



Ms Michelle Andrews  
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31 March 2023

Dear Ms Andrews

**Re: E-waste to landfill ban in Western Australia - Consultation Paper**

The Waste Management and Resource Recovery Association of Australia (WMRR) appreciates the opportunity to provide comment on the *E-waste to landfill ban in Western Australia - Consultation Paper*. WMRR is the national peak body representing Australia's \$15.8 billion waste and resource recovery (WARR) industry. With more than 2,000 members from over 500 entities nationwide, we represent the breadth and depth of the sector, within business organisations, the three (3) tiers of government, universities, and NGOs.

WMRR recognises that the government is pursuing this ban to support its objectives under the *Waste Avoidance and Resource Recovery Strategy 2030*. However, WMRR would reiterate that bans in and of themselves do not work, rather WARR is a shared responsibility and to effectively address e-waste it is necessary to incorporate circular economy principles to ensure that products are appropriately designed, as well as having appropriate repair, share and recycling opportunities and systems in place to enable true alternatives to disposal, rather than assuming by focusing simply on end-of-life that these solutions will miraculously appear. In 2023 we have overwhelming economic and regulatory reasons to do so - this must be the overwhelming lesson that WA has learned from the successful creation of the container refund scheme in WA.

WMRR's 2022 submission on the federal government's *Stewardship for Consumer and Other Electrical and Electronic Products* as well as this consultation submission, do not support a landfill ban in the absence of an integrated WARR system that has the processes, infrastructure, and pathways to collect and recycle/reprocess banned materials, and importantly, the end markets to consume recycled materials. Simply imposing a landfill ban without established comprehensive and effective product stewardship schemes and end markets will have the unintended consequence of stockpiling these materials that have no home, and worse lead to illegal dumping.

Mandated extended producer responsibility (EPR) schemes are not only logical and proven globally and locally, that they provide moral, legal, and financial imperatives for product manufacturers to take responsibility for the products they create. This policy approach has the potential to drive a paradigm shift in the creation of products at first instance, with greater thought and emphasis given to material selection and product design to minimise the costs associated with total lifecycle management.

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Further whilst WMRR appreciates that this proposal is in fact an election commitment, WMRR would encourage WA to align with the Federal proposal to address e-waste as per the Environment Ministers Meeting in October 2022 decision. What can get lost in WARR policy that is state led is that we are in fact one nation with one common market, and the expectation of business and community is that we collaborate nationally to provide a consistent and certain framework within which we can all operate for the benefit of all. We have seen in recent years with for example Single Use Plastic Bans, whilst in theory operating nationally, the desire of some states to be seen as 'stronger' than others has resulted in poor outcomes for business, confusion for community and real challenges with implementation. If governments are bona fide in their desire to assist with addressing real challenges with materials, chemicals and waste, it may mean that their desire to be first, may need to be subsumed to the greater benefits that can be achieved by working consistently nationally.

WMRR's responses to the consultation questions can be found at **Annexure A**. Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Gayle Sloan', positioned below the 'Yours sincerely' text.

Gayle Sloan

**Chief Executive Officer**

Waste Management and Resource Recovery Association of Australia

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**Submission:**

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| <p><b>1.4 Impact on community, environment and economy</b></p> <p>Do you support the incoming ban on e-waste from disposal to landfill in Western Australia?</p> <p>What other opportunities or benefits could a ban bring to Western Australia?</p> <p>What impacts does e-waste have on the community, environment, and economy and how big is the problem?</p> | <p>Banning materials only at disposal stage and not considering all other aspects of the supply chain or the systems within which we operate, will go no further than perpetuating our business as usual, linear approach. Time, resources, and efforts should not be focused on landfill bans but on how to ensure that the entire supply chain takes responsibility for designing and managing materials to ensure that materials remain at their highest and best value for as long as possible and that there are clear systems and markets for these materials to end of life. The real concern is that a ban in the absence of an integrated system with product responsibility results in illegal dumping and/or possibly stockpiling that has a real chance of significant environmental harm through for example fires. As such in the absence of this integrated system WMRR does not support the proposed ban.</p> <p>WMRR notes that the WA government undertook extensive work in establishing a comprehensive product stewardship regime for beverage containers to ensure that the challenges associated with their single use nature and impact at end of life was addressed. This scheme has been very successful at diverting material from landfill and recovering resources via clean material streams, as well as creating significant jobs and investment in WA. The health and environmental impacts of e-waste outlined in the paper are significantly greater than those posed by container litter and yet containers have a robust product stewardship scheme in place in WA. It is submitted that a similar comprehensive scheme, accompanied by a robust community education campaign, which aligns with a national scheme, given we have seen first-hand the impact of states going it alone and then attempting to retrofit for consistency is required for managing e-waste. This is particularly true when one considers the significantly higher risks e-waste poses to the community and environment.</p> |
| <p><b>2.4 Shared responsibility and product stewardship</b></p>   | <p>What is currently lacking in Australia are mandatory schemes that will place obligations on generators to manage end-of-life, including the costs of managing materials at this stage. While WMRR acknowledges that at least a portion of these costs will be passed to the consumer, the reality is that at present, these costs are often managed through council rates and the resulting disposal costs, given that a vast proportion of e-waste is utilised in the household.</p> <p>An e-waste scheme must place the true cost of end-of-life on the item (in fact France places this cost transparently on the point of purchase label to ensure that the consumer can make an informed choice</p>   |



