Submission Date	9/24/2019 10:03:00 AM
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Question 1 - What are the key issues facing the NSW waste system?
Infrastructure for waste and resource recovery 1. NSW is running out of putrescible landfill space. There is no redundancy in the current system to handle any short-term interruptions to existing services. Nor has the government at state or local level identified or zoned land suitable to become a landfill site. There will always be waste materials that need to be landfilled either due to its hazardous nature or lack of reuse markets. With a stagnation of recycling rates in NSW, growing population and the need to deal with hazardous materials eg. asbestos, contaminated soils, PFAS etc. determination of future volumes, capacity and potential sites in and around the Sydney region is urgently needed. The timeframe to site, approve and build a new landfill is currently around 10 years. There are a number of potential sites in and around the Sydney and Hunter regions. Clear direction from the government on how it wants to deal with hazardous and non recoverable materials is required. 2. Alternative waste treatment plants with no clear future. These technologies and assets can continue to deliver positive resource recovery outcomes for NSW in the short to medium term, recovering valuable organic resources and recyclables while NSW continues to roll out organic and food diversion from landfill systems across NSW through to 2030. Industry urgently requires reinstatement of an updated Mixed Waste Resource Recovery Order that clearly defines outputs and applications, financial assistance to firstly upgrade these facilities to deliver the required resource recovery outcomes and secondly transition these assets in the medium to long term so they can continue to provide the desired resource recovery outcomes for NSW. 3. Limited material recovery and reprocessing capacity for plastics, paper and glass especially in regards to plastics and glass. The most effective driver to improve NSW’s infrastructure capacity and in turn greater resource recovery is to focus on local market development for recovered plastics, paper, and glass and to discourage the use of plastics that are not easily recycled or reusable. This will create the necessary demand for recovered materials locally for the industry to supply. There are three key market development areas - recycled materials into products, recycled materials into packaging, recycled materials into infrastructure. A combination of state and national policy and regulatory reform and financial support is required to achieve this. For plastics this includes specific mandated targets for recycled content in different plastic types over time e.g. PET and HDPE products and packaging by way of example see the recent targets set by the US State of California and the UK Plastic Pact. This should be linked to the NSW CDS over time where penalties apply to companies after an agreed timeframe (i.e. by 2025 APCO targets) for those companies who do not achieve the recycled content levels. For glass improved sorting technology to retain quality of non beverage glass or broadening of scope of CDS to include non beverage glass containers. Mandating minimum recycled content levels in glass packaging. As well as facilitate greater uptake of glass as a sand substitute in road construction by - supporting and adopting the Australian Road Research Board in developing national guidelines for reuse of glass in road construction - encouraging local and state government agencies to use recycled glass in road construction, the first step being to report what is currently being used, and then to increase over time in line with supply. See SA example of 9 councils prioritising the purchase of recycled-content products through the procurement process, and tracking and reporting on recycled-content purchasing by weight. - assisting industry in establishing suitable sites that are strategically located for construction and demolition activities. - financial assistance to establish glass washing and processing plants so that crushed glass can be supplied to specifications in quantities that meet demand. 4. Lack of waste to energy / fuel infrastructure to optimise the recovery of embodied energy from materials that are not recyclable.

