



The Hon Lily D'Ambrosio
Minister for Environment
Department of Environment, Land, Water and Planning
PO Box 500
EAST MELBOURNE VIC 8002

Email: kerbside.reform@delwp.vic.gov.au

10 January 2022

Dear Minister

Re: Standardising recycling at home across Victoria

Thank you for the opportunity to provide feedback on the Department of Environment, Land, Water and Planning's (DELWP) draft standard lists for glass, food organics and garden organics (FOGO), and mixed recyclables. The Waste Management and Resource Recovery Association of Australia (WMRR) is the peak national body for all stakeholders in Australia's \$15.5 billion waste and resource recovery (WARR) industry. We have more than 2,000 members across the nation, representing the breadth and depth of the sector, spanning business organisations, the three (3) tiers of government, universities, and NGOs.

The sector drives jobs – employing up to 50,000 people – and investment in the Australian economy, and WMRR's purpose is to lead the success of this essential industry while ensuring the environment and community are protected through the safe and responsible management of waste and resources.

Broadly, WMRR supports the work that the department is undertaking in developing draft lists for glass, FOGO, and mixed recyclables as doing so could lead to improved bale qualities at material recovery facilities (MRFs). While WMRR's full submission can be found below, we highlight that this work is also being undertaken on a national level as part of the National Waste Action Plan (action 3.7) with a 2022 timeline for completion.

At present, there are several differences over what is (or can be) accepted in kerbside bins across jurisdictions and while WMRR believes DELWP's work to be invaluable in developing consistent, clear, and concise standards, we would urge the department to firstly consider how it will ensure that its lists will align to those that are being considered by all governments, WMRR, and ALGA as noted above, and how Victoria can play a leading role in encouraging state governments to agree to standards for acceptance.

It would also be prudent to note that there will be risks and challenges despite the development and finalisation of these lists, which the state government must plan for. These include:

- Enforcing agreed upon standards through contracts that councils are currently parties to with the WARR industry. It is therefore vital that the proposed new Waste Authority ensures that

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037

(02) 8746 5000
INFO@WMRR.ASN.AU



it can enforce these standards, being mindful that this will potentially be a change of law for existing contracts.

- If alternative pathways are not identified for materials that are not (whether rightly or not) on the list, these materials collected at the kerb may go directly to landfill.

WMRR has completed the survey online and our responses can be found below. Please do not hesitate to contact the undersigned if you would like to further discuss WMRR's feedback.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Gayle Sloan'.

Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia

WMRR NATIONAL OFFICE

57 ST JOHNS ROAD
GLEBE NSW 2037

(02) 8746 5000
INFO@WMRR.ASN.AU

WMRR.ASN.AU

SUBMISSION

Question	WMRR's response
What type of organisation do you represent?	A peak body.
Which standard lists are relevant to your organisation?	<ul style="list-style-type: none"> • Glass • Food organics and garden organics (FOGO) • Mixed recyclables
<p>The Victorian government's objectives for standard lists for sorting waste and recycling are to:</p> <ul style="list-style-type: none"> • make recycling at home easier to understand and do • make separation of waste and recycling at home the same across the state to reduce confusion • increase the number of items that are recycled • reduce waste sent to landfill • improve the quality of recycled materials <p>Does your organisation agree to with these objectives?</p>	<p>WMRR agrees with most of the government's objectives for standard lists for sorting waste and recycling, in particular those that relate to providing certainty, ease, and consistency to the community, and to improve the quality of recycled materials.</p> <p>While the objectives to increase the number of items that are recycled, and reduce waste sent to landfill, are in theory, supported, meeting these objectives cannot solely rely on better source separation and/or recycling. Instead, a shift in the way products are designed must be the key focus, and simply determining that more is to be recycled will not in itself result in increased recycling.</p> <p>Further, as the Department may be aware, similar technology and approaches are used in MRFs globally to separate material streams into their respective bales. In essence, MRFs bale aluminium, steel, paper and cardboard, and plastics (some do separate higher value PET and HDPE, leaving the remainder within a mixed plastics bale). These materials are then traded with remanufacturers locally and globally to be utilised as inputs in the remanufacture of products. Thus, recyclables that can be accepted and are aligned to MRF processes are (and WMRR notes that the draft lists do include many of these) single stream packaging items made from:</p> <ul style="list-style-type: none"> • Newsprint and magazines; • Cardboard (except waxed cardboard); • Paper; • Glass containers and jars; • Plastic containers and tubs numbered one (1) to seven (7) inclusive; • Aluminium; and • Empty steel and aerosol cans.

