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Dear Sarah

WASTE AUTHORITY SUBMISSION – WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007 REVIEW

The Waste Authority is pleased to provide you with its submission to the Department of Water and Environment Regulation's (DWER's) review of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act).

While the Waste Authority recognises that it often provides a joint submission into waste management inquiries and reviews with the department, it was considered appropriate in this instance for the Waste Authority to provide its own submission due to DWER leading this review.

The Waste Authority has deliberately focused its attention on the most significant parts of the WARR Act rather than providing a highly detailed submission. It has refrained from making suggestions on the specific wording of the WARR Act wherever possible to ensure the intent of the submission can be effectively combined with the input from other submissions.

The Waste Authority acknowledges that submissions will be published on the DWER website, and supports this submission being publicly available in its entirety.

Thank you for the opportunity to provide comment on this important legislation.

Yours sincerely

Reg Howard-Smith
CHAIRMAN

23 November 2020

Att. 1: Waste Authority submission to WARR Act 2007 Review

Waste Authority submission to the WARR Act 2007 Review - 23 November 2020

Relevant Existing WARR Act Clause	Suggested rewording / clarification / intent	Rationale for this recommended change
Part 1 – Preliminary		
5. Objects of this Act (1)(c)	The waste hierarchy listed in s. 5(c)(ii) may benefit from being more explicit in how it differentiates between various resource recovery options. The WARR Act may benefit from an amendment to better reflect the framing set out by the Waste Authority in the Waste Hierarchy Position Statement (2020).	<p>The Act sets out three levels of a waste hierarchy (1)(c) (i) to (iii). Energy recovery, reuse, recycling and reprocessing are all listed within level (ii). Further explicit ordering of the range of processes in level (ii) relative to each other would better support the circular economy focus that has been incorporated into the current Waste Strategy 2030.</p> <p>An increased focus on circular economy principles, over previous simpler waste diversion objectives, has been incorporated into the most recent Waste Strategy. This warrants consideration of a more refined ordering of options within the current resource recovery level s. 5(c)(ii) to reflect the additional benefits that accrue to more circular models of material use further up the waste hierarchy.</p> <p><i>The Waste Authority acknowledges the waste hierarchy listed in s. 5(c)(ii) is adequate however it recommends that consideration be given to amending s. 5(c) to better reflect the differentiation between options in the waste hierarchy consistent with its Position Statement on the Waste Hierarchy (2020).</i></p>
Part 2 – Waste Authority		
12. Chairman and deputy chairman One of the members is to be appointed by the Governor on the recommendation of the Minister to be the chairman of the Waste Authority and another to be the deputy chairman of the Waste Authority.	<p>12. Chair and deputy chair One of the members is to be appointed by the Governor on the recommendation of the Minister to be the chair of the Waste Authority and another to be the deputy chair of the Waste Authority.</p> <p>Or</p> <p>12. Chairperson and deputy chairperson One of the members is to be appointed by the Governor on the recommendation of the Minister to be the chairperson of the Waste Authority and another to be the deputy chairperson of the Waste Authority.</p>	<i>Use of ‘chair’ or ‘chairperson’ rather than ‘chairman’ is consistent with gender neutral terminology. It is appropriate that the terminology used in the Act is updated to be gender neutral. The use of ‘chair’ or ‘chairperson’ is reflected in other similar Acts – e.g.: The Botanic Gardens and Parks Authority Act 1998.</i>
Part 3 – Functions of Waste Authority (Division 2 – Accountability)		
23. Annual Report of the Waste Authority (2) The Minister must cause the Waste Authority’s report to be laid before each House of Parliament within 7 sitting days of the House after the Minister has received it.	Consideration of annual report timing to potentially be aligned with that used for the Department’s Annual Report.	<p>Alignment of processes for Annual Report submission between the Department and Waste Authority would streamline finalisation, approval and lodgement by the Minister.</p> <p><i>The suggested change would improve alignment of the submission of annual reports through the Minister’s Office and remove any unintended inconsistencies. The Waste Authority understands this is the decision of the Minister and supports the Minister’s decision regarding timing.</i></p>
Part 4 – Management Documents (Division 1 – Waste Strategy)		

