

## Response ID ANON-VAVM-U5ZK-9

Submitted to **Review of the Waste Avoidance and Resource Recovery Act 2007**

Submitted on **2020-11-25 10:00:42**

### Introduction

#### 1 What is your name?

**Name:**

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#### 2 What is your email address?

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#### 3 Do you want to remain anonymous?

No

#### 4 Do your view officially represent those of an organisation?

Yes, I am authorised to submit feedback on behalf of an organisation

#### 5 Which of the following best describes the group or person you represent?

Government body

### Waste policy development

#### 6 Please provide feedback on the roles and functions of the Waste Authority and the CEO and department under the WARR Act? What are the potential areas for improvement? What benefits or impacts may result from clarifying the department's role and responsibilities?

**waste policy development question:**

The current model has the Waste Authority essentially acting as an advisory board to DWER; the Authority's functions are all subject to the approval of the Minister. References to the CEO in the WARR Act are to the DWER CEO. DWER provides staff/services to the Authority and there are complex decision-making arrangements between the Minister, the Department and the Authority.

The Waste Authority acting as a standalone agency with policy and program roles would be clearer; regulatory roles would remain with DWER. In addition, it would facilitate progress towards a circular economy model as envisaged in the Waste Strategy 2030. This would require more direct access to other government agencies eg DMIRS, DPIRD. WMRC notes that this move is counter to this government's reduction in the number of agencies.

The WALGA submission prefers a standalone model with a role in policy and programs with DWER retaining a regulatory role. WMRC concurs. It is interesting to note that the original organisation created by the State Government (the independent Office of Waste Management) to deal with waste management was based on this standalone model.

### Administering the WARR Account

#### 7 Are there any potential issues arising from the proposed reforms to improve the administration of the WARR Account?

**Administering the WARR Account:**

This is largely an administrative matter. WMRC has no specific comment.

### Provision of services to the Waste Authority

#### 8 Please provide feedback on the proposal to allow the Waste Authority to directly employ its own staff, or to enable the Minister for Environment or some other person to employ or appoint persons to work directly for the Waste Authority. Will this support the work of the Waste Authority and the department?

**Provision of services to the Waste Authority:**

Past experience with staff employed separately by the Waste Authority led to duplication with the work of DWER staff. If the structure of the Authority is changed to ensure all staff working on programs and policy are clearly coordinated with each other, then staff should be directly employed by the Authority.

### Waste services

#### 9 What are your views about the proposal to enhance the capacity of the WARR Act to improve waste services? Do you see any potential issues?

**Waste services:**

The discussion paper is very brief on what is intended here. However, notes do indicate some possible areas requiring clarification within the Act:

- The WARR Act section 3 in describing Waste Services makes no mention of education and communications as being part of the waste services Local Governments should provide. It is WMRC's contention that these are a necessary element of waste services and should be listed alongside collection, processing, disposal, transport etc.
- The Act includes mention of "Waste Collection Permits" which allow the DWER CEO to effectively contract out waste collections from Local Governments under specified but vague circumstances. Collection is only one part of waste services and does not operate in isolation. The WMRC's view is that there is not enough information to support any changes in the Act in this area.
- Waste services provision for Local Governments is necessarily in concert with industry players; therefore outcomes desired by DWER require industry participation. Local Governments cannot be penalised unduly for not providing waste services that are not yet provided in the marketplace. An example of this is the drive towards FOGO services when there are few current realistic processing options for some councils. The WMRC supports the WARR Act recognising this.
- The Waste Strategy 2030 envisages WA moving towards a circular economy and as noted above under Q1, this has far wider implications than those properly housed within the environmental regulation portfolio. The WMRC recommends an expansion of the capacity of the WARR Act to recognise this.

**Waste legislative issues****10 Are there any potential issues that may result from these proposals to improve operational and administration aspects of the CDS?****Waste legislative issues 1:**

There are two specific proposals relating to the operation of the CDS. WMRC supports these proposals.

**11 Please provide comments on product stewardship plans or extended producer responsibility schemes, and if the WARR Act requires amendments to support their introduction.****Waste legislative issues 2:**

The WMRC's view is that creating state-based product stewardship plans or extended producer responsibility schemes should be facilitated only in the absence of national plans or schemes. The WMRC supports the strengthening of the WARR Act to enable this.

**12 Please provide feedback on these proposed changes to support regulations that implement the waste management framework. Will increasing penalties under the regulations be effective in deterring illegal waste activities?****Waste legislative issues 3:**

The WMRC is not aware of any evidence of increased penalties decreasing illegal waste activities in the absence of other activities such as increased funding for compliance activities. However, on prima facie grounds it would appear beneficial.

**Other****13 Are there any other matters which should be considered as part of this review of the WARR Act?****Other:**

Facilitating WMRC's transition to a circular economy as envisaged in the Waste Strategy 2030 (but not at the time of drafting the WARR Act) should certainly be considered in this review.

The current Regional Councils are diverse and have significantly different memberships, sizes, purposes, and relationships with their Members. WMRC does not support the consolidation of the number of Regional Councils but does support revised arrangements to effectively service their specific regions and populations, enhance the efficient use of existing waste infrastructure and minimise waste transport impacts.

**14 How do you think the WARR Act could better support an innovative and thriving waste sector, and ensure that waste and recycling services are effective?****Other 2:**

In addition to the points in response to previous questions, particularly Qs 1,4, and 8, framing the WARR Act more in the context of a circular economy rather than the more end-of-pipe waste hierarchy would help the waste industry to innovate and thrive.