Submission on the Consultation paper: E-waste to landfill ban in Western Australia

March 2023

About WALGA and Local Government

The Western Australian Local Government Association (WALGA) is the peak industry body for Local Government in Western Australia. WALGA is an independent, membership-based organisation representing and supporting the work and interests of 137 mainland Local Governments in Western Australia plus the Indian Ocean Territories of Christmas Island and Cocos (Keeling) Islands.

WALGA provides an essential voice for 1,213 Elected Members, 23,000 Local Government employees and the 2.6 million constituents that they serve and represent. WALGA also provides professional advice and services to Local Governments.

Local Governments across Western Australia are diverse in their size and economic and social profiles, ranging in population from less than 100 to more than 230,000 people; with geographic areas of 1.1 square kilometres to 372,000 square kilometres; and employing 10 to more than 1,000 people.

WALGA's vision is for agile and inclusive Local Governments that enhance community wellbeing and enable economic prosperity.

Introduction

WALGA welcomes the opportunity to provide comment on the Department of Water and Environmental Regulation (DWER) *Consultation Paper: E-Waste to landfill ban in Western Australia*.

The Western Australian Government has committed to deliver a statewide ban on e-waste disposal to landfill by 2024, with the aim of improving management and recycling of e-waste produced by households and businesses across the State.

Approximately 70,000 tonnes of e-waste (electrical, electronic and battery powered items) are currently generated in WA every year, with an estimated 27 per cent of this material being recycled. Material flows analysis, undertaken on behalf of DWER, shows that the amount of e-waste is expected to increase by 250 per cent to approximately 175,000 tonnes (including batteries and photovoltaics) a year by 2043.

Objectives of the ban include supporting increased recovery of value from e-waste materials, protecting the environment by better management of hazardous products, and expanding the State's e-waste collection, recycling and processing networks. The ban will apply to e-waste collected for the purposes of recycling. Incidental disposal, such as items placed in a kerbside bin, will not be subject to the ban.

The e-waste landfill ban will initially focus on:

> *Electrical, electronic and battery-powered items that have been collected and aggregated purposes of recycling or recovery that:*
>
> a) *are covered by effective product stewardship schemes, particularly those accredited schemes under the Recycling and Waste Reduction Act 2020*

b) *have established markets or systems for collection, recycling and processing in Western Australia that can grow with increased supply or that have access to national processing infrastructure*
c) *contain recoverable base materials of value, for example metals, including precious metals*.

A list of the proposed items to be covered by the ban initially, and in a future phase, are included in Appendix 1.

WALGA acknowledges the objectives of the ban and its alignment to global, national and local environmental and recovery targets, in particular the *Waste Avoidance and Resource Recovery Strategy 2030*. However, **the implementation of an e-waste to landfill ban by 2024, in its proposed form, will have significant financial implications for Local Governments, and the communities they service**.

In 2006, the then Western Australian Waste Management Board commissioned work to investigate the environmental, social and economic impacts of potential landfill bans on household packaging, building products and organic waste. The WALGA Submission made a key recommendation:

> *Any future investigations into a potential ban to landfill for any material type only be undertaken as a part of a multi-tool approach incorporating Extended Producer Responsibility programmes and other appropriate policies and mechanisms.*

WALGA's 2022 Submission on the Stewardship for Consumer and Other Electrical and Electronic Products did not support a landfill ban for e-waste in the absence of a fully effective product stewardship scheme for products which would be subject to the ban.

While it is acknowledged that there are Product Stewardship Schemes in place for some of the products subject to the ban, such as the National TV and Computer Recycling Scheme (NTCRS) and Flurocycle, a new National Product Stewardship Scheme, anticipated to cover a wider scope of e-waste, is not scheduled for introduction until mid-2025, with on ground implementation timeframes still to be determined.

WALGA reiterates its position that **comprehensive and effective product stewardship schemes must be implemented for products subject to the e-waste landfill ban prior to the ban taking effect**.

Product Stewardship

The "polluter pays" principle requires that producers should pay the full social cost of the products they produce, including the environmental costs.

Product stewardship schemes are based on this principle, and are an instrument to manage the environmental, health and safety impacts (negative externalities) associated the full lifecycle of products and materials. These schemes require that all parties involved in producing, selling or consuming a product have a responsibility for the full environmental, social and economic costs of the product.

Without Product Stewardship arrangements in place for all items covered under the proposed e-waste ban, the burden of managing the product at end of life falls disproportionately to Local Governments.

Many of the items proposed to be banned from landfill in the first stage of implementation (Under Screens, IT and telecommunications in Appendix 1) are accepted under the

National Television and Computer Recycling Scheme (NTCRS). The NTCRS was established in 2011 to provide households and small businesses with free access to e-waste recycling, with collection and processing services offered through co-regulatory arrangements with recyclers.

