

**Waste Contractors and Recyclers Association of Queensland (WCRAQ) Inc response to  
the Queensland Environmental Protection Agency Lets Not Waste Our Future  
Discussion paper**

**Issued 21 December 2007**

The association commends the state on releasing this long awaited initiative and in producing the “Let’s Not Waste Our Future” discussion paper. It also appreciates the opportunity to provide responses to a number of key questions on behalf of our members, being the industry contractors and operators from the waste and recycling sector in Queensland.

**Waste Contractors and Recyclers Association of Queensland (WCRAQ)  
Inc**

In response to the waste and secondary resource industry having matured from the fragmented small operator sector it once was, to the more mature expansive industry that it now is, an agreement was made earlier this year to establish in Queensland, a new industry association. Its objective is dedicated to representing the specific interests of the sector, all private contractors and operators involved in waste, recycling or secondary materials reprocessing activities.

The Waste Contractors and Recyclers Association of Queensland (WCRAQ) Inc was registered with a core objective to work today and into the future, with regulators and policy developers at both state and local government levels, as well as with other key industry groups, companies and individuals, on matters pertinent to the waste sector in Queensland.

It is our intention to build a lead profile for the state’s liquid and solid waste transporters, landfill operators, waste processors, collection, resource recovery and recycling organisations as well as our suppliers, that ensures the sector is consulted, engaged and is seen as the pivotal point of contact for policy developers, regulators, government officials and other stakeholders on matters impacting the industry in Queensland.

Since our formation 6 months ago, membership has grown to more than 40 international corporations, national operators and small family owned companies all who have invested in, operate and are based in Queensland. Our members are companies that provide key essential services all directly related to waste and secondary resource recovery in the State.

## General Comment

Whilst we applaud the state for taking the initiative and finally producing a working document for comment, we wish to correct several significant points of error with respect to the overview and intent expressed throughout the paper.

The document produced by the state promotes with much vigor the achievements made by it since the introduction of the 1996 waste strategy, including references to ‘walk the talk’ and changing procurement practices, however we wish to draw attention to the fact that of the 32 objectives set by the EPA in that 1996 document more than 11 years ago as of December 2007, more than 70% of these remain outstanding and unimplemented. Most are still as relevant today as they were in 1996.

The association members trust that this current exercise and review process of the 2007 discussion paper reverses fundamentally the performance by the state to date, of its inability (despite repeated requests by industry) to provide strategic direction, strong policy and a strengthened consistent regulating environment with respect to waste and recycling activities in Queensland. We seek that the future policy provides confidence and a balance to a fair working environment where the investments made by us are underpinned by effective regulation and delivery of it and a strategy that supports our industry’s ongoing investment and security. Such an environment does not exist currently in Queensland.

We also support an open and transparent process of engaging all stakeholders to discuss these critical concerns, but more importantly request an immediate timetable from the government of implementation that is not protected by bureaucratic processes and where industry has to wait another 11 years for implementation of a state waste policy.

Another significant concern we wish to express is that of the general intent throughout the document inferring that the use of landfills for disposing of society’s residual waste, in Queensland, is perceived to be an unacceptable long term disposal method.

The association would like to see this inference corrected in future papers and policy to reflect more factually the reality of the situation. Statements made and inferences that landfill is not seen as a long term solution, and that they have ongoing environmental impacts are reported incorrectly. Reference to this, and their impacts on global warming, must be quantified and should differentiate between old and outdated landfill methods and facilities, which have ongoing environmental problems and legacies, from those that are fully engineered, world class facilities and currently operating in Queensland.

Both the Veolia Environmental Ti Tree Bio Energy facility and the Thiess Services “*Bio Reactor*” land bank at Swanbank are testament of the world class facilities that are operating, and the millions of dollars invested by these companies and other industry providers who do have world class operations in Queensland, remain at risk if the state continues to promote a false sense of fact with regards to landfill use.

We agree and there is much on the public record, as to the historical environmental legacies sometimes caused by the mismanagement and poor siting of landfills, most as a result of poor planning and other controls by government - state and local. But until the alternate disposal methods to landfill for waste generated by society have been fully quantified, and are

operating commercially in Queensland and these facilities are not reliant on landfill for their residuals, the association requests that the negative views reported reflect fact and not emotive falsehoods.

