



Policy Statement on EXTENDED PRODUCER RESPONSIBILITY

PREPARED BY THE



MUNICIPAL WASTE ADVISORY COUNCIL
"Getting the Environment Right"

June 2008

Status of this Policy Statement

This Policy Statement has been prepared by the Municipal Waste Advisory Council and adopted by the Western Australian Local Government Association. The Municipal Waste Advisory Council is a standing committee of the WA Local Government Association with delegated authority to represent the Association in all matters relating to solid waste management.

The Municipal Waste Advisory Council has been formed through collaboration with Regional Councils who are not ordinary members of the WA Local Government Association. The resulting body effectively represents the views of all Local Government bodies responsible for waste management in Western Australia.

Policy Statements adopted by the WA Local Government Association represent a consolidated viewpoint from local government and may differ from the positions adopted by individual member organisations. The Municipal Waste Advisory Council and the WA Local Government Association will strive to promote this Policy Statement and to act consistently with its contents. Individual Local Governments and Regional Councils are encouraged to support them but are not bound by the document.

Policy Statements adopted by the WA Local Government Association are reviewed and new Policy Statements are developed regularly. The latest WA Local Government Association Policy Statements can be obtained from the website: www.wastenet.net.au

In-line with standard MWAC policy, this policy statement will be reviewed 6-months after its endorsement by the State Council. It will be reviewed again at least every 2-years subsequent to this; with any significant developments acting to instigate an earlier review.

The Municipal Waste Advisory Council's member organisations are:



Policy Statement on EXTENDED PRODUCER RESPONSIBILITY

Title:	WA Local Government Association Policy Statement on Extended Producer Responsibility June 2008
Background:	<p>The twin roles of Local Government Local Government has developed this policy with reference to its twin roles as a representative of the community and as a service provider. Local Government must represent community values since these are the fundamental basis for undertaking new challenges and continuing past work. Local Government must also apply its service provider expertise when considering means by which to achieve community benefits.</p> <p>Community support for sustainability Local Government asserts that the community supports the Sustainability Principle which the State Government defines as “meeting the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity”. The community expects waste management activities and policies to be pursued in accordance with the Sustainability Principle.</p> <p>Sustainability Principle Local Government considers that the Sustainability Principle must be applied to ensure the development far-sighted waste policies. This Principle requires that the materials currently consumed and discarded as waste, will be valued by current and future generations as a resource to be conserved, reused and recycled.</p> <p>Section 1.3(3) of the Local Government Act 1995 states “In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity”.</p> <p>Applying the Sustainability Principle For reasons set out below, Local Government contends that the Extended Producer Responsibility approach can provide effective tools to advance the key outcomes required in applying the Sustainability Principle to waste management policy.</p> <p><i>Key outcome 1: Clear, sensible and effective designations of responsibility for the management of lifecycle impacts of products</i> The development of Extended Producer Responsibility mechanisms requires policy makers and stakeholders to negotiate the assignment of responsibilities. By not simply defaulting to the status quo, the process of negotiation forces a reasoned consideration of the question of where responsibilities should be vested to achieve the maximum public good. Because they require certainty in the assignment of responsibility Extended Producer Responsibility mechanisms have the potential to clarify the responsibilities of key stakeholders. In addition, where a rational assessment process precedes implementation, Extended Producer Responsibility mechanisms can be expected to assign specific responsibilities to those with the best capacity to discharge them.</p>



