

# **WASTE AND RESOURCE RECOVERY ACT 2022**

## **MINISTERIAL DIRECTION 1: PRIORITIES, ASSISTANCE AND SUPPORT PROGRAMS**

### **TASMANIAN WASTE AND RESOURCE RECOVERY BOARD**

This Ministerial Direction sets out the Tasmanian Government's priorities for the inaugural Waste and Resource Recovery Board (the Board), which has been established under the *Waste and Resource Recovery Act 2022* (the Act). The Board will play a central role in advising the Government on the direction for waste management, resource recovery and the Circular Economy in Tasmania. Ministerial Directions are provided for under s14(1) of the Act.

The functions of the Board are provided for in s12(2) of the Act. Several of these functions require the Board to administer 'assistance programs' for resource recovery operators, charitable recyclers, and public authorities to specifically mitigate costs to those bodies resulting from the Act. Other functions require the Board to promote and support a range of specific activities and organisations to achieve the aims of the Act.

#### **1.1 Waste Strategy**

The Board will prepare a draft Waste Strategy in accordance with s18 and s19 of the Act and provide it to me by 29 September 2022. The Government recognises that the implementation of the Landfill Levy, with the establishment of the Container Refund Scheme and other resource recovery policies and programs, will impact the waste and resource recovery sector. Along with improvements in data and reporting, changes across the sector is likely to require a mid-term review and potential amendment to the Waste Strategy.

The Waste Strategy should consider strategic planning work on organic waste, and waste and resource recovery infrastructure that has been undertaken by the Department of Natural Resources and Environment Tasmania. It should align with current published state and national waste and resource recovery policies, including the Tasmanian draft *Waste Action Plan*, the *National Waste Policy 2018* and the *National Waste Policy Action Plan 2019*, and relevant circular economy objectives from other current Tasmanian Government policies (eg, the *Competitiveness of Tasmanian Agriculture for 2050 White Paper*, the new *Climate Change Action Plan*, the *Bioenergy Vision* and the *Sustainability Strategy* that is under development).

The assistance and support programs detailed below are considered a high priority for the Board to develop and implement. The programs and Strategy should align.

## **1.2 Assistance Program for Charitable Recyclers**

In carrying out its work to support resource recovery and the reinvestment of funds from recovery activities into important social and community outcomes, the charitable reuse and recycling sector is often heavily impacted by illegal dumping and/or the donation of items that for one good reason or another must eventually be landfilled.

These landfill costs divert funds away from their primary purpose and undermine the good work done by charitable recyclers. The Tasmanian Government recognises the negative impact this can have on these bodies and similar community-based non-profit organisations. The Board will develop and implement an Assistance Program for the benefit of charitable recyclers as per s12(2)(j) of the Act.

The Assistance Program will ensure that the introduction of the Landfill Levy does not adversely impact the charitable reuse and recycling sector by initially providing a 100 per cent rebate on any landfill levies paid to discard materials and items that are not legitimately able to be reused or recycled. I would like the Board, in consultation with the sector, to review these arrangements within 12 months from the date of this Direction, and to make any adjustments as appropriate in consultation with me.

## **1.3 Assistance Program for Resource Recovery Facilities**

The Government recognises that as part of their operations, resource recovery facilities often produce residues that are unavoidable, have no further use, and must be landfilled. Such facilities and businesses play a critical role in reducing waste and increasing resource recovery. The Board will develop and implement an Assistance Program for resource recovery facilities and other equivalent entities as per s12(2)(k) of the Act.

The Assistance Program will provide an initial 50 per cent rebate on any landfill levies paid by eligible resource recovery facilities to discard the unavoidable residue from their operations. I would like the Board, in consultation with the sector, to review these arrangements within an appropriate timeframe as determined by the Board, and to make any adjustments as appropriate in consultation with me. The review of the Assistance Program will help to inform any additional grants that the Board may make available to promote and support innovation and excellence in the resource recovery sector.

## **1.4 Assistance Program for Public Authorities: Dumping and Littering**

The Board will develop and implement an Assistance Program as per s12(2)(l) of the Act, which ensures those public authorities which collect and dispose of illegally dumped or littered materials are able to claim a 100 per cent rebate on the levy component when those materials are landfilled. The Assistance Program should also include litter and illegally dumped waste which is collected from public land as part of an organised community clean up.

