

MINUTES OF THE WASTE MANAGEMENT BOARD MEETING

Thursday 12 July 2007
Southern Metropolitan Regional Council
Regional Resource Recovery Centre
350 Bannister Road, Canning Vale
10.00 AM – 1.30 PM

Prior to the Board meeting, the Board met with the Southern Metropolitan Regional Council's (SMRC) senior staff and Mayors and Councillors of member Councils over breakfast, followed by a tour of the SMRC's Regional Resource Recovery Centre.

1.1 WELCOME & APOLOGIES

MEMBERS PRESENT

Mr Barry Carbon	Chair
Mr Geoff Richards	
Mr Graham Slessar	
Ms Fleur Newman	
Ms Carolyn Jakobsen	
Mayor Paddi Creevey	Left at 1.00pm

ATTENDEES

Mr Michael Kerr	Manager, Waste Management Branch
Mr Sam Wilkinson	A/Manager, Policy and Evaluation
Mr James Milne	A/Manager, Communications
Mr Paul Ward	Senior Project Coordinator, WMRA
Ms Diane McKinnon	Executive Officer

Minutes/Actions

APOLOGIES

Mr Robert Atkins

The Chair declared the meeting open at 10.00am and welcomed all present. He advised members that Ms Anne Nolan has tendered her resignation from the Waste Management Board, effective immediately. Anne conveyed to the Chair that she was unable to devote the time required to successfully undertake the role of a Board member, and passed on her best wishes to Board members and DEC officers.

The Chair advised that he has accepted Anne's resignation and thanked Anne for her valuable contribution while serving on the Board. He sought members' acceptance to speak with the Minister regarding the acute need to either replace Anne's position on the Board or engage a specialist to assist with progressing key policy issues. Members unanimously supported the Chair in speaking with the Minister in this regard.

The Chair took the opportunity to thank members and DEC staff for their contribution in progressing work on the Guidelines for Organics Applied to Land and reviewing applications received for the Strategic Waste Initiatives Scheme. The Chair appreciated the extra workload that this has placed on certain individuals and conveyed his appreciation for a job well done.

RESOLUTION OF DISCUSSION:

1.1.1 The Board supported the Chair in speaking with the Minister regarding the need to appoint a new member to the Board or engage a specialist to assist the Board with progressing key policy issues.

2. CONFLICT OF INTEREST DECLARATIONS

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

Paddi Creevey – A conflict of interest with item 7.7 – Data Compilation Scheme Report was cited due to resource implications. Mayor Creevey agreed to abstain from discussion on this matter unless the Board sought clarification.

3. CONFIRMATION OF MINUTES

The minutes of the Waste Management Board meeting held on 15 June 2007 were confirmed as a true and accurate record subject to the following minor amendment:

1.2 – Chairman’s Report - Waste Management Board – Minutes of Meetings and Strategic Partnerships

...”DEC advised that proposals have been included in the 2007/08 Business Planning to provide further funding to the Municipal Waste Advisory Council and the Conservation Council”... include within text ... *“The Chair agreed to facilitate meetings between DEC and relevant organisations regarding strategic partnerships”.*

RESOLUTION OF DISCUSSION:

3.1 The minutes of the 15 June 2007 meeting were confirmed as a true and accurate record of the meeting subject to minor amendment.

4. ACTIONS FROM PREVIOUS MEETING – 05/2007

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

Actions from 15 June 2007 meeting:

1.2.7 Chairman’s Report. The Chair requested advice from DEC in relation to past commitments made to organisations from the DEC/the Board as part of funding and supporting Strategic Partnerships, to assist the Chair in facilitating meetings between DEC and relevant organisations.

4.1 Independent Review of the Use of Levy Funds. Mayor Creevey advised that she would forward for interest, information regarding suitable persons to undertake an independent review of the use of Levy funds to Diane McKinnon.

4.2 Waste Management and Recycling Account – Staff On-costs. The Chair requested that this information be circulated by DEC via email to members as soon as possible.

