



# **Submission on the National Waste Policy: Managing Waste to 2020 Consultation Paper**

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## Introduction

The Local Government Association of Tasmania (LGAT), together with the north western, northern and southern Local Government Regional Waste groups, welcome the opportunity to make a submission on the *National Waste Policy: Managing Waste to 2020 Consultation Paper*.

LGAT is the representative body of Local Government in Tasmania. Established in 1911, the Association is incorporated under the *Local Government Act 1993* with membership comprising the 29 Tasmanian councils.

The objectives of the Association are:-

- To promote the efficient administration and operation of Local Government in the State of Tasmania;
- To watch over and protect the interests, rights and privileges of municipal Councils in the State of Tasmania;
- To foster and promote relationships between Local Government in the State of Tasmania with both the Government of Tasmania and the Government of the Commonwealth of Australia;
- To represent the interests of the members of the Association generally, and in such particular matters as may be referred to the Association by its members; and
- To provide such support services to the members of the Association as the Association may by resolution in meeting determine.

The implementation of a regional approach to waste management was identified as a priority waste issue in November 2003 by the Tasmanian Premier's Local Government Council (PLGC). The PLGC subsequently referred this issue for implementation to the High Level Oversight Group on waste (HLOG). Following a series of consultations with Local Government, the HLOG developed a number of components which it considered were vital to a regional approach to waste management. These were:

1. A regional strategy that addressed both statewide and regional waste management objectives;
2. Regular meetings of member Councils;
3. Adoption of an appropriate and transparent funding formula;
4. A process for measuring and regularly reporting progress towards achieving regional waste management objectives and providing data for reporting.

Regional approaches to waste management in Tasmania are still considered crucial to furthering key aspects of waste management in the state. These include amongst other things, strategic planning, waste data collection and reporting against agreed statewide objectives, the delivery of public awareness campaigns and ongoing dialogue between local and state government. Regional approaches also provide benefits and opportunities for Councils in terms of sharing information and resources, to reduce duplication and to save costs.

## Overview

Local Government has had a long standing responsibility for the management of waste. Traditionally, it has undertaken collection and disposal services. Now, there is much more emphasis on waste minimisation re-use, recycling and recovery.

A key focus is on environmental management and public health outcomes - including sanitation - and meeting community expectations.

It is a significant role which has widespread benefits for our community.

In Tasmania, Local Government is currently responsible for the delivery of waste management services that revolve around collecting, disposing and reducing waste, while also striving to protect environmental health and public health.

They include:

- kerbside recycling,
- green waste collection,
- waste education,
- recycling drop-off centres and 'tip shops,'
- litter abatement and management, and
- management of transfer stations and landfills.

# Key Challenges facing Local Government in Tasmania

## 1. An Increasing Regulatory Environment

Historically Local Government in Tasmania managed waste through the use of landfills - or "tips" as they were once called.

With an increasing regulatory environment and scrutiny of landfills in the 1990s, there was a growing realisation of some potential consequences associated with landfill sites, both during operation and after closure. These include:

- contamination of surrounding soils and groundwater through the breakdown and leaching of the waste – including hazardous waste such as pesticides, oil and other chemicals;
- the management of methane emissions;
- the management of litter, and odour, pests and vermin;
- the visual impacts from landfills; and
- the rehabilitation and long-term monitoring of the landfill site following closure.

It has been a significant challenge for Local Government as the principal operator of landfills in Tasmania to manage landfills - and particularly the consequences of waste disposal impacts such as ground water contamination, methane emissions and the like in order to meet regulatory requirements and 'best practice' under key legislation such as:

- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993 (LUPAA)*
- *Public Health Act 1997*
- *Environmental Management and Pollution Control Act of 1994 (EMPCA)*
- *Environmental and Pollution Control (Waste Management) Regulations 2000.*

This is especially so when one considers that at the same time Local Government must provide convenient disposal facilities for the community and industry in the state.

Local Government currently picks up the cost of collection and disposal but we believe more responsibility is required from the commercial and industrial sector in this regard.

## 2. Capacity of Tasmanian Local Government to Manage Waste

Issues around economies of scale and councils' capacity in terms of cost and expertise (particularly for smaller rural councils) - to cope with increasing regulation have also led a rationalisation of the number of landfills in the state.

