



MINUTES OF THE WASTE AUTHORITY MEETING

held on Wednesday 1 October 2008
Department of Environment and Conservation
12.00 noon – 5.05 pm

waste smart

1. WELCOME & APOLOGIES

MEMBERS PRESENT

Mr Barry Carbon	Chairman
Ms Jan Grimoldby	Deputy Chair
Ms Carolyn Jakobsen	
Prof Paul Hardisty	

ATTENDEES

Ms Fiona Keating	A/Deputy Director General – Environment, DEC	
Mr Stuart Cowie	A/Director, Sustainability, DEC	
Mr Michael Kerr	Manager, Waste Management Branch, DEC	
Mr Bernard Ryan	Manager, Policy and Evaluation, DEC	
Ms Diane McKinnon	Executive Officer	Minutes/Actions
Mr Peter Skitmore	A/Manager, Licensing and Permitting, DEC	1.00pm – 1.40pm

APOLOGIES

Mr Marcus Geisler

The Chairman declared the meeting open at 12.15 pm and welcomed members and Department of Environment and Conservation (DEC) officers to the meeting. He welcomed Ms Fiona Keating to the meeting and advised that Ms Keating is the A/Deputy Director General – Environment, DEC while Mr Robert Atkins is on leave. He advised that Mr Robert Atkins has been appointed the Acting Deputy Director General – Environment, following Ms Susan Hunt's return to the Perth Zoo. The Chairman acknowledged the significant effort Ms Hunt provided to the activities of the Authority in its early establishment and extended his appreciation to Ms Hunt on behalf of the Authority.

The Chairman noted the change of Government since the Authority's last meeting. The guidance and expectations of the outgoing Minister for the Environment relating to activities of the Authority under the Waste Avoidance and Resource Recovery Act 2007 was noted and acknowledged by members. In relation to a series of activities the Authority decided on as a basis for recommendations to the Minister, the Chairman advised that he has not had an opportunity to meet with the new Minister at this time to progress the matters further. He added that any new Minister would have a great number of expectations placed on them, and advised that he is endeavouring to make himself available at any time to meet with the Minister.

2. DECLARATIONS OF INTEREST

No conflicts of interest were declared by members during the meeting.

3. ANNOUNCEMENTS BY THE CHAIRMAN

Announcements by the Chairman were addressed during item 1 - welcome and apologies.

4. MINUTES OF THE PREVIOUS MEETING

RESOLUTION OF DISCUSSION:

4.1 The minutes of the Waste Authority meeting held on 3 September 2008 were confirmed as a true and accurate record of the meeting, subject to minor amendments discussed during the meeting.

Moved: Ms Jakobsen
Seconded: Ms Grimoldby

5. REPORT ON ACTIONS FROM THE PREVIOUS MEETING

Members reviewed the actions from previous meetings. The status of actions listed were acknowledged and noted. The following items required clarification or an update on status during the meeting:

Actions from 3 September 2008 meeting:

7.1 2008/09 Work Plan. Members noted that the amended work plan has not been forwarded to the Minister for endorsement at this time, due partly to the Chairman's preference to first meet with the Minister to introduce Waste Authority business. The Chairman advised also that the original estimated budget for staff costs (\$3.5 million) requires revising, as some areas were over-estimated as a consequence of unexpected staff shortages and other areas included staff costs as part of budget allocations within specific project areas. He advised that he has met with DEC regarding the work plan and a revised budget for the 2008/09 work plan should be available shortly.

Members briefly discussed the inclusion of a proviso within the work plan outlining that an adjustment to staff costs had been made for the 2008/09 period due in the main to unexpected staff shortages, which would not be expected for the following financial year.

Mr Michael Kerr advised that an interim work plan to 30 September 2008 had been signed off by the previous Minister. He explained that budget allocations for staff included staff to deliver on two work plans, including an expectation on expenditure in terms of salary and on-costs based on current staffing levels and an expectation to deliver on the current work plan. He advised that the original budget estimation was based on the full-year amount required to deliver on the full work plan.

The Chairman advised that clarification has been sought on actual budget requirements and that the Authority would reconsider budget requirements for the 2008/09 work plan as soon as possible (possibly out of session prior to the 5 November meeting).

5.2 Confirmation of Regulatory Functions of DEC (including staff numbers and costs) under the WARR Act. Members noted that Mr Kerr would now follow-up this matter and advise the Chairman accordingly.

7.1.3 Chairman to negotiate with senior DEC officers to establish 'Incurring Officers' as 'Authorising Officers' suitable for the Authority's requirements. The Chairman advised that this matter is included on his list for discussion with the Minister.

7.2.3 Invitation to the Waste Management Association to provide its views on major projects for the Waste Authority to give consideration to. The Chairman advised that it would be appropriate for the Authority to first meet with operators of landfill sites (following discussion on the outcomes of the landfill levy forum and Category 63 matters) and seek to meet with the Waste Management Association (WA Branch) thereafter. Members agreed.