Actions from 10 May 2007 meeting:

6.8.1 Amendment of Environmental Protection Regulations 1987 – Part 6 - Tyres. The Chair advised that the Minister has provided his views to DEC in relation to progressing amendments as soon as possible. This is currently with the Director General of DEC and will be forwarded to the Minister shortly. The Chair requested that DEC confirm with the Minister’s Office whether an announcement on tyres is imminent and asked that this information be conveyed to members.

4.4 WARR Bill – Local Government By-laws. In relation to Local Government views on by-laws being required under the WARR Bill if Council’s allow community groups to undertake collections, Mayor Creevey confirmed that this is the case if they are authorised collections and the process of doing it is not an ongoing one. Mayor Creevey will formally write to the Chair advising of this.

ACTIONS:

- 4.1 DEC to advise the Chair of past commitments made to organisations in relation to funding and supporting Strategic Partnerships to assist the Chair in facilitating meetings between DEC and relevant organisations.
- 4.2 Mayor Creevey to provide information regarding suitable persons to undertake an independent review on the use of Levy funds to DEC.
- 4.3 In relation to the Waste Management and Recycling Account, DEC to provide to the Board as soon as possible via email, information regarding staff on-costs.
- 4.4 DEC to confirm with the Minister's Office if an announcement on tyres is imminent and to advise the Board accordingly.
- 4.5 Mayor Creevey to confirm in writing to the Chair, Local Government's views on the requirement of by-laws in relation to the WARR Bill.

5. CHAIRMAN'S REPORT

The Chair advised that he has received for the Board's information, the following documents from the Southern Metropolitan Regional Council (SMRC):

- 1) From the Chief Executive Officer, Mr Stuart McAll - a Compost Product Specification Sheet from SMRC's Waste Composting Facility which outlined potential contaminants routinely assessed and a Compost Sampling Frequency Sheet.
- 2) A note from Councillor Clive Robartson regarding SMRC's concerns on the use of funds from the Waste Management Levy.

In response to the SMRC's concerns, the Chair provided the SMRC with the following statement:

A recent review by the Department of Environment and Conservation of landfill levy income and expenditure indicates that the total amount of landfill levy paid in respect of Municipal Solid Waste over the life of the landfill levy has been \$19,209,852. By comparison, local government has received \$22,159,921 in WMRA grants and rebate payments (Resource Recovery Rebate Scheme) alone.

Therefore, local government has received about \$3 million or 15% more in direct (grant and rebate) payments than in levy payments made.

In addition, local government has directly benefited from payments for administration of the Resource Recovery Rebate Scheme, through direct support for MWAC for waste policy development (\$50,000 in 2006/07) and indirectly through participation in many of the strategic projects initiated by the Waste Management Board or the Minister.

6. ITEMS FOR DISCUSSION AND/OR DECISION**6.1 2007/08 Business Planning**

Michael Kerr provided an update on the 2007/08 Business Planning process and outlined that Attachment 1 provided the latest expenditure spreadsheet for all Themes and Elements for the Plan. Themes, elements and expenditure figures were based on discussions and resolutions at previous Board meetings.

The Board noted that areas highlighted in green in Attachment 1 are areas where the Board would approve a work plan in advance of any substantial work being undertaken in that particular Theme Element. This would include specific clarification of how the highlighted expenditure would be allocated.

