



Mr Tony Chappel
Chief Executive Officer
NSW EPA
6 Parramatta Square
10 Darcy Street
Parramatta NSW 2150

Email: circular.reg.reform@epa.nsw.gov.au

19 July 2024

Dear Mr Chappel

Re: Food and Garden Organics mandates

Thank you for the opportunity to provide feedback on the Food and Garden Organics mandates proposal paper. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$17 billion waste and resource recovery (WARR) industry. With more than 2,200 members from over 400 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs), including research bodies.

At the outset, please be aware that industry supports the objective of removing organics from landfill given the clear contribution that this has towards the creation of methane in the environment, which has 28 times more warming potential to the atmosphere than carbon. We note that the national agreed target is to half the amount of organic waste to landfill by 2030, this consultation, and in fact the NSW organics strategy would benefit from evidence on how these mandates assist in achieving this outcome, as well as informing the impact on what these may have as well as what else is required to be done in order to achieve the stated target.

In relation to the proposed business mandate, WMRR supports the requirement for large supermarkets and businesses to report on food waste to charities, but care is needed to ensure the reporting protocols are not so onerous that it will limit food donations received and have the opposite effect and encourage food waste disposal. The reporting requirement should not be transferable to the food donation charity. WMRR does however query how the premises 'residual bin capacity' will be identified and enforced by the NSW EPA to ensure the staggered start can occur.

As the mandate stands it would appear that the expectation that local government is the proposed authority to monitor and enforce compliance for businesses, we are advised that this is not supported by Councils or the NSW Food Authority. Local Government does not have the resources to regulate waste management requirements in businesses and institutions. The NSW Food Authority's position is that the Food Regulation Partnership will not be used as a means to monitor compliance of non-Food Act 2003 activities.

Further, it is unclear on what grounds, and at whose discretion exemptions will be granted- such a statement is rather vague and ambiguous for a programme that is proposed to be mandated and commence in little over 12 months' time. A clear process, with stated requirements and time frames is

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037

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

WMRR.ASN.AU



required in order for this to be effective, noting that accessing both collection and processing services can take up to 12 months depending on volume and availability of processing facilities and end markets. As such, WMRR is seeking a detailed implementation plan considering there is less than 12 months before the first cohort of businesses are required to meet the mandate.

Whilst in theory that 2030 start date for the household mandates is achievable there is a need for a lot more detail to be developed and agreed between industry and government, to determine whether this is in fact achievable. For example, WMRR seeks additional information to clarify 'relevant residential accommodation' given there is a significant difference in the material output of single unit FOGO and multi-unit dwellings (MUDs) which tends to be Food Organics only (FO). We also require greater understanding of collection frequency of residual bins capacity, and whether there will be obligations on contracts that are in operation at present that go beyond the proposed 2030 start date that currently do not have a FOGO service. Given the complexity of implementation for multi-unit households, it may also be necessary for the gradual implementation of the Household mandates, in recognition of contract expiry and renewal dates.

The actual service expected to meet the mandate also requires greater clarity, as mentioned above MUDs tend to produce FO only, in Victoria the proposed service standard stipulates that the FOGO service is to be provided with combined collection of FO and GO unless this is not reasonably practicable. The wording used by the NSW EPA implies that there may be some flexibility with councils adopting the most appropriate form of organics collection. Especially in recognition of multi-unit dwellings only producing FO. Further clarity is required as to classification of residential premises where councils are not responsible for the provision of FOGO services where council does not provide domestic residual waste services, or the property does not pay a domestic waste management charge. WMRR also seeks clarification on how precinct or communal business waste collection fit within the mandates, i.e. which mandate applies?

Avoiding the creation of food waste at first instance should be however the highest priority of the NSW government, with households wasting \$50 of food a week and 21% of Australian households experiencing severe insecurity on the last 12 months, there are very strong reasons to tackle this challenge further up the hierarchy as opposed to at the bin. We applaud the proposed donation recording but would note that there has been insufficient work done to intelligently deploy *Love Food Hate waste* in NSW with far too often support being provided only when organics contracts are entered into by councils- this is far too late. NSW must urgently deploy with End Food Waste Australia, broader Behavioural and Educational campaigns promoting food waste avoidance among businesses and households. The potential for such actions to stimulate behavioural change towards significant reductions in organic waste must not be underestimated, by focusing further up the supply chain and in the home (lists, recipes, cooking and storage) we can avoid creation of waste significantly, and therefore cost on all including councils who will have a reduced volume to collect if done well.

Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely

Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia

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