



Waste Authority

CONFIRMED MINUTES OF THE WASTE AUTHORITY MEETING

held on Wednesday 4 March 2009
Department of Environment and Conservation
12.25 pm – 3.30pm

Meeting No. 03/2009

1. WELCOME & APOLOGIES

MEMBERS PRESENT

Mr Barry Carbon	Chairman
Ms Jan Grimoldby	Deputy Chair
Ms Carolyn Jakobsen	
Mr Marcus Geisler	

ATTENDEES

Mr Robert Atkins	A/Deputy Director General – Environment, DEC (Delegate for Director General, DEC)	
Mr Bernard Ryan	A/Manager, Waste Management Branch	
Mr Michael Reid	A/Manager, Policy and Evaluation, DEC	
Ms Jill Lethlean	Manager, Programs, DEC	
Mr Tony Beeson	Manager, Waste Avoidance & Resource Recovery Account, DEC	
Ms Geraldine Busby	Senior Project Coordinator, Waste Management Branch, DEC	
Ms Diane McKinnon	Executive Officer	Minutes/Actions

APOLOGIES

Prof Paul Hardisty	overseas
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The Chairman declared the meeting open at 12.25pm and welcomed members and Department of Environment and Conservation (DEC) officers to the meeting. The Chairman noted that Professor Hardisty had tendered his apology for the meeting (currently overseas).

2. DECLARATIONS OF INTEREST

The following conflicts of interest were declared by members during the meeting:

Jan Grimoldby – In relation to Agenda Item 7.1 (Analysis of Used Oil Policy Management Options – Final Reports), Ms Grimoldby advised members that she is currently working with Consultant ACIL Tasman on a non-related project.

3. ANNOUNCEMENTS BY THE CHAIRMAN

Standing Committee on Environment and Public Affairs - Inquiry into Municipal Waste Management. The Chairman advised that the Waste Authority provided its submission to the Inquiry into Municipal Waste Management on 13 February. The Chairman acknowledged the significant amount of work undertaken by Ms Grimoldby in finalising the submission and thanked her for her efforts.

The Chairman advised that DEC has provided a copy of its submission to the Inquiry, to the Waste Authority. He also advised that some organisations have released submissions on their websites. The Chairman sought advice from DEC on confidentiality requirements of submissions. Mr Atkins advised that he would confirm details and advise the Chairman accordingly.

Additional Budget for Work Plan 2008/09. The Chairman advised that a package has been prepared for the Minister, detailing additional budget requirements for the 2008/09 work plan. The Chairman requested DEC to finalise the covering decision sheet letter on this for the Minister as soon as possible. He advised that formal advice detailing the process for approving expenditure in accordance with the WARR Act will be provided to the Minister.

Documentation for Category 63 Levy Changes. The Chairman advised that he has requested DEC to prepare relevant documentation seeking amendments to the WARR Act Regulations, with a view for changes to the schedule of rates payable for Category 63 landfills to commence on 1 July 2009. The Chairman advised that this will include all relevant documentation to allow for the transmission of documentation through the Minister (and subject to the Minister's determination) to the Governor in Executive Council (submitted through Cabinet). Subject to the Minister's determination, the Chairman advised that the submission may also include possible amendments to sections of the WARR Act Regulations to enable the refund of overpaid levies.

The Chairman requested DEC to provide members with a copy of his request regarding the relevant steps in the process to prepare the documentation.

The Authority noted the request made to DEC by the Chairman, and supported the preparation of relevant documentation to enable amendments to the WARR Act Regulations and changes to the schedule of rates payable for Category 63 landfills.

Moved: Ms Grimoldby
Seconded: Ms Jakobsen

Proposal to Director General DEC re staff requirements. The Chairman advised that he has written to the Director General, DEC outlining a proposal for the Waste Authority to pay for and take staff from DEC. He advised that no response has been received to date. The Chairman requested DEC to circulate a copy of the letter to all members for their information.