This has seen the closure many smaller waste depots and the establishment and operation of larger regional landfills and transfer stations over the last 20 years.

The key question is whether Tasmanian Councils – particularly smaller rural councils - will have the appropriate level of technical expertise and financial resources to rehabilitate existing land fill sites once they close and/or to create and manage new landfills in response to a tightening regulatory framework into the future.

We are starting to ask the question: does the future of waste management include Local Government? This question comes at a critical time for many Tasmanian councils who are faced with the reality of trying to work within budget and deliver a good standard of service while minimising cost increases which need to be passed on to the community – and at a time when some smaller councils are facing issues around their future financial sustainability.

Accordingly, Local Government's capacity to manage waste in relation to transfer stations and landfill management, and commercial and domestic waste collection management, will continue to be a major challenge in an ever increasing regulatory environment.

The three Regional Authorities in Tasmania each have developed a 5 year Waste Management Strategy prioritizing waste diversion from landfill, community education, support for resource recovery and working with state and national governments on improved waste management options.

### **3. Costs and benefits to Councils in relation to managing waste/carbon emission reductions.**

Local Government recognises there is a community expectation that it has an important part to play in relation to carbon emission reduction. A number of Tasmanian Councils have been proactively auditing and reducing carbon emissions, undertaking risk analysis and developing mitigation strategies and supporting council and community change. This is being achieved through, amongst other things, accessing changing technology. Examples of this include Hobart City Council's McRobies Gully Landfill gas collection plant and Launceston City Council's Remount Road Gas plant.

Regardless of the high level of awareness and support for tackling climate change, the introduction of the Carbon Pollution Reduction Scheme (CPRS) poses future challenges or Tasmanian Councils.

The most significant of these is the cost impact of complying with the scheme.

The Australia Institute<sup>1</sup> has determined that the CPRS will increase the costs faced by local government in the provision of services in Tasmania by 1.07 per cent (primarily through increased energy and fuel costs).

As noted in LGAT's submission to the Australian Department of Climate Change on the CPRS Green Paper July 2008, Tasmania's waste sector and related facilities are relatively small, aligned with our smaller, dispersed population.

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<sup>1</sup> Richardson, D (2008), *Who are the (un)intended losers from emissions trading?*, Research Paper No. 55, The Australia Institute

Many Tasmanian Councils are not well resourced both in human (internal expertise) and financial terms and as such struggle to meet their immediate statutory responsibilities in relation to infrastructure and asset services, planning and development. There are likely to still be relatively small councils in need of support and resourcing to ensure compliance with the scheme.

The reality is that without financial and other support (such as information tools that are easily understood) the associated costs of compliance would have to be passed directly onto rate payers.

The impact on ratepayers may serve to drive abatement through the creation of financial incentives to reduce waste. However, we believe this is unlikely and is a blunt instrument for encouraging communities to consume less.

We believe the increased cost to ratepayers is a significant disincentive because it carries the risk of generating less desirable waste disposal practices such as illegal dumping in bush land sites and incineration – with the associated environmental, health and management issues this would entail.

Local Government therefore believes the cost and resource implications for Tasmania would be relatively high in relation to relatively small gains.

#### **4. The Changing Nature of Waste**

As lifestyles - and the waste they generate – have changed over time, not only are we seeing more and more ‘products’, but also the nature of waste has changed quite dramatically, from simpler inert materials and putrescible material, to complex packaging and composite products such as electronic waste.

These changes have created new demands on Local Government in the delivery of waste management services.

## **Key Strategies and Local Government Leadership**

### **– Landfill Management**

Local Government in Tasmania recognises it has an important role to play in maximising the rate of resource recovery, as well as reducing the amount of waste going to landfill. Currently almost all the burden of managing waste is on Councils and rate payers.

Local Government is currently solely responsible for diversion of waste from landfill. As the current diversions from landfill have been achieved with limited outside assistance, Local Government's role in this regard should be recognised.

### **– Relationship with Industry**

Local Government is just one player in the waste management scheme. Too often industry is engaged at the end of the process rather than the beginning. We believe industry and the local government sector need to work together at a level which will assist both parties towards achieving practical, cost-effective and environmentally sustainable waste management solutions for our communities.