We also wish to record that the opportunity to fundamentally change the paradigm in Queensland exists, for the development of an integrated policy where the state must tie in climate change goals and carbon trading and/or sequestration policy directly to the future waste and secondary resource recovery policy.

It would be a fundamental shortfall in developing the vision to not only exclude discussion but more importantly any failure to do so, would leave the waste policy impotent in its effectiveness to delivering real change the attitudes of current and future generations.

With the members' significant amount of expertise we have observed that many core principles in relation to managing wastes and operating secondary resource and recycling remain at the heart of debate. These are:

- Strong regulation needs clear enforcement. As change occurs due to the introduction of levies and similar market based instruments often burdens are imposed within this changing environment that can increase avoidance of application by all to regulation, either by illegal or technical means by operators in industry. The result often means that the more respectable operators of industry are left disadvantaged and unless strong regulations are enforced, parts of the industry can become dominated by less scrupulous operators.
- Recyclables have significantly higher recyclable value if they are captured early, and not allowed to be contaminated by other wastes. Mixed waste streams are often more complex and it is more difficult to sort quality materials from these streams, unless systems are designed from the outset to manage these. Usually these mixed systems require higher capital costs of investment to manage them as compared to single stream materials thus leaving operators, and the systems themselves, at far higher risk from commodity returns, possibly jeopardizing the viability of the projects when markets soften.
- Better management of waste and recyclables has an important role to play in climate change and environmental protection of the community. Many of the suggested approaches to sustainably deliver new systems involve very significant financial costs quite often misrepresented to the communities to which they are proposed to service.
- There is no one size fits all solution. Individual circumstances need to be well understood, measured and the technologies or strategies selected must be cognisant of these individual circumstances, not just because they are in use elsewhere or that they might appear to be the most cost effective to a community on first analysis.
- Education is the key to achieving better recycling, resulting in higher volumes, less contamination, presenting greater yields to operators and in return greater economic responses for the investment.
- Unless a sustainable market exists a "recyclable" without a valid use is simply another waste. It must be noted that simply promoting the philosophy that recycling is good

for our planet is only a start - for it to be truly sustainable over the long term it must have real benefits, real markets and real end user applications.

- Logistics are a significant financial, social and environmental cost. This is particularly relevant in respect to the State of Queensland, due to the tyranny of distance of the state, our expanded demographics and growth that is continuing to occur particularly in the remote regions.
- The waste hierarchy is a good start for concentrating debate. However, when it is simply applied without proper consideration of the costs - financial social and environmental, it becomes bad policy upon which to base new policy.
- Social Equity is vitally important. As communities expand, and our population becomes more transient and the general expectations by communities demanding and expecting the same access to services in remote rural centres as compared to their counterparts in urban areas, the catch cry of “*it’s simply uneconomical to provide this*” does not stand. Alternatives must be sought on this complex issue if waste policy reform in a state the size of Queensland is to be truly achieved.
- Waste levies in any form are proven not to achieve the desired results on their own. They are simply one driver that in isolation does not stimulate change in society’s habits. Strong reform to waste regulation and its enforcement, the use of accurate more precise definitions and alignment to policy must also form part of the suite to achieving real environmental outcomes.
- Strategic long term planning for the locating of new and expanded waste / recycling infrastructure, and protection of these investments from urban sprawl, is core to the real success of real long term waste policy delivery. The locating of some recycling or resource recovery facilities are not necessarily any less obtrusive to neighbours than many broad based manufacturing operations. Each industry’s activities are similar to each other as they often involve processing which can result in releases of additional odours/dust etc, thus recycling and secondary recycling operations should not be disproportionately treated in licensing or siting approval processes.

## **Executive Summary**

The association has addressed its response to many of the questions presented in the paper in the following section of this document, however wishes to summarise our key items for consideration. We offer these in the hope that the future waste policy will provide for our industry a decisive vision and direction.

- All definitions used in state policy, legislation and regulations including those references to describe industry activities such as ‘waste’, ‘recycling’ and ‘secondary resource recovery’ need to be rewritten, agreed with industry to the relevance and should have national relevance to similar regulations and definitions used in all other states to wit our industry members operate.
- WCRAQ requests an overhaul of all current state waste regulations and considers that these must be consolidated under a single piece of legislation in the future.