7.5.1 Draft EPR/Product Stewardship Approach – Short Review of Existing EPR Policy Statement. Ms Grimoldby requested that she be removed as an actioning officer for this item on the listing.

7.7 Draft Code of Conduct – Waste Authority. The Chairman advised that he is still to write to the Director General DEC regarding the circumstances where it was appropriate for the Authority to go beyond the constraints of DEC for purchasing policies and practices.

8.3.3 Financial Statement to end June 2008. The Chairman and Ms Jakobsen had previously agreed to edit some project descriptors within the 2007/08 summary of expenditure by project area statement prior to its public release. The Chairman requested that Mr Kerr forward a copy of the final summary of expenditure to him to enable the Chairman and Ms Jakobsen to undertake this task.

Actions from 6 August 2008 meeting:

3.3 Letter to the Centre of Excellence in Cleaner Production (CECP) and the Western Australian Local Government Association (WALGA). In relation to the action to write to the CECP and WALGA to report back to the Authority on any proposal for future funding (and request for submissions detailing outcomes of the program, achievements and future intentions) prior to the end of the year, it was noted that the timing of this request did not suit due to project funding lapsing earlier. As a result of earlier expiries, the Chairman advised that he has asked Mr Kerr to explore with these groups, how the Authority's requirements for this information could be accommodated within the timeframe required.

5.8 Letter from Minister to Authority re commencement of the WARR Act 2007. The Authority resolved that the action highlighting that the Chairman write to the Minister explaining the timing and sequence for work plans, business plans, strategic plans etc would now be included for discussion between the Chairman and the Minister at their imminent meeting.

Actions from 3 July 2008 meeting:

6.8 Temporary Arrangements to cover expenses of waste management related activities. Members requested that this action have an end date (due date) included on the listing. The end date currently reads as 'following Ministerial approval of interim and final work plan.'

RESOLUTIONS / ACTIONS OF DISCUSSION:

The Authority:

- 5.1 Sought clarification from DEC on actual budget requirements for the 2008/09 work plan and agreed to re-consider budget requirements as soon as possible once the information is provided. It was noted that this is likely to be circulated out-of-session seeking approval of the Authority prior to the next meeting.**
- 5.2 Noted that Mr Kerr would follow-up on the confirmation of regulatory functions of DEC (including staff numbers and costs) under the WARR Act.**

- 5.3 Agreed that it would first meet with operators of landfill sites (following discussion on the outcomes of the landfill levy forum and Category 63 matters) and seek to meet with the Waste Management Association (WA Branch) thereafter.
- 5.4 Requested that Mr Kerr provide a copy of the final summary of expenditure (to the end of June 2008) to the Chairman to enable the editing of project descriptors within the 2007/08 summary of expenditure by project area statement – prior to its public release.
- 5.5 Requested that Mr Kerr explore with the Centre of Excellence in Cleaner Production and WALGA on how the Authority's requirements for information on funded projects and any future requests for funding could be accommodated within the timeframe required.
- 5.6 Requested that the action for 'temporary arrangements to cover expenses of waste management related activities include an 'end date.'

6. QUARTERLY FINANCIAL REPORT

The next quarterly financial report is due for presentation at the Authority's 5 November meeting.

7. ITEMS FOR DECISION

7.1 Waste Authority Strategic Direction

Mr Bernard Ryan presented to the Authority, a revised 2 page *Waste Authority Strategic Direction 2008* document (at Attachment 1 of the briefing), which incorporated input from the Chairman and Ms Grimoldby. DEC sought confirmation from the Authority on the wording of the revised document and consideration of incorporating it into the ongoing decision making of the Waste Authority.

The Chairman commended the work of DEC and in particular, Mr Ryan in producing the Strategic Direction. He advised that the document is clear and provides the basis of going forward with the strategic direction. Members provided the following comments on the document:

- It was agreed that section 1.2 - Policy (under Leadership), and section 2.2 - Grant Funding (under Partnership) remain within the document. It was noted that section 2.2 -Grant Funding could alternatively be included under section 2.1 - Strategic partners.
- After some discussion, members agreed that the Vision be slightly amended to '*towards a zero waste environment*' (inclusion of the word 'towards'). It was acknowledged that many stakeholders have embraced this vision and for continuity with a new state government, it was considered best not to change the vision dramatically at this time.
- Members agreed to alternative wording for Section 3.2 – Critical interventions (under Interventions) to: '*The Waste Authority will develop targeted approaches and engage appropriate parties to implement necessary works.*' It was agreed that regulatory instruments be removed from this area as it is adequately covered under section 1.2 Policy (through appropriate interventions).
- Members agreed to include a section for 'Security' (possibly under delivery of sustainable outcomes). It was agreed to incorporate the wording – '*The Waste Authority will ensure an approach that is secure from the point of view of health, the environment and wise resource use.*'
- It was agreed that Value D – Innovation be amended to read as '*is this a better approach for Australia/WA and what potential does it have for further adaptation?*'
- Members agreed that a copy of the 2 page Strategic Direction be included with every set of meeting papers for the Authority, to act as a reminder of how items being presented should

