

14th November 2017

Project Manager
Waste Reform Project
Department of Water and Environmental Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850

Submission by email to: warr_reform@dwer.wa.gov.au

Dear Sir

Discussion paper – Waste levy and waste management: Proposed approaches for legislative reform

Cement Concrete & Aggregates Australia (CCA) is appreciative of the opportunity to comment on the Waste discussion paper. We are the peak industry body representing the heavy construction materials industry in Australia, including the cement, pre-mixed concrete and extractive industries, striving for best practice as described in our attached “Environmental Management Policy Statement”.

About CCA

CCA members account for approximately 90% of the \$7 billion in revenues generated by these industries that, between them, employ 18,000 Australians directly and a further 80,000 indirectly.

CCA members operate a vital industry that is the foundation of WA’s infrastructure and construction markets and to the entire WA economy. As such, it is an imperative that the regulatory framework in which we operate is consistent, transparent and minimises regulatory burdens.

Our industry provides vital Basic Raw Materials (sand, stone, limestone - BRMs), Cement & Concrete to the construction and infrastructure markets, without these materials supplied by our members WA’s roads, housing and buildings cannot be constructed.

Discussion paper – Waste levy and waste management

The sustainable use of construction materials is acknowledged to be important to the construction industry, including the responsible recycling of materials.

Our industry is actively trying to find ways of re-using and recycling unwanted and surplus construction materials generated by the construction industry. In this regard DWER’s support is requested to foster innovation, facilitating successful quarry closures and the recycling of concrete, sand and other construction materials. It is our members’ opinion, that focusing on these aspects, as opposed to increased regulation and levies would in the longer term generate better outcomes for industry, the community and the environment.

Referring the discussion paper, we submit the following comments:

1. **The definition of waste needs to be explored** such that materials that can be recovered and used for a different purpose, where it is useful and wanted, such as for rehabilitation, fill, construction or road sub-base, should not be defined as a waste and not attract levy fees.

2. **The recycling of clean “re-useable” materials should be promoted;** they should not be defined as waste and should not attract a levy. Examples of such materials that are converted into a useful product are clean excess plastic concrete mixed with sand, or crushed concrete mixed with sand suitable for use as road sub-base, or reused/excess sand and sand fill used to rehabilitate/fill a quarry.
3. **The use of recoverable construction materials should be promoted across government departments,** thereby facilitating the use of recycled products. Currently recycled products are being stockpiled due to the difficulty of meeting restrictive construction specifications eg. Main Roads’ requirements for road sub-base material currently limits the use of clean excess concrete crushed and mixed with sand and developers are not prepared to use a different “coloured” material. A multi-governmental approach may also address the market sensitivities currently experienced selling recycled construction products.
4. It is proposed that categories 61A and 62 be revised to clarify their purpose and the activity to which they apply. Category 62 (currently – Solid Waste Depot: Premises on which waste is stored, or sorted, pending final disposal or re-use) is proposed in the discussion paper to be amended to become the category for storage and sorting of and waste. **We propose that Category 62 (or a sub-category created for clean recyclable material such as sand, stone and concrete) is defined to be for the storage and sorting of recoverable materials that do not attract the levy.**
5. Category 61A (currently– Solid Waste Facility: Premises on which solid waste produced on other premises is stored, reprocessed, or discharged onto land) is proposed in the discussion paper to apply to recycling and reprocessing of solid waste. Category 61A would no longer permit storage or disposal of waste to land. **We propose that Category 61A (or a sub-category created for clean recyclable material such as sand, stone and concrete) is defined to be for the recycling and reprocessing of recoverable materials that do not attract the levy.**
6. Disposal to land would require the licensee to seek a separate landfill category licence. We recommend the following:
 - a. **These categories must not apply to the internal movement of materials,** be it within a given company’s site, or from one company site to another company site.
 - b. **The definition of “disposal premises” should exclude development sites** with incidental earthwork operations, or marina and land reclamation, as these premises are not being used for the dominant purpose of receiving waste and therefore the levy would not apply at these premises.
 - c. Similarly, an **exemption should be given to extractive industry operators** whose primary purpose is to recover a higher value Basic Raw Material and to then rehabilitate/earthwork the site with inert fill or sand or other construction materials. (eg how will old quarries be restored to new Structure Plan levels if a waste levy must be paid on backfilling?). Site rehabilitation should be exempt. The exemption would relate to the inert nature of the materials and their low to nil risk to the environment.
7. The proposed waste levy for Categories 61A and 62, payable upfront with a 12-month time limit for rebates on recycled material, which also applies to waste generated at licensed waste premises (i.e. non-third-party waste), is anticipated to have a negative impact on our industry and increase construction material costs supplied to government and other consumers. We recommend the following:
 - a. **Consider better regulation and monitoring** of Construction & Demolition recyclers through current licence conditions as a more effective management strategy than the introduction of a new levy.
 - b. **The new levy must not apply to internal company waste** storage or other materials, or to the movement of materials within or between company sites (ie not third-party waste).
 - c. **The new levy must not apply to existing reusable materials that are stockpiled.**
 - d. **Clean Materials that are directly recyclable into a useful product** should be exempt from a levy (eg clean fill sand, crushed concrete, brick, road base).
 - e. **A longer rebate period** (than the 12 months) for the recycling of inert materials should be provided due to current market difficulties in selling recycled products.

