



# **Managing e-waste in Victoria**

**Submission**

**October 2015**

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## 1 Introduction

The Municipal Association of Victoria (MAV) welcomes the opportunity to provide a submission in response to the Department of Environment, Land, Water and Planning (DELWP) “Managing e-waste in Victoria” discussion paper.

The MAV is the statutory peak body for local government in Victoria. Formed in 1879, we have a long and proud tradition of supporting councils to provide good government to their communities. We represent all Victorian councils and work to advance the interests of the local government sector as a whole.

While this paper aims to broadly reflect the views of local government in Victoria, it does not purport to reflect the exact views of individual councils. In addition to providing feedback to inform this submission, several councils have made their own submissions to DELWP.

The MAV would like to congratulate DELWP on preparing a discussion paper that is clear and informative and that canvases a range of issues associated with recycling e-waste.

We understand that DELWP has recently engaged a consultant to address a number of information gaps, including regarding existing pathways for e-waste. We ask that this research be shared with interested parties, including local government and industry, to enable further informed discussion on the most appropriate design for the ban.

We also ask that there be further direct consultation with the MAV, councils and other key stakeholders *prior* to preparation of a regulatory impact statement to implement the ban. This is important in order to ensure genuine consultation regarding the State’s preferred options to implement the ban.

Councils’ role in managing general household waste and engaging with the community on a variety of waste-related issues makes local government a critical stakeholder in the development of e-waste recycling in Victoria. In considering possible roles for councils it is important to remember that councils are very diverse in terms of their resources, infrastructure, capacity and capability.

While the MAV and councils are supportive of reducing the amount of waste that goes to landfill, it is critical that the costs and resource-burden associated with the implementation of the e-waste landfill ban are not shouldered by councils and ratepayers. In line with the approach adopted in Europe, we support the principle of extended producer responsibility / product stewardship underpinning e-waste recycling in Victoria.

The experience of South Australia and other jurisdictions that have e-waste landfill bans should be used to inform the Victorian approach.

### **1.1. The proposed definition and categorisation of e-waste**

The discussion paper proposes a very broad definition of e-waste for the purposes of the ban. It also notes that the State is proposing to categorise e-waste in a similar way to the European Union's Waste Electrical and Electronic Equipment Directive.

Councils are broadly supportive of the proposed definition and categorisation of e-waste. Councils' primary concern in relation to the definition is the availability of sufficient collection points, processing facilities and viable markets for all of the products captured by the ban.

The proposed definition of e-waste marks a significant departure from the definition used for the National Television and Computer Recycling Scheme and consequently it will be necessary to re-educate the community about what constitutes e-waste.

Councils' experience with managing waste services such as kerbside recycling indicates that community understanding of and commitment to differentiating between different types of waste is limited. The community will only comply with the ban if the alternative disposal options are easy, convenient, free (or very low cost), and, importantly, it's clear why disposal to landfill is unacceptable.

Councils do not support the inclusion of the words "without the intention of re-use" in the definition given the difficulty of establishing the intention behind disposal of a product and the possibility that items allegedly intended for re-use could then be permitted to go to landfill.

In relation to categorisation of the waste, a number of councils have questioned whether the categories as shown in the discussion paper are only indicative given that there are numerous electrical and electronic products not mentioned. Given the constant technological advances being made it is important that the categories remain broad and flexible to accommodate new products coming on to the market. That said, there will also need to be clear guidance as to which electrical and electronic products are and aren't captured by the ban.

In providing feedback to the MAV, several councils also noted the variation within the proposed categories in terms of product size, weight and hazard risk. For example, there are marked differences in how one would handle a refrigerator versus an electric fan when disposing of those items yet both are classified as "large appliances". The discussion paper doesn't articulate how the categories will be used, ie. do they determine disposal method or are they just a guide for the community to check if a product is captured by the ban? Further explanation is needed.

## **1.2. E-waste landfill ban issues**

As noted throughout the discussion paper, many items of e-waste contain hazardous materials that pose health and safety risks to the environment and to those handling the e-waste. Risks vary from product to product. It will be critical that clear and accessible information is made available and appropriate precautions put in place in the lead up to and throughout the lifetime of the ban so as to protect health and safety. Investment in appropriate collection, storage, transport and processing infrastructure will also be necessary.

The existing markets for a range of e-waste products such as refrigerators and cookers are not adequately acknowledged in the discussion paper. Identifying existing pathways for e-waste is essential in order to identify the gaps and determine priority focus areas for market development.