relate to the strategic direction. It was also agreed that the briefing note template be modified to include a section that demonstrates how an item presented relates to the strategic direction.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.1.1 Endorsed the use of the *Waste Authority Strategic Direction 2008* (provided at Attachment 1 of the briefing note) as a guide for future Waste Authority decision making, subject to minor amendments outlined during the meeting.**
- 7.1.2 Agreed to include a copy of the revised *Waste Authority Strategic Direction 2008* with every set of meeting papers prepared for the Authority, to act as a reminder of how items being presented relate to the strategic direction.**
- 7.1.3 Endorsed the amendment of the briefing note template to include a section entitled 'Relevance to Strategic Direction' – which requires officers to note which strategies, if any, are relevant to the agenda item being presented.**

7.2 Scope of Works for Waste Strategy for Western Australia

Ms Jan Grimoldby advised that a scope of works for the preparation of a draft waste strategy has been developed in consultation with DEC and herself (for the purpose of public consultation). Ms Grimoldby advised that if the Authority is to have a business plan in place for the 2009/10 financial year, a State Waste Strategy will require the approval of the Minister prior to May 2009. She referred to a proposed list of tasks within the briefing note that would need to be achieved to meet the timeframe for the development of the waste strategy.

Mr Bernard Ryan advised that it would appear that the WARR Act 2007 allows for a draft business plan to be lodged with the Minister prior to a waste strategy being approved (subject to the approval of the waste strategy and the draft business plan being compliant with it). He advised that this would seem to allow for a draft business plan to be prepared concurrently with the waste strategy and lodged with the Minister for consideration along with the strategy.

Ms Grimoldby outlined that the aim is to produce a document that identifies key issues, workshopped by stakeholders (by invitation only). The strategy would then be released for a 12 week public comment period and allow a four week review time thereafter. She advised that the immediate task is to finalise the scope of works and determine the preferred process.

Members agreed that the draft document structure be included as part of the discussion between the Chairman and the Minister at their first meeting. Clarification on how late the Minister is required to receive a business plan would also form part of the discussion. It was noted that 30 June 2009 would be the latest the business plan could be signed off, which would coincide with the proposed timelines.

The Chairman commended DEC and Ms Grimoldby for their efforts in producing the draft scope of works for the waste strategy and proposed timeframes, commenting that it was clear and extremely well done. He noted that obtaining the Minister's approval by December 2008 to release the draft waste strategy for public consultation was ambitious. The Chairman also thanked Mr Stuart Cowie for providing information on what is needed to obtain request for quotations for the consultancies. The Chairman advised that he would do all he could to meet with the Minister within the next two weeks to discuss the waste strategy. If this was not achieved, it was agreed that an alternative schedule (Plan B) would be developed.

Mr Ryan advised that two separate consultancies will be required. The first consultant would develop a draft document structure through facilitated workshops with stakeholders and the

Authority. The second consultant would run the public consultation process across the State and produce the draft strategy. Members noted that the process of obtaining quotations for the first consultancy would commence as soon as possible.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.2.1 Noted the tight timeline for the steps required to prepare a State Waste Strategy.**
- 7.2.2 Endorsed the draft scope of works for the first consultancy (provided at Attachment 1 of the briefing note) as the basis of a request for quotation – to be awarded by 16 October 2008.**
- 7.2.3 Noted that the Chairman would seek to meet with the Minister as soon as possible (within the next two weeks) to discuss the waste strategy and that if this was not possible, an alternative schedule would be developed.**
- 7.2.4 Delegated responsibility for selecting and appointing the preferred consultant (subject to the Chairman meeting with the Minister and subsequent approval of the Minister) to a specified Authority member and DEC staff.**

7.3 Outcomes of Landfill Levy Forum

DEC provided a summary, highlighting the outcomes of the landfill levy forum held on 9 September 2008 at the Waste and Recycle Conference. Mr Bernard Ryan advised that 110 people attended the discussion, which included presentations from 6 speakers and audience participation. He advised that written submissions were invited up until 30 September 2008. Mr Ryan advised that 4 submissions had been received to date. Copies of the submissions received were included with the meeting papers and/or circulated during the meeting. Mr Ryan referred to Attachment 1 which provided a synopsis of views, questions and comments from the landfill levy forum and Attachment 2 which provided a transcript of the forum.

In relation to the synopsis of views at Attachment 1, the Chairman requested that the full set of summary points provided by Mr Rob Sippe (Eclipse Resources), as used in his overhead presentation at the landfill levy forum, be included within the document.