<p>Statement of Policy:</p>	<p><i>Key outcome 2: Improved valuation, pricing and incentive mechanisms</i> Extended Producer Responsibility can link waste generating behaviour to the costs of managing the impacts of waste. This enhances the capacity of markets to transmit information about environmental and social costs and makes waste minimisation more attractive to producers and consumers. Extended Producer Responsibility mechanisms can improve the attractiveness of using recycled materials. Extended Producer Responsibility mechanisms can generate incentives to design products in order to minimise waste and to maximise potential for material or resource recovery.</p> <p><i>Key outcome 3: Greater investment in infrastructure and research and development</i> Extended Producer Responsibility mechanisms can increase the funding available to expand and improve recycling and resource recovery. This can occur through direct subsidies or as a consequence of reducing the costs incurred by waste managers. By providing appropriate financial drivers, Extended Producer Responsibility mechanisms can encourage research and development in recycling and resource recovery technology. Extended Producer Responsibility mechanisms can provide a logical link between expansions in production and expansions in recycling and resource recovery infrastructure. Such a link would safeguard the capacity of waste management services to cope with growth in waste streams.</p> <p><i>Key outcome 4: Greater transparency and accountability</i> Extended Producer Responsibility mechanisms can oblige regulators and producers to pay closer attention to the total impacts of products. Extended Producer Responsibility mechanisms may involve detailed reporting requirements which can move valuable information into the public domain. Extended Producer Responsibility can include measures to make producers physically responsible for the products at the end of life and consequently problematic aspects of their products will become direct liabilities for the producers.</p> <p>In its role as a representative of community views and values, Local Government will continue to have regard to the wider context in which it operates and will seek to give effect to the views and values of residents.</p> <ol style="list-style-type: none">1. Sustainability Principle The World Commission on Environment and Development (the Brundtland Commission), 1987 defines sustainability as "<i>the development that meets the needs of the present without compromising the ability of future generations to meet their own needs</i>". The development of the Sustainability Principle will endorse the conservation of Bio-diversity and Ecological integrity. Local Government endorses the application of the sustainability principle to the development of its waste policy; recognising that economic, social and environmental principles can guide waste managers by providing a simple expression of the sustainability principle in a waste management context,2. Support for Extended Producer Responsibility Local Government endorses the Extended Producer Responsibility approach as an important part of achieving sustainability. Local Government considers that the Extended Producer Responsibility approach can provide effective tools to advance the key outcomes required in achieving sustainable, economic, social and environmental principles. Local Government considers that these key outcomes are:<ul style="list-style-type: none">• Clear, sensible and effective designations of responsibility for the management of lifecycle impacts of products• Improved valuation, pricing and incentive mechanisms
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- Greater investment in infrastructure and research and development
- Greater transparency and accountability

In its role as a service provider, Local Government will assess proposed Extended Producer Responsibility schemes with reference to the following criteria (points 3 – 9):

3. Reflect appropriate priorities

Local Government considers that Extended Producer Responsibility schemes should be developed where and when they are most necessary and most practicable.

Priority waste or product types for Extended Producer Responsibility schemes should be established prior to developing specific schemes. When prioritising waste or product types for Extended Producer Responsibility schemes, proponents should address the following questions:

- a. Does the waste or product cause significant environmental or social impacts?
- b. Does the waste or product cause significant costs for waste processors?
- c. Does the waste or product have unrealised potential for recycling / resource recovery?
- d. Is the waste or product likely to be disposed of illegally?
- e. Does the waste or product cause significant community concern?
- f. Is the producer well placed to reduce the impacts of their products?

4. Set clear objectives and targets

Schemes must be specific and clear about what they seek to achieve and provide means by which to assess whether these objectives have been achieved.

The achievement of objectives must be assessed with reference to measurable targets and the failure to meet targets must be accompanied by clear and firm consequences.

5. Establish clear responsibilities

Schemes must designate clear roles to each participant in the product chain.

Local Government favours the assignment of clear responsibilities for specific outcomes to particular participants within the product chain.

6. Can be implemented in a timely fashion

Schemes must be capable of being delivered within a reasonable time.

Where an unacceptably long delay will be unavoidable when implementing any specific scheme, other options must be vigorously pursued, notwithstanding that these other options might be otherwise less preferred.

7. Apportion costs appropriately

Schemes must aim to achieve an appropriate sharing of costs, between the various tiers of government and industry.

New schemes must appropriately apportion costs to the various stakeholders, taking into account considerations including:

- a. What allocations will be fair, given the distribution of total costs and benefits?
- b. Which price signals may be desirable?
- c. Who has the capacity to pay?
- d. Will an allocation arrangement be able to be efficiently administered?

8. Give due consideration to the specific characteristics of the waste or product type

Schemes should be designed so as to be appropriate to the product or waste stream in question.

Local Government will assess any proposed program or measure with reference a range of criteria, which are likely to include criteria a. – f. under point 3. (as above).



	<p>9. Support claims with reference to credible evidence <i>Schemes should be supported with reliable evidence that demonstrates that the objectives of the scheme are likely to be able to be delivered.</i> In its twin roles as community representative and waste management service provider, Local Government has an obligation and a right to expect that proponents will demonstrate the merit of proposed Extended Producer Responsibility schemes. This must be done with reference to respectable and verifiable evidence.</p>
<p>Date of Adoption:</p>	<p>June 2004 Amended June 2008</p>
<p>Associated Policies:</p>	<p>Policy Statement on Household Hazardous Waste (December 2003)</p>
<p>Definitions:</p>	<p><u>Extended Producer Responsibility:</u> The financial and/or physical co-responsibility of those involved in making, providing or selling a certain product for the management and disposal of that product at the waste phase. Extended Producer Responsibility schemes generally engage producers in financing or carrying out the collecting, processing, recycling or disposing of post-consumer waste. Extended Producer Responsibility schemes may also be directed at changing manufacturing practices.</p>
<p>End of Policy Statement</p>	

