

## WASTE AVOIDANCE AND RESOURCE RECOVERY BILL 2007

### *Committee*

The Chairman of Committees (Hon George Cash) in the chair; Hon Sally Talbot (Parliamentary Secretary) in charge of the bill.

**The CHAIRMAN:** In putting the question that the short title should be agreed to, I recognise that Hon Paul Llewellyn has some comments to make that he was unable to make during the second reading debate. Some latitude will be extended to him so that he can provide us with his extensive knowledge in this area.

#### **Clause 1: Short title -**

**Hon PAUL LLEWELLYN:** This will not sound as good when I say it the second time, but there is money in muck. At some point during my second reading contribution by default, I will seek leave to table my wastepaper bin to demonstrate just how much money there is in muck. The Waste Avoidance and Resource Recovery Bill 2007 is a landmark bill and it has been a very long time coming. It is worth having some sense of the history of it. A bill of this nature has been in the making for more than 20 years. That says something about the resolve of successive governments to get stuck into the issue of dealing with our muck. I believe that they have made a fundamental error in the way they have constructed the concept of dealing with waste resources and recovery. They have treated waste as a liability rather than as an opportunity. Effectively, we have become obsessed with the resource management of waste - in other words, the back end of the system that deals with the management of the waste recovery processes; that is, the digging of holes and issuing of levies and so on - rather than with effective waste avoidance. The Greens (WA) ask why a rational economy would produce waste in the first place. I do not want to make too much of a quantum leap into the future, but we cannot afford to allow an economy that is running smoothly and efficiently to countenance the concept that we should produce waste. Ecosystems have no notion of waste. The unused resources from an ecosystem or from an organism are used and integrated into the entire stream. Although that might not be the most energetically efficient process, it closes the cycle so that we have closed and more stable ecosystems. That is the concept that we should be moving towards when setting up our waste recovery and avoidance schemes. The day-to-day reality of dealing with waste is a far cry from the ideals of an ecosystem, but that is the way we should regard our waste.

When members visited the South Metropolitan Regional Council's waste recovery centre yesterday, they saw a constant stream of trucks bringing in load after load of waste. Effectively, the materials that flow into that system are an economic nutrient cycle. However, we treat those materials as waste and as a cost to society rather than as part of the material value of the economy. Changing our waste management processes midstream is like dismantling the engine on the right-hand side of a Boeing 747 while assembling another engine on the left-hand side of the plane and keeping it in flight. That is the task we face to transform our waste management schemes from a waste production process whereby we dig holes and put the waste into pits, into a fully functioning economic and material nutrient stream that has economic value. They are two quite different concepts.

The parliamentary secretary said that in time we will move to the waste avoidance part of that formula but that at the moment we must deal with the refuse and waste recovery. That is true. The bottles, cans, plastics and toxic materials that are made today must be recovered using a scheme that is functional for today. However, we must work towards a scheme that avoids the production of waste in the first instance. We will have to fundamentally rethink the way we manufacture and produce the materials that we produce, distribute and consume. What is the quickest way of doing that? The quickest way of doing that is not through a complex set of regulations, although that is part of it. The quickest way to do that is to place an economic value on those streams so that it becomes profitable for enterprises and businesses to make money out of muck and closing the cycle. We would then very quickly reach the point at which we would not have any waste. If there is one thing that we want to eliminate in the economy, it is the notion that it is okay to generate waste. What type of business would run efficiently using that parameter if it said it was okay to waste time, materials and resources? Why is it not possible to implement a strategy that provides an incentive for businesses to innovate and productively deal with waste?

We have tended to be obsessed with the back end of the waste stream - that is, the digging of holes and the management of the entropic end of the whole system - and not the front end. The front end involves changing the material standards, changing the efficiency standards and changing the price on our inputs such that they become valuable parts of the economy. It is not a difficult concept; it is just that we have undervalued waste. We have not put a value on our materials at the front end of the system, so they end up at the local dump. Local governments now have to deal with them. Because no-one has put any value on them, they end up as a liability at the back end of the system.

