



Comment Coversheet – Draft National Waste Policy Framework

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Submission on the National Waste Policy Framework: Less waste more resources

Status of this Submission

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (the Association). 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. It has been formed through collaboration with Regional Councils who are not ordinary members of the WA Local Government Association. The resulting body represents the views of all Local Government bodies responsible for waste management in Western Australia. Due to meeting schedules and the short timeframe of the consultation, this Submission has not yet been endorsed by MWAC, however, it will be put before the Council at the earliest opportunity (Wednesday 19 August 2009) and the Waste Policy Taskforce will be informed of any changes to this Submission following consideration by the Municipal Waste Advisory Council.

1. Overview

The WA Local Government Association (The Association) commends the Minister for Environment, Heritage and the Arts on the development of the Draft National Waste Policy Framework. The Framework has identified a range of issues of concern to Local Government. The collaboration between jurisdictions with regard to effective and efficient approaches to waste management will assist in ensuring Australia remains aligned with its international obligations. The recognition of the role Local Government plays in waste management, through the inclusion of the Australian Local Government Association (ALGA) in the endorsement process of the National Waste Policy, is commended.

2. Opportunity to comment

The Association expresses concern over the short consultation period to respond to the Framework. The overview states that public comment would be from June to July 09. However a period of three weeks only, has been allocated. This limits the feedback which can be gathered from Local Government. The Association recommends that when the draft National Waste Policy is released for public comment that a 12 week consultation period be put in place.

3. Context

The Association recognises the efforts by all levels of government since the National Strategy for Ecologically Sustainable Development was put in place in 1992 but highlights the need for Extended Producer Responsibility as a key element in moving forward and assigning responsibility to the entire supply chain.

4. Key points of clarification and update since the Consultation Paper National policy

National Policy - The Association commends the consultative approach taken regarding the development of the National Waste Policy and welcomes the opportunity to be involved in the reform process for waste management and resource recovery.

Vision and scope – The vision and scope for the National Waste Policy must be clear on what the Policy can effectively influence and give affect to. Terminology usage varies and a long term aim may be a national consistent approach. However, as there are a variety of different terms already in use, understanding the variation between jurisdictions (and spheres of government) may be more effective in the short term.

Targets –National Waste Policy targets should be based on targets set in the State Waste Strategies. Any targets need to be measurable, therefore before they are set the data available needs to be considered. It may be expedient to set targets in line with what is already being measured by States, rather than establishing new measurements which are less accurate. In setting the targets, the goals and objectives of the National Waste Policy need to be considered.

Recommendation 1: *That National Waste Targets be set in accordance with established State Waste Strategies.*

Market arrangements – Currently there is limited focus on design, production process' and the transport of products; the focus is mainly on 'end-of pipe' solutions. By shifting the focus up-stream to the design, production and transport stage there will be greater incentives for producers to reduce waste. The Association supports Extended Producer Responsibility Schemes as one means to achieve this increased 'up-stream' focus.

Maximising benefit – Alternative Waste Treatment (AWT) has gained significant support in Western Australia, with potential environmental benefits being associated with the application of quality recycled organics to land. These benefits have been identified in a range of local, national and international studies.

Product stewardship – In the Framework document there is still limited clarity on the difference between Product Stewardship and Extended Producer Responsibility Schemes. Product Stewardship Schemes establish a means for relevant parties in the product chain to share responsibility for the products they produce, handle, purchase, use and discard. Extended Producer Responsibility Schemes generally engage producers in financing or carrying out the collecting, processing, recycling or disposing of post-consumer waste. Current Product Stewardship arrangements do not focus on the 'end-of-life' of products and sharing responsibility generally means Local Government and communities bear the costs.

Recommendation 2: The term Extended Producer Responsibility be used to ensure it is clear that what is being sought is a change to the status quo and increased responsibility for producers and manufacturers.

Legacy emissions – The Association has only given conditional support to the inclusion of waste as a covered sector. The National Waste Policy needs to make provisions to assist landfill operators to reduce and manage their emissions.

5. Key messages raised during the consultation process

The Association commends the Waste Policy Taskforce on its efforts to include as many recommendations/comments from the Submissions received. However, the Association would like to highlight a recommendation from its Submission. *Recommendation 8: That waste management be considered and treated as an essential service by the Federal Government.* Over time considerable social capital and community expectation has been developed regarding service provision in the waste and recycling area. The Association recommends that the Federal Government include waste management as an essential service.