- Included in the overhaul of regulations, we request that attention be drawn to defining more precise definitions of landfill and waste facility types, including those that manage inert wastes only, commercial and industrial waste operations, putrescibles, lined, unlined, engineered, non engineered operations.
- WCRAQ requests the consolidation of a system of waste transport licensing to a single central point agency and regionalisation across the state of all licenses. It is our position that this would deliver an operating environment that provides the ability to capture and record real data on waste generation, its movement and disposal points. It also removes the ambiguity that is currently caused by the dysfunctional, unaligned system in operation, which is reliant on local government to enforce and fails to centrally record the data, currency of operators, numbers licensed or conditions applied on these licences. Centralising also removes unnecessary cost burdens on operators who collect the waste. All legitimate operators currently have multi licences to operate and report against, many enforced with different operating conditions for the same materials handled, council to council, region to region.
- The state should lead by example and mandate that all departments use recycled goods in purchasing decisions where these meet agreed quality specifications and are cost comparable. It should also agree secondary material specifications for its use generated from recovering valuable resources contained in the construction and demolition waste streams as well as specify used tyre crumb rubber use in road making applications, and not simply put *consideration of such use of these materials at each department's discretion as is the current official policy*.
- Further the requirements set for government departments as well as local government in the current Waste Management Policy 2000 be immediately amended and make it a mandatory requirement to report and make public the annual performance by each department, both state and local government, in the tonnes of recycled product or secondary materials each has purchased and used and report why recycled content was not used in projects where it could have been. A scorecard of performance may also be a consideration.
- WCRAQ accepts that a waste levy is only one of the many mechanisms used to effectively deliver waste policy, and we are of the view that it must not be the pivotal driver of such policy. If the state were to consider introducing a form of waste levy then the association only accepts it if it is applied as a flat rate across the state and of no more than \$10.00 per tonne, that it has no automatic increases applied to it, and that it is reviewed against specific, negotiated, objectives after 2-3 years for its effectiveness in delivering the agreed strategy objectives. It is our estimate that a \$10 per tonne levy could generate as much as \$100 million dollars per annum for injection to delivering real waste policy and its regulation in Queensland.
- Any reference to levies must not be termed a “landfill levy” or be used to negatively impact the industry’s investment in this area, but rather focus on the fact it is a “residual waste levy”, last resort.
- Further we request that all funds generated be hypothecated to delivery of the strategy’s objectives, including the strengthening of and consistent delivery of more effective regulation of the industry underpinning our investment and support of the

operating environment. WCRAQ requests and supports the establishment of a lead independent stakeholder board that should be charged with the responsibility of delivering the future strategy and to constantly review the policy direction. The board should be made up of representatives from, State & Local Government sectors, NGO's, as well as key business/industry groups. WCRAQ formally requests that any future structure formed to deliver the strategy includes this association as a participant of it. Any such board established must also have a rotating chair.

- Should the state introduce some form of waste levy regime, then all funds must be hypothecated by a factor of 80% to such a board, and they should be ring fenced and used to achieve the objectives set and agreed to in the future strategy. Further, WCRAQ supports a view that the remaining 20% of the funds be used to support and strengthen the regulating environment of the EPA to more effectively enforce policy and deliver strong regulation by it. These funds should be used by it to increase on ground resources, train these and bring genuine change to this essential area.
- Funds must also be made available from the application of a levy to support viable recycling and recovery of product from remote and regional areas of the state, and to establish local market applications in these regions for product reuse. They should also be applied to close environmentally unsound landfill operations currently run by local government.
- The Queensland Government should also take the lead in designing any future carbon trading scheme as a key platform of the waste policy and in meeting the greenhouse abatement obligations. Local government should be held to account for its performance in relation to achieving their greenhouse obligations, cognisant of their performance with regards to landfill gas management and general landfill operation impacts under its control.
- That the state supports and implement nationally aligned EPR schemes where these are relevant.
- That as a matter of priority it revises the SEQ Regional Plan for Infrastructure and places a focus on this to effect and allow proper siting of, and rezoning of land, for the future provision of waste and secondary reprocessing and to support and protect the continued investment by industry from urban sprawl.
- That the state does not adopt the philosophical terms or targets of “Zero Waste” or “Towards Zero Waste” but broadens and strengthens this discussion to “**Towards Zero Environmental Harm from Waste**”.