8. Introduction of new waste measurement, record keeping and reporting requirements for Category 61A or 62 licensed waste premises that are liable for the levy (e.g. compulsory use of weighbridges, monthly reporting), is anticipated to increase administration, thereby increase construction material costs supplied to government and other consumers. We recommend the following:
 - a. The requirement for **additional record keeping should be minimised** where possible.
 - b. **The new waste recording should not apply to internal company material storage.**
 - c. **The new waste recording should not apply to existing stockpiled materials.**

9. Consolidating five landfill categories in Schedule 1 and expanding the scope of landfilling activities (e.g. spreading, ploughing).
 - a. **The rehabilitation and backfilling of sites with clean inert fill (eg sand, recycled concrete) should be excluded** from categories on which levies will apply to avoid increasing the cost of rehabilitating sites. If a levy were to apply to this landfill category, a negative outcome could occur whereby it is more economical to not rehabilitate a site.
 - b. **The rehabilitation of extractive sites (quarries) should be facilitated** not made prohibitive through measures such as levies. The sequential use of quarry sites is viewed as good industry practice and serves the community interests.

CCAA thanks the Department of Water and Environmental Regulation for this opportunity to comment on the discussion paper on “Waste levy and waste management”. Please feel free to contact us if you would like to discuss it further.

Yours sincerely,



HARRY BACKES
State Director – Western Australia
CEMENT CONCRETE & AGGREGATES AUSTRALIA
Email: harry.backes@cca.com.au

Environmental Management Policy Statement



ENVIRONMENTAL MANAGEMENT AND THE AUSTRALIAN EXTRACTIVE INDUSTRY: OUR COMMITMENT FOR THE FUTURE

The Australian extractive industry provides sand, stone and gravel to support Australia's building and construction needs.

On average, every Australian consumes 7 tonnes of extractive material every year to build the roads, houses and other infrastructure we need.

The industry wants to do more in protecting and improving environmental values, and mitigating any impacts it may have. This statement sets out the values of the industry, and what it wants to achieve in relation to environmental management. Whilst it has a lot to be proud of, there is more it can do.

The industry's environmental values

CCAA members believe that:

- The industry plays a vital role in supplying critical construction materials for the community and has an obligation to do so in an environmentally responsible and sustainable manner.
- Environmental protection and enhancement is integral to the conduct of the industry's operations.
- The best environmental outcomes are achieved through collaboration, consultation, transparency and partnership - with community, government and other industry partners.
- Whilst the industry has made good progress in its approach to environmental stewardship, there remains opportunity to improve that will benefit both the industry and the broader community.

Environmental goals for the industry

The industry commits to do the following:

- 1.** Minimise the environmental impact of extractive operations, and where possible, achieve a net positive benefit to biodiversity and other environmental values.
- 2.** Work in partnership with government regulators and other stakeholders to achieve agreed environmental outcomes in an open and transparent manner.
- 3.** Share innovations in environmental management practices for the betterment of the community, the industry and the environment in which we operate. Promote and reward excellence, and learn from innovations from both within and outside of the industry.
- 4.** Develop the industry's capability in environmental management, through professional development, stakeholder engagement, technological advances and training.
- 5.** Strive for continuous improvement in the following areas of key relevance to our industry:
 - i. Stormwater management
 - ii. Dust management
 - iii. Noise management
 - iv. Blasting control
 - v. Biodiversity management
 - vi. Community engagement
- 6.** Regularly review environmental performance, including legislative compliance to identify areas of improvement.
- 7.** Improve the community's understanding of the extractive industry.

CONTACT US

NATIONAL OFFICE Level 10, 163-175 O'Riordan St, Mascot NSW 2020

POSTAL ADDRESS PO Box 124, Mascot NSW 1460 **T** (02) 9667 8300 **F** (02) 9693 5234

ADELAIDE **T** (02) 9667 8300 **F** (02) 9693 5234

BRISBANE Level 14, 300 Ann Street, Brisbane QLD 4000 **T** (07) 3227 5200 **F** (07) 3892 5655

MELBOURNE Suite 910/1 Queens Rd, Melbourne VIC 3004 **T** (03) 9825 0200 **F** (03) 9825 0222

PERTH 45 Ventnor Ave, West Perth WA 6005 **T** (08) 9389 4452 **F** (08) 9389 4451

TASMANIA PO Box 1441, Lindisfarne TAS 7015 **T** (03) 6491 2529 **F** (03) 9825 0222

ONLINE DETAILS www.ccaa.com.au **E** info@ccaa.com.au