RESOLUTIONS OF DISCUSSION:

- 6.1.1 The Board agreed to recommend to the Minister for the Environment, the allocation of \$17,475,000 in funding for the 2007/08 Business Plan from the Waste Management and Recycling Account, subject to the following:**
- a) The specific expenditure being allocated across nine 'Theme' areas.**
 - b) The Board approving the work programs in advance for the Theme elements where uncommitted expenditure areas are highlighted in Attachment 1.**
 - c) The Board seeking approval from the Minister for re-allocation of funds from one Theme area to another Theme area, where that reallocation would be greater than 10% of the total of the funding allocated to the first Theme area.**
 - d) The Minister would be informed of all decisions on provision of funding to external parties, through grants etc, and be informed of all associated media and event opportunities.**
- 6.1.2 The Board endorsed the 2007/08 Business Plan being of similar format to that for the published 2006/07 Plan and based on the Themes and expenditure set out in Attachment 1.**
- 6.1.3 The Board endorsed the Chair finalising the Business Plan in collaboration with the DEC, for submission to the Minister for the Environment.**

6.2 Approval of Funding Applications under the Strategic Waste Initiatives Scheme

The Board was presented with recommendations from the sub-committee reviewing proposals under Round 1 2007 of the Strategic Waste Initiatives Scheme (SWIS).

Attachment 1 outlined all proposals submitted under Round 1 2007, along with sub-committee proposals to support, partially support or decline. It was noted that around \$900,000 would be required to be reserved to pay successful proposals under this SWIS Round if the recommendations were supported by the Board.

It was noted that although the assessment criteria included supporting areas in line with the Board's priority areas of focus, some proposals rated low initially, such as oil recycling, as oil was not seen as a priority area at the time assessment criteria were developed. However, due to current circumstances, oil recovery and recycling is now viewed as a priority and therefore the proposal was supported.

RESOLUTIONS OF DISCUSSION:

- 6.2.1 The Board endorsed the sub-committee recommendations as outlined in Attachment 1.**
- 6.2.2 The Board deferred for discussion until the next meeting, the advertising of Round 2 of the Strategic Waste Initiatives Scheme and the Community Grants Scheme.**

6.3 Draft Interim Guidelines for Organics Applied to Land

The Organics sub-committee presented the draft Interim Guidelines for Organics Applied to Land to the Board. The sub-committee reviewed and revised the document presented to the Board in February 2007, following a 3 month public consultation period. It was noted that the Waste Management Association, Australia (WMAA) is currently coordinating research into the range of toxicity of likely contaminants in compost from mixed waste processing as part of a national project.

Graham Slessar provided background information to the Board on the Guidelines. The document refers to other guidelines, in particular, the WA Biosolids Guidelines and the Australian Standard for Composts, Soil Conditioners and Mulches, which are both currently under review. He advised that specifically relevant research is also underway in New South Wales, with results expected by the end of the year. The Western Australian Local Government Association has also just released a draft policy statement for Recycled Organics Applied to Land and a draft policy statement background paper.

The Chair circulated a list of questions on the proposed Guidelines to members for discussion. The Board provided the following observations and comments on the draft Interim Guidelines and questions from the Chair:

- The potential restriction on the use of compost derived from mechanical-biological treatment (MBT) facilities which utilise mixed municipal or commercial solid waste as feedstock for a range of applications was discussed.
- The level of warning/restrictions when applying organic material to soil was discussed at length, with regards to the potential for contaminants to enter the food chain. It was acknowledged that the variability in municipal solid waste (MSW) compost makes it difficult to apply standard restrictions across the board in this regard.
- Concerns were expressed with placing potential restrictions on compost used for certain land applications in the absence of comprehensive tests. It was generally felt that if this involves an onerous testing system being established, then this should be encouraged before ruling out the use of compost on certain land applications. It was agreed that if materials are excluded, the Guidelines need to be clear in providing upfront information that has led to the exclusion.
- It was agreed that the draft Guidelines should include only a short statement on land contamination and contaminated sites, and refer people to other specific relevant DEC guidelines for more information.
- The Board discussed the need for a person outside of the sub-committee to have an objective look at the document and provide further comment. It was agreed that Michael Kerr would consider comments provided by members and provide a revised package to the Board. This should include relevant information from other national and international jurisdictions.
- Members queried the entity that should publish the Guidelines – DEC or the Board. The Chair agreed to discuss this matter with the Director General, DEC.