### **Specific responses to questions contained in the strategy.**

#### ***3 Should there be greater effort to encourage waste avoidance and reduction relative to recycling for individuals and households and, if so, how could this be done?***

- Singular Elements of the hierarchy should not be undertaken exclusively/in isolation of other elements.

- WCRAQ agrees philosophically on the user pays principle as this places directly on the generator of the waste a financial impost to managing and disposing of the waste, but there is a need to be cognisant of substantial increases in the costs to collection for introducing such models ie truck and accounting modifications. The complexity in delivery is not only how models are applied and managed, but how they are delivered economically by the operators collecting the waste.

**4 *How can we encourage more recycling and recovery of commercial and industrial waste?***

- This makes the assumption that we need to do more to recycle and recover product thus predisposing that we already have sustainable and secure long term markets for the products we're recovering. Development of Commercial and Industrial (C&I) resource recovery options is principally driven by the economics of landfill. Investment in significant new infrastructure for reprocessing these wastes will only be viable if the combination of processing costs, commodity sales and residual disposal costs remains less than disposing of mixed C&I and putrescibles direct to landfill.
- The initial focus of the strategy should not be about encouraging more recycling and reuse of product, but to develop the fundamental issue of markets for products locally, both as a state and in a regional context where this is possible. To achieve a sustainable outcome of recovering recyclables or products deemed recyclable or capable of being recycled, there has to be a self funding process throughout the value chain. The link being that there remains stable long term markets for the materials recovered that underpin the commercial systems built to recover products.
- Any waste and recycling policy reform needs to include the same requirements as is currently placed on business as it applies to new on site and manufacturing water management plans. Applying a requirement on all industry sectors to develop and implement specific waste and secondary product reuse plans will align the recent changes made to sustainable water management practices of industry, and achieve a greater environmental outcome and gain for Queensland.

- 5 In co-operation with other government agencies as well as with industry, the Department of Sustainability, Climate Change and Innovation, should develop guidelines so that the design of new, and the refurbishment of existing, commercial buildings and high density residential developments incorporate facilities to collect, extract, store and load recyclable materials and allow greater flexibility of designed waste collection systems. Developers should be made to supply heavily detailed waste management plans for the development including the design and systems proposed for waste services, focus on locations of equipment, estimates of tonnes of waste to be managed, recycling systems proposed and this be included as a core development item for approval in all new projects.

**6 *What more can we do to encourage reduction, recycling and recovery of construction and demolition waste?***

- The Queensland Government should develop material specification guidelines for the recycling of secondary aggregates and tyre crumb reuse in road making.
- It should lead by example and mandate the use by all departments of recycled goods in purchasing decisions where these meet agreed quality specifications and are cost comparable and agree secondary material specifications for the use of products, and not simply put consideration of such use of these materials at each department's discretion.
- Further the requirements set for all government departments as well as Local Government in the current Waste Management Policy 2000 to prepare waste management plans should be immediately amended and make it a mandatory requirement to report and make public the annual performance by each department both state and local government, in the tonnes of recycled product or secondary materials it has purchased and used and report why recycled content was not used in projects where it could have been. A scorecard of performance may also be a consideration.

**7 *the roles and responsibilities of the following parties in managing waste and meeting the desired outcomes:***

▪ **State Government**

- Develop and deliver a sound strategic waste and recycling policy that clearly defines the expectations for society to reduce its long term impacts of causing environmental harm from waste generation activities. Shift the paradigm and focus to a more sustainable use of our natural resources and our reduction and reliance on these and shift attitudes to decreasing this unsustainable consumption.
- Provide the leadership and example by shifting its own purchasing policies and consumption habits to a culture of prioritising the reuse and developing of applications of secondary products and aligning the policies of water, noise and air directly with waste cognisant of each strategic outcome.
- Put a focus in all long term planning and strategic documents on the acceptance of waste generation (solid, regulated and liquid), the need to manage these and openly debate and discuss this to allow an environment that fosters investment and security for the waste and recycling industry in which to operate. Make the community more responsible for the waste it generates by the application of the smart state tag to the waste and recycling area. Currently this area fails to get any recognition at all in state promotions, thus the link by the community remains at odds with the greater objective.