Relevant Existing WARR Act Clause	Suggested rewording / clarification / intent	Rationale for this recommended change
34. Power to request report on waste strategy compliance	Consideration of enhanced compliance provisions with respect to actions taken to implement the Waste Strategy need to be considered in this review of Act. Final wording of amendments to be developed following legal input.	<p>The Waste Authority understands the WARR Act is primarily a policy oriented rather than compliance oriented Act, and notes that the current provisions in the Act may benefit from additional wording to provide an incentive for organisations to operate consistently with the Waste Strategy.</p> <p><i>The Waste Authority recommends consideration be given to increasing the extent to which provisions in the Act can drive actions that are consistent with better practice approaches and the Waste Strategy. This may include, for example, increasing the profile of current reporting (e.g. direct to Parliament in addition to inclusion in the DWER Annual Report) to provide a greater incentive for companies and organisations to implement actions consistent with the Waste Strategy.</i></p>
Part 4 – Division 2 – Business Plans		
35. Draft business plan to be submitted to Minister (1) Each year the Waste Authority must prepare a business plan. (2) The Minister may from time to time, by written notice to the Waste Authority – (a) fix a day in each year by which a draft business plan is to be submitted under subsection (1); or (b) cancel a notice given under paragraph (a). (3) Each draft business plan must be submitted to the Minister for approval not later than – (a) the day fixed under subsection (2); or (b) if there is for the time being no day so fixed – 3 months before the start of the next financial year.	35. Draft business plan to be submitted to Minister Consider replacing Clause (3) with the words that reflect the following intent: (3) Each draft business plan must be submitted to the Minister for approval not later than one month before the start of the next financial year, unless otherwise determined (or agreed) by the Minister.	<p>The Waste Authority will work with whatever timeline the Minister determines for the business plan to be submitted, and respectfully suggests that the suggested change would provide sufficient time for the Waste Authority to hold its annual joint strategic planning session with the Program Risk and Performance Committee in February to inform the development of the business plan and consider a draft business plan at its April meeting. It would also enable sufficient time for the Waste Authority to incorporate priority areas identified by the Minister for inclusion in the business plan. Sufficient time is required for the WARR Division to finalise the draft business plan following this process.</p> <p>Submission of the annual business plan in May rather than in March may also provide improved co-ordination with state government election cycle (held every 4 years - usually in March) - allowing time for incoming Minister to be briefed on Waste Authority business prior to approving funding. In the absence of an approved business plan being approved prior to the commencement of a financial year, it would be open to the Minister to approve such funding as is required to provide services under section 16 of the Act to ensure continuity of services, or to give effect to existing contractual commitments from the WARR Account. This would allow time for new projects to be given appropriate consideration and for finalisation of a complete business plan to extend into the financial year should that be required and endorsed by the Minister.</p> <p><i>The Waste Authority suggests consideration be given to timing for submission of the annual Business Plan.</i></p>
36. Contents of business plan (a) the Waste Authority objectives and priorities for the next 5 financial years; and (b) financial projections for that period;	36. Contents of business plan (a) the Waste Authority objectives and priorities for the next 4 financial years; and (b) financial projections for that period;	<p><i>The Waste Authority suggests consideration be given to financial projections for four years instead of five year to align with forward budget estimates for the State.</i></p>
Part 4 – Division 3 – Waste Plans		
40. Waste plans (3) The waste plan may include – (a) to (h)	Recommend adding wording to reference how the local government's waste plan aligns with the State's Waste Strategy.	<p><i>The Waste Authority understands that consistency with the State Waste Strategy is essential in order for waste (primarily MSW) managed by local governments to be managed in such a way that supports the Waste Strategy's three key objectives of avoid, recover and protect. Alignment with the State Waste Strategy is the key to waste plan approvals and the Waste Authority recommends that consideration be given to explicitly stating the need for alignment with the Waste Strategy in the section of the WARR Act relating specifically to waste plans.</i></p>