	<p>However, packaging materials are often complex, made up of multiple material types, e.g., plastic labels, aluminium lids, waxed/coated, etc. Separating these at source where possible will no doubt limit the risk of contamination but challenges related to the interpretation of items and products that can be placed in the yellow bin remain. It is vital that a significant and ongoing education campaign is developed and rolled out to assist with this.</p>
<p>Please rank the objectives above in order of most important to your organisation (1) to least important (5).</p>	<ol style="list-style-type: none"> 1. Make separation of waste and recycling at home the same across the state to reduce confusion. 2. Make recycling at home easier to understand and do. 3. Improve the quality of recycled materials. 4. Reduce waste sent to landfill. 5. Increase the number of items that are recycled.
<p>On a scale of 1 (strongly disagree) to 5 (strongly agree), please rate your organisation's agreement with the draft lists of materials to be accepted and not accepted.</p>	<p>WMRR agrees to a great extent with the draft list of materials to be accepted and unaccepted, with a few queries, which can be found below.</p>
<p><i>Glass list</i> Are there any items on the accepted list that should not be there and why? Are there items your organisation thinks should be added?</p>	<p>WMRR agrees with the list with the exception of lids; these should come off all bottles/containers.</p> <p>We would also reiterate that with the impending roll-out of the container deposit scheme, it is unnecessary, illogical, and unsustainable to have both a fourth recycling bin for glass paid for by ratepayers and a functioning CDS.</p>
<p><i>FOGO list</i> Are there any items on the accepted list that should not be there and why? Are there items your organisation thinks should be added?</p>	<p>WMRR queries if adequate consideration has been given to the challenges posed by compostable packaging and the regulatory regime that needs to support this to ensure high quality land-applied product. WMRR agrees that compostable packaging is commonly designed to break down, particularly in conditions found in industrial composting facilities, and we note that only certified compostable caddy liners (AS4736/AS5810) are acceptable. However, there are risks that the department must consider:</p> <ul style="list-style-type: none"> • As composting facilities often time cannot distinguish between compostable and non-

	<p>compostable packaging, there is a risk of contamination of the material stream.</p> <ul style="list-style-type: none"> • Compostable and organically degradable packaging has been known to take an extended period of time to break down in trials globally, including in Germany and as such, we would advocate that certified compostable and wooden cutlery should not be allowed in the system (we should be developing greater re-use systems and not encouraging a throwaway society).
<p><i>Mixed recyclables list</i> Are there any items on the accepted list that should not be there and why?</p> <p>Are there items your organisation thinks should be added?</p>	<p>WMRR notes that the department may undertake further analysis on soft plastics; this is a material that should not be accepted in the kerbside recycling bin as they are a contaminant and cannot be separated at the MRF. Instead, separate collection schemes, e.g., Redcycle should be supported, and its network expanded.</p> <p>Further, plastics three (3), four (4), six (6) and seven (7) should not be accepted as they are low value, represent small tonnages, and cannot be viably sorted and recovered. These should be subject to genuine EPR schemes if manufacturers wish to continue to produce them and not be placed in the kerbside system, putting costs on councils.</p>
<p>It is possible to support recycling innovation via the kerbside system. Some items currently collected in the mixed recyclables stream are hard to recycle because there is low demand for them, or recycling technology is still being developed. Collecting these materials may make it possible to increase demand or develop suitable recycling technology. This could create opportunities for hard-to-recycle items to be recycled in future, resulting in better recycling rates and lower long-term costs. However, collecting these items may increase costs for households, councils, and recycling businesses in the short term.</p>	<p>WMRR absolutely supports recycling innovation; however, we do not believe that hard-to-recycle materials should be collected in the kerbside system to be stockpiled for future recycling, if/when technology becomes available and is commercialised - this can lead to risks such as fire and is at odds with EPA licensing requirements. Materials should only be collected via the yellow bin if they are able to be recycled now with bona fide markets. This is a not a theoretical exercise as there are real costs and risks associated with collecting in the hope the material can be used one day.</p> <p>The department must see this as a whole system, where there are alternative collection methods through the polluter-pays model where the creator of the packaging/product has to contribute to the cost of collecting and managing their materials at end-of-life,</p>