The Waste Avoidance and Resource Recovery Bill 2007 ought to be called the waste management bill because that is what it is about. In 10 years we will think about the avoidance part of this bill; for the moment we will deal with the entropy. This bill is an empty vessel. This emperor has no clothes. This bill sets up the legal

framework for something to happen but does nothing in itself because this entire bill is driven by regulations. New South Wales introduced a similar bill in 2000 that required a series of regulations to drive it. Lo and behold, no regulations have come into being. The container deposit legislation and the extended product responsibility regulations simply have not found their way into law. I have been proudly told that the Western Australian Waste Avoidance and Resource Recovery Bill is the mark V-Lamborghini-Rolls Royce of waste avoidance bills in the world, another of those Western Australian claims that we are at the top end of the whole scheme. In fact, we have a mark V-Rolls Royce-Lamborghini with no fuel.

**Hon Bruce Donaldson:** Do you think maybe some of us should look at it to make sure that's correct?

**Hon PAUL LLEWELLYN:** Does Hon Bruce Donaldson want to look at waste management plants around the world? I have done that. I was in Germany in the middle of winter last year, the only day it snowed. I was at a waste recovery facility and there was muck everywhere.

**Hon Kim Chance:** You missed the part of the speech when he was talking about 747s. I looked up and you weren't there.

**The CHAIRMAN:** I give the call to Hon Paul Llewellyn.

**Hon PAUL LLEWELLYN:** I have used the jet aircraft analogy. I do not want to be ungenerous about the Waste Avoidance and Resource Recovery Bill, but this is a case of "play it again, Sam" from the point of view of the Greens. I would like to read a few extracts from the Environmental Defender's Office of Western Australia's executive summary on this matter.

It states -

Western Australia has a number of waste management policies aimed at reducing the impact of waste on the environment, which include a vision of completely eliminating landfill waste.

That is a good vision. It is possible to do that. It continues -

Despite these policies, WA's total waste to landfill continues to increase and waste reduction targets fail to be met. For example, a target set in 1991 for a 50 per cent reduction in per capita waste to landfill by 2000 was not met when per capita waste to landfill increased by 25 per cent over that period.

We set a target, we wait and we overshoot the target by 25 per cent. We want to reduce it by 50 per cent. What is absent from that scenario? There are no economic drivers. There is no container deposit legislation that puts a value on the containers that turns them into the genuine value stream. That is the only thing that is absent from the whole of this waste policy in Western Australia. I guarantee that if there were extended product liability arrangements in Western Australia, we would have met that target. Instead, we put in place a strategy or a policy that effectively left it up to local councils to continue to collect and process waste that had very little value. That is the problem with public policy. The executive summary of the Environmental Defender's Office continues -

The failure to meet waste reduction targets is not surprising, given that the focus of current waste management law is to manage the collection and disposal of waste, rather than put in place regulatory and economic drivers to reduce and recycle waste.

This report outlines the current law, policy and practice on waste management (Part 3) and then suggests options for law reform to put in place drivers to reduce and recycle waste and otherwise improve waste management (Part 5). The report recommends the following reforms:

Because this is a public document, I will not read the whole of the executive summary, because I think I have made my point. Without paying attention to liberating creative enterprise business in solving these problems, rather than generating more waste and more problems for us, we will continue to deal with entropy and the chaos that we find in our waste recovery systems. We will continue to get partial recovery, and truckloads of glass will continue to be used as landfill because an end user cannot be found. We will continue to find that regional communities cannot afford to truck up the waste that they have meticulously collected and washed because the price they will get at the recycling facility, if it exists, is less than the cost of transport. How rational is that? We can continue to build Lamborghinis and leave them without fuel while the valves stick or we can take this up.

I asked a question in this place about whether the government had looked into the development of its container deposit legislation. It answered emphatically no, it would not be proper until a bill was in place and it would not look at it until it knew the structure of the bill. That is a complete nonsense. This bill has absolutely no legs without a rigorous, well-thought-out regulatory framework.