Relevant Existing WARR Act Clause	Suggested rewording / clarification / intent	Rationale for this recommended change
<p>40. Waste plans (4) The CEO may by written notice require a local government to include within its plan for the future a waste plan outlining how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the waste strategy.</p>	<p>The WARR Act complements existing legislation designed to protect human health and the environment, as such the scope for waste plans should not be limited to just these objectives. Issues such as the efficient management, consistency of operations and other factors that are relevant to the implementation of the Waste Strategy are appropriate for the CEO to consider in the drafting and implementation of waste plans.</p> <p>Removing the constraints introduced by the wording “in order to protect human health and the environment” should be considered subject to receiving legal input on the most appropriate wording.</p>	<p>The Waste Authority understands that there are a range of actions such as adopting consistent messaging and delivery systems (i.e. better practice), that target other objectives more directly than those related to human health or the environment, that would be conducive to the implementation of the Waste Strategy. Therefore, it is recommended that the scope of waste plans should reflect this and not be limited to the consideration of human health and the environment as the only objectives against which they are measured.</p> <p><i>With respect to waste plans, the Waste Authority recommends that the CEO should have regard to how well the waste plans reflect the scope and intent of the Waste Strategy so that waste plans support the implementation of the Waste Strategy. It is suggested that the current constraints that are implied by the words “in order to protect human health and the environment” may be removed or amended so that waste plans more explicitly support the implementation of the Waste Strategy.</i></p>
<p>41. CEO’s powers in relation to waste plan (4) If the local government does not comply with the notices issued.... (etc)</p>	<p>Enhanced compliance provisions with respect to actions taken to implement the Waste Strategy need to be introduced in the Act. Final framing of amendments to be developed following legal input.</p>	<p>The Waste Authority understands the WARR Act is primarily a policy oriented rather than compliance oriented Act, and notes that the current provisions in the Act may benefit from additional wording to provide an incentive for organisations to operate consistently with the Waste Strategy.</p> <p><i>The Waste Authority recommends consideration be given to increasing the extent to which provisions in the Act can drive actions that are consistent with the Waste Strategy including better practice approaches.</i></p>
<p>43. Effect of a waste plan.</p>	<p>Significantly increased requirements are necessary to ensure waste plans are implemented consistent with approvals.</p> <p>Consideration should be given to introducing appropriate sanctions for temporary or ongoing non-compliance with the implementation of a waste plan commensurate with the nature, period and degree of non-compliance.</p>	<p>The Waste Authority is of the view that the legislative requirement for implementation of waste plans is essential. One way to do this is through amendments to the <i>Local Government Act 1995</i> (waste plans form part of a local government’s ‘plan for the future’), and the Waste Authority supports this approach. Alternatively, although the WARR Act is primarily a policy-oriented Act, there may be some opportunity to increase the incentives for waste plans to be implemented consistent with the Waste Strategy through amendments to the WARR Act.</p> <p>The current provisions in both the <i>Local Government Act 1995</i> and the WARR Act are silent with respect to any implications for a local government that fails to implement its waste plan. A number of local governments have queried what the State intends to do in the event that they do not provide a compliant waste plan or fail to implement a waste plan.</p> <p><i>The Waste Authority recommends that additional clear, meaningful and proportional provisions are required to ensure the implementation of waste plans by local governments to support the operation of the Waste Strategy and to ensure that local governments that operate consistently with the Waste Strategy are not subject to inequity. Where appropriate these provisions should link as closely and consistently as possible to the operations of the Local Government Act 1995.</i></p>
<p>Part 5 – Product Stewardship</p>		
<p>Part 5 – Product Stewardship</p>	<p>The head powers relating to product stewardship set out in the Act were drafted based on those issues identified in the early part of this century. Increased understanding of the challenges of constructing product stewardship schemes warrants a review of the head powers to ensure they represent a modern better practice approach to regulation action of this kind.</p>	<p>The Waste Authority understand that approaches to product stewardship and extended producer responsibility have developed, particularly through the experience of jurisdictions that have implemented container deposit schemes. Requiring the Act to be updated, or for legislative workarounds to be pursued each time a producer responsibility initiative is implemented, may introduce uncertainty and potentially extend the time taken to implement schemes.</p> <p><i>The Waste Authority recommends an investigation into the practicalities of updating and modernising the provisions in the Act that support product stewardship to ensure the State is able to implement efficient and effective product stewardship mechanisms by reference to an appropriate array of head powers in the Act.</i></p>