The Chair praised the efforts of the Organics sub-committee and staff of DEC for their valued contribution in progression of the draft Guidelines.

RESOLUTION OF DISCUSSION:

6.3.1 The Board agreed that Michael Kerr would have an objective look at the *Interim Guidelines for Organics Applied to Land* and consider further comments in conjunction with feedback provided by members.

ACTION:

6.3.2 The Chair agreed to discuss publication issues for the Interim Guidelines with the Director General, DEC.

6.4 Waste Oil Collection and Recycling - Status

The Board noted that DEC has commenced work with Main Roads WA with a view to having used oil fractions explicitly allowed for in bitumen specifications. DEC is intending to call for a tender to identify opportunities to encourage long term sustainability of the used oil industry and recommend any areas that may be able to provide funding to allow for the long term sustainability of the used oil industry.

The Board expressed its deep concerns over the 'stalemate' situation of industry being slow to act, combined with a lack of leadership (ownership) in progressing urgent solutions to alleviate the waste oil crisis in Western Australia.

It was noted that while a decision has been made by the Environmental Protection and Heritage Council (EPHC) to establish a working group comprising Western Australia, South Australia and the Commonwealth to investigate the waste oil issue and solutions to it as a priority, the establishment of

this group has been slow, with a Terms of Reference currently in preparation. It was also noted that this group will not address immediate solutions, but rather medium to longer term solutions.

DEC advised that it is not aware of Industry responding to the progression of a 'blend and send' operation to alleviate the immediate crisis, or of any industry action to obtain a Basel Convention permit to allow for the transportation of the 'bottoms' to Singapore.

The Board stressed that this issue is of State importance and that urgent solutions need to be found. It was viewed as ultimately the Government's concern to provide leadership and ownership of this situation which was now at crisis point. The Chair undertook to meet with the Director General, DEC to convey the Board's concerns in this regard.

RESOLUTION OF DISCUSSION:

6.4.1 The Board supported the Chair in speaking with the Director General of DEC, conveying the Board's concerns over the waste oil crisis in Western Australia.

6.5 'Towards Zero Waste' as a Branding

The Board was advised that as a concept, "Towards Zero Waste" has been supported since the release of *Towards Zero Waste: Waste 2020 Taskforce Report and Recommendations* in January 2001. The report stated that "adopting the vision of 'towards zero waste' will lead to a change of direction, a new way of thinking." It was noted that Towards Zero Waste has been used locally, nationally and internationally as a means of promoting sustainable waste management practices.

The majority of members supported the notion to cease using the 'Zero Waste – Live the Vision' branding in favour of proposed new branding 'Towards Zero Waste.' Members commented that the new branding sounds progressive and achievable and ensures that the clear statement of position reached in the past is maintained and reinforced.

RESOLUTIONS OF DISCUSSION:

6.5.1 The Board endorsed discontinuing the use of Zero Waste – Live the Vision branding in favour of new branding Towards Zero Waste (to be used with the existing 'Zero Waste' logo) to ensure a clear, consistent and focused message.

6.5.2 The Board endorsed the recommended new branding graphics circulated at the meeting at Attachment 1.

6.5.3 The Board noted that all publications where Towards Zero Waste branding is to be used will be co-badged with the new DEC logo.

6.6 Date/Location of Waste Management Board Meetings

The Board discussed the most suitable date and time to hold Waste Management Board meetings and gave consideration to conducting meetings at Local Council offices. The Board agreed that Thursday morning remains the favoured meeting day and time, with Friday morning being the best backup if facilities were unavailable on the respective Thursday. The Board also agreed to conduct 'closed meetings' at Local Council offices and keep the option of meeting at DEC offices as required.

The Board considered that by conducting meetings at Local Government offices, it provides an opportunity to promote the Board's role and allow transparency in the business it undertakes. It also provides an opportunity to keep abreast of particular Local Council issues and tour relevant waste management facilities organised by the Councils.

