

Product Stewardship Act Review



18 June 2018

Introduction

Maroondah City Council is welcoming of the opportunity to provide a submission in relation to the 'Review of the Product Stewardship Act 2011' (the Act). Which includes the National Television and Computer Recycling Scheme (NTCRS) consultation paper.

Council believes that Local Government plays a significant role in the waste and resource and recovery system and as such, it is important to provide Maroondah's view on the Act Review. Maroondah City Council is supportive of the overall principles of product stewardship and most notably, the expansion of existing schemes and the exploration and introduction of new schemes.

The current waste and resource recovery system results in ratepayers and to a lesser extent, Councils, to bear the cost of waste and resource recovery services, regardless of how those ratepayers utilise the waste and resource recovery services – with differing degrees of knowledge out in the community. As those in the community have rightly pointed out, this would be considered efficient nor equitable to the individual ratepayer who may indeed be environmentally proactive in how they manage their household waste. The recent recycling industry collapse is a clear indicator of this very point, whereby there was heavy reliance on exporting the waste, clearly not recycling it domestically which has resulted a total collapse, price increases to Council's for the increased costs of processing, in turn, resulting in an increased cost to the end user, the ratepayer.

What the Act and other like product stewardship guidance offers is a better way, a more accountable way and considering it on a lifecycle basis which in turn incentivises the need to for producers and consumers to use its resources in a more effective and sustainably responsible way.

This submission has sought to address the terms of reference for the review, potential priority matters, the Municipal Association of Victoria's (MAV) submission as well as points raised within the Maroondah Community that could assist in feeding the outcomes of the review.

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Terms of Reference Points

Point 1 of the ToR: The extent to which the objects of the Act are being met and whether they remain appropriate.

Within the Act, section 4 addresses the overall objective of the Act and at a high level, the key objective noted is to reduce the impact of products.

Section 4, subsection 2 of the Act identified five key points/actions that are outcomes being strived for by the Act itself. The first one noted is, '*avoiding generating waste from products*', from a Maroondah perspective, Council would consider this key and an area that requires the most improvement at a National level; as any improvement in this space, will create wins in all the other four points nearly as a direct result of wins in point 1. So it is Maroondah's view that an increased focus and energies be invested in this space. This will result in direct wins for the community, the environment and ultimately the ratepayer by the reduction of waste to begin with, rather than focusing on the same level of outputs and then finding a way to recycle them.

Overall, section 4 of the Act could be enhanced through:

- > Being more specific when referencing 'other persons' and perhaps even replacing this term with the specific stakeholders that make an impact, such as the manufacturers, consumers, etc.
- > More references of utilising life cycle assessments as a mandatory requirement when manufacturers evaluate the potential impacts of products and/or materials throughout their lifecycle.
- > Clear objective of raising awareness amongst the greater community about the value of product stewardship.
- > Developing minimum sustainable development standards over time, working with industry in developing these requirements.
- > Greater level of responsibility being mandatorily accepted by manufacturers in assuming responsibility for their processes and sharing the responsibility for their products along their value/lifecycle chains.
- > Implementing an objective in relation to increased resource efficiency and recovery.
- > Being more explicit that the product's lifecycle commences prior to the manufacturing of the product in question and that mandatory reporting and enhanced product design could be an objective.
- > Developing an objective of supporting the transition to a circular economy.

So despite the Act being operational since 2011, Nationally, we still do not have a mandatory stewardship scheme, therefore, resulting in the overall objectives of the Act not being achieved or at least, not being achieved to the most optimal level.

Point 2 of the ToR: The effectiveness of the accreditation of voluntary product stewardship schemes and the Minister's annual product list in supporting product stewardship outcomes.

Accreditation Process:

The key issue here is, that the voluntary application process has only opened twice, since the

commencement of the Act, once in 2013 and once in March 2018, closing in August. So the Country went 5 years without any other rounds for application. This seems minimalist for a scheme that is voluntary. There must be regular and consistent opportunities to apply, to generate a greater uptake under a voluntary scheme. As noted in the MAV paper, this lack of application rounds could be a direct result of a lack of political interest in product stewardship, and more generally, waste and resource recovery.

The actual benefits for becoming accredited need to become more appealing and viable. This can be done by simplifying the process to become accredited, given we are encouraging organisations to become accredited. A greater public profile and political push for accreditation, to encourage and communicate the benefits and to have greater opportunities to become accredited would assist. Also, clearly articulating points for consideration in becoming accredited as well as implications of other Acts or Guidelines.

