be expanded to include hard and rigid plastics, not just packaging materials.

Table 3: Recover strategies.

	Strategy description	Lead stakeholder	#
KNOWLEDGE	Investigate options to recover and promote related local markets through State Government procurement actions with an emphasis on focus materials.	State Government	9
	Develop <u>and publish</u> better practice guidance and standards for waste-derived products to build confidence in recycled products and ensure protection of the environment.	Waste Authority	10
	Maintain a <u>usable</u> communications toolkit for local government on consistent messaging for better practice kerbside service delivery.	Waste Authority	11
	Develop <u>and publish</u> education and engagement resources to communicate the benefits of resource recovery and the use of recycled products, and to minimise contamination in collection systems.	Waste Authority	12
	Develop and publish better practice guidance to support increases in recovery with an emphasis on focus materials.	Waste Authority	13
	Identify and implement options, <u>including procurement</u> , for <u>collaboration between</u> industry and the State Government to support <u>local</u> market development and recovery with an emphasis on focus materials.	Waste Authority	14
	Investigate and improve reporting on material that is reused (as distinct from recycled) to better monitor the state’s move toward becoming a circular economy.	State Government	15

ENABLING INFRASTRUCTURE	Establish mechanisms, including funding approaches, to support investments in local infrastructure for recovery with an emphasis on focus materials.	State Government	16
INCENTIVES	Provide funding to local governments to introduce better practice services and extend the Better Bins program to include FOGO (food organics and garden organics services).	Waste Authority	17
	Provide funding to promote the use of priority recycled products and support the establishment of local markets with an emphasis on focus materials.	State Government	18
	Support community, government and industry initiatives that promote resource recovery in the Perth and Peel regions, major regional centres and remote areas through grant programs.	State Government	19
	Develop and implement a legislative framework to encourage the use of waste derived materials, including product specifications, to build confidence in recycled products, increase their demand and develop relevant markets while protecting	State Government	20
	Implement measures and policies that support sustainable government procurement practices and outcomes that encourage greater use of recycled products and support local market development.	State Government	21

Comments on strategy descriptions – Table 3

- Strategy 9 and 14 – could be combined.
- Strategy 13 and Strategy 27 – could be combined in a foundation strategy description, as the guidance applies to multiple targets (Recover and Protect).
- Strategy 15 – could be included as part of the Data Strategy so potentially does not need a specific action.
- Strategy 17 – Local Government feedback on the Better Bins Program indicated for the Program to be effectively implemented further work is needed. This includes demonstrating the business case for this to Local Government, streamlining the application process, increasing funding associated with the Better Bins Program and undertaking work on market development for the material collected through the FOGO system.

Objective 3: Protect. Western Australians protect the environment by managing waste responsibly.

PROTECT TARGETS

2030 – No more than 15% of Perth and Peel regions’ residual waste is disposed to landfill
 2030 – All waste is managed by and/or disposed to better practice facilities

Waste generators		Waste managers*
Community	Government and industry	Waste industry
<ul style="list-style-type: none"> • 2030 – Move towards zero illegal dumping • 2030 – Move towards zero littering 	<ul style="list-style-type: none"> • 2030 – Move towards zero illegal dumping 	<ul style="list-style-type: none"> • 2030 – No more than 15% of Perth and Peel regions’ residual waste is disposed to landfill • 2030 – All waste facilities adopt environmental protection better practice

Comments on Targets

The targets are supported. Local Government considers the targets should be zero illegal dumping/littering rather than ‘move towards’. To ensure a complete picture of the protection activities of the Department in relation to waste management, the Strategy targets should link to the pre-existing targets reported in the DWER’s Annual Report on licence approvals, inspections and compliance.

Priority areas

In working towards achieving these targets, Western Australia should focus on behaviours and materials that provide the greatest potential to protect the environment including:

- the transport, storage, processing and disposal of waste;
- problem wastes, including hazardous materials;
- poorly managed waste infrastructure, including landfills, recycling facilities and services;
- taking action early in a waste material's life cycle; and
- giving priority to reflect the risk posed by a waste material.

Comments on priority areas

The priority areas are supported.

Table 4: Protect strategies.