Members commented that they appreciated the opportunity of meeting with the Southern Metropolitan Regional Council senior staff and Mayors and Councillors of member Councils over breakfast prior to the Board meeting, followed by the tour of the SMRC's Regional Resource Recovery Centre, believing that the format worked well.

RESOLUTIONS OF DISCUSSION:

- 6.6.1 The Board agreed that Waste Management Board meetings continue to be held on Thursday mornings (the second Thursday of the month).
- 6.6.2 The Board agreed to hold 'closed meetings' at Local Council offices and keep the option of meeting at DEC offices as required.

7. ITEMS FOR INFORMATION AND/OR DISCUSSION**7.1 Significant Correspondence – Waste Management and Recycling Account**

The Board noted that the following final evaluation project reports had been received:

- o Evans and Tate – Winery Waste Water Improvement and Re-use Program (Ref: GCP/06/00).
- o Oongkalkada Inc – Oongkalkada Landfill Project (Ref: CGS C1126).

RESOLUTION OF DISCUSSION:

- 7.1.1 The Board requested that DEC consider organising 'good news stories' as appropriate, as a consequence of completed WMRA projects.

7.2 Significant Correspondence – Ministerial/Board

The Board noted incoming and outgoing Waste Management Board correspondence as tabled at the meeting in Attachment 1. The Chair highlighted additional correspondence that had been received and sent by the Board Executive following the circulation of meeting papers. Members noted the status of Board correspondence.

7.3 Waste Avoidance and Resource Recovery Bills – Update

The Board noted that the Minister's directions regarding the next version of the WARR Bill was conveyed to Parliamentary Counsel on 15 June 2007. DEC is aiming to have the two Bills ready for introduction into Parliament by 27 September 2007, which is two months before the end of the 2007 Spring Session.

DEC advised that Mr Jim Malcolm will be progressing work on the WARR Bills on a part-time basis through a contract for service, during the absence of Dr John Ottaway, who will be in China from 18 July 2007.

7.4 Organics Sub-committee – Update

An update on the work of the Organics sub-committee was discussed as part of agenda item 6.3 – Interim Guidelines for Organics Applied to Land.

7.5 Container Deposit Scheme

DEC advised that a draft Container Deposit System (CDS) Economic Analysis report has been received from the consultant. Currently, the DEC is reviewing the draft report. The DEC has received comments on the draft report from the Department of Treasury and Finance, who was also involved in developing the scope of work for the tender for the economic analysis. Overall advice on the draft report will be provided to the consultant by DEC to assist with its finalisation. The final report on the economic analysis is now expected in mid August and will be assessed in detail once received.

The Chair advised that the Board's CDS sub-committee will meet soon to discuss matters in relation to CDS.

7.6 Buy Recycled Guide

The Board noted the redesigned Buy Recycled Guide which will go live on the Towards Zero Waste website this month. DEC first developed an online Buy Recycled Guide in 2004 which listed products that are manufactured with a percentage of recycled material. The Guide has now been redesigned with a focus on promoting local businesses and the buy local principle, setting it apart from the nationally focused directory developed by the Buy Recycled Business Alliance (BRBA). Around 40 local companies are currently involved in marketing their products through the Guide. It was noted that a link is available to the BRBA site if a product is not locally available.

7.7 Data Compilation Scheme

The Board noted the report submitted by the Western Australian Local Government Association on the Auditing Continuity / Data Compilation Scheme for Period 1 (1 July – 31 December 2006). The Chair acknowledged that the Report was very informative and demonstrated that the last three years has been significantly better than the previous 3 years. Unfortunately however, it is not recognised in the public arena of how well recycling and waste diversion is progressing.

Mayor Creevey praised the efforts of the Municipal Waste Advisory Council's (MWAC's) talented secretariat, expressing that they are committed and focused and that she is impressed by their skills. She also praised the professional working relationship and mutual regard between MWAC and the DEC, thanking Michael Kerr and his staff for their efforts and collaboration.