The Chairman referred to and acknowledged an email circulated to all members from Mr Marcus Geisler, outlining his views on the current definitions and classifications of waste. The Chairman advised that in order to assist the Authority in its discussion, he had invited Mr Peter Skitmore, the A/Manager, Licensing and Permitting Branch, Environmental Regulation Division, DEC to the meeting to briefly discuss practices for licensing Category 63 landfills and in particular, provide clear definitions of what clean fill and inert waste are, when it is determined that something is landfill, landfill classes and waste types and what determines a site to require licensing.

The Chairman welcomed Mr Peter Skitmore to the meeting (at 1.05pm) and introduced him to members. Key points of Mr Skitmore's presentation are summarised below:

- Landfill is defined under the *Environmental Protection Act 1986* and provides for various categories of landfill. Waste types are determined in accordance with the *Landfill Waste Classifications and Waste Definitions 1996*. The following landfill classes exist:
 - Class I (inert landfill) – Prescribed Premises Category 63. It includes clean fill, type 1 inert waste, contaminated solid wastes meeting waste acceptance criteria specified for Class I landfills. If tonnages of waste in this category are under 500 per annum, it does not require a license or registration. It also includes type 2 and 3 inert wastes subject to specific license conditions or DEC approval and type 1 special waste.

- Class II (putrescible landfill) – Prescribed Premises Category 64 or 89.
- Class III (putrescible landfill) – Prescribed Premises Category 64.
- Class IV (secure landfill) – Prescribed Premises Category 65.
- Class V (intractable landfill) – Prescribed Premises Category 66.

Members noted that a full definition of waste types permitted for disposal at each landfill class can be found within the *Landfill Waste Classifications and Definitions* at Table 1.

- The landfilling of ‘clean sand’ or ‘filling sand’ is not licensed as it is not determined a waste unless it is considered harmful to the environment (for example acid sulfate soils). Characteristics are outlined in the *Landfill Waste Classifications and Definitions* and Table 3 within the document provides details of contaminant thresholds to determine the level of harm.
- The Chairman advised that the Authority is interested in promoting the re-use or use of re-usable materials. Mr Skitmore advised that the current system allows for this. He provided an example of C&D waste going to an inert landfill site (within a recycling depot/storage area). If clean bricks are extracted and taken offsite, the waste becomes a product and is re-used. However, this is interpreted differently if clean bricks are placed into a non-licensed facility.
- The inclusion of any type 1 or 2 wastes within the mix would deem the ‘clean sand’ contaminated. Type 1 wastes include non-hazardous, non-biodegradable wastes, bio-solids, bio-organics, paper, asphalt waste etc. Type 2 wastes include non-biodegradable organic materials such as plastics, tyres or tyre pieces (flammable materials that require special management).
- Members noted that Category 63 landfills appear to have very few contaminants and queried that there may be a need for a different landfill category or a change to the descriptor of inert. Mr Skitmore advised that any materials meeting the clean fill description do not require a license or sub-categorising. Licensing is about preventing, abating or controlling pollution. He added that anything below Class I landfill is not likely to cause pollution. Clean fill is not harming the environment if it is coming from an undisturbed site.
- Members queried if material not going to landfill such as acid sulfate soils is licensed. Mr Skitmore advised that if waste material is stored on site, it is required to have a license.

The Chairman thanked Mr Skitmore for his insight into landfill licensing issues and requested to obtain some words from the licensing section that describes the current state of play, as it relates to the Authority’s interest in the levy depending on the existence of a license. Mr Skitmore advised that the licensing area is currently reviewing the description of what is licensed versus what is not and describing specific materials of what goes into landfill and what need not. Members agreed that it would be beneficial to be informed by DEC on the current situation. It was agreed that Mr Kerr would follow-up the request with Mr Skitmore. Mr Skitmore left the meeting at 1.40pm.

Members agreed that where a material is re-usable it is desirable to encourage re-use. Members discussed the term re-usable and its meaning. The Chairman advised of Mr Skitmore’s definition of it being a solid object, crushed to manage bulk density issues. Members discussed the definition of clean fill and inert.

Mr Kerr advised that presentation slides informing of the most recent publications and statistics in this regard would be beneficial to the discussion. He advised that Mr Michael Reid is currently preparing the information. The Authority agreed that it seek the information prior to proceeding further.

Members were generally inclined to agree that any material mixed with waste should attract the full levy (tyres, plastics, tyres etc). Material that has been sorted and processed and is truly clean fill –

should not attract a levy and therefore no levy is applied (subject to it being placed in unlicensed premises).

Members agreed that the Authority needs to determine what is a useful re-use that should be encouraged, how to pragmatically optimise the re-use of it and what is realistic in terms of markets.