6. Draft National Policy Framework

6.1 and 6.2 Introduction and Aims – There is clear definition of all waste types mentioned in the introduction along with a commitment to establish responsibilities and timeframes for actions. Although this clarity is commendable, the scope of Policy may be too wide (with the inclusion of "liquid, gaseous and solid wastes"). The Policy should primarily focus on solid waste, then consider the reduction of associated gaseous and liquid emissions derived from solid waste. The Framework also excludes radioactive waste. The Association agrees with this exclusion. To ensure there is not a policy gap in this area the Association suggests that a separate radioactive waste policy be developed. The Aim of the Framework, as stated is supported by the Association; defined as reducing waste generation and quantities as well as a shift in thinking to consider waste as a resource.

6.3 – The Vision by 2020 – The Association supports the majority of the visions, however, visions 1 and 7 require some clarification and word changing. The Association suggest they read as follows:

1. Australia will reduce the amount of waste produced, based on targets (type and appropriateness of target to be determined – see page 6 of discussion paper)

7. There will be consistent standards for Australian manufacturers, importers and consumers in terms of standards, hazardous content and labelling requirements of manufactured goods.

6.4 – Key Principles – The Association supports the key principles presented, there is only one that requires further clarification and better definition for the terms underlined.

5. Decisions are informed by the waste management hierarchy, the precautionary principle, ecologically sustainable development and intergenerational equity.

Themes and Directions		
Agree/disagree	Framework Summary	Comments
<p>✓ ✘ 6.5.1 Taking Responsibility <i>Product Stewardship/extended producer responsibility and lifecycle and supply chain management and initiatives to drive environmental and economic benefits</i></p>	<p>Today's waste streams now include increasing volumes of complex high valued manufactured products, materials and packaging. These wastes contain high value waste that can be potentially re-used.</p> <p>A product stewardship approach with all parties participating, or on the concept of extended producer responsibility where the producer/supplier takes responsibility for the product at end-of-life.</p>	<p>Overall the Association agrees with the comments outlined in this section. More clarification is needed on the difference between Product Stewardship and EPR. At present the Framework is using these two schemes interchangeably, however, they both have different emphasis and consequently different outcomes.</p> <p><i>Recommendation 3: That a distinction be made in the Framework between Product Stewardship and Extended Producer Responsibility.</i></p>
<p>✓ ✘ 6.5.1 Taking Responsibility – directions for change</p>	<p>The Framework would:</p> <ul style="list-style-type: none"> • Cover nominated sectors, materials or products; • Provide national legislation to address freeloaders; • Enable the application of an advanced charge; • Allow implementation of recovery schemes; • Identify products or sectors eligible for exemptions; • Include public reporting and independent review; • Provide transitory measures. <p>The application of an advanced charge would provide a supply chain signal that would encourage product re-engineering to avoid waste, waste reduction, the use of less hazardous substances and design for re-use.</p>	<p>This section outlines the main issues to be included in the consideration of a National Framework for implementation of Extended Producer Responsibility. However, the Association considers clarity is need on what an 'advanced charge' could include. The term 'advanced disposal/recycling fee' is one method of EPR. Other approaches, such as deposit systems, are also relevant. Reference to an 'advanced charge' in this section is pre-emptive.</p> <p><i>Recommendation 4: That clarity on the term 'advanced charge' be included in the Framework.</i></p>
<p>✓ ✘ 6.5.2 Improving the Market <i>Addressing market and institutional impediments and inconsistencies in regulation and classification of waste, co-products and by-products to enable innovation, technology, infrastructure investment and business models for managing waste as a resource.</i></p>	<p>Management of waste as a resource that can be re-used for alternative purposes requires a different and uniform classification system. Waste re-used for a purpose other than its original intent requires a classification that reflects its co-product usage. Materials such as glass, concrete and tyres can be effectively re-used in roads, with the potential to use the majority of this material locally.</p>	<p>It is not clear from the document where funding for actions regarding markets is to be obtained.</p> <p><i>Recommendation 5: Funding sources for improved marketing be clearly identified and made available.</i></p>
<p>✓ 6.5.2 Improving the Market – directions for change</p>	<p>Facilities that re-use waste for energy should be required to comply with typical standards for emission to atmosphere rather than being classified as waste incinerators. The need for consistent guidelines or standards for safe & acceptable storage of these resources is required prior to use.</p>	<p>The Association commends the inclusion of waste to energy as an issue which requires consideration at a national level. The need for national equity in provision of service is a key issue given the different starting points of the various jurisdictions (and areas within jurisdictions).</p>
<p>✓ 6.5.3 Pursuing Sustainability <i>Avoiding waste and using waste generated as a resource to achieve better environmental, social and economic outcomes</i></p>	<p>Managing Australia's waste needs to be considered in the context of strategic government policies on sustainability, innovation and climate change.</p>	<p>This section outlines the main issues to be considered.</p>
<p>✓ 6.5.3 Pursuing Sustainability – directions for change</p>	<p>An effective national approach to organics to harness opportunities, and the provision of agreed best practice guidelines and standards for</p>	<p>This section outlines the main issues to be considered. The Association commends the inclusion of 'fit for purpose' standards</p>