- Overhaul the system of tracking regulated wastes, define what constitutes regulated wastes, and link the Queensland reporting systems of both inward and outbound wastes to more effectively account for the total system. Develop a relevant and common system uncomplicated by its interpretation to define what makes up a regulated waste, what measures apply to managing these and more effectively handle them at disposal locations

- **Environmental Protection Agency**

- Must become a more effective and proactive regulator of the industry that provides confidence to the long term plans made by our investors, owners and operators that make up the waste and recycling industry in Queensland. The historical performance by the regulatory processes of the EPA, the lack of real industry training of its officers, and the inconsistency in delivering regulation are fundamental requirements for reform by it, if it is to partner with the sector in effectively delivering a new direction for waste and recycling policy in the state.
- Industry seeks an environment whereby in partnership the regulators and operators can work together in proactively changing practices, not as currently exists - working with an under resourced agency that fails to deliver consistent and structured advice or application of current government processes.
- Industry requests a fundamental reform by the Queensland EPA in this regard if it is to have any confidence in the regulatory processes assisting to deliver new policy.

- **Australian Government**

- Develops and implements nationally relevant EPR schemes that are applicable for state implementation.
- Agrees nationally consistent and recognised terms to describe the activities of the waste, recycling and secondary reprocessing industry that all states can agree upon to use in their respective policy and legislative areas.

- **Local government**

- Must support industry with planning and building of infrastructure, allow more effective siting of this and help to reduce impacts on current investments from urban sprawl. Plan and secure more effective industry buffer zones.
- Provide services where it is economically responsible and sustainable to do so that can be shared in a region or promote more regional practices not operate in isolation.

- Broaden the scope for greater reuse of secondary materials where it is viable and where it is not - develop policy options to balance social equity either by subsidising, providing finance or changes to regulation to allow it to occur.

**8 *Other initiatives for state and local government to provide an example in their own waste management and product procurement policies to reduce waste and its impacts***

- Government needs to be more active in their enforcement of policies to ensure that illegal storage and dumping doesn't take place in the future with respect to used tyre management.
- Being the largest and most stable of consumers and purchasers of supplies across a multitude of product areas, government can create the pull in market creation of secondary products by implementing a change in policy that leads by example, and *mandates all of its departments to buy and use recycled content rather than place local voluntary responsibility for recycled content to be considered in the purchasing decisions by departments.*
  - In the 1996 State Waste strategy, the government stated it would, "*develop material specification guidelines for the recycling of secondary aggregates*" - 11 years later it still has purchasing specifications that exclude the use of recycled aggregates and other recyclable products from being used by its own departments in their purchase specifications.
  - The same document states:
    - \* *The State Purchasing Policy will provide for the purchase of products containing recycled material where these are suitable for the intended use and are of equivalent cost and quality to other products.*
    - \* *The Department of Environment and Heritage will conduct audits of the recycling effort of all Government Departments to monitor compliance with the State Purchasing Policy.*
    - \* *The Department of Environment and Heritage will encourage local governments to develop purchasing policies which provide incentives for waste minimisation.*

None of the above objectives have been delivered and all remain as relevant today as they were, when made 11 years ago. Currently many government agencies preclude the use of recycled content based on both internal outdated policies still in place and the reluctance by government engineers to accept change. All of the objectives of the 1996 paper and current intent expressed in the strategy are relevant but will only be effective if actually delivered and not simply written. The government to use its own words must '*walk the talk*' if it is to engage change and show real leadership in this policy area.

Thus any new policy should be strengthened to:

- Enforce on all departments a requirement to make public the annual performance of each in the tonnes of recycled product or secondary materials they have purchased, represented as a percentage of total purchases by them.
- Provide industry with the confidence through a policy change to support continued investment by it, based on a change in culture that is mandated and that in time the community as a whole benefits by the markets created by government action.
- Current policy needs to be changed to mandate government to use recycled content in purchases, report on the tonnes used annually, report what they have achieved in real diversion and product reuse, aside from the usual product ranges related to used packaging.
- All jurisdictions should be required to report and be made public each year:
  - i. Why recycled content was not used in purchases made by them.
  - ii. Tonnes of recycled content that were consumed in supplies.
  - iii. Purchases that were made by them of locally produced secondary products and
  - iv. A comparison of actual tonnes of recyclables used to those of virgin products purchased, annually.

