



Our Yarra: Healthy, Protected and Loved

## Who are we?

The Yarra Riverkeeper Association is the community voice for the river. The Yarra Riverkeeper speaks for the river, and we are a key and informed stakeholder on the Yarra River and its health. Our policy achievements include the initial advocacy for the Yarra River Protection (*Willip-gin Birrarung murrn*) Act, as well as for the Yarra River Planning controls. We have built an informed and evidence-based community understanding of the river as a single and integrated ecosystem from source to the bay. We look for evidence to drive policy and to contribute to policy decisions. We have published several reports that have resulted in targeted information that is direct at uncovering evidence of sources of litter and identifying policies to manage litter. Two recent reports are: [Polystyrene Pollution in the Yarra](#) and [Litter and Flows](#). Reports have built an evidence-based understanding of the impacts, sources and solutions of plastic and polystyrene pollution in the Yarra River and waterways. We recommend that these two reports be read as supplementary to our submission.

## Submission Overview

The Yarra Riverkeeper Association supports the proposed Waste Act and Waste Authority. It is a step forward. We support establishing clear lines of responsibility for governments, industry and communities in reducing waste.

We welcome an independent authority for waste and recycling. However, litter needs to be included as a source of waste. Currently, litter is only mentioned in passing when establishing there will be no change to the role of the EPA, and as an indirect benefit of the container deposit scheme in *Recycling Victoria*.

The options paper does not address the role of the waste collection process in contributing to litter. People putting out bins, and the council contractors clearing of the bins is a significant contributor to waste escaping into the environment. The overfilling of bins, domestic, retail and commercial is a major contributor to litter - which eventually ends up in our waterways. By not including clear responsibilities for the minimization of litter from waste under the Act, a significant opportunity to reduce litter is being ignored. Litter is economically, environmentally and socially damaging.

The Waste Authority needs to have the authority to investigate current claims being touted by industry, improve standards and practices for waste management on building sites and during waste collection. The initial focus on kerbside collection does not sufficiently address materials, such as polystyrene, that enter our stormwater system from construction sites, from overfilled bins at the rear of shopping strips, and from the loading bays of shopping centres and warehouses. On average, Victoria spends \$43.5 million cleaning up rubbish every year. Waste management has a vital role in capturing polystyrene, drinking containers and other discarded items — before they become litter.

## Litter

Litter, is defined as ‘any solid or liquid domestic or commercial waste, refuse, debris or rubbish and without limiting the generality of the above, includes any waste glass, metal, plastic, paper, fabric, wood, food, soil, sand, concrete or rocks, abandoned vehicles, abandoned vehicle parts and garden remnants and clippings..’ (Environmental Protection Act (1970), section 4 (1) no. 37/2002 s.38(1)). Or, more simply, litter is waste that ends up where it shouldn’t. For an Act that adequately addresses waste, litter must be included as a significant part of the legislation, and the Waste Authority’s role needs to include reducing litter.

Polystyrene is a common type of litter, and the most prevalent type of litter in the Yarra River. Between 2018 - 2020, we have removed 38,000 kg of polystyrene and general waste from the Yarra’s riverbanks and reedbeds. *Our Litter and Flows* study identified polystyrene as the most common item of non-organic litter in the river (50%) followed by drinking containers.

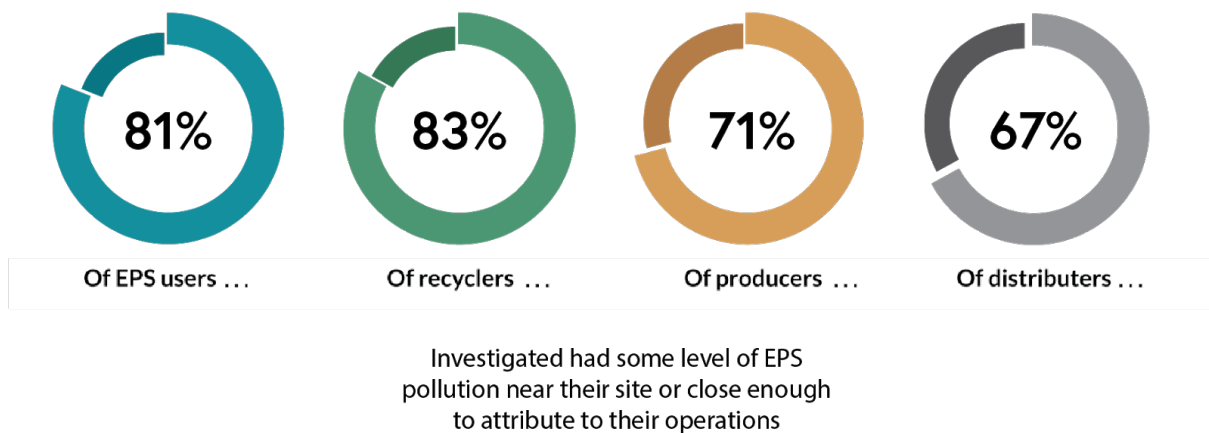
Our Polystyrene pollution report identified construction sites and shopping centres as key sources of polystyrene and inadequate waste management as the cause.