I have a fantastic set of reports describing how we have systemically failed to manage our waste and how we have shifted that burden to local governments. When they have failed to meet that responsibility, we have vilified people and said that local governments failed to do their job and the people in the community did not want to separate their waste. Why would they separate their waste if there is no economic signal that says,

“When you separate your waste, you get a return on investment for that 20 minutes a week that it takes you to clean your rubbish, to separate it and to put out the material flows into some lines”? If there is no return on investment, why do it? It is much easier to push all one’s rubbish into a pile and believe the newspaper that tells us that recycling in Western Australia is a hopeless endeavour. To some extent that is true, but it is very unfair because recycling of materials needs to be given economic breath. It needs to have the breath of life, which is a set of regulations that apply legally binding arrangements to put values on containers and obligations on the manufacturers to take full responsibility for a product from the moment they manufacture it to the moment consumers have finished with it. They must take full responsibility for where the constituent parts go to. Consider if we were to put in place extended product liability or extended producer responsibility. The two concepts are similar. If people were responsible for the fridges, motor cars, washing machines and consumer goods they produce for their entire life cycle, how would they design them at the front end? The cars, washing machines and consumer goods would be designed, first of all, to last a long time. Secondly, they would be designed to be dismantled at the end of their useful life. Thirdly, they would be designed so that there could be practical recovery. That is not what is happening at the moment. However, a simple change -

**Hon Bruce Donaldson:** If you pay a fee of \$38, they will exchange your washing machine and take away the old one and dispose of it. There is a \$38 charge.

**Hon PAUL LLEWELLYN:** That is right. However, if there were extended product liability or producer responsibility, not only would they take away washing machines, but also it would be in their interests to design washing machines to come apart. I saw some extraordinary examples of that in Germany. Products were produced and were designed to come apart and be reused. They were dismantling machines piece by piece and putting them back through the materials cycle. That is intelligent law. However, it is not the type of law we have been prepared to make. We have been prepared to go along with the fiction that consumers do not want to do this, that the responsibility is set with local authorities and that there is no market for the materials. We treat the materials as waste and as having no value even though the materials have been dug up and processed, energy and minerals have been used and intelligent communities and workers have added to the process to create plastic or whatever. That is simply irresponsible. It is time, in this place and in Western Australia, that we bite the bullet on the matter of waste and pass this bill and go directly to the Minister for the Environment and to the Premier and say that they should put in place the regulations that will drive this bill.

I will now give a per capita comparison of recycling activities state by state. In the Australian Capital Territory it is 16.76 per cent; in South Australia it is 14.78 per cent; in Victoria it is 10.81 per cent; and in Western Australia it is 8.12 per cent. We are only just a little better than Queensland when it comes to per capita recycling. We can do a whole lot better. One of the disadvantages we have is the Nullarbor Plain. It is very expensive to send material across the area. However, our position can also be an advantage because we are close to South-East Asian markets. That means that we need to innovate technologies that can do this on a scale which is both economically viable and which can operate on a smaller scale. That is a challenge we have. It will be met only if we put a genuine value on waste.

I will now look at waste reduction targets. I said that in 1991 the waste minimisation and recycling strategy aimed for a 50 per cent per capita reduction in landfill by 2000. In fact, there has been a 25 per cent increase in per capita waste. In 2000 we rethought the problem and came up with the WASTE 2020 strategy. These are ambitious and good strategies. Can we achieve zero waste by 2020? The target will not be met on current trends. In 2004 the statement on strategic direction for waste management in Western Australia was released. The aim was for zero waste in Western Australia, but no date was set. The target will not be met on current trends. The thing that is absent is market drivers. It is simple. I appeal to the opposition, which can see the good sense of putting in place economic policies that drive enterprise and investment, to hear the plea that, rather than obstructing container deposit legislation and extended product liability, we should engage with opportunities and invest in the future and create more business opportunities for local governments and local enterprises. We will then be truly realising the money in muck.

I did not even table my wastepaper bin!