The Chairman requested that DEC forward to all members, a full copy of all Landfill Levy submissions received and co-ordinate a separate meeting (prior to the Authority's November meeting) to specifically discuss levy submissions. Members agreed that the special meeting be held on Wednesday 22 October to specifically discuss the landfill levy submissions and the State Waste Strategy. Members requested that a document be prepared that summarises all submissions and provides recommendations. The Chairman also requested that members be provided with the 'form of words' from Mr Skitmore to assist the discussion, along with the statistics being prepared by Mr Reid.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.3.1 Noted the synopsis of feedback from the landfill levy forum and the transcript of proceedings (provided at Attachment 1 and 2 of the briefing note).**
- 7.3.2 Noted the two attached submissions received on the date agenda papers were circulated and a further three submissions circulated at the meeting.**
- 7.3.3 Agreed that DEC analyse the submissions and prepare a report outlining the proposed response to each of the arguments presented, for the purposes of guiding discussion by the Authority and to provide responses to those entities that provided written submissions.**
- 7.3.4 Agreed to hold a special meeting on 22 October 2008 to discuss the Category 63 landfill levy issue and the State Waste Strategy.**
- 7.3.5 Agreed that the following papers form part of the meeting papers for the special meeting; a full copy of all landfill levy submissions received, a summary of the submissions received (including recommendations), the 'form of words' from Mr Skitmore and the statistics being compiled by Mr Reid.**

ACTION:

- 7.3.6 Requested that DEC include within the synopsis of views at Attachment 1 of the briefing note, the full set of summary points provided by Mr Rob Sippe (Eclipse Resources) as used in his overhead presentation at the landfill levy forum.**

7.4 National Recycling Week 2008

DEC presented a proposal for the Authority to sponsor a lift-out in the West Australian newspaper during National Recycling Week (10 - 14 November 2008) promoting recycling, which sought approval of up to \$15,000 to sponsor. The Authority was also sought to sponsor public place recycling at the 'Earth from Above' photographic exhibition to be held in the Perth Cultural Precinct during 15 October 2008 until 21 January 2009, to the value of \$10,000.

Members noted that neither sponsorship proposals was included within the current work plan, and therefore were not budgeted for. It was noted that the current work plan provides sponsorship for the Waste and Recycle Conference and the WA Environment Awards only. Some sponsorship funding is also provided through the Strategic Waste Initiatives Scheme and the Community Grants Scheme.

Members noted that a sponsorship program for the Authority needs to be developed and adequately funded. Any sponsorship provided must specifically link to waste recycling.

The Authority agreed to sponsor the lift-out in the West Australian newspaper during National Recycling Week and approved expenditure of up to \$15,000 from within the Waste Authority's executive support budget. The Authority noted that the lift-out provides a positive message going forward by promoting recycling in WA, along with the work of the Authority.

Members noted that sponsorship of the 'Earth from Above' exhibition would support public place recycling at the exhibition and provide promotion of the Waste Authority through appropriate recycling bin signage. Over 200,000 people are expected to visit the exhibition during its three month duration.

The Authority agreed to sponsor public place recycling at the 'Earth from Above' exhibition and approved expenditure of up to \$10,000 from within the Community Grants Scheme budget.

The Authority agreed that any applications for sponsorship, other than those that fit under grant schemes or within the current work plan, be considered for funding through the Community Grants Scheme.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.4.1 Agreed to sponsor the lift-out in the West Australian newspaper during National Recycling Week (10 – 14 November 2008) and approved expenditure of up to \$15,000 from within the Authority's executive support budget.**
- 7.4.2 Endorsed the proposed content for the lift-out in the West Australian newspaper as detailed within the briefing note.**
- 7.4.3 Agreed to sponsor public place recycling at the 'Earth from Above' exhibition during 15 October 2008 until 21 January 2009 and approved expenditure of up to \$10,000 from within the Community Grants Scheme budget.**
- 7.4.4 Agreed that any applications for sponsorship, other than those that fit under grant schemes or within the current work plan, be considered for funding through the Community Grants Scheme.**
- 7.4.5 Agreed that a specific sponsorship program area be developed and adequately funded and that any sponsorship provided be specifically linked to waste recycling.**

7.5 Evaluation of the Social Optimum for Landfill in WA

The Authority considered a proposal, provided at Attachment 1 of the briefing, to thoroughly examine the total costs and benefits of various possible landfill levy rates and trajectories, for the WA context. The results would be used to help determine an optimal landfill levy rate for WA which would provide a price signal to substantially decrease the volume of waste to landfill, and substantially increase the percentage of waste recycled in WA.

Professor Hardisty outlined that the study, if supported, would be conducted by a UWA Economics Master's student provided through the UWA CEED program and advertised through an expression of interest process. Senior review would be provided by a member of staff of the UWA Business School. He advised that the study would be conducted over 8 months and cost up to \$18,000 which is considered the standard UWA CEED cost to engage a Master's student under the program. Professor Hardisty offered his services to oversee the study and donate his time (up to 60 hours).