Request to Attend Standards Australia Committee Meeting on Degradable Plastics in Sydney – 27 March 2009. The Chairman advised members that he had received a request from Dr Harrie Hofstede for the Authority to subsidise costs for his attendance at an upcoming Standards Australia Committee meeting on Degradable Plastics. He advised that the Standard is under review, and Dr Hofstede believes that the Standard has significant bearing on the compost industry, which is working towards making bioplastics suitable for inclusion in compost facilities.

The Authority noted that it had recently subsidised Dr Hofstede's attendance at an AS4454 Compost Standards Australia Committee Meeting in Sydney. It was also noted that Dr Hofstede had been nominated by the Waste Management Association Australia to represent the Association

at the meeting. The Authority determined not to subsidise costs for Dr Hofstede's attendance at the Standards Australia Committee meeting on Degradable Plastics in this instance.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 3.1 Supported the request made to DEC by the Chairman, to prepare relevant documentation to enable Category 63 Levy changes.**
- 3.2 Did not approve subsidising costs for Dr Harrie Hofstede's attendance at an upcoming Standards Australia Committee Meeting on Degradable Plastics.**

ACTIONS:

- 3.3 DEC to advise the Chairman of confidentiality requirements of submissions made to the Standing Committee on Environment and Public Affairs *Inquiry into Municipal Waste Management*.**
- 3.4 DEC to finalise covering decision sheet letter for the Minister, regarding additional budget for work plan 2008/09 for the Chairman's consideration as soon as possible.**
- 3.5 DEC to prepare relevant documentation for Category 63 Levy changes for the Chairman's consideration as soon as possible.**
- 3.6 DEC to forward a copy of the Chairman's request to DEC, to members, regarding the relevant steps in the process to prepare documentation outlined in 3.5.**
- 3.7 DEC to circulate a copy of the Chairman's proposal to the Director General DEC regarding staff resources to members for their information.**

4. MINUTES OF THE PREVIOUS MEETING

RESOLUTION OF DISCUSSION:

- 4.1 The minutes of the Waste Authority meeting held on 11 February 2009, and special meeting held on 18 February 2009 were confirmed as true and accurate records of the meeting, subject to minor amendments.**

Moved: Mr Geisler
Seconded: Ms Jakobsen

5. REPORT ON ACTIONS FROM PREVIOUS MEETINGS

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 11 February 2009 meeting:

- 8.1.1 Consultancy Listing – July to December 2008 – Request for report received from Jim Malcolm Environmental.** The Chairman acknowledged that he has received a copy of the report at the meeting. Members were asked to advise the Chairman if they would like a copy of the report.
- 9.2.1 Correspondence – Waste Authority/Ministerial.** The Chairman advised that he was still awaiting urgent feedback from DEC in relation to staffing costs associated with the 2008/09 work plan to inform the Minister. He expressed his deep concerns at not being provided with

the information by now and advised of accountability concerns and pressures to provide it to the Minister as soon as possible.

DEC advised that the information being compiled is more complex than first envisaged, and that it is now close to finalisation. Appropriate checks and balances are in place to ensure the information provided is absolutely accurate.

ACTION:

5.1 Members to advise the Chairman if they would like a copy of the Jim Malcolm Environmental report.

6. OUT OF SESSION ITEMS

Nil.

7. ITEMS FOR DECISION

7.1 Analysis of Used Oil Policy Management Options – Final Reports

DEC advised that two final reports for used oil policy management options had been received – Part A - *Used Oil Management Options Study (Report on the WA used oil market)* by ACIL Tasman (provided at Attachment 1 of the briefing) and Part B - *Analysis of Used Oil Policy Management Options* report by Oakdene Hollins (provided at Attachment 2 of the briefing).

DEC advised that the draft ACIL Tasman report was received in November 2008 and forwarded to Wren Oil and Nationwide Oil/Transpacific Industries for comment. Comments received commended the high quality of the report and accuracy.

