

Submission on the Department of Environment and Energy's Discussion Paper: Updating the 2009 National Waste Policy Less Waste, More Resources



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 Australia Local Government. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

Due to meeting schedules, this Submission is yet to be considered and endorsed by MWAC. The Department will be informed of any changes to this Submission following consideration by the Municipal Waste Advisory Council on Wednesday 24 October.

Executive Summary

The Association appreciates the opportunity to comment on the *Discussion Paper: Updating the 2009 National Waste Policy: Less Waste, More Resources*.

For the National Waste Policy to be a success, it is imperative that a commitment is made by Government to appropriately fund and resource its implementation. The absence of political support and will to implement the current National Waste Policy has undermined its implementation. There is also a need for the identification, negotiation and agreement of responsibilities for the implementation of the proposed strategies that are linked to clear deliverables and timeframes, across multiple parties. There is also a need for discussion and agreement as to what performance metrics should be used to measure the performance of and level of commitment demonstrated by each jurisdiction, and the Federal Department, to the achievement of National Waste Policy targets.

In order for progress towards the targets of the National Waste Policy to be measured, relevant and timely national data must be provided on products consumed in Australia, and end-of-life management pathways. Products should not be sold onto the Australian market unless there is a clear (and funded) end-of-life management pathway for products – be this repair, reuse, or recycling.

In developing this Submission the Association makes reference to previous Submissions on the Department of Environment and Energy's *Review of the Product Stewardship Act 2011, including the NTCRS*, the Australian Packaging Covenant Organisation's *Towards 2025 Discussion Paper* and the *Western Australian Waste Avoidance and Resource Recovery Strategy Consultation Paper*.

General Comments

It is suggested that the document be renamed the National Waste Strategy, as it is framed as a strategy rather than a policy and refers to a number of other strategies such as the National Food Waste Strategy (2017) and other national strategies relating to packaging and product stewardship.

The Discussion Paper questions who should be responsible for the implementation of various elements of the National Waste Policy. A number of organisations will have responsibility for implementing elements of the proposed strategies, to achieve the targets. The Association considers that this responsibility needs to be clearly identified, negotiated and agreed. Another question posed by the Department, relates to the other actions that are required to meet targets. The provision of ongoing resourcing (i.e. appropriate funding and staffing resources) and ongoing political support and will be required to implement the National Waste Policy and facilitate the achievement of the proposed targets.

In order for progress towards the targets of the National Waste Policy to be measured, relevant and timely national data must be provided on products consumed in Australia, and end-of-life management pathways. This will allow for the establishment of a mass balance of different materials, which could be used to track Australia's progress towards a Circular Economy. To ensure consistent application of, and progress towards the targets, it is imperative that the National Waste Policy contains specific State/Territory based targets and actions.

In responding to the Department of Environment and Energy's *Review of the Product Stewardship Act 2011, including the NTCRS*, the Association suggested that:

"Interactions between the Product Stewardship Act 2011, and state, territory and Local Government legislation, policy and programs could be enhanced by requiring that each jurisdiction takes a leadership role in progressing action on a distinct class of products included on the Ministers annual list."

This suggestion was made because the Western Australian Government has historically made a limited contribution to the development of Product Stewardship initiatives.

Consultation Questions

Principle 1: Avoid waste

The Discussion Paper proposes a national target to reduce total waste generated in Australia per capita by 10 per cent by 2030.

1.1 Do you agree with the proposed target?

The Association considers that it is important to include a focus on waste reduction in the National Waste Policy. However, further consideration must be given to the factors that influence waste generation, particularly if measurement of progress will occur on a per capita basis. Economic activity, population growth, seasonal factors, location and consumer behaviour all influence rates of waste generation. Until such time as economic growth can be decoupled from waste generation, per capita based measures will not provide a useful measure on the effectiveness of waste reduction initiatives.

Non-metropolitan Local Governments have raised concerns with the practicalities associated with implementing waste reduction initiatives in regional areas. For example, in some regional areas there is only one shop in town. Residents are not able to make low waste choices (for example bulk purchasing with no packaging), as no alternative options are available. In developing waste reduction initiatives, an assessment of the choices presented to consumers in the current system is required. Successful waste reduction initiatives provide the community with information on how to change their behaviour as well as access to resources and infrastructure that allow them to do so.

Wide reaching behaviour change campaigns are needed, that link to easily accessible waste management systems.

In measuring waste generation, it is essential that accurate data is collected. The aim of any target should be to measure progress and the effectiveness of interventions.

1.2 Is there a different target that should be included?

- *should we freeze waste generation at current levels, indexed against population growth?*
No, refer to the commentary provided on waste generation per capita.
- *should there be a target to reduce waste to landfill instead of a generation target?*
No. A landfill reduction target is different to a waste reduction target.
- *should targets be set separately for municipal solid waste, commercial and industrial waste, and construction and demolition waste?*
Yes, this could be a good way to measure what each sector is achieving and the effectiveness of different interventions.