***9 specific improvements, if any, that may be needed for the current legislative waste management framework?***

- All waste management policy, legislation and regulation must be encapsulated in a single piece of legislation.
- It should also be consistent with other states to ensure consistency with the operating environment in which the industry operates nationally and the reporting systems companies have in place.
- Secondary Resource Recovery and Recycling should be separately defined and not to be referred as a waste activity.
- Operators operating facilities that manage more than 20,000 tonnes per annum are currently required to be EPA approved and must submit the following prior to operating any facility:
  - Environment Impact Statement
  - Town Planning application
  - Major Development Plans
  - Compliance with local and state regulations
  - Community consultation and action plan
  - Develop and maintain EMP
  - Report to relevant authorities on all operational aspects
  - Mandatory inspections by regulating authorities, for example, EPA.
- The current licensing threshold needs to be substantially reduced to ensure there is a level playing field for all operators. It is widely known within the

industry that a number of operators falsely report their capacity, thus avoid licensing requirements and the associated environmental controls that such a license requires. This creates a distortion in the marketplace as it places costs on larger operators not borne by smaller operators, which then must be translated into the market price for the processed material to recover both the operating and capital costs. Consistency in the application of licensing and delivery of regulations needs to be enforced across the entire waste, recycling and resource recovery sector to mitigate the risk of environmental harm and impacts that can occur from the operations. As much environmental harm can be done with 1 tonne of waste as can be with 20,000 tonnes, thus we request an urgent review of this regulation and lowering of the current licence threshold.

- The Environment Protection Act, provision in Section 369 places the onus on Local Authorities to approve and licence waste collectors, operating for fee or service in their jurisdiction. Any operator wishing to transport recyclables including green waste or secondary aggregates across Council boundaries in the state must be licensed by each local authority it traverses and often are forced to comply with specific conditions a local council wishes to apply. The same operators however, transporting virgin materials including pulp or wood chip or virgin aggregates sourced from a quarry, require no such license and have no such conditions applied to them. Over regulation of this type unfairly treats secondary materials as being inferior and undermines the practices of recycling and it is more appropriate to the movement of hazardous wastes. The cost to administer the current system and often the onerous conditions applied places a significant financial burden on the operators.
  - The system of transport licensing and ability to capture real data from all operators could be more easily enhanced if it were placed with a single central agency and regionalised licenses applied. This would result in removing the ambiguity in reporting, simplifying it and providing an opportunity to access the real waste data while at the same time removing the unnecessary cost burdens on operators collecting the waste.

***10 developing specific waste management and resource recovery legislation, such as that used in other states (for example, the NSW Waste Avoidance and Resource Recovery Act 2001 or the Western Australian Waste Avoidance and Resource Recovery Bill 2006)?***

- We agree with the need to split Policy from Regulator models. This includes the need for the EPA to be held more accountable and transparent on regulation delivery.

*A suggested model to deliver the strategy should be:*

- The creation of a separate independent Board to manage the strategy, the continued policy review and manage any monies raised from proposed levies.

- The Board needs to be made up of Industry and NGO reps and State and Local government departments. WCRAQ formally seeks a position on any such board established. The Board needs to have a rotating chair.
- We support the setting of specific, negotiated objectives for the strategy to achieve and if necessary waste reduction targets – resulting in an open and transparent process which allows all of the industry providers a timeframe to make business decisions, including timely capital investments, fully aware of policy requirements of the future. This in turn will allow us to maintain or improve our standard of delivery and control of our costs cognisant of the future operating environment for all.
- Any funds received from the introduction of any levy should be split 80/20. 80% of funds should be ring fenced and be used to achieve the objectives set and agreed to in the future strategy. The remaining 20% should be used to support and strengthen the regulating environment of the EPA to enforce policy and deliver more effective regulation by it. These EPA funds should be used to increase on ground resources, train these and bring genuine change to this essential area.
- Carbon Trading impacts cognisant to federal policy and signing of Kyoto protocols need to be factored to state policy.