The Authority considered the proposal and agreed that the study has significant relevance to its work in determining and reviewing landfill levy rates. Members acknowledged that recent reports undertaken did not explore external costs of landfill or reflect a social optimum. Members noted that the study would explore the setting of a socially optimal landfill levy in WA, which in turn may provide a price signal that could have a definitive and significant effect on reducing waste generation and increase resource recovery and recycling in WA.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.5.1 Endorsed a proposal for a study to be undertaken by a UWA Economics Master's student (to be advertised through an expression of interest process) to thoroughly examine the total costs and benefits of various possible landfill levy rates and trajectories, for the WA context.**
- 7.5.2 Endorsed the expenditure of up to \$18,000 to fund the study, from the Strategic Waste Initiatives Scheme.**
- 7.5.3 Thanked Professor Hardisty for offering his time and expertise at no charge, to assist in overseeing the study in an honorary capacity.**
- 7.5.4 Requested that DEC liaise with relevant officers at UWA to seek expressions of interest and formalise a contract to engage a Master's student to undertake the study.**

7.6 Draft Memorandum of Understanding between Waste Authority and DEC

Mr Michael Kerr presented the latest version of the Memorandum of Understanding (MoU) between the Waste Authority and DEC (provided at Attachment 1 of the briefing) to members for their consideration.

The Chairman queried the version of the MoU provided and requested DEC to check that the most recent version be circulated to members, highlighting sections omitted from the version circulated (including unresolved issues, interaction with the Minister etc).

Ms Grimoldby suggested that consideration be given to the Waste Management Branch changing its name to the Waste Authority Branch. She advised that it would provide clear focus to staff that they work and report to members of the Waste Authority. Mr Kerr responded that staff would remain as employees of DEC and that a model of how support to the Authority could be provided is currently being explored. He advised that one model includes for the provision of a 'Waste Authority Service Unit.' He added that while the model includes the current Waste Management Branch, it may also include services from other areas of the Sustainability section.

The Chairman acknowledged that a great deal of work has gone into finding something workable between the Authority and DEC. It was noted that the Director General DEC has not seen the MoU at this time.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.6.1 Agreed that the draft Memorandum of Understanding be presented to the Director General, DEC to commence discussions between DEC, the Chairman and the Consultant.**
- 7.6.2 Requested that Mr Cowie circulate a copy of the most recent version of the MoU, highlighting unresolved issues via email to members.**

7.6.3 Agreed to provide any comment/concerns on the MoU following distribution of the revised version.

7.6.4 Noted that the Chairman would discuss the general direction of the MoU with the Minister.

7.7 Proposal for Presentation on Glass Initiatives

The Chairman advised members that Ms Jenny Pickles, General Manager of the Packaging Stewardship Forum (PSF) is seeking an opportunity to brief the Authority on national developments in regard to glass recycling and highlight a number of glass projects and activities in progress under the National Packaging Covenant in addition to PSF activities. Ms Pickles is also keen to enter into a further collaborative effort to explore glass recycling in WA.

Members discussed the possibility of receiving a presentation from Ms Pickles. While it was considered worthwhile to receive a presentation by Ms Pickles and hear about national developments in regard to glass recycling, members formed the view that the timing for a presentation to the Authority would not suit until at least February/March 2009. Members expressed a strong view to focus on current pressing priorities, including the development of the State Waste Strategy, landfill levy issues and the business plan.

It was agreed that the Chairman would write to Ms Pickles informing her of the Authority's keenness to receive a presentation on the developments of glass recycling at a national level early in the new year. The letter should extend an invitation for Ms Pickles to provide a written proposal providing details of a further collaborative effort to explore glass recycling in WA. The Chairman would also offer to meet with Ms Pickles in the interim, which was supported by members.

RESOLUTIONS OF DISCUSSION:

The Authority:

7.7.1 Was informed of an opportunity to receive a briefing from Ms Jenny Pickles, General Manager of the Packaging Stewardship Forum on national developments in regards to glass recycling.

7.7.2 Agreed that a presentation from Ms Pickles at this time is not appropriate due to pressing priorities of the Authority, but that a presentation would be welcomed in the new year.

7.7.3 Agreed that the Chairman write to Ms Pickles, informing her of the Authority's decision to receive a presentation and invite her to provide a written submission providing details of a further collaborative effort to explore glass recycling in WA. The Chairman would also offer to meet with Ms Pickles in the interim.

8. ITEMS FOR INFORMATION

8.1 Used Oil – Progress Report

Mr Bernard Ryan provided a progress report by ACIL Tasman on its work in gathering data and undertaking a situation analysis of used oil collections in WA. The Authority agreed that a copy of the progress report be included as part of the minutes (provided at Attachment 1).