**Hon SALLY TALBOT:** I will address some specific points that have been made by Hon Paul Llewellyn. I thank him for his contribution. He, like many of us, feels very passionately about these issues. He makes a number of extremely pertinent and very relevant points about this kind of legislation. I cannot say that I always agree with Hon Paul Llewellyn, and I am sure that he would be extremely concerned were I to indicate that I did. I have to say that the government completely agrees with his comments about the need to make a fundamental shift in our attitudes towards waste, including having a focus on avoiding waste in the first place. I think I explained that point, albeit in a somewhat abbreviated fashion, at the end of the second reading debate when I talked about the fact that achieving zero waste by 2020 is not just an aspirational notion; it includes an expectation that we will have significantly changed our attitude to waste avoidance, to reducing the waste we

produce and to the fundamental concept of waste itself. In time we will not see waste as waste, but rather as a resource that we can recover and reuse.

It is a bit of a rhetorical device for Hon Paul Llewellyn to suggest that when I talk about the need to make these fundamental changes by 2020, I am saying that we are going to start thinking about it in 10 years. I am most definitely not saying that. I think that Hon Paul Llewellyn understands perfectly well that these kinds of medium to long-term targets mean that we are going to start changing things right here and now. In fact, what Hon Paul Llewellyn has spent some time describing is precisely the brave new world that these bills enable. The whole concept of container deposits and extended producer responsibility is very well covered in this bill. What we are trying to do here is to empower precisely the kind of rigorous regulatory framework that will enable us to explore the best kinds of container deposit schemes and producer responsibility. We will interfere not when industries are doing the right thing, but when they continue not to do the right thing, these bills give us precisely the mechanisms we need to act decisively.

I will specifically talk about the points Hon Paul Llewellyn made about other states and the approaches they have taken to these issues. This is not New South Wales. We have looked at the issues with the New South Wales Waste Avoidance and Resource Recovery Act 2001. We have identified the precise problems with it. That act was and still is impeded by constitutional issues. We have learnt from those problems and we have specifically addressed them in these bills; hence these bills, if enacted, will be effective and have teeth to bring about just the kind of fundamental shifts in attitude which Hon Paul Llewellyn has spoken about and which he so often advocates with great passion in this place.

**Hon BARRY HOUSE:** I also seek the chamber's indulgence to make a few comments on the short title, because I had intended to make these during the second reading debate, but I ducked out for a few moments to collect some papers and when I came back the parliamentary secretary was summing up. I will not be very long but I wish to make a few comments on a couple of issues pursuant to a question which I asked yesterday in the house and which has been referred to.

It seems to me that Western Australia has a lot of ground to make up in this area. My anecdotal experience goes back to 1984 when I was part of a Rotary group study exchange team in Japan. As part of that tour we visited a waste facility in the city of Kobe. The city has a population of 1.5 million to two million people. Its waste facility catered for virtually all the rubbish from the city, which resulted in minimal landfill, and that was over 20 years ago. The rubbish was sorted, processed and disposed of much more efficiently than has been done in this state for some time, so they were on the right track even at that stage in regarding waste as a resource and not simply as waste. That extends very much to water as well and waste water treatment plants. Our waste water treatment plant operators tend to think that their job is completed when waste water treatment has finished to the extent of satisfying safety and health concerns. I do not accept that. I think there is a responsibility for it to go further than that. Perhaps we should be looking at solid waste in the same way. Of course, the previous speaker and other speakers are right: this will not happen until it is economically viable, and that is the key. Many shires in the state are doing their best and a terrific job by cooperating with surrounding shires, but they are of course limited by their charter. Their charter means that they must have some financial responsibility to their ratepayers. They cannot go beyond that.

One of the specific points I want to raise refers to the question I asked yesterday in the house, which related to a prime example from Western Australia, and that is the Lions Club of Leeuwin operating in Augusta. This was brought to my attention just a couple of days ago. My office received this letter on 28 November from the Lions Club of Leeuwin; it is headed "Re: WA's Recycling Shambles" and reads -

This is to seek your assistance in spreading the message that the Carpenter Government is allowing the Recycling industry in country areas to gradually fall apart.

It goes on to explain just what is done in that area. It states -

In Augusta the Leeuwin Lions Club currently processes more than 800 tonnes of material annually or 15 to 20 tonnes each week. Currently we are charged the comparatively modest fee of \$30 per tonne by -

I am sure that the local transport operator will not mind me relaying its name -

Minchins for transport to Perth where we are paid only \$60 per tonne for crushed glass and \$70 per tonne for baled cardboard.