<p>Do you support utilising the lists to incentivise investment in innovative sorting/processing to support emerging end markets for some materials?</p> <p>If yes, which materials? If no, what would the alternative collection methods be if not the mixed recyclables bin.</p>	<p>instead of pushing these costs onto local government, the community, and the end-of-pipe solution – the WARR sector. This principle extends producer responsibility (EPR) for packaging, ensuring that producers pay the full costs of disposal for packaging they place in the market. Further, for Victoria to have genuine EPR, these schemes would require packaging manufacturers to include recycled content that is locally sourced and produced. In doing so, the state has a significant opportunity to ensure that the materials collected are locally recycled, creating local jobs.</p>
<p>What impact would the draft standard lists have on your organisation’s existing contracts?</p>	<p>N.A.</p>
<p>The lists will be periodically updated to add new items that can be recycled or remove items that can no longer be recycled. How often should the lists be updated?</p> <ul style="list-style-type: none"> • Every year • Every two (2) years • Every three (3) years • Every four (4) years • Every five (5) years <p>Are there any other considerations for the frequency of review of the lists?</p>	<p>WMRR supports a review every two (2) years at this time, given the 2025 packaging targets and innovation that should be occurring to address these.</p>
<p>Collection, sorting and/or processing of household waste and recycling</p>	
<p><i>Key challenges</i> What are the key challenges you anticipate for your organisation in working with the standardised waste and recycling streams? Tick all that apply to your organisation.</p> <ul style="list-style-type: none"> • Changes to decontamination processes • Changes to sorting procedures • Changes to processing procedures and/or timeframes • Investment in processing infrastructure • Changes to contracts 	<ul style="list-style-type: none"> • Changes to decontamination processes • Changes to sorting procedures • Changes to contracts • Changes to stakeholder messaging • Other (please specify): <ul style="list-style-type: none"> ➢ Costs imposed on community and local government for extra infrastructure related to the fourth bin.

<ul style="list-style-type: none"> • Changes to stakeholder messaging • Changes to available markets • No challenges • Other (please specify) 	
<p><i>Collecting and sorting</i> What are the barriers to collecting and sorting hard-to-recycle materials for your organisation? Tick all that apply to your organisation. Please describe specific barriers in comment boxes where appropriate.</p> <ul style="list-style-type: none"> • Items are not compatible with sorting processes or equipment • Items can't be identified during sorting • Items affect the ability to sort other material streams • Items contain contaminants • Items have occupational health and safety risks • No barriers • Other (please specify) 	<ul style="list-style-type: none"> • Items are not compatible with sorting processes or equipment • Items can't be identified during sorting • Items affect the ability to sort other material streams • Items contain contaminants • Items have occupational health and safety risks
<p><i>Processing</i> What are the barriers to processing hard-to-recycle materials for your organisation? Tick all that apply to your organisation. Please describe specific barriers in comment boxes where appropriate.</p> <ul style="list-style-type: none"> • Low quality of single material stream bales from Materials Recovery Facilities • Contamination of bales by other materials • No ways to process the material are available • Materials cannot be processed within the timeframes of the facility • Materials are not compatible with processing equipment 	<ul style="list-style-type: none"> • No ways to process the material are available • Materials are not compatible with processing equipment • Other: <ul style="list-style-type: none"> ➤ Technically recyclable and realistically recycled are two (2) very different outcomes. We need a more concerted effort by governments and manufacturers to redesign hard-to-recycle materials so that they are made of recyclable materials and are genuinely able to be recycled in Australia at end-of-life. In a 2021 report by the WWF, Boston Consulting Group, and Ellen Macarthur Foundation – <i>The business case for a UN treaty on plastic pollution</i> – it was noted that it typically takes a global consumer packaged goods company