There are a range of materials that have a significant calorific value such as plastics 3 to 7, contaminated timbers, textiles, tyres etc. which are not recyclable. The NWRIC believes this technology is an important solution for particular non recyclable materials. However, to develop and implement this infrastructure, industry needs the State and local governments to support and assist in educating the community about the role of waste to energy in providing a solution for certain waste materials. Land use planning for waste and recycling infrastructure Current local and state government land use planning does not adequately provide for waste and recycling facilities. There has long been a disconnect between waste and resource recovery strategies and state and local land use planning. A good example of this is the Greater Sydney Commission's City of Three Metropolis Plan, there is only one objective addressing planning for waste and recycling. Objective 23 which recognises the need to reuse and recycle more waste there is little in this planning document that ensures there will be sufficient infrastructure to meet future demand for Greater Sydney, that existing facilities will be protected from residential encroachment and that areas have been set aside to provide for new facilities. Regulation and Compliance 1. The current resource recovery order approach creates uncertainty in the industry and is not encouraging resource recovery. There is a need to rethink how the government regulates the transition of a waste to a resource so that it encourages genuine recovery and reuse of materials while preventing false claims of recovery. 2. Unfair treatment of licensed operators in comparison to illegal / unlicensed waste operations. There are many examples of illegal operations going under the radar while licensed operators feel they are are being over policed unnecessarily. This is in part due to lack of resources for local and state government compliance of unlicensed and illegal operations. The industry welcomes a strong compliance regime, but this must be balanced with a similar level of investment and time by the government in preventing and stopping illegal operations. Otherwise the playing field is not level and businesses operating outside of the regulatory environment have a competitive advantage that results in poor resource and environmental outcomes. The industry would welcome greater investment of the state waste levy into compliance of illegal and unlicensed activities at local and state level. Landfill levy variations between states and regions This is driving the inappropriate movement and disposal of materials. To address the challenges created by the levy and lack of transparency on how the levy is invested the NWRIC is recommending that state and territory governments together with the federal government: 1) Develop a National Levy Pricing Strategy through COAG that prevents the inappropriate disposal and movement of waste between regions and states and ensures the resource recovery industry remains viable and competitive by removing significant geographic levy differentials and providing recycling residual discounts or recycling rebates where justified. 2) Develop National Waste Levy Protocols for which wastes should be levied (i.e. solid, liquid, hazardous and prescribed), where the liability for the levy sits (i.e. at point of generation and is portable across regions and states), how far waste can be moved (i.e. proximity within or across states) and how the levy is administered (e.g. payments, bad debts). 3) Are more transparent and accountable for the total amount of levies collected by each jurisdiction by setting up a separate Levy Trust Account (similar to Victoria's MLL Trust Account) where all levies are retained guaranteeing a minimum percentage of levies (suggested 50%) to be spent annually on activities to implement the jurisdiction's waste avoidance and resource recovery strategies, resource recovery and remanufacturing industry development plans, market development initiatives and infrastructure plans and reporting annually on the total amount of levy funds collected and spent (including nonwaste and recycling related expenditure) and outcomes achieved.

Question 2 - What are the main barriers to improving the NSW waste system?

Lack of importance and priority of waste and resource recovery by government A key barrier to improving the NSW waste system has been the lack of importance and priority placed on the sector by the government. As well as undervaluing the significant contribution and role the waste and resource recovery sector play in delivering an essential service. Inconsistent and irregular engagement with the industry up until recently. Close collaboration between industry and all levels of government is essential to bring about better waste and recycling services for the people of NSW. The NWRIC recommends an industry, local government and state government agencies (not just environment) forum be established that meets bi-monthly to discuss key waste and resource recovery issues and solutions. Establish a permanent Stakeholder Reference Group for the implementation of the 20 year waste strategy that includes representation from across the different elements of the waste and recycling industry as well as other state government agencies. Lack of recognition of the potential economic, social and environmental benefits that could be derived from the sector. The recent Circular Economy Policy statement is a positive step, however, much more resources and priority needs to be placed

Question 3 - How can we best reduce waste?
Put greater priority on implementing the circular economy policy. Reduce waste generated in the first place by encouraging more repair, reuse, better consumption patterns as reflected in the NSW Circular Economy policy. Increase resource recovery by developing local markets for recovered materials, Reduce contamination by investing more resources into ongoing community and business awareness and education about what and where items can be recycled. Setting recovery rates targets for materials (plastics, glass etc) as well as collection channel / segments (ie C&I, C&D, Kerbside) that also mirror those of other states and nationally. Remove non recyclable and compostable products and packaging from the market overtime Follow South Australia's lead, NSW can implement bans on problematic single use plastics. Consider new programs that enable biosolids to be sent to land, not landfill. Support the regulation of a national recycling scheme for batteries. Support the expansion of the scope of the National Television and Computer Scheme to include all types of electronics and electrical equipment Work more collaboratively with current product stewardship schemes like NTCRS, MobileMuster and Paintback .

