



E-waste to landfill ban in Western Australia

Implementation plan -
update



May 2024

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Acknowledgement

We acknowledge the Traditional Owners, the Whadjuk people of the Noongar Nation of the land upon which we live and work and pay our respects to their Elders past and present. We recognise the practice of intergenerational care for Country and its relevance to our work bringing it to life on Whadjuk Noongar Boodja*. We seek to listen, learn and genuinely engage and build strong partnerships. We aim to provide sustainable opportunities for Aboriginal people within our workforce and through our business.

Country is a term used by Aboriginal people to describe the lands, waterways and seas to which they are intrinsically linked. The wellbeing, law, place, custom, language, spiritual belief, cultural practice, material sustenance, family and identity are all interwoven as one. Working with the community, we move forward with a shared commitment to protect and conserve Country for our future generations.

* The Department of Water and Environmental Regulation's head office, Prime House, is located in Joondalup, on Whadjuk Noongar Boodja. The above Acknowledgement of Country was endorsed by the department's Aboriginal Water and Environmental Advisory Group.

Preface

Department of Treasury Better Regulatory Practice recommends that a decision regulatory impact statement should discuss implementation plans and provide an outline of review plans.

This version of the implementation plan supersedes the original draft, published as an Appendix to the Decision Regulatory Impact Statement in October 2023. Further subsequent updates to this plan may be published as the fine details around implementation of the e-waste to landfill ban in Western Australia are confirmed.

Introduction

The State Government made an election commitment to deliver a statewide ban on e-waste disposal to landfill by 2024, to improve the management and recycling of the e-waste we produce.

This commitment builds on growing community expectations about how we manage end-of-life products. When Western Australians provide e-waste items for collection, it is important they are recycled and not taken to landfill. By removing landfill as an option, combined with community education and government grants to support collection and recycling infrastructure, the ban is anticipated to significantly increase the amount of e-waste being recycled by Western Australians.

The ban aligns with the vision, targets and objectives of the waste strategy and aligns with the department's *Strategic Plan 2022–26*.

Purpose

The purpose of the implementation plan is to give an outline of actions, timing and governance of the implementation of a ban on the disposal of e-waste to landfill in Western Australia.

Design and development

In 2021, following announcement of the commitment to ban e-waste from landfill by 2024, the Department of Water and Environmental Regulation (the department) was tasked with the design, development and implementation of the ban.

The core approach underpinning the design of the ban was to ensure that an alternative to landfill disposal provided a practical approach that complemented established waste management schemes, supported industry and the economy, maximised resource recovery of materials and aimed to limit the risk of adverse outcomes.

Since 2021, the following actions have been undertaken:

- 2021: Publication of *Western Australia e-waste material flow analysis* (Encycle Consulting 2021)
- 2022: Publication of *Cost benefit analysis of options for an e-waste landfill ban in Western Australia* (Synergies Economic Consulting 2022)
- 2021–22: Research, policy, and development work to design potential

implementation options to give effect to an e-waste to landfill ban in Western Australia

- 2023: Publication of *E-waste to landfill ban in Western Australia: Consultation paper* (DWER 2023a) and completion of 10-week public consultation process
- 2023: Round 1 of the E-waste Infrastructure Grants administered (open for applications, assessment period, grant funding recipient decisions)
- 2023: Publication of the *E-waste to landfill ban in Western Australia: Consultation summary report* (DWER 2023b)
- 2023: Establishment of, and engagement with, the E-waste Technical Advisory Group
- 2023: Publication of the *E-waste to landfill ban in Western Australia: Decision regulatory impact statement*
- 2023: Development of *Consultation draft: Waste Avoidance and Resource Recovery (e-waste) Regulations 2023*, and *Consultation draft - Information paper*, and 8-week public consultation
- 2024: Publication of the *E-waste to landfill ban in Western Australia: Consultation summary and response report*

The ban is expected to be enacted in the first six months of 2024.

