

ALGA Submission Inquiry into the Product Stewardship Bill 2011

April 2011

Introduction

The Australian Local Government Association (ALGA) represents the interests of more than 560 councils nationally. ALGA is a Federation of the associations of Local Government in each state and territory. The ACT Government is also a member in its role as the local authority in the Australian Capital Territory.

Thank you for the opportunity to make a submission on the Product Stewardship Bill. ALGA welcomes the development of this legislation. ALGA is aware that its members and a number of Local Governments have participated in the consultation which has preceded the development of this Bill and may also make separate submissions. This submission should be read in conjunction with their input.

As identified in the ALGA Submission on the National Waste Policy, there is strong Local Government support for the development of an effective Extended Producer Responsibility (EPR) and Product Stewardship Framework at a national level. ALGA identified that this is particularly important in diverse national markets where individual state-based approaches would increase costs, restrict competition and contribute to distortions in the allocation of resources in the economy.

This Submission does not comment on every aspect of the Product Stewardship Bill but rather focuses on the key themes which local government has identified as significant. These include the drivers for product stewardship, the need for a robust process to determine priority products for product stewardship and comments on the various options for product stewardship (voluntary, co-regulatory and mandatory).

Drivers for Product Stewardship

Local government has identified that producer should assume greater responsibility for the reuse, recycling and disposal of their products at end-of-life.

While producers taking responsibility for products is not directly identified as a driver for Product Stewardship, we note the preferred approach for achieving the objects of the Act is through encouraging or requiring manufacturers, importers, distributors and other person to take responsibility for products.

The cost of waste management, to government, is identified as one of the product stewardship criteria.

Priority Products – Criteria and Process

In the Product Stewardship Bill, and the Consultation Paper which preceded it, a specific process for the selection of products for Product Stewardship schemes was not included. The inclusion in the Bill of this requirement may not be suitable, however ALGA notes that such a list of priority products needs to be developed. Such a process would allow direct input by stakeholders into what products would be considered. If a list of priority products is developed, this shows clear leadership

from Government and allows industry time to develop Product Stewardship programs.

Options for Product Stewardship

Voluntary approach

Voluntary schemes (where effective) are supported, however voluntary schemes will need to be in line with Government priorities and be clearly accountable. To facilitate this, the proposed system of accreditation and review is supported.

Co-regulatory Approach

The expectation for a co-regulatory approach is again that there would be clear aims, auditing and review mechanisms. The Product Stewardship Bill appears to satisfy this expectation.

Mandatory Approach

Local government considers that a mandatory approach is relevant wherever a voluntary or co-regulatory scheme is not an option to achieve the objectives of the legislation. ALGA supports the approach taken in the Bill which does not overly limit the circumstance under which a mandatory approach can be implemented.

As noted, ALGA supports the Extended Producer Responsibility as an approach to ensure manufacturers take responsibility for their products at end of life.