

Submission in relation to the:

Recycling and Waste Reduction Bill 2020

**Inquiry by the Environment and Communications Legislation
Committee**

14 September 2020



Lighting Council Australia Ltd.

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Dear Mr Palethorpe,

Lighting Council Australia (LCA) welcomes the opportunity to provide a submission to the Environment and Communications Legislation Committee's Inquiry into the Recycling and Waste Bill 2020.

Lighting Council Australia

Lighting Council Australia is the peak industry body for lighting in Australia and represents around 100 lighting companies. Many of our members are engaged in the manufacture, supply and design of lighting products. The organisation has members in every State and is overseen by a Board of Directors, comprising CEO's from many leading Australian lighting companies.

Lighting Council aims to encourage the use of environmentally appropriate, energy-efficient, quality lighting systems. Furthermore, it is our goal to advocate the importance of energy-efficient, quality, low environmental impact lighting products and systems and encourage good lighting design which incorporates environmentally sustainable production.

Lighting Council administers two industry-led products stewardship programs which are funded by members through an environmental levy. Exitcycle and Fluorocycle are voluntary product stewardship schemes which aim to increase the recycling rates of emergency and exit lighting batteries and fluorescent lamps and tubes respectively.

Summary of the Proposed Recycling and Waste Bill 2020

Lighting Council supports the approach taken to both product stewardship and the regulation of waste exports through the Bills. Furthermore, LCA shares the view of reducing the impact that products and waste material have on human and environmental health and realising community and economic benefits by taking responsibility for products and waste material is an important objective. This submission will cover:

- Lighting Council product stewardship schemes.
- Comments on the product stewardship provisions.
- Comments on the provisions giving effect to the waste export ban.

It is our view that the proposed Recycling and Waste Reduction Bill 2020 (the Bill) will establish an effective legislative framework to enable Australia to more effectively manage the environmental and

human health and safety impacts of products and waste material. This includes, in particular, impacts associated with the disposal of waste materials and products.

Product Stewardship

Lighting Council Australia is uniquely well-placed to leverage from its membership which represents approximately 90% of Australian lighting manufacturers and suppliers to administer industry-led product stewardship schemes. Exitcycle and Fluorocycle are voluntary product stewardship schemes which aim to increase the recycling rates of emergency and exit lighting batteries and fluorescent lamps and tubes respectively. These materials contain toxic materials that when disposed of to landfill can have a detrimental impact on both the environment and humans.

Exitcycle: Exitcycle is a voluntary product stewardship scheme that aims to increase the recycling rate of end-of-life emergency and exit lighting batteries in both commercial and residential applications. Emergency and exit lighting is required by law to be installed across a range of commercial and residential buildings. Signatories to the scheme highlight their organisation's commitment to protecting the environment through either becoming Commercial Users, organisations that have committed to recycling the emergency and exit batteries within their facilities, or as Facilitators. Facilitators act to promote the scheme and include battery recyclers and collectors, electrical contractors, peak bodies, media, and government agencies.

Fluorocycle: Fluorocycle is a voluntary product stewardship scheme that seeks to increase the national recycling rate of waste mercury-containing lamps. Mercury is a neurotoxin and is dangerous to humans and the environment. Fluorocycle received accreditation from the Australian Government on 12 September 2014, has been a priority initiative under the COAG endorsed National Waste Policy. There are over three hundred signatories and the scheme is responsible for promoting the collection of over 1,000 tonnes of lighting waste. The most recent available data indicates that mercury recycling rates increased by 378% from 24.5 kg of mercury in 2010 to 117 kg in 2016.

Voluntary product stewardship schemes such as Exitcycle and Fluorocycle are highly effective in promoting positive environmental outcomes, especially where the environmental problem to be addressed involves costs being imposed on the disposers of waste. Through a voluntary program, signatories highlight their organisation's commitment to protecting the environment through Corporate Social Responsibility (CSR) practices.