	both organic waste input and organic end products.	which consider the receiving environment.
✓ 6.5.4 Facilitating Investment <i>Facilitating investment in jobs, innovation and infrastructure</i>	Waste avoidance, efficient use of materials and addressing intractable waste problems can also be achieved by improving awareness, understanding and access to innovative technologies and approaches.	This section outlines the main issues to be considered. The Association commends the inclusion of Government leadership through purchasing as a key element of facilitating investment.
✓ 6.5.4 Facilitating Investment – directions for change	This approach combined with product stewardship approaches can assist in deepening the market for recovered materials and goods.	This section outlines the main issues to be considered.
✓ 6.5.5 Reducing Hazards <i>Improved standards, identification, collection, treatment and disposal of problematic and hazardous materials</i>	Standards exist in a number of other OECD countries and Australia could adopt appropriate international standards rather than developing its own under the auspices of the nascent national standard setting body for the environmental management of chemicals.	This section outlines the main issues to be considered.
✓? 6.5.5 Reducing Hazards – directions for change	Australia should adopt appropriate international requirements rather than develop its own. Develop an approach for managing hazardous substances that links substances to agreed standards or guidelines for appropriate recovery, reprocessing and safe disposal.	<i>Recommendation 6: That the Task Force undertake a review of the international standards and identify the appropriate standards for the Australian context.</i>
✓? 6.5.6 Reporting on Performance <i>Developing capacity to effectively collect, report and compare consistent national waste and resource recovery data to inform policy and assess performance</i>	A national waste data system that informs policy performance and future directions at the jurisdictional and national level is required as an authoritative source of information across a range of aspects including avoidance, minimisation, generation, recovery, re-use, recycling and disposal, regulation and levies, infrastructure and profile of business engagement. .	In order to collect accurate data, investment is needed to put the correct systems and processes in place. Funding is needed to provide incentives and resources to ensure the data collected is useful and accurate. <i>Recommendation 7: Funding for data collection is made available to all jurisdictions from Federal sources.</i>
✓? 6.5.6 Reporting on Performance – directions for change	The national waste data system should identify a core data set that is necessary and sufficient for jurisdictions to meet their respective policy and program objectives, deliver greater consistency in reporting, streamline administrative burdens and have utility for business, government, investors and community.	Clear responsibility must be established for the development of such a national system. The Association suggested in its original Submission that one option was a Centre of Excellence in Waste Management to facilitate data exchange. <i>Recommendation 8: A central data collection centre be established for access by all stakeholders</i>
✓ ? 6.5.7 Tailoring solutions <i>Building capacity in regional, remote and Indigenous communities</i>	Regional, remote and Indigenous communities face particular challenges in waste management and improved use of resources. Remoteness and size provide challenging considerations when looking at facilities to provide reductions and improve waste management.	This section outlines the main issues to be considered. The Association strongly agrees with the intent to tailor solution to local areas and take into account their particular constraints. However funding sources need to be clearly identified. Question: Where will the funding for this come from?
✓ 6.5.7 Tailoring solutions – directions for change <i>For regional, remote and Indigenous communities.</i>	Explore the potential for small scale energy generation facilities and re-use and recycling facilities, including funding models that would be flexible and provide local employment.	This section outlines the main issues to be considered. The Association strongly agrees with the intent to tailor solution to local areas and take into account their particular constraints and needs.