In 2014, the services provided under these arrangements were reduced to the minimum legislated requirements for collected tonnes and number of access points provided. This resulted in reduced services in regional and remote areas of the state and increased costs to all Local Governments or Regional Councils hosting an e-waste drop off site.

A 2021 survey of 29 Local Governments which offer e-waste collection services to the community showed that each Local Government provides staffing, infrastructure and sites which contribute to the in-kind costs of recycling e-waste. The amount of financial in-kind costs varied from $1,000 - $150,000 per year per Local Government, for both in and out-of-scope NTCRS products. WALGA understands that recycling of NTCRS material costs $350 per tonne and e-waste not included in the NTCRS $650 per tonne.

These costs are also distributed inequitably, as they are only borne by those Local Governments or Regional Councils which operate e-waste drop off facilities; and are required to provide a 'free' service to any member of the community. The Local Governments and Regional Councils which operate these facilities are effectively subsidising the e-waste recycling costs for residents from other Local Governments.

Flurocycle, the voluntary national product stewardship scheme, does not provide any funding for recycling of fluorescent lighting. 22,403 kg of fluorescent lighting materials were collected through the Household Hazardous Waste Program in 2021-22 and cost $70,568 to recycle, excluding transport. This material comprised 5 per cent of the overall material collected through the HHW Program.

Regional considerations

Due to Western Australia's dispersed population, transport costs have a significant impact on the viability of collection mechanisms in regional and remote areas.

Individual collection sites within the Perth metropolitan area have reported costs of up to $1,000 per tonne for staffing, sorting, transport and recycling of both in and out-of-scope NTCRS products. This cost will be significantly higher for regional areas due to required transport distances and limited economies of scale. Consumers, Local Governments and retailers operating in regional and remote areas of WA are subject to higher than average costs of living and operation, which places added pressure on meeting any additional costs outside of scheme operations.

WALGA's 2006 Submission on the investigation into landfill bans made the following recommendation:

> *That investigation of any proposed regulatory waste management instrument incorporate a triple bottom line impact analysis applied specifically to the Western Australian context.*

While a cost benefit analysis has been undertaken and provided alongside the discussion paper, feedback from Local Governments has highlighted that the figures used, particularly regarding transport cost, do not reflect the costs experienced in regional Western Australia. For example, the figure used for transport cost of $100 per tonne has been slightly increased from the tonne per kilometre rate in a Victorian study and based on an average transport distance of less than 50km. Applying this rate to a remote

Western Australian context would result in costs per tonne of approximately $5,000 for transport of e-waste from the Kimberley to Perth, which is not a realistic or viable cost and disproportionately disadvantages regional and remote Local Governments.

The cost benefit analysis and discussion paper have not clearly delineated the disproportionate costs between metropolitan and regional collection points, by applying a standard cost across the state which primarily reflects a metropolitan perspective. In order to present a more accurate figure, **consultation with regional Local Governments is recommended to assess current transport costs and incorporate this into an overall cost per tonne.**

The additional cost to regional Local Governments not currently collecting e-waste would include ensuring sites are appropriately licenced to collect e-waste for recycling, potentially installing collection infrastructure, ongoing maintenance and resourcing of the collection site, transport costs to an approved recycler and recycling costs. WALGA has received feedback from a number of Local Governments expressing considerable concern regarding their ability to resource such a requirement.

Implementation options

The Discussion Paper identifies three options for implementation:

- *Option 1: Voluntary approach, no legislation or new regulatory amendments, grant funding available for stakeholders, existing community education and engagement initiatives.*
- *Option 2: Regulatory approach with encouragement, regulations made under relevant legislation with obligations on some stakeholders, grant funding available for some stakeholders, with improvements to existing community education and engagement initiatives.*
- *Option 3: Regulatory approach with extensive obligations: regulations made under relevant legislation with wide range of stakeholder obligations, grant funding available for stakeholders, existing community education and engagement initiatives.*

Of the three options, **Option 2 is preferred**. The voluntary option set out in Option 1 would not provide sufficient incentive for the ban to be successful as no obligation is placed on the stakeholders to meet the objectives. The regulatory options set out in Option 3 are also likely to lead to adverse outcomes such as illegal dumping of material, which would be a further cost to Local Governments through monitoring and disposal.

All options include community education and engagement. Feedback from Local Governments highlighted that the implementation of an e-waste to landfill ban will require the development of a comprehensive communications and education campaign to ensure effective community participation and minimise administrative and resourcing burden on Local Governments. Local Government feedback shows community confusion currently exists around the definition of e-waste, and Local Governments are primarily the point of contact for residents with queries on disposal options. Existing e-waste recycling messaging needs to be further developed and expanded to clarify which items are accepted under product stewardship schemes such as the NTCRS, as well as how the ban will affect disposal options for different items.