Proposed implementation activities

Key action areas/milestones for the successful implementation of the ban have been identified. They are:

- communication and engagement
- grant funding
- ban commencement
- ancillary governmental changes
- regulatory actions
- ban evaluation and monitoring (including cost monitoring)
- reporting and recordkeeping.

A brief description of each action area is provided below.

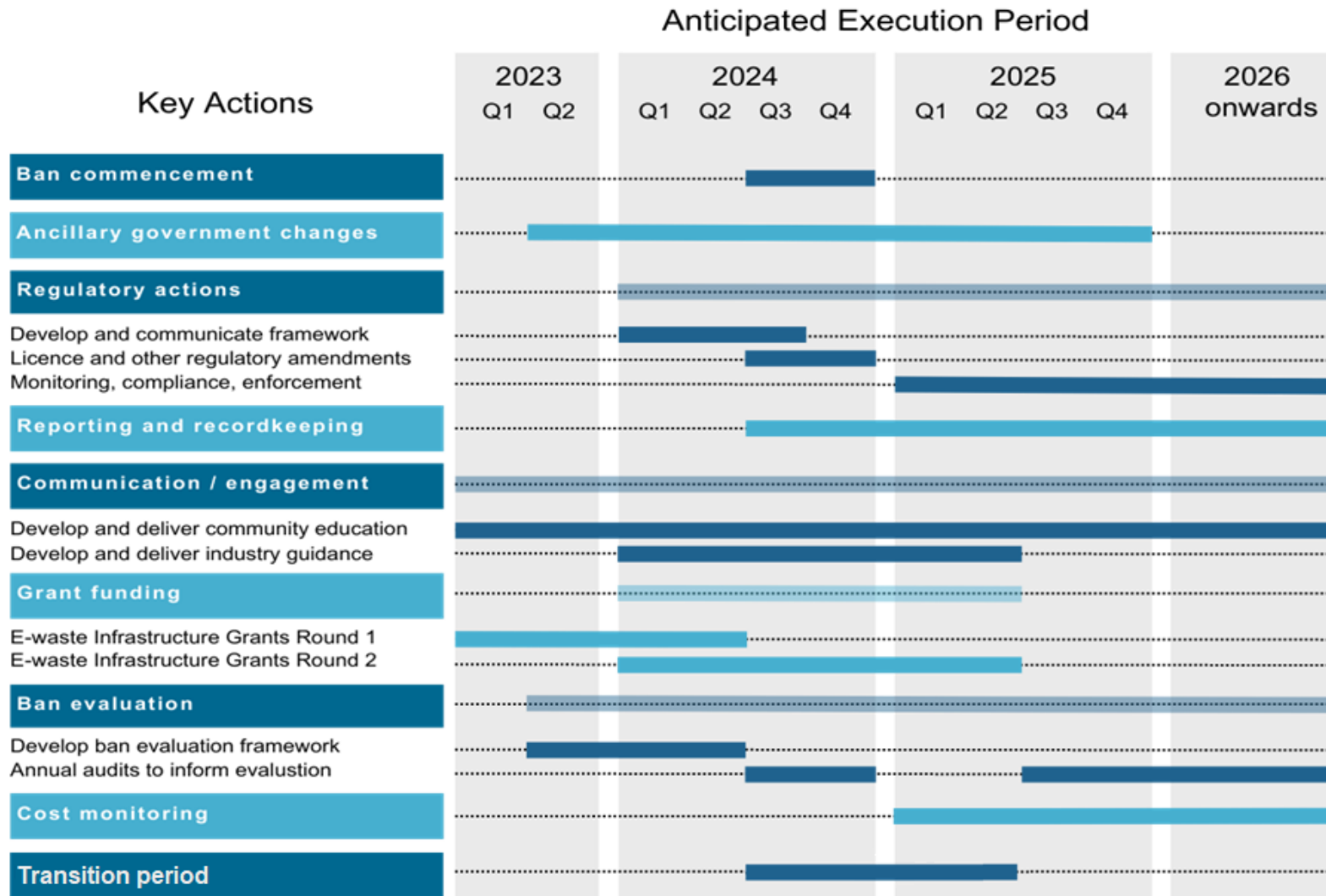
Table D1 Key implementation actions

| Key action | Description | Responsible |
|------------------|---|---|
| Ban commencement | <ul style="list-style-type: none"> • Legislation and regulatory change signalling commencement of a ban on e-waste disposal to landfill. | State Government: <ul style="list-style-type: none"> • Department of Water and Environmental Regulation • Parliamentary Counsel's Office • Executive Council • Joint Standing Committee |

