



WASTE CONTRACTORS &
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OF N.S.W

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20th September 2019

The Hon. Matt Kean MP
Minister for Energy and Environment

Submission to email; 20yws@dpie.nsw.gov.au

Copies as a PDF to Mr Christian Dunk christian.dunk@minister.nsw.gov.au
And christine.chalker@minister.nsw.gov.au

Invitation to provide views on the NSW waste system Your email dated 30 August 2019

Dear Minister

Thank you for the invitation to participate in developing a 20-year Waste and Resource Recovery Strategy (20YWS) for NSW by providing views on the NSW waste system.

As previously advised, WCRA is a registered industrial organisation with the NSW IRC and the Fair Work Commission and has been since May 1948. We currently have 199 Members working across all facets of the waste and recycling industry in NSW and the ACT.

The following documents are attached and under each respective document heading are a series of points that we seek to highlight.

- **Recycling detailed impact report prepared for WCRA by APrince Consulting with 41 proposed actions.**
- **Recycling summary presentation highlighting the key aspects of the detailed impact report, with 5 specific recommendations.**
 1. Ensure NSW Container Deposit Scheme refund sharing arrangements are realised. In the absence of an agreement between the parties on CDS refund sharing, the fall-back position on refund sharing should be 50/50, after the deduction of costs. If the revenue is negative, an opt out clause should apply.
 2. Promote industry engagement with government. Re-convene the China Sword Task Force. This will promote discussion, communication & guidance across all levels of government, councils and industry on re-

processing capability. Commit to timeline for NSW 20-year Waste Strategy. Ensure waste knowledge on EPA board.

3. Review the regulatory framework for resource recovery. Review Resource Recovery Orders and Exemptions: EPA ability to revoke without notice, limited protection for consumers. Insert a formal process for amendment or revocation in the POEO Waste Regulation. This will provide investment certainty and help achieve resource recovery targets.
4. Reduce planning and compliance barriers for waste and recycling infrastructure. Reduce timelines and overlap for development applications and licencing approvals. Consider waste infrastructure in strategic land use planning. Ensure Key Agency Liaison Group is effective in streamlining approvals.
5. Develop end markets for recycled products. Mandating the prioritisation of recycled content in government purchases. Commit to a timeline for recycled glass use in construction/roads. If timeline not met, consider levy exemption for glass. If levy exemption not granted, stop the collection of glass in kerbside recycling bins.

- **WCRA paper – Resource Recovery Orders detailing our concerns and recommendations.**

1. The fundamental weakness of the resource recovery framework is the ease by which Resource Recovery Orders and Exemptions can be revoked. In order to give certainty to members who generate and rely on recovered material streams, WCRA recommends that improvements be made. As a priority, the *Protection of the Environment (Waste) Regulation (Waste Regulation)* should be amended to create a formal consultation process that must be followed by the EPA in order to amend or revoke an Order or Exemption. The Regulation can specify the content of the consultation obligation and the requirements that must be satisfied in order for the EPA to amend or revoke an Order or Exemption.

WCRA recommends that the EPA insert a formal process for amendment or revocation of an Order or Exemption in the Waste Regulation. WCRA members require certainty that Orders and Exemptions will not be revoked without clear consultation and a due process. It is essential that proper process be followed in order for WCRA members to invest in businesses that in turn assist the EPA to achieve its targets for resource recovery and diversion from landfill.

- **Asbestos protocol letter to the Member for Manly the Hon. Mr James Griffin, Parliamentary Secretary for the Environment.**

1. Our recommendations are the Minister for the Environment convenes a committee of suitable representatives from EPA (2), Safe Work NSW (2), an Asbestos Hygienist (1) and Industry (3) to discuss, agree and recommend a solution to the Minister. This committee should be assembled by mid-August with recommendations to the Minister by early November 2019.

- **Application for funding a Support Officer for WCRA.**

1. Recommend engaging the services of a Support Officer for WCRA to become an essential partner to the EPA, DPIE and the NSW

WCRA submission to Minister Kean with views on the NSW waste system

Government in the Waste Less, Recycle More initiatives. In addition, many Members find NSW's waste management and environmental laws and regulations to be complex and, in some cases, overwhelming. WCRA is trusted by its Members and is very well placed to address these issues with this resource.

- **Email dated 24 July 2019 to James Hay and Mark Gifford with recommendations from Members for the 20-year waste strategy.**
 1. The NSW Government should fund, plan, identify a site, seek approvals and build a Waste to Energy plant (or several).
 - Then tender the operation out to the private sector
 - Perhaps 2 in Sydney (western location plus a Port Botany location).
 - One in the Port Kembla area.
 2. Allocate land in the western Sydney airport area for future waste processing capacity.
 3. Secure the future of the Liquid waste sector in NSW (Lidcombe liquid waste plant, near the Olympic stadium).
 4. In the future, it is very likely that waste & recyclables will be collected via driverless vehicles.
 - What impacts will these driverless trucks have on our future waste infrastructure.

WCRA has long argued for the need for all general waste transporters to be licensed by the NSW EPA. The barriers to entry into the waste industry for a transporter are very low. Whilst in NSW the revenue opportunities are very high, and laws are complex. The Authorities do not know all of the Waste transporters especially new and small operators. Under the current system, Regulators have very limited opportunities to influence good waste management outcomes. Transporters are the nexus between waste generators and disposal options and waste regulations should provide for waste transporters to be licensed.

The NSW waste sector contributes in excess of \$770 million to NSW Treasury via waste levy collections. NSW is the highest priced waste market of any of the eight Australian jurisdictions. It is therefore critically important that the NSW EPA (and the Resource Recovery Branch of the DPIE) be suitably resourced. As an example of our concerns about the limited resources of the EPA / DPIE, we highlight the significant delays in dealing with the processing of the waste levy concessions for the NSW scrap metal industry.

These significant delays have resulted in the loss of many thousands of tonnes of recyclable metals and will impact upon the achievement of the WARR targets for commercial and industrial recycling.

We would welcome to opportunity to participate in the targeted engagement stage of this process such as roundtables and workshops to discuss the priority problems and solutions identified. However, before we arrive at this point and based on the significant investments and efforts by our Members, we hereby formally request a one-hour face to face meeting to present the above information. This will ensure that we effectively communicate and highlight our concerns and recommendations.

Should you require any further details please contact the undersigned.

Yours faithfully

Tony Khoury
Executive Director

Attach.