DEC informed members that the draft Oakdene Hollins report was circulated to relevant stakeholders in December 2008, and comments received and forwarded to Oakdene Hollins in February 2009. DEC advised that the draft was forwarded to 23 organisations, with comments received from 4 (Wren Oil, Nationwide Oil, LOREX and Clayton Associates). Generally, the organisations that responded were pleased with the quality of the report. DEC advised that the majority of comments were quoted within the final report.

The Authority discussed the requirement for addressing long term solutions for used oil management in WA, including storage capacity. While it was acknowledged that the situation is quite stable at present, members agreed that the current economic climate could bring about an earlier crisis than expected, should long term solutions not be addressed much sooner. The Authority supported the Chairman seeking advice from the Australian Petroleum Industry (API) in this regard.

The Authority briefly discussed the potential need for the development of an overall Used Oil Strategy or Position, and agreed that any work in this regard would be put in the context of other Authority business. The Authority agreed to have a further discussion on used oil management options following advice from the Australian Petroleum Industry.

The Authority approved the release of the *Used Oil Management Options Study* by ACIL Tasman and the *Analysis of Used Oil Policy Management Options* by Oakdene Hollins on the Towards Zero Waste Website. The Chairman requested DEC to organise an appropriate media release for his consideration, to coincide with the release of the documents on the website. He requested that the release follow on from the Infrastructure Report media release and tie into the draft Waste Strategy.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.1.1 Approved the release of the *Used Oil Management Options Study* by ACIL Tasman and the *Analysis of Used Oil Policy Management Options* by Oakdene Hollins on the Towards Zero Waste Website.**
- 7.1.2 Supported the Chairman in seeking advice from the Australian Petroleum Industry (API) in relation to long term solutions for used oil in WA.**
- 7.1.3 Agreed to discuss used oil management options further, following advice from the Australian Petroleum Industry.**

ACTION:

- 7.1.4 DEC to prepare a media release for the Chairman's consideration to coincide with the release of the two Used Oil Reports on the website.**

7.2 Draft Skeleton Business Plan 2009/10

DEC presented a draft structure for the 2009/10 Waste Authority business plan to members. DEC informed that the format models the Zero Waste Business Plan – South Australia and advised that the plan will link to the Waste Strategy. DEC outlined the requirements of the WARR Act in relation to the business plan and briefly discussed how targets from the Waste Strategy will be presented in the business plan.

The Authority discussed the draft structure presented for the 2009/10 business plan. A summary of key comments provided by the Authority included the following:

- Members agreed that the draft structure presented provided a good framework for going forward.
- The document could benefit from having a one page table included in the format of waste streams, which could link to agreed strategies or targets. Members noted that key performance indicators would be looked at separately due to the need to review the business plan annually (whereas targets proposed within the Waste Strategy are generally over a 5 year period).
- In relation to recommending or implementing effective policy instruments, such as EPR schemes, the Authority agreed to discuss this further at the next meeting. Members agreed the discussion should include the possible development of an EPR Statement or Priority Product Statement.
- Section 6 – Monitoring, Reporting and Review – members noted that this area would be expanded to broader waste management issues include clothing recycling etc.
- The Chairman agreed that he would arrange to discuss with the Minister, any particular requirements that she may want included within the Business Plan.
- Members requested to be provided with a copy of the Zero Waste South Australia Business Plan.

The Authority discussed the Draft Waste Strategy for Western Australia. A revised draft was circulated to members. A summary of key comments provided by the Authority included the following:

- Members agreed that the Glossary and Waste Calculation tables be moved to the back of the document.
- The document could benefit from having a one page table included in the format of waste streams, which could link to agreed strategies or targets. Members noted that key performance indicators would be looked at separately due to the need to review the business plan annually (whereas targets proposed within the Waste Strategy are generally over a 5 year period).
- Members discussed the inclusion of litter within the Strategy. Members acknowledged that the management of litter is an important part of waste. As such, members agreed that litter would be included within the list of Strategies highlighted within the document, requiring that future Strategic Waste Management Plans include litter and illegal dumping management strategies.
- Members agreed that invitations to comment on the draft Waste Strategy (subject to its approval to release by the Minister) be via written submission and the Towards Zero Waste Website.
- Members agreed that the Consultant undertaking Phase II of the Strategy development would be the first point of call for upcoming workshops (not DEC).
- It was agreed that the document would include a separate section on data, highlighting challenges, needs and priorities. This would build on from the information provided via graphs indicating waste data and trends.
- The Authority discussed and agreed on the wording for the 'Questions for Consultees' boxes contained within the draft strategy.