| Key action | Description | Responsible |
|--------------------------------|---|--|
| Ancillary governmental changes | <ul style="list-style-type: none"> Identify and implement updates, changes, and/or reviews for government procurement processes including Common Use Agreements in line with the ban and objectives. | State Government: <ul style="list-style-type: none"> Led by Department of Finance Applicable to and actioned by all relevant government agencies, boards, and committees |
| Regulatory actions | <ul style="list-style-type: none"> Develop and communicate framework for compliance, monitoring, and reporting required outside of, or in conjunction with, existing mechanisms. Amendments to licences and other regulatory requirements where required. Conduct monitoring, compliance and enforcement under the ban following commencement. | State Government: <ul style="list-style-type: none"> Department of Water and Environmental Regulation |
| Reporting and recordkeeping | <ul style="list-style-type: none"> Seek and receive reporting data (via independent expert) to inform recycling rates and inform ban performance. | State Government: <ul style="list-style-type: none"> Department of Water and Environmental Regulation Independent consultant |
| Communication and engagement | <ul style="list-style-type: none"> Develop and deliver community education and awareness campaign. Develop and deliver industry guidance and/or education materials. | State Government: <ul style="list-style-type: none"> Department of Water and Environmental Regulation Waste Authority (long-term messaging program) |
| Grant funding | <ul style="list-style-type: none"> Advertise and deliver another round of funding through the E-waste Infrastructure Grants program. If remaining funds are not allocated to projects, further grant rounds will be undertaken. | State Government: <ul style="list-style-type: none"> Department of Water and Environmental Regulation |
| Ban evaluation | <ul style="list-style-type: none"> Develop ban evaluation framework through engagement of an external expert to ensure fair and independent evaluation metrics are developed. Utilise independent expert to undertake annual audits to inform ban evaluation. | State Government: <ul style="list-style-type: none"> Led by Department of Water and Environmental Regulation Undertaken by independent consultant |

| Key action | Description | Responsible |
|-------------------------|--|--|
| Cost monitoring | <ul style="list-style-type: none">Ongoing cost monitoring for e-waste collectors, waste managers, e-waste recyclers, processors, charities, etc. | State Government: <ul style="list-style-type: none">Department of Water and Environmental Regulation |
| Transition period (new) | <ul style="list-style-type: none">Determine and communicate transition period arrangements to allow for industry and obligated stakeholder adjustments to regulatory change. | State Government: <ul style="list-style-type: none">Department of Water and Environmental Regulation |

Proposed implementation timeline



Governance

An internal governance board was established in 2021 and has been in place throughout the work on the e-waste ban to oversee progress and monitor risk.

A project sponsor was appointed in 2021 and will continue to have oversight of risks and governance of the project after commencement until 2025.

Following enactment, legislative requirements for the regulator (the department) will apply.

Continuous improvement

As outlined in the key implementation actions and anticipated timeline, there will be opportunities to consider annual audit data and evaluation events.

Collection and careful assessment of data is anticipated following the first year of commencement to inform initial performance of the ban, including the identification of any amendments that may be needed.

The long-term review horizon for the ban and associated regulations is intended to align with complementary and relevant legislative review processes within the department, such as the waste strategy and *Waste and Resource Recovery Act 2007* reviews.

The E-waste Technical Advisory Group, established in June 2023, comprises representatives from industry, government, not-for-profits, and peak bodies. The group will continue to be key advisory touchpoints over implementation and review-planning stages.

The State Government will continue to work closely with the Australian Government on national product stewardship schemes and will make ban amendments outside of scheduled reviews if required.