<ul style="list-style-type: none"> • No barriers • Other (please specify) 	<p>three (3) years to develop a product from design to market, depending on the regulatory landscape. While it is encouraging to see many global companies pushing ahead with sustainable packaging, until we get there, it is vital that the EPR model (as discussed above) is rolled out for hard-to-recycle materials.</p>
<p><i>End markets</i> What are the barriers to finding markets for hard-to-recycle materials for your organisation? Tick all that apply to your organisation. Please describe specific barriers in comment boxes where appropriate.</p> <ul style="list-style-type: none"> • No local end market applications • Quantities collected are small • Materials are contaminated • Materials are low quality • Infrastructure limitations • No barriers • Other (please specify) 	<ul style="list-style-type: none"> • No local end market applications: there is no current obligation to use Australian recycled materials. Current targets rely very heavily on the work being done by two (2) companies and the plastic target for recycled content of 20% is less than all other global targets. Action must be taken by government around design and NSW has recently developed an Act to look at design for this reason. • Quantities collected are small: particularly for low value plastics (3,4,6 and 7) as evidenced in the National Plastics Analysis. It is not possible to aggregate this material nationally in an economically viable way, and these materials should be excluded from the kerb, with producers who insist on continuing to use them having to introduce an EPR scheme for management at end-of-life. • Materials are contaminated: when they are made of more than one (1) material. To reiterate, it is all about design as it is not possible for a MRF to separate materials (e.g., Pringles containers, Tetra Paks); these need to be removed from the kerb system and have their own distinctive pathways.
<p><i>Opportunities</i> What are the opportunities you see for your organisation from standardising the waste and recycling streams? Please describe specific opportunities in comment boxes where appropriate.</p> <ul style="list-style-type: none"> • Quantity of feedstock 	<ul style="list-style-type: none"> • Quality of feedstock • More consistent presentation of materials • Opportunities for broader messaging • Other (please specify): <ul style="list-style-type: none"> ➤ Improved bale qualities at MRFs, i.e., reduced contamination and therefore

<ul style="list-style-type: none"> • Quality of feedstock • More consistent presentation of materials • Opportunities for broader messaging • Other (please specify) 	<p>cost passed back to councils/ratepayers.</p> <ul style="list-style-type: none"> ➤ Consistency in standards pertaining to materials accepted that are aligned to what MRFs are able to sort, and the opportunity for national consistency given many of these products are not just consumed in Victoria and the technology and approaches used in MRFs are similar both across Australia and globally. ➤ Consumer education and awareness that will reduce confusion and may drive a push, through purchasing decisions, towards more recyclable (with Australian recycled content) packaging and move away from hard-to-recycle complex packaging, as well as increased obligations on packagers to ensure packaging can genuinely be recycled in Australia.
<p>What other market and/or technological changes are underway that could improve recycling/recovery of hard-to-recycle items?</p>	<p>Given the existence of kerbside internationally for over 40 years and the fact it is quite consistent internationally as to what can be accepted, the ongoing reliance on technological innovation to address recovery is misplaced. The evidence from the EU is that the emphasis must be on design (plastic tax, sustainable design principles legislated, EPR, PRN system enforced, etc.). To continue to assume that the end-of-pipe will be simply solve these hard to recycle items is linear and outdated thinking - it must start at the beginning of the product's life.</p>
<p>What are the next steps that your organisation/sector is taking to improve diversion of waste from landfill? Tick all that apply to your organisation.</p> <ul style="list-style-type: none"> • Improving infrastructure to enable the processing and/or reprocessing of hard-to-recycle materials • Improving decontamination in waste sorting 	<ul style="list-style-type: none"> • Improving infrastructure to enable the processing and/or reprocessing of hard-to-recycle materials • Improving decontamination in waste sorting • New/other recovery processes (e.g., chemical recycling) • Other: The WARR sector is capable of safely storing, disposing, and or reprocessing and recycling end-of-life materials, and the industry

<ul style="list-style-type: none"> • New/other recovery processes (e.g., chemical recycling) • Creating household products/packaging that can be more easily recycled. • Focusing on reducing or avoiding waste • Other (please specify) 	<p>continues to invest in infrastructure and technology to improve WARR outcomes. However, as noted in the options provided in this question, there remains a disproportionate emphasis on managing materials at end-of-pipe, which only seeks to perpetuate linear thinking. For Australia to move towards a circular economy, and not one that simply circulates and down-cycles, we require interventions (regulatory and policy) that require a product’s creation and lifecycle to design out waste and pollution. These interventions will enable all aspects of the supply chain to play a clear role in material management, which does not rely wholly on recycling. As noted above, a commonly accepted policy globally that can fund and drive this is the polluter-pays principle. Not only is this a logical solution, it is a proven concept, having been around since 1972 and is today at the heart of environmental laws in the EU, which most OECD countries have also employed. This principle is a powerful one because it provides moral, legal, and financial imperatives for product manufacturers to take responsibility for the products they create.</p>
<p>Other comments</p>	<p>While WMRR acknowledges that the department has attempted to articulate all the materials that can go into the FOGO, glass, and yellow bins, obligation on producers and emphasis on education is imperative as complex materials can be hard to spot and/or separate, e.g., waxed paper plates that could be interpreted as suitable for FOGO. WMRR suggests that in its education and communication campaign, the department places greater emphasis on what can go into these bins as opposed to materials that are not allowed, and how to effectively separate composite materials where appropriate.</p>