The Chair highlighted the statement he made earlier to the Southern Metropolitan Regional Council regarding the review by DEC of landfill levy income and expenditure. Agenda item 5 – Chairman's Report refers. This highlighted the Board's methods of communication and circulation of messages. It was suggested that perhaps a monthly column be placed in local newspapers on behalf of the Waste Management Board, conveying the positive messages of recycling bought about through the use of Levy funds.

RESOLUTION OF DISCUSSION:

7.7.1 The Chair agreed to discuss with DEC, possibilities in relation to the Board's methods of communication and circulation of messages in relation to recycling efforts bought about through the use of Levy funds.

7.8 Landfill Levy Administration and Compliance Review

DEC advised that it intends to engage a consultant to perform a critical review of all administration aspects of the Landfill Levy, including compliance with all legislation, regulation, licensing, levy assessment, report and administration policy and procedures. The review will provide clarity and certainty about the way in which DEC manages collection, administration and compliance issues associated with the landfill levy, to ensure it is best practise. The review will include benchmarking it against other interstate jurisdictions.

Michael Kerr explained that while the WMRA is subject to annual scrutiny by auditors and the Office of the Auditor General, there has never been an extensive independent review of the adequacy of the administration and compliance arrangements and procedures associated with the Levy itself. The review is also seen as timely, due to recent changes in administrative systems within DEC.

The Board queried whether the review was covered within the 2007/08 Business Plan as a priority area. Paul Ward advised that he understood that it was included, but would confirm this. The Board also requested that briefings provided to the Board that include the allocation of funding above a certain expenditure level, include an appropriate request for approval by the Board.

Some members expressed concerns that the Board would be better placed to utilise the costs associated with the review elsewhere for other services to industry, rather than internal scrutiny. However, it was acknowledged that it would be beneficial to have the landfill levy 'system' based on best practise efficiency factors.

RESOLUTION OF DISCUSSION:

7.8.1 The Board endorsed the proposal to engage a consultant to perform a review of all administrative aspects of the Landfill Levy on the understanding that it be capped at \$70,000 and in line with the scope of works provided.

ACTIONS:

7.8.2 DEC to confirm if costs associated with the review is included within the 2007/08 Business Plan.

7.8.3 DEC to ensure that briefings provided to the Board that include the allocation of funding above a certain expenditure level, include an appropriate request for approval by the Board.

7.9 Waste Management Board Priorities – Status Report

The Board noted the status of Waste Management Board priorities as outlined in the 2006/07 Business Plan and Budget. The focus over the past year has been on a broad mix of projects aimed at gaining a better understanding of the current waste-related issues faced in Western Australia such as Organics, Construction and Demolition Waste, Tyres, Glass, Oil, Waste and Resource Recovery Infrastructure, Transport Economics for Recyclables, Recycling Performance and Community Attitudes to Waste and Recycling across WA.

The progression of major initiatives included the Waste Legislation, Extended Producer Responsibility, Container Deposit Scheme for WA, Hazardous Waste Precinct project, the Zero Waste Plan Development Scheme and the Strategic Waste Initiatives Scheme.

8. PRESENTATION

Nil

9. OTHER BUSINESS

Nil

10. NEXT MEETING

The next Board meeting will be held on Thursday 9 August 2007 at DEC offices, The Atrium, Level 4 Executive Boardroom, 168 St Georges Terrace, Perth commencing at 9.00am.

Members noted that an invitation has been received from the Eastern Metropolitan Regional Council (EMRC) for the Board to tour its Red Hill facility in Gidgegannup. It was noted that the Board's 13 September meeting is likely to be held at the Red Hill facility, subject to confirmation.

11. CLOSE

The meeting closed at 1.05 pm.

APPROVED / APPROVED WITH AMENDMENT



Barry Carbon, Chair

WASTE MANAGEMENT BOARD

9 August 2007