



23 September 2020

Stephen Palethorpe  
Secretary  
Standing Committee on Environment and Communications  
Via email: [ec.sen@aph.gov.au](mailto:ec.sen@aph.gov.au).

Dear Mr Palethorpe

### **Paintback Supplementary Submission to the Inquiry into the Recycling and Waste Reduction Bills 2020**

Thank you for the opportunity to provide supplementary information to the Standing Committee for Environment and Communications, considering the evidence provided at its public hearing of 18 September 2020.

#### **Used paint has already been listed under the Product Stewardship Act 2011**

The Committee should be aware that used paint was included on the Minister's priority list under the Product Stewardship Act 2011. In 2016, Paintback was launched and the Minister for Environment removed used paint from the list because a product stewardship scheme was created.

Paintback has continued to establish a national, harmonised collection scheme for residents and commercial painters. I refer you to our previous submission which details the progress we have made in meeting our objectives, which cannot be characterised as "evolved thinking".

Results of our progress are published annually to our website. We also report these to the ACNC in accordance with our charitable status obligations, which is accredited by the Commission's charitable status logo. Paintback also annually informs all relevant State, Territory and Federal environment ministers of our packaging recovery performance. Paintback also submits its performance to the ACCC as part of the authorisation process required under the Competition and Consumer Act 2010 to apply the scheme's levy.

Paintback does not agree with this call to re-list waste paint because it is unclear what this could achieve, other than as a backdoor way to regulate a successful voluntary product stewardship scheme. This is an outcome not supported by Paintback or its member companies.

#### **Product Stewardship Should Address the Entire Product, Not Just its Packaging**

APCO's submission states that many product stewardship schemes only have a single focus, such as recovery, rather than design, use, reuse and market development as well.

Paintback is not one of "the many". Not only have we worked with industry to design a fit-for-purpose sustainable packaging design guidelines that takes into account the safety and environmental

requirements of paint, we have research programs that are reducing barriers to reuse and market development across all material streams in the architectural and decorative paint product.

Plastic packaging is a priority material for Paintback, even though it is our smallest material stream, because it is problematic to recycle. To this end, we have initiated a program to pilot the mass scale-up of 30% recycled content plastic paint containers, using used paint pails as the recycle source. The paint industry is creating a market for its own used containers (see below).



This gives reason to pause and assess the effectiveness creating a specific stewardship scheme solely for packaging on *all* products when certain industries have already established a wholistic approach to managing end of life products that also address packaging. This is because it will give rise to duplication and inefficient regulation without furthering policy objectives.

## NEPM Review

A review of the NEPM for Used Packaging should be completed during 2021 and address the following matters:

- Whether the NEPM remains the most optimal regulatory instrument to address short-phase use packaging effects on the environment.
- The relevance of the instrument's stated objectives and whether it meets these objectives.

- Ensuring the instrument is targeted where it will have the most impact on the environmental effects on used packaging and limiting its reach to that.
- Removing duplication with subsequent environmental regulations, such as container deposit schemes and the product stewardship aspect of the Recycling and Waste Reduction measures under consideration.

Paintback emphasises again, well-designed, well-targeted and fit-for-purpose regulation supports achieving policy priorities effectively. I would be pleased to discuss any further questions the Committee may have.

Yours sincerely

Karen Gomez

**Chief Executive**