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To Whom It May Concern,

The Australian Council of Recycling (ACOR) welcomes the opportunity to comment on the Victorian discussion paper, Managing e-waste in Victoria.

ACOR is the peak national industry representative of the resource recovery industry representing over 35 significant companies, covering 80% of the industry and some local governments. According to the latest industry data, the resource recovery industry nationally recovered 31.9Mt (i.e. worth of estimated \$14.2billion) in resources in which Victoria contributed 8.27Mt (i.e. worth of estimated \$3.47 billion) in 2014-15<sup>1</sup>. We represent the industry in advancing its contribution to developing a profitable and sustainable circular economy.

The landfill disposal ban for e-waste should deal in detail with:

- A comprehensive information/data/material flows for electronic import, sold, collected, stockpiled, recycled and disposed to landfill through official channels and outside of official channels.
- Establishing a dedicated collection stream for e-waste to avoid contamination with existing waste streams, e.g. general waste and kerbside recycling.
- A process that allows the resource recovery industry to meet the need in terms of existing infrastructure and market capacity to recycle/recover the significant increase of e-waste once the ban is imposed (e.g. bankable long term contracts with security in feedstock).
- Adaptability in markets for emergent e-waste.
- Resource allocations to cover the true cost of e-waste to the community, including negative externalities such as environmental justice, finite resource depletion, human health and safety.

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<sup>1</sup> Inside Waste Industry Report 2014-15

- Consideration of possible exemptions for non-e-waste recyclers in relation to low levels of e-waste contamination in other recycling streams, e.g. kerbside material recovery facilities (MRFs).
- The implementation of e-waste landfill ban should note the context of broader international and national actions, e.g. the Basel Convention and the National Computers and Televisions Recycling Scheme, but not be solely reliant on them as their robustness and sustainability is not assured with one co-regulatory collection arrangement already failing, with more consolidation possible due to the benefits of economies of scale in logistics operations.
- The ban will need to be very well resourced, regulated and policed. An unintended consequence of the ban is it may act as catalyst for organisations to start offering ‘recycling’ solutions to waste generators/owners, including organisations which currently receive and aggregate the e-waste however that these “solutions” may not be performed in accordance with standards that reflect good OH&S and environmental outcomes.

More specifically:

### **1. Stockpiling and illegal dumping**

Anecdotal evidence suggests that landfill disposal bans result in increased level of illegal dumping activities which include disposal in bushlands or remote areas, stockpiling and shipment of waste overseas where countries have no or low environmental standards and weak enforcement in terms of hazardous waste import and final disposal. These activities directly impose serious environmental and public health risks. The implementation of the National Television and Computer Recycling Scheme (NTCRS) demonstrated illegal dumping and stockpiles of CRT glass when the scheme was implemented, while the resource e-waste recovery industry was actually reduced in size by the use of annual mandated targets for the scheme which led to co-regulators simply turning off e-waste feedstock as soon as targets were met.

The problem of stockpiling and illegal dumping also creates additional cost for local councils and EPAs to clean up and dispose of the materials. The cost is incurred by ratepayers, government and the broader community.

In order to address the problem of stockpiling and illegal dumping, ACOR suggests that complementary policies such as mandatory waste sorting and handling requirements, arrangements for separate collection and full investigation of the legalities of producer responsibility measures and sponsored waste should be considered in order to support e-waste landfill disposal bans. Stockpiling could be dealt with the introduction of mass balance reporting and upfront levy liability. This would have co-benefits beyond e-waste.

## **2. Incentives for e-waste resource recovery**

The E-waste landfill ban has the potential to be an effective instrument to make diversion and recycling options more competitive. However, the current price of e-waste recycling is less competitive than landfilling, given the cost of recycling most types of e-waste is greater than the revenue generated from the recovered materials, often the cost of landfill disposal (between \$150 and \$250) is much cheaper than recovery (between \$500- \$1000). There is a strong need for the government to provide incentives to create a market for e-waste recovery. ACOR suggests that the government can utilise the revenue generated from the waste levy to address the issues identified in section 4, table 2.

ACOR encourages the government to use a purchaser provider model which provides e-waste recyclers with funding (directly or indirectly) through the revenue generated from the waste levy. The funding can be allocated to recyclers to provide recovery tonnages and as necessary upgrade their existing infrastructure and advance technology to recover e-waste components that often tend to be disposed to landfill with long run contracts to provide certainty in feedstock and plant and equipment requirements.

ACOR cautions against using charitable recyclers as they typically do not have the commercial acumen or balance sheets to deal with volatility as evidenced by their repeated financial and compliance failure under the NTCRS. There is also a competitive neutrality issue where low cost labour from disabled persons is used to compete with the private sector.

## **3. Design of e-waste landfill ban**

To ensure an effective e-waste landfill ban in Victoria, ACOR agrees that the Victorian Government should take a phased approach and the determination should be based on criteria set in section 6.1 of the discussion paper.

In addition, both regulatory and non- regulatory tools are fundamental to the success of implementing e-waste landfill ban. ACOR supports all types of tools and examples outlined in section 6.4. In terms of licensing requirements for the processing of waste, ACOR suggests that the licensing requirements should extend to final disposal of e-waste when all the recyclable materials has been extracted. ACOR would also like the Victorian Government to consider a mandatory reporting requirements (i.e. mass balance reporting) of the entire e-waste supply and value chain. The introduction of mass balance reporting is effective to reduce illegitimate operators, address the issue of illegal dumping/stockpiling, increase revenue to government, the resource recovery industry and local government, and improve the reliability of data in relation to e-waste movement and disposal.

Financial mechanisms, such as an industry innovation fund could also be provided for the resource recovery industry to upgrade existing facilities and advance technology to cater the further increase of e-waste, and attract investment and employment creation in the State.

In general, ACOR supports the propositions outlined in the discussion paper. We believe that the proper implementation of e-waste landfill ban will effectively reduce waste going into landfill, increase recovery of valuable resources, and most importantly, support jobs and investment in Victoria's resource recovery industry. ACOR stands ready to further assist the Government in the process.

Yours sincerely,

A handwritten signature in black ink, appearing to read "G. Musgrove". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

*Grant Musgrove*

**Chief Executive Officer**