

National approach to Product Stewardship

Submission

April 2018

About the LGASA

The Local Government Association of South Australia (LGASA) is a membership association representing the State's 68 councils. The LGASA's mission is to provide leadership support, representation and advocacy on behalf of South Australian councils, for the benefit of the community.

Local Government's waste management role

South Australian local government makes a significant investment in the management of waste and recycling. The increasing expenditure on waste management and recycling is predicted to present one of the most difficult financial challenges for the local government sector in coming years, meaning that councils have a key interest in waste reduction methods.

LGASA position on product stewardship

Product stewardship is aligned with LGASA Policies relating to waste management, which seek to:

- provide 'ecologically sustainable waste and resource recovery services to the community';
- 'continually improve the efficiency and environmental sustainability of local government waste resource management'; and
- 'contribute to innovation in waste sector markets.'

An effective product stewardship system helps to create a circular economy which leads to reduced waste levels and the creation of employment opportunities. The LGASA supports the development of a circular economy, and believes that all levels of government should support circular economy principles to ensure every products lifecycle is considered.

The LGASA also believes the current pressure on Australia's recycling industry by China's revised waste import policy may be alleviated by a more robust product stewardship approach, and that sustainable procurement policies need to be implemented at the Federal level to support product stewardship.

LGASA response to National approach to Product Stewardship

The LGA is grateful to the Department of the Environment and Energy for the opportunity to comment on the Assessment I Action I *Escalation* (AAE) Process and Draft 2018-19 Product Impact Management (PIM) Work-plan.

The LGASA acknowledges product stewardship as an important means towards achieving Australia's waste minimisation and management objectives and targets. However, while the LGASA recognises the need for a strong product stewardship approach, the LGASA has several concerns in relation to the AAE Process.

The LGASA is concerned by the different processes created under the AAE Process and the *Product Stewardship Act 2011* (the Act). While the LGASA notes that the Act is currently under review, the AAE Process appears pre-emptive to the review of the Act and the LGASA questions future interaction between the AAE Process and the Act, should the Act be amended.

While the LGASA recognises the development of the AAE Process as an effort to involve other spheres of government in identification of product impact issues, the LGASA views the proposed AAE Process as highly onerous on sponsoring and co-sponsoring jurisdictions and questions its functionality and workability, particularly for local government.

Document analysis

In preparing this Submission, the LGASA has consulted our 68 member councils on the Assessment I Action I *Escalation* (AAE) Process and Draft 2018-19 Product Impact Management (PIM) Work-plan.

AAE Process

The LGASA acknowledges the significant work undertaken by the Department and other organisations to develop the AAE Process, but suggests the Process be amended to encourage local government participation.

In its current form, the AAE Process is resource intensive and heavy responsibility is placed on sponsoring and co-sponsoring jurisdictions. Although local government is the jurisdiction with primary responsibility for waste management, the majority of councils are unlikely to be in positions to resource the identification of product impact issues through the AAE Process' first stage, and even if they could, they would unlikely be able to resource the second stage. As an alternative, the LGASA suggests the Commonwealth Government takes the leadership role in identifying emerging product impact issues and then work with state and local governments to determine issues' importance and progress issues through the Action stage. This change would improve the Process' functionality and workability.

Our members have also expressed concern at the Environment Ministers' ability to easily refuse a product impact issue raised after sponsoring and co-sponsoring jurisdictions have undertaken detailed analysis and consultation pursuant to the AAE Process' first stage. The high degree of Ministerial discretion is likely to discourage adequately resourced councils from engaging with the AAE Process. Should such discretion remain in the final document, the LGASA recommends the discretion be limited, or further detail and clarification be provided in relation to Ministers' reasons for not proceeding with the action of an identified product impact issue.

The LGASA is also concerned by the lack of clarity and distinction between the *Product Stewardship Act 2011* and the AAE Process. The LGASA recommends the AAE Process document provide further information to clarify the two different processes.

2018-19 PIM Work-plan

Generally, the LGASA supports the inclusion of the products included in the PIM Work-plan. However, while the LGASA is supportive of container deposit schemes, we question its inclusion in the work-plan given it is a response to product impact issues, whereas all other items listed are products themselves.

The LGASA believes the following products (which the LGASA believes would likely pass the 'Assessment' stage of the AAE Process) are missing from the work-plan:

- Mattresses;
- Polystyrene; and
- Cooking oils.

Our member councils have not suggested they are in a position to lead or work with another jurisdiction on the existing identified priorities. As expressed in this submission, the onerous process to identify product impact issues and the Ministerial discretion to refuse an issue is likely to discourage local government from considering engagement with the AAE Process.

148 Frome St
Adelaide SA 5000

GPO Box 2693
Adelaide SA 5001

T (08) 8224 2000

F (08) 8232 6336

E lgasa@lga.sa.gov.au

www.lga.sa.gov.au