SSROC submission on the

proposed national approach to product stewardship action on environmental impacts of products

For the attention of

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

By email to: wastepolicy@environment.gov.au
Introduction

The Southern Sydney Regional Organisation of Councils (SSROC) is an association of eleven municipal and city councils. SSROC provides a forum for the exchange of ideas between our member councils, and an interface between governments, other councils and key bodies on issues of common interest. Together, our member councils cover a population of over 1.7 million, or one third of the population of Sydney. Our residents produce around 19% of all NSW household waste.

SSROC strongly supports the principles of extended producer responsibility and the development of a national approach to minimise the environmental impacts of waste from products. In our submission, we have provided comments and recommendations on the two documents open for consultation, including the Draft Assessment – Action – Escalation (AAE) Process and the Draft 2018 - 2019 Product Impact Management (PIM) Work-plan.

To prepare this submission by the deadline, it has not been possible for it to be approved by councils or to be endorsed by the ROC, we will contact you should any issues arise a result. Despite that constraint, SSROC has prepared the submission with cross-Council input and internal review.

General Comments

1. The Draft Assessment – Action – Escalation (AAE) Process – Supporting a national strategy to manage environmental impacts from products

The Assessment and Action stages detailed in the draft AAE Process require a significant burden of time, red tape and resourcing from a sponsoring jurisdiction and it is unclear whether government funding is made available to support these stages. Having a long and resource-intensive process is a significant barrier that could result in a low number of products being prioritised or moving through the AAE, resulting in years of potential environmental damage from a product’s impact until action is taken. It is also unclear what benefit a sponsor at ‘every level of government’ receives by sponsoring product stewardship action under the AAE. Councils are unlikely to have the resources required to carry out the analysis required for the AAE process.

In NSW, the products put forward for assessment will largely depend upon the NSW Environment Protection Authority’s capacity and will to be a sponsor. Regardless of whether the local government sector is involved in planning or implementing the AAE process or sponsoring action, councils are often put in a position to collect and organise processing for products, educate or interact with the public on the matter, or report on local impacts.

The success of any product stewardship scheme relies on the collaboration between all levels of Government and industry. From an evaluation perspective, there should be a process by which consultation with local government becomes part of the sponsor’s due diligence. This could be during the establishment of a working group in the Action stage, to help foresee operational issues, determine communications or stakeholder management challenges, and to enact a logical program to address those issues. Inviting councils to have a critical role during monitoring and review will inform scheme managers how well it is working on the ground.

Appointing a Product Stewardship Commissioner would help ensure collaboration between all stakeholders and develop a national strategic approach that improves the connection
between individual schemes. An example of this type of role is already established in the Department of Environment and Energy by the Threatened Species Commissioner.

To help all stakeholders better understand the AAE process, it would be helpful to include an example in the Appendix of a product/s going through each of the AAE stages so that it is clear how much information and research is required at each step, what resources might be required and to illustrate the roles of different stakeholders.

**Recommendations:**

1. Provide a dedicated grant or fund an independent body that enables collaboration with all stakeholders to conduct the required feasibility assessments for a product to be considered by the Minister for the PIM work plan.

2. Resources should be allocated for independent evaluation of a scheme during the Assessment and Action stages to ensure that performance criteria are addressed in the planning stages, and the scheme is assessed against the intended outcomes.

3. Appoint a Product Stewardship Commissioner to ensure collaboration between all stakeholders and develop a national strategic approach.

4. Include in the revised document an explanation of implications of Assessment and Action stages for each of the three regulatory approaches: regulated, co-regulated and voluntary.

5. Ensure councils are involved both in the design of the product stewardship scheme and in the monitoring and review stages. This could be through a representative body such as Local Government NSW (LGNSW).

6. Provide a template in the Appendix section with an example/s of a product going through each AAE stage to provide clarity to a range of different stakeholders how much information and research is required at every step. Include examples of sponsor/s and how the action and assessment phase might be funded. Also include examples of products going through each of the three regulatory approaches: regulated, co-regulated and voluntary.

7. Make the AAE document more community-friendly by using plain English and including a glossary of terms for items such as ‘jurisdiction’ and ‘free rider percentage’.


SSROC facilitated a review of products on the Draft PIM Work-Plan with waste managers from our 11 councils and their insights and recommendations are detailed below:

Currently, there are many individual product stewardship schemes operating in isolation of one another. To enable the convenient collection of products for recycling, councils and other organisations often collect multiple products at the same time and location, for example through community recycling centres (collecting paint, batteries, electronic waste and other items), as well as collection events, such as electronic waste collection. In
designing a national approach, there is an opportunity to provide a strategy for how the separate schemes work together, with common branding that can easily be recognised by the community.