Subject to minor amendments as discussed during the meeting, the Authority agreed that the Draft Waste Strategy for Western Australia be forwarded to the Minister for her consideration and authorisation to publicly release. DEC was requested to prepare the revised Strategy and covering letter for the Chairman's consideration as soon as possible.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.2.1 Subject to the discussion at the meeting, agreed on the structure proposed for the Waste Authority Business Plan 2009/10.**
- 7.2.2 Agreed to discuss at its next meeting, the need to recommend or implement effective policy instruments such as EPR schemes, through the possible development of an EPR Statement or Priority Product Statement.**
- 7.2.3 Noted that the Chairman would arrange to discuss with the Minister, particular requirements that she may want included within the Business Plan.**
- 7.2.4 Subject to amendments discussed at the meeting, agreed that the Draft Waste Strategy for Western Australia be forwarded to the Minister for her consideration and authorisation to publicly release as soon as possible.**

ACTIONS:

- 7.2.5 DEC to forward a copy of the Zero Waste South Australia Business Plan to members.**

7.2.6 DEC to prepare the revised Draft Waste Strategy for Western Australia in accordance with the discussion, and prepare a covering letter to the Minister for the Chairman's consideration as soon as possible.

7.3 Options Paper on situation with a WA recycling company

DEC informed the Waste Authority on the current situation with a WA recycling company and provided an options paper for the Authority's consideration.

DEC advised that in response to the downturn in global commodity markets, prices for recyclables have fallen significantly during the course of the current 2008/09 financial year. Some companies have been directly impacted by the market downturn to the extent that closure is likely. DEC informed that this will result in the loss of some recycling services in WA.

DEC briefly advised the Authority of recent developments with one metropolitan regional council expressing an interest to possibly play some role in assisting the company.

The Authority discussed the situation. The Chairman circulated to members during the meeting, copies of relevant email exchanges between the Company and himself dating back to November 2008, as a consequence of his meeting with the Company to discuss storage issues and falling commodity prices.

The Authority supported the Chairman and Robert Atkins (DEC) to meet with the Company as a matter of priority, to discuss the current situation and obtain a full understanding and then report back to the Authority.

RESOLUTION OF DISCUSSION:

7.3.1 The Authority supported the Chairman and DEC (Robert Atkins) to meet with the Company as a matter of priority, and report back to the Authority accordingly.

7.4 Extender Producer Responsibility (EPR) – E-waste as a Priority

DEC provided a briefing on electronic waste to the Authority, highlighting that e-waste is one of the fastest growing problematic waste streams, with local governments coming under increasing pressure from their communities to divert e-waste from landfill and provide improved programs for recycling. DEC also informed within its briefing that the Information and Communications Technology (ICT) Industry sector is facing pressure from consumers requiring better management of e-waste, particularly disposal.

DEC advised that the program for consideration in WA is similar to a 'byte-back' product stewardship program, with local government providing the infrastructure and State Government and industry supporting administration and recycling costs.

DEC informed that the ICT Industry and the Australian Information Industry Association (AIIA) have been lobbying the Environment Protection and Heritage Council (EPHC) to implement a national EPR scheme, where it is due to be considered again at the EPHC's May 2009 meeting.

The Chairman advised that a recent workshop held on e-waste at the Perth Zoo, highlighted that both industry and local governments are keen for a program to be implemented now at a State level, regardless of no EPHC decision at this time, due to any national scheme taking between 3-5 years to establish. Members discussed the success of the workshop and its outcomes.

