



**WALGA**

## **MWAC Submission on Metropolitan Local Government Review Panel's DRAFT FINDINGS**

### **1. Status of this document**

This submission has been prepared by the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (the Association). MWAC is a standing committee of the 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), and a number of Local Governments. This makes MWAC a unique forum through which all the major Local Government waste management organisations cooperate.

This submission relates specifically to content in the Draft Findings that have the potential to impact significantly on Local Government waste management activities. This submission should be read in conjunction with the WALGA submission on the Draft Findings, as well as both the WALGA and MWAC submissions on the Metropolitan Local Government Review Panel's Issues Paper. This Submission was endorsed by MWAC on Thursday 24 May 2012.

### **2. Recommendations**

**Recommendation 1: MWAC agrees that there is a need for greater leadership and support by the State Government in overseeing the structures for waste disposal and treatment, transport and major planning. The State Government however needs to establish its legitimacy by immediately restoring full hypothecation of the landfill levy for waste minimisation and recycling and committing to the sustainable waste hierarchy.**

**Recommendation 2: MWAC believes that there should be 3 or 4 metropolitan regional councils based on shared objectives and binding commitments with compulsory membership for the purposes of waste management treatment and disposal.**

### **3. Implications for waste management**

#### **3.1 Finding 10**

***Panel Finding 10***

*Some functions need to be managed from a metropolitan-wide perspective, including waste disposal and treatment, transport and major planning. A shift in responsibility to the State government may be warranted.*

#### **1. State Government leadership**

As the MWAC Submission on the Metropolitan Local Government Review Panel's Issues Paper highlighted, the State Government needs to take a leadership role in relation to the planning of and funding for future waste management sites to address increasing waste tonnages. The development of a greater strategic approach to waste management in this regard is certainly

warranted. In addition, the costs and time-periods associated with planning and developing waste management infrastructure are significant, and would benefit from greater State Government involvement.

Local Government does, however, question the State Government's capacity to deliver the leadership the waste management sector requires. The restoration of full hypothecation of the landfill levy will go some way to establishing the State Government's legitimacy as a leader in regards to waste management.

MWAC supports greater State Government coordination of the planning, approving and funding of this significant infrastructure. There is an expectation, however, that this will be done in partnership with Local Government who have considerable experience in the development and operation of waste management services and infrastructure and that Local Government will maintain operational functions in relation to waste management.

## 2. A commitment to the Waste Hierarchy

The primary objects of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act, s.4) are 'to contribute to sustainability, and the protection of human health and the environment' and the move towards a waste free society in Western Australia 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.*

The Waste Hierarchy is clearly identified through the WARR Act and Local Government decisions regarding the disposal and treatment of waste have been guided by the objects of the WARR Act. There is a concern that this commitment to sustainability and best environmental practice will not be adhered to once out of Local Government hands and in, potentially, the control of the private sector.

**Recommendation 1: MWAC agrees that there is a need for greater leadership and support by the State Government in overseeing the structures for waste disposal and treatment, transport and major planning. The State Government however needs to establish its legitimacy by immediately restoring full hypothecation of the landfill levy for waste minimisation and recycling and committing to the sustainable waste hierarchy.**

## 3.2 Regional Councils

*"If the regional local governments continue in something like their current form, the basis for membership would need to be examined. In the interests of strategic planning, there should be strengthened onus on continued membership with less scope for councils to withdraw."*  
Metropolitan Local Government Review Draft Findings, pg. 21

This proposal is supported. It is recommended that membership of a Regional Council is mandatory for all Local Governments to ensure the success of Regional Council initiatives, and greater cooperation across Local Government boundaries. Regional Council boundaries could be altered to focus on geographical areas and the number reduced to three – four. These Regional Councils would have shared objectives, compulsory membership and there would be a focus on geographical congruence in relation to the establishment of their boundaries. This would assist in,

unity in relation to the Councils operations given their shared objectives, business certainty in relation to the waste managed and ensure ongoing efficient service delivery

*"The current regional council model operates with flawed accountability, in that there is no direct election of members. This is a matter that may need some consideration."*  
Metropolitan Local Government Review Draft Findings, pg. 21

Supporting evidence behind this assertion is requested. The Draft Findings do not include any further explanation of why Regional Councils may operate with flawed accountability. At present, each Local Government nominates an Elected Member to the Regional Council, representing their community. Any reform of the Regional Council model must include a review of provisions under the *Local Government Act 1995*.

**Recommendation 2: MWAC believes that there should be 3 or 4 metropolitan regional councils based on shared objectives and binding commitments with compulsory membership for the purposes of waste management treatment and disposal.**

### **3.3 Implications for other waste streams**

While the Panel has only be asked to investigate options for the future of metropolitan Local Government, the Panel must be cognisant of the impact that changes to the Local Government waste management structure will have on the entire waste management industry; particularly if it is proposed that only waste from residential sources will be managed from a metropolitan-wide perspective. Local Government waste management facilities take Construction and Demolition (C&D) and Commercial and Industrial (C&I) waste.

When considering reviewing the approach to waste management in the metropolitan area, the implications for Local Governments operating outside the metropolitan area should also be considered. If a system is put in place in the metropolitan area for greater State Government involvement in waste management, there would also be an expectation to extend this to the non-metropolitan area.

MWAC would welcome further dialogue with the Panel about the most effective and efficient systems for waste management at a metropolitan wide and State level, drawing on structures used in other jurisdictions and based on the recommendations in this Paper and previous Submissions.