This means that despite having no labour costs, a handful of dedicated Lions supported by about a dozen community volunteers are "slogging their guts out" for a gross return of about \$30 per tonne which equates to working for a meagre \$7.50 per person per hour before covering other outgoings. And Augusta is regarded as a "model" for others to emulate.

Enclosed with that letter was a copy of a letter the club had written to the Premier outlining its significant history and making the same sort of points. The Lions Club of Leeuwin does an outstanding job. It has a fantastic recycling centre, which caters for over 70 per cent of the solid waste generated in that community. I think it is well over 70 per cent, although I am not sure of the exact figure; however, it is very high by comparative standards. The Lions Club does this work, primarily, as a community service. I guess that Augusta's population is largely made up of retired people; certainly the Lions Club of Leeuwin is largely composed of retired people. It might be said that they have time on their hands. Yes, they do, but they are prepared to put that time into their community for a good cause. They work extremely hard and do a fantastic job for the greater good of their community. By the way, they also significantly supplement their local council's responsibility for recycling and waste management. The Shire of Augusta-Margaret River primary waste facility is at Davis Road in Witchcliffe. The shire is also very conscientious about the way in which it treats all waste, from green waste right through to solid waste. It also subsidises to a very limited degree the Lions Club of Leeuwin by providing an annual subsidy of \$13 000. However, as the Lions Club of Leeuwin points out, the crunch comes when the material must be moved from Augusta to Perth, where presumably the collection points are and processing will take place to a limited degree, although we have heard that glass is not processed in Western Australia, which is a great shame.

I asked my question to do exactly what the Lions Club of Leeuwin requested me to do; that is, to follow up and, I guess, spread the message about its situation, which I am sure reflects many situations throughout the state. It is a prime example, because the club has had a recycling program for 30 years, and one that it takes very seriously. It does a wonderful job, for which it should be applauded by everybody in the community. My question related to the government's response to that situation, in particular to the transport costs that make their whole operation marginal and that make them wonder whether they are fully appreciated. The parliamentary secretary's answer yesterday seemed to revolve around the fact that the state has some grant schemes to assist. They were mentioned in the answer as the strategic waste initiatives scheme and the community grants scheme, which directly support waste recycling and are available to organisations throughout the state. The parliamentary secretary also said that the government had introduced the rural recycling cost offset scheme to assist local authorities in regional Western Australia. The answer mentioned funding of more than \$230 000, which does not seem a lot for a state the size of Western Australia, which has many local authorities.

Following that brief background, and using the Lions Club of Leeuwin as a primary example, will the parliamentary secretary outline in some detail exactly what those schemes will deliver to local authorities and community organisations such as the Lions Club of Leeuwin? She seemed to place a great deal of store in those schemes in the answer she provided to the house yesterday.

**Hon SALLY TALBOT:** I will work backwards through the points Hon Barry House raised and elaborate on the answer I gave yesterday about the regional transport costs associated with waste recycling. I will start by reiterating the point I made yesterday about the government's recognition of the work done by the Lions Club of Leeuwin, which the Minister for the Environment is very much aware of and extremely complimentary about.

Hon Barry House is right: I did talk about the strategic waste initiatives scheme and the community grants scheme. I understand that the Lions Club of Leeuwin is already in receipt of some funding and has been encouraged, through the answer provided by me yesterday on behalf of the Minister for the Environment, to apply for more funding. If members read the answer I provided yesterday carefully, they will see that although I made reference to those schemes, I also placed a great deal of emphasis on these bills and how they will address some of the broader problems, such as the tyranny of distance related to the specific geographic situation of many communities in our state. In particular, I draw the honourable member's attention to the establishment of the Waste Authority and its specific brief, which is to establish a statewide approach to these issues.