### **– State-wide Activities**

Local Government in Tasmania is actively involved in a number of initiatives and strategies for the management and minimisation of waste in the state.

They include:

#### **❖ Household Hazardous Waste Collection Pilot Project**

Through the Local Government Regional Waste Groups, Local Government has matched State funding under the State Government's Living Environment Program to establish a 2 year household hazardous waste (HHW) collection pilot project.

Under a Grant Deed signed between LGAT and the Tasmanian Department of Environment, Parks, Heritage and the Arts (DEPHA), a Project Officer has recently been appointed to manage the trial Project which will be overseen by the Local Government Waste Management Reference Group (LGWMRG). LGAT is hosting the position at its offices in Hobart. The project officer recently commenced in his role and will be working closely with local government around the state.

#### **❖ Supporting Stakeholders in the Coordination of Waste Management and Education and Awareness**

LGAT is also working in close collaboration with the Local Government Regional Waste Groups to help build effective waste management and resource recovery outcomes for the local government sector. The north west, northern and southern regional waste groups oversee regionally based coordination of waste management and education.

**❖ Local Government Response to the *Tasmanian Waste and Resource Management Strategy 2008***

LGAT recently collaborated with the Regional Waste groups on a whole-of-local government response to the *Final Review Draft of the Tasmanian Waste and Resource Management Strategy 2008*.

## Response to Questions Raised in the Consultation Paper

Below is Local Government's response to questions raised in the consultation paper.

- 1. Are there opportunities to further coordinate, harmonise or streamline approaches to waste management across jurisdictions?*

There are clearly steps that could be taken at a national level to harmonise approaches across jurisdictions (e.g. through Extended Producer Responsibility (EPR) schemes). However, a key concern for Local Government in this state is to ensure that any approach is not so inflexible that jurisdictions such as Tasmania with different situations - i.e. small size, non-metropolitan regional centres, geographic isolation etc - are saddled with a 'Sydney and Melbourne Metropolitan area' solution.

- 2. Are the categorisations, definitions and standards used to manage waste between and within the different levels of government effective and appropriate?*

Local Government believes there is a need to standardize the definitions of waste and nomenclature in relation to, e.g. controlled/hazardous waste. The State Government has signed off on the Tasmanian Waste Classification System which was initially developed by the Southern Waste Strategy Authority. The definition of waste under this system is used primarily for reporting purposes and differs from the definition used in the EMPCA which is used in a regulatory context. A national database for reporting purposes may provide standardization of terminology.

- 3. Do the current waste management frameworks across jurisdictions:*
  - deliver an effective regulatory framework?*
  - provide an appropriate suite of approaches to address waste and resource recovery issues?*
  - work effectively in conjunction with planning and other environmental legislation?*
  - provide the right incentives to manage materials, products and waste sustainably and holistically?*
  - need improving, and if so, how could this be done?*

EPR should be introduced at a national level to cover all packaging not just those items caught by Container Deposit Legislation (CDL) currently operating in other states such as South Australia. This will require national legislation in order to be effective. It will also be necessary for any criteria for such a scheme to adopt a triple bottom line and not be simply judged on an economic basis.

- 4. In the 1992 National Strategy for Ecologically Sustainable Development, COAG endorsed the strategies and objectives for a national approach to waste management (Appendix A). Looking ahead to the next decade, how could these strategies and objectives be updated to provide the basis for a national waste policy that responds to current and future challenges and opportunities?*

The National Waste Policy provides the opportunity to change the way waste is managed in Australia, by taking the lead at a national level and implementing challenging targets, removing barriers to waste management and investing in projects of national significance (e.g. EPR schemes and product stewardships). Such policies should be aligned with broader policies e.g. water, energy, sustainability, and CPRS.

5. *What waste issues would most benefit from a national approach? What strategies could be considered and how could the need for local solutions be integrated with a national approach?*

Waste education could benefit greatly from a national approach and be delivered via local government. Investment in waste education could target e.g. schools, community groups, industry, councils and include the promotion of alternative waste treatment technologies, as well as fostering links between responsible producers and the community.