1.3 Do you agree with strategies 1, 2, and 3 and related proposed milestones? If you suggest others, please explain why.

The Association is in broad agreement with the proposed strategies. However, further clarification is required on:

- Strategy 1 Waste Avoidance, Proposed interim milestone: what is the “voluntary commitment program” mentioned?
- Strategy 2 Design: Who is designing systems and products to avoid waste?

1.4 What other action is required to meet the target?

The Discussion Paper refers to both the Waste Hierarchy and Circular Economy Principles. In considering this approach, it is important to ascertain if there is a whole of Government commitment to implementing both the National Waste Policy and adopting a Circular Economy.

To date, there appears to have been limited discussion outside of the waste management industry on what a Circular Economy is and if a move to a Circular Economy is an approach that would benefit Australia. In Europe, movement towards a Circular Economy has been driven by commitments at a European Union level. The South Australian Government is currently the only jurisdiction to have undertaken specific research on what the benefits of Circular Economy would be for their State, driven largely by a need to stimulate the economy and generate employment opportunities.

When drafting the National Waste Policy, the Government should consider how the economy is currently structured and what policy tools could be used to address priority issues such as market development for problematic materials, over and above those opportunities identified in Government procurement. The Association considers that the Circular Economy could bring significant benefits to the waste management industry. However, detailed analysis of the Circular Economy is required to understand and quantify the costs and benefits of moving to this approach.

Moving to a Circular Economy would require fundamental changes to our economic system and would likely result in significant short term adjustment costs. Such fundamental changes to the structure of the economy would initially require incentives to encourage businesses to change their operating model and to create markets for waste materials that would eventually need to become self-sustaining.

When considering what a Circular Economy would mean, it is important to clearly define:

- The scale of the Circular Economy to be adopted - local, state, country or global
- The type of benefits that could be realized and the associated adjustment costs (e.g. implications for jobs and economic growth)
- How other countries with similar structures and challenges to Australia have approached the Circular Economy.

Jurisdictions such as Western Australia are heavily reliant on resources. This means that the Western Australian economy is more capital intensive and export-focused than other states. These characteristics – particularly those with an external focus – are important considerations for how a Circular Economy would operate in practice. As an initial step, opportunities for value adding to existing material streams could be identified and investigated. In WA, exports accounted for 50% of Gross State Product in 2016-17, compared to 19% nationally. Similarly, business investment accounts for 16% of GSP, compared to 11% across the country.

Principle 2: Improve resource recovery

The Discussion Paper proposes a national target of an 80 per cent average recovery rate from all resource recovery streams, following the waste hierarchy, by 2030.

2.1 Do you agree with the proposed target?

Further information is required on the methodology that was used to formulate the targets suggested in the Discussion Paper. It is vital that targets are based on achievable configurations of infrastructure, engagement, and service delivery. The methodology used to develop the current targets has not been provided.

Each jurisdiction, inclusive of the Federal Department, must accept responsibility for the implementation of individual actions that are linked to clear deliverables and timeframes. Given the limited implementation of the current National Waste Policy, there is a need for discussion and agreement as to what performance metrics should be used to measure the performance of and level of commitment demonstrated by each jurisdiction, and the Federal Department, to the achievement of National Waste Policy targets.

There are limited incentives that can be used to encourage waste generators, and each sphere of Government to work towards the targets of the National Waste Policy.

2.2 Is there a different target that should be included?

Refer to the answer to the previous question.

- *should targets only refer to recycling?*
No.
- *should there be separate targets for municipal solid waste, commercial and industrial waste and construction and demolition waste?*
Potentially, as different interventions are required for each waste stream.

2.3 Do you agree with strategies 4, 5, 6 and 7, and related proposed milestones? If you suggest others, please explain why.

- *Strategy 5 - A common approach Proposed interim milestone, point 3:*
The priorities for common national standards and specifications need to be agreed as soon as possible, with a commitment to develop standards and specifications by 2020.
- *Strategy 6 - Improving access*
It is important that regional, remote and Indigenous communities receive access to services. It is suggested that the wording of this strategy is amended to reflect access 'to services' in addition to access to the Circular Economy.
- *Strategy 7 - Increasing industry capacity*
It is suggested that 'improved recycling and energy recovery' is changed to 'improved resource recovery.' Waste to energy is only part of resource recovery and it has been argued that waste to energy has no place in a Circular Economy approach. An additional interim milestone is needed that relates to training and industry development. Current milestones focus on the capacity of infrastructure rather than the human capacity of the industry.