That means a couple of things. Firstly, it means that initiatives such as the strategic waste initiatives scheme and the community grants scheme will be looked at on a statewide basis to see whether they are the most effective way of providing funds to groups and organisations, such as the Lions Club of Leeuwin, to achieve the best outcomes for waste recovery and recycling. The second and perhaps more important point is that the Waste Authority will be charged with developing a statewide waste strategy. At the moment, a set of commercial and logistical parameters come into play whenever a group like the Lions Club of Leeuwin becomes involved in this kind of recycling project, but WA does not have a statewide coordinated approach. If it did, one could imagine that specific schemes would run in particular areas, which would go a long way to streamlining resource recovery in a way that would reduce those transport costs, or at least make them reasonable. The particular problems experienced by the Lions Club of Leeuwin are precisely why WA needs this legislation.

The tyranny of distance is only one of the considerations that must be brought to bear in developing a statewide strategy. Yes, WA does have a lot of ground to catch up. The government has acknowledged that from the beginning of the formulation of these bills, and it does not shy away from it. The government is determined to make up that ground as quickly and efficiently as it can, which is why this legislation is needed. It has been

good to find, during the process of taking these bills through the Legislative Council, that the government has general support to get this legislation up and running.

The bills also specifically recognise that producers must be a part of the solution. All over this state, organisations such as the Lions Club of Leeuwin work extremely hard and come up with very innovative and creative solutions. However, until a concept of extended producer responsibility permeates the mentality of producers, in a sense, we will always be playing catch-up. To refer to some of the points Hon Paul Llewellyn made, this problem must be addressed from both ends of the scale. It cannot be left to organisations such as the Lions Club of Leeuwin to work out solutions.

**Hon Paul Llewellyn:** My point was that if a value is put on the waste stream, the Lions Club of Leeuwin will get a return on the investment of its time. It is not being innovative; it is collecting rubbish and material. Its members are being good citizens. That is not where the innovation has to come in. The simple matter is that if there's no value on the waste stream, it will not get a return on its investment of time.

**Hon SALLY TALBOT:** That point is very well made, and not for the first time, by Hon Paul Llewellyn. I have said before that the government absolutely agrees with his comments about having a fundamental shift in attitudes towards the whole concept of waste.

Hon Barry House talked about a trip to Japan some years ago. I cannot comment specifically on the project he was talking about; however, I will make a general comment. From his comments, I imagine that the scheme he looked at involved incineration, and it seems to the government that WA can get enormously better environmental outcomes by getting rid of waste by composting.

**Hon Barry House:** There was minimal incineration. There was some.

**Hon SALLY TALBOT:** The government wants to look at composting because it believes that that would provide much better environmental outcomes all round than any sort of incineration.

**Hon BRUCE DONALDSON:** As members are well aware, we live in a society of packaging. Value-adding is talked about, and there is always an argument that a lot of our products, whether it be mineral resources or whatever, should be value-added, including the packaging of food. That has become increasingly the case over the past 10 to 15 years. In a supermarket everything is packaged. I am interested in the area of - the Minister for Fisheries would well understand this - the very sophisticated packaging of seafood overseas, which is value-adding the product. The waste stream of packaging will increase naturally with the increase in population and also with the general trend of manufacturers etc to package everything for us to consume.

My second comment is about the state waste strategy. WA has to be very careful to not adopt a broadbrush approach. There is a set of parameters that need to be well and truly addressed in the metropolitan area, which has the biggest waste stream. However, what can be done about small rural shire councils, even when a group of them get together? They face high transport costs and they do not produce enough waste to make it viable to have waste recovery centres. If a regional waste recovery centre was to be set up somewhere, there would be a significant cost involved in shifting the waste from A to B and the end product from B to C, where it would finish up. The issue of composting is a bit of a problem. We really do not yet have the technology to adequately separate materials - there are still glass fragments in compost. There are still significant problems. The parliamentary secretary will be well aware of the inherent problems involved in selling such compost to the average householder. There are different categories for that particular composting. Some work needs to be done there, and this situation is very relevant to the levy. Local governments are making investments - the state government also has a responsibility - to make sure that far more compost is retrieved from those waste recovery centres. This outcome, as the parliamentary secretary said, is very important. I listened with interest when the parliamentary secretary talked about composting. These are some of the measures that will be taken under this legislation.

