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23 January 2018

Waste and Resource Recovery Team
Department of Environment Land, Water and Planning
Level 1, 8 Nicholson St
EAST MELBOURNE VIC 3002

Sent via email: wastepolicy@delwp.vic.gov.au

Dear Sir/Madam

Re: *Managing E-waste Ban Proposed Policy Package*

Council thank you for the opportunity to provide a submission on the proposed policy package for managing e-waste in Victoria.

Council, in principle, supports a ban on e-waste to landfill however hold a number of concerns regarding the proposed policy package. These concerns specifically relate to the costs that will be imposed on local communities and access to e-waste collection services in rural areas.

The proposed ban will place significant costs onto councils particularly in rural areas. Local Government will be responsible for funding the collection, transport and processing of e-waste. These costs will ultimately be borne by the community through increased user fees or rates.

Council strongly believes that the State Government should work with the Federal Government on a product stewardship approach for e-waste before any ban on e-waste is introduced. This will ensure that all costs associated with implementing the ban will be covered by product manufacturers, importers and consumers, rather than local government and the community.

Please find enclosed a copy of our submission on the proposed policy package.

If you have any queries regarding our submission, please contact Brian Holmes, Waste and Environment Coordinator on (03) 5481 2200 or via email at b.holmes@campaspe.vic.gov.au

Yours faithfully



JASON RUSSELL
CHIEF EXECUTIVE OFFICER



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Campaspe Shire Council Submission to the Proposed Policy Package for Managing E-waste in Victoria

Product Stewardship

Council's preferred option to support a ban on e-waste to landfill is a product stewardship model. This would reduce the cost burden on local governments and communities by ensuring all collection, transport, infrastructure and reprocessing costs are met by e-waste manufacturers and importers.

Product stewardship has the added advantage of placing the cost at the point of consumption. This cost would ensure the material is responsibly recovered and embedded in the purchase price. The majority of consumers are unhappy to pay for disposal at the products end of life however would be unlikely to even know they have paid for it under a product stewardship model at the point of purchase.

DrumMuster is an example of where this model has been successful. Chemical drums are collected from transfer stations and operators are reimbursed for all infrastructure, inspection, collection, transport and processing costs so that there is no cost to service providers. There is also the National Computer and Television Recycling Scheme however this scheme fails to cover all collection and processing costs, particularly in rural areas where transport costs are higher.

Council understands that product stewardship is the responsibility of the Federal Government and suggests the State Government work with the Federal Government to develop a product stewardship approach for all e-waste prior to introducing any ban on e-waste.

Cost impacts

The proposed package places most of the cost burden for implementation of the e-waste ban onto local government. This is contradictory to the Victorian State-Local Government Agreement.

Under the proposed policy package all ongoing costs associated with the collection, transport and processing of e-waste will fall to local government. Rural councils in particular will be disproportionately exposed to these costs due to the longer transport distances and low, dispersed e-waste volumes.

The cost burden will increase under the ban due to the increased quantities of lower value materials (such as plastic appliances).

In addition to this, Local Government will also incur additional costs such as:

- additional administration related to waste management plans, record keeping and infrastructure upgrades,
- delivering e-waste education and awareness campaigns to residents,
- degassing e-waste,
- monitoring and regulating the receipt of e-waste at transfer stations,
- enforcing the e-waste ban through delivery of the kerbside waste services,
- cleaning up illegal dumping,
- upgrading facilities not included in the infrastructure support program,
- maintaining and replacing e-waste collection infrastructure.

Councils will have no choice but to pass these costs onto users through a charge at

the transfer stations. This will present a significant disincentive for participation in the program and could lead to illegal dumping and disposal of e-waste to landfill, increasing councils' clean-up and regulatory costs. It will not be feasible to absorb these additional costs given rate capping restrictions. Ultimately the community will bear the cost.

Although Council do not operate a landfill (these services are contracted) the contractor will be liable for additional costs associated with administering the e-waste ban. Under the contract conditions the landfill operator will be able to pass these costs back to Council. These costs include:

- updating and administering waste acceptance procedures,
- additional load inspections,
- customer education and awareness,
- installation of signage,
- quarantine, removal and collection of e-waste identified at the tipping face,
- additional regulatory monitoring and reporting,
- potential penalties for non-compliance.

Council is concerned that the proposed policy package places undue responsibility for administration of the ban on to landfill operators.

Access to e-waste collection sites

The preferred approach identified in the Policy Impact Assessment is a comprehensive landfill ban (on all e-waste) with a medium level of access to collection services. For regional areas, a medium level of access is defined as one permanent drop-off point for every municipality, plus one for every town with a population more than 4000 people, and mobile collection events for every town with a population more than 2000 people. Based on this it is estimated that 88% of regional and rural Victorians will have reasonable access to an e-waste service, where 'reasonable access' is defined as living within 25 kilometres of towns providing an e-waste service and less than 20 minutes driving time each way. This approach unfairly disadvantages rural councils with the level of access in these areas much lower than metropolitan and regional councils.