The Authority agreed that e-waste is a priority waste stream to be identified within the draft Waste Strategy, nominated for EPR activity. The authority supported the potential need to provide a transition program and funding for joint initiatives with industry to manage e-waste at a State level.

The Authority requested DEC (on behalf of the Authority) to invite the Australian Information Industry Association to provide a briefing paper based on the outcomes of the e-waste workshop, to the Authority for its consideration. The advice should include a description of how in their view, an EPR scheme would work and provide advice on what a potential business plan for the State would entail.

RESOLUTIONS OF DISCUSSION:

The Authority:

- 7.4.1 Agreed that electronic waste is a priority waste stream for inclusion in the Waste Strategy.**
- 7.4.2 Acknowledged the potential need to provide a transition program and funding for joint initiatives with industry to manage e-waste at a State level.**
- 7.4.3 Agreed to invite the AIIA to provide a briefing paper based on the outcomes of the e-waste workshop to the Authority for its consideration. This should include a description of how, in their view, an EPR scheme would work and advice on what a potential business plan for the State would entail.**

8. INFORMATION ITEMS

8.1 Update on Regional Funding Program

DEC provided an update on the implementation of the Regional Funding Program and Regional Investment Plans. DEC advised that the Pilbara Regional Council has submitted its Regional Investment Plan, including budget requirements consistent with the allocated amount for a group of its size. DEC informed that an initial assessment of the document has been undertaken and it has now been forwarded to members of the Regional Investment Plan Assessment Group for formal assessment.

DEC advised that following the formal assessment, the regional group will be notified of the decision and the Regional Investment Plan will then need to be signed by the regional group and DEC to establish the contract.

The Authority noted the information provided on the Regional Funding Program and Regional Investment Plans and noted that although the overall program budget is \$2,559,450, no expenditure to date has occurred.

8.2 Used Oil Collection Fee Service for Local Government

DEC provided an update on the progress of the used oil collection fee service for Local Government. DEC advised that WALGA is awaiting the imminent return of the signed contract between themselves and the preferred supplier for used oil collections to local governments.

DEC advised that the arrangement will result in a good outcome for local governments, with free collection fees in the metropolitan area and reduced collection fees for the South West and the Wheatbelt.

The Authority noted the progress of the program.

8.3 Waste Strategy Development – Phase II

DEC advised that it is currently working with the Department of Treasury and Finance to initiate procurement for Phase II of the Waste Strategy development, in accordance with the draft scope of works approved by the Authority at its February meeting.

The Authority noted the progress of calling tenders for Phase II of the Waste Strategy development process, noting that it should be in a position to appoint a consultant by 1 April 2009.

9. CORRESPONDENCE FOR INFORMATION

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

The Authority noted the termination of a CGS grant (2007) for a school based training for zero waste in the workplace program run by Centacare Employment and Training. DEC informed that the project officer from Centacare advised in February 2009 that the project has not been undertaken. Monies already paid for the project were refunded to the Waste Management and Recycling Account by Centacare.

RESOLUTION OF DISCUSSION:

The Authority:

9.1.1 Noted the termination of a CGS project (2007) for a school based training for zero waste in the workplace program by Centacare Employment and Training.

9.2 Correspondence – Waste Authority/Ministerial

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

In relation to the letter from the Minister (of 8 January 2009) regarding the partial approval of the Waste Authority's 2008/09 work plan, the Authority noted that 2 of the 3 items requested by the Minister has now been provided. This matter was discussed at Agenda item 5 – report on actions from previous meetings.

The Chairman advised that he has received two letters from Eclipse Resources (both dated 26 February); one regarding legal matters associated with the levy and another regarding levy reform and comments on the minutes of the Authority's special meeting of 22 October 2008.

10. CLOSE

The meeting closed at 3.30pm.

11. NEXT MEETING

The next scheduled meeting of the Waste Authority will be held on 1 April 2009 at DEC's Atrium Office commencing at 12.00 noon.

APPROVED / APPROVED WITH AMENDMENT



Barry Carbon, Chairman
WASTE AUTHORITY

1 April 2009