**Hon SALLY TALBOT:** Hon Bruce Donaldson's point about packaging is extremely well made. I have seen statistics over the past couple of weeks that support his point. I will be happy to supply them to him when I track them down later. The honourable member is absolutely correct in saying that over the past three to four decades, the amount of packaging has increased exponentially, without any particular grounding other than perhaps making products more attractive on the shelves or whatever. We have to ask ourselves: where are the incentives to reduce packaging or to make it more sustainable and environmentally friendly? The answer is that the incentives will be provided in the frameworks established under this bill. That is one of the things the government has recognised in devising the bill in this form, and it is one of the outcomes the government firmly expects to see put in place over the short to medium term.

**Hon Bruce Donaldson:** Would tax incentives also be something that could be pursued between the state and federal governments?

**Hon SALLY TALBOT:** I can certainly make that point in the quarters it needs to be made. Hon Bruce Donaldson is absolutely right; the government completely agrees that it is important to develop the statewide approach. It is certainly the method that the government wants to use to move the field of resource recycling into the twenty-first century. However, the statewide approach will not operate under the assumption that there can be a one-size-fits-all solution. The government has acknowledged from the beginning that there will be quite different solutions in different areas of the state for usage of the waste stream. I am sure that Hon Bruce Donaldson will already be aware of this, but I draw honourable members' attention to a component part of this bill: the waste planning development scheme, on which the government will spend more than \$3 million. It will be a payment to local governments to develop their own local zero waste plans. I can report to the house that more than 80 per cent of councils are already participating in the waste planning development scheme, which is extremely gratifying. These local schemes will be carried out on a voluntary and cooperative basis with, as I have said, more than \$3 million in government support.

**Hon PAUL LLEWELLYN:** I refer to the explanatory notes for the Waste Avoidance and Resource Recovery Bill. They outline some of the main features of the bill, and explain that the bill is designed to provide head powers for the making of regulations, to establish the Western Australian Waste Authority, and to develop a waste strategy and annual business and waste plans that filter down to local governments. I make the point that local governments are not short of plans. What is absent is a value stream. All the best-laid plans go nowhere if local governments cannot afford to transport the materials simply because they do not get enough value back. The bill also seeks to encourage the establishment of voluntary product stewardship agreements by industries to address the management of their waste products. The explanatory notes state that the bill will create and provide -

... head powers for regulations to establish mandatory extended producer responsibility (EPR) schemes, where the voluntary approach has failed ...

How long will we have to wait for these voluntary mechanisms for extended product liability? What is a reasonable time to wait before admitting that the voluntary approach has failed, given that we have been overshooting targets for the past 20 years?

**The CHAIRMAN:** Members, I will give the call to the parliamentary secretary, but I indicate that we are now in fact dealing with part 4 of the bill, which raises issues such as business plans and waste plans. We are still dealing with the short title. I will give the parliamentary secretary the opportunity to respond to the question if she so wishes, but we will then need to move through the specific parts of the bill so that we can identify particular issues.

**Hon SALLY TALBOT:** Hon Paul Llewellyn asks a specific question about time frames for the development of regulations. I make the point that one cannot technically draft regulations until a bill is passed. That is something that has very much been on the mind of government and, I am sure, of Hon Nigel Hallett, who has carriage of the bill for the opposition, and of Hon Paul Llewellyn. That is one of the reasons we wish to proceed with minimal delay to pass this legislation so that we can then put in place a regulatory framework. I also make the very brief point that empowering local governments to deal with resource recovery in a more creative way is a central component of this bill. Local governments are currently hampered by the fact that their resources recovery and waste processing arrangements fall under a public health act, which does not specifically deal with the pressing environmental issues of sustainability of waste recovery. Hon Paul Llewellyn reinforces the need to expedite the passage of this legislation so that we can then work on a robust regulatory framework that will take us forward in this important area.

**Clause put and passed.**

**Clauses 2 to 101 put and passed.**

**Schedules 1 to 5 put and passed.**

**Title put and passed.**