



15<sup>th</sup> November 2017

Project Manager, Waste Reform Project  
Department of Water and Environmental Regulation  
Locked Bag 33, Cloisters Square  
Western Australia 6850

Dear Sir/Madam,

**Re: Submission on the Department of Water and Environmental Regulation Discussion Paper – Waste levy and waste management: Proposed approaches for legislative reform**

C-Wise would firstly like to note that we welcome the opportunity to provide comment on the “Waste Levy and Waste Management: Proposed approaches for legislative reform” discussion paper and the waste reform project that it supports.

C-Wise is a leader in the development of sustainable practices that support industry and improve the management of our natural resources. A Western Australian family owned company, the first compost business was built in 1997 for the commercial mushroom growing industry. The core business of the company is now the production of certified, high quality composts and mulches suitable for a wide range of applications.

Applications for C-Wise products include intensive horticulture, mine site rehabilitation, dust suppression, bio-remediation, broad acre farming, amenity horticulture and landscaping. C-Wise has focussed primarily on the farming market but also has a number of home garden and landscaping retailers that continuously stock their products. The company works closely with its customers to develop innovative applications and methods for using composted products.

C-Wise has been recognised as a leader in the composting industry both at a state level and nationally. A number of company personnel have been involved in the development of a range of industry guidance and policy matters at both levels of government. As a founding partner in the formation of a number of industry bodies, namely Compost Australia, Compost WA, and more recently AORA (Australian Organics Recycling Association), C-Wise has been integral to advancing the composting and waste recycling industries. Also, C-Wise contributed significantly to the industry ‘working group’ formed by the former Department of Environment Regulation and submitted formal feedback on the draft Environmental Standard for Composting.

Our submission, in the form of this letter, identifies some overarching comments on the recommendations for legislative reform with specific comments included per section (according to the Discussion Paper) in the Annexure.

C-Wise are supportive of the clarification and cohesion of the Waste Avoidance and Resource Recovery (WARR) and Environmental Protection acts and regulations. As an industry regulated under the Environmental Protection (EP) Act, that also recycles waste to produce valuable soil improvement products, we have experienced the disconnected and sometimes contradictory nature of the waste avoidance and recycling objectives and outcomes of the EP Act and Regulations. Combining or referencing one to the other more explicitly to produce overall environmental objectives will allow a broader view on the net



environmental benefits of some industries and clarity in regulation, or setting of environmental outcomes, for DWER.

In reviewing the recommendations for the next steps of environmental legislative reform we would caution DWER to consider the following three points before taking action:

1. Ensure that industries that are committed to beneficial reuse of waste and meeting waste avoidance objectives of Government are not penalised.
2. Investigate and assess what other states have experienced, as a result of the application of any new legislation that is being considered by DWER. This may include the effectiveness of such changes, and any unforeseen or unintended consequences that have arisen.
3. In regards to a twelve-month limit for waste stockpiling, DWER should be mindful that ensuring compliance to this timeframe, and thus application of the WARR levy, will be based on records kept by licensees and relies on their honesty and integrity.

It would also be beneficial for DWER to ensure that relevant stakeholder groups (including industry) are engaged throughout the process, and as early within the process as possible, when considering regulatory amendment or legislative reform.

In closing we would like to thank DWER for the opportunity to provide comment on this Discussion Paper.

Yours sincerely,

A handwritten signature in blue ink that reads 'A.P. Maiden'.

Andrew Maiden

**Chief Executive Officer**

**ANNEXURE**

6.1.1	<p><b>Objects of EP Act</b></p> <p>We are supportive of including the WARR Act objectives in the EP Act. This will provide clarity for regulators and licensees, allows waste avoidance and recycling to be an inherent part of environmental protection and will help to ensure that prescribed premises who recycle wastes for beneficial use have their net environmental benefits assessed (rather than just being seen as potentially damaging to the environment).</p>
6.1.2	<p><b>Decision making for EP Act licences</b></p> <p>We are supportive of providing further clarity for both regulators and licensees, in the licence granting and decision-making process, by detailing what standards, guidelines and other documents should be referred to (including the WARR Act and the Waste Strategy).</p>
6.1.3	<p><b>Licence conditions</b></p> <p>As above we are supportive of including any environmental protection or improvement objectives within the EP Act to provide better clarity to regulators and licensees on the outcomes and targets they need to meet or achieve (including those within the Waste Strategy).</p>
6.2.1	<p><b>Accepted for burial</b></p> <p>No comment.</p>
6.2.2	<p><b>Disposal premises</b></p> <p>No comment.</p>
6.2.3	<p><b>Receiving waste at disposal premises</b></p> <p>No comment.</p>
6.2.4	<p><b>Waste measurement</b></p> <p>Whilst we are supportive of more accurate measurement of waste and therefore application of the levy, the cost of building or accessing a third-party weighbridge should not be prohibitive for licensees. The provision of Government subsidies will assist this.</p>
6.2.5	<p><b>Record keeping and reporting</b></p> <p>Accurate records are beneficial but should not be time prohibitive for licensees. Currently records may be duplicated in surveys or as part of licence conditions, there should one be one simplified reporting mechanism. An improvement suggestion could also be for DWER to develop a fit for purpose database or some form of recording system for ongoing recording of required information. This could be completed regularly and used by businesses as part of their normal operations and enable the reporting process for the annual survey to be very quick and simple e.g. similar to DWER's controlled waste tracking system or the previous Department of Waters 'water online'.</p>

	For reporting to be accurate there also needs to be clarification on what is classified as 'waste'. For example, some licensees receive 'waste' as a sought-out beneficial input to their process – a resource. Also, when does reprocessed 'waste' become a product? This requires clarification, preferably with industry input.
6.3.1	<p><b>Schedule 1 categories</b></p> <p>Clarification of prescribed premises categories, and the definition or characteristics of those particular categories, is supported by C-Wise provided it is completed with stakeholder (industry) input.</p>
6.3.2	<p><b>Application of the levy to waste storage premises</b></p> <p>If long-term stockpiling is an issue, a suggestion could be for Government help industry to work towards increasing awareness and consumer demand for recycled waste products rather than applying levies. Industries and licensees that are committed to beneficial reuse of waste and meeting waste avoidance objectives of Government should not be penalised.</p>
6.4	<p><b>Regulatory gatekeeping requirements</b></p> <p>No Comment.</p>