



Closing the Loop Review  
Department of Water and Environmental Regulation

<https://consult.dwer.wa.gov.au/waste-policy/closing-the-loop>

Dear Sir/Madam

I am pleased to present the Waste and Recycling Industry Association of Western Australia (WRIWA) submission in response to the waste reform consultation *Closing the Loop*.

WRIWA represents the commercial waste and recycling sector in WA; our current Board members are listed at [www.wriwa.com/wriwa-board/](http://www.wriwa.com/wriwa-board/). Our mandate is:

- 1) To achieve best practice environmental outcomes from collection, processing and disposal of waste; and
- 2) To ensure markets are fair and transparent, ensuring competition occurs on a level playing field, that drives value for customers and a fair return on investment for members.

We thank the Department for this opportunity to respond to Closing the Loop (CTL). As you will see from our attached submission, the issues addressed are central to our members. Closing the Loop has the potential to dramatically change the waste and recycling landscape in WA.

We are submitting two versions of our submission:

1. A **CONFIDENTIAL** version which contains information which could lead to the identification of whistle blowers, or disclose confidential investigations being carried out by DWER. This submission is not for publication..
2. A **FOR PUBLICATION** version with all confidential information removed.

You are no doubt aware that WRIWA has been meeting on a quarterly basis with Director General Mike Rowe and other senior DWER officers (Stuart Cowie and Sarah McEvoy) since early 2019 to discuss the underlying systemic problems that the current Landfill Levy Regulations have presented. Thanks to departmental actions arising from those meetings, we have since seen one of the sites that we believe was actively engaged in levy avoidance cease that activity.

Industry is looking for a systemic solution to a systemic problem and WRIWA has supplied to the Department evidence suggesting that avoidance exceeds revenue collected (in 2018-19 collected \$83m; avoided \$93.3m).

*Closing the Loop* is therefore a very important paper. In our submission, which is the result of intensive consultation among WRIWA members, we do not support continuing the status quo as an option, while we do support changes to the current regime.

We acknowledge that developing new or amending existing regulations is complex, and the number of options and the complexity of their potential interactions has been challenging for WRIWA to fully comprehend and address. (In that context we are most grateful for the time and assistance offered by Lucinda Peters who has endeavoured to answer all our questions.)

However while the WRIWA submission certainly reflects our views based on our understanding of what is proposed, it is less certain to us that the paper will achieve the necessary and desired real world outcomes that are intended.

WRIWA has considered an equitable approach for all of industry in responding to Closing the Loop (CTL). We want to be sure that the measures proposed will end systemic levy avoidance while making sure that legitimate players are not unintentionally adversely affected

We see value in a further consultative process following consideration of this current one, to model and clarify that the implications of the preferred options are likely to actually achieve their intended purpose.

WRIWA considers that this review is probably the most significant change in waste and recycling regulation since the inception of the Levy and a very important opportunity.

We believe there is a need for modelling of the potential outcomes for the waste and recycling sector based on recommendations made in the various submissions. We would suggest that this then form the basis of further consideration through forums for concerned parties.

Thank you for considering WRIWA's submission to the *Closing the Loop* consultation. If you have any queries, please contact Michael Bobrowicz, Executive Officer WRIWA, by phone on 0418 190 861; or by email at [michael@wriwa.com](mailto:michael@wriwa.com)

Warm regards

Michael Harper  
President  
WRIWA

21 July 2020