	Strategy description	Lead stakeholder	#
KNOWLEDGE	Identify and collect (including funding data collection systems) required data to monitor illegal dumping and allow better targeted monitoring and enforcement.	State Government	23
	Deliver a community engagement and education campaign to reduce raise awareness of illegal dumping and its impacts.	State Government	24
	Investigate, document and publish options for avoiding waste plastic.	Waste Authority	25
	Review and report on approaches to the management of hazardous waste including controlled and liquid waste.	State Government	26
	Assess existing recovery facility and landfill siting and management practices and publish information to guide achievement of better practice approaches.	Waste Authority	27
ENABLING INFRASTRUCTURE	Work with land owners and managers to build their capacity to tackle illegal dumping.	State Government	28
	Investigate and report on the role of Put in place funding approaches to drive the uptake of better practice approaches at waste management facilities.	Waste Authority	29
INCENTIVES	Provide funding support for local governments to safely collect and manage hazardous materials generated by households that present a significant risk to public health and the environment.	State Government	30
	Provide relevant funding and guidance to prevent the illegal dumping of waste at charitable recycler waste collection sites.	State Government	31
	Implement the litter prevention strategy to reduce littering and manage its impacts.	Keep Australia Beautiful Council	32
	Detect, investigate and prosecute illegal dumping.	State Government	33
	Review and update the regulatory framework for waste to ensure it is appropriate and reduces the environmental impacts and risks from waste management.	State Government	34
	Revise and publish waste classifications and definitions to reflect current knowledge to ensure waste materials are managed according to their risk and are treated and/or disposed of appropriately.	State Government	35
	Develop and revise legislative frameworks to encourage the use of waste derived materials and build confidence in recycled products.	State Government	36

Comments on strategy descriptions – Table 4

- Strategy 22 – missing.
- Strategy 24 – raising awareness of an issue does not necessarily lead to behaviour change.
- Strategy 25 – is covered by 2.
- Strategy 27 – this strategy description is partly covered in the general provision to provide better practice support. An assessment of facilities against between practice guidance would be useful to determine the level of investment needed to bring facilities up to standard.
- Strategy 30 – this requires funding support.
- Strategy 31 – is a very specific action, compared to the rest of the strategies.

Foundation strategies

Table 5: Foundation strategies.

	Strategy description	Lead stakeholder	#
INFORMATION AND DATA	Review and update data collection and reporting systems to allow waste generation, recovery and disposal performance to be assessed in a timely manner.	State Government	37
	Collaborate with industry to develop a data strategy that includes actions to improve waste data collection, management and reporting, and guides their implementation.	State Government Waste Authority	38
	Investigate and report on the application of the circular economy in WA, including opportunities and barriers implementation.	Waste Authority	39
	Collaborate with the Commonwealth Government to develop local approaches to implementing the National Food Waste Strategy.	State Government	40
	Provide support to local governments, recyclers and landfill operators for reporting under amendments to the Waste Avoidance and Resource Recovery Regulations 2008.	State Government	41
	Develop and deliver state-wide waste communications to support consistent messaging on waste avoidance, resource recovery and appropriate waste disposal behaviours.	State Government	42
ENGAGEMENT AND EDUCATION	Recognise and reward the adoption of positive behaviours, practices and innovation that contribute to reduced waste generation, increased resource recovery and protection of the environment.	Waste Authority	43
REGULATION AND POLICY	Establish an investigate options for developing a 'needs-based' approach for to the approval of new landfills and other waste infrastructure which ensures these facilities do not undermine the achievement of the Strategy Targets.	State Government	44
	Contribute to, and lead at least one, national waste policy and programs aimed at waste avoidance, resource recovery and environmental protection.	State Government	45
	Review the scope and application of the waste levy to ensure it meets the objectives of Waste Strategy 2030.	State Government	46
	Review and revise regulations and policies to achieve a level playing field for industry which ensures entities that are compliant and apply best practice are not disadvantaged.	State Government	47
	Implement local government waste plans which align local government waste planning processes with the waste strategy.	State Government	48

	Lead and support initiatives that bring together agencies, local governments, industry and community to assist knowledge exchange and strategic waste planning.	Waste Authority	49
PLANNING	Undertake a strategic review of Western Australia's waste infrastructure (including landfills) by 20 1920 to guide future infrastructure development.	State Government	50

Comments on strategy descriptions – Table 5

- Information and data – include a strategy description on the development of Better Practice Guidance for waste facilities.
- Strategy 44 – as mentioned in Section 2.3, urgent action is needed to ensure that infrastructure development supports rather than undermines the achievement of the Strategy targets.
- Strategy 45 – MWAC has identified in previous Submissions to the Federal Government that currently the WA Department is not leading the development of any national work.
- Strategy 48 – The development of Local Government waste plans will need to occur in consultation with WALGA and the sector, the progress on this to date has been limited.
- Strategy 50 – development of an infrastructure plan is a priority to ensure the targets can be delivered.