6. *Are there waste management initiatives in operation overseas that could apply in the Australian context? If so, which ones and why?*

Australia should be looking at what is happening in other jurisdictions e.g. Europe, for programs which could be implemented here- e.g. in relation to achieving zero waste.

7. *Australia needs to safely manage hazardous waste and waste containing hazardous materials over the long term.*
- *Are there any changes to current arrangements that would improve Australia's capability to safely manage hazardous waste, for example in regard to adequate infrastructure or disclosing the contents of goods and substances?*

A national approach to hazardous waste to take advantage of economies of scale, generate employment and environmental protection should be a key priority. States with isolation barriers (Tasmania, Western Australia) struggle with options for treatment, disposal, reuse and safe environmental outcomes.

8. *There are a number of approaches to product stewardship operating in Australia.*
- *What, if any, role is there for a national approach and what would be the costs, benefits, opportunities and focus of such an approach?*
  - *What models might work in Australia?*

Although the National Packaging Covenant (NPC) has achieved a considerable reduction in waste, in its present form it seems to be reaching its 'use by date.' It is difficult to see how a self regulatory process such as the NPC can raise the bar much higher. There needs to be more intervention and goal setting by the Australian Government, particularly in the development of firm national outcomes for product stewardship of e-waste, batteries, gas cylinders, fluoro tubes, paint, oil, tyres, glass. It is noted that Victoria has pilot examples in this area; however a national approach will put these programs in reach of smaller states and territories. Producers and industry generally should be engaged by the National Waste Policy taskforce to participate in Product Stewardship and EPR schemes.

9. *Are there any aspects of waste management that could be improved or streamlined through adopting national standards?*

There is a need for a national policy for the collection; movement and disposal of hazardous waste taking into account the economies of scale for treatment options, removing existing boundaries for movement across state borders, focusing on investment in regional centres to treat waste (i.e. high temperature incinerators and large scale bioreactors in key locations across the country).

Defined strategic goals, timelines and firm national outcomes are needed to reduce waste going to landfill – e.g. e-waste, batteries, gas cylinders, fluoro tubes, paint, oil, tyres, glass. Defining waste management responsibilities for National, State and Local governments for clearer roles and ease of management is a key priority (e.g. national – EPR, stewardship, public education, national movement of waste. State – state movement of waste, delivery of national EPR and Stewardship programs, Local – municipal waste, organics, resource recovery programs, public education). Managing controlled waste through a national standard is also a key issue.

*10. What fundamental data sets does Australia need to collect to better inform waste management policies, practices, investment, business operations and to assess and manage risk?*

Australia needs to collect better information on waste generation and material consumption.

*11. What, if any, place should there be for approaches that seek to avoid waste through changes in design, production processes and transport?*

Firm outcomes for EPR schemes via regulation of imported products are needed to discourage planned obsolescence and designed redundancy, and to send a strong message back up the production line that end-of-life production responsibility is expected.

*12. What changes could be made to improve management of the municipal waste stream and those of the commercial and industrial sector and the construction and demolition sector?*

The issue of how to better to extract organics and recyclable material from the commercial and industrial sector is a complex area. National standards, to be adopted and implemented by the State Government, are necessary for the improved management of construction and demolition and commercial and industrial waste to ensure regulatory stability and consistency for the recycling industry. There is a growing expectation in the community that municipal waste should be sorted and recycled/composted. There are important issues of cost and convenience to be considered in relation to recycling in the commercial and industrial sector. It is not necessarily to be assumed that Local Government will be in a position to take on responsibility for waste from the commercial and industrial sector.

*13. Landfill is currently the primary means of waste disposal. What, if any, changes need to be made to manage Australia's waste stream in the long term given current trends in the volume and nature of the waste?*

Extracting as much organic and recyclable material as possible is recognised by Local Government and the State Government as having potential long term environmental benefits, including a reduction in methane gas emissions. Local Government is heavily involved with composting across the State. This reduces methane gas generation in landfills. This issue is further addressed in response to Question 14.