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| <p>What other actions can we take to manage e-waste, in Western Australia and nationally?</p> <p>Are the current actions adequate and working?</p>   | <p>about the true cost of an item through its life). These funds, can then be utilised to fund costs associated with design, collection and reprocessing (as per the CDS). As the proposed ban currently stands Local Government, especially regional and remote, will bear the cost of collection and recycling, however there is no obvious market for this material, and we have recently witnessed that plastic from e-waste can no longer be exported easily due to export restrictions. Creating significant challenges for recyclers, albeit there may be demand internationally for this material.</p> <p>Other actions that could be considered include a national avoidance campaign to disincentivise the continual upgrade of electronic devices, with an explanation as to why this should be dissuaded. Greater emphasis on companies enabling open repair of devices to enable longer life, or in the alternate, making repair shops available (like Apple does), assisting with sharing platforms, as well as requiring design for disassembly in order that valuable materials in these devices can be recovered and re-used at lesser cost.</p> <p>Put simply no. There is limited obligation on e-waste producers in Australia to truly fund and manage end-of-life, nor create markets for these materials at end of life. The existing actions rely heavily on local councils and charities to take responsibility for these items to avoid them being landfilled with limited regulatory or financial assistance.</p> |
| <p><b>4.2 Scope</b></p> <p>Would you change anything about the way e-waste for initial ban has been defined? Why? (e.g. more recovery, less environmental harm, stimulate recycling/re-use industry)</p> | <p>WMRR would encourage national alignment on scope and timing of the implementation, as well as ensuring that there is complete consistent coverage of items within the scheme, in order to make sense to the general public. That is all battery-operated items (which are currently excluded from the Battery Recycling Scheme) must be incorporated within this scheme.</p> <p>A coordinated community education campaign on the distinction between ban phases and each product categorisation is needed to mitigate the risk of improper disposal and raise the profile of these items as a valuable recyclable resource. There needs to be awareness raised on how to safely dispose of damaged or possibly damaged items and the locations and process to do this needs to become more accessible.</p>  |
| <p><b>4.3 Guiding principles for ban option design</b></p>   | <p>The ban must 'cover the field' of e-waste products (which can be staged incrementally), however it must also align nationally. Ideally there will also be international alignment to ensure that products entering Australia meet internationally consistent standards to support the EPR scheme.</p>  |



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| <p>Are the principles appropriate to guide our approach to the ban?</p>   | <p>Reasonable access should consider integrating with schemes that are effectively driving the same behaviour (source separated disposal) and/ or providing a financial incentive for consumers to return, as we have seen success in the CDS. WMRR encourages WA to further investigate access points regarding availability.</p>  |
| <p><b>4.4</b> Outcomes of the ban</p> <p>Are there any outcomes that need to be measured and are not reflected in the above?<br/>         Could the ban affect you, your industry or business in ways that have not been outlined?</p>  | <p>WMRR suggests that the below be investigated as part of outcomes of the ban and/or evaluation activities:</p> <ul style="list-style-type: none"> <li>• Promotion and increase of value preservation for products -repair and reuse.</li> <li>• Products designed for greater resource efficiency - disaggregation and reuse.</li> <li>• The amount of recycled Australian e-waste material that is used in new products. The ‘Stimulation of new markets’ measure is not sufficient.</li> <li>• Reduction in use/reliance on virgin material.</li> <li>• Community awareness of resource management.</li> <li>• Number and ease of access to depots/ collection/ recovery pathways for the community.</li> </ul> |
| <p><b>5</b> E-waste ban implementation options</p> <p>Do you have comments on the proposed ways the ban would apply to you as an individual, business or industry?</p> <p>Are there any other key stakeholder sectors, groups, or applications that we need to consider in the ban framework?</p> | <p>WMRR notes that the Implementation Options focus on end-of-life as it reflects the landfill ban without incorporating EPR. The revised options will need to include the costs to manufacturers and incentives for processors/ manufacturers to create the systems to prolong the life of these products and drive relevant markets.</p> <p>WMRR cautions setting unrealistic timeframes for the ban to come into effect. WA must consider regional and remote capacity to collect and recycle and the current and anticipated national schemes.</p> <p>And again, WMRR states that a landfill ban in the absence of system support is extremely problematic and cannot be supported.</p>                         |
| <p><b>6.3</b> Preferred option identification</p> <p>Do you think the preferred option is the one most suited to Western Australia, and why?</p>  | <p>Bans in absence of supply chain intervention and genuine alternatives do not work. WMRR would support Option 3, with the EPR obligation on all stakeholders and enforced. Again, we also state this must be a national approach.</p>   |