Part 6 – Waste Services		
<p>50. Provision of waste services (3) The CEO may, for the purpose of protecting human health and the environment, by written notice require a local government or 2 or more local governments together, to provide, in relation to local government waste, a waste service of a kind specified in the notice.</p>	<p>See comments against s 40. Waste Plans</p>	<p>See comments against s 40. Waste Plans</p>
<p>Division 3 – Local laws and local government rates, fees and charges</p> <p>61. to 65.</p>	<p>Remove the need for the CEO of DWER to consent to waste local laws and transfer this function to sit with the Department implementing the <i>Local Government Act 1995</i>.</p> <p>The current arrangement for consenting to waste local laws has led to additional administrative burden without a clear benefit.</p>	<p><i>The Waste Authority's suggestion is to amend the WARR Act to remove the need for the CEO of DWER to consent to waste local laws. The local laws provisions in the Act could be restructured to be consistent with how other local laws are managed under the Local Government Act 1995.</i></p> <p>Only waste local laws are managed outside the <i>Local Government Act 1995</i>. The Waste Authority does not see any strong justification for maintaining this situation as the suitability of waste local laws is ultimately determined by Parliament and the range of relevant matters the CEO can consider in consenting to a local law do not directly link to improved waste outcomes or consistency with the Waste Strategy. Administrative differences in the way waste local laws are processed leads to ongoing costs for DWER and costs and delays for local governments without a clear benefit being associated with the different process.</p> <p>To the extent considered necessary, the Waste Authority could consider involvement in the local law process through pursuing updates and development of the waste local law template developed by WALGA.</p>
Part 7 – Collection and application of levy		
<p>79. Waste Avoidance and Resource Recovery Account</p> <p>(3) The WARR Account is to be credited with – (3B) (b) in any other financial year – not less than 25% of the forecast levy amount for the financial year.</p>	<p>Consider establishing a mechanism for Government to receive advice and/or make a decision to increase the allocation of funds when the Minister and/or the Waste Authority is of the view that available financial resources are not adequate to ensure the implementation of a substantive element of the Waste Strategy.</p> <p>This could include a consideration of appropriate funding on an annual basis in line with budgeting for the annual Business Plan to ensure the Waste Authority is provided with sufficient funds to deliver the annual Business Plan in support of the Waste Strategy as well as an ability to fund treatment of emerging risks.</p>	<p>The Waste Authority understands that under the current provisions of the Act, the Minister can decide to allocate additional funding to the Waste Authority's annual allocation. The Waste Authority recommends that appropriate provisions are included in the Act to provide a mechanism through which a significant risk of non-delivery on a substantive element of the Waste Strategy, is brought to the attention of the Minister to inform decisions regarding the allocation of funds to the WARR Account.</p> <p>The Waste Authority understands that the financial resources available through the WARR Account to support the implementation of the Waste Strategy is currently set by reference to a proportion ('not less than 25%') of the budgeted waste levy revenue. Increases in the waste levy that lead to additional funds being budgeted will increase the amount of funds that are available. However, it is noted that as the Waste Strategy is successfully implemented, there should be a reducing amount of material that is subject to disposal and therefore subject to the waste levy. In the absence of increased levy rates, or increased rates at which it is hypothecated to the WARR Account, this may reduce the financial resources applied through the WARR Account in the future.</p> <p>It is noted that some of the financial costs of implementing the Waste Strategy may be offset or avoided where alternative mechanisms, such as regulations, are employed to achieve outcomes.</p> <p>The Waste Authority is keen to ensure that Government is provided with the opportunity to consider resourcing issues that may constitute a significant impediment to the implementation of the Waste Strategy. The Waste Authority has a specific opportunity to provide advice on the rate of the waste levy which the Minister must have regard to when amending the rate of the waste levy (<i>Waste Avoidance and Resource Recovery Levy Act 2007 s.4 (2B)</i>).</p> <p>A suitably amended version of this approach may be appropriate to apply to the circumstance where the Waste Authority confirms there is a significant risk of non-achievement regarding a substantive element of the Waste Strategy. The most suitable time for this advice to be triggered and considered may be when the Minister exercises the power under s.79 (3A) in making a</p>