Under the program it is unlikely that all eight of Campaspe Shire Council's transfer stations will be eligible for upgrade funding. If Council wants to continue e-waste collection at other sites, it will need to fund upgrades to comply with the new regulatory requirements. This will potentially lead to a reduction in e-waste collection services across the Shire and a decrease in e-waste recovery.

DELWP's research identified that convenient access to an e-waste service is one of the biggest barriers for effective behaviour change. It is therefore imperative that all existing e-waste collection points (all eight transfer stations) are retained and funding support is provided to all of these facilities to comply with the new regulatory requirements. It is also important that the level of access in rural areas matches the level of access provided to regional and metropolitan areas.

The infrastructure support program needs to support and promote opportunities for collaborative procurement to upgrade the e-waste collection network. In particular, there is an opportunity to jointly procure 'off-the-shelf' e-waste collection solutions (i.e. converted shipping containers) that meet the regulatory requirements. These types of solutions will be particularly beneficial for rural transfer stations with limited infrastructure.

Regulatory compliance

The proposed policy package includes an amendment to the Waste Management Policy (Siting, Design and Management of Landfills) to include e-waste as a waste prohibited for disposal at landfill sites and a new Waste Management Policy (e-waste) that specifies requirements for the management of e-waste.

The Policy Impact Statement states that the ban will take effect in July 2018 and that for the first 12 months after the Waste Management Policy (e-waste) takes effect, the EPA will expect that operators are able to demonstrate that they are working towards compliance with the policy. After the first 12 months, the EPA will expect full compliance with all requirements of the policy.

The Policy Impact Statement does not however specify a transition period for compliance with the requirements of the amended Waste Management Policy (Siting, Design and Management of Landfills). A minimum 12 month transition period for compliance with this policy is needed whilst operators are still putting into place arrangements for the collection and recycling of e-waste.

Presumably compliance with the amended Waste Management Policy (Siting, Design and Management of Landfills) will be demonstrated through compliance with landfill licence condition WA1:

"You must ensure all of the following:

a) Only waste of a type shown in Schedule 2 of this licence is accepted at the premises; and b) If it is identified that any waste has been received at the premises that is of the type not shown in Schedule 2 in contravention of paragraph a) above, such waste must be placed in a designated and sign-posted temporary storage area and sent for disposal to a site licenced by EPA to receive such waste within 21 days of the date it was received."

Achieving compliance with this condition will be extremely difficult for e-waste. Small e-waste items in particular will be problematic given that they can be readily disposed through kerbside waste bins and they are difficult to identify during collection and at the tipping face.

As noted in the Policy Impact Assessment, the EPA expects that small volumes of e-waste are likely to filter through to landfill. During the e-waste consultation sessions, DELWP representatives also indicated that the EPA would not expect landfill operators to remove all items from the tipping face (i.e. small e-waste items such as household batteries). This advice is contradictory to the requirements of landfill licence condition WA1. The EPA therefore needs to provide further guidance to landfill operators to permit small items of e-waste to be retained at the tipping face where removal is impracticable or presents an unreasonable health and safety risk to landfill staff. This could be addressed through amendments to Chapter 7.4 'Waste Acceptance' of the Best Practice Environmental Management - Siting, design, operation and rehabilitation of landfills (EPA Publication 788).

It will also be important that the EPA provides landfill operators with guidance on completion of their Annual Performance Statement during the transition period in relation to compliance with licence condition WA1.

Market failure

The proposed policy package does not adequately consider if there is sufficient market availability for the anticipated e-waste volumes nor does it consider any interventions that may be required to address market failures or gaps.

Like all recycling commodities, e-waste is subject to market variability. Low market prices could lead to stockpiling of e-waste, increased collection costs and discontinuation of collection services in some areas. Rural councils will be most vulnerable to these impacts due to the longer transport distances to e-waste reprocessors and relatively low e-waste volumes. This occurred with the National Television and Computer Recycling Scheme when a co-regulatory arranger withdrew collection services from a number of (predominately rural) councils as they had prematurely reached their annual quota. There is the risk that councils will end up with stockpiles of e-waste, with no viable market for recycling this material.

Stockpiling is of particular concern given the recent release of the Victorian Government's Interim Waste Management Policy and the EPA's Management and Storage of Combustible Recyclables and Waste Materials Guideline.

Education & Awareness

Campaspe Shire Council believes that the level of funding (\$1.5 million for three-years) for an education and awareness campaign is inadequate and will not achieve effective behaviour change. As noted in the Policy Impact Assessment, the current level of community and business awareness about e-waste and how to recycle e-waste is low.

Council is also concerned that there may be an over-reliance on local government to deliver the campaign. Rural councils have limited capacity to deliver comprehensive behaviour change programs. It is important that the Victorian Government leads an ongoing education and awareness campaign. Council is concerned that delivery of the campaign will fall to local government at the end of the three-year investment. Ongoing investment from the Victorian Government is essential to the success of the program.

Council supports the general scope of the e-waste education and awareness campaign, particularly the focus on building awareness around what e-waste is and how e-waste can be recycled. It will be important to educate the community that e-waste cannot be recycled through the kerbside recycling service.