

Waste Strategy Review
Department of Water and Environmental
Regulation
Locked Bag 10
JOONDALUP WA 6919

Enquiries: Melissa Lamb
Email: melissa.lamb@dwer.wa.gov.au

Dear Sir/Madam

ENVIRONMENTAL PROTECTION AUTHORITY SUBMISSION ON THE WASTE AVOIDANCE AND RESOURCE RECOVERY STRATEGY 2030 CONSULTATION DRAFT MAY 2024

Thank you for the opportunity to make a submission on the '*Waste Avoidance and Resource Recovery Strategy 2030 Consultation Draft May 2024*' (Draft Waste Strategy 2030). The Western Australian (WA) Environmental Protection Authority (EPA) welcomes the opportunity to comment. The key points that the EPA would like the Waste Authority to consider for the Draft Waste Strategy 2030 are as follows:

- Better consideration of product lifecycle and design may support waste minimisation and a circular economy transition.
- Lifecycle solutions for large-scale renewable energy infrastructure should be prioritised given the rapid energy transition underway.
- Environmental protection can be supported by the co-location of both waste and non-waste land uses and infrastructure.
- Developing recovery and reuse solutions for contaminated soils should be prioritised.
- Alignment with the waste minimisation principle and the polluter pays principle and efforts to strengthen the waste levy are supported.

These points are further elaborated on below.

The role of the EPA

The EPA is an independent statutory Authority established under the *Environmental Protection Act 1986* (EP Act). The EPA has statutory objectives to protect the WA environment and prevent, control and abate pollution and environmental harm. It has a range of functions that include conducting environmental impact assessment (EIA) of significant proposals under Part IV of the EP Act and providing relevant advice and recommendations on the implementation of significant proposals to the WA Minister for Environment.

When undertaking its functions, the EPA has regard to the five principles outlined in section 4A of the EP Act. This includes the principle of '*waste minimisation*', which

requires that “*all reasonable and practicable measures should be taken to minimise the generation of waste and its discharge into the environment*”.

When assessing whether a proposal’s impact on the environment is acceptable, the EPA adheres to the waste minimisation principle by applying the concepts of the waste hierarchy and circular economy, as prioritised in the draft Waste Strategy. The EPA encourages proponents to prioritise waste avoidance in their proposals and make efforts to use products and processes that keep materials circulating in the economy for as long as possible, thereby reducing impacts to the environment.

The EPA expects proponents to adequately consider the entire lifecycle of a proposal, including decommissioning and replacement of infrastructure. Recent assessments where the EPA provided specific advice and recommendations relevant to the principle of waste minimisation include waste to energy facilities, landfills, hazardous waste facilities, refineries, large-scale green energy projects, and oil and gas facilities.

Given the EPA's role, the EPA has noted the following considerations regarding the Draft Waste Strategy 2030.

Better consideration of product lifecycle

Product lifecycle considerations should be at the forefront of attempts to move toward becoming a circular economy and there is a need to identify avenues to influence the design of products to increase re-use potential. The need to address this issue could be better reflected in the Waste Strategy 2030. For significant proposals considered by the EPA, such improvements to product design can allow proponents to better achieve waste minimisation at project closure. This would be particularly beneficial for large-scale infrastructure and mining projects.

There is a need to prioritise solutions for renewable energy infrastructure

Similarly, lifecycle solutions for large-scale renewable energy projects and other emerging industries are currently underdeveloped and should be prioritised. While the EPA supports the identification of e-waste as a priority material in the Waste Strategy 2030, further consideration of waste management practices and recycling options for renewable energy infrastructure such as solar panels, photovoltaic cells and lithium-ion batteries is required. The need for solutions for these product types is a high priority given the rapid transition to renewable energy currently underway.

Revised goals and targets are supported

More generally, the EPA supports the revised goals and targets of the Waste Strategy 2030 and acknowledges their alignment with the National Waste Policy (Department of Climate Change, Energy, the Environment and Water, 2018). The EPA notes that protecting the environment from greenhouse gas emissions caused by landfilling of organic waste is a new focus of the revised Waste Strategy 2030. The EPA supports this revised focus, as it aligns with the EPA’s objective to minimise the risk of environmental harm associated with climate change by ensuring proponents reduce greenhouse gas emissions as far as practicable.

Co-location can better support environmental protection

The EPA strongly supports having a separate '*Protect*' objective to ensure '*Western Australians protect the environment by managing waste responsibly*'. The EPA also supports a target to ensure all waste is managed and/or disposed using better practice approaches as a means to achieve this. Such benefits can be further ameliorated through the co-location of land uses and the sharing of common infrastructure that are focused on waste. The co-location of other similar (non-waste) land use types can also centralise the generation of similar waste materials, allowing for transport and management efficiencies and reduced risks for the environment.

Recovery and reuse solutions for contaminated soils should be prioritised

A focus on better practice management combined with initiatives delivered against *Priority 4: Realising the economic potential of recycling* will be particularly important for developing specific recovery and reuse solutions for contaminated soils, an issue that the EPA frequently encounters in its assessment of significant proposals.

Legislative reform and efforts to strengthen the waste levy are supported

The EPA also acknowledges that there is a range of legislative reforms proposed to improve the state's waste management framework which will support the objectives of the Waste Strategy 2030 (including changed regulation and compliance oversight of waste facilities, and development of better practice guidelines).

Section 4A of the EP Act also references the '*polluter pays principle*' – '*those who generate pollution and waste should bear the cost of containment, avoidance or abatement and that the full life cycle costs of providing goods and services is considered, including the use of natural resources and assets and the ultimate disposal of any wastes*'. Consistent with this principle, the EPA acknowledges the important role of the waste levy in WA's waste management framework to incentivise waste minimisation and recovery. The EPA supports efforts noted in the Waste Strategy 2030 to eliminate levy avoidance and other illegal waste activities, which will not only deliver positive waste outcomes, but also reduce environmental risks.

The EPA appreciates this opportunity to provide input into the Waste Strategy 2030 and would welcome further opportunities for engagement.

Yours sincerely



Lee McIntosh
DEPUTY CHAIR, ENVIRONMENTAL PROTECTION AUTHORITY

21 August 2024