*14. Reducing the amount of organic waste sent to landfill has the potential to contribute to reducing greenhouse gas emissions as well as other potential environmental and economic benefits. What are the benefits and opportunities, costs and disadvantage of increased diversion and/or recycling of organic wastes?*

The reuse of organic waste should be a high priority for the National Waste Policy. If consideration is given to the banning of organic waste going to landfills, a structured process over a specific time frame should be put in place to give landfill operators time to plan and implement an orderly introduction.

*15. What, if any, changes are needed to the way e-waste is managed?*

A national approach should be adopted in relation to e-waste collection, reuse and disposal. This could be achieved through EPR schemes and could provide a model for addressing other types of waste e.g. paint, batteries, fluoro tubes, gas cylinders and tyres.

*16. The Carbon Pollution Reduction Scheme will apply to emissions from landfill. Are there related approaches that would complement the scheme and thus contribute to meeting the emissions targets and the timeframes set in the Australian Government's climate change policy?*

Local Government believes the CPRS will drive the rationalisation of landfills and that that process and associated costs will pose significant challenges for Local Government.

Local Government believes the cost and resource implications for Tasmania would be relatively high in relation to relatively small gains.

*17. What are the opportunities to reduce water and energy use through the way waste is managed?*

It is recognised by Local Government and the State Government that the extraction of methane gas from landfill provides opportunities for co-generation of energy. Local Government supports recycling programs that minimise greenhouse gas emissions and the consumption of energy. As noted in Question 13, Local Government is already involved with composting which reduces methane gas generation in landfills.

*18. In what ways can waste management and resource recovery (including recycling, re-processing, re-manufacturing) industries add further value to the economy and create employment?*

Local Government considers there needs to be appropriate costings associated with waste disposal and waste generation which includes the triple bottom line. The National Waste Policy should also address the true environmental cost of waste management and resource recovery.

## Conclusions

As noted, historically the focus of Local Government has been on the kerbside collection of household recycling for glass, metal, plastics and paper. However, there is a growing awareness that kerbside recycling is not the most cost-effective way to manage our entire waste problem for a number of reasons:

- it is expensive – and it is the household ratepayer and Councils together who bear the cost of providing this service.
- The entire waste stream is not addressed – and there are many materials that are not currently collected at kerbside that go straight to landfill – this includes almost all packaging and container materials consumed and disposed of away from home, food and some garden waste.
- Contamination – A significant proportion of what is collected for recycling at the kerbside is non-recyclable and sent to landfill.
- Increasing waste generation – mentioned above.

The issue of scale and the relatively small size of Tasmanian councils also means that the cost of accessing many new technologies - such as bioreactor landfills, incineration, and other thermal options – needs to be considered against the financial and technical challenges already being faced by Tasmanian Councils and their capacity to cope with increasing regulation.

These issues are a barrier to future investment by Tasmanian Councils, particularly smaller rural Councils.

The issue of how to reduce the amount of organics going into landfill in terms of removal and treatment will drive costs up for Local Government. This is also likely to lead to greater private sector involvement.

Ultimately, Councils will need to make judgments about the cost and benefits of continuing their involvement in waste management. It may well be that rather than continue to be involved, local government will simply move out of this sphere altogether, leaving this ‘product’ to be provided by the private sector.

Having said that, Local Government in Tasmania is strongly committed to working with key stakeholders in industry, the State and Australian Governments and the community in supporting, promoting and delivering economically, environmentally and socially sustainable waste management schemes – as evidenced by our support of the HHW project.

At the same time, whilst acknowledging the role industry plays in product stewardship and within the framework of extended producer responsibility and whilst not trying to reassign responsibility up the waste management hierarchy, we believe it is time for producers to take greater responsibility for the products they make.

LGAT also believe the principles of 'user pays' and 'polluter pays' should be applied wherever possible in addressing the issue of charging for waste management services.

Local Government also believes the Australian Government has a significant role in relation to developing and setting national goals for EPR and product stewardship through the whole life of a product.

In relation to the role of the State Government, we believe that the State Government's key responsibilities are in the formulation and development of policy, the State Waste and Resource Management and Controlled Waste Strategies and in working with regional local government bodies to identify gaps for statewide initiatives such as the Household Hazardous Waste pilot project.

In closing, Local Government in Tasmania welcomes the opportunity to contribute to the development of a National Waste Policy and how key issues might be addressed.