

Product Impact Management prioritisation process Coversheet for Submissions

Overview

The Department of the Environment and Energy is working with States, Territories and local government to develop a strategic approach to prioritising national product stewardship action in response to product impact management issues.

As product types are changing and increasing, managing their impacts on the environment (from waste produced throughout their lifecycle) is becoming increasingly complex.

Two documents have been developed to guide how Australian Governments will decide which product impact issues will be prioritised and have resources allocated to them. This will be managed through the administrative arrangements of the Meetings of Environment Ministers.

These are the draft:

- **Assessment | Action | *Escalation* (AAE) Process**
- **2018-19 Work Plan**

The Department invites public submissions on the two documents.

Your contact details

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Submission instructions

Submissions are due by 5:00pm AEST, 4 May 2018. Any submissions received after this date will be considered at the Government's discretion.

Where possible, submissions should be sent electronically, preferably in Microsoft Word or other text-based formats, to the email address listed below.

All submissions must include this cover sheet.

Submissions can be forwarded to:

wastepolicy@environment.gov.au

Alternatively, submissions may be posted to the address below to arrive by the due date:

Attn: Nataša Jovanović
Environment Standards Division
Department of the Environment and Energy – Allara St Offices
GPO Box 787
Canberra ACT 2600

For further information, please call 02 6274 2131.

Confidentiality and privacy

The Department will treat all submissions as public documents, unless the author requests the submission be treated as confidential.

Public submissions will be published in full on the Department's website. The Department will publish the name of the individual or, name of the organisation (if applicable) and state or territory with your submission.

A request may be made under the *Freedom of Information Act 1982* (Commonwealth) for a submission marked 'confidential' to be made available. Such requests will be determined in accordance with provisions under that Act.

The Department will deal with personal information contained in, or provided in relation to, submissions in accordance with this cover sheet and its Privacy Policy (www.environment.gov.au/privacy-policy). Personal information is collected for the purposes of identifying authors of submissions. It may be used and disclosed within the Department and to other persons for the purposes of carrying out the review, and otherwise as required or permitted by law.

Do you want this submission to be treated as confidential?

Yes

No

Submission to the Department of Environment and Energy on Draft Assessment, Action and Escalation Process and the Work Plan



April 2018

Status of this Submission

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (WALGA). MWAC is a standing committee of WALGA, with delegated authority to represent the Association in all matters relating to solid waste management. MWAC's membership includes the major Regional Councils (waste management) as well as a number of Local Government representatives. This makes MWAC a unique forum through which all the major Local Government waste management organisations cooperate. This Submission therefore represents the consolidated view of Western Australia Local Government. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

This Submission was considered and endorsed by the Municipal Waste Advisory Council on Wednesday 18 April.

General Comments

The Association appreciates the opportunity to comment on the Assessment, Action, Escalation Process and the Work Plan and acknowledges the consultative approach the Department has taken with Local and State Government to develop these documents.

The Association is supportive of a clear and transparent process for assigning priority to different products to be progressed through Product Stewardship Schemes. The approach of making public the Work Plan also provides the opportunity for transparency and accountability in the process of developing Product Stewardship Schemes.

The Association also notes the considerable time and effort that is required to develop Product Stewardship Schemes for particular products. If Australia is to transition to a more 'circular economy' approach then there needs to be a move beyond product stewardship to ensure that no product can enter the market without a clear recycling/recovery option being put in place.

Assessment, Action and Escalation

Working Principles

Support the escalation of product stewardship action once in train.

The terminology used of 'Escalation' in the document requires further clarification if the intent of this term is implementing co-regulatory or mandatory approaches to Product Stewardship this should be clearly stated.

National Product Stewardship List

The Paper identifies that the Minister for Environment and Energy has the authority under the *Product Stewardship Act 2011* to publish an annual list of priority waste for action. However the Paper notes "this process is separate to the prioritisation process outlined". For the prioritisation of products for action, there needs to be one list of priorities to reduce duplication of effort, any potential confusion and assure stakeholders that a transparent process has been followed. There are only limited resources available from Local Government to engage in the development processes for Product Stewardship Schemes, therefore it is important that a clear and transparent approach is used to prioritise products and then progress them – through voluntary, co-regulatory or mandatory Product Stewardship Schemes. The Association suggests that the Product Stewardship list include those product identified through the AAE process where co-regulatory or mandatory approaches are required and also notes products that are being progressed through voluntary approaches. This will provide one point of information for Local Government and producers, clearly and concisely, identifying Government's priorities.

Assessment

In identifying the 'product impact issues' it is important that considerations of cost to manage the product at end of life are also considered. One of the major impacts for Local Government, which product stewardship approaches can help to resolve, relates to cost of recycling /disposal and illegal dumping. State Government also experiences considerable cost impacts from costs associated with products at end of life.

Another consideration for the Assessment section of the process is whether existing Product Stewardship Schemes could be altered/modified to include the product. The Association considers that establishing a new Product Stewardship Scheme for every product is time consuming and expensive process. For new Schemes the most important considerations should be how the material will be collected and the public engaged in the process. From the Associations experience with the TV and Computer Product Stewardship Scheme, Tyre Stewardship Australia and Paintback, for each Scheme there is a process of developing branding/communications, Governance debates, contracting with collection sites and the establish of an identity for the Scheme so the brand owners are recognised. This doesn't make for a consistent public facing Scheme or easy engagement with Local Government. The TV and Computer Scheme is particularly problematic in this regard because it is one Scheme with multiple brands. There has to be some thought given to having fewer Schemes covering more products, or having one agency all the Schemes go through, to promote consistent messaging to the community and engagement with Local Government and State Government.

Work Plan

The Work Plan is useful in that it identifies the range of actions that are planned and underway. However, there are still a number of incomplete sections to the Plan. In the Assessment stage, large energy storage batteries are identified. These batteries are likely to be associated with electric vehicles and Photovoltaics, so could potentially be considered as part of the work on Photovoltaic systems. The Association strongly supports the expansion of the TV and Computer Product Stewardship Scheme to include additional electronic and electrical waste.

Tyres are included in the 'Action' section of the Work Plan, depending on the outcome of the ACCC Review the Association would recommend these products be moved to the 'Escalation' phase as the current voluntary approach has failed to deliver the necessary outcomes – the Associations views on Tyre Stewardship Australia are identified in a separate Submission to the ACCC available from the [WasteNet Website](#).