Question 4 - How can we recycle better?
Put greater priority on implementing the circular economy policy. Reduce waste generated in the first place by encouraging more repair, reuse, better consumption patterns as reflected in the NSW Circular Economy policy. Increase resource recovery by developing local markets for recovered materials, Reduce contamination by investing more resources into ongoing community and business awareness and education about what and where items can be recycled. Setting recovery rates targets for materials (plastics, glass etc) as well as collection channel / segments (ie C&I, C&D, Kerbside) that also mirror those of other states and nationally. Remove non recyclable and compostable products and packaging from the market overtime Follow South Australia's lead, NSW can implement bans on problematic single use plastics. Consider new programs that enable biosolids to be sent to land, not landfill. Work more collaboratively with other state, territory and federal government to remove unnecessary inconsistencies in waste regulations.

Question 5 - What are the main opportunities for improving the NSW waste system?
There is strong community desire to recycle, reduce and avoid waste and there is technology. Key areas where this can be progressed are - Food waste and organics, implement national food waste strategy, continue to roll out FOGO and support development of regional infrastructure for organic processing, be diligent on minimising contamination so that the recovered materials can be applied to land - Plastics - ban problematic and unnecessary single use, support local remanufacture of products and packaging with recycled content, restrict plastics in recycling bin to just PET, HDPE. All other plastics should either go to landfill or have separate collection channels - Batteries - there is a strong community desire to recycle batteries, push for a regulated national battery stewardship scheme - Glass into construction - help fix the supply chain disconnect, facilitate collaboration across

agencies, local government, suppliers, support national guidelines for road construction, - Fuel production from non recyclable materials that can be used in cogeneration plants to substitute non-renewable power People also want transparency around the levy funds collected and how they are spent. NWRIC as part of its soon to be released White Paper on Landfill Levies is recommending that to improve transparency and accountability of these public funds that each state set up a separate Levy Trust Account (similar to Victoria's MLL Trust Account) where all levies are retained guarantee a minimum percentage of levies (suggested 50%) to be spent annually on activities to implement the jurisdiction's waste avoidance and resource recovery strategies, resource recovery and remanufacturing industry development plans, markets development initiatives and infrastructure plans and report annually on the total amount of levy funds collected and spent (including non waste and recycling related expenditure) and outcomes achieved.

Question 6 - Any other information that you would like to contribute to the waste strategy initiative?

A key challenge for the industry is the lack of harmonisation of various waste regulations and landfill levy rates as well as the lack of transparency on how waste/landfill levies are spent. This creates barriers to resource recovery, encourages poor waste management practices and lack of investment of funds back into the whole sector where it is desperately required. The NWRIC strongly supports that State, Territory and the Federal governments work more closely with each other and industry to resolve these barriers and increase resource recovery. The NWRIC would support and actively participate in a joint Industry / Government national forum to identify where regulations need to be harmonised. The NWRIC is also recommending as part of its soon to be released White Paper on Landfill Levies that state and territory governments together with the federal government: 1) Develop a National Levy Pricing Strategy through COAG that prevents the inappropriate disposal and movement of waste between regions and states and ensures the resource recovery industry remains viable and competitive by removing significant geographic levy differentials and providing recycling residual discounts or recycling rebates where justified. Note the NWRIC does not support the reduction in current levy rates. 2) Develop National Waste Levy Protocols for which wastes should be levied (i.e. solid, liquid, hazardous and prescribed), where the liability for the levy sits (i.e. at point of generation and is portable across regions and states), how far waste can be moved (i.e. proximity within or across states) and how the levy is administered (e.g. payments, bad debts). 3) Are more transparent and accountable for the total amount of levies collected by each jurisdiction by setting up a separate Levy Trust Account (similar to Victoria's MLL Trust Account) where all levies are retained guaranteeing a minimum percentage of levies (suggested 50%) to be spent annually on activities to implement the jurisdiction's waste avoidance and resource recovery strategies, resource recovery and remanufacturing industry development plans, market development initiatives and infrastructure plans and reporting annually on the total amount of levy funds collected and spent (including nonwaste and recycling related expenditure) and outcomes achieved.

A FORMAL LETTER FROM NWRIC COVERING THE CONTENT OF THIS RESPONSE WILL ALSO BE SEND VIA EMAIL TO 20yws@dpie.nsw.gov.au