



Western Australia Branch

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Mr Paul Kelly
Acting Chief Executive Officer
Economic Regulatory Authority

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4 April 2018

Dear Mr Kelly

Inquiry into the Review of Business Licences in Western Australia (WA)

The Waste Management Association of Australia (WMAA) appreciates the opportunity to provide input to the inquiry into the review of business licences in WA currently being undertaken by the Economic Regulatory Authority.

WMAA is the national peak body for the waste and resource recovery industry, with over 1,800 members based in a broad range of business organisations, government, universities and community groups. WMAA's members are involved in a range of important waste management and resource recovery activities within the WA economy, including infrastructure investment and operations, collection, manufacturing of valuable products from resource recovered materials, energy recovery and responsible management of residual materials, and community engagement and education.

The main licence which applies to WMAA's members, relevant to this inquiry, is that administered by the Department of Water and Environmental Regulation pursuant to the *Environmental Protection Act 1986* (WA). This licence applies to Prescribed Premises as defined in this legislation and includes construction and demolition recycling facilities, waste depots, composting facilities and landfills. WMAA is advised it's member experience with the processes to put these licences in place and the enforcement of these licences is mixed. For example, members have reported significant delays in the approvals processes for works approvals and licence applications, which has significant commercial and operational implications for the companies involved.

One of the possible reasons for the delays associated with processing these applications is the absence of guidance for the sector on the environmental parameters that the Department will consider in relation to respective facilities. For example, several Draft Environmental Standards for composting were released and began to identify a risk based approach to regulation for the composting industry, however it is WMAA's understanding that no final document has been released. It is recommended in order to improve this process for all parties that specific industry guidance is developed in consultation with the sector, which takes a risk based approach as opposed to a risk averse one. This type of guidance will clearly identify the risks for prescribed premises, streamline the licencing process and reduce costs for both industry and government. The absence of such guidance is

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substantially increasing the regulatory burden for the industry *and* the amount of work required by the Department to assess applications.

More generally the two (2) stage process of works approval, then licence application appears to be unnecessary, as the completion of the works approval is not actually inspected by the Department and sometimes works approval information (which relate only to the construction of the facility) are then included in licences. The Department has now put in place an application process so that both Works Approvals and licences can be applied for on the same form, rather than separately with further potential to streamline the whole process.

Should the Department like to continue the conversation or clarify any of the comments made above, please do not hesitate to contact the undersigned.

Yours sincerely



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