Victorian councils already support, participate in and provide a range of different e-waste services to their communities including the National Television and Computer Recycling Scheme (NTCRS), MobileMuster, Cartridges 4 Planet Ark, and battery recycling initiatives.

The NTCRS enjoys widespread council support, with several councils working closely with the co-regulatory arrangements to facilitate the collection of eligible e-waste products. Implementation of the national scheme has proven problematic and costly for councils however due to the unexpected withdrawal of services where quotas have been achieved earlier than expected. Furthermore, a number of rural councils have been unable to participate in the national scheme at all due to co-regulatory arrangements' unwillingness to bear the additional cost of operating in remote areas. This raises obvious environmental justice issues for rural communities.

The specific needs and circumstances of rural and regional communities must be taken into consideration when designing Victoria's e-waste landfill ban. A one-size-fits-all approach is not appropriate.

The challenges of enforcing a landfill ban on e-waste also need to be acknowledged. Due to the small size of many electrical products it will often be difficult for landfill operators to detect e-waste when large amounts of waste are dumped at landfills. A fair and reasonable approach to enforcement needs to be taken.

A comprehensive awareness and education campaign will be critical to the success of the ban, as will the provision of accessible and convenient drop off points for consumers. Consideration needs to be given to the different needs and circumstances of those living in inner metropolitan high-rise buildings compared to those living in remote areas.

Councils support the principle of product stewardship underpinning the landfill ban as this ensures that the costs of the ban will largely be borne by those producing, selling and purchasing the products. It is essential that the electrical / electronics industry, including retailers, is involved in the design and implementation of the ban.

### **1.3. E-waste criteria**

Councils are supportive of the five criteria identified in the discussion paper and have suggested that the following also be included:

- Difficulty of collecting, transporting and recycling

### **1.4. Timing**

Noting that rural and metropolitan communities have different e-waste recycling infrastructure and transport needs, it seems likely that the ban may need to be rolled out in different regions at different times. That said, it is important that all Victorians have equal access to environmental services and are not disadvantaged due to living in remote, or indeed densely populated, locations. All communities should have access to e-recycling services.

In order to ensure smooth implementation and community support for the ban it is critical that the appropriate infrastructure and services are in place prior to the ban becoming operational, as well as a comprehensive education and communications strategy.

In relation to potentially rolling out the ban in stages based on types of e-waste, councils have raised concerns that this may result in community confusion about the ban and lead to products either inappropriately being sent to landfill or dumped.

### **1.5. Principles to guide the design**

The principle of extended producer responsibility should be included as a principle to inform the design of the landfill ban. This will help ensure that the costs of the ban are predominantly borne by those who produce, retail and consume the electronic / electrical products.

Consideration should also be given to including a principle regarding the user-friendliness of the ban for those disposing of e-waste. As noted above, experience shows that unless it is simple and cheap for people to deposit their e-waste at the appropriate location they're likely to just continue sending items to landfill.

### **1.6. Choosing the right tools**

The MAV supports the electronics industry, including importers and retailers, playing a significant role in the implementation of the e-waste ban via expansion and enhancement of existing product stewardship schemes. As such, we believe an important tool will be education and engagement with electronics retailers.

If council transfer stations are to play a significant role in the implementation of the ban, then it is essential that there be financial support for councils to cover the costs of any additional

infrastructure needs and the costs of receiving and storing e-waste pending collection. Alternative collection and storage points should be made available in municipalities that do not have transfer stations. Genuine consultation with councils is needed prior to any decision regarding the role councils might play in the ban – a collaborative approach is needed.

### **1.7. Other considerations**

A number of councils have queried how the State intends to tackle e-waste from the commercial sector. It's unclear from the discussion paper whether different approaches will be taken for households versus commercial / industrial e-waste.

In relation to unintended consequences arising from the ban, councils have raised concerns about the prospect of increased rates of illegal dumping; increased contamination of kerbside recycling; the environmental impacts from transportation of e-waste; as well as health and safety risks arising from inappropriate stockpiling of e-waste.

Councils are also understandably very concerned that the ban may result in additional costs to councils. In the context of rate capping and a climate of fiscal constraint, councils cannot and should not have to shoulder additional costs arising from the ban. It is of ongoing frustration to councils that more than 300 million dollars of landfill levy funds accrued in the Sustainability Fund have not been reinvested in the community to help support a proper step-change in how Victoria manages waste.