A question within the consultation paper is *'What would support the development of greater value in the accreditation process?'* If interpreted correctly, the question is asking, what value does becoming accredited provide, if this is the case, then politically, the benefits of becoming renowned for a scheme becoming accredited, and benefits of doing it well must be promoted, to encourage accreditations into the future.

Minister's Product Stewardship List:

Maroondah City Council supports the notion on the annual review of the Minister's List, however, Maroondah City Council also supports further enhancement of the list with a great level of scope of what the list of products could contain. In agreement with the MAV, Maroondah City Council supports the exploration and development of product stewardship arrangement, specifically, Maroondah supports arrangements for the following product classes:

- > Single-use plastics
- > Packaging
- > Tyres
- > Expanded polystyrene
- > Disposable nappies (inclusive of collection from household)
- > Mattresses and mattress bases

Point 3 of the ToR: The operation and scope of the NTCRS.

Maroondah City Council supports and agrees, on the most part, all the points raised in the summary of the Australian Continuous Improvement Group's evaluation of the NTCRS.

Maroondah City Council is largely supportive of expanding the scheme to include other forms of e-waste. Other forms could include:

- > Television peripheral devices (including home entertainment devices)
- > Small batteries

- > Small domestic appliances (such as toasters)
- > Other office equipment
- > Mobile phones, fridges, and air-conditioners could also be considered, but as noted in several pieces of literature, they already have high levels of recycling occurring in this space.

Point 4 of the ToR: The interaction of the Act with other Commonwealth, state and territory and local government legislation, policy, and programs.

Policies and procedures that are being implemented across state and local levels, are being created and implemented, unfortunately because of a lack of leadership in this space at a Commonwealth level. There must be more leadership at the Commonwealth level on environmental issues, especially including waste and resource recovery. A clear example of this is the container deposit scheme, which has gone strongly in some states and been in place for quite some time, some have recently introduced, and Victoria still does not have it in place. This is a clear example where State Level Government has had to take the lead, along with Local Government, in a space which should be uniformed at a Commonwealth level.

The Community awareness in relation to single-use plastics, most notably single-use plastic bags and plastic drinking straws, is growing exponentially and as per the MAV paper, appear to be an early potential target at a Commonwealth Level. As noted by the review paper, Product stewardship schemes implemented Nationally will no doubt have some implications at State, territory and local government level legislation, policy, and programs. The paper asks the question whether this has been effective, Maroondah City Council would state that it could improve to gain a more effective and uniformed outcome for the Community. This improvement could come from greater level of partnerships between the levels of government, as an example, to obtain a result that is better than it would have been, if only one level of government took lead on it.

Point 5 of the ToR: International and domestic experience in the use of product stewardship to deliver enhanced environmental, social, and economic outcomes through product design, dissemination of new technologies and research and development.

Maroondah City Council would support the review papers suggestion around developing a Council to convene a forum, whereby ideas can be shared and Nationally, we may be able to learn something from other internationally run schemes; what is working and what could have been done better.

Matters of highest priority

What is the matter of highest priority?

Maroondah City Council, as noted in the introduction, would suggest that the matter of highest priority would be prevention. If prevention can occur beginning with, understanding the lifecycle of a product, right at the time of input and manufacturing, then we will come a long way in achieving the outcomes sought after by the Act. It is obviously important to get other matters/objectives correct as well, as 100% prevention perhaps will not be possible in the short to medium term for example embedding arrangements for recycling products at end of life.

How will this be achieved?

The overall solution can only be achieved through collaboration and working with industry, high levels of Federal Government leadership in setting the bar of expectation and promoting/educating society regarding what Australians are buying with the direct consequences – so that at the production point, producers consider more value and thought put into how products are made to reduce or eliminate waste all together. Compulsory product branding may assist, in allowing consumers to make an educated choice. In putting in place these mechanisms, Australia may go some way in ensuring that product stewardship is integrated into organisational business systems.

Conclusion

Maroondah City Council supports the review of the Act and appreciates the opportunity to submit to the overall potential changes and consideration to making improvements to the Act going forward, so that as a Country, we have more certainty of achieving the outcomes set-out by the Act. As well as this, it will enable all levels of Government to strive to the unified goal of better managing the impacts different products and materials have on the environment and making all stakeholders more accountable for their product lifecycle decisions.