



SUBMISSION TO RECYCLING AND WASTE BILLS 2020

14 September 2020

Thank you for the opportunity to make a submission to these important bills. They have the potential to bring Australia's treatment of waste into a new era of recycling and build towards the circular economy. We particularly welcome clause 4 that embeds the precautionary approach in relation to protecting human and environmental health.

Regulation of export of waste material

- We support the export ban and the prohibition of identified products for export; the schedule outlined for glass, mixed plastics, tyres and paper/cardboard; and the proposed compliance regime.
- We note the ban must be supported by sufficient investment in domestic recycling (Recycling Modernisation Fund) and we urge government procurement rules on recycled content to provide stability and sufficient financial incentive for private investment. While amendment of the Bill is not a likely mechanism, we urge the committee to highlight this issue for further government action.
- Given the nature of the waste export and management industry with some alleged illegal activity in past years – the Bill could bring in whistle blower protection provisions to assist in compliance.

Product Stewardship (PS)

- In large measure product stewardship has lagged in Australia. In general Chapter 3 has the potential to improve the situation by allowing the exerting of improved federal powers, subject to amendment.
- In view of the repeated past failures of voluntary programs, we strongly support the mandatory approach. Our waste and recycling issues require urgent attention and Australia cannot afford another decade of voluntary targets, promises and missed deadlines.

- Chapter 3 appears to allow voluntary and co-regulatory PS schemes to exclude free riders. This of course is a recipe for an inadequate scheme. The Bill should require as a fundamental first step, 100% participation by all manufacturers and importers for any of the 3 types of PS schemes.
- The Minister’s priority list requires three amendments in our view:
 - A schedule immediately listing the following items – solar panels, packaging, used paint and hand held batteries. Schemes are already in various stages of development and while they may need improvement, it would be time-wasting to start the process again.
 - The criteria should include a reference to the National Waste Policy.
 - The Minister should be obliged to consult all the groups mentioned in clause 67 (2); and establish an expert reference group (we note the bureaucracy is traditionally timid about proposing new items for PS schemes).
- Packing, in particular, requires mandatory action as it has key targets due by 2025 and 2030 which should not be unfulfilled.
- The Bill contains provision regarding use of the PS logo. However the propagation of the Australian Recycling Label (ARL) could confuse consumers and undermine PS schemes, which can mandate recovery and recycling and financial support – while the ARL does not. Either the ARL should not apply to PS items or it is reformed to assure consumers that “recyclable” actually means it is recycled (similarly for compostable and reusable).¹

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On behalf of the above groups.

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- ¹ *Reusable*-designed for multiple use for designed purpose, with services attached to allow consumers to reuse/return
 - *Compostable*-meets certification standards, collected and processed at scale in multiple regions
 - *Recyclable*-designed for recycling, collected and processed at scale in multiple regions