Mr Ryan advised that the consultants undertaking the long term strategic advice, Oakdene Hollins, who are UK-based, will be coming to WA in early November to hold discussions with stakeholders and to present a summary of its work to the Authority at its November meeting. It was noted that Oakdene Hollins has provided similar strategic advice on used oil markets and policies for the OECD and that they would be well placed to identify options for consideration.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 8.1.1 Noted the summary of findings to date by ACIL Tasman on used oil collections at Attachment 1 (Phase 1 of the project) and agreed that the interim findings be included as part of the minutes.**
- 8.1.2 Noted that the consultant commissioned to undertake a detailed review and make recommendations into potential solutions to used oil collection and treatment issues in WA (Phase 2 of the project) will present a draft report to the Authority at its November meeting.**

8.2 Feasibility study on boutique bottle making plant for WA

Mr Michael Kerr provided a draft report to the Authority on a feasibility study into the economic viability of a glass bottle making plant in WA. In commissioning the study, it was anticipated that the report may evaluate the establishment of a boutique bottle making plant as a potential Western Australian market for the recycling of glass.

However, members were collectively of the view that the Authority ceases pursuing the establishment of a boutique bottle making plant for WA due to the report clearly demonstrating that the project would require too much capital to justify.

The Authority agreed that there are pertinent points that the report brings to light, the most prominent being the question of scale, extended producer responsibility, country subsidies, increasing the amount of glass to SA through improved/expanded collection systems, alternative uses for glass and appropriate communication strategies.

The Authority agreed that the report should no longer be considered 'confidential' and that it be made publicly available, subject to Mr Kerr confirming with the consultant that no 'commercial-in-confidence' information is included within the report. The Authority also requested that the report be appropriately badged in accordance with previous discussions on this matter.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 8.2.1 Agreed that it cease pursuing the establishment of a boutique bottle making plant for WA due to the report demonstrating that the project would require too much capital to justify.**
- 8.2.2 Agreed to explore key recommendations/conclusions of the report at a future time.**
- 8.2.3 Endorsed the public release of 'The Feasibility of Establishing a Boutique Bottle Manufacturing Facility in Western Australia,' subject to appropriate badging and confirmation by the consultant that no 'commercial-in-confidence' information is included within the report.**

8.3 Waste Infrastructure Assessment Project – progress report

Mr Bernard Ryan presented a progress report by Cardno on an Assessment of Waste Disposal and Material Recovery Infrastructure for Perth. He advised that the aim of the study is to assess the current waste infrastructure for waste and recycling in the Perth metropolitan area and anticipate the best way forward to respond to future demands. Mr Ryan advised that the consultancy was behind schedule, but is now back on track through a variation to the methodology, to produce a final report in November 2008.

Ms Grimoldby queried why the Water Corporation was not consulted as part of key industry stakeholders. She advised that the Water Corporation has important land holdings and waste treatment plants and is subsequently a large producer of waste. Mr Ryan advised that the Water Authority, Port Authority's, Verve etc were not included as part of the original scope of works which targets commercial and industry waste and excludes waste water treatment. He added to do so at this late stage would be problematic to the timelines and outside the scope of the current brief.

The Authority agreed that major utilities such as the Water Corporation be invited to participate in the upcoming workshop with the waste sector and be consulted as part of the consultancy. The Authority requested that DEC work with the consultant to include major utilities as part of the existing works. The Authority agreed that a copy of the progress report be made available with the minutes (Attachment 2) following removal of commercial-in-confidence proviso's, in consultation with Cardno.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 8.3.1 Noted an interim progress report provided by Cardno to assess current waste infrastructure for waste and recycling in the Perth metropolitan area.**
- 8.3.2 Agreed that the progress report be included as part of the minutes following removal of commercial-in-confidence proviso's in consultation with Cardno.**
- 8.3.3 Agreed to invite major utilities such as the Water Corporation to participate in the upcoming workshop with the waste sector and be consulted as part of the consultancy.**
- 8.3.4 Requested DEC to work with the consultant to include major utilities as part of the existing works.**

9. CORRESPONDENCE FOR INFORMATION

9.1 Strategic Waste Initiative Scheme & Community Grants Scheme – Final Reports

The Authority noted the final evaluation project reports received from the following organisations:

- **Housing Industry Association, Waste Reduction the WA HIA GreenSmart Way (WMRF 2001, \$239,050 plus GST).** The project outlined HIA's action plan to reduce waste. It built upon previous studies, analysed construction and demolition (C&D) waste from representative types of housing to define the types and amounts of C&D waste specific to WA housing construction methods. It developed the results in training and education material for the industry and customers.
- **Mindarie Regional Council (MRC) – Development of a mobile display facility (SWIS 2007, \$50,000 plus GST).** The mobile display was part of the MRC's broader waste education strategy to build community support and participation in the sustainable waste management approach to reduce the environmental impact of waste and reduce the waste footprint.
- **Timber Development Association – Product stewardship of timber packaging (SWIS 2007, \$45,000 plus GST).** The project examined whether copper chromated arsenate (CCA) treatments in packaging occurs in packaging from WA, interstate and overseas. It also educated timber packaging producers and other businesses to minimise the use of or remove preservative timber packaging that inhibits recycling at end-of-life.
- **Heady Enterprises – Zero Green Waste Initiative (SWIS 2007, \$85,100 plus GST).** The project integrated into the Great Gardens workshop program of a composting/worm farming/green waste recycling segment, resulting in an additional 30 minutes to the average

workshop. A display was developed, including a live worm farm and compost bin demonstrations. A booklet was developed, with an initial print run of 2,000.

RESOLUTION OF DISCUSSION:

9.1.1 The Authority noted that final evaluation project reports have been received from the following organisations:

- **Housing Industry Association – Waste Reduction the WA HIA GreenSmart Way (WMRF 2001);**
- **Mindarie Regional Council – Development of a mobile display facility (SWIS 2007);**
- **Timber Development Association – Product stewardship of timber packaging (SWIS 2007); and**
- **Heady Enterprises – Zero Green Waste Initiative (SWIS 2007).**

9.2 Correspondence – Waste Authority/Ministerial

The Authority noted the list of incoming and outgoing correspondence outlined in the briefing.

The Chairman acknowledged a letter received from the EMRC which included a copy of the EMRC's Strategic Plan for the Future 2008/09 – 2013/14. A copy of the plan was circulated to members for their interest. The Chairman advised that he has provided a response to the EMRC commending the Council on its good work.

Mr Ryan advised that WALGA's Executive Management Group had recently considered a business proposal for the regional funding model. It is understood they are looking at 10% of the total cost for administering this and all subsequent projects. The Chairman advised that he would speak to Cr Bill Mitchell, the President of WALGA to resolve the matter as soon as possible.

Ms Jakobsen advised that she had received an expression of interest from an industry representative from South Australia at the recent Waste & Recycle Conference to make a presentation to the Authority on how it could run CDL in WA should it come into play. The Authority agreed that any presentation would be premature at this stage, until the State Government's position is known. The Authority supported Ms Jakobsen in advising the industry representative to this effect.

Ms Grimoldby advised that she had been approached by a consulting firm during the Waste & Recycle Conference, that is keen to host the Authority at an internal lunch. Members briefly discussed the invitation and agreed that the Chairman, Ms Grimoldby and Mr Geisler meet to discuss further.

Mr Kerr advised that Ms Cathy Campbell, DEC has expressed an interest to talk to the Authority about regional issues, including the waste strategy process and the inclusion of the non-metropolitan area. The Authority agreed that a presentation be arranged for its November meeting.

The Authority also agreed that it would extend an invitation to Category 63 landfill operators as soon as practical to advise of implications of the amended Regulations.

RESOLUTIONS OF DISCUSSION:

The Authority:

9.2.1 Noted the list of incoming Waste Authority correspondence addressed to the Chairman and its status, and outgoing correspondence.

9.2.2 Noted that the Chairman would speak with Cr Bill Mitchell, President of WALGA as soon as possible to discuss the regional funding model.

- 9.2.3 Noted that Ms Jakobsen would respond directly to the South Australian industry representative seeking to meet with the Authority to discuss CDL in WA in accordance with the discussion.
- 9.2.4 Noted that Ms Grimoldby would co-ordinate a meeting between the Chairman, herself and Mr Geisler regarding the approach made by a consulting firm to host the Authority at an internal lunch.
- 9.2.5 Agreed that a presentation by Ms Cathy Campbell, DEC regarding regional issues (including the waste strategy process and the inclusion of the non-metropolitan area) would be arranged for the Authority's November meeting.
- 9.2.6 Agreed to extend an invitation to Category 63 landfill operators as soon as practical to advise of implications of the amended Regulations.

10. PRESENTATIONS

Nil.

11. NEXT MEETING

The next monthly meeting of the Waste Authority will be held on Wednesday 5 November 2008, commencing at 12.00 noon at DEC Atrium offices. A special meeting will be held on 22 October at a time to be determined, specifically to discuss the State Waste Strategy and landfill levy workshop outcomes, levy submissions and Category 63 issues.

12. CLOSE

The meeting closed at 5.05 pm.

APPROVED / APPROVED WITH AMENDMENT



Barry Carbon, Chairman

WASTE AUTHORITY

5 November 2008

Att 1 – Used Oil Collections in WA – Interim Findings to date by ACIL Tasman, Sep 2008

Att 2 - Assessment of Waste Disposal and Material Recovery Infrastructure Progress Report by Cardno, Sep 2008