It is recommended that the **regulatory option pursued allow for situations where an exemption to the landfill ban would be required**. For example, in a flood or other emergency event if the e-waste was damaged beyond recovery.

The stakeholder analysis in the Discussion Paper does not specify the organisations providing co-regulatory arrangements under product stewardship schemes as a separate stakeholder group. **WALGA recommends the inclusion of this group as key stakeholders to ensure consistent communication and understanding on the ban objectives across all sectors.**

While the Paper is primarily focused on recycling options, it is **recommended a reuse and repair element is considered as part of the ban**, with collection points offered support and incentives to establish or expand these services where possible.

WALGA's 2021 Submission to the Productivity Commission's Right to Repair report included the results of a survey of Local Governments, where 75% of respondents (29 Local Governments) actively facilitate reuse or repair options for their communities. This included reuse shops or services such as hosting a Repair Café for small electrical and electronic items. Offering repair and reuse options as a standard service would encourage circular economy principles and increases the potential for community participation in the scheme.

Conclusion

WALGA acknowledges the provision of grant funding to assist in increasing the capacity of recyclers in WA to accept increasing amounts of e-waste and to assist with collection and reuse. However, this does not address the key concern of Local Government regarding ongoing funding to cover all costs associated with e-waste recycling.

The implementation of an e-waste to landfill ban by 2024, will have significant financial implications for Local Governments, and the communities they service, if a comprehensive and effective product stewardship scheme, or alternative funding mechanism, is not in place.

Appendix 1: Scope of products covered by the landfill ban (initial and future)

Table B1: Categories and item examples

	Category	Item examples (sourced from UNU-Keys)
Western Australian e-waste ban initial scope	**Screens, IT, and tele - communications**	Laptops and tablets
		Cathode Ray Tube Monitors and Televisions
		Flat Display Panel Monitors (LCD, LED) Flat Display Panel Televisions (LCD, LED, PDP)
		Professional IT (servers, routers, data storage, copiers)
		Small IT (routers, mice, keyboards, external drives, accessories)
		Desktop PCs and printers (including scanners and faxes)
		Mobile Phones (including smartphones and pagers)
		Telecom (cordless phones, answering machines etc.)
	Lighting and lamps	Compact fluorescent lamps
		Straight tube fluorescent lamps
		Special (mercury, high and low pressure, sodium vapour, other professional lamps)
		LED
		Lamps (pocket, Christmas)
		Luminaires (including household incandescent fittings)
	Large household appliances	Dishwashers
		Kitchen (large furnaces, ovens, cooking equipment)
		Washing Machines (including combined dryers)
		Dryers (wash dryers, centrifuges)
		Large leisure (including large toys, exercise, large musical instruments)
		Dispenser (non-cooled vending, coffee, tickets, etc.)
	Batteries	Batteries including those in the Household Hazardous Waste program and the Commonwealth Battery Stewardship Scheme.
		Lead acid batteries
	Temperature exchange equipment	Freezers and Fridges (including combi-fridges)
		Air Conditioners (household installed and portable)
		Other Cooling (dehumidifiers, heat pump dryers)
		Professional Cooling (large air conditioners, cooling displays)
		Dispenser (cooled vending, bottles, candy, etc.)
		Heating and Ventilation (household and professional)
	Medical devices	Professional medical (hospital, dentist, diagnostics, etc.)
Future phase	**Photovoltaics**	All items listed under the future Commonwealth Photovoltaic Systems Product Stewardship Scheme (anticipated for 2022/23)
	Small household appliances	Microwaves (including combined, excluding grills)
		Other Small Household (small ventilators, irons, clocks, adapters)
		Food (toaster, grills, food processing, frying pans)
		Hot Water (coffee, tea, water cookers)
		Vacuum Cleaners (excluding professional)
		Personal Care (toothbrushes, hair dryers, razors)
		Small Consumer Electronics (headphones, remote controls)
		Portable Audio and Video (MP3, e-readers, car navigation)
		Music Instruments, Radio, HiFi (including audio sets)
		Video (video recorders, DVD, Blu-ray, set-top boxes)
		Speakers
		Cameras (camcorders, photo, and digital still cameras)
		Tools (all household saws, drills, cleaning, garden, etc.)
		Toys (small toys, vehicles, small music)
		Game Consoles (video games and consoles)
	Monitoring and control equipment	Monitoring (professional monitoring and control, garage, diagnostic, etc.)
		Monitoring (alarm, heat, smoke, security, excluding screens)
		Household health monitoring (small thermometers, blood pressure meters)