22 January 2018

Waste and Resource Recovery Team
Department of Environment, Land, Water and Planning
PO Box 500
MELBOURNE 8002

Dear Sir/Madam,

MANAGING E-WASTE IN VICTORIA

Mitchell Shire Council welcomes the opportunity to provide a submission in response to the Department of Environment, Land, Water and Planning (DELWP) 'Managing e-waste in Victoria' Policy Impact Assessment and the associated draft waste policies. While Council supports activities that encourage the diversion of e-waste from landfill, there are a number of issues and concerns that we wish for DELWP to consider as outlined below.

Mitchell Shire Council Resource Recovery Centres

Mitchell Shire Council currently encourages its residents to divert e-waste from landfill by allowing them to take e-waste products to any of its Resource Recovery Centres (RRCs) free of charge.
E-waste is deposited into bulk 31 cubic metre bins and when bins are full the e-waste is transported to a recycler in Melbourne. The introduction of the E-waste ban will result in changes to the way in which Council currently delivers this service and its current contractual agreements with recycling contractors which may impact on Council's current capacity to provide this service to its residents free of charge.

The Policy Impact Assessment (PIA) sets out on page 55 some of the expectations and challenges for council transfer station operators including:
- ensuring infrastructure meets the standard for safe handling and storage of e-waste
- responsibility for sorting and clearing e-waste stockpiles before reaching capacity
- finding downstream takers of e-waste who are also willing to accept lower value e-waste
- potentially incurring transportation costs to transfer e-waste to recyclers

In order to receive, sort and store e-waste, from 1 July 2018, Council's RRCs will need to comply with the Australian Standard for the Collection, storage, transport and treatment of end-of-life electrical and electronic equipment (AS5377). This will result in significant infrastructure upgrades at each of Council's RRCs and may also potentially impact on current storage and transport costs. As a result, these costs may need to be passed onto rate payers by implementing a gate fee for e-waste disposal. This may lead to a disincentive for residents to 'do the right thing' and recycle their redundant e-waste.

While the state government's $15 million e-waste infrastructure program will provide some assistance towards required infrastructure upgrades, it is concerning that this program will not be rolled out until after the 1 July 2018 e-waste ban commencement date. This delay with result in sites being non-compliant with the standard for safe handling and storage of e-waste following implementation of the ban. Consideration should be given to delaying the commencement of the ban until the entire infrastructure program has been successfully rolled out.

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The PIA indicates that the EPA will be taking a risk-based approach to enforcement of the amended Waste Management Policy (Siting, Design and Management of Landfills) No. 264 and also acknowledges that achieving compliance with the new Waste Management Policy (E-waste) may take between 12 and 24 months for site operators. Recognising that new infrastructure and processes will need to be put in place, and contracts renegotiated, Council proposes that there be a collaborative approach by the EPA with local government with regard to enforcing the new requirements.

Kerbside Collection Service

It is unclear how regulatory measures will be implemented with regard to uncontrolled e-waste disposal in household kerbside collection bins following the introduction of the E-waste ban. While Council will make efforts to educate its community about the ban it is likely that some small household e-waste items and toys are likely to be disposed of into kerbside mobile garbage bins. Many of the items listed under Schedule B of the Waste Management Policy (Siting, Design and Management of Landfills) No. 264 are small enough to discreetly fit into kerbside collection bins.

Will penalties be applied if e-waste enters a landfill through an uncontrolled stream such as kerbside collection? Who bares this responsibility the resident, kerbside collection operator or landfill operator? Is there an expectation that kerbside collection waste is sorted prior to be deposited into a landfill? These issues need to be clarified and addressed in the policy.

Mobile Collection Events

The PIA indicates that mobile e-waste collection events will be held, similar in design to Household Chemical Collection mobile events, with approximately 50 events held in regional and rural areas and 25 in metropolitan areas each year. The PIA estimates that the proposed collection network under this option will provide approximately 98 per cent of metropolitan and 88 per cent of regional and rural Victorians with reasonable access to an e-waste service. These mobile services must be made available in a fair and equitable manner, with access for rural communities being adequately considered.