		<p>determination as to the financial resources to be credited to the WARR Account. Advice in this respect may only be required when and if the risk of non-delivery is manifest and so may not be required at all, or only required when the situation is considered critical.</p> <p><i>The Waste Authority recommends that if this suggested change is considered further, it will be important to set out what constitutes a significant risk and how best to define a substantive element of the Waste Strategy (i.e. such as one of the sector specific targets or a state-wide target) in framing appropriate provisions.</i></p>
Schedule 1 – Constitution and proceedings of the Waste Authority (Division 2 – Proceedings of Waste Authority)		
<p>11. Resolution without meeting</p> <p>(1) A resolution of the Waste Authority in writing signed by each member, or assented to by each member by letter, facsimile, email or other similar means is as effectual as if it had been passed at a meeting of the Waste Authority.</p> <p>(2) The Waste Authority must cause a record to be kept of each resolution under subclause (1).</p>	<p>(1) A resolution of the Waste Authority in writing signed by three members, or assented to by three members by letter, email or similar means is as effectual as if it had been passed at a meeting of the Waste Authority.</p>	<p>Currently for ‘Resolutions without meeting’ (out of session items) all five members are required to vote in favour of the recommendation for it to be passed. Division 2 – Proceedings of Waste Authority (6) confirms that at any meeting of the Waste Authority three members constitute a quorum.</p> <p><i>The Waste Authority recommends a suggested change from five to three members for out of sessions resolutions for consistency with the intent of resolutions at meetings with a quorum of three people.</i></p>
Schedule 2 – Functions of the Waste Authority		
<p>1. To –</p> <p>(a) advise and make recommendations to the Minister on matters relating to this Act; and</p> <p>(b) inquire into and advise the Minister or the CEO on any matter relating to this Act on which the Minister or CEO requests advice; and</p> <p>(c) advise and make recommendations to the CEO on the regulation of waste services; and</p> <p>(d) advise and make recommendations to the CEO with respect to subsidiary legislation under this Act.</p>	<p>Recommended to condense this list of 17 functions to 4-6 key functions only.</p> <p>No specific wording offered as it would require legal input on the most appropriate way to achieve this.</p>	<p><i>The Waste Authority is of the view that the current list of 17 functions is somewhat repetitive and may be confusing or misinterpreted. The suggestion is to condense the list into fewer and more focussed key functions of advice to the Minister and to the CEO in relation to the WARR Act and the Waste Strategy.</i></p> <p><i>The Waste Authority recommends condensing the list to increase clarity and focus on key functions for the Waste Authority.</i></p>
<p>2A. To seek the advice of such other entities as the Waste Authority thinks fit for the purpose of providing advice to the Minister in relation to the setting and variation of a levy.</p>	<p>Recommended to condense this list of 17 functions to 4-6 key functions only.</p> <p>No change to intent.</p>	<p>As above no change to intent required.</p> <p>Increase clarity and focus on key functions for the Waste Authority.</p>
<p>2. To act as an advocate for the objects of the Act.</p>	<p>Recommended to condense this list of 17 functions to 4-6 key functions only.</p> <p>No change to intent.</p>	<p>As above - No change to intent required.</p> <p>Increase clarity and focus on key functions for the Waste Authority.</p>
<p>3. To develop, promote and review the waste strategy and coordinate its implementation.</p>	<p>Recommended to condense this list of 17 functions to 4-6 key functions only.</p> <p>No change to intent.</p>	<p>As above - No change to intent required.</p> <p>Increase clarity and focus on key functions for the Waste Authority.</p>

Schedule 2 – Functions of the Waste Authority		
4. To monitor and assess the adequacy of, and report to the Minister on the operation of, the waste strategy, product stewardship plans and extended producer responsibility schemes.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
5. To promote community awareness and understanding of resource efficiency, waste avoidance and resource recovery.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
6. To support State and Commonwealth policies which will enhance progress towards zero waste.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
7. To promote resource efficiency, waste avoidance and resource recovery.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
8. To promote coordination between organisations seeking to prevent waste.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
9. To liaise with local governments to ensure that the provisions of this Act are enforced in the districts of those local governments.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
10. To cooperate with local governments to coordinate local efforts to prevent waste.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
11. To receive representations on waste management issues from members of the public.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
12. To promote market development for recovered resources and recycled materials.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
13. To promote the development of locally owned resource recovery infrastructure.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
14A From time to time to develop and publish a statement of the objectives to be achieved by programs funded under section 80(1)(a) are carried out.	Recommended to condense this list of 17 functions to 4-6 key functions only. No change to intent.	As above - No change to intent required. Increase clarity on key functions of the Waste Authority.
14. To ensure that the appropriate investigations, audits and inspections in relation to the application of moneys under section 80(1)(a) are carried out.	Recommended to condense this list of 17 functions to 4-6 key functions only. No change to intent.	As above - No change to intent required. Increase clarity on key functions of the Waste Authority.
15. To take appropriate measures to bring the provisions of this Act to the attention of the public.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
16. To do such other acts and things as are conducive to the prevention and control of waste.	Remove	Already captured within the scope of functions 1 – 3, 14 and 17. Remove repetition and increase clarity on key functions of the Waste Authority.
17. To perform such other functions as are conferred on it under this Act or are referred to it by the Minister.	Recommended to condense this list of 17 functions to 4-6 key functions only. No change to intent.	As above - No change to intent required. Incorporates functions considered appropriate with regard to the scope of the Act and referral by the Minister.