Most of the actions listed in the PIM Work-plan are vague and voluntary, and there are no observable, measurable targets. The PIM Work-plan should include hard targets and clear justifications of why a voluntary, co-regulatory or regulated approach is required. An example of the lack of hard targets is the ‘voluntary action by retailers to phase-out the use of heavier plastic department store bags’; even voluntary actions should have aspirational targets. Another example of an action that is unmeasurable is the national phase-out of single use plastic bags where the action listed is ‘Ministers are supporting actions by individual jurisdictions to phase out the use of single use plastic bags, but no actions have been specified’. The actions listed for Packaging are similarly vague.

The AAE strategy is also silent on whether and how it supports Local or State Government bodies, or other land managers, that take a proactive role in product bans. In our region, Waverley Council has top-down support for a plastic bag ban, and is actively working with retailers and shopping precincts on compliance, alternatives and an education campaign. If the AAE process cannot provide guidance or support for localised product stewardship initiatives, at the very least a common branding and marketing plan could assist those efforts.

Additional Products that should be included in the PIM Work-plan:

1. **Electrical accessories and other electrical items**: SSROC councils have asked that every electronic item (any item with a plug) be included in the National Television and Computer Recycling Scheme (NTCRS). Collecting out of scope items from residents has had significant cost implications, and it is difficult and resource-intensive to refuse items from residents who go to the effort of collecting, storing and transporting electronic items for recycling.

2. **Mattresses** – It is unclear why this is not on the PIM Work-plan given this scheme is being developed as outlined by Soft Landings at: [https://www.softlanding.com.au/our-partners/](https://www.softlanding.com.au/our-partners/) Voluntary schemes are arguably the most difficult to achieve, therefore more acknowledgment and communication of these is required.

3. **Fridges, freezers and air conditioners** - these items can’t be compacted, are costly to de-gas, and take up large amounts of room in landfill. Responsible disposal of fridges is becoming a bigger priority with the loss of the Fridge Buyback Scheme.

4. **Polystyrene** – A major pollution source in the marine environment and very difficult to recycle. It could be included in a meaningful ‘Packaging’ scheme, which is sponsored by the Australian Packaging Covenant.

5. **Textiles (clothing, carpets, soft furnishings and manchester)** – SSROC regional bin audits from 2015 show a significant increase in the amount textiles in the general waste bin. Councils, as well as charities, end up paying the cost of dealing with this waste without contributions from the industries producing these materials.

6. **Milk, bread crates and shopping trolleys** – often a public safety, illegal dumping and access problem that councils deal with in laneways, pedestrian pathways, or shopping and commercial precincts. A deposit system with rebates for returned milk and bread crates was suggested by one of our councils.
7. **Takeaway coffee cups** – consider adding a levy on the cups to discourage use and provide incentives for cafes to encourage alternatives.

8. **Disposable nappies** – In households with young children, disposable nappies make up a large proportion of the general waste bin. Incentives for manufacturers to use biodegradable and renewable materials could be considered.

The draft PIM work plan would also be clearer if information on the current status of each item was included in the work plan as it is outlined in Appendix 1 (pg25) in the *Review of the Product Stewardship Act 2011 consultation paper*. It also states in the consultation paper on page 8, that accreditation is valid for a five-year period but does not state whether accreditations are reviewed again. It has been five years since MobileMuster and Flurocycle were accredited by the Australian Government, and a review of these schemes should be added to the Work-plan.

### Recommendations:

1. The PIM Work-plan needs to include hard targets and clear justifications of why a voluntary, co-regulatory or regulated action is required.

2. Include explanation about how the AAE strategy can support proactive product stewardship initiatives by Local or State Governments, such as Waverley Council’s plastic bag ban. A national branding, and marketing plan, could assist localised initiatives.

3. The NTCRS should be expanded and resourced to include every electronic item (any item with a plug).

4. Other products should be listed on the PIM Work-plan including mattresses, polystyrene, fridges, freezers, air conditioners, clothing and carpets, milk and bread crates.

5. The existing schemes MobileMuster and Flurocycle should be included for review.

### Conclusion

SSROC supports a stronger national approach to product stewardship. However, the process should be as simple as possible and supported through the funding of an independent body, or a resource support package. SSROC, and Local Government in general, aim to work with all stakeholders to make it a success.

For any enquiries regarding this submission, please contact David Kuhn, Regional Strategic Coordinator Waste and Resource Recovery on david.kuhn@ssroc.nsw.gov.au or 02-8396-3807.

Yours sincerely,

Namoi Dougall  
**GENERAL MANAGER**  
Southern Sydney Regional Organisation of Councils