Reprocessing Facilities

According to the PIA, there are a total of 16 E-waste reprocessing facilities in Victoria. Demand for feedstock from reprocessors is influenced by a range of factors including the market value of recycled components, commodity prices, the cost of reprocessing and the regulatory framework affecting e-waste streams.

Following the implementation of the E-waste ban, Council is concerned about reprocessors' ability to manage a significant increase in feedstock volumes. A sudden and/or sustained increase in feedstock volumes may lead to reprocessors opting to refuse lower value items, leaving Council with few cost-effective options to dispose of these products.

Additionally, if a strong market for reprocessed and recycled materials is not maintained, reprocessors and Council storage facilities may find themselves with unwanted and prohibited stockpiles with no readily accessible disposal options for such materials. The PIA mentions that consideration is being given to how best to provide an exemption or hardship type provision to transfer stations operators and e-waste recyclers to enable them to dispose of e-waste to landfill in certain situations. This exemption should be developed in consultation with Resource Recovery Centre managers and e-waste recyclers as a priority.

There is uncertainty about the future value of materials recovered through increased recycling of e-waste as prices are largely driven by global factors and the different value of the various materials recovered from e-waste.

While the *Environment Protection (Scheduled Premises and Exemptions) Regulations* requires reprocessing facilities recycling more than 500 tonnes per year to obtain a works approval and/or a licence to operate, the introduction of the ban may lead to the proliferation of smaller operators that will function with minimal oversight. It is essential that the EPA has the appropriate resourcing, powers

and penalties to take a strong enforcement approach with regard to the management of reprocessing facilities.

The PIA identifies the Officer for the Protection of Local Environment (OPLE) pilot program as one of the State's planned mitigation approaches to illegal dumping of e-waste and stockpiling and subsequent abandonment of e-waste. Given that the OPLE pilot program only involves 13 councils across the state and is currently funded until December 2018 this approach will not assist Mitchell Shire. Illegal stockpiling and dumping of e-waste may become an emerging issue for interface Council's once the ban is implemented.

Product Stewardship
The introduction of the E-waste ban is likely to result in Council and its ratepayers shouldering the costs and resulting risks. It would be more appropriate and efficient if the risk and cost is borne by those importing, producing, selling and consuming the goods as this would create a driver for these players to be more accountable.

The *Product Stewardship Act 2011* provides the framework to effectively manage the environmental, health and safety impacts of products, and in particular those impacts associated with the disposal of products. The framework includes voluntary, co-regulatory and mandatory product stewardship. The current Television and Computer Recycling scheme, should be expanded to include other e-waste items following the introduction of the E-waste ban. While the *Product Stewardship Act 2011* does not allow for the Victorian government to unilaterally introduce a product stewardship scheme for Victoria, it is disappointing that the PIA dismisses the possibility that the government could advocate to the Australian government and to industry to expand existing product stewardship schemes to encompass a broader array of e-waste. The PIA fails to explore whether any elements of a product stewardship approach can be progressed by the state independently.

Education
The PIA does not identify any cost attributed to local government associated with community education and information in relation to the E-waste ban. This is concerning and a significant oversight given that councils are typically the first port of call for residents seeking information about waste-related matters. Following the implementation of the E-waste ban Council will incur additional costs associated with responding to community queries in relation to the ban, use of promotional material and updating online information and waste education materials.

Waste avoidance and reduction, reuse and recycling should remain the government's priorities in relation to support and investment in the waste sector into the future. Council's role in managing general household waste and engaging with the community on a variety of waste related issues make it a critical player in the implementation of an e-waste ban. Mitchell Shire Council thanks the department for the opportunity to contribute to the discussion on Managing E-Waste in Victoria and looks forward to continuing to participate in the process.

Yours sincerely

NARELLE LIEPA
WASTE AND RESOURCE RECOVERY COORDINATOR