Other (Issues not included in the WARR Act)		
Essential Services		
The WARR Act does not include references to waste being considered an essential service. COVID-19 has raised issues about the types of services considered essential.		
No specific clauses exist regarding waste as an essential service	<p>Currently no standing provisions regarding the range of waste services that must be maintained from time to time exists in legislation.</p> <p>The WARR Act could provide an appropriate vehicle through which to set out expectations regarding the provision of essential waste services.</p> <p>The scope of what is an essential waste service would need to be defined as extending beyond simply protecting human health and the environment, to include safeguards related to the continuity, efficiency and effectiveness of waste services provided in support of the State's broader sustainability objectives, community expectations and implementation of the Waste Strategy.</p>	<p>The Waste Authority notes that continued provision of waste services such as recycling have recently been tested when service providers are required to incur additional costs or are unwilling to adopt different practices to allow services to continue. Current contractual arrangements have been shown to needing improvement regarding appropriately sharing the risk that waste collection and processing services are subject to. It is recommended that clear provisions in the Act to ensure services are provided as intended would support improved arrangements for the management of waste consistent with the Government's sustainability objectives and community expectations. Recent events including China Sword and COVID-19 impacts have highlighted the need for improved powers to ensure that waste and recycling services provided to the community and industry can be relied upon and delivered within appropriate management frameworks.</p> <p><i>The Waste Authority recommends that a definition of essential waste services be included in the WARR Act and that provisions which safeguard the continuity, efficiency and effectiveness of essential waste services be introduced to ensure that the ongoing provision of these services can be appropriately managed.</i></p>
Better Practice		
The Waste Strategy contains strong commitments to better practice (in 'Our Principles') and a 2030 Protect target for all waste facilities to be managed and/or disposed to better practice facilities. The only reference to better practice (specifically, 'best' practice) in the WARR Act is in s24:		
The purpose of the waste strategy is to set out, for the whole of the State — (a) a long-term strategy for continuous improvement of waste services, waste avoidance and resource recovery, benchmarked against best practice; and ...		
No specific clauses or mechanisms exist to link better practice waste management / disposal to the implementation of the Waste Strategy.	<p>Consider introduction of a mechanism for better practice activities, such as communication, collection, processing and treatment methods, to be established under the WARR Act in such a way that they can be referenced in waste plans and by other parts of the Act (or other Acts such as the <i>Local Government Act 1995</i>).</p> <p>The purpose of introducing this mechanism would be to better support the implementation of the objectives and targets in the Waste Strategy and the objectives of the WARR Act. Consideration should be given to amending the term 'best practice' to 'better practice' to align the terminology with more modern framings adopted by practitioners and in Waste Authority position statements.</p>	<p>The Waste Authority is of the view that the WARR Act would benefit from a clear mechanism to support the better practice commitments on the Waste Strategy. Better practice is a key principle in the waste strategy based on the framing set out in the Act (the Act uses the phrase 'best practice'). At present the identification of better practice approaches does not have a formal framework that would allow them to be readily applied and referenced by provisions in the Act unless they are specifically identified in the Waste Strategy. The nature of better practice approaches lends itself to evolution and updating which is not well supported by the five yearly review cycle of the WARR Act.</p> <p><i>The Waste Authority recommends the terminology in the WARR Act be amended to use the term 'better practice' and that this term should be defined in the s.3 Terms used. The Waste Authority strongly supports introducing explicit mechanisms in the WARR Act to ensure the ongoing adoption of better practice approaches that support the implementation of the Waste Strategy and objectives of the WARR Act.</i></p>