

Comment Coversheet – Draft National Waste Policy Framework

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Lighting Council Australia
SUBMISSION IN RESPONSE TO
DRAFT NATIONAL WASTE POLICY FRAMEWORK DISCUSSION PAPER
July 2009

1. INTRODUCTION

Lighting Council Australia responded in May 2009 to the document *A National Waste Policy: Managing Waste to 2020*. In accordance with the Department's request we will not repeat material included in this earlier submission.

Lighting Council Australia welcomes the discussion paper and in general supports the Draft Policy Framework. However, there are some concerns. The remainder of this submission provides commentary on excerpts from the Draft Framework.

2. COMMENTS

***'The proposed framework allows for businesses/sectors to implement recovery schemes best suited to their needs.'*¹**

Lighting Council supports a national mandatory/regulatory sustainable product stewardship scheme for mercury-containing/gas discharge lamps and believes this can be realized within the proposed framework. For mercury-containing/gas discharge lamps, a product specific, mandatory/regulated scheme is considered necessary because:

- lamps have almost zero economic value in the post-consumption phase;
- the cost of collection and recycling of lamps is extremely high relative to the cost of production, which encourages free rider behaviour.

This has two important consequences:

- Because there is a strong economic incentive not to participate in a collection and recycling of mercury-containing/gas discharge lamps (and engage in free riding behaviour), all suppliers should be required to participate in a national mandatory scheme.
- Because lamps are different, it is necessary that legislation (including legal definitions, roles and responsibilities of different stakeholders in the supply chain) be developed specifically for lamps. Therefore Lighting Council supports the development of product stewardship agreements for specific product categories.

¹ Taking responsibility - directions for change, p14.

'The development of one National Waste Policy for the whole of Australia, that provides more consistent regulations across jurisdictions, addresses unnecessary or poorly designed regulations and provides underpinning national legislation that will address free rider behaviour'.²

In addition, Lighting Council calls for (1) underpinning regulation that ensures participation from all stakeholders leading to environmentally and economically sustainable solutions and (2) concrete instruments to address free rider behaviour. Such instruments could entail:

- creation of a level playing field by clearly describing the roles, responsibilities and obligations of different stakeholders in the policy (and not merely a 'level playing field with regards to standards, hazardous content labelling requirements of manufactured goods' as described in the draft National Waste Policy)³
- membership of a product stewardship scheme as a condition for marketing products in Australia
- the exclusive accreditation of one national scheme for mercury-containing/gas discharge lamps:
 - to ensure one high quality standard for sustainable collection and recycling services
 - to avoid the establishment of schemes that engage in free rider behaviour by demanding lower charges, by following lower quality standards or by not providing collection and recycling services
 - to ensure simple, user-friendly solutions for all stakeholders/users in Australia
- retaining the responsibility in the supply chain if products are purchased through a supplier who does not fulfil obligations
- penalising free rider behaviour through adequate enforcement measures.

'The application of an advance charge [to cover recycling and disposal]'⁴

Lighting Council strongly supports this principle. A ***transparent advance charge*** can provide a solid financial basis for collection and recycling operations and can create awareness among consumers by earmarking products that need to be recycled.

'Adoption of national standards and requirements for labelling of manufactured goods and consumables in regard to hazardous materials, including heavy metals and chemicals. Such standards exist in a number of countries, and Australia should adopt the appropriate international requirement rather than developing its own'⁵.

The Lighting Council strongly supports this strategy with regards to labelling, as it will ultimately decrease manufacturing costs and avoid unnecessary logistic burdens being imposed on Australian producers and importers. However, a complete adoption can only be implemented if such standards and requirements are applicable and possible in the Australian market.

² Overview, p1.

³ The vision by 2020, p12.

⁴ Taking responsibility – directions for change, p14.

⁵ Reducing hazard – directions for change, p19.

'There will be efficient and effective Australian markets for waste and recovered resources by 2020'⁶.

Lighting Council supports this vision but calls for the development of one national, competitive Australian market for waste recovery not obstructed by state or local legislation and limitations imposed on the transportation of (hazardous) waste.

'Develop and publish an annual summary and periodic (three of five yearly) current and future trends report on waste across all its attributes. The summary would provide data and information against a small subset of agreed key performance indicators'⁷.

Lighting Council welcomes this policy but wishes to stress the importance of developing the key performance indicators jointly by the product stewardship scheme and government.

'Government, through its own operations and delivery of services, can be a driver in creating markets for recovered resources and supporting product stewardship approaches that enable more effective establishment of collection, distribution and reprocessing infrastructure'⁸.

Lighting Council strongly supports government investing in more effective collection, distribution and reprocessing infrastructure. More specifically, it is essential that government invests in the establishment of a broad network of municipal depots, an investment no individual enterprise can be expected to make.

'Waste management is primarily the responsibility of the state or territory governments...and local governments which develop and implement policies, programs and legislation to achieve waste or resource recovery objectives'⁹.

It is important that implementation by state or territory government does not disturb a national level playing field, an effective policy towards free riders and a competitive national market for waste recovery. It is therefore of the utmost importance that implementation and enforcement of national legislation is coordinated/organised at a national level.

⁶ The vision by 2020, p12.

⁷ Reporting on performance – directions for change, p20.

⁸ Facilitating investment, p18.

⁹ Context, p4.

The Draft National Waste Policy contains several provisions regarding potential supply chain signals:

'The application of an advance charge would provide a supply chain signal that would encourage product re-engineering to avoid waste, waste reduction, the use of less hazardous substances and design for re-use'¹⁰.

'Product stewardship/extended producer responsibility is adopted for business operations and embraced by the community and drives improvements in product design, longevity, efficiency of re-use and consumption choices'¹¹.

'Businesses in the manufacturing and supply chain embrace design and engineering approaches that support re-use and disassembly and minimize the environmental footprint of their product'¹².

Lighting Council welcomes the establishment of an advance transparent charge but would like to manage expectation towards linking the charge to product design and to the use of hazardous substances. In practice, such a linked charge has produced no recognizable effect. Other measures like eco-design regulations or regulations directly managing the use of hazardous substances are easier to enforce and have proved to be more effective. In line with this experience, Lighting Council considers the advance transparent charge should merely be linked to collection and recycling operations.

¹⁰ Taking responsibility – directions for change, p14.

¹¹ The vision by 2020, p12.

¹² The vision by 2020, p12.