### Waste collection and on-site management of Waste

Information on how the Act and Authority will aim to standardize waste collection is incomplete and focused on limiting community confusion through ensuring that every council has the same bins for kerbside collection. There needs to be an explicit requirement that no waste is generated through the collection of domestic bin waste, and that bins are not overfilled. The Authority needs to be monitoring the regulations on domestic bin collection contractors to ensure they are obliged to ensure that any litter from bin emptying is collected.

One of the challenges for recycling waste is the contamination of waste from different sources. Placing waste in the wrong bin will reduce the ability for recycling facilities to sort through waste. The misplacement of waste is in part due to lack of knowledge: 89% of people in Melbourne claim to be recyclers but only 61% of the same people saying they feel they have an excellent understanding of what items can be recycled (Sustainability Victoria). This lack of knowledge can be addressed through an increase of labelling different varieties of household items, like soft plastic. Through increased labelling, not only will Victorians be more knowledgeable about how to recycle but it will allow for more comprehensive data of waste and litter by specifically categorizing materials that can be better traced back to their source of production. Community education on plastics needs to be included as part of the responsibility of the new Waste Authority.

If proper practices and standards are not put in place, waste collection and storage is a source of litter. In our recent publication, *Polystyrene Pollution in the Yarra River*, 83% of recyclers visited had some level of EPS escaping from their facility. The EPA General Environmental Duty is a tool to manage this problem if it is applied effectively and required under the Waste legislation.



## ***Collaborative Reporting***

The proposed model maintains that no changes should be made to the EPA's regulation of litter. The EPA's ability to regulate and enforce litter and on-site waste management needs to be expanded and reinforced in the legislation. The role of OPLEs should be expanded to include commercial and retail sites. The EPA's ability to tackle litter through issuing on the spot fines and abatement notices needs to be enforced. The Waste Authority role will include ensuring this occurs by working with the EPA. The way the Waste Authority and the EPA will work together needs to be articulated/

The EPA and Waste Authority will need to report litter in areas linked to waste disposal and waste collection, such as litter found around bins outside shops, to increase data around contributors of litter. Publicly publishing the reports will allow the community to be aware of businesses that are repeat offenders of having litter on their premises.

## ***Infrastructure & Innovation***

Infrastructure planning needs to be innovative so that it can capture all waste streams, including litter. Litter that is captured by infrastructure often ends up in landfills as it is captured too late in the lifecycle of litter and the litter is too contaminated for recycling. For example, Parks Victoria manages the Yarra's 17 Bandalong litter traps, designed to keep our litter from being lost from the system and deposited into Port Phillip Bay. They collect tons of plastic and recyclable items every year that are sent directly to landfill. The Waste Authority's role in infrastructure planning should consider how infrastructure can be managed to ensure that litter is recycled rather than going to landfill.

For waste infrastructure to be effective needs a required and enforced regular maintenance program or otherwise it will fail, as it has happened with requirements under planning

schemes to install waste management infrastructure without a specification for ongoing management.



## ***Assessing the recyclability of materials***

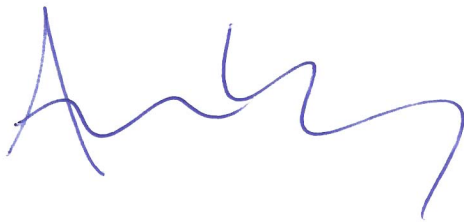
A role of the Waste Authority will need to include investigating and reporting on the recycling of different materials and the accuracy of industry claims about the degree to which products can be and are recycled. The accuracy of industry claims then needs to be publicly reported. Currently, polystyrene has a meagre recycling rate of 12.1%, which can be contrasted with industry claims of polystyrene being 100% recyclable. If the Waste Authority does not have the investigative power to understand why these discrepancies exist, it will not be able to adequately encourage the capture of recyclable material in the waste and litter collection process. Information provided by manufacturers and industry representatives of materials needs to be cross-referenced with a report on how much is recorded in litter audits and landfill.

## ***Recommendations***

1. Litter is incorporated in the Act as a waste stream. Litter is a co-responsibility of the Waste Authority and the EPA. EPA's enforcement powers for poor waste management and poor site management allowing the creation of litter are increased.

2. The Act regulates waste management at construction sites, warehouses, and shopping centres to ensure adequate controls to prevent on-site waste being converted into litter. The Waste Authority monitors the conversion of construction, commercial and retail waste into litter on a statewide basis, as well as the installation of waste infrastructure such as gross pollutant traps.
3. The Waste Act and Waste Authority regulate the collection and management of waste to ensure it does not contribute to litter.
4. The Waste Act requires government, councils, statutory agencies, and businesses install and maintain waste management infrastructure, such as gross pollutant traps, to stop litter from entering waterways.
5. The Waste Authority develops codes of practices for industries that contribute to litter. There is enforcement of these codes of practice.
6. The Waste Authority is responsible for investigating, publicly reporting on, and educating both the community, business and government on waste

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew Kelly', with a stylized, flowing script.

Andrew Kelly, Yarra Riverkeeper, on behalf of the Yarra Riverkeeper Association