Minister for Environment; Disability Services  
Deputy Leader of the Legislative Council

Our Ref: 62-00287

Mr Marcus Geisler  
Chairman  
Waste Authority  
Locked Bag 33  
CLOISTERS SQUARE WA 6850

Dear Mr Marcus Geisler

MINISTERIAL STATEMENT OF EXPECTATION FOR THE WASTE AUTHORITY

I am pleased to provide you with my statement of expectation for the Waste Authority. As the Minister for Environment, I am responsible for the Waste Avoidance and Resource Recovery Act 2007 (WARR Act) which establishes the Waste Authority.

As you are aware, the primary objects of the WARR Act are to contribute to sustainability, and the protection of human health and the environment in Western Australia and the move towards a waste-free society. The principles set out in section 4A of the Environmental Protection Act 1986 also apply in relation to the objects of the WARR Act.

This statement confirms my expectations and establishes my priorities for the Waste Authority and is important in enabling me to discharge my Ministerial portfolio responsibilities. It recognises that the Waste Authority has legal responsibilities and is not a direction to the Waste Authority to act in a particular way.

In his 2016 report entitled Western Australian Waste Strategy: Rethinking Waste, the Auditor General identified the need for clarity on the role of the Waste Authority and the Department of Environment Regulation. This statement provides greater clarity about the Western Australian Government’s policies and priorities which are relevant to the Waste Authority. It also reinforces the public sector context for members of the Waste Authority.

Role and function

The Waste Authority is established under sections 8 and 9 of the WARR Act as an agent of the State to provide advice and recommendations in relation to waste matters in accordance with the WARR Act or as I otherwise request.
The Waste Authority is required to provide a draft business plan for my consideration each year. I expect that all proposed expenditure included in the draft business plan will be supported by a business case, the merits of which are transparent and have been appropriately evaluated.

At least every five years, the Waste Authority is required to review the waste strategy and prepare a draft waste strategy for my consideration following a period of public review.

The Waste Authority is also responsible for the administration of the Waste Avoidance and Resource Recovery Account (WARR Account) in accordance with the requirements of the WARR Act.

**Governance**

As a public sector body, the Waste Authority is to employ good corporate governance practices in order to effectively perform its function and responsibilities, and comply with its obligations. The Waste Authority’s Code of Conduct articulates the standards of conduct and integrity to which I expect its members to adhere.

This includes the Waste Authority and the Department that administers the WARR Act maintaining a strong professional and co-operative relationship to deliver Government priorities. In particular, I expect members and the Department will work collaboratively to ensure the Waste Authority’s business is managed in an efficient, effective, economical and ethical manner.

As Chairman, it is expected that you will ensure that all members of the Waste Authority are aware of, and comply with, the governance arrangements imposed by the public sector accountability framework. In particular, I expect that Waste Authority members are aware of their responsibilities in relation to the management of potential conflicts of interest that may arise.

I encourage all members to consider how any business, contracting, sponsorship and grants arrangements you may have now and into the future meet ethical obligations and public expectations about the management of public officers’ conflict of interest as well as the management of the receipt of gifts, benefits and hospitality. Attachment 1 provides references to further guidance on these matters.

The Waste Authority is to exercise a high level of corporate governance, including a robust, transparent and accountable system of annual reporting to Parliament. Accordingly, I expect this statement will be incorporated into your planning process.

**Financial prudence**

I expect that the Waste Authority will act in a manner that recognises the Government’s financial position and that the members will always use public resources prudently. The public resources to which the Waste Authority has access include Departmental staff, accommodation and other financial and physical resources.

WARR Account funds and associated Departmental resources should only be applied in accordance with the WARR Act, the *Financial Management Act 2006* and the *State Supply Commission Act 1991*. WARR Account funds and resources should only be applied:

- to deliver the approved business plan or in accordance with the WARR Act, as I approve;
• to provide me with high quality advice and recommendations in response to my request for advice on a specific matter; and

• following my approval of a request from the Authority to apply funds or resources to the development of advice on a specific matter.

I expect that you will seek my approval prior to committing WARR Account funds through funding agreements or contracts. This expectation applies even where the contract or agreement relates to expenditure in accordance with the approved business plan.

Waste Authority members' time is a public resource. As the Chairman I expect that you, or the presiding member, will ensure that agendas and matters raised at meetings are managed consistent with the expectations I have set out above regarding the application of resources.

I expect that all members of the Waste Authority will exercise due diligence in their consideration of the matters before the Waste Authority and the provision of advice to me. This includes due consideration being given to all requests for the application of WARR Account funds in the context of the legislative framework and this statement, and Waste Authority members carefully considering whole-of-government objectives, priorities and impacts when identifying future actions and initiatives for my consideration.

Service level agreement

I expect that the Waste Authority will enter into a service level agreement with the Department responsible for the administration of the WARR Act for the delivery of services under sections 16 and 80 of this Act.

Communications

I expect that all communications will be conducted in accordance with the communications agreement made pursuant to section 74 of the Public Sector Management Act 1994.

Priority areas

I expect the Waste Authority to work with Departmental staff to address the following priority issues:

• food waste – an important and emerging focus of waste management actions both at a state and national level in Australia;

• construction and demolition waste – undertaking further work to ensure appropriate standards are available for the use of this material and opportunities for its use by government agencies, such as Main Roads, are explored and implemented;

• statutory review of the Western Australian Waste Strategy – undertaking the review process in a way that ensures it supports the Government’s priorities and policies; and

• cross-government collaboration – working with government agencies that are significant generators of waste or potential purchasers of recycled products, including those responsible for transport, local government and procurement to encourage improved waste minimisation practices.
I have separately requested that the Department works on a number of waste related matters including the development of a container deposit scheme, the options to ban or restrict the use of single use plastic bags, and economic analysis of the waste levy.

This statement applies from the date of receipt until the end of this Parliamentary term, or until otherwise amended.

I look forward to receiving your written confirmation of your understanding of these expectations by the end of June 2017. As is suggested by the Public Sector Commissioner, I would like to receive this advice in the form of a statement of corporate intent (publicsector.wa.gov.au/document/board-statement-intent-template). I expect my statement of expectation and the Waste Authority’s response to be made available on the Waste Authority’s website.

I look forward to working with you to ensure we continue to improve the State’s waste management performance to achieve the objects of the WARR Act for the benefit of the people of Western Australia.

Yours sincerely

[Signature]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

Att.

01 JUN 2017
ATTACHMENT 1

Resources available on the Public Sector Commission's website at www.psc.wa.gov.au:

- The Integrity Coordination Group’s *Gifts, benefits and hospitality – A guide to good practice* that assists public authorities to identify risks and how they can be minimised through sound policies, transparent record keeping, communication and review activities.

- Public Sector Commissioner's Circular 2009-18 *Guidelines for Expenditure on Official Hospitality*.

- Public Sector Commissioner's Instruction No. 7 *Code of Ethics*.

- Public Sector Commissioner's Instruction No. 8 *Codes of conduct and integrity training*.

- The State Supply Commission's Sponsorship in Government Guidelines: A handbook to assist public authorities that provides an overview of key legislative and policy requirements, a guide to the sponsorship process and an outline of key principles.

Other general requirements area also imposed by:

- Administrative Instructions

- Public Sector Commissioner’s Circulars

- Premier’s Circulars

- Treasurer’s Instructions