Voluntary product stewardship schemes can help Australian consumers make better choices when purchasing and disposing of products, and to have confidence that the products they are choosing to meet government accreditation requirements.

Lighting Council supports the approach taken to product stewardship in the Recycling and Waste Reduction Bill 2020. In particular, we welcome provisions that give effect to recommendations of the review of the Product Stewardship Act, including:

- Inclusion of product design in the objects of the Recycling and Waste Reduction Bill 2020 (Section 3)

- Inclusion of recommended actions and timeframes and provision for consultation concerning the Minister's priority list (Section 67)
- Opportunity to seek accreditation of voluntary arrangements at any time
- Greater rigour in the administration of voluntary product stewardship accreditation, including by requiring administrators of accredited arrangements to notify the Minister of certain events (Section 72)
- Greater flexibility for the Department to manage the Product Stewardship Logo (Section 73)
- All governments (Commonwealth, states and territories) need to deliver on their obligations under the National Waste Policy Action Plan
- Minister's ability to call out free-riders to enforce involvement in product stewardship

One area to which we encourage the Government to give further consideration is holding local, state, territory and Commonwealth government departments accountable for involvement with product stewardship schemes where waste products and materials incorporated under a product stewardship scheme apply to these departments.

Lighting Council has reported significant uptake and involvement from communities and businesses in voluntary product stewardship schemes where local, state and territory government agencies support the schemes initiatives through promotion, involvement and facilitating the objectives of the scheme.

Lighting Council Australia would welcome the opportunity to work with interested local, state, territory and Commonwealth government agencies to progress these initiatives. In particular, support for schemes such as Exitcycle and Fluorocycle drastically increase the effectiveness of the scheme's initiatives.

Lighting Council encourages the Australian Government to consider utilising existing product stewardship schemes like Exitcycle and Fluorocycle which already deal with potentially toxic materials. These schemes facilitate voluntary product stewardship with little to no additional expense for the consumer and have demonstrated efficiency without the need for co-regulation. All that is needed is additional recognition and awareness through a medium such as the Ministers Priority List and the support frameworks offered to accredited voluntary product stewardship schemes.

Export of Waste Materials

Lighting Council supports the regulation of waste exports and the approach to its implementation established by the Bills.

The key challenge arising from the regulation of waste exports will be ensuring the appropriate timing concerning the application of legislation to priority products and future waste material bans. In many instances, infrastructure does not yet exist in Australia for the processing of waste materials and products. Products which are listed to comply with the waste export ban set out in the Bills must have appropriate avenues for recycling and collection which comply with Australian waste recycling standards and regulations. Companies resorting to stockpiling or landfilling waste materials is both detrimental to the environment and leads to consumer distrust in the efficacy of recycling.

E-waste currently covers a large range of electrical and electronic equipment and materials which will eventually need to be addressed and should be encouraged with legislative support. However, our experience notes several key aspects which must be prioritised before legislative requirements are enforced.

Infrastructure must first be available to support materials listed under the waste export ban. Infrastructure includes and is not limited to material processing machinery and equipment, transport, collection, re-use and safety equipment.

Governments should support the development of targeted solutions for local waste streams. In addition to the investment of funding, which it is pleasing to see is already underway through the Recycling Modernisation Fund. Governments should work with industry to identify challenges and opportunities and work with industry to develop, pilot and implement solutions including collection for recyclable and/or waste materials.

Lighting Council welcomes the Bill making provision for the authorisation of persons to exercise certain powers and perform certain functions under the Bill. Conducting audits of export and waste operations under the *Regulatory Powers (Standard Provisions) Act 2014* will ensure industry compliance is upheld which will inevitably build trust within the public.

Conclusion

Lighting Council appreciates the opportunity to provide a submission on the inquiry into the Recycling and Waste Reduction Bills. Lighting Council would welcome the opportunity to appear before the Environment and Communications Legislation Committee in supporting this submission and looks forward to continuing to work with the Commonwealth, State, Territory and Local governments to improve environmental outcomes in the Australian lighting industry.

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