***11 mandating the development and review of a waste management strategy every five years (as is the case in the NSW WARR Act)?***

- We agree this is necessary and recommend it occur after 3–5 years, in line with the review of any levy. Again this should be done by the Board against agreed and set, negotiated criteria.

***12 using voluntary approaches as an alternative to statutory requirements?***

- Both approaches are needed, regulatory for delivering licence compliance, voluntary on some levels provided the regulatory framework can be enacted if issues fail to be delivered. ie NPC - NEPM

***13 some of the information gaps that need to be addressed in the short and long term to better inform policy development?***

- Data Capture.
- Every Facility must be licensed regardless of the tonnes being managed and must report the tonnes it handles to the regulator annually.
- Mandatory requirement of the reporting of tonnes being managed by all operators, waste and recycling as well as secondary resource.

***14 introducing a landfill levy in the short term (e.g. within three years)?***

- We accept the introduction of a ‘waste disposal levy’ but not a ‘landfill levy’. We accept a ‘waste disposal levy’ only if government subjects it to a range of very transparent and specific guidelines for its introduction and application. The term ‘landfill levy’ by exclusion of all other disposal methods provides a legitimacy to these alternatives that has an impact by implication of legitimising other methods against land filling and puts the commercial long term business interests of all existing landfill operators at risk.
  - The association will not support debate on a ‘landfill levy’ - it must be referred to as a ‘residual waste levy’, ‘environmental disposal levy’ or similar mechanism.
  
- WCRAQ accepts that a waste levy is only one of the many mechanisms used to effectively deliver waste policy, and we are of the view it must not be the pivotal driver of such policy. If the state were to consider introducing a form of waste levy then the association only accepts it if it is applied as a flat rate across the state of no more than \$10.00 per tonne, that it has no automatic increases applied to it, and that it is reviewed against specific, negotiated, objectives after 2-3 years for its effectiveness.
  
- All funds generated are to be ring fenced from all general revenues of the state and treasury and should be used to:
  - Fund more effectively the EPA to enable it to be resourced to a level that delivers value to the industry in regulation.
  - Instigate a Waste Board to oversee and manage all funds and programs, agree a rotating chair, and this Board must have operators’ interests represented in line with government seats.
  - Establish new initiatives that develop local and regional markets for products capable of being recycled and recovered from wastes generated in these regions.
  - Provide industries that wish to invest in new technologies, and methods to recover or reprocess products, an ability to access funds on a \$ for \$ basis investment.
  - Ensure the community is shown what the funds are being used for, why it is being applied and that *it is a government tax not an industry applied tax*.
  - Close environmentally unsound landfills across the state that fail to meet any reasonable environmental standard. The result of this would enable greater commercial competitiveness to establishing, in regional areas, world class fully engineered facilities and may attract new technologies where economies of scale support the waste tonnes generated in a region.
  
- Government also has a responsibility to provide clarity in which wastes are to be affected, what its intention is with respect to liquid wastes, which ones and how it proposes to manage regulated wastes, before any levy discussion is promulgated and promoted to the general community.

**15 *the effectiveness of price signals on the behaviour of those who could prevent, produce or better manage waste?***

- We believe a scaled levy is the most appropriate tool that could be applied to support resource recovery activities. However, if an arbitrary levy is applied that does not distinguish between outmoded landfills and bioreactors, waste stream types, or does not support a broader range of environmental outcomes, then it will not provide optimum price signals to disposers of waste. It should be applied at the same level across the state.
- Poor landfill operations with unpriced externalities and underpriced costs, represent a significant market distortion disadvantaging resource recovery operations.