## **1.5 Support Program for Regional Waste Organisations**

Under s12(2)(h) of the Act the Board is to promote and support coordination and cooperation with statutory authorities, local authorities and industry to prevent waste and promote resource recovery.

The Tasmanian Government recognises the important work that Tasmania's regional waste bodies have carried out using funds collected from regional-based waste levies or the combined Council contributions that were in place before the Landfill Levy commenced.

Annual special grants, funded through the Landfill Levy, are to be provided by the Board to the regional waste organisations. The Board will commence this program with a funding pool of \$7.50 per tonne per regional area. The Support Program will incorporate the following principles:

- No regional waste management body will be worse off under the Landfill Levy.
- All regional waste management bodies will be treated consistently.
- Transitional disruptions to work program funding will be minimised.
- All regional bodies receiving funds will be accountable for the use of those funds.
- Prior to the Waste Strategy coming into effect, the bodies should provide the Board with a general outline of their planned programs and budgets for 2022-23.
- Within two months (or a time agreed with the Board) of the Waste Strategy coming into effect, each body must submit to the Board a summary of its proposed works and projects for the following year.
- The Board should be satisfied that the work plans are aligned with and achieving the goals of any Waste Strategy that is in effect.
- The Board will ensure it is aware of local and regional issues through regular engagement with stakeholders and the community.
- The funding provided through this Support Program will not preclude the bodies applying for additional funding through any eligible general waste and resource recovery grants the Board administers.
- The Program will be reviewed by the Board every three years.

## **1.6 Support Program for Remote Councils**

Under s12(2)(g) of the Act the Board is to promote and support access to waste services in remote areas. The Government acknowledges the unique circumstances of the very remote King Island and Flinders Councils and the remote West Coast Council with regard to waste management and resource recovery. These Councils face challenges with very high transport costs, capacity to separate and reduce contamination of recyclable materials, and with storage and processing capacity for materials.

It is the Government's intention that these Councils will participate in the Landfill Levy under special arrangements that ensure they are net beneficiaries, and which assist them to at least partly overcome the disadvantages of remoteness and scale faced by their communities. The Board will develop a policy to guide the level of contribution to these Councils.

This contribution will be paid in the form of annual Levy Support Grants. Grants should provide at least a 100 per cent rebate to these Councils on any Landfill Levy monies collected.

Councils may use these grants to meet the costs of administering the levy and related data reporting or for other waste initiatives aligned with the Board's Strategy.

The Board will ensure that:

- the application and acquittal processes for the Levy Support Grants are as straightforward as reasonably possible;

- the funding provided through the Support Program does not preclude the remote Councils from applying for additional funding through any eligible waste and resource recovery grants the Board administers;
- it is aware of local issues through regular engagement with stakeholders and the community;
- it visits at least one of the remote areas every year to assist with its understanding of the challenges faced by these communities; and
- it reviews the Program every three years.

## 1.7 Exceptional Circumstances and Adverse Impacts Support

Under s12(2)(h), (m), (n) and (o) of the Act the Board is to promote and support coordination and cooperation with statutory authorities, local authorities, and industry to prevent waste and promote resource recovery; perform any other functions that the Board has under this or any other Act; and perform any other functions that may be prescribed.

In exceptional circumstances, the Minister may, from time to time and on a case by case basis, determine that the application of a Landfill Levy is likely to have a significant and unavoidable economic and/or social impact, and that there may be a critical need for one-off grant assistance through the Board to offset or mitigate this impact. Where such circumstances prevail, the Minister may write to the Board detailing the nature of this assistance and requesting the Board to exercise its powers in consideration, taking into account the objectives of the Waste Strategy and long term outcomes for Tasmania.

Receiving assistance under this Ministerial Direction will not preclude the recipient from applying and being considered for assistance under any general grants program offered by the Board.

## 1.8 Support Program for Landfill Operators: Introductory Levy Rate Adjustment

Implementation of the Landfill Levy is set to commence at 12 Fee Units, which at the rate of \$1.70 for 2022-23 is slightly higher than landfill operators have set their financial year budgets upon. While operators set their budgets on a \$20 per tonne rate, the actual introductory rate for the levy will be \$20.40.

During 2022-23 the Board will run a support program in conjunction with the Secretary of the Department of Natural Resources and Environment Tasmania for landfill operators. The support program will provide a deduction to accommodate the 40 cent difference.



The Hon Roger Jaensch MP  
**Minister for Environment and Climate Change**

Date *21 July 2022*