2.4 What other action is required to meet the target?

Strategy 4 – Product Stewardship

Products should not be sold onto the Australian market unless there is a clear (and funded) end-of-life onshore management pathway for products – be this repair, reuse, or recycling. The costs of establishing an end-of-life management pathway for products should be included in the cost of purchasing the product. One mechanism to achieve this, would be to broaden the scope of existing Product Stewardship initiatives to include classes of products with similar characteristics that have previously been identified as a priority through the Minister’s annual product list. For example, the scope of the National Television and Computer Recycling Scheme could be expanded to include batteries, photovoltaic systems and electrical and electronic products. The Government must commit to taking decisive action to implement either a Co-regulatory or Mandatory Scheme for classes of products that have been identified as a priority through the Minister’s annual product list, where there is no appetite by industry to implement a Voluntary Scheme that fulfil the requirements of pre-determined criteria.

Principle 3: Increase use of recycled material and build demand and markets for recycled products

The Discussion Paper proposes a national target of a 30 per cent average recycled content across all goods and infrastructure procurement by 2030.

3.1 Do you agree with the proposed target?

The current level of recycled content in goods and infrastructure is not included in the Discussion Paper. Without this information, it is difficult to conclude if 30% is a reasonable target to set. Further investigation will be required to identify and address barriers to the use of recycled content, including potential market requirements for collected material. Other approaches that have been used, for example by the European Union Commission, include a campaign to achieve the use of 10 million tonnes of recycled plastics in new products in the EU Market.

3.3 Do you agree with strategies 8 and 9 and related proposed milestones? If you suggest others, please explain why.

- *Strategy 8 - Sustainable Procurement by governments*
Amend the wording from ‘consider environmental issues in’ to ‘incorporate environment considerations into’. Consideration does not necessarily equate to the inclusion of issues in decision making. It needs to be clear from the Strategy that there is an expectation that environmental issues will influence decision making.
- *Strategy 8 - Proposed interim milestone, point 3*
Tonnage is the usual measure of material, rather than volume.
- *Strategy 9 - Sustainable procurement by business and consumers*
Amend the wording from ‘take environmental issues into account’ to ‘incorporate environment considerations into’. Taking environmental issues into account does not necessarily equate to the inclusion of issues in decision making. It needs to be clear that there is an expectation that environmental considerations will influence decision making.

3.4 What other action is required to meet the target?

Strategy 8 Sustainable Procurement

For Australia to move towards a Circular Economy, there is a strong need to facilitate and invest in processing facilities or options within Australia. This goes beyond incorporating environmental considerations and requires adherence to ‘buy local’ approaches.

Principle 4: Better manage material flows to benefit human health, the environment and the economy

The Discussion Paper proposes a national target to: (a) phase out problematic and unnecessary plastics by 2030 (b) halve the volume of organic waste sent to landfill by 2030.

4.1 Do you agree with the proposed targets?

The proposed targets need to be updated to reflect the Ministers recent announcement:

1. 100% of *all* Australia's packaging will be reusable, recyclable or compostable by 2025 or earlier
2. 70% of Australia's *plastic* packaging will be recycled or composted by 2025
3. 30% average recycled content will be included across all packaging by 2025
4. Problematic and unnecessary single-use plastic packaging will be phased out through design, innovation or introduction of alternatives.

With respect to the foodwaste target, there is a need to clarify the baseline level of organic waste that will be used to measure the effectiveness of future initiatives. For example 'halve the volume of organic waste sent to landfill by 2030, compared to 2018 levels'.

4.3 Do you agree with strategies 10, 11 and 12, and related proposed milestones? If you suggest others, please explain why.

- *Strategy 10 Plastic and packaging Proposed interim milestone, point 2*
It is not clear what action will result from this point. It could be reworded to 'Problematic and unnecessary plastics, including single use plastics, will be identified and their phase out or substitution with other materials implemented by 2020.'
- *Strategy 11 Sound management of chemicals and hazardous waste Proposed interim targets, point 6*
Refer to the commentary provided in response to question 2.4. In addition, the Battery Product Stewardship Scheme should be implemented immediately.

Principle 5: Improve information to support innovation, guide investment and enable informed consumer decisions

The Discussion Paper proposes a national target for fit-for-purpose and timely data to be available for individuals, businesses, and governments to make informed decisions.

5.1 Do you agree with the proposed target?

Yes.

5.3 Do you agree with strategies 13 and 14 and related proposed milestones? If you suggest others, please explain why.

- *Strategy 12 Organic materials Proposed interim milestone, point 2*
It is suggested that the wording is amended to: 'Jurisdictions have increased food waste reduction by 2020 and are on track to meet the meet the 2025 targets'. The current wording of 'work underway' provides no certainty that change will eventuate.