**16 *the application of a performance-based landfill levy that ‘rewards’ good practice instead of the usual model of a flat levy fee?***

- Neither the Environmental Protection Regulation 1998 as in force 31 August 2007, or The Environmental Protection (Waste Management) Regulation 2000 as in force 31 August 2007, provides any interpretation or definition of the terms used to describe ‘Landfill’ in reference to regulating these or what constitutes these activities. This very exclusion to current legislation and regulation precludes any current attention to design, type or facility location and operating parameters. Thus by its exclusion of the definition it is difficult to quantify what type of landfill one is proposing to measure and what standards might apply. A precise definition of facility type must be agreed upon before this step can be taken any further.
- WCRAQ would like the state to consider that as a part of the process of overhauling all definitions in the development of a strategy, that it applies new agreed categorisation to all landfill types, as example:

- inert wastes only,
- commercial and industrial waste operations,
- putrescibles,
- lined,
- unlined,
- engineered,
- non engineered,

Once agreed it could then apply measures of environmental performance against these. Without such clarity, any notion to reward or impose penalties on this performance would be baseless and unmanageable - both on a regulation as well as compliance.

**17 *criteria that could be used for a landfill levy that rewards good practice?***

- WCRAQ proposes that in order to measure and reward environmental performance and good practice and apply rebates or other incentives to such performance, the criteria for measuring this might include all or some of the following minimum protocols on the basis of a transparent scorecard that reports:
  - Tonnes of waste received, recycled, used as cover, or to rehabilitate batters.
  - Real Gas Capture defined tonnes flared, hours each flare operates as a % of total hours available per annum.
  - MW of power exported to the grid.
  - Geological structure on which the landfill is located and operates.
  - Current and proposed capacity of the facility.
  - Post Closure costs and ongoing allocation of funds in operating budgets.
  - Monies spent on annual capital improvements.
  - Community engagement including complaints registers.
  - Water Management and Leachate management, litres produced, managed on and disposed off site.
  - Nuisance and hazard management - emissions of odours and dust at the boundary, windblown material management, local noise and traffic buffers, bird and vermin control, fire management - to name a few.
  - Covers material used and type.

Against this list and against the category of landfill definitions, clear and accurate reporting could be made by all operators and against these real environmental performance criteria rewarded or penalised for their operations.

Any less transparency or level of detail negates the advantage by any operator to comply with minimum set standards and still maintain the claim of ‘world’s best practice’.

***27 banning certain items to landfill by specified dates?***

- The notion that certain items be banned from landfill presumes markets are available or alternate disposal solutions, for the products the ban applies to are available. The focus on banning items from landfill if adopted for specific products needs to be expanded to include all disposal practices including ‘Alternate Waste Technologies’. It is more often the case that it is these facility types that are more heavily impacted by the material streams ie batteries in composting plants than the effect these have well operated landfills.
- Whilst we agree with the idea in principle, the reality is that until end uses are established for the items banned and facilities or systems exist to support such bans - bans of this type aren’t a solution.

***30 which end-of-life products or wastes do you think should be the Queensland waste strategy’s initial priorities for EPR or Product Stewardship initiatives?***

- All EPR or Product Stewardship programs must be nationally structured and driven if they are to be effective. The state should not in isolation attempt to develop its own

program. The local tyre industry waits with interest the application of the national used tyre program in Queensland still withheld by the Federal Government.

## **Conclusion**

The association has attempted to provide real and structured comment on a paper that if developed as the intent is currently expressed, will deliver for the state a real vision for the way we sustainably change society's habits and focus holistically on waste generation and real secondary product use in Queensland.

However, it is WCRAQ's position that it will only support and partner the delivery of such policy if it is in fact totally engaged - not only in the development of it but more importantly the actual delivery of such policy. To date the inaction by the Queensland Government over many years, despite repeated requests for reform by industry in this essential community service area, provides us with little confidence that policy delivery will actually occur as a result of producing such a document.

The association commends the state on producing the paper, and in engaging stakeholders to help shape a vision, but more importantly wishes to see a definitive timetable for implementation as well as a strengthened delivery of real regulation for the industry.

We trust the comments made by us in this paper provide a core insight to past frustrations, but more fundamentally the great opportunity that WCRAQ sees as being realistic and possible. We wish our comments to be seen by the state as not just an expression of past disappointment, but importantly identifying core opportunities to truly deliver a real vision for Queensland strong community focussed waste management practices to the future.

The association looks forward to continuing to be engaged in the development process.

Thanks and Regards

Yours faithfully

**Waste Contractors and Recyclers Association - Queensland**

A handwritten signature in black ink, appearing to read 'Rick Ralph', with a horizontal line underneath.

**Rick Ralph**  
**Executive Director**